

TUESDAY, JULY 16, 2013

**APPROVED MINUTES OF THE
COUNTY BOARD OF COMMISSIONERS SPECIAL SESSION HELD**

**STATE OF MINNESOTA)
DODGE COUNTY)**

**FAIRVIEW CARE CENTER
DODGE CENTER, MN**

2013-02 Special

The Dodge County Board of Commissioners met in special session July 16, 2013, at the Fairview Care Center, Dodge Center, MN, at 9:30 a.m. CDT. Lyle Tjosaas, Chair called the County Board of Commissioners meeting to order at 9:30 a.m. CDT. Lyle Tjosaas, appointed Rod Peterson as the temporary Chair for this meeting.

Meeting Convened

The Chair acknowledged those present and established that there was a quorum:

Those Present

Members present: John Allen District #1
Lyle Tjosaas District #2
Rodney Peterson District #3
Steven Gray District #5

Members absent: David Erickson District #4

Also present: Jim Elmquist County Administrator
Melissa DeVetter Zoning Administrator
Rita Cole Waste Management Specialist
Peter Schuler A.B. Systems, Ellingson Contractor

Zoning Administrator Melissa DeVetter presented for the Board's consideration the July 10, 2013 Planning Commission recommendations.

IUP #13-05
Approved

Motion by Allen seconded by Gray to approve of the following action of the Planning and Zoning Commission as reviewed on July 10, 2013 with the reasons, recommendations and conditions as found in the individual permit:

Harrison Freeman – IUP #13-05

The first public hearing is to consider an application for an Interim Use Permit to allow a dwelling on less than 53 acres in the Agricultural District. The parcel is 3 acres and is located in the NW ¼ of the SW ¼ of Section 9, Ripley Township. Harrison Freeman is the applicant and Harrison Freeman and Kathleen Billington are the property owners.

The Planning Commission recommends approval with the following conditions:

1. The Ag Covenant shall be signed and recorded prior to issuance of the Zoning Permit.
2. Dodge County Zoning Permit shall be obtained before construction.
3. The sewage treatment system must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4, or successor. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.

4. A permit shall be obtained from the Dodge County Highway Department if widening to the existing driveway is proposed.

IUP #13-05
Approved -
Continued

Motion adopted unanimously.

Ms. DeVetter reviewed with the Board CUP #00-43 (amend).

CUP #00-43
(Amend) Approved

Motion by Allen seconded by Gray to approve of the following action of the Planning and Zoning Commission as reviewed on July 10, 2013 with the reasons, recommendations and conditions as found in the individual permit:

Arlie Olsen – CUP#00-43 (amend)

The second public hearing is to consider a request to amend Conditional Use Permit #00-43 to allow an expansion of an existing feedlot of 2,100 head of hogs or 840 animal units to 2,900 head of hogs for a total of 1,080 animal units. The property is 6.41 acres with a pending addition of .85 acres located in the NW 1/4 of the SW 1/4 of the NW 1/4 of Section 15, Westfield Township. Arlie Olsen is the applicant and property owner and Pearl Swanson is the owner of the additional .85 acres.

The Planning Commission recommends approval with the following conditions:

1. Land shall be acquired from Pearl Swanson and combined with existing parcel under a single parcel number before issuance of the Zoning Permit.
2. A Dodge County Zoning Permit shall be obtained before construction of the building.
3. The Dodge County animal feedlot registration shall be updated prior to occupation of the barn.
4. The on-site holding tank shall be properly abandoned. An abandonment certificate shall be submitted to the SSTS Coordinator.
5. All recommendations of the Feedlot Advisory Report dated 5/31/13 completed.
6. Prior to installation of the odor mitigation technology, a plan shall be submitted for approval by the County Board. The applicant may utilize any Dodge County Board approved odor mitigation technology in effect on the date the bio-filters are installed, however to allow the ground to settle the bio-filters shall be installed within a year of the barn construction.
7. Copy of appropriation permit from Minnesota DNR shall be submitted to Department for feedlot file, when required.

