

**THURSDAY, DECEMBER 11, 2014**

**APPROVED MINUTES OF THE  
COUNTY BOARD OF COMMISSIONERS MEETING HELD**

**STATE OF MINNESOTA)  
COUNTY OF DODGE)**

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2014-24**

The Dodge County Commissioners met in regular session December 11, 2014, in the Commissioner's Room at the Dodge County Courthouse Annex, Mantorville, MN, at 9:30 a.m. CST. Chair Rodney Peterson called the meeting to order at 9:30 a.m. CST.

Meeting Convened

The pledge of allegiance was recited.

Pledge of Allegiance

The Chair acknowledged those present:

Those Present

Members present:	John Allen	District #1
	Tim Tjosaas	District #2
	Rodney Peterson	District #3
	David Erickson	District #4
	Steven Gray	District #5

Members absent: None

Also present:	Jim Elmquist	County Administrator
	Paul Kiltinen	County Attorney

Financial Assistance Supervisor Cathy Skogen presented Jessica Kylo as a new employee within Human Services reception area.

New Employee  
Introduction

Motion by Tjosaas seconded by Gray to approve and adopt the agenda as presented. *Motion adopted unanimously.*

Agenda Approved

Motion by Erickson seconded by Gray to approve the following Consent Agenda items:

Consent Agenda  
Items Approved

- 1.1 Cell phone stipend of \$50.00 per month for the Director of Land Records.
- 1.2 Tobacco License applications for calendar year 2015 as requested.

*Motion adopted unanimously.*

Human Services Director Jane Hardwick discussed with the Board her request to approve monthly Human Services actions.

Human Services  
Resolution #95-10  
Approved

Motion by Tjosaas seconded by Allen to approve and authorize Human Services resolution #95-10 as requested. *Motion adopted unanimously.*

Ms. Hardwick gave an update to the Board regarding MnPrairie's development. The Human Services Director stated they are in receipt of two grants from South Country Health Alliance with one being for the creation of local trauma informed system of care across all three counties and another to fund family based workers in each of the counties. Ms. Hardwick also gave and Human Resources update for the SDA where she stated that each employee will remain with their health insurance program in the individual county until 2016 when a bargaining agreement will be completed by that time.

MNPrairie Update

The Human Services Director also stated that Dodge County ran a trial run for payroll and commented that it was successful while also complimenting Nichole Farnsworth, Payroll Clerk for all her work she has performed thus far. Bargaining sessions with the union are ongoing. The SDA also approved the adoption of a policy to enter into a PERA phased retirement agreement with employees in accordance with statutory provisions.

MNPrairie Update -  
Continued

In September, the Board approved a resolution of Dodge's intent to participate in the Root River One Watershed One Plan Pilot Project. A Memorandum of Agreement has been developed with details about the process which includes the formation of a policy committee made up of one representative from each county and an SWCD member. SWCD Supervisor Glen Hahn will serve as the SWCD member.

Root River One  
Watershed-One  
Plan Memorandum  
of Agreement  
Approved

Motion by Allen seconded by Erickson to approve and authorize the Chair, County Administrator and County Attorney to sign the proposed Root River One Watershed-One Plan Memorandum of Agreement and designate Rod Peterson as the county representative with Dave Erickson serving as the alternate.  
*Motion adopted unanimously.*

Jerry Berg presented for the Board his concern that the county offers a School Resource Officer (SRO) in each School District but Kasson Police provides for one at Kasson-Mantorville schools. Mr. Berg stated that if the program were to be consistent, shouldn't the county be funding the officer in the Kasson-Mantorville School and not the city funding it?

SRO Officer Funding  
Discussion to be  
Continued in  
January 2015

Commissioner Erickson stated this program dates back many years ago with a grant that was received by the federal government. The grant entailed an officer for all three districts and when the grant ended the county and the districts were left with the decision to determine how much would be invested in the districts. Kasson elected due to their growth and needs within the school to have an officer for Kasson-Mantorville schools supplied by the City and receives revenue from the school to assist funding that position.

