

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
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August 9, 2013

Paul E. Stoneberg
Stoneberg, Giles & Stroup, P.A.
300 South O'Connell St
Marshall, MN 56258-2638

VIA E-MAIL
(paul@sgslawyers.com)

Re: D-513 Lake Benton/Lake Benton Township (Beyers Petition; 134.66 acres)

Dear Mr. Stoneberg:

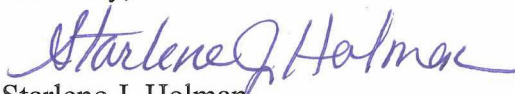
The Office of Administrative Hearings - Municipal Boundary Adjustment Unit acknowledges receipt of the petition for detachment. Please refer to the above docket number in future communications regarding this proposed boundary adjustment.

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.

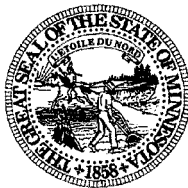
If you have any questions, please contact me at star.holman@state.mn.us or 651-361-7909.

Sincerely,


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

SJH

c: Rosemary DeZeeuw, Lake Benton City Clerk (benton@itctel.com)
Michael Carpenter, Mayor of Lake Benton (carp@itctel.com)
Linda Borresen, Lake Benton Township Clerk



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Rosemary DeZeeuw, City Clerk
City of Lake Benton
P.O. Box 206
Lake Benton, MN 56149-0206

Linda Borresen, Township Clerk
Lake Benton Town Board
207 South Fremont Street
Lake Benton, MN 56149

Re: D-513 Lake Benton/Lake Benton Township (Beyers Petition; 134.66 acres)

Dear Ms. DeZeeuw and Ms. Borresen:

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 August 30, 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-513 Lake Benton/Lake Benton Township
August 9, 2013
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If you have any questions, please contact me at star.holman@state.mn.us or 651-361-7909.

Sincerely,



Starlene J. Holman
State Program Administrator, Senior
Municipal Boundary Adjustment Unit
star.holman@state.mn.us
651-361-7909

SJH

c: Michael Carpenter, Mayor of Lake Benton (carp@itctel.com)
Paul E. Stoneberg, Attorney for the Petitioners (paul@sgslawyers.com)