

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

Office of Administrative Hearings
Municipal Boundary Adjustments
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

USE ADDITIONAL SHEETS IF NECESSARY.

FACTUAL INFORMATION

This form is being completed by S. Remona Peterson who is the Petitioner to the Petition filed under Minnesota Statute 414. _____:

The term "subject area" refers to the area that is proposed for the boundary adjustment.

1. Present population and number of households, past population and projected population growth of the subject area:

	Subject Area	City	Township/ Other City
1980 Population	0		
1990 Population	0		
Current Population	0		
Current Households	0		
Projected in 5 years	0		
Source of Data	personal knowledge		

2. Geographic Features:

a. None

	Present City	Present Township	Subject Area	Adjacent Unit of Gov't
Total Acreage			38.64	

- b. Describe any waterways in or adjacent to the subject area: (rivers, streams, shorelands, protected water, protected wetlands, watershed districts):
None

- c. Are the waterways subject to any State or Federal regulation?

Describe if yes: N/A

- d. Generally describe the soils in the subject area: Soils suitable for actively growing agricultural crops.
- e. Describe the terrain in the subject area: flat with slight decrease in elevation towards the Northeast.

3. Contiguity: The perimeter of the subject area is approximately 50 % bordered by the municipality and 50 % by the township and 0 % by Alden Township, Freedom County, WI

4. Present pattern of physical development, planning, and intended land uses in the subject area and adjoining areas:

a. 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 (current zoning)	X		X		X	

b. What type of development is proposed for the subject area?
None by Petitioner

c. What are the current adjacent land uses and/or zoning?
Mostly agricultural to the North, east and South.

5. The present transportation network:

	Present City	Present Township	Subject Area
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Number of Miles of Highway, Streets, and Roads _____ unknown but less than 1 mile.

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

c. What are the major roads/highways that serve the subject area and adjoining areas? City streets and Township roads.

6. Land Use Controls and Planning:

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

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

b. 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: _____

c. 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	X			X	X				
Subdivision Regulations	X			X	X				
Official Map	X			X	X				
Capital Improvements/ Budget	X			X	X				
Fire Code									
Shoreland Ordinance	X								X
Floodplain Ordinance	X								X
Wild & Scenic Rivers Ord.		X		X					X
Sanitation Ordinance (on-site sewage treatment)	X			X	X				

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? No water currently provided or needed in subject area.

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? No sewer currently provided or needed in subject area

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

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

8. 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.) N/A.

9. 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: No services to subject area are needed other than roads and fire service which the current plans of the township are adequate.

10. 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.
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Net Tax Capacity _____

Tax Rates:

County _____

Local Unit of Gov't _____

School District _____

Special Tax District _____

Insurance Rating (fire) _____

Levy Limit _____

Actual Current Levy _____

Total Bonded Indebtedness _____

11. Would the proposed action affect any school district boundaries or adjacent communities?

yes ___ no Describe if yes: _____

12. 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?

13. 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 _____ by _____

14. If the boundary adjustment were approved:

a. Would the city/township suffer any undue hardship? yes ___ no

Describe if yes: _____

b. Would the symmetry of the city/township be effected? yes ___ no

Describe if yes: _____

c. Should the subject area be increased or decreased? yes ___ no

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

15. Has the city/township provided any improvements to the subject area? yes no ___

If so, which ones and when: roads running on West and South of
subject area.

16. Has the city/township assessed the subject area for the improvements? yes ___ no

Describe if yes: _____

17. Will the subject area be assuming any city/township indebtedness? yes ___ no

Describe if yes: _____

18. Has there ever been a previous boundary adjustment filed for this property or substantially the same property before? yes ___ no Describe if yes: _____

19. Why have you filed a petition/objection for boundary adjustment? I have filed because
my land is a farm field has always been a farm field and I hope it
always will be a farm field. I do not live in Alden and am taxed
as if I do. I believe this is taxation without representation.

20. Will the boundary adjustment generate a need for an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS)? yes ___ no

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 _____, 20____

Mayor

City Clerk

Township of _____, this _____ day of _____, 20____

Township Chair

Township Clerk

BY: S. Ramona Peterson, this 14th day of August, 2007

Property Owner

Property Owner

BY: _____, this _____ day of _____, 20____

Property Owner

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 the Department of Administration - Municipal Boundary Adjustments 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.

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WITHIN THE NEXT TEN DAYS WITH ANY ATTACHMENTS TO:**

Office of Administrative Hearings
Municipal Boundary Adjustments
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

REC'D BY
MMB

AUG 09 2007

USE ADDITIONAL SHEETS IF NECESSARY.

FACTUAL INFORMATION

This form is being completed by City of Alden who is the respondent to the Petition filed under Minnesota Statute 414.06 _____:

The term "subject area" refers to the area that is proposed for the boundary adjustment.

1. 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>0</u>	<u>687</u>	<u> </u>
1990 Population	<u>0</u>	<u>623</u>	<u> </u>
Current Population	<u>0</u>	<u>652</u>	<u> </u>
Current Households	<u>0</u>	<u>300</u>	<u> </u>
Projected in 5 years	<u>0</u>	<u>305</u>	<u> </u>
Source of Data	<u>City & Land Owner</u>	<u>City & State Records</u>	<u> </u>

2. Geographic Features:

a.