Motion adopted unanimously.

Ms. DeVetter discussed with the Board CUP#96-34 (amend).

CUP #96-34
(Amend) Approved

Discussion:

Peter Schuler, A.B. Systems, Contractor for Ellingson Drainage was present to explain the addition and the requirements requested by MnDOT for a right turn lane on southbound Highway 56. Mr. Schuler stated that he has the permit application and bond prepared for MnDOT as stated in condition #8 and will submit a copy to the Environmental Services staff.

Steve Gray asked Mr. Schuler about the possibility of use of the north entrance to the property. Mr. Schuler stated there would need to be upgrades to that road also if utilized as the main entrance so it was not being considered as an option. Mr. Schuler stated they are willing to do the right turn lane on Highway 56 but would like to start construction of the addition itself while working out the details and getting approval from MnDOT for the turn lane permit. Mr. Schuler stated the project would be pushed back to next year if they had to wait for approval of the turn lane permit.

CUP #96-34
(Amend) Approved
- Continued

Steve Gray wanted to make clear that the motion for approval today is only for the amendment of the Conditional Use Permit and that all the conditions need to be met for the Zoning Permit to proceed and that a letter be requested from MnDOT stating they are satisfied with the conditions.

Motion by Gray seconded by Allen to approve of the following action of the Planning and Zoning Commission as reviewed on July 10, 2013 with the reasons, recommendations and conditions as found in the individual permit:

Ellingson Drainage, Inc. – CUP#96-34 (amend)

The third public hearing is to consider amending Conditional Use Permit #96-34 to allow an expansion of an existing Ag Related Business in the Agricultural District. The property is 7.60 acres located in the NE 1/4 of the NE 1/4 of Section 30, Concord Township. Ellingson Drainage Inc. is the applicant and the property owner.

The Planning Commission recommends approval with the following conditions:

1. Operation will comply with all local, state, and federal regulation regarding the use and activities performed on site.
2. The sign shall meet the performance standards of Section 17.24 of the Dodge County Zoning Ordinance.
3. Any change involving the addition of new business related structures or employees beyond that specified in the agreement/application on file with the CUP, enlargement, intensification of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued by the County Board.
4. The business shall comply with the conditions of this permit and the supplemental information, which shall be recorded with the CUP.
5. A Zoning Permit shall be obtained prior to any construction.
6. Any new sewage facilities shall be connected to the City of West Concorde's sewer system, or the site shall comply with the Dodge County Subsurface Sewage Treatment System Ordinance, No. 4, or successor.
7. Discharges from the floor drain shall be appropriately collected, treated and discharged as determined by the EPA or MPCA.
8. The applicant shall continue to work with MnDOT on the issue of the right turn lane and submit copies of the MnDOT permit application and bond to Environmental Services staff prior to issuance of the Zoning Permit.
9. Parking shall comply with the design requirements of Section 17.21 and any County Board requirements.
10. Stormwater runoff quality and quantity due to the impervious surface from the building and parking area shall be adequately addressed on site. Complaints involving stormwater shall result in review of the CUP by the Planning Commission.

11. The applicant shall provide the county with copies of the MPCA's stormwater permits, when applicable.
12. The business shall comply with Section 17.19 (Nuisance Standards). Nuisance complaints shall result in review of the CUP by the Planning Commission.
13. Hours of operation shall be as indicated by the applicant in the Findings of Fact.

CUP #96-34
(Amend) Approved
- Continued

Motion adopted, Tjosaas, Peterson, Gray aye, Allen abstaining from vote for possible conflict of interest.

Motion by Allen seconded by Gray to adjourn the meeting at 9:52 a.m. CDT.
Motion adopted unanimously.

Meeting Adjourned

ATTEST:

ROD PETERSON
APPOINTED CHAIR, COUNTY BOARD

JIM ELMQUIST
CLERK

DATED: