



STATE OF MINNESOTA
MUNICIPAL BOARD

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

November 17, 1980

MEMORANDUM

TO; Parties of Record and Interested Parties

FROM: Patricia D. Lundy *PDL*
Assistant Executive Director

RE: Minnesota Municipal Board Docket No. A-3674 South International Falls

This is to inform you that pursuant to Municipal Board Order dated October 7, 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 South International Falls annexation is therefore, effective as of November 4th, 1980:

	<u>For Annexation</u>	<u>Against Annexation</u>
South International Falls City Hall	871	241
Koochiching Poll II	<u>2</u>	<u>9</u>
TOTAL VOTES	<u>873</u>	<u>250</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
Innis Nesbitt	Ex-Officio Member
Carl Kjemperud	Ex-Officio Member

IN THE MATTER OF THE RESOLUTION)	<u>FINDINGS OF FACT</u> <u>CONCLUSIONS OF LAW,</u> <u>AND ORDER</u>
FOR ANNEXATION OF CERTAIN LAND)	
TO THE CITY OF SOUTH INTERNATIONAL)	
FALLS)	

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on June 25, 1980, at South International Falls, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance was County Commissioner Carl Kjemperud, ex-officio member of the Board. The City of South International Falls appeared by and through Jerome Shermoen and the City of International Falls appeared by and through Joseph Boyle. Testimony was heard, and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files the 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 3, 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:

Lots 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 47, 48, and 49, Auditor's Plat No. 22, a/k/a S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 71, Range 24;

Lots 36, 37, 38, 39, 40, 41, 42, and 43, Auditor's Plat No. 22, a/k/a S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 71, Range 24;

The S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying west of the Minnesota Highway No. 332, Section 35, Township 71, Range 24;

Lots 7, 8, 9, 10, 11, 12, 13, and 14, Auditor's Plat No. 22, a/k/a/ NW $\frac{1}{4}$ NE $\frac{1}{4}$ or Government Lot 2, Section 2, Township 70, Range 24;

The NE $\frac{1}{4}$ NE $\frac{1}{4}$, or Government Lot 1; the SE $\frac{1}{4}$ NE $\frac{1}{4}$; the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; and the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 2, Township 70, Range 24;

The proposed annexation includes all public streets, avenues and roads within the above-described property and extends to the center line of Third Avenue East (or the Burner Road) adjacent to Lots 25-30, Auditor's Plat No. 22; to the south

line of Minnesota Highway No. 332 adjacent to Lots 25, 31-43, 47, 48, and 49, and the $S\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$ and that part of the $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ lying west of said highway, Section 35, Township 71, Range 24; and to the center line of Minnesota Highway No. 332, adjacent to that part of the $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$, Section 35, Township 71, Range 24 lying west of said highway and $NE\frac{1}{4}NE\frac{1}{4}$, or Government Lot 1; $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$; and $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$; all in Section 2, Township 70, Range 24.

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

III. At the June 25, 1980 hearing the City of South International Falls moved to reduce the area under consideration before the Municipal Board to the following described area which is referred to as the area subject to annexation throughout the rest of this Findings of Fact, Conclusions of Law and Order:

Lots Seven (7) through Fourteen (14) inclusive, Auditor's Plat Number Twenty-two (22); the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}NE\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$), the East Half of the Northeast Quarter of the Southeast Quarter ($E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$), and the East Half of the Southeast Quarter of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$) all in Section Two (2), Township Seventy (70), Range Twenty-four (24), Koochiching County, Minnesota.

IV. Geographic Features

- A. The area subject to annexation is unincorporated and abuts the City of South International Falls.
- B. The total area of the City of South International Falls is approximately 1589 acres. The total area of the territory subject to annexation is approximately 158.97 acres.
- C. The perimeter of the area to be annexed is 21.6% bordered by the municipality.
- D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is: Fairly level with no rivers, lakes or major bluffs. Soils are mainly Taylor clay, some Indus clay, unnamed muck, and Quetico series highland with rock outcropping.

V. Population Data

- A. The City of South International Falls:
 1. In 1970, there were 2116 residents.
 2. The present estimated population is 3122.
 3. By 2000, the projected population is 3500.
- B. The area subject to annexation:
 1. In 1970, there were 28 estimated residents.
 2. The present estimated population is 21.
 3. By 2000, the projected population is 40.

VI. There are no townships in the area as the areas outside of the cities within the County are unorganized.

VII. Development Issues

- A. The pattern of physical development, including land already in use, in the process of being developed, and remaining for various uses.

1. Area in Use

- a. In the City of South International Falls:

- | | |
|-----------------------------|---------------------------|
| 1. Residential: 872 acres | 4. Industrial: 0 acres |
| 2. Institutional: 230 acres | 5. Agricultural: 0 acres |
| 3. Commercial: 102 acres | 6. Vacant land: 385 acres |

- b. In the area subject to annexation:

- | | |
|-----------------------------|---------------------------|
| 1. Residential: 28.97 acres | 4. Industrial: 0 acres |
| 2. Institutional: 0 acres | 5. Agricultural: 0 acres |
| 3. Commercial: 5 acres | 6. Vacant land: 115 acres |

2. Area Being Developed

- a. In the City of South International Falls:

- | | |
|----------------------------|--------------------------|
| 1. Residential: 120 acres | 4. Industrial: 0 acres |
| 2. Institutional: 30 acres | 5. Agricultural: 0 acres |
| 3. Commercial: 20 acres | |

- b. In the area subject to annexation

1. Residential, institutional, commercial, industrial, agricultural: 0 acres

3. Area Remaining for Various Uses

- a. In the City of South International Falls:

- | | |
|----------------------------|--------------------------|
| 1. Residential: 285 acres | 4. Industrial: 0 acres |
| 2. Institutional: 40 acres | 5. Agricultural: 0 acres |
| 3. Commercial: 60 acres | |

- b. In the area subject to annexation:

- | | |
|---------------------------|--------------------------|
| 1. Residential: 26 acres | 4. Industrial: 115 acres |
| 2. Institutional: 0 acres | 5. Agricultural: 0 acres |
| 3. Commercial: 0 acres | |

- B. Transportation:

1. The present transportation network is:

- a. In the City of South International Falls: adequate network of City streets and trunk highway
- b. In the area subject to annexation: 9 ton road for residential use.

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

1. In the City of South International Falls:

- a. Zoning: yes
- b. Subdivision Regulations: no
- c. Comprehensive Plan: yes
- d. Official Map: yes
- e. Capital Improvements Program: no
- f. Fire Code: yes
- g. Building Inspector: yes (certified)
- h. Planning Commission: yes

2. In the County of Koochiching:

- a. Zoning: yes
- b. Subdivision Regulations: no
- c. Comprehensive Plan: yes
- d. Official Map: yes
- e. Capital Improvements Program: no
- f. Fire Code: yes
- g. Building Inspector: yes
- h. Planning Commission: yes

3. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VIII. Governmental Services

- A. The City of South International Falls provides its residents with the following services:

- 1. Water: yes
- 2. Sewer: yes
- 3. Fire protection and rating: eight
- 4. Police protection: four full time certified officers plus county and International Falls cooperation
- 5. Street improvements: yes
- 6. Street maintenance: yes, with all necessary equipment
- 7. Recreational: yes
- 8. Administrative services: yes

- B. The City of South International Falls provides the area subject to annexation with the following services:

- 1. Water: to three of eight homes
- 2. Sewer: Available to all existing homes. Not all connected
- 3. Fire protection and rating: no
- 4. Police protection: no except by County cooperation agree
- 5. Street improvements: no
- 6. Street maintenance: snowplowing and maintenance on part of 15th Street
- 7. Recreational: Joint recreation with school district
- 8. Administrative services: no

- C. Existing or potential environmental problems and the need for additional services to resolve these problems: The need to develop an industrial park, to separate it from residential area.

- D. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: the extension of sewer and water, fire and police protection, street improvements and maintenance, and recreational and administrative services.

- E. The following services will be available to the annexed area within three years: sewer and water.

IX. Tax Base

- A. In the City of South International Falls, the tax base includes the following:

- 1. Residential property in 1979 was valued at \$3,132,767, the assessed value, generating \$442,425 in taxes or 64.6% of the total.
- 2. Commercial property in 1979 was valued at \$1,294,536, the assessed value, generating \$182,821 in taxes or 26.7% of the total.

3. Industrial property in 1979 was valued at \$0, generating \$0 in taxes or 0% of the total.
4. Agricultural property in 1979 was valued at \$0, generating \$0 in taxes or 0% of the total.
5. Vacant land in 1979 was valued at \$209,167, the assessed value, generating \$30,952 in taxes or 4.5% of the total.
6. Non-taxable property--Balance was personal property, including mobile homes.

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

1. Residential property in 1979 was valued at \$28,800, the assessed value, generating \$2,802 in taxes or 38.5% of the total.
2. Commercial property in 1979 was valued at \$35,260, the assessed value, generating \$3,430 in taxes or 47.1% of the total.
3. Industrial property in 1979 was valued at \$0 generating \$0 in taxes or 0% of the total.
4. Agricultural property in 1979 was valued at \$0, generating \$0 in taxes or 0% of the total.
5. Vacant land in 1979 was valued at \$10,750, the assessed value, generating \$1,046 in taxes or 14.4% of the total.
6. Non-taxable property
 - a. Institutional use in 1979 included 80 acres worth, as developed \$60,000.

X. Tax Data

A. In the City of South International Falls:

1. Mill rate in 1980 is 43.949.
2. Bonded indebtedness in 1980 is \$664,000 as of June 19th, 1980.

B. In the area subject to annexation:

1. Total mill rate in 1980 is 97.276.
2. Bonded indebtedness in 1980 is 0.

C. Mill rate in the respective governmental units.

1. County in 1980 is 47.164.
2. School district in 1980 is 50.112.

XI. Annexation to the City of South International Falls is the best alternative.

- A. There is no effect on area school districts and on adjacent communities if the proposed annexation is approved.
- B. There is no town government 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 South International Falls.

XII. 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. There is a reasonable relationship between the increase in revenue for the City of South International Falls and the value of benefits conferred upon the area subject to annexation.

VI. Annexation of all or a 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.

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

VIII. 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.

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

O R D E R

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

Lots Seven (7) through Fourteen (14) inclusive, Auditor's Plat Number Twenty-two (22); the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}NE\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$), the East Half of the Northeast Quarter of the Southeast Quarter ($E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$), and the East Half of the Southeast Quarter of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$) all in Section Two (2), Township Seventy (70), Range Twenty-four (24), Koochiching County, Minnesota.

II. IT IS FURTHER ORDERED: On November 4, 1980 which is 28 days after the entry date on this order, a public election, to be conducted as provided by law, shall be held in the entire City of South International Falls and the area described in Article I of this order, 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 county or municipal election is eligible to vote at such election.

III. IT IS FURTHER ORDERED: That Mardella McBride is hereby appointed as the Chief Election Judge and Margaret Smrstik is hereby appointed as Assistant Chief Election Judge. Further that South International Falls City Hall, South International Falls, Minnesota shall be the polling place for the City of South International Falls, and the Ranier Community Building, Ranier, Minnesota shall be the polling place for the area described in Article I of this Order. Other election judges are as follows:

Election Judge for the City of South International Falls

Marian Christensen
Eva Frank
Irene LaBlanc
Gladys Blanchard
Beulah Hill
Sheila Tate
Carole Vohler

Alternates:
Grace Dickson
Anne Waselovich
Louise Averill
Beatrice LaBelle

Election Judges for the area described in Article I of the Order

Daisy Bjork
Florence Vidor
Lois Cason
Katherine Allen
Pearl Lindstrom
Mary E. Holt
Rose Forsythe
Ann Glennie
Doris Morff
Mrs. Harold Tessier
Olive Wagness

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 AM to 8:00 PM.

IV. IT IS FURTHER ORDERED: That the population of the City of South International Falls has increased by 21 persons.

V. IT IS FURTHER ORDERED: That the mill levy of the City of South International Falls 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.

VI. IT IS FURTHER ORDERED: That the annexation herein be effective, provided that a majority of the votes cast are "for annexation". The Municipal Board shall upon

receipt of the certificate of the election results, cause all parties of record to be notified of the election results.

VII. IT IS FURTHER ORDERED: That the effective date of this order is October 7, 1980.

Dated this 7th day of October, 1980

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

A handwritten signature in cursive script that reads "Terrence A. Merritt".

Terrence A. Merritt
Executive Director