

REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: December 28, 2015

A meeting of the Redwood County Planning Commission convened on Monday, the 28th day of December, 2015, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mark Madsen, Mike Scheffler, John Rohlik, Jr., Kent Runkel, Dave Mattison and Commissioner Lon Walling. Also present were the following individuals: Redwood County Environmental Director Scott Wold, Redwood County Land Use & Zoning Supervisor Nick Brozek, Jared Anez, Greg Boerboom, Bill Lightfoot, Jeff Bauman, Hayden Kerkaert, Barry Kerkaert, Mike Boerboom, Roger Kremin, Tom Alex, Gerald Senger, Michael Marotzke, Robert Pagel, Lois Pagel, Doug Parsons, Mike Alex, Jim Lux, Matt Boerboom, Laurie Kesteloot, Paula Boerboom, Ryan Goblirsch, Tim Kerkaert, Chad Cole, Jordan Wiesen, Dean Guggisberg, William Rabenberg, Jeff Knott, and Denis Goblirsch.

At approximately 1:00 p.m., Chair Madsen called the meeting to order and read the meeting rules aloud to those present.

At approximately 1:02 p.m., Chair Madsen called to order a public hearing on Application for Animal Confinement Feedlot Conditional Use Permit #24-15 submitted by Boerboom Ag Resources, LLC.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Boerboom permit application:

1. Boerboom is proposing to construct and operate a sow farm in Section 21 of Underwood Township, on 305th Street about ¼ of a mile west of CSAH 8. The feedlot will house 3392 sows and 1190 gilts (State animal unit total = 1713.8; County animal unit total = 1832.8).
2. The feedlot facility will consist of one 162' by 492' breeding and gestation barn with 10' deep poured concrete manure pit, one 148' by 272' farrowing barn with pull plug pit, and one 66' by 111' gilt development barn with 8' deep poured concrete manure pit. The feedlot will also have a compost structure, office, loading area, and driving and parking areas.
3. The feedlot will be set back 514' from the right of way line of 305th Street, 300' from County Ditch No. 80, and about 200' from the property lines.
4. The three nearest dwellings to the proposed site are as follows: Michael & Lynne Marotzke, 12579 305th Street, Vesta, about 2600 feet north of the site; Daryl & Karen

Leach, 29749 County Hwy 8, Vesta, about 2800 feet southeast of the site; and Robert & Suzanne Kirsch, 29859 Balsa Ave., Milroy, about 3500 feet southwest of the site.

5. Additionally, the Underwood Township Hall is located 1500 feet northeast of the site, and a Redwood Electric Cooperative substation is located 2230 feet southeast of the site.
6. Manure will be stockpiled in the deep pits and spread on area fields. Boerboom has agreements with a number of landowners in section 20, 21, 22, 26, 27, 28, 29, 30, 32, NS 34 OF Underwood Twp., and Section 5 of Westline Twp. Boerboom estimates that 1366 acres is needed for manure. They have signed agreements for about 1600 acres. Manure will be applied once per year, via drag line.
7. Odor management will include the planting of trees, use of pit additive, notification of neighbors prior to pumping, and avoidance of pumping on holidays.
8. Traffic at the site is estimated to include 4 semi loads of feed per week, 2 semi loads of weaned piglets outbound each week, 1 semi load of outbound cull sows every three weeks, 1 semi load of inbound breeding stock per month, for an estimated total of 25-30 trucks per month. Additionally, 7 full time employees will enter and exit daily.
9. Due to the large number of animals proposed on the site, Boerbooms must undergo a mandatory Environmental Assessment Worksheet (EAW) process. Additionally, they must obtain an NPDES permit from the MPCA and a water appropriations permit from the DNR. They plan to hook the site up to Rural Water.
10. The EAW could take several months. State law and Redwood County Ordinance prohibit the County from issuing a permit until the EAW process is complete. Consequently, Boerboom understands that no decision will be made at the initial hearing and that the matter will likely be tabled until the completion of Environmental Review. Their goal in starting the public hearing process while the EAW is still pending is to gauge the public opinion about the project.
11. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Mike Boerboom, Greg Boerboom, Jared Anez, and Jeff Bauman were present at the meeting to explain the project. They opened the hearing by stating the following:

Greg Boerboom spoke first, stating the following:

- Boerboom Ag is a family farm operation run by the Boerboom family.
- Their existing family farm site is located seven miles west of the proposed barn site.
- Boerbooms have a sow farm at Greg's house, with 1700 sows. They raise some of their own piglets, and buy some. The proposed barn would allow them to raise all the piglets they need and they wouldn't need to buy any.
- Boerbooms have 14 employees at their barns and feed mill. They also work with 20 contract growers.

