



## REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS  
Aquatic Invasive Species • Septic Inspector  
Drainage Inspector • Agricultural Inspector*

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### REDWOOD COUNTY PLANNING COMMISSION

#### *MINUTES*

**Meeting Date: May 20, 2019**

A meeting of the Redwood County Planning Commission convened on Monday, the 20<sup>th</sup> day of May, 2019, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Scheffler, Mike Kaufenberg, Jeff Huseby, DaVonna Zeug, and Commissioner Dave Forkrud. Mark Madsen was absent. Also present were the following individuals: Cullen Kobayashi, Beverly E. Hoffbeck, Bobby Hoffbeck, Tyler Maertens, Karen Maertens, Brian Maertens, Corey Prins, Sawyer Kraus, Jeanette Malecha, Marjorie Kramer, Charles Daub, David Fuhr, Penny Fuhr, Todd Mertens, Mike Boerboom, Tom Daub, Paul Daub, Vincent Maertens, Delbert Kuehn, Sharrol Kuehn, Will Hermanson, David Widman, Nathan Baune, Ben Trochlil, Doug Rohlik, Jim Salfer, Molly Renken, Tessa Coudron, Environmental Director Scott Wold, Land Use & Zoning Supervisor Nick Brozek, and Administrative Assistant Lali Ortega.

At 1:00 p.m. the regularly scheduled May 20<sup>th</sup>, 2019 Redwood County Planning Commission meeting was called to order by Vice-Chair Scheffler.

Vice-Chair Scheffler read aloud the rules and procedures of the meeting.

At 1:02 p.m. Vice-Chair Scheffler called to order a public hearing on Extraction Interim Use Permit #4-19, submitted by Jeff Schmidt.

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

1. Jeff Schmidt, of Schmidt Construction, is seeking to re-permit and expand Schmidt's existing gravel pit, located at 29770 360th Street, Redwood Falls, in Section 28 of Delhi Township. The pit was originally permitted under Conditional Use Permit #67 in 1971. The pit was later expanded under Conditional Use Permit # 12-08, in 2008. CUP #12-08 expired in 2018.
2. The site lies between the cities of Redwood Falls and Delhi and is about two miles from each. 360th is a gravel county road (CSAH 25). Paved roads can be reached in all directions: CSAH 17 is 1.5 miles east on 360th, CSAH 6 is 1.5 miles west on 360th, CSAH 17 is 1 mile north on Kenwood Avenue, and State Hwy 19 is 2 miles south on Kenwood Avenue.
3. The site is located in the Agriculture District. Mining is a Conditional Use in the Agricultural District.
4. The topsoil will be scraped off and reserved for reclamation. Gravel material will be removed to a maximum average depth of 9.5 feet below existing grade. At the end of the permit term, the side slopes

will be graded to 3 to 1 (run to rise) and the stockpiled topsoil will be replaced and the site will be reclaimed to farm or pasture use. The requested permit term is 10 years.

5. The pit will be about 40 acres in size, as shown on maps attached to the permit application, including the existing pit and an additional 10 acres land on the northwest side of the site, which is not currently mined.
6. The closest County Ditch to the site is JD 33, running west to east, about 4200 feet south of the site. Additionally, CD 12, Lat C runs south to north about 5800 feet west of the site.
7. The closest County Tile to the site is an 8-inch branch of CD 40, located about 250 feet north of the site. Also a 16-inch branch of CD 40 is located about 300 feet west of the site, and a 6-inch branch is about 400 feet to the east.
8. According to the soil maps for the site, the soil types present are Estherville Sandy Loam, 0 to 2% slopes, Biscay Clay Loam, Depressional, 0-1% slopes, and Mayer Loam, 0 to 2 % slopes.
9. The three nearest dwellings to the proposed site are as follows: Shane Kramer, about 2200 feet south of the site; Preston & Ashley Preuss, about 3000 feet southwest of the site; and a farm site owned by Kerry Kramer, about 3200 feet northeast of the site. Additionally, an old abandoned farm site owned by Stan Brey is located just across 360th Street from the site, about 300 feet to the north.
10. The Environmental Office has not received complaints about hauling from the Schmidt site.
11. Pursuant to Redwood County Code of Ordinances, Title XV, Section 153.283, the applicant is required to post a bond, cash deposit, irrevocable letter of credit, or other security to Redwood County in the amount of \$2,000.00 per acre, a minimum of \$10,000.00, or 125% of the estimated/bid value to reclaim the property, whichever is greater. The Redwood County Board of Commissioners may require a higher surety amount, if in the reasonable discretion of the County, the unique characteristics of the proposed project require more substantial restoration or reclamation. Furthermore, the Ordinance states that “[s]ureties shall be for a minimum of one year beyond the ending date of Conditional Use Permit.” According to this section, the applicant is also required to provide proof of bodily injury, property damage, and public liability insurance in the amount of at least \$1,500,000.00 per occurrence.
12. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Will Hermanson was present at the meeting to explain the project. Hermanson made the following statements to the Commission:

