

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Edwin Kobler	Ex-Officio Member

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 28 1981

James Anderson Howe
Secretary of State
133425

IN THE MATTER OF THE PETITION FOR THE)
ANNEXATION OF CERTAIN LAND TO THE CITY)
OF WINONA PURSUANT TO MINNESOTA STATUTES)
414)

ORDER RECINDING
MOTION FOR EXPANSION

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on June 29, 1979, at Winona, Minnesota and continued from time to time. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners James Papenfuss and Edwin Kobler, ex-officio members of the Board. The City of Winona appeared by and through George Robertson, Jr., the Township of Winona appeared by and through Kent Gernander, and the petitioners appeared by and through Harold J. Libera. 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, and Order.

FINDINGS

I. That on May 29, 1980 upon its own motion, the Minnesota Municipal Board expanded the area under consideration before it in Municipal Board File A-3489 to include the entire Town of Winona.

II. That the Municipal Board issued a final interim order on July 31st, 1980, approving the annexation of the property originally petitioned for annexation in Minnesota Municipal Board File A-3489.

III. That pursuant to stipulation of counsel for the parties of record the letter of February 24th, 1981 of David R. Sollenberger, City Manager of the City of Winona and accompanying letter and documents was made a part of the record before the Board.

IV. That the City of Winona had conducted a subsequent fiscal analysis of the annexation of the entire Town of Winona to the City of Winona and found that at present such an annexation would result in a net deficit position for the City of Winona.

V. That the City of Winona based upon the revised fiscal analysis determined that the total annexation of the Township of Winona is not appropriate at this time.

VI. That the Municipal Board in expanding the area under consideration to include the entire Township, did so to facilitate discussions between the City and the Township which were focusing upon the total annexation of the Town of Winona to the City of Winona.

O R D E R

I. IT IS HEREBY ORDERED: That the motion of the Minnesota Municipal Board to expand the area under consideration before it in Municipal Board File A-3489 is recinded without prejudice and the Municipal Board's file on this matter is hereby closed.

II. IT IS FURTHER ORDERED: That the effective date of this order is May 21st, 1981.

Dated this 21st day of May, 1981

MINNESOTA MUNICIPAL BOARD
Suite 165 Metro Square Building
7th and Robert Streets
St. Paul, Minnesota 55101

Terrence A. Merritt

Terrence A. Merritt
Executive Director