



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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June 10, 2014

John Engels, Attorney
P. O. Box 477
Minnesota, MN 56264

VIA E-MAIL & US MAIL
(John@JohnEngelsLaw.com)

Dawn Vlaminck, City Clerk
Ghent City Hall
P. O. Box 97
Ghent, MN 56239-0097

VIA E-MAIL & US MAIL
(cityofghent@frontiernet.net)

Re: D-526 Ghent/Grandview Township
(Ghent City Resolution No. 2-12-14/Greg and Twyla Hennen Petition for Detachment)

Dear Mr. Engels and Ms. Vlaminck:

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

There are several requirements that must be met before this docket can proceed.

Was the resolution/petition delivered to the County Recorder pursuant to Minn. Stat. § 414.06, Subd. 1?

Please submit a map clearly and accurately identifying the area proposed for detachment, as well as highlighting the current city limits.

Minn. Stat. § 414.012, Subd. 1 states:

A municipality initiating any boundary adjustment authorized by this chapter shall file with the chief administrative law judge a corporate boundary map. Any proposed boundary adjustment shall be delineated on a copy of the corporate boundary map.

Minn. Stat. § 414.01, Subd. 9 states:

"Corporate boundary map" means a map which accurately describes the boundaries of a municipality.

D-526 Ghent/Grandview Township
June 10, 2014
Page Two

Please state the total number of acres proposed for detachment.

Check No. 004276, in the amount of \$100 has been received. Please note that the filing fee for detachment is \$5 an acre with a *minimum* of \$100 and a *maximum* of \$600. Therefore, if the proposed detachment area is over 20 acres, the filing fee will be over \$100.

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

c: Dan Vandendriessche, Grandview Township Clerk (US MAIL)



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June 10, 2014

Dan Vandendriessche, Township Clerk
Grandview Town Board
3038 State Highway 68
Marshall, MN 56258

Re: D-526 Ghent/Grandview Township
(Ghent City Resolution No. 2-12-14/Greg and Twyla Hennen Petition for Detachment)

Dear Mr. Vandendriessche:

The Office of Administrative Hearings - Municipal Boundary Adjustment Unit acknowledges receipt of the above-referenced resolution and 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 township as to their positions on the detachment by July 1, 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.

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-526 Ghent/Grandview Township
June 10, 2014
Page Two

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 (Sample Township Resolution Responding)

c: John Engels, Attorney (John@JohnEngelsLaw.com and US MAIL)
Dawn Vlaminck, City Clerk (cityofghent@frontiernet.net and US MAIL)