



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

600 North Robert Street
Saint Paul, Minnesota 55101

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

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June 9, 2014

Amy Doll
Fluegel, Anderson, McLaughlin &
Brutlag, Chartered
P. O. Box 527
Morris, MN 56267

VIA E-MAIL & US MAIL
(adoll@westernmnlaw.com)

Re: D-525 Milan/Kragero Township
(Opjorden/Kleven/Kleven Farms, Inc. Petition for Detachment; 80 acres)

Dear Ms. Doll:

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.

The petition, on Page 1, states that there are five (5) property owners, and that all property owners have signed the petition. However, there are four (4) signatures on the petition. Please clarify.

The petition, on Page 3, states that the area proposed for detachment is 80 acres. However, the map submitted with the petition appears to indicate 120 acres. If the map is in error, please submit the corrected map at your earliest convenience.

When submitting information for clarifying the signatures and the corrected map, please also file the documents with all parties who received the petition and original map.

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.

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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

c: Veronica Blommel, City Clerk (cityofmilan@fedteldirect.net and US Mail)
Jim Anderson, Township Clerk (US MAIL)



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Veronica Blommel, City Clerk
Milan City Hall
P. O. Box 162
Milan, MN 56262-0162

VIA E-MAIL & US MAIL
(cityofmilan@fedteldirect.net)

Jim Anderson, Township Clerk
Kragero Town Board
122 Lac Qui Parle Avenue
Milan, MN 56262

VIA US MAIL

Re: D-525 Milan/Kragero Township
(Opjorden/Kleven/Kleven Farms, Inc. Petition for Detachment; 80 acres)

Dear Ms. Blommel and Mr. Anderson:

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 June 30, 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.

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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 or 651-361-7909.

Sincerely,



Starlene J. Holman

State Program Administrator, Senior
Municipal Boundary Adjustment Unit

Attachment (1)

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

c: Amy Doll, Attorney for the Petitioners (adoll@westernmnlaw.com)