



## 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

August 14, 2012

Bob Harms  
Kingston City Clerk  
Kingston City Hall  
30840 722<sup>nd</sup> Ave  
Dassel, MN 55325-3001

**VIA E-MAIL**  
([md5mlion@meltel.net](mailto:md5mlion@meltel.net))

Re: DC-5 Kingston (City Dissolution)

Dear Mr. Harms:

The Office of Administrative Hearings-Municipal Boundary Adjustments has scheduled a hearing on the above-described matter.

Our office will be e-mailing the Notice of Hearing to the **Enterprise Dispatch**. The Notice will be published (*at the City's expense*) on September 3, 2012 and September 10, 2012. We have requested that the paper mail the invoice for publishing to you and the Affidavit of Publication to our office.

In order for Municipal Boundary Adjustments to give proper notification of the hearing to all parties pursuant to M.S. 414.09, you must submit to our office the names of the following parties:

1. The township or municipality presently governing the affected territory;
2. Any township or municipality abutting the affected territory; (**NOTE:** M.S. 414.011, Subd. 6 states, "The terms "abut," "abuts," and "abutting" refer to areas whose boundaries at least touch one another at a single point, including areas whose boundaries would touch but for an intervening roadway, railroad, waterway or parcel of publicly owned land.")
3. The county or counties where the affected territory is situated;
4. Any planning agency or commission which has jurisdiction over the affected area.

Bob Harms  
August 14, 2012  
Page Two

If there is a failure to properly and fully inform the Office of Administrative Hearings of all such parties, upon motion of any party, the hearing may be continued until proper notice is made. Since there is a statutory time limitation on the scheduling of the hearing and publication requirements, we would appreciate your early attention to this matter.

Minnesota Statutes 412.091 states that "...After the hearing the chief administrative law judge shall issue its order which shall include a date for the election, a determination of what town or towns the territory of the city shall belong to if the voters favor dissolution, and other necessary provisions..."

It will be necessary, therefore, to be prepared at the hearing to offer such testimony as necessary for the Chief Administrative Law Judge to issue their order.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Timothy O'Malley" with a stylized flourish at the end.

Timothy J. O'Malley  
Assistant Chief Administrative Law Judge  
Municipal Boundary Adjustment Unit

TJO:kjl

Attachments