- The proposed feedlot site is a 5 million dollar project.

Mike Boerboom spoke after Greg, stating the following:

- The plan is to have 3392 sows on the site producing weened piglets.
- The site will include a 148' x 272' farrowing barn with 12 rooms containing 48 crates each. This barn will have a shallow pull-plug pit draining into the 10' deep pit under the neighboring proposed 162' x 492' gestation barn. The gestation barn will be open pen design, which is somewhat larger than barns with a stall design. There will also be a 61' x 111' gilt development barn and a 24' x 81' compost unit (meets NRCS standards).
- Barns will have electronic feeders tracking the animals so feed is only supplied to pigs that have not already eaten.
- Boerbooms want to begin construction in the spring of 2016, and fill it with pigs by spring 2017.
- They plan to produce piglets and new breeders on the site.
- The site will have 8 full-time employees.
- Traffic will consist of 30 semi-trucks per month and employee traffic.
- The weened pigs will go to local finishing sites.
- Many sow barns are being built in the Dakotas and further west from Redwood County. However, the Boerbooms want to build their barn here because they are from here and they want their sows here near the rest of their production base.

Jeff Bauman from Anez consulting spoke about the manure management plan (MMP), stating the following:

- When preparing the MMP he "erred on the high side" to make sure they will have enough land for the manure.
- According to his calculations, Boerbooms will need 1400 acres of land to take the manure every two years. They currently have 1649 acres owned and under signed agreement.

Jared Anez from Anez consulting spoke about the state required Environmental Assessment Worksheet (EAW) and odor modelling, stating the following:

- An EAW is required for all new feedlots over 1000 animal units (AU).
- The DNR will report on area species. Archeological and history of the area will be factored in. The EAW will look at the manure spread lands too, not just the immediate feedlot building site.
- The required odor modelling looks at the proposed feedlot, as well as all other sites within 9 miles. They must be able to use the state model to show no exceedances of the odor limitations over five years.
- The proposed feedlot will be below the odor threshold according to the model.

Anez asked about whether the Planning Commission could recommend the permit for approval, pending the completion of the EAW. Brozek stated that state law prohibits the county from issuing any permits prior to completion of the EAW process, and therefore the County Board would not be able to approve the permit even if the Planning Commission recommended it for approval. Brozek also stated that it would be a good practice for the Planning Commission to

wait and make its recommendation after the EAW is completed, so the Planning Commission could review the information gathered for the EAW and use it in making its decision. Since the Planning Commission's job is to review all the information and make a recommendation on permits to the County Board, the Planning Commission shouldn't make a decision while the information is still being gathered.

Anez stated that from a business point of view, Boerbooms would like to know that their permit will be approved before incurring the expense of the EAW.

Bauman and Anez stated that the EAW and air modelling is complete; they just need to send it to the state for publication and public comment. They stated they can provide a copy to Redwood County when they send it to the state.

The Planning Commission asked the Boerbooms how many piglets the site would produce. Boerbooms answered that the site will produce 100,000 baby pigs per year.

The Planning Commission asked whether the Boerbooms are planning to build more finishing barns in the area to take these piglets. Greg Boerboom stated that they are not planning to do that at this time, that at this time the new piglets will replace the piglets that the Boerbooms would otherwise have to purchase from other producers. Mike Boerboom stated that he plans to be in the hog business a long time and that someday the Boerbooms will look at building additional finishing barns in the area.

Chair Madsen asked if there was anyone present who wished to speak in favor of the project.

Ryan Goblirsh made the following statements in favor of the project:

- Ryan raises hogs for Boerbooms. They are good people and they ween good hogs.
- They keep their operation local, keeping the taxes and jobs local.

Tom Alex made the following statements in favor of the project:

- Tom is a neighbor of the existing Boerboom sow barn. He has lived there since before Boerbooms built the barn, which is about ¼ of a mile from Tom's house. Tom almost never smells the Boerbooms' barn.
- Tom also raised pigs on his site, but "that doesn't mean [he's] lost his sense of smell."

Mike Alex made the following statements in favor of the project:

- Mike is a 10-year grower for the Boerbooms. They have a very well run operation – its clean, neat, family run, and the Boerbooms are conscious of their neighbors, the roads, and they have high expectations for their growers.

