

PLEASE PROVIDE THE INFORMATION REQUESTED BELOW WITHIN THE NEXT TEN DAYS WITH ANY ATTACHMENTS TO:

Minnesota Planning
Municipal Boundary Adjustments
658 Cedar Street - Room 300
St. Paul, Minnesota 55155-1603

USE ADDITIONAL SHEETS IF NECESSARY.

FACTUAL INFORMATION

This form is being completed by Steven J. Franta who is the attorney for the petitioner to the Petition filed under Minnesota Statute 414.06:

[The term "subject area" referred to herein means the area that is proposed for a boundary adjustment.]

- (a) Present population and number of households, past population and projected population growth of the subject area:

	Subject Area	City	Township/ Other City
1980 Population	_____	_____	_____
1990 Population	_____	_____	_____
Current Population	_____	_____	_____
Current Households	_____	_____	_____
Projected in 5 years	_____	_____	_____
Source of Data	_____	_____	_____

- (b) Geographic Features:

1.

	Present City	Present Township	Subject Area	Adjacent Unit of Gov't
Total Acreage	_____	_____	_____	_____

2. Describe any waterways in or adjacent to the subject area: (rivers, streams, shorelands, protected water, protected wetlands, watershed districts): _____

3. Are the waterways subject to any State or Federal regulation? Describe if yes: _____

4. Generally describe the soils in the subject area: _____

5. Describe the terrain in the subject area: _____

(c) Contiguity: The perimeter of the subject area is approximately _____% bordered by the municipality and _____% by the township and _____% by _____.

(d) Present pattern of physical development, planning, and intended land uses in the subject area and adjoining areas:

1. The land uses are: (Fill in approximate acreage or percentages if available instead of yes or no.)

	City		Township		Subject Area	
	Yes	No	Yes	No	Yes	No
Residential						
Institutional (tax exempt)						
Commercial/Retail						
Industrial						
Agricultural						
Vacant Lands						

(current zoning)

2. What type of development is proposed for the subject area?

3. What are the current adjacent land uses and/or zoning?

(e) The present transportation network:

	Present City	Present Township	Subject Area
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Number of Miles of Highway, Streets & Roads _____

2. Are any transportation changes planned in the subject area? yes _____ no _____ in the city? yes _____ no _____ in adjacent areas? yes _____ no _____

3. What are the major roads/highways that serve the subject area and adjoining areas?

(f) Land Use Controls and Planning:

1. Comprehensive Plan (Attach copy of portion that applies to subject area):

	City	Township	County	Region
Adoption Date	_____	_____	_____	_____
Status of Plan	_____	_____	_____	_____
No Existing Plan	_____	_____	_____	_____

2. Have any area planning authorities adopted an official position on the proposed boundary adjustment? (planning commissions, boards, joint boards, Met Council, Regional Development Commissions, county, etc.)

yes _____ no _____ supportive _____ non-supportive _____

If yes, describe and attach copy of position document: _____

3. Please check where the following exists and give any necessary explanations on how it relates to the proposed boundary adjustment. (Since it may be possible that two or more ordinances attempt to regulate the same area, please circle whose ordinance presently applies to the subject area.)

	City		Township		County		Date Adopted		
	Yes	No	Yes	No	Yes	No	City	Town	County

Zoning _____

Subdivision Regulations _____

Official Map _____

Capital Improvements/Budget _____

Fire Code _____

Shoreland Ord. _____

Floodplain Ord. _____

Wild & Scenic Rivers Ord. _____

Sanitation Ord. (on-site sewage treatment) _____

Attach copies of maps and portions of ordinances that apply to subject area.

* If city does not provide water to the subject area, who does? _____

What is the percentage of capacity currently being used by the city? _____

* Would city take over or allow existing use? _____

** If city does not provide sewer to the subject area, who does? _____
What is the percentage of capacity currently being used by the city? _____

** Would city take over or allow existing use? _____

(h) Describe any existing or potential environmental problems and whether the proposed action is likely to improve or resolve these problems: (Example: ground or surface water problems, water quality and levels, sewage treatment, air pollutant emissions, noise, odors, affect on fish or wildlife; affect on historical resources, archaeological resources, aesthetic resources; impairment of park lands, prime farmlands, wild and scenic rivers, critical area; abandoned dump or disposal site, etc.) No problem... no potential problems...no change.

(i) Plans and programs by the receiving governmental unit for providing governmental services to the subject area and the impact of the proposed action on those services:

(j) Describe the fiscal impact on the city, the subject area, and adjacent units of local government:

See attached letter from the County Auditor.

	Present City Year:	Present Township Year:	Subject Area Year:	Trend over last 3 yrs.
Net Tax				
Capacity				

Net Tax
Capacity

Tax Rates:

County
Local Unit
of Gov't

School
District

Special
Tax Dist.

Insurance
Rating (fire)

Levy Limit

Actual
Current Levy

Total Bonded
Indebtedness

(k) Would the proposed action affect any school district boundaries or adjacent communities? yes _____ no _____

Describe if yes: _____

(l) Are new services necessary for the subject area? yes _____ no _____

If so, which ones: _____

What is the current capacity of the sewer and water systems, how much is being used and by whom? _____

(m) Can necessary governmental services best be provided by the proposed boundary adjustment or would another type of boundary adjustment be more appropriate?

yes x by proposed action no _____ by _____

(n) If the boundary adjustment were approved:

1. Would the city/township suffer any undue hardship? yes _____ no x

Describe if yes: See attached letter.

2. Would the symmetry of the city/township be effected? yes _____ no _____

Describe if yes: _____

3. Should the subject area be increased or decreased? yes _____ no _____

Describe if yes, and attach a revised area map: _____

(o) Has the city/township provided any improvements to the subject area?

yes _____ no _____

If so, which ones and when: _____

(p) Has the city/township assessed the subject area for the improvements?

yes _____ no _____

Describe if yes: _____

(q) Will the subject area be assuming any city/township indebtedness?

yes _____ no _____

Describe if yes: _____

(r) Has there ever been a previous boundary adjustment filed for this property or substantially the same property before?

yes _____ no _____

Describe if yes: _____

(s) Why have you filed a petition/objection for boundary adjustment? The City has refused to establish a rural service district for property tax purposes. The City has been taxing the agricultural property in excess of \$8,000 annually above what the township agricultural rates were without providing any additional service over and above what the township could and would provide.

(t) Will the boundary adjustment generate a need for an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS)?

yes _____ no x

If so, why? _____

Attach any additional information which you believe is important. If you have not supplied some information, please explain why.

SUBMITTED BY:

City of _____, this _____ day of _____, 19 _____.

Mayor

City Clerk

Town of _____, this _____ day of _____, 19 _____.

Township Chair

Township Clerk

BY: Steph Frantz, this 28th day of September, 19 2001.
Property Owners Attorney

BY: _____, this _____ day of _____, 19 _____.
Property Owner

Complete the form as fully and completely as possible. Any information that is not supplied, and is readily available, and must be obtained by Minnesota Planning will be charged back against the party who did not supply it. A jointly completed form is also acceptable. **If you have any questions, contact the Municipal Boundary Adjustments Office at (651) 284-3383.**

DATA RESOURCES

1. POPULATION:

Metropolitan Council (Twin Cities Metro Area)
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55155
(651) 291-6359

State Demographer
300 Centennial Building
658 Cedar Street
St. Paul, MN 55155
(651) 296-4100

2. GEOGRAPHIC FEATURES:

County Soil and Water Conservation Office

University of Minnesota
Agricultural Extension Office
1994 Buford Avenue
Rm 146, Classroom Office Building
St. Paul, MN 55108
(651) 625-3797

Department of Agriculture
Soil & Water Conservation Board
155 South Wabasha Street
Suite 104
St. Paul, MN 55107
(651) 296-3767

Land Management Information Center
330 Centennial Building
658 Cedar Street
St. Paul, MN 55155
(651) 296-1211

3. LAND USE:

Local, City and Township Offices

Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
(651) 291-6359

Land Management Information Center
330 Centennial Building
658 Cedar Street
St. Paul, MN 55155
(651) 296-1211

