



## **Cherry County Planning Commission Minutes**

**July 9, 2025**

### **Cherry County Courthouse Meeting Room**

The meeting was called to order at 2:02 PM CT by Chairman Wade Andrews in the advertised location of the Cherry County Courthouse Meeting Room.

Roll call was taken. The following members were present: Chad Tetherow, Duane Kime, Gary MacLeod, Gary Swanson, Gordon Witte, Marla Shelbourn, Sherri Bacon, and Wade Andrews. Absent was Bill Wachob. Also present were Jane Stolzenburg, Zoning Administrator, and various members of the public.

#### **Approval of Agenda**

Duane K. made a motion to approve the July 9, 2025 agenda. Marla S. seconded the motion. Roll call vote was taken. Gary S.-Yes, Chad T.-Yes, Gary M.-Yes, Sherri B.-Yes, Marla S.-Yes, Bill W.-Absent, Gordon W.-Yes, Wade A.-Yes, Duane K.-Yes. Motion carried 8 Yes, 1 Absent.

The Open Meetings Act was noted as was the public notice posted pertaining to this meeting.

#### **Approval of Minutes**

Chairman Andrews asked if there were any corrections to the minutes. Marla S. provided proposed changes for the zoning sign index wording to read: "A zoning sign index was discussed. It was the consensus of the Planning Commission to retain the sign requirements in both Section 4.08 and Section 4.09 and to keep the sign requirements for the Scenic River Corridor and the Niobrara River Corridor Ag District the same."

Marla moved to amend the draft minutes and revise with the provided re-wording and add the word to between the words us - violate on the bottom of page 3. Gordon W. seconded the motion. Roll call vote was taken. Gary M.-Yes, Gordon W.-Yes, Marla S.-Yes, Duane K.-Yes, Wade A.-Yes, Bill W.-Absent, Gary S.-No, Sherri B.-No, Chad T.-Abstain. Motion carried 5 Yes, 2 No, 1 Abstain, 1 Absent.

Marla S. made a motion to approve the June 3, 2025 minutes as amended. Gordon W. seconded the motion. Roll call vote was taken. Marla S.-Yes, Gary S.-No, Gordon W.-Yes, Chad T.-Abstain, Wade A.-Yes, Bill W.-Absent, Gary M.-Yes, Duane K.-Yes, Sherri B.-No. Motion carried 5 Yes, 2 No, 1 Abstain, 1 Absent.



Old Business:

None

Recommendations:

Discussion regarding documenting decisions made to the zoning regulations. The changes will be made by a motion at the end of the meeting to attach the documented changes to the minutes.

The board recessed from 3:45 p.m. to 3:49 p.m.

Sections 8.09 through the end of the chapter with the exception of solar in proposed regulations will be reviewed at the next meeting.

The board set September 2, 2025 at 2:00 PM CT for the next regular meeting.

Public Comment:

Four members of the public spoke at this time.

Communications:

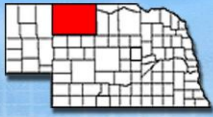
Zoning Administrator Stolzenburg reported other counties sent out a fee schedule. These could be used to set up a fee schedule in the future by the commissioners. She also reminded the Planning Commission not to reply all to e-mails.

Duane K. reported he will recuse himself from any wind and solar energy votes as it may be a conflict of interest.

Gary M. provided the Planning Commission with a copy of Knox County Resolution to ban wind & solar and would like it on the agenda when we are discussing those chapters.

Sherri B. received an e-mail from NPZA that had a zoom meeting regarding Livestock Operations. Sherri will forward the link. Sherri also passed along information regarding a Supreme Court Decision from 2020 Egan vs. County of Lancaster case # 5-19-1048.

Marla S. made a motion to attach the changes from 8.03 to 8.06 as documented by the Zoning Administrator at this meeting as part of our official meeting minutes. Seconded by Chad T. Roll call vote was taken. Sherri B.-Yes, Duane K.-Yes, Gary M.-Yes, Bill W.-Absent, Wade



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A.-Yes, Chad T.-Yes, Gordon W.-Yes, Gary S.-No, Marla S.-Yes. Motion carried. 7 Yes, 1 No, 1 Absent.

Excused Absence:

No excused absences as Bill W did not call in.

Chairman Andrews adjourned the meeting at 4:33 PM CT.

Jane Stolzenburg

Zoning Administrator

## Documented Changes for Zoning Regulations

Section 8.03 in proposed regulations was discussed. It was the consensus of the Planning Commission to keep the heading and keep #10 C (p. 107) and #3 (p. 106) and strike the remainder.

Section 8.04 remove from proposed and add the screening to 8.13.

Section 8.05 remove after confirming it is in the conditional use permit section. (501.05 #13 in conditional use permit section).

Section 8.06.02 remove from proposed.

Section 8.06 Small Wind Energy Systems- replace proposed with 613.01 through 613.02 to include the drawing from the existing zoning regulations. Move the definitions to the definition section in chapter 2 of proposed.