



**STATE OF MINNESOTA
MUNICIPAL BOARD**

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

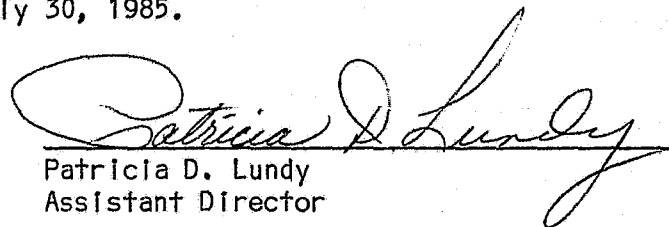
July 30, 1985

Secretary of State
c/o Donna Scott
State Office Building
St. Paul, Minnesota 55155

Re: Municipal Board Docket Number: A-4068 Park Rapids

The subject order of the Minnesota Municipal Board makes no changes in the population of the City of Park Rapids.

Official date of the Order is July 30, 1985.


Patricia D. Lundy
Assistant Director

PDL:sg

cc: Commissioner
Department of Revenue
c/o Wallace Dahl, Director
Tax Research Division
205 Centennial Building

R. Thomas Gillaspay, Ph.D.
State Demographer
101 Capitol Square Building

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 31 1985
Jean Anderson Howe
Secretary of State
#36153

A-4068 Park Rapids

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 31 1985

Robert J. Ferderer	Chairman
Kenneth F. Sette	Vice Chairman
Richard A. Sand	Commissioner
Arvilla Wittner	Ex-Officio Member
Gary Gauldin	Ex-Officio Member

Jean Anderson Howe
Secretary of State

IN THE MATTER OF THE RESOLUTION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF PARK RAPIDS PURSUANT TO)
MINNESOTA STATUTES 414)

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on April 19, 1984 in Park Rapids, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, and Robert J. Ferderer, Chairman, pursuant to Minnesota Statutes 414.01, Subdivision 12, and was continued from time to time. Also in attendance were Kenneth F. Sette, Vice Chairman and Richard A. Sand, Commissioner of the Municipal Board and County Commissioners Arvilla Wittner and Gary Gauldin, Ex-Officio Members of the Board. The City of Park Rapids appeared by and through John Masog. The Town of Straight River appeared by and through Patrick Hammers. The Town of Todd appeared by and through Franklin McAdams and Armin Hawkins. The Chef Reddy Potato Processing Plant appeared by and through Jay Mondry. 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 December 30, 1983, a resolution for the annexation by the City of

Park Rapids was filed with the Municipal Board. The resolution contained all the information required by statute including a description of the territory subject to annexation, which is as follows:

All of that part and parcel of the Southeast Quarter (SE 14/) of Section 35, lying East of the Burlington Northern Railway Tracks and right-of-way which extends parallel with Highway #71, a public highway of Minnesota extending North and South immediately West of said Burlington Northern Railroad tracks and right-of-way, as the same appears on file and of record in the Office of the County Recorder within and for said Hubbard County.

and

A tract commencing at the section corners of Section 25, 26, 35, and 36, and thence running West on the North line of said Section 35 a distance of 102 feet to the West boundary line of U.S. Highway 71, the point of beginning of the tract excepted herein, thence continuing Westerly on the Northerly boundary line of said Section 35 a distance of 450 feet, thence in a Southerly direction and parallel with the Westerly boundary line of said U.S. Highway 71 a distance of 1,750 feet; thence in an Easterly direction and parallel with the Northerly boundary line of said Section 35, 450 feet to the Westerly boundary line of said U.S. Highway 71, thence in a Northerly direction on and along the Westerly boundary line of said U.S. Highway 71, a distance of 1,750 feet to the point of beginning.

and

The East one-half of Section 2, Township 139N, Range 35W.

On April 2, 1984, a stipulation was received from the City of Park Rapids, the Town of Todd, and the Town of Straight River amending the property description to include the Township and Range designation for the tracts described in paragraphs 1(a) and (b) of the annexation resolution to be Township 140 North, Range 35 West (Todd Township).

