

**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

REC'D BY
MMB

JUL 18 2005

USE ADDITIONAL SHEETS IF NECESSARY.

FACTUAL INFORMATION

This form is being completed by John P. Dimich who is the Attorney for Petitioners 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>5</u>	_____	_____
1990 Population	<u>5</u>	_____	_____
Current Population	<u>3</u>	_____	_____
Current Households	<u>2</u>	_____	_____
Projected in 5 years	<u>2</u>	_____	_____
Source of Data	<u>Petitioner</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>123</u>	_____

- b. Describe any waterways in or adjacent to the subject area: (rivers, streams, shorelands, protected water, protected wetlands, watershed districts): _____
There is a small stream on West border of Burman.

- c. Are the waterways subject to any State or Federal regulation?
Describe if yes: none

d. Generally describe the soils in the subject area: Soils are Effie Loom for 150' depth lowground of Burman 11 acres

e. Describe the terrain in the subject area: lowland & woods (Burman) field(Jonas)

3. Contiguity: The perimeter of the subject area is approximately 100 % bordered by the municipality and _____ % 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
<u>Residential</u>					yes	
<u>Institutional (tax exempt)</u>					no	
<u>Commercial/Retail</u>					no	
<u>Industrial</u>					no	
<u>Agricultural</u>					yes (Jonas)	
<u>Vacant Lands</u> (current zoning)					no	

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

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

5. The present transportation network:

	Present	Present	Subject
	City	Township	Area
Number of Miles of Highway, Streets, and Roads	_____	_____	<u>1 miles</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? State Highway 1

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6. Land Use Controls and Planning:

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

	City	Township	County	Region
Adoption Date	No	No	2003	No
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 x 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									
Subdivision Regulations									
Official Map									
Capital Improvements/ Budget									
Fire Code									
Shoreland Ordinance									
Floodplain Ordinance									
Wild & Scenic Rivers Ord.									
Sanitation Ordinance (on-site sewage treatment)									Yes-county

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? _____

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.) _____

City claims MPCA has recommended a sewer collection system

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:

Petitioner has no knowledge

REC'D BY
MAM B

JUL 18 2005

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 Jonas Tax \$932 - Value \$132,000

Total Bonded Indebtedness Burman \$366 - Value \$98,000

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 x

Describe if yes: _____

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

Describe if yes: but prior detachment of Ostendorf's property already changed symmetry

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 ___ no x

If so, which ones and when: _____

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

Describe if yes: _____

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

Describe if yes: if it stays in the City

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? The City provides no services and will not. The City taxes the property with no benefit to subject area. City prohibits hunting on land in the City and this land is prime hunting land.

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.

SUBMITTED BY:

City of _____, this _____ day of _____, 20____

Mayor

City Clerk

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

Township Chair

Township Clerk

BY: _____, this 8 day of July, 2005

Edward C. Jones
Property Owner

Property Owner

BY: _____, this 8 day of July, 2005

Raymond J. Gorman
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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300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155

REC'D BY
M.M.B

JUL 13 2005

USE ADDITIONAL SHEETS IF NECESSARY.

FACTUAL INFORMATION

This form is being completed by Tranette Stevens who is the clerk of 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:

	Subject Area	City	Township/ Other City
1980 Population			
1990 Population		130	
Current Population <u>2000 census</u>		91	
Current Households	2	52 (20 are seasonal)	
Projected in 5 years		86 was projected for 2003	
Source of Data	Dept of Administration Demography & research done by Randy Hilliard for Small cities grant		

2. Geographic Features:

a.

	Present City	Present Township	Subject Area	Adjacent Unit of Gov't
Total Acreage			123.09	

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

No protected water

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

Describe if yes: No

d. Generally describe the soils in the subject area: clay + wetlands

e. Describe the terrain in the subject area: mostly forested woods + mowed yards

3. Contiguity: The perimeter of the subject area is approximately 90 % bordered by the municipality and _____ % by the township and 10 % by unorganized/private party.