Motion by Gray seconded by Tjosaas to bring this item back to the second January meeting to discuss the SRO issue further once the new Sheriff's administration takes shape. *Motion adopted, Peterson, Gray, Tjosaas aye, Allen, Erickson nay.*

Matt Maas, Emergency Management Director presented a request to purchase a new vehicle that was budgeted for in the 2014 budget. Mr. Maas stated the budget is for \$32,000 in the Emergency Management budget (2014 budget) for the replacement. The current vehicle is 2002 Dodge Durango with 143,000 miles. Current Kelly Blue Book Value of the vehicle is \$3,600 as is, or \$4,050 with needed repairs completed. The Emergency Management Director stated there are between \$6,100 to \$12,100 in total needed repairs.

Emergency  
Management  
Vehicle Purchase  
Discussion

Commissioner Allen stated he was against this purchase and with some of the "retired" vehicles the Sheriff's Department is planning to take out of the pool next year; at least one of those vehicles could be moved to Emergency Management.

Commissioner Tjosaas stated his primary concern is that it would be a short term solution but agreed it could be a one or two year option.

Emergency Management Vehicle Purchase Discussion - Continued

The Administrator and Facilities Maintenance Supervisor were directed to discuss how this option could occur and to see that one of those vehicles were made available to the Emergency Management Director in 2015.

Finance Director Lisa Kramer presented that with the final Board meeting this year being December 23, 2013, many departments will receive bills the last week of December that need to be paid by year-end. Ms. Kramer requested the Board authorize the Finance Department to approve and authorize the payment of bills that may occur prior to the end of the 2014 fiscal year with final review by the Finance Director. The final payment of bills will be on December 31, 2014.

Final Payment of 2014 Bills Approved

Motion by Erickson seconded by Gray to approve and authorize the payment of bills that may occur prior to the end of the 2014 fiscal year with final review by the Finance Director. *Motion adopted unanimously.*

Ms. Kramer presented two resolutions to establish two new reserve accounts beginning in 2014.

Establishment of Reserve Account for DFO Corrections Approved by Resolution #2014-48

The first, DFO Corrections. DFO has established more formal budgeting practices and has determined proper fund balance levels and as such will sometimes pay out excess fund balance proportionately to participating counties. In an effort to smooth out the Dodge County levy impact of the peaks and valleys of DFO Corrections, finance would like to establish a reserve account to accumulate and roll forward any payouts the County receives. At this point the County has received \$43,697 that will be the base amount established.

The second is for a reserve account associated with the Commissioner's Fairview Care Center appropriation budget amount. The 2014 amount to set aside if unused will be \$25,000 and adjusted appropriately if there is partial need. This reserve is also established to minimize the County's financial exposure to any operational shortfalls at Fairview Care Center.

Commissioner Erickson offered the following resolution (#2014-48), seconded by Commissioner Tjosaas:

**Establishment of Reserve Account for DFO Corrections**

**WHEREAS**, the Dodge County Finance Office has received a check in the amount of \$43,697.00 from Olmsted County Corrections for 2012 Fund Balance Payout; and

**WHEREAS**, the Dodge County Finance office wishes to establish a reserve account to be used to offset future year levy increases with this \$43,697.00 and future monies or grants that become available.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby authorizes the Finance Office to establish a reserve account to include any further monies from DFO Corrections resulting from excess fund balance payouts.

*Resolution adopted unanimously.*

Commissioner Gray offered the following resolution (#2014-49), seconded by Commissioner Allen:

**Establishment of Reserve Account for Fairview Care Center Appropriations**

**WHEREAS**, the Dodge County Commissioners budget sets aside an anticipated amount to appropriate to Fairview Care Center for operations during the current budget year; and

**WHEREAS**, the Dodge County Finance Office wishes to establish a reserve account to be used to accumulate multiple years' FVCC budget allocation to be used as need for FVCC appropriations in the future.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby authorizes the Finance Office to establish a reserve account to include any unused FVCC Appropriation budget amounts beginning with the 2014 budget and continuing indefinitely.