- Hermanson is the Office Administrator for Schmidt Construction.
- Schmidt wants to expand the pit to the west.
- Schmidt may or may not utilize the new area in the next ten years.
- Test pits show there is good gravel to the west, and there is demand.
- Pit was last permitted in 2008. This permit is a continuation and expansion.

The Planning Commissioners had the following questions and statements for the applicant:

- How many acres will the pit be after the expansion?
- The pit entrance is on 350<sup>th</sup> Street. Where does 350<sup>th</sup> go?
- Is Schmidt Construction ok with the proposed permit conditions?

Hermanson responded to the Planning Commission as follows:

- Trucking will go to Co Hwy 17.
- The proposed conditions are fine.

Land Use & Zoning Supervisor Brozek provided the following information to the Planning Commission:

- The total acreage, with the expansion to the west, will be 26 acres.

Vice-Chair Scheffler asked if there was anyone present who wanted to speak in support of the project. No one came forward.

Vice-Chair Scheffler then asked if anyone present wanted to speak in opposition to the project. No one came forward.

Vice-Chair Scheffler closed the public hearing at 1:05 p.m.

The Planning Commission discussed the findings of fact (attached to permit).

Zeug made a motion to recommend approval of permit #4-19, subject to the conditions recommended by staff and the following additional conditions:

- Reclamation bond will be set at \$52,000, based on the proposed total acreage of the pit.

Kaufenberg seconded the motion and it passed unanimously.

At 1:12 p.m. Vice-Chair Scheffler called to order a public hearing on Conditional Use Permit #5-19, submitted by David Watts of United States Solar Corporation.

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

1. United States Solar Corporation is requesting to construct a community solar garden on Minnesota State Hwy 68, about four miles west of the City of Morgan. The property is owned by Bobby & Beverly Hoffbeck. The Hoffbecks have signed off on the Conditional Use Permit application. US Solar has signed a long term lease for the site from the Hoffbecks. The proposed site is located in the East Half of the Northeast Quarter (E1/2 NE1/4), lying on the south side of State Hwy 68, in Section 23, Three Lakes Township, parcel number 69-023-1060. The site is in the Agricultural District.
2. The facility will consist of a one (1) megawatt solar array on approximately 10 acres. The project will generate enough electricity to power about 225 homes and will be open for subscription by Xcel Energy customers.
3. Equipment to be installed includes solar panels, inverters, and single-axis tracker racking installed on piles. The maximum height will be about 10'.
4. A 15' wide unpaved access road will be constructed to serve the site from State Hwy 68. Temporary parking area and portable waste disposal containers will be provided during the construction phase. Two permanent parking spots will be provided for vegetation maintenance and other employees.
5. The ground underneath and between the solar panels will be seeded with a mix of pollinator-friendly, low-lying, deep-rooted plants. US Solar will control for noxious weeds during the life of the project (25 years).

6. An 8' post and wire perimeter fence will be constructed around the solar array for security.
7. A permanent infiltration basin will be constructed in the north side of the site to collect surface runoff water.
8. The location of the proposed solar garden is currently a tilled field. The existing surface water drainage pattern is that most of the surface water flows north toward Hwy 68 (and the proposed basin), while water on the south end of the site flows south toward a County tile main. The County tile is a 6-inch line and is part of CD 24. It is located about 600 feet south of the project site. This is the closest county tile to the project site.
9. The site will be connected to the power grid via an existing Xcel distribution line located on the project side of Hwy 68.
10. The three nearest rural dwellings to the proposed solar garden are as follows: (1) Darren Hacker, about 335 feet west of the site; (2) Donald & Donna Reding, about 1500 feet northwest of the site; and (3) Kurt & Sandra Seifert, about 3700 feet south of the site.
11. This is the sixth solar garden application in Redwood County since 2015. Of the other five, one has been built and is operational (Jerry Huiras/Geronimo Energy) and two have expired and not been renewed (Sunshare – Green and Tauer sites). The two most recent were issued last year on other US Solar projects (Green and Peterson). These permits are still active, though construction has not started. The Huiras site is a 3 MW site and the other two active sites are 1 MW each. The proposed project would raise the total permitted MW in the Xcel territory to 6 MW.
12. The reason we have had multiple applications in the Morgan area and none elsewhere in the county is that Xcel Energy is mandated by state law to produce 1.5% of its energy via solar power by the year 2020. The Morgan substation is the only Xcel substation in Redwood County that can handle solar gardens. Most of the rest of Redwood County is in the territory of Redwood Electric Cooperative, which as a cooperative is not subject to the 1.5% mandate.
13. The applicant has submitted a decommissioning plan addressing the disposition of the facility should it cease to be used for twelve months or reach the end of its useful life. At that time, the system will be shut down and the panels, racking, poles, cables, posts, inverters, trans-formers, concrete pads, fencing, and access driveway will be removed and properly disposed of. The site will then be restored to its pre-installation status as an agricultural field.
14. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Cullen Kobayashi, of United States Solar Corporation, was present at the meeting to explain the project. Kobayashi made the following statements to the Commission:

- The project will be undertaken under corporate entity USS B & B Solar.
- The project is a 1 MW community solar garden
- Local schools, cities, and residential customers can subscribe to get power from the solar garden.
- This is United States Solar Corporation's third project in Redwood County.
- The project is designed to meet required street and property line setbacks.
- The project, aside from during construction, will create no noise, odor, toxins, vibration, or lights.
- The project will take up 10-acres of land.
- There will be no effect on neighbors or impact on value of residences or agricultural lands.

- The site will have a 15 foot wide access road constructed.
- After construction, the site will receive quarterly maintenance visits.
- A drainage plan has been engineered for the site.
- Portable waste facility will be provided during construction.
- The project will be connected to an existing Xcel power line.
- Two parking spaces will be provided in the compound for worker parking.
- The applicant has a policy for paying for crop damage, if it occurs during construction.

The Planning Commissioners had the following questions and statements for the applicant:

- Will the 10-acre solar garden be fenced?
- What is the lifespan of the project?
- What happens to the panels and equipment at the end of the project?
- When will construction begin?

Kobayashi responded to the Planning Commission as follows:

- The solar garden compound will be surrounded by an 8' tall wooden post fence.
- The project term is 25 years, by agreement with Xcel Energy. After this time the panels will still be 80% effective in producing energy. Either a new interconnection agreement will be established, or the site will be dismantled and recycled. All the panels and equipment is made from recyclable materials. Applicant could also choose to upgrade the site with new panels/equipment.
- Construction is proposed to begin this fall, or spring.

Vice-Chair Scheffler asked if there was anyone present who wanted to speak in support of the project. No one came forward.

Vice-Chair Scheffler then asked if anyone present wanted to speak in opposition to the project. No one came forward.

Vice-Chair Scheffler closed the public hearing at 1:23 p.m.

The Planning Commission discussed the findings of fact (attached to permit).

Zeug made a motion to recommend approval of permit #5-19, subject to the conditions recommended by staff.

Kaufenberg seconded the motion and it passed unanimously.

At 1:29 p.m. Vice-Chair Scheffler called to order a public hearing on Conditional Use Permit #6-19, submitted by Corey Prins of Northwestern Farm Management, and Landowner Patricia Garrison.

