

Cherry County Planning and Zoning Minutes



CHERRY COUNTY PLANNING COMMISSION MINUTES

January 5, 2021

Cherry County Courthouse Court Room

The meeting was called to order at 4:34 PM CT by Chairman Gary Swanson in advertised location of the Cherry County Courthouse Court Room.

Roll call was taken. The following members were present: Dave Rogers, Chelsea Luthy, Wade Andrews, Michael McLeod, Duane Kime, Gary Swanson, John Lee, and Albert Ericksen with a vacancy. Also present were Jessica Coyle, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes:

Duane K. made a motion to approve the minutes from the December 1, 2020 meeting with corrections of spelling of Michael McLeod and Albert Ericksen's names, missing part of CUP 001/20 and time of adjournment to 6:55 PM CT. Wade A. seconded the motion. Roll call vote was taken. Chelsea L.-Yes, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Yes and Dave-Abstain. Motion carried 7-1 with abstention.

Communications:

Jessica Coyle, Zoning Administrator, communicated to the board the upcoming NPZA Conference in Kearney, letter received from Shelbourn's and Suhr's, email and letter that was sent to Eric Scott from Lee Hamann, and the Supreme Court ruling in the Egan v. County of Lancaster.

Chairman Swanson supplied a copy of the Midland News with the anonymous full-page ad and North Platte Telegraph article both concerning CUP 001/20 Danielski Harvesting & Farming LLC/Valentine Feeders Swine Facility.

Chairman Swanson recessed the regular meeting to convene the Public Hearing on CUP 004/20 Shane Daniels Amendment of Conservation Easement

Public Hearings:

Public Hearing on CUP 004/20 Shane Daniels Amendment of Conservation Easement:

Chairman Swanson opened the Public Hearing at 4:45 PM CT as advertised in the Valentine Midland News by reading the ad that ran in the December 23rd and December 30th editions.

Shane Daniels spoke on the Amendment that the change was to allow them to add another residence to property with a child coming back to the ranch. The agreement was made between Shane and the Nature Conservancy.

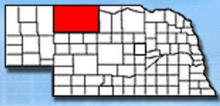
Chairman Swanson closed the Public Hearing on CUP 004/20 Shane Daniels Amendment of Conservation Easement at 5:01 PM CT.

Discuss and Act on Public Hearing on CUP 004/20 Shane Daniels Amendment of Conservation Easement:

Albert E. made a motion to approve CUP 004/20 Shane Daniels Amendment of Conservation Easement. Duane K. seconded the motion. Roll call vote was taken. Wade A.-Yes, Duane K.-Yes, John L.-Yes, Dave R.-Yes, Chelsea L.-Yes, Michael M.-Yes, Albert E.-Yes and Gary S.-Yes. Motion carried 8-0.

Public Comment

Various members of the public spoke



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New Business:

Discuss and Act on CUP 001/20 Danielski Harvesting & Farming LLC/Valentine Feeders Swine Facility:

Dave R. asked if this is allowed in the County and Chairman Swanson clarified that it is allowed in the Zoning Regulations and that the Comprehensive Plan is a vision for the county.

Chelsea L. asked for clarification on the agenda items and Chairman Swanson responded.

Discuss and Act on Resolution for CUP 001/20 Danielski Harvesting & Farming LLC/Valentine Feeders Swine Facility:

Chairman Swanson read through the Resolution stating that the beginning was done by the County Attorney. He then went through each item with the board discussing and making changes as needed. After completion then Zoning Administrator went and revised bringing back a copy for them to review again. Chairman Swanson reminded the public of the job of the Planning Commission.

Duane K. made a motion to approve Resolution Cherry County Planning Commission Resolution No. 2021: January 5, 2021 and Statement of Findings of Facts. John L. seconded the motion. Roll call was taken. Chelsea L.-Yes, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, John L.-Yes, Albert E.-Yes, Dave R.-Yes and Gary S.-Yes. Motion Carried 8-0

Chairman Swanson then asked the Zoning Administrator if the application CUP 001/20 Danielski Harvesting & Farming LLC/Valentine Feeders Swine Facility meets the requirements. Zoning Administrator stated that it meets the requirements except for it exceeds the 2,000 animal units.

