

BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
July 22, 2025

The Cherry County Board of Commissioners convened in special session on July 22, 2025 at 9:30 a.m. in the Commissioner Meeting Room, as per notice published on July 15, 2025 at 12:30 p.m. at the following public places: Valentine Public Library, Valentine Post Office, Cherry County Clerk's Office, Cherry County Courthouse front door, and the Public Notices section of the Cherry County website. The current agenda being on file in the office of the County Clerk. The meeting was called to order at 9:40 a.m. by Chairman McConaughey. Roll call was taken. Present for the meeting were Cherry County Commissioners Mike McConaughey, Martin DeNaeyer, Nina Nelson, and County Clerk Samantha Leonard.

At 9:40 a.m. the meeting was moved to the Cherry County Courtroom.

At 9:44 a.m. the Pledge of Allegiance was recited, and Chairman McConaughey acknowledged the Open Meetings Act Poster.

Public comment was received during the allotted time.

The board discussed options re: a response to the decision of the TK Angus vs. Cherry County Court Case #CI23-54 with County Attorney Eric Scott. Mr. Scott informed the board at this point the three options for them to consider are appeal the decision, issue the permit with conditions, or issue the permit without conditions. Mr. Stephen Mossman, representing TK Angus, met with the Board and Mr. Scott via Zoom. The board discussed options of proposed conditions and referenced a previous Conditional Use Permit for a swine confinement facility in Cherry County. Those conditions referenced were road use, application of manure being injected, deep soil samples conducted every 3 years, and unannounced site inspections by the Cherry County Zoning Administrator. Commissioner Nelson provided proposed conditions. Clerk Leonard emailed these proposed conditions to Mr. Mossman. Mr. Mossman advised the board they have a right to follow due process and discuss the proposed conditions with their client before responding to the conditions. Commissioner DeNaeyer asked Mr. Scott if the July 29, 2025 meeting would be sufficient time for Mr. Mossman and TK Angus to discuss the proposed conditions. Following a phone call with his clients, Mr. Mossman requested a Zoom meeting on July 29, 2025 to discuss the proposed conditions with the board at 2:00 p.m.

At 11:07 a.m. Chairman McConaughey adjourned the meeting.

State of Nebraska,)
) ss.
County of Cherry,)

I, Samantha Leonard, the undersigned County Clerk of Cherry County, Nebraska, do hereby certify the foregoing minutes are true and are part of the official records of this office. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 29th day of July 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughey, Chairperson
Cherry County Board of Commissioners