	<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> </u>	<u>38.61</u>	<u> </u>

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

This area is in the Blue Earth River Watershed
See Attachment #1

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

d. Generally describe the soils in the subject area: See attachment #2

e. Describe the terrain in the subject area: See attachment #2

3. Contiguity: The perimeter of the subject area is approximately 50 % bordered by the municipality and 50 % by the township and _____ % by _____

4. Present pattern of physical development, planning, and intended land uses in the subject area and adjoining areas:

a. 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		60%				
Institutional (tax exempt)						
Commercial/Retail						
Industrial						
Agricultural		40%			100%	
Vacant Lands (current zoning)						

b. What type of development is proposed for the subject area?
None

c. What are the current adjacent land uses and/or zoning?
Residential and Agricultural

5. The present transportation network:

	Present City	Present Township	Subject Area
Number of Miles of Highway, Streets, and Roads	<u>7 Mi.</u>		<u>.35 Mi.</u>

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

c. What are the major roads/highways that serve the subject area and adjoining areas? County Road and City Street

6. Land Use Controls and Planning:

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

	City	Township	County	Region
Adoption Date	_____	_____	_____	_____
Status of Plan	_____	_____	_____	_____
No Existing Plan	<u>X</u>	_____	_____	_____

b. 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 X no _____ supportive _____ non-supportive X

If yes, describe and attach copy of position document: Alden City Council - at the July 11, 2007 City Council meeting - see attachment #3 - copy of minutes of the council meeting - top paragraph on the second page.

c. 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		X							
Subdivision Regulations		X							
Official Map		X							
Capital Improvements/ Budget		X							
Fire Code		X							
Shoreland Ordinance				X					
Floodplain Ordinance		X							
Wild & Scenic Rivers Ord.				X					
Sanitation Ordinance (on-site sewage treatment)		X							

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

see attachment #4

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

What is the percentage of capacity currently being used by the city? There is no water service actually located on this property.

* Would city take over or allow existing use? _____

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

What is the percentage of capacity currently being used by the city? There is no sanitary sewer actually located on this property.

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

8. 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.) _____

9. 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: _____

10. Describe the fiscal impact on the city, the subject area, and adjacent units of local government:

	Present City Year: 2007	Present Township Year: 2007	Subject Area Year: * *	Trend over last 3 yrs.
Net Tax Capacity	257,140	601,232		see below
<u>Tax Rates:</u>	<u>2007</u>	<u>2006</u>		<u>2005</u>
County	56,056	57,663		57,983
Local Unit of Gov't(City)	69,980	82,452		87,830
School District	22,109	21,452		18,281
Special Tax District	N/A			
Insurance Rating (fire) ?				
Levy Limit	N/A			
Actual Current Levy	176,207	186,633		
Total Bonded Indebtedness	41,500			

11. Would the proposed action affect any school district boundaries or adjacent communities?
 yes ___ no X Describe if yes: _____

12. 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?
This property is undeveloped agricultural land. The City has water and sanitary sewer mains located in the street right-of-way along part of this property.

13. 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 leaving it as is

* * NOTE: Peterson parcel is receiving Rural Service Rates (21-100-0010) 38.61 A.

	CITY	COUNTY	SCHOOL	TOTAL
2007	17.495	59.097	25.816	102.408
2006	20.613	61.047	25.621	107.281
2005	21.957	61.392	22.387	105.736

14. If the boundary adjustment were approved:
- a. Would the city/township suffer any undue hardship? yes X no ____
Describe if yes: Loss of tax base, with the potential of more agricultural land being taken out of the city.
 - b. Would the symmetry of the city/township be effected? yes X no ____
Describe if yes: The city is currently one square mile in size.
 - c. Should the subject area be increased or decreased? yes ____ no X
Describe if yes, and attach a revised area map: _____
15. Has the city/township provided any improvements to the subject area? yes X no ____
If so, which ones and when: In the process of putting in curb and gutter, paved surface and sanitary sewer main on city street by the property.
16. Has the city/township assessed the subject area for the improvements? yes ____ no ____
Describe if yes: Not until the current project is finished.
17. Will the subject area be assuming any city/township indebtedness? yes X ? no ____
Describe if yes: If the subject area is not detached, there will be assessments, which could probably be deferred until such a time as the property would be developed or sold.
18. Has there ever been a previous boundary adjustment filed for this property or substantially the same property before? yes ____ no X Describe if yes: _____
19. Why have you filed a ~~petition~~/objection for boundary adjustment? For the same reasons stated in number 14.
20. 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.
We supplied information in the areas that we thought pertained to the City.

SUBMITTED BY:

