

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice-Chairman
Arthur R. Swan	Member
Richard Towey	Ex-Officio Member
U. J. Eichten	Ex-Officio Member

IN THE MATTER OF THE PETITION OF CERTAIN FREEHOLDERS FOR THE
INCORPORATION OF THE VILLAGE OF ORONOCO

The above entitled matter came on for hearing before the Minnesota Municipal Commission, following the receipt of a petition of certain freeholders for the incorporation of the Village of Oronoco. Hearings on said petition before the Commission were held in the Oronoco Town Hall on August 21, 1967, and in the Olmsted County Courthouse, Rochester, Minnesota, on November 15, 1967.

There was a quorum of the Municipal Commission present at all hearings. The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence, files and records, arguments of counsel for the petitioners, makes and enters the following:

FINDINGS OF FACT

1. That adequate legal notice of the initial hearing and the adjourned hearing was given; that petitioners were represented at each of said hearings.

2. That the area petitioned to be incorporated as the Village of Oronoco is described as follows:

The South One-Half ($S\frac{1}{2}$) of Section 7, the North One-Half ($N\frac{1}{2}$) of the South One-Half ($S\frac{1}{2}$) and the North One-Half ($N\frac{1}{2}$) of Sec. 18, the West One-Half ($W\frac{1}{2}$) of Section 17, and the Southwest Quarter ($SW\frac{1}{4}$) of Section 8, Township 108 North, Range 14 West, all lying in Olmsted County, Minnesota.

3. That the population within the boundaries of the proposed incorporation as evidenced by the census duly taken prior to the filing of the petition for incorporation in May, 1967, is 595.

4. That the area proposed for incorporation contains a total of 1280 acres; that of this total 287 acres is platted land, 765 acres is unplatted land, and 228 acres is water.

5. That the area proposed for incorporation is bisected diagonally northwest-southeast by United States Highway No. 52 (a four-lane highway connecting Rochester and Minneapolis); that within the area proposed for incorporation two branches of the Zumbro River meet and are dammed to form Lake Shady.

6. That all of the commercial development and the majority of the residential development is located northeast of Highway No. 52 on the east side of Lake Shady in the original plat of the Village of Oronoco; there is additional residential development all around Lake Shady and between the two branches of the Zumbro River west of Highway No. 52,

7. That the population of the area has grown from 390 in 1960 to 595 at the time of the incorporation census in May of 1967; that from the time of the first settlement of this area in 1854 until 1950 the population remained fairly stable.

8. The population growth and building development have largely taken place in the last seven years; that the future growth of the area will continue at a rapid rate because of its location on a four-lane highway ten miles north of Rochester, Minnesota (site of the Mayo Clinic and an IBM plant, and itself a very rapidly growing community); that the area proposed for incorporation at the present time contains both urban and rural development; that continued and expanded urban development appears to depend upon the availability of municipal services.

9. That the assessed valuation of the platted land within the area is \$155,782.00; that the assessed valuation of the unplatted land is \$48,877.00; that the assessed valuation of the personal property is \$21,179.00 for a total assessed valuation of \$225,838.00.

10. That the area proposed for incorporation has no common water supply; that the residents rely upon private wells, most of which are

relatively shallow, for their water; that the area proposed for incorporation has no common sewage disposal system; that the residents rely primarily upon private septic tanks.

11. That the area proposed for incorporation has no organized fire protection; that the residents rely upon self-help, the Pine Island, Minnesota Fire Department (five to six miles away), or the Rochester Rural Fire Department (ten to eleven miles away) on individually contracted basis.

12. That the area proposed for incorporation relies for police protection upon the Olmsted County Sheriff's Office and upon part-time constables who are appointed from time to time by the Oronoco Township Board; that adequate police protection has become somewhat of a problem within the area proposed for incorporation.

13. That it is apparent that the area proposed for incorporation could expect substantial growth in the future; that such future growth and development appears to be closely tied to the availability of municipal services; that the present township form of government is inadequate to cope with the problems that have arisen and that will continue to arise as this area becomes more urban in character.

CONCLUSIONS OF LAW

1. That the petition of certain freeholders for incorporation of the Village of Oronoco should be granted in order that the proposed village may provide those municipal services deemed necessary to encourage continued substantial growth and may have available those municipal powers necessary to adequately administer the problems associated with such growth.

