

TUESDAY, JULY 24, 2007

**APPROVED MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING HELD**

**STATE OF MINNESOTA)
DODGE COUNTY)**

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2007-14 C.O.W.

The Dodge County Commissioners met in Committee of the Whole July 24, 2007, in the Commissioner's Room at the Dodge County Courthouse Annex, Mantorville, MN, at 9:00 a.m. CDT. Don Gray opened the meeting at 9:00 a.m. CDT. Meeting Convened

The Chair acknowledged those present:

Those Present

Members present: Klaus Alberts District #1
Lyle Tjosaas District #2
David Erickson District #3
Don Gray District #4
David Hanson District #5

Members absent: None

Also present: David McKnight County Administrator
Becky Lubahn Deputy Clerk

Planning Director Duane Johnson met with the Board to discuss conditions for Will Rohwer conditional use permit #06-09. Mr. Johnson informed the Board that the meeting was scheduled to address compliance questions and discuss condition number twelve on the permit. The Planning Director stated that he wanted to make sure everyone understood the conditions of the CUP.

Will Rohwer CUP
#06-09 Discussed

Condition twelve reads as follows:

12. Will have required setbacks as required by Shoreland Ordinance and agree to work with NRCS on buffer/berm issues in northeast section.

NRCS Officer Brian DeVetter informed the Board that he and Tom Johnson surveyed and evaluated the Rohwer property and confirmed Mark Kanable's previous assessment that with an average rainfall run-off would not drain towards the Johnson pond. They believed the run-off would flow through the waterway and then drain into the DNR property.

Duane Johnson discussed with the Board correspondence sent from his office to Will Rohwer regarding his conditional use permit.

It was Commissioner Alberts' opinion that item number twelve on the permit was listed as a condition of the permit and that regardless of whether or not NRCS officials determined a berm was necessary on the northeast corner, a berm should be installed because it was listed as a condition of the permit.

Commissioners discussed with Mr. Johnson and Mr. DeVetter whether a four-five inch rain would cause run-off to drain differently on the property. It was the consensus of the group that with this much rain the water flow probably would change but the commissioners could not confirm this belief since this was not an option that they asked NRCS staff to consider when evaluating the property.

Will Rohwer CUP
#06-09 Discussed -
Continued

Environmental Quality Director Mark Gamm stated that they need to clarify what the intention of the condition was when the conditional use permit was approved by the Board.

Commissioners had varying opinions on what the intent of the condition was. Commissioner Alberts interpreted the condition to read a berm must be installed. Commissioner Gray interpreted the condition to read that the applicant would work with NRCS staff to determine if a berm was needed and install one if needed.

Commissioner Erickson wanted to know if the berm installed by the property owner would handle a four-five inch rain.

Mr. DeVetter was skeptical of whether or not the berm would handle a four-five inch rain. The NRCS Officer reminded the Board that he, Mark Kanable and Tom Johnson all came to the same conclusion and noted the property was evaluated as requested in the conditional use permit. Mr. DeVetter commented that the conditional use permit did not request that the property be evaluated to determine the effects of a four-five inch rainfall therefore this option was not considered when the property was surveyed.

No action was needed on this item. The Board thanked Mr. DeVetter, Mr. Johnson and Mr. Gamm for the information.

The Chair adjourned the meeting at 9:29 a.m. CDT.

Meeting Adjourned

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: