

July 12, 2005

Incorporation Committee Informational Meeting

Blair Joselyn started the meeting by introducing the people who helped prepare the information being presented: members of the Incorporation Committee, Carol Joselyn, office staff, and consultant Jessie Hart. Mr. Joselyn stated the meeting was not to persuade a position, but to present information to Scandia residents as part of the Committee's process of coming up with a recommendation for the Town Board. This public information meeting is the second phase of a three-phase plan the Committee is following. The first phase consisted of reviewing data gathered as a result of trying to answer 49 questions that the Committee came up with in their investigation of the question of incorporation. The third phase would be to come up with a recommendation for the Town Board. The Town Board is not sure the next step they will take after receiving the Committee's recommendation. Starting with 100 questions generated by Committee members, the 49 remaining questions and answers were group into six categories: Financial, Services/Control as a City, Procedure for Incorporation, Experience of Other Communities with Incorporation, Relationships with Other Municipalities, and Miscellaneous. A fifteen-page booklet was then prepared to present the Issues/Questions/Answers of Incorporation.

David Hebert, Township Attorney and Committee member, presented the legal issues involved in incorporation. Mr. Hebert outlined the history of a rural township with the electors have the control over town business and setting the annual budget. Later as state statutes changed things, Scandia became an urban township, which gave more power to the town board, but the electors still vote on the budget as presented by town staff. If Scandia were to become a city, then the electors would no longer approve the budget. Also, the mayor and council members would be elected positions, whereas now the town board supervisors elect their chairman. Mr. Hebert then covered what is necessary to initiate proceeding with incorporation; either a petition of 100 property owners, or a resolution by the Town Board. Either the petition or resolution would need to give a name to the municipality (Scandia, New Scandia), state reasons for seeking incorporation, a map of the area, parties to be served and adjoining municipalities. Then the procedure of actually filing was covered. The cost of the public hearing would be born by the petitioner, in this case, the Town Board. He also outlined the basis for an administrative law judge's decision as to whether or not to allow incorporation. Mr. Hebert stated that no referendum could be held, as the Town Board has no statutory authority to spend taxpayers dollars on an election not covered by state statutes.

Jessie Hart, Springsted, Inc., presented the fiscal aspects of incorporation. Ms. Hart showed population estimates indicating a population of 5,016 in the year 2017. Current population is 3,929. Scandia would have to have a population of 5,000 to be eligible for state road funds of approximately \$225,000. Scandia presently receives approximately \$23,000 through County road aid and a gravel tax, which would be eliminated if Scandia became a city. However, the state also has a pool of money for which Scandia could apply for construction of new roads, but not maintenance of roads.

Ms. Hart covered any changes in governmental services. Law enforcement, fire protection, building inspector/code enforcement, septic system oversight, street maintenance, and sewer/water services would not change. However, as a city Scandia would be responsible for prosecution services and collecting fines. Fine revenues are anticipated to cover the cost of

providing prosecution services. Also, the loss of County road aid and gravel tax would have to be levied. The biggest change would be in planning and zoning services. The County provides planning services free of charge to the township at the cost of a ¾-time employee. The County would terminate this relationship and wouldn't contract with us. Fees would not cover all new planning services, so the township would have to cover the extra cost.

Part of Ms. Hart's presentation contained a proposal to accommodate the new city providing for planning and zoning services. By eliminating the contract for building inspection services, this would save approximately \$111,000. Then employ one full-time Building Official/Zoning Administrator to interpret and enforce the State Building code and city ordinances at a cost of approximately \$75,000. There may also be a need for a part-time building inspector during the peak season at a cost of \$25,000, and an increase in support staff for the building administrator for \$34,000. Currently, the clerk spends 40% to 50% of her time on zoning.

Public Question & Answer Period

Q. Dan Willius, 23577 Quentin, said having local control is a significant justification for incorporation and a fundamental issue. But are we ready once County assistance is eliminated. Mr. Willius believes the incorporation process should be delayed until the Town Board can assure residents that the town's ordinances and zoning are in place.

A. Blair Joselyn replied that the town has a good Comprehensive Plan in place as well as Ordinances and Zoning codes. Scandia's ordinances and zoning are very similar to the County's. Mr. Hebert interjected that Scandia is more restrictive than the County in some zoning. Mr. Willius was not assured.

Q. Pat Redig, 16099 209th St., asked if local control could not be accomplished with more restrictive ordinances. Is there a fight with the County?

A. Joselyn indicated Scandia has a good working relationship with the County. The town and the county don't agree on all issues, but generally have a good relationship. Kevin Nickelson pointed out if Scandia wanted to be less restrictive; we couldn't do that as a township.

Q. Sophia, 209th St., asked if this would lead to partisan politics or would we stay non-partisan.

A. Joselyn, we would stay non-partisan.

Q. Judy Rydeen, 14841 Old Marine Trail, said the danger of annexation was misrepresented, and that the west part of the township is in danger. Mrs. Rydeen also said there are 2,500 registered voters, not 2,300.

Q. Bill Clapp, 19555 Quinnell, stated the town can zone more protectively now and that it is not true that incorporation will ensure local control – we can already do that. Mr. Clapp likes two levels of government for CUPs, rezone, variances and the protection provided by the County. We wouldn't have such good ordinances without the County. Mr. Clapp asked if we would need our

own courtroom and judges for prosecuting petty misdemeanors. He also asked how the town would find the pulse of the people on the issue.

