



Jenny Starr

Chief Administrative Law Judge

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Presenters



Jenny Starr
Chief Judge



Jessica Palmer-Denig
Administrative Law Judge

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Star Holman
Boundary Adjustments
Unit Administrator

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Agenda

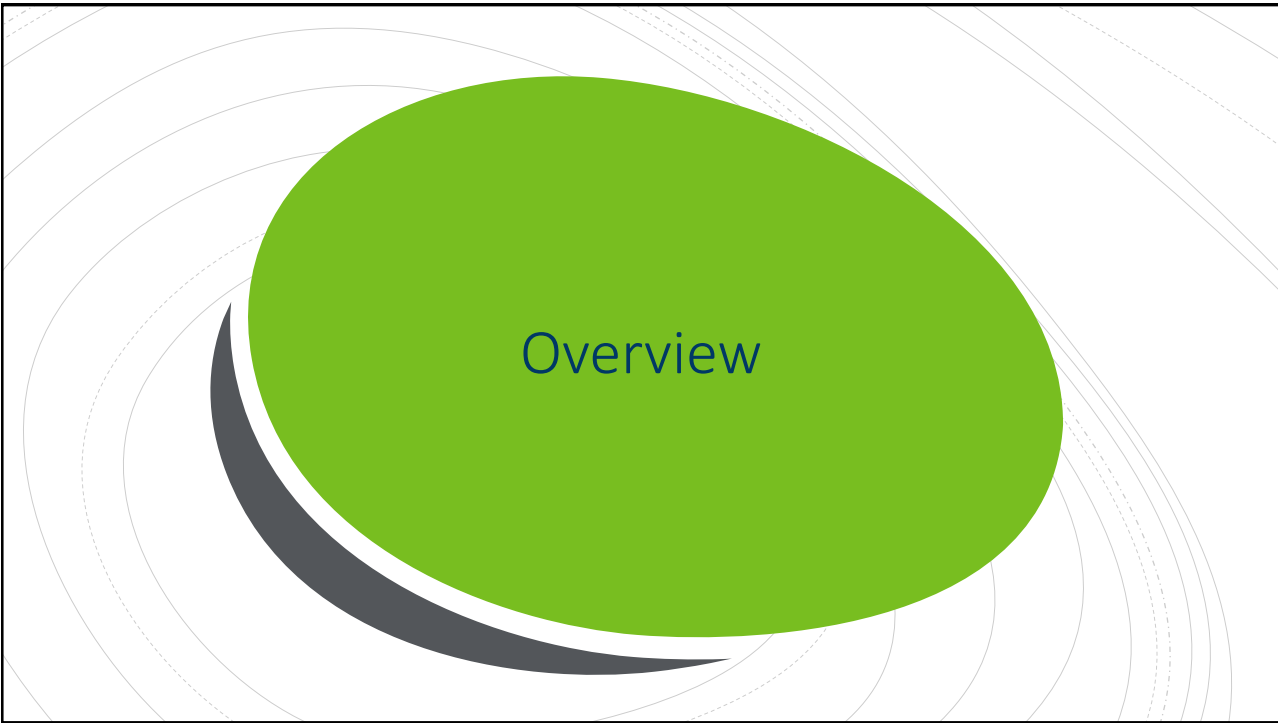
Overview

Office of Administrative Hearings

Boundary Adjustments

Annexations

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Office of Administrative Hearings

Largest of three **Executive Branch courts** with over sixty full-time equivalents located in St. Paul and Duluth and **servicing the entire State of Minnesota.**

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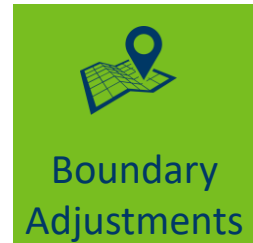
Mission

We render **justice** through **fair, timely,** and **impartial** administrative hearings and high-quality dispute resolution services.

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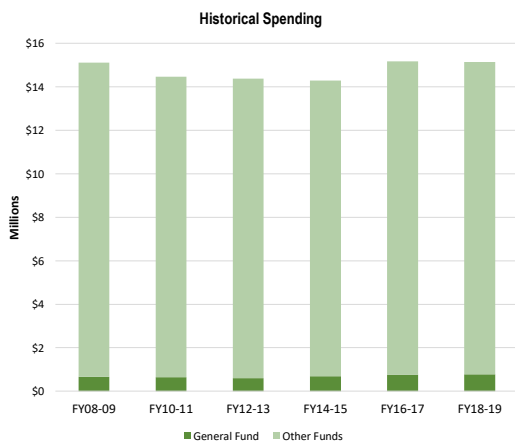
Jurisdiction

We are an **energetic, responsive, and respected** service provider.



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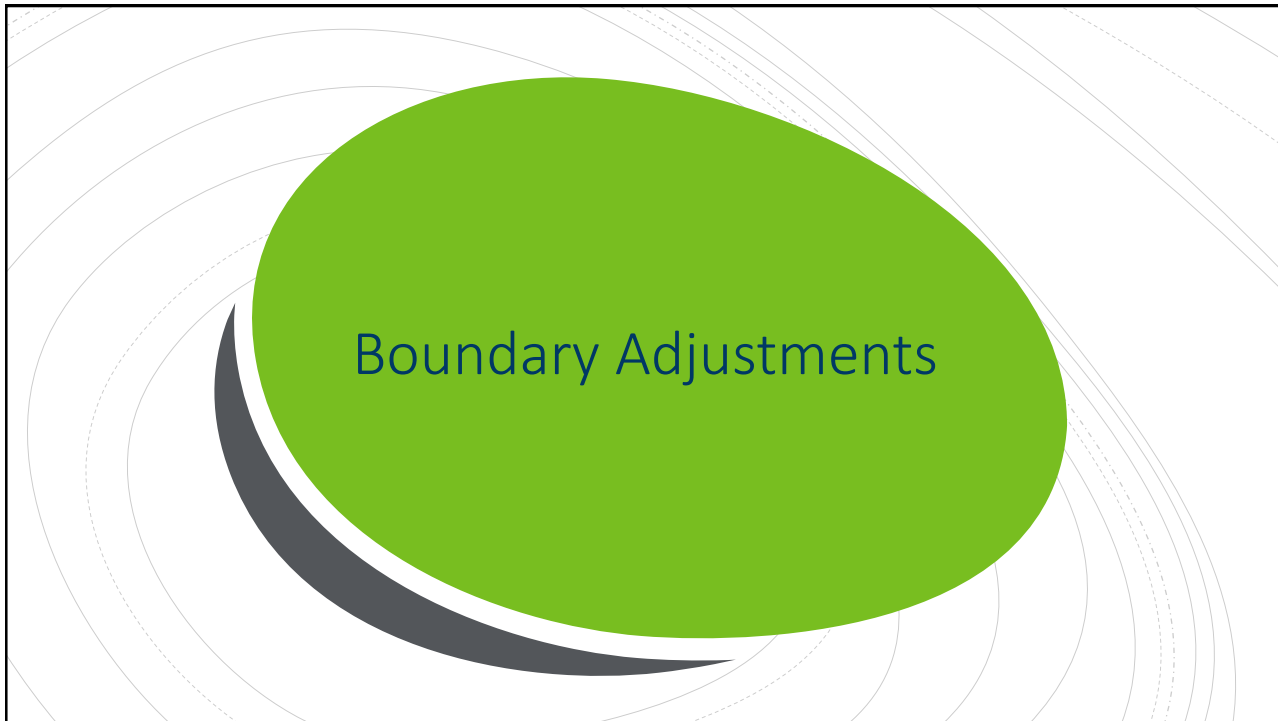
Funding



Funding comes from three sources

1. Workers' Compensation Special Compensation Fund (78%)
2. Administrative Law Enterprise Fund (15%)
3. General Fund (7%)

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Purpose

Minn. Stat. 414.01 - Goals of Municipal Development

[OAH] may **promote** and **regulate** development of cities:

- (1) to **provide for the extension of municipal government to areas which are developed or are in the process of being developed** for intensive use for residential, commercial, industrial, institutional, and governmental purposes or are needed for such purposes; and
- (2) to **protect the stability of unincorporated areas** which are used or developed for agricultural, open space, and rural residential purposes and are not presently needed for more intensive uses; and
- (3) to **protect the integrity of land use planning** in municipalities and unincorporated areas so that the public interest in efficient local government will be properly recognized and served.



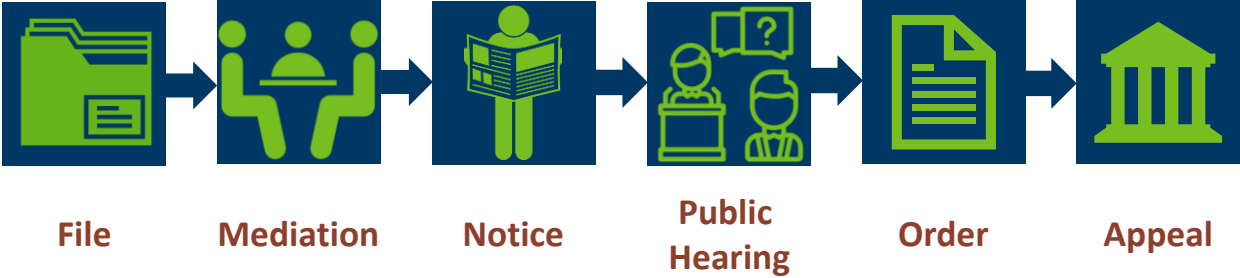
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Types of Boundary Adjustments

- Annexation**
 - Property from a township or unorganized territory is made part of a city.
- Incorporation**
 - A new city is created.
- Detachment**
 - Property that is currently part of a city is made a part of a township.
- Consolidation**
 - Two or more cities are combined into one.
- City Dissolution**
 - An existing city is dissolved.

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Process



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Filing

- Boundary adjustments start with **filing** of a **Petition** or **Resolution**.
- Minn. Stat. ch. 414.

Boundary Adjustment Type	Sample Form	Statutory Cite
Annexation by Chief Administrative Law Judge's Order	Petition 	Minn. Stat. § 414.031
Annexation by Ordinance	Petition by Property Owner  120 acres or less	Minn. Stat. § 414.033, subd. 2(3)
Annexation by Ordinance	City Ordinance  120 acres or less	Minn. Stat. § 414.033, subd. 2(3)
Annexation by Ordinance	Notice of Intent 	Minn. Stat. § 414.033, subd. 3

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Filing

- A **filing fee** is also required.
- Minn. R. 6000.3400

Filing Type	Cost
Annexation to a Municipality Minn. Stat. §§ 414.031 or 414.033	\$5 per acre (min \$100 - max \$600)
Annexation of an Entire Town to a Municipality Minn. Stat. § 414.031, subd. 1(a)(4)	\$200
Orderly Annexation Minn. Stat. § 414.0325	\$2 per acre (min \$25 - max \$200)
<ul style="list-style-type: none"> A joint resolution for designation of an area requires a fee. Annexation of all or part of a designated area requires an additional fee. If a resolution is amended to add land, an additional filing fee is required. 	

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Mediation

- OAH strongly encourages parties to resolve boundary matters.
- Mediation is mandatory in detachment matters.
- 70% of all mediations at OAH result in agreement by parties.



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Mediation at OAH



Judge's perspective



High-quality services



Affordable rate



Timely scheduling



Avoid litigation risks and costs



Amicable resolution

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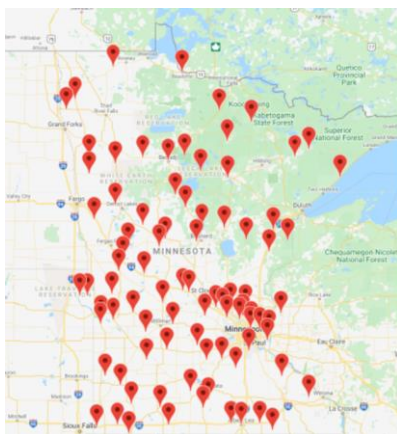
Hearings

- Hearings are held in the **county** where most of the affected **land is located**.
- **Notice** of hearing is published.
- An owner may represent a group of owners.
- **Any person** may present facts or evidence at the hearing without becoming a party.



