

MP10-12

Maine Prairie Township/City of Kimball Board Meeting  
Orderly Annexation Discussion  
March 22, 2010

Chair Wicker opened the meeting at 7:00 p.m. with the pledge to the flag.

Town Board members present: Supervisors John Wicker, Dennis Loewen, & Jim Unterberger, Clerk Terre Harff. City of Kimball Board members present: Joe Krippner, Duwayne Orbeck and Tammy Konz.

Chair Wicker turned the meeting over to Chuck Marohn, from Community Growth Institute. Marohn was asked to help the city and township understand how orderly annexation works and what are the benefits to each entity. Marohn explained the state is encouraging the cities and townships to become one. He presented MN State Statutes that were reviewed by the boards.

There are three ways for annexation to take place: 1) By petition and Resolution, 2) Use of an Administrated Law Judge (which is very expensive), and 3) Orderly Annexation Agreement between both entities.

Orbeck stated that orderly annexation would force the city to come up with a plan for new infrastructure, which he felt was good. Marohn explained that was what orderly annexation is; a mutual plan to look at the future for both entities.

Two sample plans were reviewed. St Joseph Township and the City of St Joseph have a plan where the two entities formed a Joint Planning Board. The board would make the decision for the property involved in the annexation plan. Becker Township formed an orderly annexation with the City of Becker, where they had a plan for the whole township to become a part of the city in future years, that way the township would follow the city rules and the township is no longer under county control.

The discussion went to asking for an explanation how Steins annexation took place and why it created such hard feelings between the city and township. It appeared to be lack of communication between the two entities and the city was trying to meet the need of a prospective business and this was a way for land to be obtained to fill that need. The deal fell through but the annexation went forth. Marohn explained with an orderly annexation agreement, this would not have happened, the plan would be in place and a judge will usually make the two entities follow the agreement plan put forth.

It was agreed that the city has enough land to fill with homes at this point so they are not looking at annexing land for some time to come. Marohn explained this is the time to look at what you want for the future of both entities so that when someone comes into town and wants to put up a business, you have a growth area that both entities chose to fill the need. Orderly Annexation is basically a guideline and a way to set a goal for both entities by mutual agreement.

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Without Orderly Annexation: the property owners are notified by the city that they want their township land, a notice is placed in the paper, and a hearing is held. The cities are not obligated to contact the township, no communication is required and this is when problems between the two entities start.

With Orderly Annexation: The two entities mutually define the boundary area, find trigger points as to when an annexation can or should take place (such as services and infrastructure to the area or via petition from the citizens), form a joint board, have a periodic review and then progress with annexation.

Mayor Konz wondered how long this process usually takes. Marohn explained the time process is decided by how long it takes to come to an agreement between both entities. Mayor Konz would like to see the ground work laid out while the boards are willing to work together. Both boards feel this is best time for their entities to work together. It forces both the township and city to come up with a mutually formed plan and helps each entity decide where infrastructure should take place. Marohn also explained this doesn't have to be an expensive plan. Once the two entities agree, they have a lawyer draw up the plan and then it is reviewed by both entities, something like a pre-nuptial agreement.

Both the city and township boards agreed that each should come up with a plan individually, and then come back together to work each plan into one agreement. With both the City of Kimball and the Town of Maine Prairie having a Comprehensive Growth Plan in place, it will be like combining both plans together as one.

Chuck Marohn was thanked for coming to meet with both boards.

Dennis Loewen made a motion to adjourn, seconded by Joe Krippner. Motion carried

Respectfully submitted by:  
Terre Harff  
Maine Prairie Clerk