*Resolution adopted unanimously.*

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's consideration.

Motion by Tjosaas seconded by Allen approve the following personnel actions:

**A. Environmental Services**

A.1 Ryan Thesing – Feedlot Officer/Water Quality Technician  
No longer employed.  
Effective Date: 12/10/14

A.2 Mike Skjeie – Solid Waste Facility Operator  
Annual review.  
Effective Date: 12/1/14

**B. Public Health**

B.1 Marjorie Hemann – Administrative Assistant - .8 FTE  
Step increase from B22 step 4 \$17.51 to B22 step 3 \$18.09.  
Effective Date: 12/2/14

B.2 Amber Converse – Public Health Dietitian - .45 FTE  
Annual review.  
Effective Date: 11/25/14

**C. Sheriff's Office**

C.1 Brian Thompson – Deputy Sheriff – On-Call  
No longer employed.  
Effective Date: 12/2/14

Establishment of Reserve Account for DFO Corrections  
Approved by Resolution #2014-48  
- Continued

Establishment of Reserve Account for Fairview Care Center  
Approved by Resolution #2014-49

Personnel Actions  
Approved

C.2 Mike Burton – Interim Lead Dispatcher  
 Authorization to change status from 911 Dispatcher step 7 \$19.74 to Lead Dispatcher step 9 \$22.46.  
 Effective Date: 12/3/14 to TBD

Personnel Actions  
Approved -  
Continued

**D. Highway**

D.1 Paul Berge – Equipment Operator II  
 Step increase from B22 90% \$17.87 to B22 95% \$18.86.  
 Effective Date: 12/1/14

**E. Human Services**

E.1 Ashley Ozuna – Social Worker  
 Step increase from C42 step 6 \$23.91 to C42 step 5 \$24.80.  
 Effective Date: 8/30/14

E.2 Diane Tlougan – Social Worker  
 Step increase from C42 step 5 \$24.80 to C42 step 4 \$25.74.  
 Effective Date: 10/26/14

E.3 Kathy Jordan – Financial Worker  
 Step increase from B23 step 8 \$16.92 to B23 step 7 \$17.46.  
 Effective Date: 12/26/14

E.4 Approve transfer of Human Services staff (attached list) to Minnesota Prairie County Alliance.  
 Effective Date: 1/1/2015

**F. Administration**

F.1 Sara Marquardt – Accounting Services Director  
 Step increase from C41 step 2 \$27.14 to C41 step 1 \$27.88.  
 Effective Date: 6/4/14

F.2 Paula Rud – Administrative Assistant Extension - .75 FTE  
 Step increase from A13 step 7 \$13.84 to A13 step 6 \$14.26.  
 Effective Date: 11/7/14

**G. Attorney**

G.1 Arianna Prunty – Assistant County Attorney  
 Regular status and step increase from C43 step 7 \$28.59 to C43 step 6 \$29.95.  
 Effective Date: 12/2/14

*Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

Motion by Allen seconded by Erickson to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$	80,821.69
13	Road and Bridge Fund	\$	29,984.64
16	Environmental Quality Fund	\$	11,257.26
17	Eq Revolving Equip Fund	\$	10,083.04
32	County Capital Projects	\$	34,347.29
41	Ditch Fund	\$	16.00
	Total	\$	166,509.92

*Motion adopted unanimously.*

Building Operations Supervisor Roger Friedt presented the request for the need for special inspections and materials testing at the Government Services Building and Courthouse renovation project. This can be accomplished by a company who will perform engineering observations and testing services to verify the construction contractor is installing materials according to the plan and specifications in key areas of construction. The scope of services for the key areas will be excavation observations and compaction testing for the new building footings, elevator footings, placement of fill in the building excavation; reinforcing steel observations for placement of reinforcing steel placed in concrete structural elements; concrete testing for slump, air content and temperature according to specifications and masonry testing for wall construction.

