

RESOLUTION

**FILLMORE COUNTY BOARD OF COMMISSIONERS
Preston, Minnesota 55965**

Date May 22, 2018 Resolution No. 2018-

Motion by Commissioner _____ Second by Commissioner _____

BE IT RESOLVED by the County Commissioners of the County of Fillmore, Minnesota (County) as follows:

Section 1. BACKGROUND AND FINDINGS

1.01 Fillmore County, as a county located outside of the metropolitan area, is authorized under Minnesota Statutes, Chapter 469 (Act) to establish an Economic Development Authority (EDA) to coordinate and administer economic development and redevelopment plans and programs of the County.

1.02 In January of 2001, in accordance with the Act and Section 469.1082, the County created a committee to explore and recommend options for a county economic development service provider. The exploratory committee's recommendation was to establish a county economic development authority that includes the powers of a housing and redevelopment authority.

1.03 In August of 2017, a review of the existing By-Laws of the EDA was completed, and recommendations were made to change the by-laws to more accurately reflect the work being taken on and processes being used by the EDA over the past decade.

1.04 It is therefore found and determined by the Fillmore County Commissioners that the encouragement and financial support of economic development and redevelopment in the county is still vital to the orderly development and financing of the county and in the best interests of the health, safety, prosperity and general welfare of the citizens of Fillmore County.

1.05 It is further found and determined that the economic development and redevelopment of the County can best be accomplished by the establishment of an EDA that includes the powers of a housing and redevelopment authority as authorized by the Act.

1.06 The Fillmore County Commissioners have in accordance with the Act provided public notice and conducted a public hearing on May 22, 2018, at 10:00 a.m. concerning the renewal and updating of the EDA Enabling Resolution at which all persons wishing to be heard expressed their views.

Section 2. ENABLING RESOLUTION

2.01 The Fillmore County Economic Development Authority (EDA) is hereby to operate under the Bylaws approved September 20th, 2017. The Fillmore County EDA is a Public Body corporate and politic and a political subdivision of the State of Minnesota.

2.02 The EDA shall have all the powers, duties and responsibilities set forth in Sections 469.029 to 469.108 of the Act and as said Act may be amended from time to time and all other applicable laws, except as limited by this Resolution.

2.03 The EDA shall consist of a governing body of seven Board Members. Two (2) of the Board Members shall be members of the Fillmore County Board of Commissioners and appointed by the Fillmore County Board of Commissioners. Five (5) Board Members shall be individuals who represent each of the five (5) County Commissioners Districts, represent of mix of township and cities, and are appointed by the Fillmore County Board of Commissioners.

Those initially appointed shall be appointed for terms of one, two, three, four and five and two members six years, respectively. Thereafter any Board Members appointed to the board will be appointed for a term of six years. When a vacancy is created in the membership of the EDA Board, the Fillmore County Commissioners shall fill that vacancy. The new member appointed to fill the vacancy shall be appointed for the unexpired term of his or her predecessor.

Section 3. LIMITS OF POWERS

3.01 The following limits shall apply to the Fillmore County Economic Development Authority and its operation.

(a) The sale of all bonds or other obligations issued by the EDA shall first be approved by the county Commissioners

- (b) The EDA shall follow the budget process and funds handling process for County Departments as may be provided by the County and in accordance with County Policies.
- (c) Development and Redevelopment actions of the EDA shall be consistent with the County Comprehensive Plan and official controls implementing the Comprehensive Plan.
- (d) The EDA shall submit its proposed plans for development and redevelopment to the County Commissioners for approval in accordance with County planning procedures and law.
- (e) The administrative structure and management practices and policies of the EDA must be approved by the County Commissioners.
- (f) The EDA must submit to the County Commissioners a detailed annual report outlining its activities, receipts and expenditures during the preceding calendar year, and shall include a description of current and proposed projects as well as general development goals for the County. This resolution will be formally reviewed after six (6) years by the Board to ensure that EDA benefits justify cost to the County.

3.02 As provided in the Act it is the intention of the Fillmore County Commissioners that nothing in this Resolution nor any activities of the EDA shall be construed to impair the obligations of the County under any of its contracts or to effect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the County. The County Commissioners shall not modify any limit in effect at the time any bonds or obligations are issued or contracts executed to the detriment of the holder of the bonds of obligations or any contracting party.

Section 4. IMPLEMENTATION

- 4.01 The County Commissioners shall from time to time and at the appropriate time adopt such ordinances and resolutions as are required by the Act to give full effect to this Resolution.
- 4.02 The County Board Chair, the County Coordinator, and other appropriate County Officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this Resolution.
- 4.03 This Enabling Resolution may be modified to make any changes as authorized in the Act. Each year, within 60 days of the anniversary date of the first adoption of the enabling resolution, the authority shall submit to the County Commission a report stating whether and how the enabling resolution should be modified. Within 30 days of receipt of the recommendation, the County Commissioners shall review the enabling resolution, consider the recommendations of the authority, and make any modification it considers appropriate.

VOTING AYE					
Commissioners	Lentz <input type="checkbox"/>	Bakke <input type="checkbox"/>	Prestby <input type="checkbox"/>	Peterson <input type="checkbox"/>	Dahl <input type="checkbox"/>
VOTING NAY					
Commissioners	Lentz <input type="checkbox"/>	Bakke <input type="checkbox"/>	Prestby <input type="checkbox"/>	Peterson <input type="checkbox"/>	Dahl <input type="checkbox"/>

STATE OF MINNESOTA
 COUNTY OF FILLMORE

I, Bobbie Vickerman, Clerk of the Fillmore County Board of Commissioners, State of Minnesota, do hereby certify that the foregoing resolution is a true and correct copy of a resolution duly passed at a meeting of the Fillmore County Board of Commissioners held on the 22nd day of May, 2018.

Witness my hand and official seal at Preston, Minnesota the 22nd day of May, 2018.

SEAL

Bobbie Vickerman, Coordinator/Clerk
 Fillmore County Board of Commissioners