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

3. The area subject to annexation is unincorporated, approximately 348.72 acres in size, and abuts the City of Park Rapids by approximately 20%

of its perimeter.

4. The area proposed for annexation is generally level, normal water table, and suitable for farming and septic tanks. There are no rivers, lakes, or major bluffs in the area proposed for annexation.

5. In 1970, the City of Park Rapids had a population of 2,776. Its population in 1980 was 2,976.

6. The Town of Straight River had a population of 369 in 1970, and 535 in 1980.

7. The City of Park Rapids has approximately 40% of its land in residential use, approximately 20% in institutional use, approximately 20% in commercial use, approximately 5% in industrial use, approximately 5% in agricultural use, and approximately 10% vacant land.

8. Of the 10% vacant land noted in the above Finding of Fact, the City of Park Rapids has either zoned or planned for approximately 5% residential use and approximately 5% commercial use.

9. The area proposed for annexation has the following uses: approximately 2% in residential, approximately 44% in commercial, approximately 51% in agricultural, and approximately 3% vacant.

10. In the Town of Todd, the 51.30 acres proposed for annexation have the following uses: fuel storage facility on two parcels, potato storage facility on one parcel, vacant land, christmas tree and landscaping office and storage facility, residential homestead, and residential farm homestead.

11. In the Town of Straight River, the 297.42 acres proposed for annexation contain the following uses: wastewater irrigated farmland, potato processing plant (approximately one mile from city), vacant land, auto junkyard and parts office/garage, potato warehouse, holding pond for the

potato plant, residential homestead, non-homestead residential, bean storage elevator, and lock shop and residence.

12. The majority of the area proposed for annexation is primarily agricultural or agricultural related.

The potato processing plant and the use of a majority of the annexation area are closely related. The water discharged from the potato plant is used for an irrigation system for the potato cropland. Potatoes are grown and stored in the annexation area.

The locksmith, junkyard, bean storage elevator, and few residences are located in the southern-most portion of the annexation area. It is separated from the city for some distance by agricultural land. There are no plans for future development of the agricultural land at this time.

13. The City of Park Rapids has approximately 4 miles of highways and 36 miles of streets.

14. The Town of Straight River has approximately 33.62 miles of roads and 5 bridges.

15. In the annexation area there is approximately 1/4 mile road in the Town of Straight River, which is an extension of the road that runs on the south side of the airport and also a dirt road in Todd Township.

16. The city airport is under an expansion program to remove old buildings, erect new buildings and purchase land at the southeast end of the runway.

17. The City of Park Rapids has a comprehensive plan, zoning and subdivision regulations, an official map, a capital improvements program and budget, Minnesota Building Code, Minnesota Plumbing Code, shoreland ordinance, floodplain ordinance, and an urban renewal program. The city does not have

zoning over the subject area other than the airport as described in the following Finding of Fact.

18. The airport is jointly zoned by the City of Park Rapids and Hubbard County. It is administered by the Hubbard County Zoning Officer.

19. The Town of Straight River has an official map. The Town of Straight River and the Town of Todd do not have zoning ordinances.

20. Hubbard County has a shoreland ordinance.

21. The City of Park Rapids provides its residents with water, sanitary sewer and wastewater treatment, storm sewer, police and fire protection, street improvements and maintenance, administrative services and staff, health inspection, and library service.

22. The City of Park Rapids presently provides the annexation area with library service and fire protection through a contract with the township. The City of Park Rapids Police will on occasion go into the annexation area. There is no formal agreement between the Hubbard County Sheriff's Department and the Park Rapids Police Department for patrolling of the annexation area.

23. The area proposed for annexation receives its water from private wells and sanitary sewer service from private systems. The potato processing plant requires about 1,000 gallons of water per minute.

The city has one well that pumps 800 gallons a minute and another well that pumps 200 gallons a minute.

