

Monday, March 9, 2026

The Deuel County Zoning Board met on Monday, March 9, 2026, at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Jay Grabow, Mike Lammers, Kevin DeBoer, Mike Dahl, States Attorney Craig Evenson, Zoning Officer Jodi Theisen, and other members of the public.

Chairman Mike Dahl called the meeting to order.

The minutes from the February 9, 2026, February 11, 2026, and March 3, 2026, meetings were discussed. Motion by Grabow, seconded by DeBoer, to approve the February 9, 2026, February 11, 2026, and March 3, 2026, minutes. All voted in favor, and the motion carried unanimously.

Dahl asked if the Board, or any staff member, had anything to add to the agenda, with none being offered.

Dahl stated that if anyone from the public would like to speak about a topic not on the agenda, they would have up to five minutes to do so during the public comment session.

Dahl asked any seated Board member if they thought they needed to recuse themselves from any discussion topics on the agenda, or from voting on an agenda item, with no Board member responding.

Theisen stated to the Board that the agenda was posted incorrectly and listed the joint meeting with the Deuel County Commissioners as April 11, 2026. The Board acknowledged the incorrect date. Motion by Kanengieter, seconded by Grabow, to approve the amended Monday, March 9, 2026 Agenda. All voted in favor and motion carried unanimously.

Motion by Lammers, seconded by Kanengieter, to recess the Planning Commission and convene only as the Deuel County Board of Adjustment. All voted in favor and motion carried unanimously.

#### Item #1 – Review of Building Permit #25-0043

The Board reviewed Building Permit #25-0043 following its invalidation by the Zoning Board on February 11, 2026. The purpose of the review was to assess the revised site plan and determine compliance with the Conditional Use Permit previously issued for the project.

Craig and Darla Jelen discussed revisions that had been made to the original site plan. They explained that the kennel building was reduced in size and some outdoor runs were relocated to better fit the updated building layout. Jelen's stated that no additional dog runs were added beyond those originally proposed, but one run was shifted closer to the building to improve dog movement and management. A small area behind the building was identified as a short-term potty area used briefly for bathroom breaks during training sessions.

Jelen's also explained that the originally planned 9-foot sound barrier wall was removed from the plan after deciding instead to install a 6-foot solid steel fence around the entire outdoor kennel area. They indicated the solid steel fencing would better withstand the strong winds in the area and would prevent dogs from seeing outside distractions, which they believe would help reduce barking.

Board members discussed the changes to the layout, noting that the revised site plan differed from what had originally been approved, particularly regarding the location of the outdoor runs. Discussion focused largely on potential noise concerns for neighboring properties and how barking would be monitored and controlled. Jelen's stated that dogs are supervised when outdoors, that the facility is monitored with cameras that include audio, and that barking is addressed immediately. They also stated that dogs are not left outside overnight.

Board members and staff discussed enforcement options should barking become an issue in the future. Jelen's indicated they would cooperate with the Board and could review camera footage if concerns

arose. The Board also discussed limiting the number of dogs permitted at the facility and clarifying outdoor run hours in the Letter of Assurance.

The Board opened the meeting for public comment.

Neighbor Jacob Beutler spoke regarding the previous appeal and stated concerns that the revised layout differed from the originally approved plan. He emphasized concerns about outdoor kennel placement, potential noise impacts, and the importance of ensuring the Conditional Use Permit conditions are enforced. Beutler also questioned aspects of the Board's review process. Roger Cutshaw also commented, noting that while they had occasionally heard dogs, it had not been continuous barking, but expressed concern about future unknowns.

Following discussion, the Board considered revisions to the Letter of Assurance, including reducing the maximum number of dogs allowed at the facility, clarifying permitted outdoor run hours, allowing dogs to be taken outside for brief bathroom breaks outside those hours, and requiring the applicant to provide camera footage if a barking complaint is filed.

Motion by Grabow, seconded by Kanengieter, to approve the kennel as built, contingent upon the outdoor kennel area being enclosed with a six-foot solid fence and the applicant signing a revised Letter of Assurance reflecting the following changes: reducing the maximum number of adult dogs from 40 to 30, establishing outdoor run hours from 7:00 a.m. to 9:00 p.m. (with brief potty breaks allowed), and requiring the applicant to provide camera footage to the Board if a barking complaint is received. Voting in favor were Grabow, Kanengieter, DeBoer, and Lammers. Dahl voted against the motion. Motion carried.