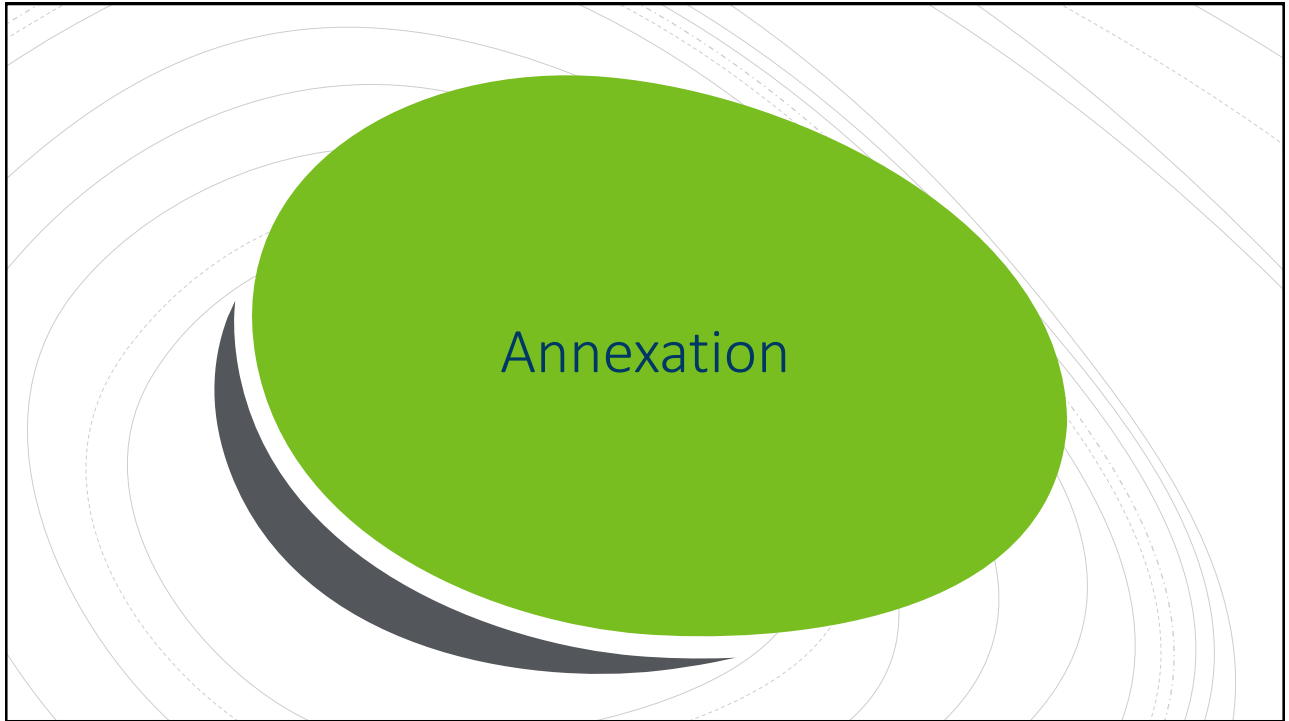
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What's going on in my county?



MAIN DOCKET RECORD	TRANSFER TYPE	COUNTY-TOWNSHIP-CITY	COUNTY	DATE FILED	RESOLVED DATE
<u>A-8289</u>	Annexation by Ordinance	Dakota County:City of Hastings	Dakota County	09/02/20	09/10/20
<u>QA-1759-1</u>	Orderly Annexation	Dakota County:City of Lakeville	Dakota County	11/19/19	11/21/19
<u>A-8195</u>	Annexation by Ordinance	Dakota County:City of Coates	Dakota County	12/19/18	01/24/19
<u>A-8113</u>	Annexation by Ordinance	Dakota County:City of Lakeville	Dakota County	02/16/18	03/09/18
<u>A-8048</u>	Annexation by Ordinance	Dakota County:City of New Trier	Dakota County	02/24/17	03/03/17
<u>A-7979</u>	Annexation by Ordinance	Dakota County:City of Hastings	Dakota County	02/08/16	02/22/16
<u>QA-1627-1</u>	Orderly Annexation	Dakota County:City of Farmington	Dakota County	11/30/15	12/03/15

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Annexation

Annexation:
Property from a township or unorganized territory is made a part of a city.

Types of Annexation:

Annexation by Ordinance	<ul style="list-style-type: none">• City council adopts an ordinance declaring land a part of the city.
Orderly Annexation	<ul style="list-style-type: none">• Land is annexed by agreement between a city and township.
Annexation by Judge's Order	<ul style="list-style-type: none">• If other types of annexation do not apply, annexation can be approved after a hearing at the request of a city, township, or property owner.
Concurrent Detachment/Annexation	<ul style="list-style-type: none">• A parcel is detached from one city and annexed to another.

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Annexation by Ordinance

- **City council** passes an **ordinance** declaring land a part of the city.
- May be used to annex **abutting property** that is:
 1. City-owned;
 2. Surrounded by the city;
 3. Abutting the city, under 120 acres, and it is not served by public wastewater, at property owner's request;
 4. Less than 40 acres and at least 60 bordered by the city; or
 5. By petition of a majority of property owners (some land size limitations).
- May also be used for platted lots averaging 21,780 square feet and within two miles of the city.

Minn. Stat. 414.033



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Orderly Annexation

- By **joint resolution**, a **city and township** may agree that a designated area needs orderly annexation.
- **Notice** of the agreement must be published at least ten days before adoption of the resolution.
- Property does not need to abut the city.
- Can be used for immediate or future annexations.
- The orderly annexation agreement is a **binding contract**.

Minn. Stat. 414.0325



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Concurrent Detachment/Annexation

- Abutting property is **simultaneously detached** from one city and **annexed** to another city.
- Initiated by:
 - Resolution of both cities; or
 - Petition by the property owner and resolution of one city.
- If both cities don't agree, set for hearing.
- Annexation is ordered if it is in the best interests of the cities and property owner.

Minn. Stat. 414.061



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Judge's Order

- If other types of annexation do not apply, annexation can be approved after a hearing.
- Initiated by:
 - City;
 - Township;
 - City and township together; or
 - 20% of the property owners or 100 owners, whichever is less, in the area to be annexed.
- Set for a hearing.
- Best-interest analysis applies.

Minn. Stat. 414.031



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Snapshot: Today's Pending Docket

Type of Annexation	Total Dockets
Annexation by Ordinance	4
Orderly Annexation	2
Concurrent Detachment/Annexation	0
Annexation by Judge's Order	0
TOTAL RECORDS	6
ACRES	434

DOCKET #	DOCKET NAME	DESCRIPTION	ACRES	FILED	STATUS	TRANSFER FROM	TRANSFER TO
QA-1428-13	Carver County › Township of Dahlgren	Orderly Annexation	159.30	01/28/21	Pending	Carver County › Township of Dahlgren	Carver County › City of Carver
	Carver County › City of Carver						
	Acres transferred:	159.3					
A-8316	Meeker County › Township of Litchfield	Annexation by Ordinance	19.10	01/27/21	Pending	Meeker County › Township of Litchfield	Meeker County › City of Litchfield
	Meeker County › City of Litchfield						
	Acres transferred:	19.1					

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Summary: FY20 Annexations

Type of Annexation	Total Dockets	Total Affected Acres
Annexation by Ordinance	56	2,049
Orderly Annexation	56	3,369
Concurrent Detachment/Annexation	4	8
Annexation by Judge's Order	0	0
TOTAL	116	5,426

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Learn more

OAH staff provide:

- **Assistance** understanding statutes.
- **Information** on statutory factors and procedures.
- **Identification** of other data resources.
- **Sample documents** and other supporting materials to initiate or resist boundary changes or incorporation.

Searchable database:

mba.state.mn.us

DOCKET NUMBER TRANSFER TYPE STATUS TRANSFER FROM

TRANSFER TO

DATE RECEIVED

START DATE END DATE

DECISION DATE

START DATE END DATE

Transfer Type: All Status: Pending Records: 8 Acres: 15.498

DOCKET #	DOCKET NAME	DESCRIPTION	ACRES	FILED	STATUS	TRANSFER FROM	TRANSFER TO
▲8315	Houston County > Township	Annexation by Ordinance	0.86	01/26/21	Pending	Houston County > Township	Houston County > City

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Thank you!

mn.gov/oah

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WHAT WE DO

The Office of Administrative Hearings (OAH) renders justice through fair, timely, and impartial administrative hearings and high-quality dispute resolution services.

OAH is the largest of Minnesota's three Executive Branch courts, with over 60 employees located in St. Paul and Duluth serving the entire state of Minnesota.