City of Alden, this 7th day of August, 2007

[Signature]
Mayor

[Signature]
City Clerk

Township of _____, this _____ day of _____, 20____

Township Chair

Township Clerk

BY: _____, this _____ day of _____, 20____

Property Owner

Property Owner

BY: _____, this _____ day of _____, 20____

Property Owner

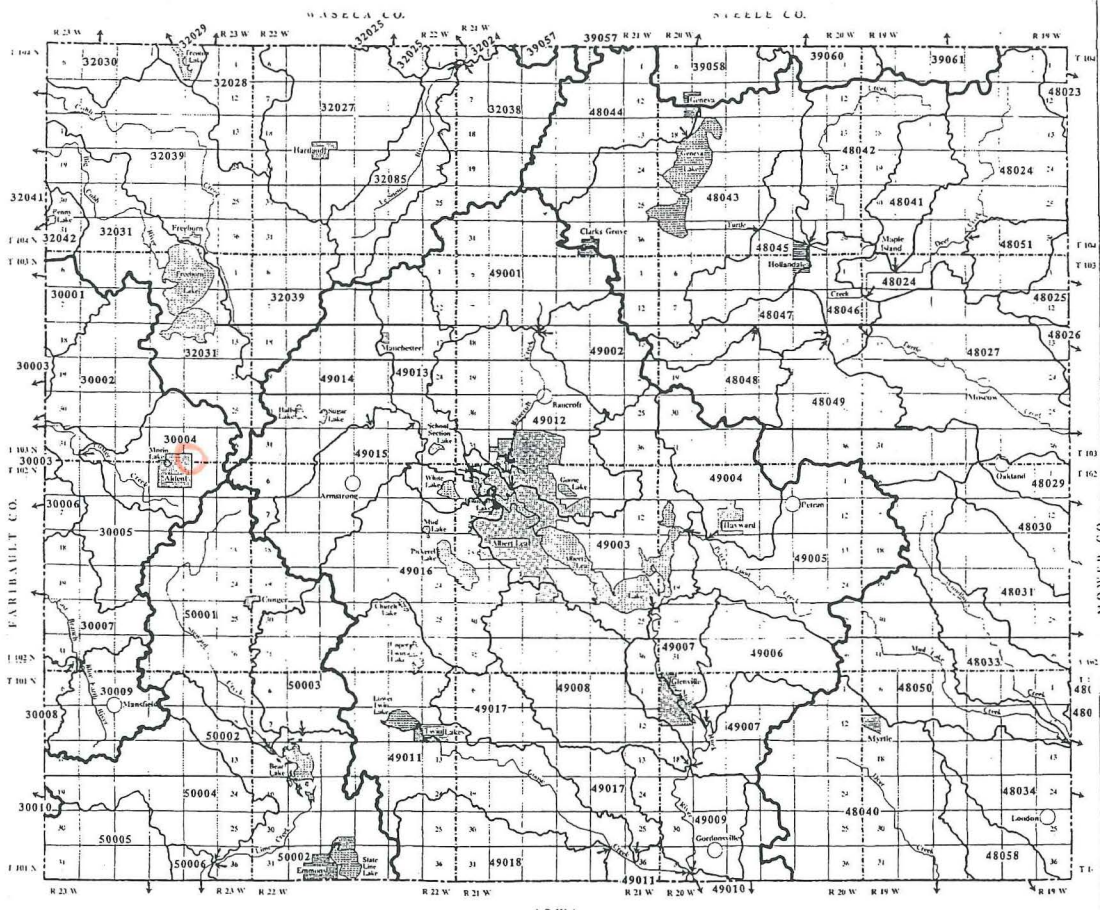
Property Owner

Complete the form as fully and completely as possible. Any information that is not supplied, and is readily available, and must be obtained by the Department of Administration - Municipal Boundary Adjustments 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.

Freeborn County Comprehensive Water Plan

Freeborn County has six major watersheds and 74 minor watersheds shaping its' topographic relief. Table 1. below shows that the Shellrock River Watershed is the largest watershed, covering 34 percent of the landscape; the Cedar River Watershed is second, covering 33 percent, and the Le Sueur River Watershed covers 15 percent of the landscape. These three watersheds cover 82 percent of the County. Maps of boundaries and the flow directions of watershed units are shown in the Freeborn County Surface Hydrology Atlas.



Major and Minor Watershed Map

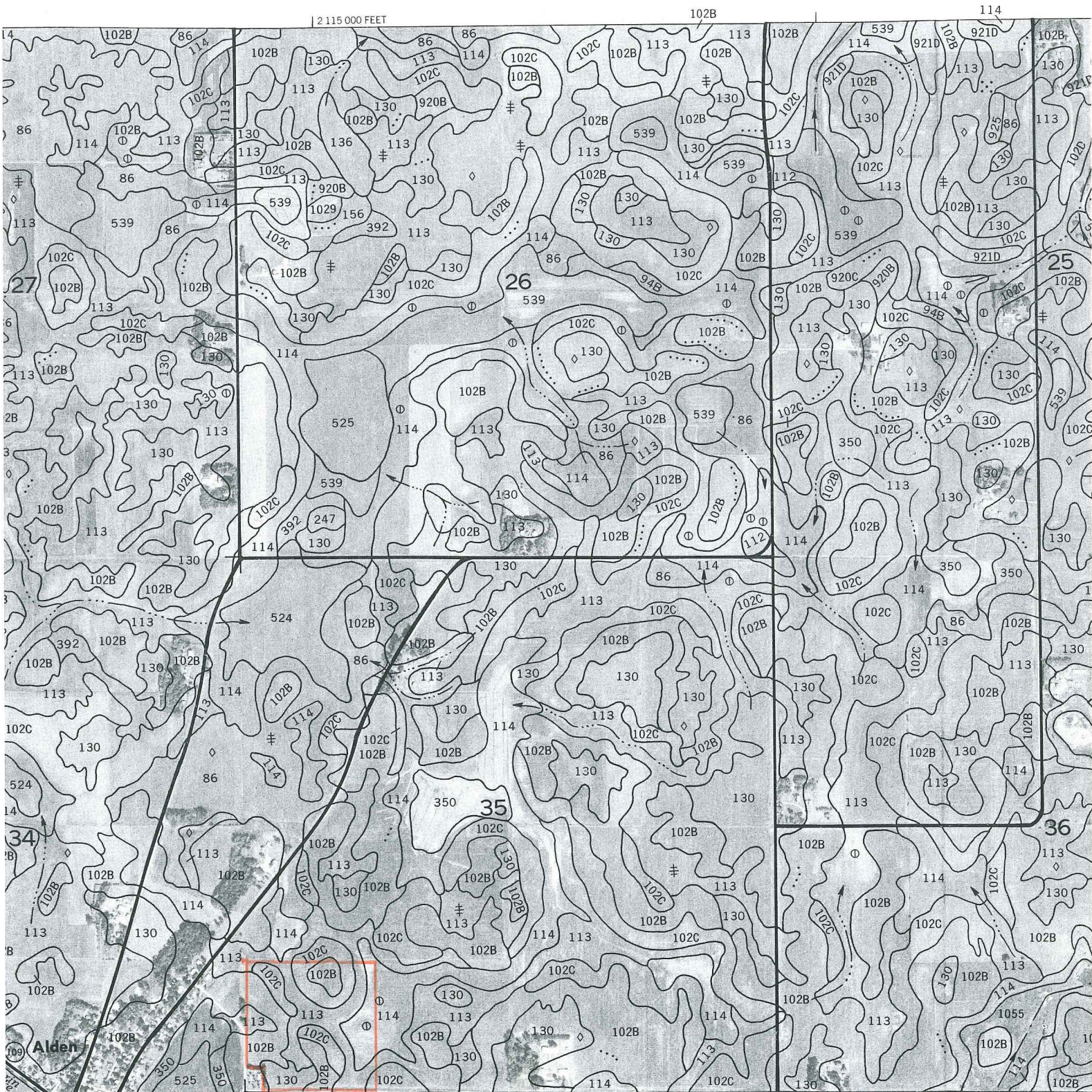
Major Watersheds	Minor Watersheds	Square Miles	County Coverage
Shellrock River #49	18	246	34%
Cedar River #48	4	235	33 %
Le Sueur River #32	12	108	15 %
Winnebago River #50	6	71	10 %
<u>Blue Earth River #30</u>	10	50	7 %
Cannon River #39	4	13	-1 %

