

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, May 13th, 2026 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: Louwagie, Sleiter, Olson, Meulebroeck

OTHERS PRESENT: Biren, Crowley, Victoria Zacate, Graupmann, Richard Schons, Jonathan Olson, Carolyn Olson

ABSENT: DeBaere

Biren opened the meeting at 7:00 p.m.

All present recited the Pledge of Allegiance

Identify any conflicts of interest: Carolyn Olson for CUP for Jonathan and Carolyn Olson

AMEND/APPROVE AGENDA: Meulebroeck moved, seconded by Louwagie to approve the agenda as presented. All in favor, motion carried.

Minutes for the March 10, 2026 meeting reviewed. Meulebroeck moved, seconded by Olson to approve the minutes. All in favor, motion carried.

BOARD OF ADJUSTMENTS: None

PLANNING COMMISSION:

Biren – Introduces Matt Boerboom for Boerboom Ag Resources and reads Conditional Use Permit request to construct a New Feedlot.

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Boerboom Ag Resources, LLC on land to be purchased from SanMarBo Farms, Inc., for a Conditional Use Permit request to construct a new feedlot and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. 116.07, subd 7(l). Odor OFFSET setback requirement is 94 %. The land is zoned agricultural and described as following:

A parcel of property located in the Southwest Quarter, of the Southwest Quarter, of the Southwest Quarter, (SW ¼, SW ¼, SW ¼) of Section Twenty-six (26) Township One Hundred Ten (110) Range Forty (40) Lyon County, MN

The Proposed Facility to Consist of:

(New) Swine, between 55 and 300 pounds (3,300 x.03 animal factor) = 990 Animal Units

Type of Building:

(New) Approximately 122' x 221' Total Confinement Barn with 8' deep below the barn concrete manure pit.

Manure to be applied agronomically up to two times a year. Pit to be pumped at least one time per year, generally in the fall.

The Final Total Animal Unit Capacity = 990 Animal Units

This publication shall constitute as notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed feedlot as required by Minnesota State Law.

A Public Hearing on the Conditional Use Permit and Feedlot Public Comment will be held by the Lyon County Planning Commission on Tuesday, May 12, 2026 at 7:00 p.m. in the Commissioner's Room of the Lyon County Government Center, Marshall, Minnesota.

Biren – Letters have been sent out the neighboring properties and the Public Notice has been published in the Tracy Headlight Herald. The approximate location is in the corner of 170th Street and 330th Avenue in Amiret Township, Section 26. The nearest residence is owned by SanMarBo farms. This residence has not been occupied for around 20 years. Describing the barn, it's a new, deep-pitted barn. There is a well that is being proposed and the access roads will be the gravel road. Setbacks are met from the neighbors and side and rear yards. Has Matt Boerboom explain the barn.

Boerboom: The barn is going to be 122' x 221' and will house around 3000 finishing pigs. Picked the location that is far from other residences and a large parcel of land that is suitable for manure.

Biren: Talk about the feedlot permit through the MPCA and that process.

Boerboom: We applied for a Construction Short Form permit with the State of MN. Waiting on 20 day neighbor notice and reviewing manure management plan. After 20 days, they will issue a Construction Short Form Permit. Less than 1000 animal units.

Biren: State of MN threshold is recognizes a finishing pig as .3 and the federal government recognizes is as .4. When you use the .4, it goes over 1000 au. The State is at .3. ISG is going the plans for the barn. ISG will submit construction reports to the MPCA to make sure that it is built to design.

Olson: Since there are no houses nearby, will there be offloading onto the road.

Boerboom: Plan is to construct something in the yard for offloading.

Biren: Is utility Lyon Lincoln Electric?

Boerboom: not sure.

Biren: An address will need to be applied for emergency services

Boerboom: Intend to do that.

Sleiter: Any questions from anyone?

Schons: Neighboring property is in my family's name. Thought was to maybe build there someday, but now with a barn there, might not want to.

Biren: When it comes to the Zoning Ordinance, we have a reciprocal setback, that would not meet that setback and they would have to apply for a variance or build outside that setback.

Boerboom: I didn't know that. Is it a ¼ mile.

Biren: We don't have a choice. That is a state made that rule..

Sleiter: Let's move on to the Findings of Facts. Board goes over Findings of Facts.

Board moves onto motions. Biren reads motions into record.

Louwagie moved, seconded by Meulebroeck to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Boerboom Ag Resources, LLC, to construct a New Feedlot. The area representing the request is zoned agricultural and described as:

A parcel of property located in the Southwest Quarter, of the Southwest Quarter, of the Southwest Quarter, (SW ¼, SW ¼, SW ¼) of Section Twenty-six (26) Township One Hundred Ten (110) Range Forty (40) Lyon County, MN

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.

2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit. (A land use permit is valid for one year, and can be renewed administratively for a second consecutive year.)
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that is being applied in accordance to the manure management plan on file with the MPCA shall be injected or spread and incorporated within 24 hours of spreading except for approved emergency spreading.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.
6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agency involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)
8. The offset model must indicate 94% annoyance odor free. Any odor control technologies used in the offset model must be in place and maintained. Minimum setback to be 1320'.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. Minimum lot size for a new animal feedlot is 5 acres.
12. Adopt Findings of Fact as part of Motion.
13. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Olson, Sleiter, Louwagie

OPPOSED: None

ABSTAINED: None

ABSENT: Meulebroeck, DeBaere

DATED: May 12, 2026

Biren – Introduces Jonathan & Carolyn Olson and reads Conditional Use Permit request to construct a Feedlot Expansion.

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Jonathan and Carolyn Olson for a Conditional Use Permit request to construct or expand a feedlot with a capacity of 300 animal units or more and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. 116.07, subd 7(I). Odor OFFSET setback requirement is 94 %. The land is zoned agricultural and described as following:

All that part of the of the Northwest Quarter (NW ¼) of Section Thirty-two (32) Township One Hundred Thirteen (113) Range Forty (40) Lyon County, MN

Swine, between 55 and 300 pounds (2,400 x.3 animal factor) =720 Animal Units

(Existing) Approximately 41' x 248' Total Confinement Barn with 41' x 108' x 2' and 41' x 132' x 12' below the barn concrete pit.

Biren: Expansion has to 660' setback from neighboring property.

Sleiter – Any public comment?

Biren: Let's move on to the Findings of Facts. Board goes over Findings of Facts.

Board moves onto motions. Biren reads motions into record.

Meulebroeck moved, seconded by Louwagie to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit Jonathan & Carolyn Olson, to construct a Feedlot Expansion. The area representing the request is zoned agricultural and described as:

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit. (A land use permit is valid for one year, and can be renewed administratively for a second consecutive year.)
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that is being applied in accordance to the manure management plan on file with the MPCA shall be injected or spread and incorporated within 24 hours of spreading except for approved emergency spreading.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.
6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agency involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)
8. The offset model must indicate 94% annoyance odor free. Any odor control technologies used in the offset model must be in place and maintained. Minimum setback to be 660'.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. Minimum lot size for a new animal feedlot is 5 acres.
12. Adopt Findings of Fact as part of Motion.
13. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

Motion to adjourn by Olson second by Louwagie. All in favor, motion carried.