

**RESOLUTION EXTENDING MORATORIUM ON SWINE CONCENTRATED ANIMAL FEEDING OPERATIONS**

**WHEREAS**, Polk County enacted Resolution 33-19 placing a temporary moratorium on Swine Concentrated Animal Feeding Operations (hereinafter "Swine CAFO");

**WHEREAS**, one of the purposes of Resolution 33-19 was to allow the County adequate time to research, analyze and synthesize information regarding the potential impacts of Swine CAFO's in Polk County;

**WHEREAS**, the County, through the Environmental Services Committee and through public meetings has determined that more time is necessary in order to adequately evaluate the potential impacts, especially as it relates to potential water contamination;

**WHEREAS**, Resolution 33-19 contemplated an extension of the moratorium, if necessary for up to six (6) additional months;

**WHEREAS**, Resolution 33-19 further required the Administrator to report to the County Board the findings and recommendations on appropriate regulatory approaches the County should consider at least 30 days prior to the end of the moratorium;

**NOW THEREFORE BE IT RESOLVED THAT**, the Polk County Board of Supervisors authorize the extension of the moratorium for a period not to exceed an addition six (6) months for the purposes set forth herein and pursuant to the procedure below; and

**NOW THEREFORE BE IT FURTHER RESOLVED THAT**, the Polk County Board of Supervisors does not authorize any further research on Swine CAFO's as a conditional use within any area subject to the Shoreland Land Use Ordinance and that the potential for a Swine CAFO be limited to the agricultural property within the County that is subject to the Comprehensive Land Use Ordinance in order to maximize the protection of the County's navigable waters; and

**NOW THEREFORE BE IT FUTHER RESOLVED THAT**, the Polk County Board of Supervisors authorizes the Environmental Services Committee to extend the moratorium on a ~~month-by-month~~ basis beyond the original moratorium, but may not authorize an extension beyond the total of a six (6) months; and

**NOW THEREFORE BE IT FUTHER RESOLVED THAT**, ~~the month-to-month extensions contemplated herein shall only continue~~, within the aforementioned limitations, for a period of time to complete the research and analysis outlined in Resolution 33-19; *and once per month to be on the Environmental Services Committee agenda.*

**BE IT FURTHER RESOLVED THAT**, the Environmental Services Committee in conjunction with staff shall report to the full County Board of the findings and the County Administrator is no longer required to provide the County Board with a 30 day advanced briefing as had been originally contemplated in Resolution 33-19.

BY: Brad Olson

Brad Olson, Supervisor, District #1

Doug Route  
Doug Route, Supervisor, District #2

Dean Johansen  
Dean Johansen, Chair,  
Supervisor, District #3,

Chris Nelson, Supervisor, District #4

Tracy LaBlanc  
Tracy LaBlanc, Supervisor, District #5

Brian Masters by Jess Cross  
Brian Masters, Supervisor, District #6

Michael Prichard, Supervisor, District #7

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

Jay Luke, 1<sup>st</sup> Vice Chair,  
Supervisor, District #11

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

John Bonneprise, 2<sup>nd</sup> Vice Chair,  
Supervisor, District #14

Joe Demulling, Supervisor, District #15

*County Administrator's Note:*  
Recommended.

Vince Netherland

Vince Netherland  
Polk County Administrator

*Fiscal Impact Note:*

If awarded, Environmental Services Division would submit an additional funding request for the 2021 budget.

Maggie Wickre  
Maggie Wickre, Finance Director

Approved as to Form and Execution:

Malia Malone  
Malia Malone, Polk County Corporation Counsel

*Legal Impact Note:*

*Legal Impact Note:*

This Resolution extends the moratorium for up to an additional 6 months. Because this is still within a total of one year, it is legally appropriate.

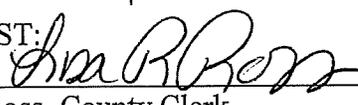
Excerpt of Minutes

54 At its regular business meeting on the 20<sup>th</sup> of February 2020, the Polk County Board of  
55 Supervisors acted upon **Resolution No. 03-20: Resolution Extending Moratorium On**  
56 **Swine Concentrated Animal Feeding Operations**  
57 \_\_\_\_\_  
58 \_\_\_\_\_

- Adopted by a majority of the members present by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See ~~Below~~. lines 38, 41, 42, 44 and 45 for amended.
- Defeated
- Other: \_\_\_\_\_

Insert amendment to resolution according to minutes:

SIGNED BY:   
Jay Luke, County Board Vice Chairman

ATTEST:   
Lisa Ross, County Clerk

Executive Summary

This Resolution will extend the Swine CAFO moratorium in Resolution 33-19 in month-to-month intervals, as directed by the Environmental Services Committee. The extension is to allow staff and the Committee to address the issues raised by the public about the potential negative impacts of Swine CAFOs. This Resolution does not have the effect of ultimately prohibiting CAFOs.