4. TRANSPORTATION:

Local, City and Township Offices

County Engineer

Minnesota Department of Transportation
Transportation Building
395 John Ireland Boulevard
St. Paul, MN 55155
(651) 296-1638

5. ENVIRONMENTAL:

Local, City, Township, and County Offices

Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155
(651) 296-6300

Minnesota Department of Health
717 Delaware Street, Southeast
Minneapolis, MN 55414
(612) 623-5000

Land Management Information Center
330 Centennial Building
658 Cedar Street
St. Paul, MN 55155
(651) 296-1211

6. PLANNING:

County Zoning Administrator

Regional Development Commissions

Local Planning Board & Commissions

Local City or Township Administrators

Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, Minnesota 55101
(651) 291-6359

7. GOVERNMENTAL SERVICES:

City, Township, County, Metropolitan Council, MPCA and Regional Development Commissions

8. FISCAL DATA:

City, Township, and County Auditor

City, Township, and County Budgets

Financial Reports made to the State Auditor.

OTHER SOURCES OF INFORMATION:

A helpful slide/tape show, Orderly Annexation: A Way to Grow, may be checked out from Minnesota Planning, 300 Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155 (651) -296-3985.

Useful publications are available from the League of Minnesota Cities, 145 University Avenue, West, St. Paul, Minnesota 55103-2044, (651) 281-1200: Annexation of Land to Minnesota Cities, Consolidation of Cities, and A Guide for New Cities.

July 9, 2001

TO: Robert Hansen, Mayor
City of Delavan

FROM: John Thompson
County Auditor

RE: Impact of removal of farmland from City of Delavan

It is my understanding that the owners of the farmland within the City of Delavan have petitioned to have their land removed from the City's tax base. Using the latest information from payable 2001 taxes the effect on the City would be as follows;

- The City's tax based would be reduced by \$8,619 from \$62,944 to \$54,325 or about 14%.
- The tax rate for the City's taxes would increase from 117.009% to 135.573% or about 16%.
- Taxes would increase by \$46.00 on a \$25,000 homestead and \$97.00 on a \$50,000 homestead.
- Taxes on the farmland would be reduced by \$8431 from \$10,085 to \$1,654. The township rate would be used on the farmland.

As discussed before, A Rural Service District (RSD) would reduce the rate on the farmland and spread the increase over the remaining City parcels. The Delavan Township rate for payable 2001 is 19.194%. A rural service district rate of 15% would be necessary to reduce the rate to a comparable rate. The following table reflects the increases on other City parcels for a 15%, 20% and 30% RSD.

	<u>Increase w/ 15% RSD</u>	<u>Increase w/ 20% RSD</u>	<u>Increase w/ 30% RSD</u>
\$25,000 Homestead	\$ 39	\$ 36	\$ 31
\$50,000 Homestead	\$ 80	\$ 75	\$ 65
Reduction for Ag Land (Total)	\$ (8,373)	\$ (7,820)	\$ (6,774)

The City should decided what level of RSD percentage it wishes to propose. It would appear that any level would be better than losing all the tax base. I'm not familiar with the Planning Board's policy. The 4 RSD's in place (Easton, Elmore, Walters, and Minnesota Lake) are between 25% and 35%. Easton used a sliding scale starting with 50% in the first year and ending up at 35%.

I would also recommend that you consult your city attorney since the hearing process is a legal process. I will be available to supply any information you request.

City of Delavan
 Rural Service District Examples
 Payable 2001 Property Taxes
 Prepared by John Thompson, County Auditor
 Tax Effects

		Tax Capacity	Pay 2000	Detachment	15% RSD	20% RSD	25% RSD	30% RSD	35% RSD
\$25000 Homestead		250	\$ 293	\$ 339	\$ 331	\$ 329	\$ 326	\$ 324	\$ 321.10
\$50,000 Homestead		500	\$ 585	\$ 678	\$ 662	\$ 657	\$ 652	\$ 647	\$ 642.20
\$50,000 Commercial		1200	\$ 1,404	\$ 1,627	\$ 1,589	\$ 1,577	\$ 1,565	\$ 1,553	\$ 1,541.28
Evelyn Whitney Trust	23.200.2410	120	\$ 140	\$ 23	\$ 24	\$ 32	\$ 39	\$ 47	\$ 54
Stenzel	23.036.0100	510	597	98	101	134	166	198	229
	23.036.2200	2975	3481	571	591	782	970	1155	1337
Delbert Whitney	23.036.0300	1975	2311	379	392	519	644	767	888
	23.036.0700	700	819	134	139	184	228	272	315
	23.036.7300	5	6	1	1	1	2	2	2
	23.039.8900	77	90	15	15	20	25	30	35
Warren	23.036.0500	462	541	89	92	121	151	179	208
	23.036.2500	890	1041	171	177	234	290	346	400
	23.036.0400	1	1	0	0	0	0	0	0
	23.036.2400	44	51	8	9	12	14	17	20
	23.036.0402	50	59	10	10	13	16	19	22
Roger Whitney	23.036.0600	810	948	155	161	213	264	314	364
			\$ 10,085	\$ 1,654	\$ 1,712	\$ 2,265	\$ 2,810	\$ 3,346	\$ 3,875

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Minnesota Planning
 Municipal Boundary Adjustments
 658 Cedar Street - Room 300
 St. Paul, Minnesota 55155-1603

REC'D BY MMB AUG 24 2001

USE ADDITIONAL SHEETS IF NECESSARY.

FACTUAL INFORMATION

This form is being completed by the City of Delavan, Minnesota who is the Respondent to the Petition filed under Minnesota Statute 414.06:

[The term "subject area" referred to herein means the area that is proposed for a boundary adjustment.]

- (a) Present population and number of households, past population and projected population growth of the subject area:

	<u>Subject Area</u>	<u>City</u>	<u>Township/ Other City</u>
1980 Population	<u>1</u>	<u>262</u>	<u>250</u>
1990 Population	<u>1</u>	<u>245</u>	<u>248</u>
Current Population	<u>1</u>	<u>223</u>	<u>275</u>
Current Households	<u>1</u>	<u>102</u>	<u>106</u>
Projected in 5 years	<u>1 or less</u>	<u>same</u>	<u>same</u>
Source of Data	<u>Petition</u>	<u>County Auditor</u>	<u>County Auditor</u>

- (b) Geographic Features:

1.

	<u>Present City</u>	<u>Present Township</u>	<u>Subject Area</u>	<u>Adjacent Unit of Gov't</u>
Total Acreage	<u>640</u>	<u>22,400</u>	<u>516</u>	<u>N/A</u>

2. Describe any waterways in or adjacent to the subject area: (rivers, streams, shorelands, protected water, protected wetlands, watershed districts):
N/A

3. Are the waterways subject to any State or Federal regulation?
 Describe if yes: N/A

4. Generally describe the soils in the subject area:
N/A

5. Describe the terrain in the subject area: flat, agricultural

(c) Contiguity: The perimeter of the subject area is approximately 25 % bordered by the municipality and 75 % by the township and _____ % by _____.

(d) Present pattern of physical development, planning, and intended land uses in the subject area and adjoining areas:

1. The land uses are: (Fill in approximate acreage or percentages if available instead of yes or no.)

	City		Township		Subject Area	
	Yes	No	Yes	No	Yes	No
Residential	X			X		X
Institutional (tax exempt)		X		X		X
Commercial/Retail		X		X		X
Industrial		X		X		X
Agricultural	X		X		X	
Vacant Lands		X		X		X

(current zoning)

2. What type of development is proposed for the subject area?

N/A - none planned

3. What are the current adjacent land uses and/or zoning?

residential and agricultural

(e) The present transportation network:

1.

	N/A		
	Present City	Present Township	Subject Area
Number of Miles of Highway, Streets & Roads	_____	_____	_____

2. Are any transportation changes planned in the subject area? yes _____ no X
in the city? yes _____ no _____ in adjacent areas? yes _____ no _____

3. What are the major roads/highways that serve the subject area and adjoining areas? Minnesota thruway 109, Faribault County Rd. No. 13 & other county roads.

(f) Land Use Controls and Planning:

1. Comprehensive Plan (Attach copy of portion that applies to subject area):

	City	Township	County	Region
Adoption Date	N/A	N/A	N/A	
Status of Plan				
No Existing Plan				

2. Have any area planning authorities adopted an official position on the proposed boundary adjustment? (planning commissions, boards, joint boards, Met Council, Regional Development Commissions, county, etc.)

yes _____ no supportive _____ non-supportive _____

If yes, describe and attach copy of position document: _____

3. Please check where the following exists and give any necessary explanations on how it relates to the proposed boundary adjustment. (Since it may be possible that two or more ordinances attempt to regulate the same area, please circle whose ordinance presently applies to the subject area.)

	City		Township		County		Date Adopted		
	Yes	No	Yes	No	Yes	No	City	Town	County
<u>Zoning</u>		No		No		Yes	-	-	9-19-78
<u>Subdivision Regulations</u>		No		No		No			
<u>Official Map</u>	Yes		Yes		Yes				
<u>Capital Improvements/Budget</u>		No		No		No			
<u>Fire Code</u>		No		No		No			
<u>Shoreland Ord.</u>		No		No		Yes	-	-	9-19-78
<u>Floodplain Ord.</u>		No		No		No			
<u>Wild & Scenic Rivers Ord.</u>		No		No		No			
<u>Sanitation Ord. (on-site sewage treatment)</u>	Yes			No	Yes		9-9-90	-	1-98

Attach copies of maps and portions of ordinances that apply to subject area.

* If city does not provide water to the subject area, who does? Individual Wells

What is the percentage of capacity currently being used by the city? 0%

* Would city take over or allow existing use? Yes

** If city does not provide sewer to the subject area, who does? Individual septic

What is the percentage of capacity currently being used by the city? 0%

** Would city take over or allow existing use? No

(h) Describe any existing or potential environmental problems and whether the proposed action is likely to improve or resolve these problems: (Example: ground or surface water problems, water quality and levels, sewage treatment, air pollutant emissions, noise, odors, affect on fish or wildlife; affect on historical resources, archaeological resources, aesthetic resources; impairment of park lands, prime farmlands, wild and scenic rivers, critical area; abandoned dump or disposal site, etc.) _____

The City of Delavan is currently constructing a new wastewater treatment facility and would be able to provide sewer and water services to detached land as needed.

(i) Plans and programs by the receiving governmental unit for providing governmental services to the subject area and the impact of the proposed action on those services:

N/A

(j) Describe the fiscal impact on the city, the subject area, and adjacent units of local government::

	Present City Year:	Present Township Year:	Subject Area Year:	Trend over last 3 yrs.
Net Tax Capacity				
<u>Tax Rates:</u>				
County				
Local Unit of Gov't				
School District				
Special Tax Dist.				
Insurance Rating (fire)				
Levy Limit				
Actual Current Levy				
Total Bonded Indebtedness				

(k) Would the proposed action affect any school district boundaries or adjacent communities? yes _____ no X

Describe if yes: _____

(l) Are new services necessary for the subject area? yes _____ no X

If so, which ones: _____

What is the current capacity of the sewer and water systems, how much is being used and by whom? _____

(m) Can necessary governmental services best be provided by the proposed boundary adjustment or would another type of boundary adjustment be more appropriate?

yes _____ by proposed action no X by _____ City of Delavan

REC'D BY
MMB

AUG 24 2001

(n) If the boundary adjustment were approved:

1. Would the city/township suffer any undue hardship? yes x no _____

Describe if yes: a reduction in the City tax base by 16% immediately.
Lack of area for development within proposed City limits.

2. Would the symmetry of the city/township be effected? yes x no _____

Describe if yes: The City has traditionally always been a full township
section in size. The detachment would leave a City boundary which would
roughly be shaped like an upside down L.

3. Should the subject area be increased or decreased? yes _____ no x

Describe if yes, and attach a revised area map: _____

(o) Has the city/township provided any improvements to the subject area?

yes _____ no x

If so, which ones and when: _____

(p) Has the city/township assessed the subject area for the improvements?

yes _____ no x

Describe if yes: _____

(q) Will the subject area be assuming any city/township indebtedness?

yes _____ no x

Describe if yes: _____

(r) Has there ever been a previous boundary adjustment filed for this property or substantially the same property before?

yes _____ no x

Describe if yes: _____

(s) Why have you filed a petition/objection for boundary adjustment? The detachment
Petition places an undue and harsh immediate tax burden upon a population which
has always had the base spread over a full township section. The immediate
tax increase to households in the City of Delavan would be over 16%.

(t) Will the boundary adjustment generate a need for an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS)?

yes _____ no X

If so, why? _____

Attach any additional information which you believe is important. If you have not supplied some information, please explain why.

SUBMITTED BY:

City of Delavan, this _____ day of _____, ~~19~~ 2001.

~~Mayor~~ City Attorney, David F. Frundt ~~City Clerk~~

Town of _____, this _____ day of _____, 19 _____.

Township Chair Township Clerk

BY: _____, this _____ day of _____, 19 _____.
Property Owner

BY: _____, this _____ day of _____, 19 _____.
Property Owner

Complete the form as fully and completely as possible. Any information that is not supplied, and is readily available, and must be obtained by Minnesota Planning will be charged back against the party who did not supply it. A jointly completed form is also acceptable. **If you have any questions, contact the Municipal Boundary Adjustments Office at (651) 284-3383.**

(t) Will the boundary adjustment generate a need for an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS)?
yes _____ no X

If so, why? _____

Attach any additional information which you believe is important. If you have not supplied some information, please explain why.

SUBMITTED BY:

City of Delavan, this 22 day of August, 192001.

David F. Frundt
Mayor City Attorney, David F. Frundt ~~City Clerk~~

Town of _____, this _____ day of _____, 19____.

Township Chair Township Clerk

BY: _____, this _____ day of _____, 19____.
Property Owner

BY: _____, this _____ day of _____, 19____.
Property Owner

Complete the form as fully and completely as possible. Any information that is not supplied, and is readily available, and must be obtained by Minnesota Planning will be charged back against the party who did not supply it. A jointly completed form is also acceptable. ***If you have any questions, contact the Municipal Boundary Adjustments Office at (651) 284-3383.***

			<u>Pop</u>	<u>HH's</u>
041	48796	Osakis city (part)	1392	588
041	48814	Osakis township	584	216
041	61078	Solem township	239	90
041	62248	Spruce Hill township	395	141
041	66406	Urness township	266	105
043		Faribault County	16181	6652
043	03520	Barber township	278	101
043	06688	Blue Earth city	3621	1535
043	06706	Blue Earth City townshi	454	165
043	07678	Bricelyn city	379	182
043	08380	Brush Creek ^{<} • tow	241	87
043	11638	Clark township	459	158
043	15472	Delavan city	223	100
043	15490	Delavan township	275	116
043	17108	Dunbar township	312	118
043	17738	Easton city	214	93
043	18998	Elmore city	735	305
043	19016	Elmore township	203	87
043	19268	Emerald township	228	89
043	22076	Foster township	314	112
043	22940	Frost city	251	115
043	31976	Jo Daviess township	281	107
043	33056	Kiester city	540	254
043	33074	Kiester township	320	120
043	38528	Lura township	217	81
043	43198	Minnesota Lake city (pe	681	297
043	43216	Minnesota Lake townsr	237	83
043	50974	Pilot Grove township	182	71
043	52432	Prescott township	222	82
043	55348	Rome township	172	73
043	59206	Seely township	210	84
043	66946	Verona township	391	158
043	67864	Walnut Lake township	251	92
043	67900	Walters city	88	34
043	69106	Wells city	2494	1032
043	70924	Winnebago city	1487	641
043	70978	Winnebago City townsr	221	80
045		Fillmore County	21122	8228
045	01396	Amherst township	405	124
045	02098	Arendahl township	333	118
045	04402	Beaver township	243	93
045	06544	Bloomfield township	414	146
045	07804	Bristol township	499	161
045	09802	Canton city	343	157
045	09820	Canton township	684	184
045	09910	Carimona township	272	109
045	10090	Carrolton township	321	113
045	11008	Chatfield city (part)	1257	509
045	11026	Chatfield township	489	181
045	21068	Fillmore township	485	178