

Minutes of the Dodge County
PLANNING COMMISSION MEETING
April 04, 2007

The regular meeting of the Planning Commission was called to order by Galen Johnson at 1:00 PM on Wednesday, April 04, 2007. Present were Planning Commission members Galen Johnson, Jon Balzum, Rhonda Toquam, Larry Schmeling, Harlan Buck, John Allen, and Richard Wolf. Also present were County Commissioner Don Gray, Lyle Tjosaas, Dave Hanson, Klaus Alberts, County Administrator David McKnight and Planning Director Duane Johnson.

Motion by Harlan Buck, seconded by Jon Balzum, to approve the agenda and the February 2007 minutes. Motion passed unanimously.

Duane Johnson introduced the new compliance officer Melissa DeVetter to the Planning Commission.

Jacob Dahle – CUP #07-05

The first public hearing is to consider an application for a Conditional Use Permit to establish a non-farm dwelling on 3 acres in the Ag District. The property is located in the NE ¼ of NE ¼ of Section 6, Vernon Township. Jacob Dahle is the applicant and Dale Dahle is the property owner

Jacob Dahle farms the land with his dad Dale and therefore needs to build his home nearby. He will have his own well and septic.

Vernon Township was not present for comment.

Duane Johnson explained that the feedlot owned by Dale Dahle, Jacobs's dad has been discontinued.

Guy Kohnhofer, County Engineer stated that the driveway must be 660' from the existing drive located to the east. Placement of the new driveway must stay far west as possible.

Motion by Jon Balzum, seconded by Harlan Buck, to close the public hearing. Motion passed unanimously. Motion by John Allen, seconded by Harlan Buck, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Ag Covenant shall be signed and recorded.
2. The septic system must meet the County's septic ordinance.

3. Driveway access and permits be obtained from the County Hwy Dept.

The motion was passed unanimously

Richard & Brandon Wolf – CUP #07-06

The second public hearing is to consider an application for a Conditional Use Permit to expand an existing hog and cattle feedlot from 427 animal units to 1227 animal units. The expansion includes a confinement building approximately 100x160 feet with a beneath barn 8 foot deep concrete pit for manure storage for 2000 head of finishing hogs. The property is 160 acres located in the N ½ of SW ¼, S ½ of NW ¼ in Section 24 of Claremont Township. Richard and Brandon Wolf are the applicants and Richard Wolf is the property owner.

Richard and Brandon Wolf were present. Richard explained that he is helping Brandon get into farming by proposing this expansion of the feedlot on their home site.

Kent Schmidt, Claremont Township stated that the township has no objection to the propose site and thought that it's a nice addition to the county.

Guy Kohlnhofer, County Engineer stated that the existing field driveway meets the minimum required spacing and will be adequate to be used for access with upgrades. The proposed driveway doesn't meet the required spacing of 660' between driveways.

Richard stated that he wants to eliminate the existing field drive and place a new drive next to the tree line. This would eliminate going across the field with the driveway and losing crop ground.

Motion by Rhonda Toquam, seconded by Harlan Buck, to close the public hearing. Motion passed unanimously. Motion by Harlan Buck, seconded by John Allen, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Feedlot Advisory Report dated March 13, 2007.
2. Applicant and County Engineer work together on driveway relocation.

The motion was passed with 5 ayes (John Allen, Harlan Buck, Jon Balzum, Rhonda Toquam and Larry Schmeling with 2 abstaining (Richard Wolf, Galen Johnson)

Durst Brothers Dairy – CUP#07-07

The third public hearing is to consider an application for a Conditional Use Permit to expand an existing dairy from 1286 to 1600 head of cattle or from 1800 to 2240 animal units. The expansion plans include a new freestall barn

approximately 181x210 feet in size, a new earthen basin approximately 459x274x8 feet in size and feed and commodity storage. The expansion project is proposed in the NW ¼ of SW ¼, of Section 28, Milton Township. Durst Brothers are the applicants and the property owners.

Ron Durst was present along with Arlo Habbin of Southern Minnesota Agronomic Environmental Services to explain plans for the proposed site. There are several reasons for this proposal; consolidation of the cattle; adding to and improving manure storage; Implementation of an odor mitigation plan; moving all commodity and feed storage to the dairy site. Ron Durst asked Ken Folie to speak to the trip they took to other dairy sites with dairy barns using the ventilation fans and air movement technology being proposed for this project.

Walt Wyttenbach, Milton Township stated the township has no objection to the proposed site and with the consolidation of the cattle and eliminating the transporting of the feed will make the roads a non-issue for the township as is addressed in the supplement page 8.

Motion by Harlan Buck and second by Larry Schmeling to enter S.M.A.E.S. Durst Supplement into the meeting as part of the public testimony.

John Johnson, from Preston MN has the same system as being proposed. He lives within two miles of the neighboring town. It's been working fine and they have no problems with odors complaints.

Theresa Benda, applauded the Durst with taking the steps in right direction with this proposed site plans. Theresa does live within 2-3 miles from the existing dairy and does smell the Durst farm. Theresa had 4 issues to be addressed. 1. A wind break or shelter would be a good idea. 2. Wants the air quality to improve. 3. The concern of manure storage and removal of odors. 4. Earthen basin with a leaking or damaged liner. Is the new pit going to guaranteed that there will be no leakage?

Craig Benedix stated that the Durst Dairy is a good neighbor and they are always considerate of their neighborhood. Craig supposes the proposed site.

Arlo Habben designed the earthen basin and stated that there is enough soil separation at this site that a double liner is not needed. It will be a 3 foot clay base liner. The existing basin was damaged from agitation. A water test was taken with the results finding no contamination around the basin.

Guy Kohlnhofer, Co Engineer stated that with the consolidation of the cattle and feed storage it will decrease the road deterioration. He has no objection to the proposed site.

Duane Johnson stated that the County needs to be open to the use of Purple Sulfur Bacteria biological treatment of manure liquid as an odor reduction

technique. He also stated that irrigation of this treated liquid is allowed in other counties.

Motion by Harlan Buck, seconded by Rhonda Toquam, to close the public hearing. Motion passed unanimously. Motion by Rhonda Toquam, seconded by John Allen, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Feedlot Advisory Report dated March 13, 2007.

The motion was passed unanimously

Galen Johnson thanked Ron Durst for the nice job that he and his family are doing at their dairy farm.

Kevin Rohwer – CUP#07-08

The fourth public hearing is to consider an application for a Conditional Use Permit to expand an existing feedlot from 300 to 960 animal units (currently no livestock on farm). The expansion includes a new confinement building approximately 51x408 feet with a beneath barn 8 foot concrete pit for manure storage for 2400 head of finishing hogs. The property is 140 acres located in the SW ¼, of Section 17, Wasioja Township. Kevin Rohwer is the applicant and the property owner.

Kevin Rohwer was present to explain his plans for the proposed site. He stated that It will be a finishing hog building on his home place to suppose his family.

Larry Scherger, Wasioja Township stated that at their last township meeting they had no objections.

Jim O'Connor wants to commend Dodge County for the county expanding in hog production. Without this opportunity there won't be any young farmers. He supports this proposal.

Chuck Johnson went to the township meeting to express his concern with the conditions for the CUP # 06-09 on the Will Rohwer barn not being met yet. He wants the conditions met first before this barn is to be built.

Theresa Benda has concerns that the county has not conducted inspections of feedlots in the past and won't follow up on the new feedlots.

Steve Gray, Wasioja Township read (exhibit #7) a disclaimer that the following comments are from one supervisor and is not representing the opinion or position of the Wasioja twp board as a whole.

Jack Perry, attorney for Will and Kevin Rohwer commented on Will's application and the four conditions from the CUP #06-09. 1. Trees – plans for the planting of

the trees has been submitted today. 2. Bio-filters - They are waiting on the design measurement from Ken Folie and will be done by the deadline of September 30, 2007.

3. Berm - A letter dated March 29, 2007 by Mark Kanable, NRCS stating that a berm is not needed. 4. Dead animals – The incinerator was moved due to another site but a second incinerator will be brought back to the site. These conditions will be met by the deadline of September 30, 2007.

Duane Johnson addressed the comments from Jack Perry about the Bio-filter design and waiting for Ken Folie; The staff talks to Rohwer on a daily basis and up until recently little talk was conducted about bio-filter. Ken will work on putting together numbers for the bio-filter and will be done as soon as possible. Regarding the berm, the county along with Rohwers will work together with Mr. Johnson and get this resolved. The trees being proposed are the type that grows fast and will be planted as soon as the final grading is done.

Jack Perry responded to Steve Gray comment as to how the Dodge County handled this applicant. Mr. Perry stated the county does a very good job and has to follow the rules that have be set years ago.

Motion by Rhonda Toquam, seconded by John Allen, to close the public hearing. Motion passed unanimously. Motion by John Allen, seconded by Harlan Buck, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Feedlot Advisory Report dated March 13, 2007.

The motion was passed unanimously

Mark Brannan – CUP#07-09

The fifth public hearing is to consider an application for a Conditional Use Permit to expand an existing feedlot from 231 to 990 animal units or a total of 2475 head of finishing hogs. The expansion will include a new confinement building approximately 51x330 feet with a beneath barn 8 foot concrete pit for manure storage for 2000 hogs. The property is 5.84 acres located in the NW ¼ of SW ¼, of Section 7, Canisteo Township. Mark Brannan is the applicant and the property owner.

Mark Brannan was present to explain his plans for the proposed site.

Brian Edgar, Canisteo Township had concerns about fire trucks getting around this proposed site. Otherwise they had no objections.

Rod Peterson, a neighbor is in favor of proposed site. He has smelled odor but has no formal complaint about the site. Rod would like to be notified in advance when any manure hauling will be done.

Motion was made by Larry Schmeling, and second by Jon Balzum, to enter into the meeting the comment received from Celia Robinson. The motion was passed unanimously

Guy Kohlnhofer question if Mark Brannan is using the existing driveway. If so he has no objection to proposed site. Mark indicated that he was.

Duane Johnson stated that the staff had concerns about the size of the site and the placement of the building also the Planning staff recommends denial of this request because of reasons stated in the staff report. Mark Brannan did bring in a surveyed site plan of his property for this meeting.

Mark Brannan stated that the old cattle shed will be removed and also north of the grain bin the stave silo and possibly the other silo will be removed.

Duane Johnson stated that this area has a history of odor complaints with curtain barns.

Mark Brannan stated the he does raise hogs now but does not use the farrowing barn now.

Galen Johnson addressed the questions that Celia Robertson asked. 1. The manure will be applied by the 7020 rules. The manure will be transferred to other farms by a hauler. 2. The person that it's contracted to will abide by the 7020 rules. 3. There will not be any additional manure storage beyond the pit.

Duane Johnson stated that the Feedlot Advisory Board requested that tunnel ventilated barn be used.

Mark Brannan commented that he wants a curtain sided barn because of power outages. When the power goes out he is out for days at a time.

Duane Johnson had a concerned on how dead animal disposal was going to be handled.

Mark Brannan commented that he would compost in the summer but in the winter he would bag them and bring them to work (transfer station) where they are taken to the Rochester incinerator.

Motion by Rhonda Toquam, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously. Motion by Harlan Buck, seconded by John Allen, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Feedlot Advisory Report dated March 13, 2007.

The motion was passed unanimously

Other Business

Planning Commission Meetings will be changing their meeting time to 7:00pm starting with the May meeting. The July meeting will be held on July 11th due to the 4th of July falls on the 1st Wednesday.

Adjourn

Motion by Harlan Buck, seconded by Larry Schmeling, to adjourn. Motion passed unanimously. The meeting was adjourned at 4:00 PM.