Government Services Building/Courthouse Renovation Special Inspections and Materials Testing Approved

Motion by Allen second by Gray to approve and authorize American Engineering and Testing, Inc. to provide engineering observations and testing services for the Government Services Building/Courthouse Renovation at a cost of \$14,032.00 and approve the County Administrator to sign the proposal documents. *Motion adopted unanimously.*

County Administrator Jim Elmquist presented for the Board a resolution on 2015 per diem amounts.

2015 Per Diem Rate Set by Resolution #2014-50

Commissioner Erickson offered the following resolution (#2014-50), seconded by Commissioner Allen:

**2015 Per Diem Rate**

**WHEREAS**, the Dodge County Board appoints members to different boards and commissions to perform work for the county; and

**WHEREAS**, these boards and commissions are eligible to receive a per diem for the work that they perform.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board sets the 2015 per diem rate at \$80.

*Resolution adopted unanimously.*

Mr. Elmquist presented the 2015 Elected Officials Salaries. The County Administrator stated meet and confer sessions were conducted as mandated by State Statute at the previous Board meeting and suggestions by the Board were incorporated into the memorandum. The salary resolution is being brought forward after the County Board's last meeting where meet and confer sessions for elected officials were conducted. Other than the Sheriff's salary which is being kept the same as the previous year, the salaries for all other officials are being increased by 3%. The reason for the 3% is elected officials are not eligible for step adjustments so to give the 2% COLA adjustment would not be congruent with county employees. One item of note: the Chairman of the Board's salary was adjusted to be a \$600 increase from the regular Board salary.

2015 Elected Official's Salaries Set by Resolution #2014-51

Commissioner Peterson stated he believed the Sheriff salary could be lower than what is stated in the proposed resolution at an amount in the middle \$80,000's.

2015 Elected  
Official's Salaries  
Set by Resolution  
#2014-51 -  
Continued

Commissioner Gray offered the following resolution (#2014-51), seconded by Commissioner Tjosaas:

**2015 Elected Official's Salaries**

**WHEREAS**, the Dodge County Board of Commissioners are responsible for setting the salaries of the elected officials in the county including the County Board, County Board Chair, County Sheriff, and the County Attorney; and

**WHEREAS**, the Dodge County Board has held meet and confer sessions with the elected officials and reviewed work responsibilities and salary information from other counties; and

**WHEREAS**, the Dodge County Board of Commissioners appreciates the work performed by its elected department heads in Dodge County.

**NOW THEREFORE BE IT RESOLVED**, that the salaries of elected officials in Dodge County for 2015 are set as follows:

County Board	\$19,407
County Board Chair	\$20,007
County Attorney	\$46,562
County Sheriff	\$91,234

*Resolution adopted, Tjosaas, Erickson, Allen, Gray aye, Peterson nay.*

Administrator Elmquist presented an agreement for Economic Development Services with Community and Economic Development Associates (CEDA), the county's economic development consultant. The contract with CEDA was presented. It is effectively the same contract as the previous year and is provided for within the Dodge County Budget. The increase from previous year will be 3.0%. Commissioner Tjosaas and Allen stated that the EDA recommended approval and that Tom Monson from CEDA has done an exceptional job in 2014.

CEDA Contract  
Approved

Motion by Allen seconded by Tjosaas to approve and authorize the Chair and County Administrator to sign the proposed contract with CEDA. *Motion adopted unanimously.*

County Attorney Paul Kiltinen provided the Board with a legal update.

Legal Update

Commissioner Allen presented a summary of the Public Works Committee report and action items.

Public Works  
Committee Report

The Environmental Services Office has developed a contract with the Dodge SWCD for up to \$25,000/yr of water plan services beginning in January 2015. Contracted services in the contract include well testing and locating, stream monitoring, technical services for grant preparation, ground water monitoring, and educational services.

2015 Water Plan  
Contract with SWCD  
Approved

This is the fourth consecutive year this contract has been proposed. The rate paid will be \$40/hr, an increase from the \$35/hr rate paid during the last three years of this contract.

