

**EUREKA TOWNSHIP**

**DAKOTA COUNTY  
STATE OF MINNESOTA**

**SPECIAL TOWN BOARD MEETING OF JULY 22, 2019**

**Call to Order**

The Eureka Township Special Town Board meeting was called to order at 6:04 p.m. by Vice Chair Tim Murphy and the Pledge of Allegiance was given.

Members Present: Donovan Palmquist (Chair) arrived at 6:10 p.m.  
Tim Murphy (Vice Chair)  
Butch Hansen (Supervisor)  
Mark Ceminsky (Supervisor)

Members Absent: Lu Barfknecht (Supervisor)

Others Present: Chad Lemmons (Kelly & Lemmons)  
Ron Wasmund (Inspectron)  
Mark Luostari (Inspectron)  
Julie Praus (Inspectron)  
Ranee Solis (Town Clerk)

**Discuss Open Permits for Chris Hale**

Attorney Lemmons stated that he received, and forwarded to the Board, the certificate of occupancy from Inspectron, thus satisfying the issue of inhabiting the residence without a certificate of occupancy. The other issue was the demolition of a garage without a permit.

The Board directed Attorney Lemmons to draft a letter to Chris Hale stating that he must submit an application, and payment of a double fee, for a demolition permit, as well as a deck permit, no later than July 30, 2019. The letter will be forwarded to the Clerk and to Inspectron.

Vice Chair Murphy turned the meeting over to Chair Palmquist.

**Discuss IUP/CUP for MPM/Sibley Aggregate**

Attorney Lemmons summarized the issues that will be addressed at the Special Meeting requested by MPM on July 24, 2019:

- The ready-mix operation is an accessory use and cannot import material greater than 25% of that which is excavated from the property.
- The owner of the ready-mix operation must also be running the mining operation.
- When making the initial application, they are supposed to submit a phasing plan stating what they are going to mine and how they are going to mine it. Are they following their phasing plan? Unless they seek a modification of that phasing plan, the original phasing plan is still in place.
- Operating the ready-mix as a separate entity is a violation of the Zoning Ordinance.

Attorney Lemmons advised the Board that MPM Minnesota has received the following violation letters for non-compliance:

- 1<sup>st</sup> Violation – May 20, 2019, providing 5 days to comply.
- 2<sup>nd</sup> Violation – June 12, 2019 (re-sent in July), constitutes a misdemeanor.

The Ordinance allows for a fine of \$1,000 per day for each day they are in violation. According to the Ordinance, a 3<sup>rd</sup> violation results in termination of the permit.

Attorney Lemmons requested the Board's permission to advise MPM's attorney of the following:

- MPM must show that the operator of both the mine and the ready-mix are the same Corporation. What is the relationship between MPM and Cemstone?
- MPM must show that they are extracting minerals, as defined in our Ordinance, in an amount greater than 75% of what they are importing.

The Board requested that Attorney Lemmons, through the Dakota County Sheriff, start sending misdemeanor notices.

**Adjournment**

*Motion:* Chair Palmquist moved to adjourn the meeting, seconded by Vice Chair Murphy.

*Motion carried 5-0.*

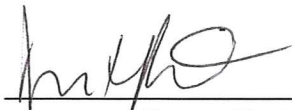
Meeting adjourned at 6:51 p.m.

Respectfully submitted,

Ranee Solis

Ranee Solis, Town Clerk

Minutes Officially Approved By:



Town Chair

on: 8/12/19  
Date

# EUREKA TOWNSHIP

Dakota County, Minnesota



## Special Town Board Meeting

Attendance

Monday, July 22, 2019

6:00 PM

Printed Name

Address

Nancy Sauber

9445 225th St. W. Lakeville

Julie Hanson

24510 Highview Ave Lakeville,

Julie Peraus

Maria Wosten

1258 Euston

R Wood

23775 Eassy Fremington

Ken Olska

8000 257th St W. Farku

Brian Ahrens

6848 23874 St W Farmington