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	Yes				Yes	
Institutional (tax exempt)	Yes				No	
Commercial/Retail	Yes				No	
Industrial	No				No	
Agricultural	No				No	
Vacant Lands (current zoning)	No				No	

b. What type of development is proposed for the subject area?
sewer system - 2006

c. What are the current adjacent land uses and/or zoning?
residential - no zoning

5. The present transportation network:

	Present City	Present Township	Subject Area
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Number of Miles of Highway, Streets, and Roads 6 miles 1/2 mile

b. Are any transportation changes planned in the subject area? yes X no 2008 Hwy 1?
in the city? yes X no _____ in adjacent areas? yes X no _____

c. What are the major roads/highways that serve the subject area and adjoining areas? Hwy 38, Hwy 1, Forevergreen Rd (Cty)

6. Land Use Controls and Planning:

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

	City	Township	County	Region
Adoption Date	N/A			
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.) City Council

yes _____ no _____ supportive _____ non-supportive X

If yes, describe and attach copy of position document: The city council passed a resolution opposing detachment. 4 agreed to opposing. 1 Nay. See attached.

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		No							
Subdivision Regulations		No							
Official Map		No							
Capital Improvements/ Budget							will be happening Fall 2005 for sewer		
Fire Code		No							
Shoreland Ordinance		No							
Floodplain Ordinance		No							
Wild & Scenic Rivers Ord.		No							
Sanitation Ordinance (on-site sewage treatment)							will be coming summer of 2006		

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

JUL 13 2005

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

What is the percentage of capacity currently being used by the city? N/A

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

** If city does not provide sewer to the subject area, who does? private septic
until 2006 when sewer system is built

What is the percentage of capacity currently being used by the city? N/A

** Would city take over or allow existing use? City would take over in 2006
creating an ordinance requiring citizen's to hook-up to new system

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.) When the City of Effie's septic systems were tested, all but 6 failed. Many of the systems empty straight into a creek. Because of obvious health concerns*, the city is working on implementing a city-wide sewer system. The petitioners failed the inspection. The council feels that if they allow these petitioners to detach because of their opposition to the new system, many others would follow which would affect the integrity of the sewer system's financial plan.

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: The city is working in conjunction with USDA Rural Development + Midwest Assistance Programs to secure funds for the city-wide sewer project. We will be receiving grants and a loan to fund the project. Construction is planned for the summer of 2006, to include the two petitioners homes.

*High levels of fecal-coliform bacteria were found in creeks that run through town. Both petitioners add to the problem making it an imminent health hazard.

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.
Net Tax Capacity	28,221			2005 28,221 2004 25,079 2003 22,024
<u>Tax Rates:</u>				
County	60.213			2005 60.213 2004 55.134 2003 68.909
Local Unit of Gov't	49.692			
School District	18.261			
Special Tax District	14.678			
Insurance Rating (fire)				
Levy Limit	N/A			
Actual Current Levy	\$15,000			No levy in 2002 \$0 - \$15,000
Total Bonded Indebtedness	0	0	0	

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: imminent health hazard - new sewer system required

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

Proposed capacity for 2006 is 21,000 gpd's

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 leaving as is

14. If the boundary adjustment were approved:

- a. Would the city/township suffer any undue hardship? yes no
 Describe if yes: Other citizens will have to pay extra to fill the gap left by the petitioners because rate schedules and funds have already been figured.
- 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: in progress - 2006

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: a monthly sewer fee of under \$50.00

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? The council feels that the petitioners are requesting detachment to avoid development of sewer system. If they succeed, others will follow making it impossible to proceed with current sewer project.

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.

REC'D BY
M M B

JUL 13 2005

SUBMITTED BY:

City of _____, this _____ day of _____, 20____

[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.

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**MINNESOTA STATE DEMOGRAPHER
2003 POPULATION AND HOUSEHOLD ESTIMATES**

ITASCA COUNTY	2003 POPULATION	2003 HOUSEHOLDS
Effie, City	86	35

Effie Unorganized Territory: No information available