2015 Water Plan  
Contract with SWCD  
Approved -  
Continued

This contract has been approved by the SWCD Board at their November 20, 2014 meeting.

Motion by Erickson seconded by Allen to approve and authorize the Chair to sign the proposed contract with SWCD. *Motion adopted unanimously.*

Zoning Administrator Melissa DeVetter presented for the Board's consideration the December 3, 2014 Planning Commission recommendations.

IUP #14-05  
Approved

Motion by Erickson seconded by Allen to approve of the following action of the Planning and Zoning Commission as reviewed on December 3, 2014 with the reasons, recommendations and conditions as found in the individual permit:

**Jon T. Samuelson – IUP#14-05**

The public hearing is to consider an application for an Interim Use Permit to allow a Limited Rural Business in the Agricultural District. The property is 21.14 acres located in the SE 1/4 of the SW 1/4 of Section 2, Milton Township. Jon T. Samuelson 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 proposed use of the property. The business shall obtain all necessary licenses, registrations and/or other approvals for activities taking place at the site.
2. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.
3. Any sign proposed for the business shall meet the performance standards of the Dodge County Zoning Ordinance. A sign advertising the Limited Rural Business shall not exceed nine (9) square feet and shall be set back a minimum of ten (10) feet from the county road right-of-way.
4. Any change involving the addition of new business related structures or employees beyond that specified in the home occupation agreement/application on file with the IUP, enlargement, intensification of the use or similar changes not specifically permitted by the IUP shall require an amended IUP to be issued.
5. The business shall comply with the conditions of this permit, Chapter 16 (performance standards for Limited Rural Business) and the Home Occupation/Limited Rural Business Agreement, which shall be recorded with the IUP.



6. The business shall comply with the Nuisance Standards of the Dodge County Zoning Ordinance. Nuisance complaints shall result in review of the IUP by the Planning Commission.

IUP #14-05  
Approved -  
Continued

*Motion adopted unanimously.*

Ms. DeVetter presented a request from Nick Masching for a waiver of the \$500 Conditional Use Permit application fee. Mr. Masching’s CUP#14-0 was vacated by the court on November 16, 2014 due to a lawsuit resulting in a summary judgment for the plaintiff (Trom’s). The court interpreted the ordinance differently than Dodge County does and as a result, viewed Mr. Masching’s application as incomplete at the time of review. Mr. Masching’s has resubmitted an application for a CUP which meets the court’s interpretation of a complete application and a public hearing will be held later on this agenda.

CUP Application  
Fees Waived

Motion by Allen seconded by Erickson to waive Mr. Masching’s Conditional Use Permit application fees. *Motion adopted unanimously.*

Commissioner Peterson presented a summary of the Administration Committee report and action items.

Administration  
Committee Report

Motion by Erickson seconded by Gray to approve and authorize the November 25, 2014 Committee of the Whole meeting minutes as corrected on page 2. *Motion adopted unanimously.*

11/25/14 Committee  
of the Whole  
Meeting Minutes  
Approved

Motion by Erickson seconded by Allen to approve and authorize the November 25, 2014 meeting minutes as presented. *Motion adopted unanimously.*

11/25/14 Meeting  
Minutes Approved

Commissioners provided their agency reports. Commissioner Allen did not have any meetings to report. Commissioner Erickson attended a Construction Committee meeting, a Planning Commission meeting, a SCHA Quality Assurance Committee meeting and an AMC Conference. Commissioner Gray attended a regular County Board meeting, a retirement party for Jean Ronayne, an AMC Conference and a MNPrairie meeting. Commissioner Peterson attended a MN Association of Watershed Districts convention, an AMC Annual meeting, a SWCD meeting and a Four Seasons Arena meeting. Commissioner Tjosaas attended a SEMREX meeting and a MNPrairie meeting.

Agency Reports

The County Administrator provided the Board with an administrative update.

County  
Administrator  
Update

The Board Chair recessed the meeting at 11:20 a.m. CST to the conclusion of the Planning Commission Meeting to be held at 1:00 p.m.

Meeting Recessed

The Board Chair called the meeting back into session at 3:18 p.m. CST.

Meeting  
Reconvened

Zoning Administrator Melissa DeVetter presented the Planning Commission's recommendations from the Special Meeting on December 11, 2015 for a CUP application from Nick Masching on CUP #14-08 which included the Feedlot Advisory Board conditions as well as a condition requiring bio-filters to be placed upon the barn. The application was presented to the Planning Commission earlier in the afternoon and was being submitted for Board approval.

CUP #14-08  
Approved by  
Resolution #2014-52

Commissioner Peterson asked if there was anyone from the audience who wanted to comment on the application. Mr. Peterson recognized Ms. Sonja Trom-Eayrs.

Ms. Trom-Eayrs asked the Board to deny the application for 10 reasons:

1. Public Health Concerns (cancer clusters suspected in this county).
2. Saturation – Westfield has the highest concentration of animal units in the county - equivalent of a population of 113,640 people. Dodge County's saturation level is 830,000 people in the county.
3. This is only on 6 acres of land.
4. Land use conflicts. The county mission statement provides for an affirmative duty to prevent land-use conflicts. This is not occurring in this county with the fast tracking of feedlot applications and pushing forward same-day approval for this application.
5. This feedlot application will interfere with the enjoyment of this land which dates back 100 years where generations were raised on the farm.
6. This feedlot will pollute the Ripley and Westfield ditch which is less than 1,000 feet from this permit location and will pollute the Cedar River Watershed if it has a manure discharge.
7. Township Ordinance – this is on a township road where Ripley has local ordinances in place. Ripley doesn't allow the transfer of manure on the road. The transference will be by ambilical cord.
8. This feedlot threatens Westfield Lutheran Church, a mile south from the site. Mission statement states to preserve historic sites. Westfield Lutheran Church will soon be 100 years old.
9. This huge feedlot will deplete the groundwater supply. Who will pay for the new wells if the water is deemed polluted. Know of other farmers who have had to replace wells due to feedlot area demands.
10. Threatens wildlife and environment – snowy owls and trumpeter and tundra swans – federally protected species.

Planning Commission member Walt Wyttenbach had a concern about the timing of biofilters and its installation.

Mr. Douglas Eayrs – Facts and finding have been one-sided arguments without balance. Board members should balance competing issues. This isn't a dog-permit or a driver's license application. This is a long standing permitted use. The applicant will come forth with further applications for more buildings. For the general good of the county, the Board can deny the permit.

The Board recognized the items received by the Planning Commission and will submit those items within the record including Mr. Peters letter from December 9, 2015.

All five Commissioners did attend the Planning Commission meeting and did hear the arguments presented.

MCIT Attorney Paul Reuvers did attend the meeting and answered for the Board's process being conducted at this meeting. Mr. Reuvers stated it is permitted within Minnesota Statute. This Board is also fully informed from having been through the process before as well.

Mr. Reuvers read through the resolution presented for the Board meeting calling for approval of CUP #14-08. Mr. Reuvers stated the resolution includes the updated recommendations submitted by Planning Commission, the Feedlot Advisory Committee, and staff.

Commissioner Allen offered the following resolution (#2014-52), seconded by Commissioner Gray:

### **Approval of CUP#14-08**

**WHEREAS**, the Dodge County Board of Commissioners ("County Board") previously approved of the application for a conditional use permit ("CUP") submitted by Nick Masching (CUP #14-04), on April 8, 2014; and

**WHEREAS**, whereas Lowell and Evelyn Trom commenced a civil action challenging the grant of CUP #14-04; and

**WHEREAS**, in an Order dated November 18, 2014, the Honorable Jodi L. Williamson vacated CUP #14-04 and indicated Mr. Masching could re-apply for a CUP; and

**WHEREAS**, Mr. Masching reapplied for a CUP on the form provided by the County on November 20, 2014 and provided all information required by the Ordinance; and

**WHEREAS**, County Staff prepared detailed findings of fact and recommendations for the approval of the CUP; and

**WHEREAS**, the Feedlot Advisory Committee met on November 26, 2014, reviewed the application, viewed the proposed site, and recommended approval of the CUP with 10 conditions; and

**WHEREAS**, the Planning Commission recommended approval of the CUP, based upon the County Staff's detailed findings of fact and recommendations, and the recommendation of the Feedlot Advisory Committee with conditions.