O R D E R

IT IS HEREBY ORDERED:

1. That the petition of certain freeholders for the incorporation of the Village of Oronoco is hereby granted.

2. That an election shall be held pursuant to Minnesota Statutes 414.02, to vote on the proposal of whether the area shall be incorporated and that the ballots for said election shall bear the words, "For Incorporation" and "Against Incorporation" with a square before each of the phrases in one of which the voter shall make a cross to express his choice; that the ballot shall also contain the proposal of whether Optional Plan A shall be adopted as the form of government for the village and that the ballot shall bear the words, "If the incorporation is successful, should Optional Plan A (modifying the standard plan by providing for the appointment by the Council of the Clerk and Treasurer) be adopted as the form of government for the new village? Yes _____ No _____."

That such election shall be held on the 30th day of January, 1968 at the polling place in the school building of Common District No. 1321 in Oronoco, Minnesota, which shall be open from 7:00 o'clock a.m. to 8:00 o'clock p.m.

3. That insofar as practicable the election shall be conducted in accordance with the laws regulating the election of town officers.

4. That the following persons are appointed as election officials:

Judges:

Burton Owen, Oronoco, Minnesota
William Lubahn, Oronoco, Minnesota
Mrs. Barbara Smallbrock, Oronoco, Minnesota
Mrs. Van Lawrence, Oronoco, Minnesota
Mrs. Warren Delva, Oronoco, Minnesota

Alternate Judges:

Mrs. Harry Stolp, Oronoco, Minnesota
Mrs. G. E. Rietmann, Oronoco, Minnesota

Clerks:

Mrs. John Berkman, Oronoco, Minnesota
Mrs. John Jasik, Oronoco, Minnesota

5. That the ballots, election supplies, posting and publishing shall be provided and paid for by the petitioners.

6. That the petitioners shall cause a copy of this Order to be posted not later than twenty (20) days before the election in three public places within the area proposed for incorporation and shall cause notice of the election to be published two successive weeks in a newspaper qualified as a medium of official and legal publication of general circulation in the area proposed for incorporation.

Dated this 4th day of January, 1968

MINNESOTA MUNICIPAL COMMISSION
459 Rice Street
St. Paul, Minnesota 55103

A handwritten signature in cursive script, appearing to read "Irving R. Keldsen", written in dark ink.

Irving R. Keldsen

M E M O R A N D U M

IN THE MATTER OF THE PETITION FOR THE
INCORPORATION OF THE VILLAGE OF ORONOCO

The Minnesota Municipal Commission recommends, if the proposed Oronoco Incorporation is successful, that the new village council make studies of the areas abutting Oronoco on the east and on the south.

The purpose of these studies to be for the possible future annexation of those areas which would benefit from the controls and services of the incorporated Village of Oronoco.

BEFORE THE MUNICIPAL COMMISSION
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IN THE MATTER OF THE PETITION FOR THE ANNEXATION OF
THE VILLAGE OF ORONOCO

ORDER OF INCORPORATION

The Minnesota Municipal Commission met on February 9, 1968, at 3:00 P.M. at 459 Rice Street, St. Paul, Minnesota to canvass the results of the Oronoco election held on January 30, 1968, as a result of an Order of the Commission dated January 4, 1968. The canvass showed that all statutory requirements had been met and that the incorporation had been favorably passed on by the electors, by a vote of 192 For Incorporation and 54 Against Incorporation. The canvass also showed 167 Votes for Optional Plan A as the form of government for the new village and 61 Votes Against Optional Plan A Government.

IT IS HEREBY ORDERED: That Oronoco be incorporated as a village as of March 6, 1968.

IT IS FURTHER ORDERED: That Optional Plan A (modifying the standard plan by providing for the appointment by the Council of the Clerk and Treasurer) be adopted as the form of government for the Village of Oronoco.

IT IS ORDERED: That the boundaries of the proposed village shall be the same as stated in the order of the Commission dated January 4, 1968, ordering the election.


IT IS ORDERED: That the new village immediately proceed under 412.021 of Minnesota Statutes to set an election for first officers of the village on March 5, 1968, between the hours of 7:00 o'clock A.M. and 8:00 o'clock P.M. at the school building of Common District No. 1321 in Oronoco, Minnesota for the following terms:

<u>Office</u>	<u>Term Expires the First Business Day of January of the Indicated Year</u>
Mayor	1970
Councilman	1969
Councilman	1970
Councilman	1971
Councilman	1971
Constable	1969
Constable	1970
Justice of the Peace	1969
Justice of the Peace	1970

IT IS FURTHER ORDERED: That a copy of this Order be filed with the Secretary of State and Olmsted County Auditor, according to Minnesota Statutes 414.02.

Dated this 9th day of February, 1968

MINNESOTA MUNICIPAL COMMISSION
459 Rice Street
St. Paul, Minnesota 55103



Irving R. Keldsen
S e c r e t a r y