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STATE OF MINNESOTA
MUNICIPAL BOARD

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

Mr. Mark Winkler
Deputy Secretary of State
c/o Donna Scott
State Office Building
Saint Paul, Minnesota

RE: Municipal Board Docket Number A-3187 Little Falls

Dear Mr. Winkler:

The subject order of the Minnesota Municipal Board makes the following changes in the population of the named units of government:

The population of Little Falls
is increased by _____ to (no change)

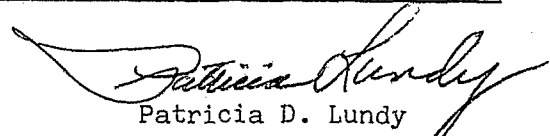
The population of Belle Prairie
is decreased by _____ to (No Change)

A new municipality named _____
has been created with a population of _____

The _____
has been dissolved.

Official date of the Order September 27, 1979. Effective date: Sept. 27, 1979.

C.C. Commissioner
Department of Revenue
c/o Wallace O. Dahl, Director
Tax Research Division
205 Centennial Building


Patricia D. Lundy
Assistant Executive Director

Hazel Reinhardt
State Demographer
101 Capitol Square Building

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT - 1 1979


Secretary of State

#32409 O.D.

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Felix Kujawa	Ex-Officio Member
Robert Tepley	Ex-Officio Member

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

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on September 28, 1977, at Little Falls, Minnesota. The hearing was conducted by Thomas J. Simmons, Board Member, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Felix Kujawa and Robert Tepley, ex-officio members of the Board. The City of Little Falls appeared by and through Donald Swenson, and the Township of Belle Prairie appeared by and through Douglas Anderson. Testimony was heard and records and exhibits were received.

After due and careful consideration of all 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. On July 15, 1977, a resolution from Little Falls 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:

Bounded on the East by Highway 10-371 Bypass, and on the North by Highway 10-371 Bypass, and on the West by the Mississippi River, and on the South by the corporate limits of the City of Little Falls.

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

3. Geographic Features

a. The area subject to annexation is unincorporated and abuts the City of Little Falls.

- b. The total area of the City of Little Falls is 2,687 acres. The total area of the territory subject to annexation is 250 acres.
- c. The perimeter of the area to be annexed is 40% bordered by the municipality.
- d. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers lakes, and major bluffs is as follows: the area is generally flat, some portions being undeveloped, while the river shore is intensively developed. The area is cut off from the remainder of the township by a highway bypass.

4. Population Data

- a. The City of Little Falls
 - 1) Past population growth: 1960 - 7,551
 - 2) Present population: Est. 7,800
 - 3) Projected population: 1985 - 8,200
- b. The area subject to annexation
 - 1) Past population growth: 1960 - 82
 - 2) Present population: Est. 168
 - 3) Projected population: 1985 - 218

5. Development Issues

- a. What, if any, are the plans for the development of the property proposed for annexation and/or the annexing municipality, including development projected by the State Planning Agency? Little Falls is in the process of updating its 1970 comprehensive plan.
- b. What land use controls are presently being employed.
 - 1) In the City of Little Falls:
 - a. Zoning - Yes
 - b. Subdivision regulations - Yes
 - c. Housing and building codes - Yes
 - d. Other - Fire Code, Housing Code
 - 2) In the area to be annexed:
 - a. Zoning - Yes, by the County and the Township
 - b. Subdivision regulations - Yes, by the County
 - c. Housing and building codes - No
 - d. Other - Shoreland Management Act

- c. Does the city require future growth space? Yes. If so, will the area subject to annexation provide the City of Little Falls with necessary growth space? Yes, there is substantial undeveloped acreage.
- d. Development of the following types is occurring:
 - 1) In the City of Little Falls:
 - a) Residential - 2,012 acres
 - b) Industrial - 428 acres
 - c) Commercial - 247 acres
 - d) Institutional - 240 acres
 - 2) In the area subject to annexation:
 - a) Residential - 215 acres
 - b) Industrial - 15 acres
 - c) Commercial - 15 acres
 - d) Institutional - 5 acres
- e. What will be the effect, if any, of the annexation on adjacent communities? None.