A. Hebert indicated the town would provide the prosecuting attorney and all cases would be handled at the courthouse in Stillwater. Joselyn indicated the town is asking for town input now with this meeting.

Q. Curt Hadland, 15280 Pilar Road, stated that the presentation did not address the intangibles, like why people live out here, the rural quality of the township. There were no models of how the town may change in the future with zoning and codes. What is the destiny we are trying to protect by incorporating? Taxes are not a main concern, but quality of life is. What are other townships and cities doing? For more balance, developmental models need to be considered. What would incorporation look like for our township?

Q. Rob Jensen, 12988 182nd St., would like to see citizens given more avenues to the process such as meetings on cable TV. He would like to see more information such as profiles of expenses for Grant and other cities before and after incorporation, not just what they felt about expenses. Mr. Jensen also said the home profile of \$227,000 was not very accurate and would like to see impacts on taxes for homes up to \$1,000,000.

A. Hart indicated that the average home value in Scandia of \$227,000 was taken from the County's January 2004 tax assessment data. Joselyn said page 8, question 29 answered expense experience of other township that became incorporated.

Q. Tom Obst asked if a straw ballot could be done tonight to see which way the people wanted to go.

Q. Wyman Detzler asked why couldn't we have a referendum to vote on this.

A. Hebert stated a referendum regarding incorporation is not discussed in state statutes and the Town Board cannot spend taxpayers dollars on such an election.

Q. Dave Colby, 15195 240th St., asked how much it would be to hire a prosecutor. He also asked what the County has blocked which Scandia wanted to do. He would like to see a straw pole of the committee and Town Board to see what they wanted to do.

A. Joselyn said the Committee has not decided on its recommendation yet and the Town Board has not yet received the committee's recommendation. Nickelson said the County has refused some variances that the township granted. The township had to go before the County to build the Hawkinson Business Park as the County was against having businesses in Scandia at that time. Nickelson said the County does do good planning.

Q. Don Hogle, 21509 Lofton Ave., thinks it is inevitable that Scandia will become a city, but timing is a factor. Would it be best now or closer to 2017, when population reaches 5,000, or somewhere in between? Would also like to know why White Bear Township has not been annexed or incorporated. Why do they think being a township is better?

A. Joselyn said that the city of White Bear has tried to annex the township and failed. After talking to the clerk for two hours, there doesn't appear to be any one reason and they like it the way it is. Denmark, Linwood and Wyoming townships are all considering incorporation because of a threat. Scandia is the only one without a threat, but has been advised by numerous state administration people not to wait for a threat.

Q. Ross Brunfelt, 15901 Scandia Trail, said layers of government could be a good thing to provide checks and balances, but is mostly bureaucratic. He is for incorporation, but thinks we don't have long-term planning and thinking. Would we lose our small town feel? Maybe we should look at larger lot sizes, as housing will come. He thinks we should incorporate to retain what we've done.

Q. Susan Miles, 232x1 St. Croix Trail, appreciates all the work and information. Stated Grant taxes went up astronomically after they incorporated. She expressed concern about the quality of services provided by the County versus the politicization of the town planning process. The County would be less subject to local preferences and provide good professional advice. She would like to see a comparison of Afton to Scandia. The Afton prosecutor shows up when he feels it appropriate. Scandia has a lot of traffic crime. People want to get things resolved right away, but can't because the prosecutor isn't there. Also, fines don't cover the cost of a prosecutor and some are not ever collected. What is going to happen to litigation costs? Would we get involved in lobbying?

A. Joselyn said the Committee used the city of Forest Lake costs to compare prosecution costs to fine revenue and it was a wash. Grant said the same. Grant taxes went way up because they let their road deteriorate and needed to get them fixed, not because of incorporation. Grant's last town board chairman and first mayor, Gary Erickson, came and talked to the Committee.

Q. Wayne Schmidt, 21060 Olinda Trail, said they had to fight the County to get the Scandia Housing. The town people got together and built sewer and water systems to support the housing and uptown businesses. Mr. Schmidt said it was all well and good to say "If it ain't broke, don't fix it", but asked if you would rather gather hay with a horse and wagon, or a combine. He does believe there is a threat to the western part of the township. Maybe not how, but it could happen fast. Mr. Schmidt commended the Committee on doing a good job. The township has handled their own problems in the past and can in the future. As for a straw vote, generally people who are against something show up, and those for it stay home thinking it's a done deal.

A. Lee Sandager said there has been a lot of change Scandia and there will continue to be change. He commends the Committee for all their good work. He said a straw vote could be good and bad, and an "undecided" vote should be added as well as a "For" and an "Against".

A. Bruce Swenson has been hearing from a lot of people. There is an overlay of power at the County level. The County used to do building permits/inspections and eliminated it as well as some planning services. The County is slowly divesting themselves of the services discussed. He would hate to see Scandia go the way of Wyoming Township.

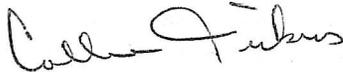
Q. Unknown woman said the post card notice of the meeting did not mention any vote, so a straw vote is not appropriate as a lot of people left after the presentation.

A. Joselyn called for a straw vote to vote on whether or not to take a straw poll of "For", "Against", or "Undecided" regarding incorporation.

32 for a straw poll

44 against a straw poll

Respectfully submitted,



Colleen Firkus
Planning Commission Secretary