Albert E. made a motion to approve CUP 001/20 Danielski Harvesting & Farming LLC/Valentine Feeders Swine Facility. Duane K. seconded the motion. Roll call vote was taken. Chelsea L.-Yes, Wade A.-No, Michael M.-No, Duane K.-Yes, John L.-Yes, Albert E.-Yes, Dave R.-No, and Gary S.-Yes. Motion carried 5-3.

Set Regular Meeting Date and Time:

February 2, 2021 at 4:30 PM CT in Courthouse Meeting Room

Old Business:

None

Reports and Recommendations:

None

Excused Absence:

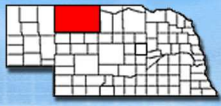
None

Adjournment:

Chairman Swanson made a motion to adjourn the meeting at 6:45 PM CT.

Jessica Coyle

Zoning Administrator



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CHERRY COUNTY PLANNING COMMISSION MINUTES

February 2, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:30 PM CT by Chairman Gary Swanson in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Wade Andrews, Michael McLeod, Duane Kime, Sherri Bacon, Gary Swanson, John Lee, and Albert Ericksen. Absent was Dave Rogers and Chelsea Luthy. Also present were Jessica Coyle, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Duane K. made a motion to approve the minutes from the January 5th meeting. John L. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chelsea L.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Abstain, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 6-1 with abstention.

New Business:

Election of Chairman

Duane K. nominated Wade Andrews as Chairman. Albert E. seconded the nomination. Duane K. made a motion that nominations cease and cast a unanimous ballot for Wade Andrews as Chairman. Albert E. seconded the motion. Roll Call vote was taken. Dave R.-Absent, Chelsea L.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 7-0.

Election of Vice Chairman

John L. nominated Duane Kime as Vice Chairman. Michael M. seconded the nomination. Gary S. made a motion that nominations cease. Michael M. seconded the motion. Roll Call vote was taken. Dave R.-Absent, Chelsea L.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-No, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 6-1.

Election of Secretary

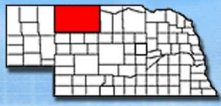
Albert E. nominated Michael McLeod as Secretary. Duane K. seconded the nomination. Duane K. made a motion that nominations cease. John L. seconded the motion. Roll Call vote was taken. Dave R.-Absent, Chelsea L.-Absent, Wade A.-Yes, Michael M.-No, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 6-1.

Keith Marvin Presentation on Comprehensive Plan

Keith Marvin reiterated that he needs some guidance on the Land Use section as this drives the Zoning Regulations. Keith reviewed all the Chapters in the Comprehensive Plan and the board gave him corrections as they were found. Keith is going to update the plan with changes and send copies to Zoning Administrator when done. Keith was also going to investigate the soil survey and see about changing it from alpha to numerical reference. Wade asked about the agricultural numbers and the drop in cattle numbers. Keith was going to see if there are any updates on the ag census.

Discuss and Act on Review of Additional Information on CUP 003/20 Bow & Arrow Conservation Easement

Zoning Administrator passed along the hard copies of the additional information the Commissioner's had requested from the applicant. The Planning Commission members had received this information prior to the meeting in an email. John L. stated he tried calling Commissioner Storer and then called Tom Davis, the applicant representative, about the



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use of the land. John L. reported from his discussion that the land use will not change and that the taxes will be paid. Albert E. and Duane K. both stated that they do not feel it will affect the neighbors. Sherri B. stated that the original application did not state anything about the American Burying Beetle, but it was included in the Wild Wood document. John L. made a motion to send CUP 003/20 Bow & Arrow Conservation Easement back to the Commissioners as everything looks acceptable as reviewed with no change to land use and affect to neighbors. Duane K. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chelsea L.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 7-0.

Set the date for the next meeting of March 2, 2021 at 4:30 PM CT in the Cherry County Courthouse Meeting Room.