6. Governmental Services

- a. Presently, the Township of Belle Prairie provides the area subject to annexation with the following services:
 - 1) Water - No
 - 2) Sewer - No
 - 3) Fire Protection - Yes
 - 4) Police Protection - None other than County Sheriff.
 - 5) Street Improvements - Yes
 - 6) Street Maintenance - Yes, by contract
 - 7) Recreational - Yes
- b. Presently, the City of Little Falls provides its citizens with the following services:
 - 1) Water - Yes
 - 2) Sewer - Yes
 - 3) Fire Protection - Yes
 - 4) Police Protection - Yes
 - 5) Street Improvements - Yes
 - 6) Street Maintenance - Yes
 - 7) Recreational - Yes
- c. Presently, the City of Little Falls provides the area subject to annexation with no services.
- d. Plans to extend municipal services to the area subject to annexation include the following: All services could be extended within a reasonable time, but there was insufficient

evidence to conclude that there is a present need for said services.

- e. There are existing or potential pollution problems which are: Over the years, septic systems in the area could fail creating ground water pollution, including run-off to the Mississippi; however, there was insufficient evidence to conclude that the problem is a present one or one which can be foreseen within a reasonable time. The following additional services will help resolve this situation: community sewer.

7. Fiscal Data

- a. In the City of Little Falls, the assessed valuation trend as of 1977 is increasing, the mill rate trend as of 1977 is stable, presently 34.19, and the bonded indebtedness as of 1977 is \$3,340,000.
- b. In the area subject to annexation, the assessed valuation trend as of 1977 is increasing, the mill rate trend as of 1977 is decreasing, and the bonded indebtedness as of 1977 is 0.
- c. The mill rate trends in the following units of government are:
 - 1) County - Stable, presently 34.15
 - 2) School Districts - Increasing, presently 73.97
- d. The annexation would not have any effect on the school district.

8. Annexation to the City of Little Falls is not presently the best alternative.

- a. Governmental services could not be better provided by incorporation of the area subject to annexation.
- b. Governmental services could not be better provided for by consolidation or annexation of the area with an adjacent municipality other than Little Falls.
- c. Belle Prairie Township can provide the services required for the present time.

9. A majority of property owners in the area to be annexed have not petitioned the Minnesota Municipal Board requesting annexation.

10. That on March 10, 1978, the Minnesota Municipal Board issued an interim order, urging the parties to negotiate this matter and report back to the Board on the status of the negotiations on or about February 16, 1979.
11. That the City of Little Falls and the Town of Belle Prairie are presently attempting to negotiate an orderly annexation agreement between the two governmental units. That little or no progress on negotiations has occurred after March 1, 1978.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
2. The area subject to annexation is now or is about to become urban or suburban in character.
3. Municipal government is not presently required to protect the public health, safety and welfare in the area subject to annexation.
4. The best interest of the area subject to annexation will not presently be furthered by annexation.
5. The remainder of the Township of Belle Prairie can carry on the functions of government without undue hardship.
6. There is a reasonable relationship between the increase in revenue for the City of Little Falls and the value of benefits conferred upon the area subject to annexation.
7. 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.
8. An order should be issued by the Minnesota Municipal Board denying the annexation of the proposed area to the City of Little Falls, without prejudice.

O R D E R

IT IS HEREBY ORDERED: That the Resolution of the City of Little Falls for the annexation of the area aforementioned be and is hereby denied without prejudice.

IT IS FURTHER ORDERED: That the effective date of this order is
September 27, 1979.

Dated this 27th day of September, 1979.

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

Terrence A. Merritt

Terrence A. Merritt
Executive Director

MEMORANDUM

The Minnesota Municipal Board denied the aforementioned annexation resolution without prejudice to allow the City of Little Falls and the Town of Belle Prairie to continue to work on an orderly annexation agreement.

It is the Minnesota Municipal Board's desire that the two governmental units work together to reach an amicable resolution of this matter.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT - 1 1979
Jean Anderson Howe
Secretary of State