



STATE OF MINNESOTA  
MUNICIPAL BOARD

Suite 165 Metro Square  
7th & Robert Streets  
St. Paul, Minnesota 55101

November 18, 1980

MEMORANDUM

TO: Parties of Record and Interested Parties

FROM: Patricia D. Lundy  
Assistant Executive Director

Re: Minnesota Municipal Board Docket No. A-3679 Isle

This is to inform you that pursuant to Municipal Board Order dated October 2, 1980 in the above-described matter an election was duly held on the 4th day of November, 1980, in accordance with Minnesota Statutes 414.031, Subdivision 5.

The election results have been certified as follows and the Isle annexation therefore is not effective.

	<u>For Annexation</u>	<u>Against Annexation</u>
Isle Harbor Town Hall	67	150
Isle City Hall	<u>147</u>	<u>145</u>
TOTAL VOTES	<u>214</u>	<u>295</u>

PDL:mem



BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
E. A. Strelow	Ex-Officio Member
Paul Reiman, Jr.	Ex-Officio Member

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IN THE MATTER OF THE RESOLUTION )  
 FOR ANNEXATION OF CERTAIN LAND )  
 TO THE CITY OF ISLE )

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FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on May 14, 1980, at Isle, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners E. A. Strelow and Paul Reiman, Jr., ex-officio members of the Board. The City of Isle appeared by and through Thomas Sweeney, the Township of Isle Harbor appeared by and through Norman Springer, Town Clerk. Testimony was heard, and records and exhibits were recieved.

After due and careful consideration of all evidence, together with all records, files and proceedings, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I. On March 13, 1980, a resolution of the annexing municipality was received by the Minnesota Municipal Board requesting the Board to order annexation of the area hereinafter described. This resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

Southwest Quarter of the Northeast Quarter of Section 10,  
 Township 42, Range 25, Mille Lacs County, Minnesota.

II. Due, timely and adequate legal notice of the hearing was published, served and filed.

III. Geographic Features

- A. The area subject to annexation is unincorporated and abuts the City of Isle.
- B. The total area of the City of Isle is 1360 acres. The total area of the territory subject to annexation is 40 acres.
- C. The perimeter of the area to be annexed is 50% bordered by the municipality.
- D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is: gently rolling, with low land and swamp in the western portion. The soil is loamy clay, granular and possibly organic soils in the low area.

IV. Population Data

A. The City of Isle:

1. In 1970, there were approximately 551 residents.
2. The present estimated population is approximately 649.
3. By 1990, the projected population is approximately 730.

B. The area subject to annexation:

1. The present estimated population is 8.

C. The Township of Isle Harbor:

1. The present estimated population is approximately 490.

V. Development Issues

A. The pattern of physical development, including land already in use, and remaining for various uses.

1. Area in Use

- a. In the City of Isle are the following types of uses: residential, institutional, commercial, industrial, agricultural and vacant land.
- b. In the area subject to annexation are the following types of uses: residential, institutional, commercial, agricultural and vacant land.
- c. In the Township of Isle Harbor: residential, institutional, commercial, agricultural, and vacant land.

2. Area Remaining for Various Uses

- a. In the area subject to annexation: residential development and open space, consistent with the City of Isle's zoning map.

B. Transportation:

1. The present transportation network is:
  - a. In the City of Isle: City, State and C.S.A.H. roads
  - b. In the area subject to annexation: City, Township and C.S.A.H. roads

C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Isle:
  - a. Zoning: yes
  - b. Subdivision Regulations: yes
  - c. Comprehensive Plan: yes
  - d. Official Map: yes
  - e. Capital Improvements Program: yes
  - f. Fire Code: yes
  - g. Building Inspector: no
  - h. Planning Commission: yes
2. In the Township of Isle Harbor: there was no evidence as to land use controls and planning tools within the township
3. In the County of Mille Lacs: there was no evidence presented as to land use controls and planning tools in use within the county.
4. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VI. Governmental Services

- A. The Town of Isle Harbor provides the area subject to annexation with the following services:
  - 1. Water: no
  - 2. Sewer: no
  - 3. Fire protection and rating: contract with the City of Isle for protection, Class 10
  - 4. Street maintenance: by township with the City of Isle providing snowplowing
  
- B. The City of Isle provides its residents with the following services:
  - 1. Water: yes
  - 2. Sewer: yes
  - 3. Fire protection and rating: yes; 7
  - 4. Police protection: yes
  - 5. Street improvements: yes
  - 6. Street maintenance: yes
  - 7. Recreational: yes
  - 9. Administrative services: yes
  
- C. The City of Isle provides the area subject to annexation with the following services:
  - 1. Water: to four of the residences.
  - 2. Sewer: to three of the residences.
  - 3. Fire protection and rating: by contract with the township
  - 4. Police protection: yes
  - 6. Street maintenance: yes
  
- D. There are no existing environmental problems.
  
- E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: further extension of sewer and water as well as upgrading the road, and extension of general municipal services.
  
- F. The following services will be available to the annexed area within three years: extension of sewer, water and road improvements.

