

RESOLUTION NO. 2014-10-1

REC'D BY
MBA

OCT 20 2014

INTRODUCED:		Sietsema
SECONDED:		Goeman
VOTED:	Aye:	Sietsema Goeman, Redman, Kalvig and Bretzman
	Nay:	None
	Absent:	None

**CITY RESOLUTION RESPONDING TO A PETITION INITIATED BY
PROPERTY OWNERS FOR DETACHMENT OF PROPERTY FROM THE
CITY OF BINGHAM LAKE, MINNESOTA**

**THE CITY COUNCIL OF THE CITY OF BINGHAM LAKE, MINNESOTA, DOES
HEREBY RESOLVE AS FOLLOWS:**

WHEREAS, the City of Bingham Lake received a petition for detachment of certain property on for the property described as D-537 Bingham Lake/Lakeside Township (Roll Petition for Detachment; 42.8 acres); and

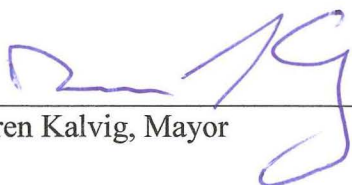
WHEREAS, the City of Bingham Lake has been reviewing options for developing a plan to create a Rural Service District; and

WHEREAS, the detachment of the above described property will create a hardship for the City of Bingham Lake.

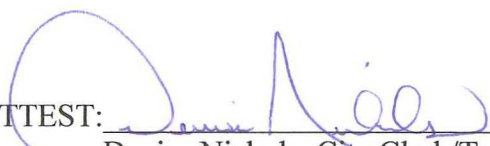
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
BINGHAM LAKE, MINNESOTA**, that the City of Bingham Lake opposes the petition for detachment.

Adopted this 13th day of October, 2014.

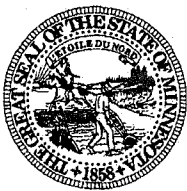
I hereby certify that the foregoing Resolutions were adopted by the City Council of the City of Bingham Lake on the 13th day of October 2014, by a vote of 5 for and 0 against.



Darren Kalvig, Mayor

ATTEST: 

Denise Nichols, City Clerk/Treasurer



REC'D BY
MBA

OCT 20 2014

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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October 7, 2014

City of Bingham Lake
c/o Denise Nichols, City Clerk
Bingham City Hall
2021 - 2nd Avenue, Suite 2
Bingham Lake, MN 56118-9613

Lakeside Town Board
c/o Bruce Nagorske, Clerk
38280 County Road 2
Bingham Lake, MN 56118

Re: D-537 Bingham Lake/Lakeside Township
(Roll Petition for Detachment; 42.8 acres)

Dear Ms. Nichols and Mr. Nagorske:

The Office of Administrative Hearings - Municipal Boundary Adjustment Unit (MBAU) acknowledges receipt of the above-referenced petition for detachment. Pursuant to Minn. Stat. § 414.06, subd. 1, the petitioner must provide a copy of the petition to the city from which the land may be detached, the township clerk, and the county recorder. 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 October 28, 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-537 Bingham Lake/Lakeside Township
October 7, 2014
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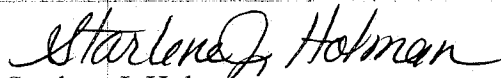
OCT 20 2014

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: Kristi Meyeraan, Attorney at Law (kmeyeraan@windomnet.com)