Expected Changes: The topography and geology are expected to remain unchanged until the next glacial period reforms and renews the terrain.

Attachment #2

REC'D BY
MMD

AUG 09 2007



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106B—Lester loam, 2 to 6 percent slopes	27	376B—Moland silt loam, 2 to 6 percent slopes	51
106C2—Lester loam, 6 to 12 percent slopes, eroded.....	27	377—Merton silt loam, 1 to 3 percent slopes	52
106D2—Lester loam, 12 to 18 percent slopes, eroded.....	28	378—Maxfield silty clay loam	52
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PROCEEDINGS ALDEN CITY COUNCIL

July 11, 2007

The Alden City Council met in regular session on Wednesday, July 11 at 7:00 p.m. with all council members present. Others present were Gary Newman, Joe Bolinger, Ross Skov, Tim Peterson, Ramona Peterson, David Frundt, Joe Guanella, Natalie Schmidt, Kris Harpham, Frank Purdy, and Donna Schmidt.

Mayor Behnke called the meeting to order.

Motion by Reyerson, second by Bremseth and carried, to approve the minutes of the June 13 council meeting.

Motion by Newman, second by Reyerson and carried, to approve the June 30 Treasurer's Report.

The June Hours Report, Police Report, Fire Report and Public Works Report were approved as presented.

In addition to the Public Works Report, Purdy notified the council that the old siren hasn't been working properly. Motion by Newman, second by Riebe and approved by all, that Purdy should investigate the problem and replace the siren if need be.

Joe Bolinger came before the council with the Alden Fire Relief Lump Sum Pension Plan Report for 2007 which indicated that there was no required contribution from the City in 2008. Motion by Newman, second by Bremseth and carried, to approve the report as presented.

Ross Skov, also representing the Alden Fire Relief Association, came before the council with a request to amend the Bylaws of the Alden Fire Relief Association. Motion by Reyerson, second by Riebe and approved by all, to amend Article VIII, with the addition of Section 5, retroactive to the first of the year, as follows:

Article VIII, Section 5 – SUPPLEMENTAL BENEFIT

(a) The Association must pay a supplemental benefit to individuals who receive a lump sum distribution of pension or retirement benefits for service performed as a volunteer firefighter at the time that the lump sum benefit is paid. The supplemental benefit is calculated as ten percent of the regular lump sum distribution, but not to exceed \$1000. A supplemental benefit under this paragraph may not be paid to a survivor of a deceased active or deferred volunteer firefighter in that capacity.

(b) Upon the payment of a lump sum survivor benefit to a survivor of a deceased active or deceased deferred member, a supplemental survivor benefit will be paid to the legally married surviving spouse, if any, and if there is no surviving spouse, to the surviving child or children, if any, and if there is no surviving child or children, to the estate of such deceased member. The survivor supplemental benefit is calculated as twenty percent of the survivor benefit distribution, but not to exceed \$2000.

(c) An individual may receive a supplemental benefit under paragraph (a) or under paragraph (b), but not under both paragraphs.

Skov also updated the council on the status of the grant the department had applied for to get a new fire truck. In hopeful anticipation of being approved for this grant, there was discussion on setting up a committee to prepare truck specs. Steve Newman was designated as the council representative on this committee.

Chief Newman requested council approval to advertise the vacant positions on the Fire Department. Motion by Reyerson, second by Bremseth and carried, to advertise in the *Alden Advance* with an August 6 deadline.

Harpham gave an update on the junk housing situation. There still hasn't been anything done by the county. County Commissioner Glen Mathiason and Wayne Sorensen, with the Environmental Services Office, will be contacted with regard to the delay in dealing with this matter.

Joe Guanella came before the council with a new plan for the proposed school and city project. He had nothing new to add, as the school board has not met since receiving this plan. Further discussion on this will take place at the joint meeting of the school board and city council on Wednesday, July 25, at 7:00 p.m. at the City Hall. Notices of this meeting will be posted.

(OVER)

Attachment #3

REC'D BY
MAM

AUG 09 2007

The council addressed a notice from the State of Minnesota Office of Administrative Hearings regarding a request for land detachment from the city petitioned by S. Ramona Peterson. Riebe presented information he had gathered from speaking to someone at this state office. Peterson's attorney, David Frundt, also spoke to this matter. Motion by Newman, second by Bremseth and approved by all, to deny the request for detachment at this time. The council members felt they needed more information and hoped a resolution could be reached with S. Ramona Peterson without going as far as hearings.

