



## 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

November 29, 2010

Howard Haugh  
Farrish Johnson Law Office  
1907 Excel Drive  
Mankato, MN 56001

**(Via E-Mail)**

Re: D-476 St. Clair/McPherson Township (Bestmann Property; 69.28 acres)

Dear Mr. Haugh:

The Office of Administrative Hearings-Municipal Boundary Adjustments has scheduled a hearing on the above-described matter. As the party initiating the proposed boundary adjustment, a notice of hearing is attached, and a sample form outlining the basic issues that are considered at the hearing.

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.

Howard Haugh  
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If there is a failure to properly and fully inform Municipal Boundary Adjustments 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.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large initial "C".

Christine M. Scotillo, Executive Director  
Municipal Boundary Adjustments  
651-361-7910  
[christine.scotillo@state.mn.us](mailto:christine.scotillo@state.mn.us)  
[www.mba.state.mn.us](http://www.mba.state.mn.us)

CMS:sjh

Attachments



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1907 Excel Drive  
Mankato, MN 56001

**(Via E-Mail)**

Re: D-476 St. Clair/McPherson Township (Bestmann Property; 69.28 acres)

Dear Mr. Haugh:

Our office will be e-mailing the Notice of Hearing to the Lake Region Times. The Notice will be published (at the petitioners' expense) on Wednesday, December 8<sup>th</sup> and December 15<sup>th</sup>. We have requested that the paper mail the invoice for publishing to you and the Affidavit of Publication to our office.

Please contact this office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo, Executive Director  
Municipal Boundary Adjustments  
651-361-7910  
[christine.scotillo@state.mn.us](mailto:christine.scotillo@state.mn.us)  
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November 29, 2010

Howard Haugh  
Farrish Johnson Law Office  
1907 Excel Drive  
Mankato, MN 56001

**(Via E-Mail)**

Re: Preparation for detachment hearing - D-476 St. Clair/McPherson Township  
(Bestmann Property; 69.28 acres)

Dear Mr. Haugh:

A hearing will be held by the Office of Administrative Hearings-Municipal Boundary Adjustments, on the above-proposed boundary adjustment. Minnesota Statutes 414 requires the decision maker to consider certain specified factors in arriving at a decision. It is important that you are prepared to present adequate testimony since the evidence the parties present will be the sole basis for the decision.

State aids to your governmental unit may be adjusted because of the decision and will be based upon the evidence received at the hearing. One example is that the Department of Revenue will adjust the Local Government Aids distribution based on the data you present at the hearing on the following: (1) population of the territory proposed for detachment, the city, and the township, (2) the net tax capacity for the property proposed for detachment, the city, and the township, (3) the township tax rate, for township purposes only, on the area proposed for detachment payable in the year of the detachment.

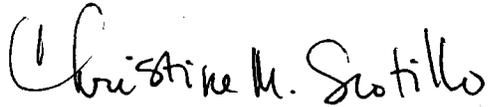
We also call to your attention the Rules of the Minnesota Municipal Board and specifically Rule 6000.1200, which requires the petitioner to notify us at least seven days prior to the hearing of any personal knowledge of controversy regarding the hearing.

Rules of Procedure may be purchased from Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155, (651) 297-3000, or 1-800-657-3757 (toll free). The rules are also contained in the pocket part immediately following Chapter 414, Minnesota Statutes Annotated or can be viewed at <https://www.revisor.mn.gov/rules/?id=6000>.

Howard Haugh  
November 29, 2010  
Page Two

Please contact our office if you have any questions or if additional clarification is needed.

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Christine M. Scotillo, Executive Director  
Municipal Boundary Adjustments  
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[christine.scotillo@state.mn.us](mailto:christine.scotillo@state.mn.us)  
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Enclosure



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November 29, 2010

Catherine Seys, City Clerk  
St. Clair City Hall  
P. O. Box 97  
St. Clair, MN 56080-0097

**(Via E-Mail)**

Re: Preparation for detachment hearing - D-476 St. Clair/McPherson Township  
(Bestmann Property; 69.28 acres)

Dear Ms. Seys:

A hearing will be held by the Office of Administrative Hearings-Municipal Boundary Adjustments, on the above-proposed boundary adjustment. Minnesota Statutes 414 requires the decision maker to consider certain specified factors in arriving at a decision. It is important that you are prepared to present adequate testimony since the evidence the parties present will be the sole basis for the decision.

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Catherine Seys  
November 29, 2010  
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[christine.scotillo@state.mn.us](mailto:christine.scotillo@state.mn.us)  
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November 29, 2010

Bernard Westphal, Township Clerk  
McPherson Town Board  
18122 - 618<sup>th</sup> Avenue  
Janesville, MN 56048-4166

Re: Preparation for detachment hearing - D-476 St. Clair/McPherson Township  
(Bestmann Property; 69.28 acres)

Dear Mr. Westphal:

A hearing will be held by the Office of Administrative Hearings-Municipal Boundary Adjustments, on the above-proposed boundary adjustment. Minnesota Statutes 414 requires the decision maker to consider certain specified factors in arriving at a decision. It is important that you are prepared to present adequate testimony since the evidence the parties present will be the sole basis for the decision.

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Bernard Westphal  
November 29, 2010  
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