24. The townships provide street improvements and maintenance for township roads through a private contractor. A joint agreement between the townships and the city exists on shared roads. Administrative services are provided through the town boards. The townships are provided police protection by the Hubbard County Sheriff.

25. There are no present pollution problems in the area proposed for annexation.

26. There are no present plans to develop any of the area proposed for annexation.

27. The 1983 mill rates are as follows: the County of Hubbard, 25.850; the City of Park Rapids, 18.689; the Town of Straight River, 9.200; the Town of Todd, 7.372; school district, 42.429; Special Taxing District, 0.167.

28. The assessed valuations for 1983 are as follows: the City of Park Rapids, \$12,420,000; the Town of Straight River, \$3,804,285; the Town of Todd, \$5,154,188.

29. The assessed valuation for the area proposed for annexation is as follows: the area proposed for annexation in the Town of Straight River in 1983 was \$1,283,062; the area proposed for annexation in the Town of Todd in 1983 was \$65,837.

30. The City of Park Rapids, for the year 1983, had the following: fire insurance rating, 6; total revenues, \$458,545; current total expenditures, \$470,052; capital outlay, \$45,192; actual current levy, \$79,398; total bonded indebtedness, \$2,286,850; total indebtedness, \$2,286,850; bond rating, BAA-1.

31. The Town of Straight River would lose approximately 28% of its income if the annexation were approved.

32. The area proposed for annexation is presently served by the same school district as the City of Park Rapids.

33. The major development of the city has been to the north, east, and west of the City of Park Rapids.

There is potential for development of an outdoor drama theatre located approximately 16 miles north of Park Rapids.

CONCLUSIONS OF LAW

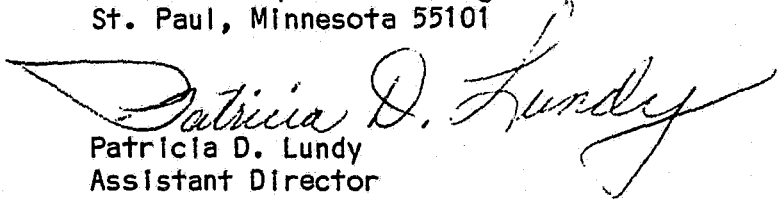
1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
2. The area proposed for annexation is generally not now nor is it about to become urban or suburban in nature.
3. Municipal government is not required to protect the public health, safety, and welfare of the area subject to annexation.
4. The best interests of the area proposed for annexation will not be furthered by annexation.
5. There is not a reasonable relationship between the increase of revenue for the City of Park Rapids and the value of benefits conferred upon the area subject to annexation.
6. An order should be issued by the Minnesota Municipal Board denying the request for annexation described herein.

ORDER

1. IT IS HEREBY ORDERED: That the request for the annexation of the property described in Findings of Fact 1 is hereby denied without prejudice.
2. IT IS FURTHER ORDERED: That the effective date of this order is July 30, 1985.

Dated this 30th day of July, 1985.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101


Patricia D. Lundy
Assistant Director

A-4068 Park Rapids

MEMORANDUM

The board urges all parties to work together on long-range planning for the benefit of the entire area. There are various options that can be considered, including Orderly Annexation Joint Agreements and Rural/Urban Taxing Districts. Joint agreements may address many issues including boundaries, joint planning and land use controls including zoning.

A good starting point may be the two small tracts of residential areas in the Town of Todd that are completely surrounded by the City of Park Rapids. The city has the option of annexing totally surrounded areas by ordinance.

The city and both townships indicated a desire to work together at the hearing. Others testifying at the hearing also agreed it would be beneficial. Hubbard County and the Headwaters Regional Development Commission are already working with the City of Park Rapids and/or Straight River and Todd Townships on many areas including the airport, outdoor drama theatre, comprehensive plan, and shoreland ordinances. The Municipal Board would like to see everyone continue to build on these already existing relationships.

The board strongly encourages the parties to meet and utilize this spirit of cooperation for long-range planning and the good of the community as a whole.

11/29/85
JCL

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