An employee vacation request was approved for Schmidt.

Harpham brought up concerns with regard to the parade during the Morin Lake Days Celebration and particularly the lack of help and communication problems. He felt it important that the council be aware of some specific situations. In conjunction with this, council member Newman requested a complete report of all events from all committees and groups involved with the Morin Lake Days Celebration for the August council meeting; and particularly, the costs involved with the celebration.

Motion by Riebe, second by Reyerson and carried, to approve Harpham's request of a budget allowance up to \$250 for purchasing handouts and other PR materials for kids.

Motion by Riebe, second by Bremseth and carried, to approve payment of the following: Albert Lea Seed House – grass seed 42.80, *Alden Advance* – drinking water report 162.80, Alliant Energy – 5/9-6/7 electric service 1665.50, American Bank – June payroll tax deposit 2106.39, Bi-Rite Sales – supplies and repair parts 96.14, Bute Yard Services – volleyball court tillage 40.00, Customized Computer Service – two new computers and services 1920.00, Dave Syverson – pickup repairs 1388.26, DPC Industries – chemicals 170.29, Frantum Sanitation – June garbage service 3065.32, Freeborn County Co-op Oil Co – June gas, dust control 925.27, Frontier – July phone & DSL service 179.13, Goldman Sturtz & Halvorsen – June attorney services 337.50, Harper Brush Works – shop supplies 82.05, Hemmingsen's Transfer – sand, gas for boom truck 443.49, Charlie Majerus – July cell phone service 10.00, Medica – July health insurance premium 2922.36, Midwest Aqua Care – treatment of lake 4275.00, Midwest Wireless – July cell phone service 90.06, MN Dept of Revenue – 2nd qtr state withholding taxes 1132.38, MN Energy Resources – 5/14-6/15 gas service 202.84, MN Association of Small Cities – 2007-2008 membership dues 412.95, MN Pipe & Equipment – water repairs 14.40, Steve Newman – hall & bath house repairs 736.35, Northern Country Co-op – sewer supplies 161.09, PERA – employee retirement contributions 1495.79, Petrol Pumper – June gas 378.80, Pioneer Research – sewer degreaser 319.80, Frank Purdy – reimbursement for new compressor at lift station 73.64 & mileage expenses 58.69, Rebby's Handyman – 6/6-6/21 cemetery mowings 500.00, Utility Consultants – sewer testing, freight 217.64, Xerox – May copier service contract 15.44. Wages, less ded: Kris Harpham 1817.57, Charles Majerus 1560.37, Shirley Newman 969.30, Franklin Purdy 1891.36, Donna Schmidt 1780.69, Craig Williams 206.22. Fire Department: Freeborn County Co-op Oil Co – June gas, LP, supplies 195.39, Hemmingsen's Transfer – fire truck washes 140.00, Chris Nelson – mileage for 1001 training 514.10.

Motion by Reyerson, second by Newman and carried, to adjourn at 9:17 p.m.

Brett W. Behnke, Mayor

Donna J. Schmidt, Clerk

**ORDINANCE NO. 85
UNIFORM ZONING ORDINANCE**

The Village Council of the Village of Alden, Minnesota, ordains:

Section 1. This ordinance, which includes the District Map, shall be known as the "Uniform Zoning Ordinance" and shall be cited as such.

Section 2. For the purpose of this ordinance certain terms and words are hereby defined and shall have the following meanings unless it shall be apparent from the context that a different meaning is intended.

Words used in the present tense include the future, words in the singular number include the plural and words in the plural number include the singular. The word "building" includes the word "Structure". The term "used" shall mean "used or intended to be used or arranged or designed for use". The term "occupied" shall mean "occupied or intended to be occupied, or arranged or designed for occupancy". The word "Including" shall mean "including but not limited to".

Additional terms and words are hereby defined as follows:

AGRICULTURAL: Agriculture shall be considered to mean the growing of soil crops and raising of farm animals in the customary and accepted manner.

ALLEY: A way which affords only a secondary means of access to abutting property.

AUTOMOBILE CAMP: Land or premises used or occupied, for compensation, by campers traveling by automobile or otherwise, or occupied by trailer coaches or movable dwelling, rooms, or sleeping quarters of any kind.

AUTOMOBILE COURT: A group of two or more buildings containing guest rooms or apartments with automobile storage space provided in connection therewith, which buildings are used primarily for the accommodation of automobile travelers, and similar designations.

BLOCK: That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting street and railroad right-of-way, waterway or other barrier to or gap in the continuity of development along such street.

BOARDING HOUSE: A dwelling wherein lodging or meals for three or more persons, not members of the principal family therein is provided for compensation.

BUILDING: A structure having a roof supported by columns or walls.

BUILDINGS, ACCESSORY: A subordinate building the use of which is incidental to that of the main building on the same plot.

CONTINUED

ORDINANCE NO. 85 - continued

TOURIST HOME: A dwelling in which less than ten guest rooms are provided for occupancy for compensation by transient guests.

TOWN OR TOWNSHIP: An administrative division of a country.

USE: The purpose for which land or a building or structure thereon is designed, arranged, intended or maintained or for which it is or may be used or occupied.

USE, ACCESSORY: A subordinate use on the same plot with the principal use and incidental and accessory thereto.

YARD: An open space, other than a court, on the same plot with a building.

YARD, FRONT: A yard extending across the full width of a plot and having a depth equal to the shortest distance between the front line of the plot and the main building.

YARD, REAR: A yard extending across the full width of a plot and having a depth equal to the shortest distance between the rear line of the plot and the main building.