Paula Boerboom made the following statements in favor of the project:

- Paula is married to Greg and has been involved in the family farm business.
- She served on the Lyon County Planning Commission for 12 years, and she appreciates the work the Redwood County Planning Commissioners are doing.

- The average yearly pay, plus benefits, for Boerboom production employees is \$37,000. Managers make up to \$60,000, so Boerbooms are not simply providing minimum wage jobs.

Dr. Kerkaert made the following statements in favor of the project:

- Dr. Kerkaert is from Pipestone.
- He has spent the last 20 years as a veterinarian for Boerbooms. He has seen that the Boerboom barns and operations are well run, competitive, well designed, and well maintained.

Chad Cole made the following statements in favor of the project:

- Chad lives at the existing Boerboom sow barn site.
- He has worked for Boerbooms since 1996.
- He's raised (is raising) three kids there.

Jeff Knott made the following statements in favor of the project:

- Originally from Springdale Township, in Redwood County.
- He works for the Boerbooms as a hog dietician.
- He formulates the hog diets to keep odor at a minimum.

No others present indicated a wish to speak in favor of the project.

Chair Madsen then asked if anyone present wished to speak in opposition to the project.

Mike Marotzke made the following statements in opposition to the project:

- Mike lives due north of the proposed feedlot site, about ½ of a mile away. Wind direction in summer will bring the odor to him.
- Mike would prefer if Boerbooms built the feedlot on the other side of the drainage ditch, due to potential effect on the drain tile in the area that drains his land.
- Marotzke asked where the rural water connection and electric line was going to come into the site because he is concerned about damage to the tile lines.

Bill Lightfoot made the following statements in favor of the project:

- Bill is on the Underwood Township Board of Supervisors. The Township is concerned about its roads and the effects of hauling on the roadway, coming from the increased traffic from the proposed feedlot site.
- Bill asked what route semi-trucks will take to get to the site.
- Bill asked if there will be records available regarding where the manure will be land applied.
- He stated that the township is proud of its roads and wants to keep them in good repair. Township doesn't have extra money for road repair in its budget.
- Bill stated that one of the Township Supervisors is an assessor and that in his professional opinion hog barns do not add tax base to a township because the bare farm land is worth more than the buildings.
- Bill stated that he used to raise hogs, and a lot of other small farmers raised hogs. However, the smaller guys were driven out of the business by the big farms. He

doesn't like that now the small farmers just get to go to work for the big farmers instead of having their own farms.

The Planning Commission asked Lightfoot if the Township is against the project. He stated that the Township opposes the project because of concerns over manure hauling and winter manure application.

Chair Madsen allowed the Boerbooms time to respond to the questions and issues that had been raised by the community members present. Greg and Mike Boerboom made the following statements:

- Feed for the proposed barn will be trucked down State Hwy 19 from the Boerboom feed mill, to CSAH 8, and from CSAH 8 it is only ¼ of a mile down the gravel Township Road to the proposed site. All haulers will use this route.
- Boerbooms believe that the tax base will increase for the Township and it will more than offset the increased use of ¼ of a mile of road.
- The traffic will be similar to hauling corn produced on 12 quarters of land.
- A copy of the MMP will be provided to the Twp. Board. They will also provide notice of when the manure will be pumped and hauled. It will only be pumped and hauled once per year and will be injected or incorporated.
- Boerbooms will use trucks to haul the manure, which are lighter than tankers. They may also use a dragline for land near the site.
- If drain tile is found it will be rerouted around the site
- Rural water will be used on the site. They will also drill a well for backup, for which a DNR water appropriations permit will be obtained (DNR won't issue till after it's drilled). Rural Water has stated they have the capacity to service the barn. The line will come north from an existing line along State Hwy 19.
- 4 to 6 rows of trees will be planted along the north and west sides of the site.
- The proposed barn is small compared to other sow units, which commonly run up to 5400, 7000, or even 10,000 sows.
- With the 300' foot setback required from the drainage ditch, the NE site is best – allows for best placement of the barns, access road, road setback, property line setbacks, etc.
- The project will provide taxable value of 3 million dollars.
- The barn will have a gambrel roof.
- The site will be set back 512' from the township road.

Brozek asked if there is an official agreement between the Township and the Boerbooms regarding repair of the township road. Lightfoot said there is not. Chair Madsen stated that the County does not usually get involved with township road issues. Brozek agreed, stating that since the County is not the road authority, the County does not want to be in a position of determining whether the road has been damaged and what repairs are necessary. The County encourages Townships and permittees to enter into agreements regarding road maintenance.