Motion by Grabow, seconded by DeBoer, to recess the Board of Adjustment and reconvene as the Planning Commission. All voted in favor and motion carried unanimously.

Planning Commission New Business  
None.

Motion by Grabow, seconded by Kanengieter, to reconvene jointly as the Board of Adjustment and Planning Commission. All voted in favor and motion carried unanimously.

Dahl opened the meeting for public comment.

Public Comment:

Sheila Monnier:

- Concerned about industrial development (wind towers, power plants, solar farms) affecting agricultural land and rural character.
- Cited research that rural counties limit industrial zoning to 1–3% of land.
- Raised issues with cumulative noise, vibration, and environmental study discrepancies.
- Noted residents invest significant time to protect their community and rural lifestyle.

Mike Dahl:

- Clarified that Board of Adjustment recommendations are advisory; commissioners have final authority.
- Noted residents must provide evidence if disputing environmental studies.

Jay Grabow:

- Stressed that developers should address community concerns and mitigation plans.
- Recommended sharing environmental issues with developers to ensure solutions.
- Noted environmental impact study process is underway.

Craig Evenson:

- Explained rezoning is flexible, courts rarely overturn valid decisions, and the Board of Adjustment is quasi-judicial while commissioners are legislative.

Kim Harringa:

- Did not get a wind tower due to setbacks; emphasized setbacks, local control, and hearing community concerns.

Michelle Oftedah:

- Argued that excessive industrial development inconsistent with the comprehensive plan is a valid reason to deny rezoning.

- Suggested holding public hearings at night for greater participation.

Steve January:

- Concerned about high-voltage transmission lines and low public awareness.
- Announced an open house to inform residents.
- Questioned local power serving distant markets due to Minnesota's carbon-free mandate.

Kris Christiansen:

- Raised safety concerns with transmission line setbacks and cumulative noise from wind towers.
- Emphasized residents should not have to "get used to" ongoing industrial impacts.

Bryon Monnier:

- Highlighted the need for the county board to be prepared for industrial impacts.

#### Matters for Board Discussion

Rogge presented the wash plant site plan and soil boring results, showing 25–35 feet of gravel with lean clay beyond that, with no water at the bottom. He indicated the location of the wash plant on a map, noting it will be outside the wellhead protection area. Rogge also mentioned they had assumed an asphalt mixing plant could be installed, which is why the Board requested soil borings; however, the Board clarified that mining cannot begin until the borings demonstrate an adequate clay layer to protect the aquifer.

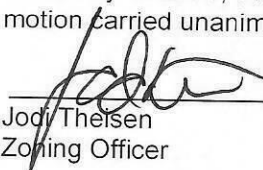
Theisen restated that the letter of assurance prohibits storage of junk, batch plants, or asphalt plants. When the Board asked if the office had received the letter of assurance, Theisen stated it had not yet been signed or received and that she had not yet received the haul road agreement, which Rogge said is still in progress.

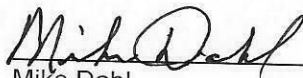
Crushing and washing are allowed under existing approvals, while an asphalt plant requires a separate permit. Board members also discussed site layout, including fenced operations, cattle areas, road access, snow management, and compliance with watershed, runoff, and aquifer protection rules, with agreement to begin gravel operations while pursuing a CUP for the asphalt plant at a later date.

Theisen also discussed upcoming meetings and noted that the agenda had incorrectly listed a date. She confirmed that the joint meeting with the Deuel County Commissioners is correctly scheduled for Tuesday, March 17, 2026. The next regular meeting will be held on Monday, April 13, 2026.

Executive session was not necessary.

Motion by Grabow, seconded by DeBoer, to adjourn the meeting at 8:26 p.m. All voted in favor and motion carried unanimously.

  
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Jody Theisen  
Zoning Officer

  
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Mike Dahl  
Chairman, Zoning Board