

DISCRETIONARY FORMULA SPECIFIC HISTORICAL DISTRICT:

Commissioner Wiese offered the following Resolution:

RESOLUTION #18-24

WHEREAS, the Brown County Commission wishes to update Resolution #R37-20 to conform with current South Codified Law.

WHEREAS, the Aberdeen Commercial Historic District is the area in the City of Aberdeen within the border of 6th Avenue SE/SW on the south, Railroad Avenue SE/SW on the north, the public alley right-of-way between Main Street S. and 1st Street S. on the west, and the public alley right-of-way between Main Street S. and Lincoln Street S. on the east.

WHEREAS, the Aberdeen City Council, pursuant to SDCL 11-8-4, designated the Aberdeen Commercial Historic District an urban renewal area.

WHEREAS, the Brown County Board of Commissioners has currently adopted a “discretionary formula” for the assessment of certain structures in Brown County.

WHEREAS, SDCL 10-6-137(1) authorize the Brown County Board of Commissioners, at its discretion, to adopt any formula for assessment of new industrial or commercial structures, or any additions, renovation, or reconstruction to existing structure, which new structures or additions, renovation, or reconstruction have a full and true value of thirty thousand dollars (\$30,000) or more, located within a designated urban renewal area as defined in SDCL 11-8-4.

WHEREAS, SDCL 10-6-137(1) states the formula may include for any or all of the five tax years following construction all, any portion, or none of the assessed valuation for tax purposes.

WHEREAS, the current discretionary formula allows the level of assessment for all qualifying structures, per SDCL 10-6-137(1) to be 20% of assessed value for the 1st year, 40% for the 2nd year, 60% for the 3rd year, 80% for the 4th year, and 100% for the 5th year.

WHEREAS, the Board of County Commissioners may, if requested by the owner, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner.

WHEREAS, the adoption of the discretionary formula authorized by SDCL 10-6-137(1) shall be concurrent with, and have no effect upon, existing municipal tax assessments for a business improvement district and a parking district that include the Aberdeen Commercial Historic District.

THEREFORE, BE IT RESOLVED, the Brown County Board of Commissioners hereby adopts a new discretionary formula as authorized by SDCL 10-6-137(1) for those structures within the urban renewal area known as the Aberdeen Commercial Historic District, which new structures or additions, renovation, or reconstruction have a full and true value of thirty thousand dollars (\$30,000.00) or more. The level of assessment for qualifying structures shall be 0% of assessed value for the 1st year, 0% for the 2nd year, 0% for the 3rd year, 0% for the 4th year, and 0% for the 5th year. The resolution shall be applied beginning November 1, 2020 for the 2021 assessment year, which begins November 1, 2021 for completed projects.

FURTHER RESOLVED, that the purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property in the year preceding the first year of the tax years following construction; and be it.

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of the construction.
Nothing in this resolution is intended to allow any refund or abatement of taxes levied to its passage.

Dated this 23rd day of April 2024.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Dennert-aye, Fjeldheim-aye, Gage-aye, Sutton-aye, Wiese-aye. Resolution adopted.