YARD, SIDE: A yard between the side line of a plot and the main building extending from the front yard to the rear yard and having a width equal to the shortest distance between said side line and the main building.

Section 3. **ESTABLISHMENT OF DISTRICTS**

3.1. For the purpose of the Zoning Districts Ordinance the following 10 classes of districts are hereby established for uniform use in the Village of Alden.

- (a) A - Agricultural Districts.
- (b) R-1 - One Family Dwelling Districts
- (c) R-2 - One to Four Family Dwelling Districts
- (d) R-3 - Multiple-Dwelling Districts
- (e) P - Public Districts
- (f) C-A - Shopping Center Districts
- (g) C-1 - Local Commercial Districts
- (h) C-2 - General Commercial Districts
- (i) M-1 - Light Industrial Districts
- (j) M-2 - Heavy Industrial Districts

CONTINUED

ORDINANCE NO. 85 - continued

The boundaries of said districts are shown upon the map attached hereto and made a part of this ordinance, being designated as the districts, and said map and all notations, references, and other information shown thereon shall be as much a part of this ordinance as if the matters and information set forth by said map were all fully described herein.

3.2 **DISTRICT BOUNDARIES:** For determination of the boundaries of the districts shown on the District Map, the following rules shall apply:

- A. Where such boundaries are indicated as following or approximately following street and alley lines, such street and alley lines shall be construed to be such boundaries. Areas within public streets and alleys, within all other public ways, thoroughfares and waterways are in P districts.
- B. Where such boundaries are indicated as following lot lines or property lines, such lot lines or property lines shall be construed to be such boundaries.
- C. In subdivided property or where a district boundary divides a lot or parcel of property, the location of any such boundary, unless the same is indicated by dimensions shown on the District Map designating such boundary, shall be determined by the use of the scale appearing on such map.
- D. The Board of Zoning Administration shall, upon application or upon its own motion, determine the location of boundaries in cases where uncertainty exists.

3.3 **DISTRICT REGULATIONS, GENERAL:** Except as may be otherwise provided, herein:

- A. No structure shall hereafter be erected, reconstructed, structurally altered, enlarged, added to or moved, nor shall any structure, or land be used for any purpose other than for a use permitted, herein for the district in which such structure or land is located.
- B. No structure shall hereafter be erected, reconstructed, structurally altered, enlarged or moved so as to exceed the building height limit herein established for the district in which such structure is located.
- C. No plot shall be so reduced or diminished, nor shall any structure be so enlarged or moved as to reduce or diminish the yards, plot area or open space required in the district where located.
- D. No yard or other open space required herein for any building shall be considered as providing a yard or open space for any other building, and no yard or open space for any other building, and no yard or open space on an adjoining plot or parcel of property shall be considered as providing as yard or open space on a plot whereon a building is to be erected.
- E. Every building hereafter erected shall be located on a plot, as defined herein, and in no case shall there be more than one main building on one plot except as may be otherwise provided herein, (such as a farmstead).

CONTINUED

ORDINANCE NO. 85 - continued

- F. Every building containing one or more dwelling units or guest rooms shall be erected on a plot at least one line of which abuts for not less than 25 feet along a public street or along a permanent, unobstructed easement or access to the plot from a public street.

- 3.4 **DISTRICT REGULATIONS, SPECIFIC:** Specific regulations for the Districts established by this ordinance are set forth in sections 3 through 14 thereof. There are exceptions to certain of these regulations and there are additional regulations that apply, however, as set forth in Section 15 hereof. Furthermore, the Village Council or the Board of Zoning Administration, established by this ordinance may, under certain conditions, vary certain of these regulations and approve the issuance of permits for the establishment of certain uses, all as set forth in Section 16 hereof. Consequently the District Regulations set forth in Sections 3 through 14 hereof are subject to the exceptions and other provisions set forth in Section 16 and 17 hereof.

Section 4. **REGULATIONS FOR A-DISTRICT: APPLY TO AGRICULTURAL AREAS:**

In A-Districts the following regulations shall apply, except as otherwise provided herein:

4.1 USES PERMITTED

- A. Residences and accessory buildings of farm owners, tenant farm operators, members of their families, and their employees.
- B. Raising of field and truck crops.
- C. Forestland and pastures.
- D. Dairy farms.
- E. Poultry farms.
- F. Livestock farms.
- G. Schools and farms.
- H. Parks, playgrounds, community centers such as boat clubs, golf courses, and other similar recreation uses provided that such are not operated primarily for a commercial gain. (See section 17 for Village Council Approval required.)

4.2 USES PERMITTED (Special permits required from the Village Council)

- A. Commercial Greenhouses, Nurseries, Golf Courses, Golf Driving Ranges, Airports, Cemeteries, Gun Clubs, Go-Cart Tracks, Gravel Pits, Fox Farming, Mink Farming,

CONTINUED

RECORDED BY
MAD

AUG 09 2007

ORDINANCE NO. 85 – continued

Race Tracks, Sanitary Land Fill Areas, Commercial Kennels, Livestock Sales, Pavilions or other like or similar uses, Commercial processing of Dairy Products, Commercial Egg Production, Commercial Hatcheries, and Commercial Livestock Feeding Pens.

- B. Applications for special permits shall be filed with the Village Council; The Board shall fix a date for a public hearing thereon, and not less than ten nor more than thirty days public notice thereon shall be given. At the time and place fixed for the public hearing, the Village Council shall hear all recommendations for and objections to application and make determination thereon. The Board may issue a permanent or temporary permit.

4.3 BUILDING HEIGHTS LIMITS: None, except as otherwise provided by law.

4.4 SIDE YARD WIDTH REQUIRED: No building for any purpose shall be erected closer than 20 feet to the side lot line of the occupied lot or to the side lot of the neighboring lot at a corner. However, any accessory building may be permitted nearer than 20 feet to the side lot line, if the owner of the adjacent and abutting property consents thereto, by written consent filed with the Village Clerk.

4.5 BUILDING SETBACK REGULATIONS: The setback line from all highways shall be 100 feet from the center line of the Highway or 45 feet from the right-of-way line whichever is greater. Setback from county trunk and town roads shall be 75 feet from the center line of such trunk or road or 42 feet from the right-of-way-line, whichever is greater.

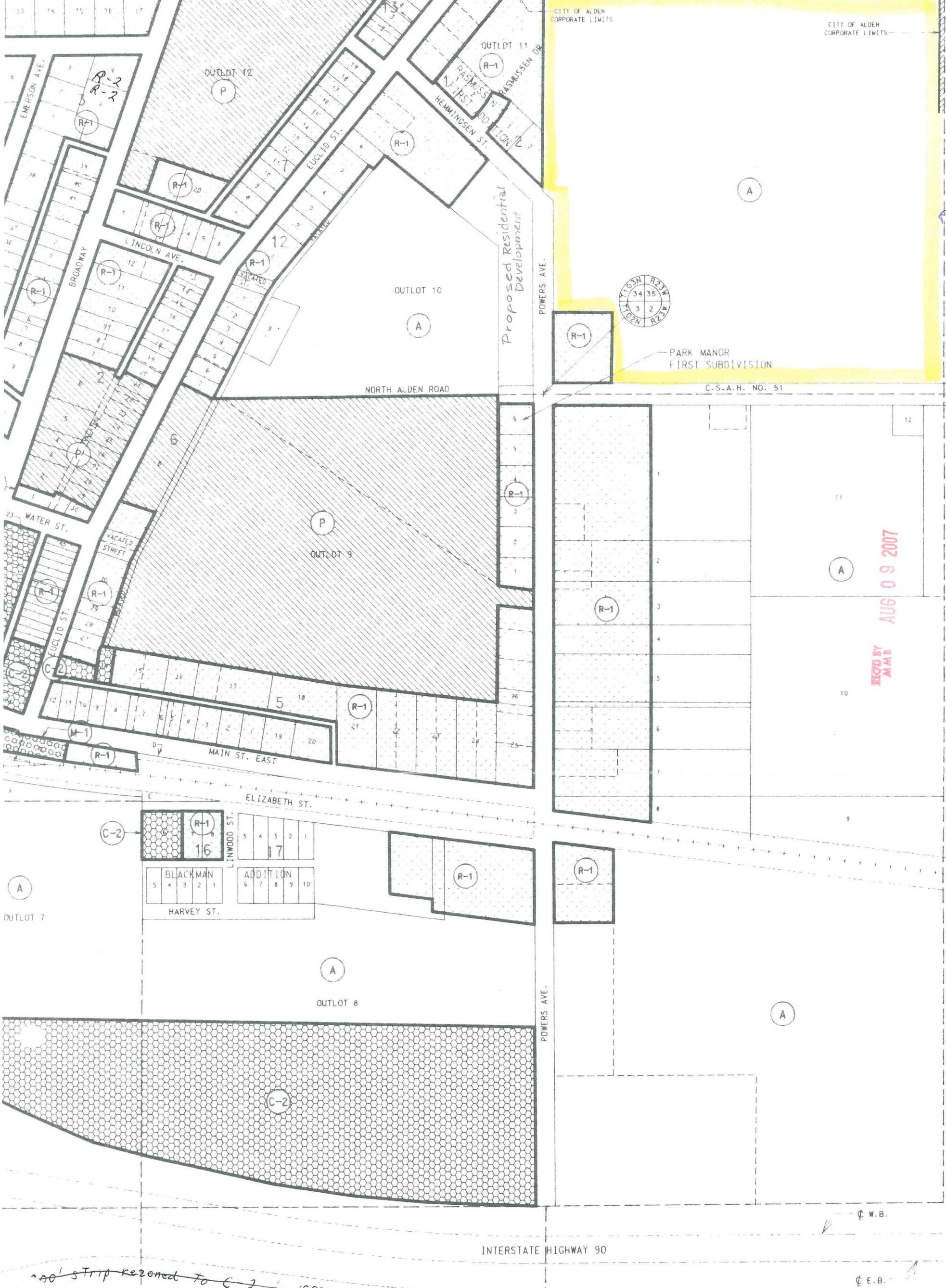
4.6 BUILDINGS OUTSIDE FARMSTEAD: Additional buildings or structures for storage built outside the farmstead must first obtain a permit to build from the governing body.

4.7 ANIMAL & POULTRY CONFINEMENT FACILITIES: Animal & Poultry Confinement Facilities, hereinafter defined as any facility for the raising of animals and poultry, including but not limited to cattle, hogs, sheep, dogs, rabbits, turkeys, chickens, wherein more than 10 animals or poultry are held in a confined area, or whether any animals or poultry are held in a confined area and the animal & poultry waste there from is collected and stored for later disposal, shall not be permitted.

Section 5. REGULATIONS FOR R-1 DISTRICTS: ONE FAMILY DWELLING DISTRICTS

5.1 USES PERMITTED:

- A. One family dwellings and two-family dwellings provided, if the requirements herein as to plot area, floor space, and automobile parking are met.
- B. Museums, Libraries, parks, playgrounds or community centers, operated by the Village of Alden.