WORKERS' COMPENSATION

Judges preside over settlement and trial-level proceedings regarding disputed claims for workers' compensation benefits. More than 10,000 disputes involving over 7,500 workers are filed each year. Over 70% of all disputes are resolved through settlement.



ADMINISTRATIVE LAW

Judges preside over cases involving challenges to state and local government action, including utility rates and routes, professional and business licenses, data privacy, environmental permits, special education, and campaign practice complaints. Since 1976, Administrative Law Judges have served over 250 state agencies and heard cases involving over 200 unique areas of administrative law.



RULEMAKING

Judges review regulatory rules proposed by state agencies to determine whether they are necessary, reasonable, and comply with state law. The public and interested stakeholders can comment on proposed rules online, in writing or in person at hearings across the state. Judges reviewed almost 200 rulemaking matters in the past biennium.



BOUNDARY ADJUSTMENTS

Judges determine the boundaries of cities and towns throughout Minnesota in annexations, detachments, consolidations, and related planning proceedings. Boundary adjustment requests come from property owners, cities, or townships. In the past biennium, 264 boundary adjustment requests were filed.



**What We've
Done**

Updates and improvements include:

Maintaining continuous and regular dialogue with stakeholders

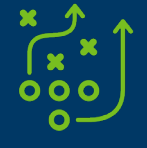
225% increase in GovDelivery subscribers with 1 to 2 communications sent each week

Biweekly meetings with workers' compensation bar leaders and quarterly connection with administrative law practitioners

Prioritizing continuous improvement based on stakeholder feedback

Process improvements to ensure interpreters meet the highest standards set by the Minnesota Supreme Court

Technology improvements providing attorneys an electronic calendar that simultaneously shows their schedule at OAH and the Department of Labor and Industry (DLI)



**COVID-19
Response**

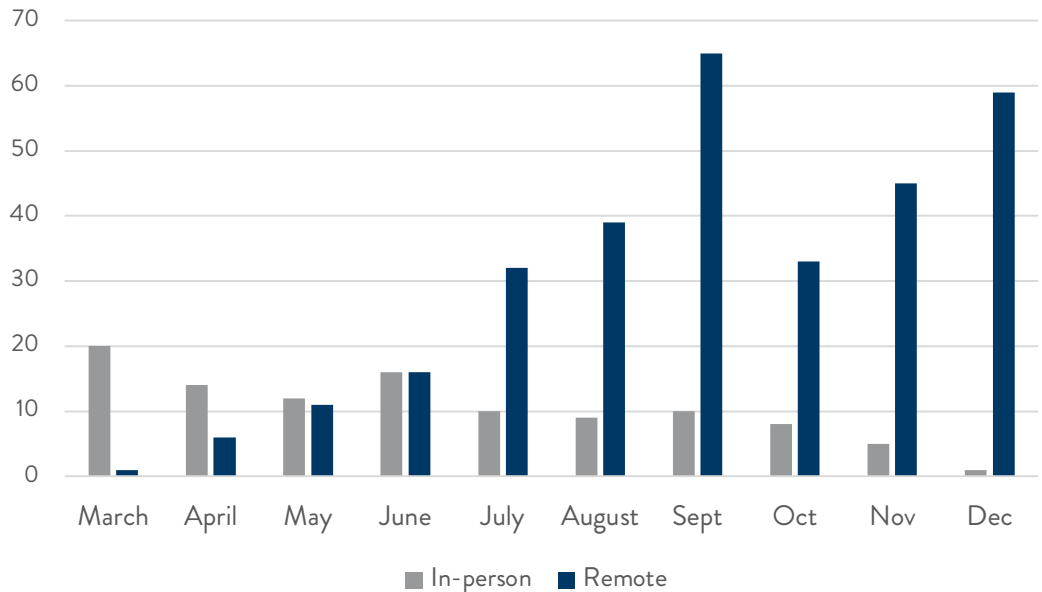
A thoughtful approach prioritizing uninterrupted court services and safety.

Published court-specific user guide for remote hearings

Offering drop-in Office Hours for one-on-one assistance

Preserving physical space for hearings that cannot effectively take place remotely

OAH Hearing Locations 2020



**2019:
2% of hearings remote**



**April-December 2020:
78% of hearings remote**