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

1. A group of property owners in Gales Township Sections 7 and 8, in conjunction with Northwestern Farm Management, are proposing to clean out a private drainage ditch.
2. The ditch starts in the Northeast Quarter of Section 7, flows southeasterly and crosses underneath Aspen Avenue, cuts across the Southwest corner of the Northwest Quarter of Section 8, crosses under 205th Street, then continues in a southeasterly direction across the Southwest Quarter of Section 8, to the east line of said quarter, at which point it turns due south and flows in to the Cottonwood River. About 300 feet downstream of the 205th Street crossing, the ditch enters the Cottonwood River Floodplain District.

3. Per Redwood County Ordinance, excavation projects of this size are a Conditional Use. Consequently, the parties were informed that this portion of the project required a Conditional Use Permit.
4. The plan is to restore the ditch to its original depth, by removing the 18 to 24 inches of sediment that has accumulated on the bottom. The ditch banks will not be touched. The ditch bottom is about 4 feet wide. An excavator will be used to remove the material. The material removed from the ditch bottom will be paced on the west bank of the ditch. After excavation is complete, the spoil piles will be leveled and seeded.
5. The project will be completed in July or August, allowing for the establishment of grass on the spoil material by fall.
6. The closest County Ditch to the site is JD 12, Branch 1, R&L, running roughly parallel to the private ditch. The two ditches are about 2000 feet apart at their closest point.
7. The closest County Tile to the site is a 6-inch branch of JD 12, about 1500 feet northeast of the project.
8. According to the soil maps for the site, the soil types present are Canisteo clay loam, 0 to 2 % slopes; and Havelock clay loam, 0 to 2% slopes, occasionally flooded.
9. The four nearest dwellings to the proposed site are as follows: Beau & Sarah Schlemmer, about 600 feet north of the site; Jamie & Kimberly Jenniges, about 1800 feet east of the site; Jon & Becky Hensch, about 2000 feet west of the site, and Courtney Lau, about 2100 feet east of the site.
10. The parties have hired a private contractor to conduct the work
11. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Corey Prins was present at the meeting to explain the project. Prins made the following statements to the Commission:

- The project is cleaning a private ditch
- The intent of the parties is to lower the ditch bottom to its original depth by removing accumulated sediment.
- Part of the ditch is located in the Cottonwood River Floodplain.
- The project is tentatively scheduled for July or August, when it dries up.
- The spoils will be placed on the west side of the ditch and will be levelled when conditions are dry enough.
- The bank will then be re-seeded to permanent vegetation, to match the current status of the ditch bank vegetation.

The Planning Commissioners had the following questions and statements for the applicant:

- Is there a vegetative buffer on the ditch?
- How much of the private ditch is located in the floodplain?

Prins responded to the Planning Commission as follows:

- The ditch has vegetative buffers on both sides.
- Of the total 5700' of the ditch, 1500' is located within the floodplain.

Vice-Chair Scheffler asked if there was anyone present who wanted to speak in support of the project. No one came forward.

Vice-Chair Scheffler then asked if anyone present wanted to speak in opposition to the project. No one came forward.

Vice-Chair Scheffler closed the public hearing at 1:32 p.m.

The Planning Commission discussed the findings of fact (attached to permit).

Houseboy made a motion to recommend approval of permit #6-19, subject to the conditions recommended by staff.

Zeug seconded the motion and it passed unanimously.

At 1:38 p.m. Vice-Chair Scheffler called to order a public hearing on Animal Confinement Feedlot Conditional Use Permit #7-19, submitted by Tyler Maertens.

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

1. Tyler Maertens is proposing to expand an existing swine feedlot consisting of one 102' x 200' total confinement barn with 8' deep under floor manure storage pit, housing 2400 head of finishing swine. The proposed expansion will double the size of the feedlot, and will consist of one additional 102' x 200' total confinement barn with 8' deep under floor manure storage pit, housing 2400 head of finishing swine. The total number of head on the feedlot site after the proposed expansion will be 4800 head of finishing swine.
2. Redwood County Feedlot Ordinance requires that a Conditional Use Permit be obtained for the expansion of an existing feedlot by 200 or more animal units or when constructing a new manure storage structure. The proposed expansion will add 720 animal units, per the Redwood County Feedlot Ordinance, for a total of 1440 animal units.
3. The feedlot is located in Section 34 of Sheridan Township, on the south side of 290th Street. The site is owned by Mr. Maertens. The surrounding farm land is owned by Maertens' family, and includes Mr. Maertens' residence.
4. An estimated 1,900,800 gallons of water will be used by the feedlot annually. The applicant will need to apply for a Water Appropriations Permit from the DNR. There are two wells on the site, located about 150 feet north of the existing barn, and about 300 feet north of the existing barn, respectively.
5. The barn will have an 8' deep manure pit divided into two sections by a 12" thick divider wall on an 8" x 24" footing reinforced with two continuous #4 grade 60 rebar. There will be 2 manure pump-outs in each section, on the south and north sides of the barn, for a total of 4 pump-outs. The feed bins will be on the west side of the barn.
6. Footings, walls, and floor will be made from 4000 psi concrete. The floor will have 1.5 lbs. of fiber mesh per cubic yard. The pit floor will be 5" thick with 8" x 16" footings, reinforced with #4 grade 60 rebar, under the end and side walls. The end and side walls will be 8" thick poured concrete reinforced

with #4 grade 60 rebar 12' on center, both vertical and horizontal. The pit will hold 1,000,000 gallons of manure, or 12 months storage.

7. The barn will have 4" perforated perimeter tile around the outside of the pit footing.
8. The closest county tile main is 630 feet northeast of the feedlot site. There is no county ditch within 2 miles of the site.
9. The site is located about 3200 feet south of the Redwood River.
10. The four nearest dwellings to the proposed site are as follows: David Fuhr, about 1640 feet west of the site; Delbert & Sharrol Kuehn, about 2600 feet east of the site; Aaron & Robyn Struntz, about 3100 feet north of the site; and Christopher Turbes, about 3200 feet north of the site. Additionally, the Maertens' family dwelling is located 445 feet north of the site.
11. Staff used the University of Minnesota OFFSET odor from feedlots setback estimation tool to calculate the Annoyance-free frequency for the following dwellings:

Fuhr – 94% annoyance free  
Kuehn – 96% annoyance free  
Struntz – 97% annoyance free  
Turbes – 97% annoyance free  
Maertens – 84% annoyance free

12. Mr. Maertens submitted an Odor Management Plan that includes the following strategies to control odor:

Treat manure pits with additive  
Plant row of shrubs to extend existing grove to the south  
Maintain clean barn floors  
Clean up spilled feed promptly  
Maintain and clean exhaust fans  
Avoid manure pumping on holidays and special occasions  
Consult with MPCA to identify new strategies

13. Mr. Maertens has 769 acres listed on his manure management plan available for spreading the manure. These fields are located in Sheridan Township Section 34 and Vail Township Section 3.

14. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Tyler Maertens and Ben Trochlil were present at the meeting to explain the project. Maertens and Trochlil made the following statements to the Commission:

- Trochlil is Maertens' consultant on the project. He works for Centrol.
- Maertens wants to build a 2400 head hog barn. It will be 100' x 200' in size. It will be located about 80 feet south of an existing barn, of the same size.
- Tyler plans to extend his existing grove 50' south by planting an additional row of trees on the inside (east side) of the grove.
- D & G custom services pumps the pit. They also test the pit for nutrient load and odor. They treat the pit with additive to control crust, flies, and smell.
- Maertens has a hydrogen sulfide report from the MPCA showing he is within the acceptable limits.
- Maertens plans to build a compost facility to compost dead hogs.

- Maertens repairs the township road himself, as needed, to maintain access to and from the feedlot. He is willing to work with the township regarding road maintenance.
- Maertens ran a drain tile line along the road to help keep prevent soft spots forming in the roadway.
- Because of the increased size of the feedlot, Maertens will be subject to an NPDES permit from the state of Minnesota. Through this permit he will be required to track and report nitrogen and phosphorus in the manure, test manure annually, track total gallons, avoid sensitive features and incorporate the manure when applying it to land, test the soil on the 769 acres to which the manure will be applied.
- Maertens plants corn on corn, which makes it possible to apply more manure to the land.

