



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street  
Saint Paul, Minnesota 55101

Mailing Address:  
P.O. Box 64620  
St. Paul, Minnesota 55164-0620

Voice: (651) 361-7900  
TTY: (651) 361-7878  
Fax: (651) 361-7936

April 23, 2013

Matthew Van Bruggen  
Kennedy, Carlson & Van Bruggen, LLP  
116 Ash Avenue, NW  
P. O. Box 647  
Wadena, MN 56482-0647

VIA E-MAIL  
([mvanbruggen@kenelaw.com](mailto:mvanbruggen@kenelaw.com))

Re: D-509 Bertha/Bertha Township (Larson/Marlowson Real Estate Property; 3 acres)

Dear Mr. Van Bruggen:

The Office of Administrative Hearings - Municipal Boundary Adjustment Unit acknowledges receipt of the petition for detachment. Please refer to the above docket number in future communications regarding this proposed boundary adjustment.

Pursuant to Minn. Stat. § 414.06 Subd. 2:

- If a city resolution supporting the detachment petition is received and no resolution of opposition is received from the township, no hearing is necessary and the Chief Administrative Law Judge shall grant the petition.
- If both the city and the township submit resolutions opposing the detachment petition, a hearing must not be held and the Chief Administrative Law Judge shall deny the petition.
- In any other case, the Chief Administrative Law Judge shall designate a time and place for a hearing pursuant to Minn. Stat. § 414.09.

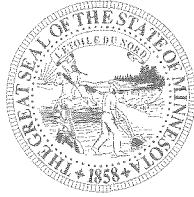
If you have any questions, please contact me at [star.holman@state.mn.us](mailto:star.holman@state.mn.us) or 651-361-7909.

Sincerely,

Starlene J. Holman  
State Program Administrator, Senior  
Municipal Boundary Adjustment Unit

SJH

c: Janet Umland, Bertha City Clerk ([citybertha@arvig.net](mailto:citybertha@arvig.net) and US Mail)  
Wayne Voge, Bertha Township Clerk



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street  
Saint Paul, Minnesota 55101

Mailing Address:  
P.O. Box 64620  
St. Paul, Minnesota 55164-0620

Voice: (651) 361-7900  
TTY: (651) 361-7878  
Fax: (651) 361-7936

April 23, 2013

Janet Umland, City Clerk  
Bertha City Hall  
P. O. Box 65  
Bertha, MN 56437  
[citybertha@arvig.net](mailto:citybertha@arvig.net) & US Mail

Wayne Voge, Township Clerk  
Bertha Township Board  
41463 County 1  
Bertha, MN 56437

Re: D-509 Bertha/Bertha Township (Larson/Marlowson Real Estate Property; 3 acres)

Dear Ms. Umland and Mr. Voge:

The Office of Administrative Hearings - Municipal Boundary Adjustment Unit acknowledges receipt of the above-referenced petition for detachment. Please refer to the above docket number in future communications regarding this proposed boundary adjustment.

Because there is considerable paperwork and expense with a hearing, the MBAU would appreciate hearing from the city and township as to their positions on the detachment petition by May 13, 2013.

Pursuant to Minn. Stat. § 414.06 Subd. 2:

- If a city resolution supporting the detachment petition is received and no resolution of opposition is received from the township, no hearing is necessary and the Chief Administrative Law Judge shall grant the petition.
- If both the city and the township submit resolutions opposing the detachment petition, a hearing must not be held and the Chief Administrative Law Judge shall deny the petition.
- In any other case, the Chief Administrative Law Judge shall designate a time and place for a hearing pursuant to Minn. Stat. § 414.09.

Pursuant to Minn. Stat. § 414.06 Subd. 1a:

- The Township may submit a resolution to the Chief Administrative Law Judge stating that the Town Board supports, opposes or is neutral to the petition. The failure to submit a resolution must be deemed a position of neutrality. If the town submits a resolution of support for a petition opposed by the municipality from which the land is proposed to be detached, or a resolution in opposition to a petition supported by a resolution of the municipality, the town becomes a party to the hearing required under this section and is subject to the distribution of costs as provided in subdivision 7.

D-509 Bertha/Bertha Township  
April 23, 2013  
Page 2

If you have any questions, please contact me at [star.holman@state.mn.us](mailto:star.holman@state.mn.us) or 651-361-7909.

Sincerely,



Starlene J. Holman  
State Program Administrator, Senior  
Municipal Boundary Adjustment Unit

SJH

Enclosure

c: Matthew Van Bruggen ([mvanbruggen@kenelaw.com](mailto:mvanbruggen@kenelaw.com))

Attachment (1)

- To the City: Sample City Resolution Responding
- To the Township: Sample Township Resolution Responding