

Minnesota Pollution Control Agency

April 11, 1988

Ms. Joan Growe
Secretary of State
Room 180 State Office Building
100 Constitution Avenue
St. Paul, MN 55155

Dear Madame Secretary:

Pursuant to Minn. Stat. § 115.20 subd. 9 (1986) I am delivering to you with this letter a certified copy of the Order of the Minnesota Pollution Control Agency dated February 23, 1988, creating the GEM Sanitary District. Please file this Order in your Office as required by law.

Very truly yours,

Peggy Hicks
Secretary to the Board
Minnesota Pollution Control Agency

PH:mti

Enclosure

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

APR 21 1988

Joan Anderson Howe
Secretary of State

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O.D.

Phone: _____
520 Lafayette Road, St. Paul, Minnesota 55155
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STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Petition
by the Cities of Greenwald,
Elrosa, and Meire Grove for
the Formation of the GEM
Sanitary District

FINDINGS OF FACT
CONCLUSIONS AND
ORDER

The above-entitled matter came on for hearing before Allan W. Klein, Administrative Law Judge from the State Office of Administrative Hearings, on February 4, 1988 at 2:00 PM and 7:00 PM in Meire Grove.

The following persons appeared at the hearing: For the cities of Greenwald, Elrosa, and Meire Grove, Ronald R. Frauenshuh, Sr., Frauenshuh & Spooner, P.A., Attorney at Law, 113 Washburne Avenue, Paynesville, Minnesota 56362. For the staff of the Minnesota Pollution Control Agency (hereinafter "MPCA" or "Agency"), Beverly Conerton, Special Assistant Attorney General, Suite 200, 520 Lafayette Road, St. Paul, Minnesota 55155.

The record closed on February 4, 1988.

On February 8, 1988, the Administrative Law Judge issued his Report, including Findings of Fact, Conclusions and Recommendations. The matter then came on before the Agency at its regular monthly meeting on February 23, 1988.

The Agency, having considered the Report of the Administrative Law Judge and the record created herein, and after affording all interested persons an opportunity to be heard, and being fully advised in the matter, hereby makes the following

FINDINGS OF FACT

The Agency hereby adopts as its Findings of Fact the findings of the Administrative Law Judge in his report dated February 8, 1988.

Based upon the foregoing Findings of Fact, the Agency hereby makes the following

CONCLUSIONS

1. That the Agency has subject matter jurisdiction over the Petition and the proposed establishment pursuant to Minn. Stat. § 115.18 to 115.37 (1986).

2. The Agency has complied with all the procedural requirements of Minn. Stat. § 115.20 (1986), as well as other substantive and procedural requirements of law and rule. This matter is, therefore, properly before the Agency.

3. The conditions described in Minn. Stat. § 115.19 (1986) for the creation of a sanitary district do exist within the corporate limits of the cities of Greenwald, Elrosa and Meire Grove, including areas in Grove Township proposed for the location of the sewage treatment facility.

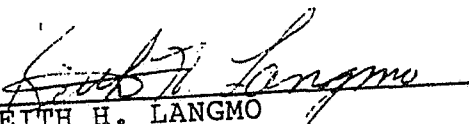
4. Any of the foregoing Findings of Fact that might properly be termed Conclusions, and any Conclusions that might properly be termed Findings, are hereby adopted as such.

NOW THEREFORE, the Minnesota Pollution Control Agency hereby makes the following

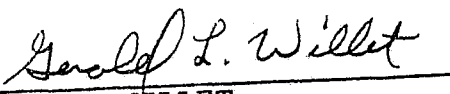
ORDER

IT IS ORDERED that the GEM Sanitary District is hereby created to include the cities of Greenwald, Elrosa, and Meire Grove and the land and easements necessary to construct and operate a sewage treatment plant in Grove Township.

Dated this 23rd day of February, 1988.



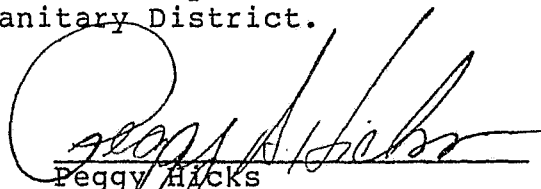
KEITH H. LANGMO
Chairman
MPCA



GERALD WILLET
Commissioner
MPCA

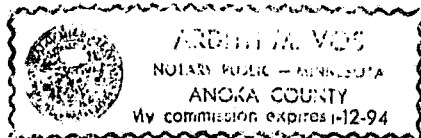
STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

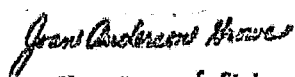
I, Peggy Hicks, Secretary to the Minnesota Pollution Control Agency Board, do hereby certify that the attached Findings of Fact, Conclusions and Order is a true and correct copy of the Findings of Fact, Conclusions and Order of the Minnesota Pollution Control Agency adopted by the Agency on February 23, 1988 relating to the creation of the GEM Sanitary District.



Peggy Hicks
Secretary to the Board
Minnesota Pollution
Control Agency

Dated this 11 day of
April, 1988.


Notary Public

#38081 O.D.
STATE OF MINNESOTA
DEPARTMENT OF STATE
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Secretary of State