VII. Tax Base

- A. In the City of Isle, the tax base includes the following:
  - 1. Residential property in 1979 was valued at \$4,137,959.
  - 2. Commercial property in 1979 was valued at \$1,202,975.
  - 3. Industrial property in 1979 was valued at \$121,900.
  - 4. Agricultural property in 1979 was valued at \$11,100.
  - 5. Vacant land in 1979 was valued at \$123,400.
  
- B. In the Township of Isle Harbor, the tax base includes the following:
  - 1. Residential property in 1979 was valued at \$1,467,055.
  - 2. Commercial property in 1979 was valued at \$141,060.
  - 3. Agricultural land in 1979 was valued at \$2,970,285.
  - 4. Vacant land in 1979 was valued at \$177,400.

C. In the area subject to annexation, the tax base includes the following:

1. Residential property in 1979 was valued at \$44,000.
2. Agricultural property in 1979 was valued at \$28,225.

VIII. Tax Data

A. In the City of Isle:

1. Mill rate in 1980 is 19.087.

B. In the Township of Isle Harbor:

1. Mill rate in 1980 is 3.137.

C. In the area subject to annexation:

1. Mill rate in 1980 is 3.137.

D. Mill rate in the respective governmental units:

1. County in 1980 is 58.336.
2. School district in 1980 is 64.816.
3. Township in 1980 is 3.137.

IX. Annexation to the City of Isle is the best alternative.

A. There will be no effect on area school districts and on adjacent communities if the proposed annexation is approved.

B. The town government is not adequate to deliver services to the area proposed for annexation.

C. Necessary governmental services could not best be provided by incorporation or annexation to an adjacent municipality other than the City of Isle.

D. Isle Harbor Township can continue to function without the area subject to annexation.

X. A majority of property owners in the area to be annexed have not petitioned the Minnesota Municipal Board requesting annexation.

CONCLUSIONS OF LAW

I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

II. The area subject to annexation is now or is about to become urban or suburban in character.

III. Municipal government is required to protect the public health, safety, and welfare in the area subject to annexation.

IV. The best interest of the area subject to annexation will be furthered by annexation.

V. The remainder of the Township of Isle Harbor can carry on the functions of government without undue hardship.

VI. There is a reasonable relationship between the increase in revenue for the City of Isle and the value of benefits conferred upon the area subject to annexation.

VII. Annexation of all or part of the property to an adjacent municipality would not better serve the interests of the residents who reside in the area subject to annexation.

VIII. Three years will be required to effectively provide full municipal services to the annexed area.

IX. This annexation proceeding has not been initiated by a petition of a majority of property owners and, therefore, this Minnesota Municipal Board order is subject to an annexation election to be described herein.

X. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

ORDER

I. IT IS HEREBY ORDERED: That the property described herein situated in the County of Mille Lacs, State of Minnesota, be and the same is hereby annexed to the City of Isle, Minnesota, the same as if it had been originally made a part thereof:

Southwest Quarter of the Northeast Quarter of Section 10,  
Township 42, Range 25, Mille Lacs County, Minnesota.

II. IT IS FURTHER ORDERED: On November 4, 1980, which is 33 days after the entry date of this order, a public election, to be conducted as provided by law, shall be held in the entire City of Isle and the entire Town of Isle Harbor which is the area that has been determined by the Minnesota Municipal Board to be primarily and substantially interested in or affected by the Minnesota Municipal Board order. The ballot for said election shall conform substantially to the following:  For Annexation  Against Annexation. Further, any person eligible to vote at a township or municipal election is eligible to vote at such election.

III. IT IS FURTHER ORDERED: That Ardelle Bergquist is hereby appointed as the Chief Election Judge and Russell W. Rule is hereby appointed Assistant Election Judge. Further, that the Isle City Hall shall be the polling place in Isle and the Isle Harbor Town Hall shall be the polling place in the township. Other election judges are as follows:

Election Judges City of Isle

Martha Olson  
Bertha Spangler  
Elaine Zilmer  
LuAnn Bergquist  
Claribel Monson  
Rita Linneman  
Mabel Fredin

Election Judges for Town of Isle Harbor

Clark Lybeck  
Rueben Rasmussen  
Norman Springer

The local judges shall conduct the election so far as practicable in accordance with the laws regulating special elections. Further, the referendum shall be conducted as provided for in Minnesota Statutes 414.031, Subd. 5. The polls shall be open from 7:00 a.m. to 8:00 p.m.

IV. IT IS FURTHER ORDERED: That the population of the City of Isle has increased by eight persons.

V. IT IS FURTHER ORDERED: That the population of the Town of Isle Harbor has decreased by eight persons.

VI. IT IS FURTHER ORDERED: That the mill levy of the City of Isle on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the City.

VII. IT IS FURTHER ORDERED: That the annexation of property described in Article I of this Order to the City of Isle shall be effective, operational, and completed on January 1, 1981, provided that a majority of the votes cast "for annexation". The Municipal Board shall upon receipt of the certificate of the election results, notify all parties of record of the election results.

VIII. IT IS FURTHER ORDERED: That the effective date of this order is October 2, 1980.

Dated this 2nd day of October, 1980

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
St. Paul, Minnesota 55101

*Terrence A. Merritt*

Terrence A. Merritt