Vice-Chair Scheffler asked if there was anyone present who wanted to speak in support of the project. The following individuals came forward:

Tom Daub made the following statements:

- Tom lives one mile from the project site.
- Tom supports the project.
- Livestock is a good way to get younger farmers started in farming.
- Maertens has followed the rules in the past and will continue to do so in the future.

Brian Maertens made the following statements:

- Brian and his wife Karen are Tyler's parents.
- Brian and Karen live on the feedlot site.
- They support the project.

Doug Rohlik made the following statements:

- Doug supports the project.
- Doug treats, pumps, and tests Maertens existing barn pit. They test every time they pump for nitrogen, phosphorus, potassium and trace nutrients.
- Has been treating pits for 12 years.
- Doug uses meters to take gas readings during pumping.

Mike Boerboom made the following statements:

- Mike owns the pigs that will be going into the barn.
- He has worked with Maertens for 4 years in connection with supplying pigs for his existing barn.
- Maertens is a good manager of the existing barn.

Vice-Chair Scheffler then asked if anyone present wanted to speak in opposition to the project. The following individuals came forward:

Penny Fuhr made the following statements:

- Penny is a farm kid from North Dakota.
- She lives at 25338 290<sup>th</sup> St., next door to the feedlot site.
- She opposes expansion of the feedlot.
- The Fuhr farm is a century farm since 2008. Her husband David still farms it with his son and grandchildren.
- Since 2016, the Fuhrs have dealt with offensive odor coming from the barn.
- Hydrogen sulfide can be harmful to health and a nuisance.
- Maertens permit for his existing barn requires that there will be less than 1% offensive odor.
- Fuhr's quality of life has been ruined.
- Maertens neglects his responsibility to his neighbors.
- Fuhr's son won't move his family to the farm because of the odor and noise from Maertens' barn.

- They can't plan events, can't cook outdoors, or work in the garden when the wind is from the northeast, east, southeast, or on calm days.
- Their home value may have decreased by over 40%.
- Fuhr's granddaughter heard the pigs one day and asked "grandma why are the babies screaming?"
- Fuhr is concerned that an appraiser might lower the value of their property due to the feedlot.
- The river valley smells like hogs.
- County staff has come to Fuhr's house to hear and investigate complaints.
- Maertens has not planted any trees, even though he said he would.
- No one has enforced odor or noise mitigation on the site.

David Fuhr presented a petition against the expansion project, which was reviewed by the Planning Commissioners and placed in the permit file. David then made the following statements:

- There have been violations at the feedlot of permit conditions 6, 9, 12, and 18.
- In 2015, Maertens' consultant said the feedlot would be 99% annoyance free (rating from UMN Odor OFFSET Model).
- There has been no wind or terrain study performed for the site.
- The feedlot sits on a hill and the smell affects everyone downhill on a calm night.
- Fuhr has reported odor and noise and there has been no enforcement.
- Does Maertens have a permit to use so much water?
- The pigs squealing is very loud. Who checks on the barns to make sure they are not overcrowded?
- 290<sup>th</sup> Street is a 5 ton road.
- Does Maertens have enough acres for the manure?
- Fuhr is concerned about runoff into a creek, about 850 feet away from the site.
- Fuhr produced a copy of the Willmar newspaper, containing an article about invasive weed seed being found in livestock feed.
- The concrete pit will fail.
- Fuhr produced a copy of an old version of the ordinance. He stated that the ordinance requires a ½ mile setback from an FAA approved airport, and that he has an airport on his property, less than ½ of a mile from the feedlot. He produced an FAA airport map from 2016 depicting the location of his private, personal use airport. Fuhr stated that this means that the existing barn is illegal and demanded that it be shut down.
- Fuhr stated that he got a letter years ago from Redwood County telling him he needed a permit if he was going to expand his airport.

Todd Mertens made the following statements:

- Todd is a hog farmer too.
- The reality is that pigs squeal and manure smells.
- Hog farmers shouldn't be factory farmers.
- Composting dead livestock attracts vermin.
- Will the water used by the feedlot dry up his well?

Delbert Kuehn made the following statements:

- Kuehn is the neighbor to the east of the feedlot.
- The Kuehns are not able to schedule family gatherings outside.
- He believes the feedlot decreases the value of his property.

