



## 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

March 17, 2014

Cynthia Klumper, City Clerk  
Trosky City Hall  
220 Broadway Street, South  
Trosky, MN 56144-1070

**VIA E-MAIL & US MAIL**  
([cityoftrosky@gmail.com](mailto:cityoftrosky@gmail.com))

Verginia Evans, Township Clerk  
Elmer Town Board  
421 - 90<sup>th</sup> Avenue  
Pipestone, MN 56164

**VIA US MAIL**

Re: D-520 Trosky/Elmer Township (Clara Hinz Petition for Detachment; 154.07 acres)

Dear Ms. Klumper and Ms. Evans:

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 April 7, 2014.

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.

D-520 Trosky/Elmer Township  
March 17, 2014  
Page Two

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.

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

Attachment (1)

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



## 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

March 17, 2014

Damain Sandy  
O'Neill, O'Neill & Barduson  
P. O. Box 128  
Pipestone, MN 56164

VIA E-MAIL & US MAIL  
([dsandy@iw.net](mailto:dsandy@iw.net))

Re: D-520 Trosky/Elmer Township (Clara Hinz Petition for Detachment; 154.07 acres)

Dear Mr. Sandy:

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.

As we discussed, you will be submitting the map, referenced as Exhibit 1 in the petition.

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,

A handwritten signature in blue ink that reads "Starlene J. Holman".

Starlene J. Holman  
State Program Administrator, Senior  
Municipal Boundary Adjustment Unit  
[star.holman@state.mn.us](mailto:star.holman@state.mn.us)  
651-361-7909

SJH

c: Cynthia Klumper, Trosky City Clerk ([cityoftrosky@gmail.com](mailto:cityoftrosky@gmail.com) and US Mail)  
Verginia Evans, Elmer Township Clerk