**NOW, THEREFORE**, the County Board makes the following findings and determinations:

1. The County Board finds the application and materials submitted by the applicant provide the County Board with all of the information required by the Ordinance and, further, provide the County Board with sufficient information to fully evaluate the proposal under the criteria set forth in the County's Ordinance.

CUP #14-08  
Approved by  
Resolution #2014-52  
- Continued

2. The County Board has considered, the objections and materials submitted by the project opponents, and rejects their conclusions. The County Board specifically credits the information provided by the County Zoning Administrator, who refuted all of their objections.
3. The County Board adopts the recommendation of the Planning Commission, the County Staff's detailed findings of fact and recommendations, and the recommendation of the Feedlot Advisory Committee with conditions, adding the bio-filter condition.

CUP #14-08  
Approved by  
Resolution #2014-52  
- Continued

Accordingly, the County Board grants CUP #14-08 with the conditions recommended by the Feedlot Advisory Committee and the Planning Commission.

Commissioner Erickson stated he did not feel this process has been fast-tracked. Mr. Erickson said this process is taken seriously and includes lengthy consideration. It may seem as if the Board approves every project, but the reality is that applicants work with staff well ahead of the submittal of application to see if the project could possibly meet the ordinance requirements. Projects that don't meet the ordinance requirements are discouraged from applying, or if there are changes that can be made to comply with the ordinance, the project may be modified. These are the majority of the applications that the Board reviews.

Commissioner Gray stated the county ordinance is a dynamic and long-standing document reflecting the land use interests of the citizens along with other pertinent outside regulation. Our ordinance changes as other land-use interests change within the county as part of its citizens, County Board and regulative agencies. Not a static document. As interests change, so does the ordinance. Our current ordinance reflects those interests. Mr. Gray asked Ms. DeVetter if all items were in order as required by the ordinance. Ms. DeVetter stated yes.

Commissioner Tjosaas stated he doesn't represent a township and only 2/3rds of the largest city in the county but does have an extensive county background. What's frustrating for him is to see a volunteer Board go through a thorough process for an application and then get attacked. How do we expect people to serve when this happens? There are many points through the ordinance process where people could have impacted ordinances as they were developed. A comment about bending over 2% of the population who are farmers. This is an agricultural county and he takes umbrage with the comment this process is being railroaded. This Board takes their position seriously. As an agricultural county, we will have continued land-use issues with the growth this county will see. Land disputes are a part of the process and it was his position that these sort of issues have been handled well in the past.

Commissioner Peterson stated he served in Iraq and Afghanistan and saw how manure was dealt with in other countries including human feces. Mr. Peterson appreciates people's concerns about smells but it's not comparative to other countries issues. Commissioner Peterson stated this an agricultural county and although the process is cumbersome it addresses the concerns of agriculture against environmental impacts. However to discuss railroading misses the economic impact of the applicant who submitted an application months ago and

has a right for speedy answers by the government that places the constraints on the landowner.

CUP #14-08  
Approved by  
Resolution #2014-52  
- Continued

Commissioner Erickson stated the time-concern Walt Wyttenbach conveyed regarding biofilter installation earlier should be addressed in the feedlot rules and because of that, do not have to be identified within the resolution. Ms. DeVetter agreed.

*Resolution adopted unanimously.*

Motion by Tjosaas seconded by Allen to adjourn the meeting at 3:46 p.m. CST.  
*Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on December 23, 2014 at 5:30 p.m. CST.

Next Regular Meeting

**ATTEST:**

---

**RODNEY PETERSON**  
**CHAIR, COUNTY BOARD**

---

**JIM ELMQUIST**  
**CLERK**

---

**DATED:**