Sharrol Kuehn made the following statements:

- Sharrol likes to hang out her clothes to dry, but cannot do so due to the smell from the feedlot.
- The smell is horrific.
- The smell once made Sharrol's granddaughter cough.

Brozek provided the following information in response to some of the public statements:

- Brozek asked Fuhr to provide a current FAA map.
- Brozek stated that Redwood County had updated its ordinances since Fuhr had picked up the copy he had with him.
- Brozek stated that a 99% Odor OFFSET rating was never part of Maertens' permit. The 99% rating was a comment made by Maertens' consultant at the time, Jeff Bauman, which was duly placed in the minutes from the Planning Commission meeting in 2015, when Maertens was seeking the permit for his existing barn. Brozek later reached out to Bauman to see how Bauman had calculated the 99% rating. Bauman did not respond. However, Brozek had presented OFFSET models at that same meeting showing Bauman's calculation was wrong. These calculations were placed in the 2015 permit file.
- Brozek asked Fuhr for an explanation as to how Maertens has violated the conditions on his current permit, specifically conditions #18 dealing with previously unavailable information. Fuhr stated that the information about his airport was previously unavailable.
- The MPCA approves manure management plans, and has reviewed the plan for Maertens' feedlot expansion, including the proposed application fields.
- The Environmental Office has received and investigated complaints from Fuhr about odor and noise from Maertens' barn, in 2017, and again in August of 2018. Wold and Brozek met with Penny at the Fuhr house in August 2018. There was no odor detectible from the feedlot at that time. In early fall 2018, Wold and Brozek went out to the feedlot site on a day when the wind was out of the east. They observed the feedlot from the end of the Fuhr's driveway. A faint odor was present. Machinery sounds from the Maertens' farm yard were clearly audible. The pigs could not be heard.
- If the Planning Commission decides to approve the permit, a condition requiring the planting of trees could be added.
- Brozek asked David Fuhr if the letter he received from Redwood County about his airport said anything about his airport being approved by the FAA. Fuhr said no, it did not.
- Brozek asked Todd Mertens if Todd had noticed any change in his well after the first barn was built. Maertens only reply was that his well has always run slowly in dry weather.
- There has never been any permit or ordinance violations noted by staff at the Maertens feedlot.

Tyler Maertens stated that the hydrogen sulfide testing report from the MPCA is proof that he meets the state requirements.

The Planning Commission discussed the information that had been presented.

Vice-Chair Scheffler stated that he wants more information about Fuhr's airport, and what significance the airport has for the feedlot, per the ordinance. He also wants more information about complaints made about the current barn, and actions taken by staff.

The Planning Commission discussed possible dates to continue the meeting to, in order to gather additional information.

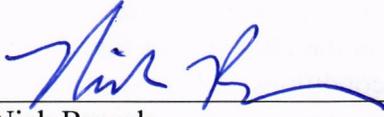
Zeug asked Maertens when he would like to begin construction, if he is able to. Maertens said he was hoping to get started in mid to late June.

Brozek noted that the next Board of Commissioners meeting will be on June 4<sup>th</sup>, and he will present the Planning Commissions recommendations from this meeting to the Board of Commissioners at that time.

Kaufenberg made a motion to table the application and continue the meeting until May 30, at 1pm. Zeug seconded the motion and it was passed unanimously.

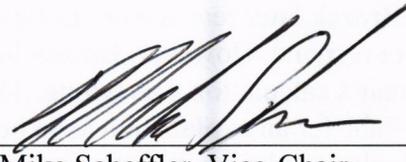
The Commissioners reviewed and discussed the minutes from the April 8<sup>th</sup> Planning Commission meeting. On a motion by Zeug seconded by Kaufenberg the minutes from the April 8<sup>th</sup> Planning Commission meeting were unanimously approved as presented.

On a motion by Zeug, seconded by Kaufenberg, the meeting was adjourned at 3:15 pm.



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Nick Brozek  
Land Use & Zoning Supervisor  
Redwood County Environmental Office



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Mike Scheffler, Vice-Chair  
Redwood County Planning Commission