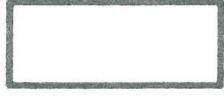


Petitioned Area

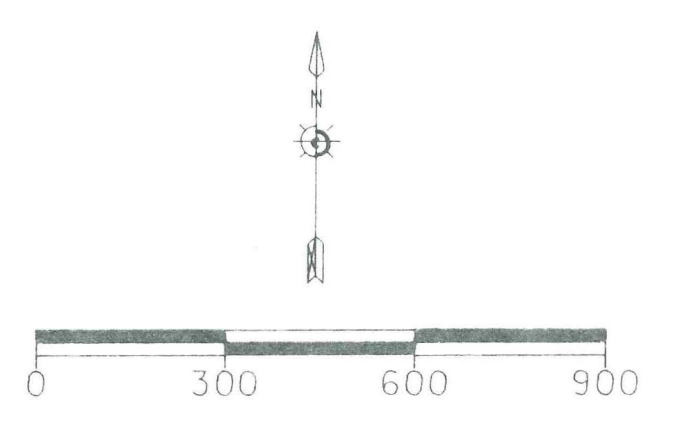
Copy of NE portion of City of Alden Zoning Map

200' Strip rezoned to C-2 in 1998

200' Strip rezoned to C-2 in 1998

LEGEND

-  (A) AGRICULTURAL DISTRICTS
-  (R-1) ONE AND TWO FAMILY DWELLING DISTRICTS
-  (R-2) ONE TO FOUR FAMILY DWELLING DISTRICTS



(A)

ORDINANCE NO. 120

AN ORDINANCE ESTABLISHING URBAN AND RURAL SERVICE DISTRICTS

The City Council of Alden ordains:

SECTION 1 That the City of Alden, Freeborn County, Minnesota does divide its area into an Urban Service District and a Rural Service District, pursuant to Minnesota States 272.67 which shall constitute separate taxing districts for the purpose of all municipal property taxes except those levied for the payment of bonds and judgments and interest thereon.

SECTION 2 The Rural Service District shall include such platted or unplatted lands, each individual parcel consists of more that 10 acres, as are rural in character, and not developed for commercial, industrial, or urban residential purposes and for those reasons are not benefited to the same degree as other lands by municipal services financed by general taxation. The Rural Service District may include lands which are not contiguous to one another.

SECTION 3 The Rural Service District shall include the following parcels of land:

21-050-130
Kevin R. Swenson
Rt. 2, Box 197
Alden, MN 56009

21-060-0090
Orville Hoeg
Alden, MN 56009

21-060-0100
Aloysius B. Bias
Rt. 1, Box 115
Wells, MN 56097

21-060-0170
Kevin R. Swenson
Rt. 2, Box 197
Alden, MN 56009

21-060-0200
Roger Reindal
20265 Calle Haleon
Rancho California, CA 92390

21-080-0020
Roger & Erma Swenson
Alden, MN 56009

21-090-0020
Aloysius B. Bias
Rt. L, Box 115
Wells, MN 56097

21-100-0010
Richard R. Petersen
Rt. 2, Box 188
Alden, MN 56009

21-060-0190
Franklin Walker
1310 Martin Road
Albert Lea, MN 56007

21-080-0010
Bernard P. Bias
Rt. 1, Box 115
Wells, MN 56097

(which parcels are more particularly described in Schedule A in the possession of the Alden City Clerk.)

CONTINUED

ORDINANCE NO. 120 – continued

SECTION 4 The Urban Service District shall include all land within the boundaries of the City of Alden which is not included in the Rural Service District.

SECTION 5 The ratio between the benefits resulting from tax supported municipal services to parcels of land of like market value situated in the Rural Service District and in the Urban Service District is hereby determined to be 1 to 3.

SECTION 6 Whenever any parcel of land, owned by one person or by two or more persons jointly or in common at the time of its inclusion in the Rural Service District, is platted, in whole or in part, or whenever application is made for a permit for the construction of commercial, industrial, or urban residential development or improvement to be situated on such parcel or any part thereof, the board or officer approving such plat or building permit shall report this to the City Council, which shall make and enter an order transferring such parcel from the Rural Service District to the Urban Service District.

SECTION 7 Taxes levied for payment of bonds and judgments and interest thereon shall continue to be spread upon all taxable property within the boundaries of the City of Alden in proportion to the assessed value thereof. The remaining amount of taxes levied each year shall be allocated by the County Auditor to the Urban Service District and the Rural Service District in amounts proportionate to the current benefit ratio times the current ratio between the market value of all taxable property within the Urban Service District and all taxable property within the Rural Service District, within each district, the amounts so allocated shall be spread upon all taxable property in proportion to the assessed evaluation thereof.

SECTION 8 Notwithstanding other provisions of this Ordinance, the Rural Service District may include platted parcels of land which the City Council determines to be rural in character and not developed for urban, residential, or industrial purposes. Whenever any lot or portion of a platted parcel which is included in the Rural Service District is developed for commercial, industrial, or urban residential purposes, or basic urban services such as sewer, water, or street improvement are extended to any such lot or portion, the City Council shall transfer the entire platted parcel to the Urban Service District. The City Council shall annually review the tax ratio applicable to such platted parcels as determined in Section 5 and shall annually review the status of all such platted parcels to determine whether such parcels continue to qualify for inclusion in the Rural Service District.

The foregoing Ordinance No. 120 was passed and adopted by the Alden City Council following a public hearing on the foregoing Ordinance this 10th day of July 1985.

This Ordinance shall be in full force and effect from and after its passage and approval and summary publication as provided by law.

Ted Hitchcock
Mayor

Attest:

Avril L. Dulas
Clerk-Treas.

**MINNESOTA STATE DEMOGRAPHER
2006 POPULATION AND HOUSEHOLD ESTIMATES**

FREEBORN COUNTY	2006 POPULATION	2006 HOUSEHOLDS
Alden, City	642	272
Carlston, Township	318	125