The Boerbooms stated that they will keep the road clean and maintained to facilitate their own use, since the pigs must be fed.

Brozek asked if the 3 million dollars of taxable value estimate accounted for the fact that state law exempts the value of the manure pits. Greg Boerboom said that the exemption had not been factored in. Brozek asked if he knew what the value would be after that exemption. Greg stated he did not. Chair Madsen stated that he commonly used a rule of thumb of one third for the exemption, meaning that the taxable value would be more in the range of 2 million dollars.

Paula Boerboom asked Bill Lightfoot if he was satisfied about the proposed truck route and manure handling. Lightfoot stated that he was satisfied by the information presented by the Boerbooms.

Chair Madsen closed the public hearing at 2:16 p.m.

In response to Boerbooms' concerns about getting their permit approved, Wold suggested that the Planning Commission take a "straw poll" to see which way they were leaning regarding the Boerboom application after hearing the information presented. Each of the commissioners individually stated that if they were going to vote today, they would probably vote to recommend approval.

The Planning Commission discussed continuing the public hearing on the Boerboom application. Boerbooms indicated that early April would be a good date to come back.

John Rohlik made a motion to continue the hearing on the Boerboom CUP application until April 11, 2016, at 1:00 p.m. for the purpose of reviewing and discussing the information from the EAW. The motion was seconded by Mike Scheffler and was approved unanimously by the Planning Commissioners.

The Commission engaged in a discussion with Wold and Brozek regarding proposed changes to the Redwood County Sign Ordinance. The Commissioners directed Wold and Brozek to draft a new ordinance and present it to the Commission at the January 25th Planning Commission meeting.

The commissioners reviewed and discussed the minutes from the December 28th, 2015 Planning Commission meeting. Discussion was held whether to indicate in the minutes who it was that had motioned and seconded to adjourn the December meeting. It was decided that the minutes should simply state the time at which the meeting was adjourned. On a motion made by Kent Runkel and seconded by Dave Mattison, the December 28th, 2015 Planning Commission meeting minutes were unanimously approved with the discussed change regarding the motion to adjourn.

The Commission engaged in a discussion regarding setting the regular Planning Commission meeting dates and times for 2016. John Rohlik made a motion to set the dates and times as follows:

January 25th at 1:00 p.m. (Application deadline December 28, 2015)

February 29th at 1:00 p.m. (Application deadline January 25, 2016)

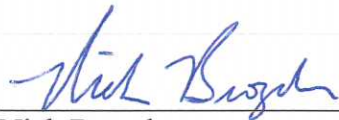
March 28th at 1:00 p.m. (Application deadline February 29, 2016)
April 11th at 1:00 p.m. (Application deadline March 14, 2016)
May 23rd at 1:00 p.m. (Application deadline April 25, 2016)
June 27th at 1:00 p.m. (Application deadline May 30, 2016)
July 25th at 1:00 p.m. (Application deadline June 27, 2016)
August 29th at 1:00 p.m. (Application deadline July 25, 2016)
September 26th at 1:00 p.m. (Application deadline August 29, 2016)
October 31st at 1:00 p.m. (Application deadline September 26, 2016)
November 28th at 1:00 p.m. (Application deadline October 31, 2016)
December 19th at 1:00 p.m. (Application deadline November 21, 2016)

The schedule also included a four hearing per meeting limit and procedures for meeting cancellation in case of inclement weather or lack of agenda items.

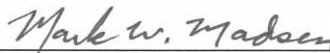
Mike Scheffler seconded the motion and it was passed unanimously.

The Planning Commission discussed the issue of whether the Board of Commissioners member (Lon Walling) is a voting member of the Planning Commission. Staff explained that the Ordinance states that the Planning Commission shall be made up of one member appointed from each of the County Board of Commissioners districts along with one of the members of the County Board of Commissioners. Nowhere does the Ordinance differentiate between the appointed members and the Board of Commissioners member and nowhere does it say that the Planning Commissioner from the County Board of Commissioners is not a voting member of the Planning Commission. Therefore, it was determined that all six members of the Planning Commission, including Walling, are voting members.

On a motion by Mattison, seconded by Walling, and passed unanimously, the meeting was adjourned at 3:55 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



Mark Madsen, Chairman
Redwood County Planning Commission