

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
A. Lloyd Shannon	Ex-Officio Member
Edwin H. Hoff	Ex-Officio Member

IN THE MATTER OF THE PETITION OF)	
THE TOWN OF HERMAN, ST. LOUIS)	FINDINGS OF FACT
COUNTY, MINNESOTA TO INCORPORATE)	CONCLUSIONS OF LAW AND
AS A CITY TO BE KNOWN AS "HERMAN-)	ORDER FOR AUTHORIZATION
TOWN")	OF SPECIAL LEVY

The Minnesota Municipal Board issued an order in the above-entitled matter on the 5th day of February 1975, to be effective December 31, 1975 incorporating the Town of Herman into the City of Hermantown.

On October 6, 1975 the Board received a request from the Town of Herman seeking a hearing to obtain Board approval of a special levy. A public hearing was held on the 12th day of November 1975, pursuant to Minnesota Statutes 414, as amended before the Minnesota Municipal Board to determine whether the City of Hermantown should be granted a special levy pursuant to Minnesota Statutes 414.01, Subd. 15. The City of Herman appeared by and through Earl B. Gustafson, its attorney. No other appearances were made. The hearing was conducted by Thomas J. Simmons, Chairman of the Board. Testimony was heard and records and exhibits were received.

After due and careful consideration of all of the evidence, together with all records, files and proceedings, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Municipal Board received a request from the Town of Herman asking the Board to schedule a hearing for the purpose of considering a special levy on October 6, 1975.
2. A hearing was scheduled for November 12, 1975 and due, timely and adequate legal notice of the hearing was published, served, and filed.

29053

3. The evidence at the hearing showed increased costs for such services as fire & police protection, road maintenance, and administration as the result of the Minnesota Municipal Board order incorporating the Town of Herman into the City of Hermantown.

4. These costs are substantially greater than 50% of the existing levy limit base.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission has jurisdiction to grant a special levy pursuant to Minnesota Statutes 414.01, Subd. 15.

2. The City of Hermantown is required to provide additional services and bear the resultant increased costs because of the Board order incorporating the Town of Herman into the City of Hermantown. The total of these expenses justify the maximum special levy.

3. The Board should issue an order authorizing the City of Hermantown to implement a special tax levy to the maximum of its authority of three years and 50% of the existing levy limit base. (Pursuant to Laws 1975, Chapter 437, Article IV, Section 1, Subd. 5 of the Omnibus Tax Bill.)

O R D E R

IT IS HEREBY ORDERED: That the City of Hermantown is granted and is hereby authorized to implement a special tax levy for increased costs for the taxes levied in 1975 and payable in 1976 in the amount of \$52,197.60. and for taxes levied in 1976 and payable in 1977 in the amount of \$52,197.60, for taxes levied in 1977 and payable in 1978 in the amount of \$52,197.60.

Dated this *6th* day of *January*, 1976

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101

William A. Neiman
William A. Neiman
Executive Secretary

#29053
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 9 - 1976
Frank Anderson Shove
Secretary of State