Old Business:

None

Public Comment:

Various members from the public spoke during this time.

Communications

Zoning Administrator stated that the NPZA Conference in Kearney is now going to be in the fall. She will provide more details later.

Reports and Recommendations

Chairman Andrews introduced Sherri Bacon as the newly appointed board member.

Excused Absence:

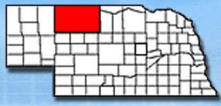
Albert E. made a motion to excuse Dave Rogers and Chelsea Luthy from the meeting. Duane K. seconded the motion. Roll call vote was taken Dave R.-Absent, Chelsea L.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 7-0.

Chairman Andrews adjourned the meeting at 6:00 PM CT.

Jessica Coyle

Zoning Administrator

Approved with correction of Chairman Andrews and not Chairman Swanson



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CHERRY COUNTY PLANNING COMMISSION MINUTES

April 6, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:30 PM CT by Chairman Wade Andrews in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Chelsea Luthy, Wade Andrews, Michael McLeod, Duane Kime, Sherri Bacon, and Gary Swanson. Absent was Dave Rogers, John Lee, and Albert Ericksen. Also present were Jessica Coyle, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Duane K. made a motion to approve the minutes from the February 2nd meeting with the correction of Chairman Andrews adjourning the meeting not Chairman Swanson. Chelsea L. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chelsea L.-Yes, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Absent. Motion carried 6-0.

Public Comment:

No members from the public spoke during this time.

New Business:

Set the date for the next meeting of June 8, 2021 at 4:30 PM CT in the Cherry County Courthouse Meeting Room.

Old Business:

None

Communications:

Chairman Andrews stated he spoke to Commissioner Storer about possibly using Margaret Byfield as a consultant on the Comprehensive Plan and Zoning Regulations, but still having Keith Marvin be the primary. Sherri B. stated that she'd visited with Commissioner Storer on this as well. Zoning Administrator is going to see if Margaret would be available to meeting via zoom at the next meeting.

Reports and Recommendations

Gary S. brought to the board a news article showing that Brown County Planning Commission adopted a Resolution concerning the 30x30 proposal. He thinks that this is something the board should work on at the next meeting. Zoning Administrator is going to contact Brown County Zoning Administrator to get a copy of the resolution.

Zoning Administrator asked the board for guidance concerning an individual who would like to put personal solar panels on houses in the Niobrara River Corridor District. After discussion, the Zoning Administrator and Planning Commission agreed that we treat this the same as Permitted Accessory Uses and Structures as in Zoning Regulations in Section 502.04.

Excused Absence:



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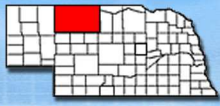
Duane K. made a motion to excuse Dave Rogers, John Lee, and Albert Ericksen from the meeting. Michael M. seconded the motion. Roll call vote was taken Dave R.-Absent, Chelsea L.-Yes, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Absent. Motion carried 6-0.

Chairman Andrews adjourned the meeting at 4:50 PM CT.

Jessica Coyle

Zoning Administrator

APPROVED



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CHERRY COUNTY PLANNING COMMISSION MINUTES

June 8, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:31 PM CT by Chairman Wade Andrews in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Wade Andrews, Michael McLeod, Duane Kime, Sherri Bacon, and Gary Swanson. Absent was Dave Rogers, John Lee, and Albert Ericksen with a vacancy. Also present were Jessica Coyle, Zoning Administrator, and various members of the public. Chairman Andrews informed the board that Chelsea Luthy is no longer eligible to be on the board since her residency changed.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Duane K. made a motion to approve the minutes from the April 6, 2021 meeting. Sherri B. seconded the motion. Roll call vote was taken. Dave R.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Absent with a vacancy. Motion carried 5-0.

New Business:

Zoom Call with Margaret Byfield

The board had a zoom call with Margaret Byfield about becoming a secondary consultant for the Comprehensive Plan and Zoning Regulations update that they are currently working on with Keith Marvin. Margaret will be helping in the areas of Conservation Easements, endangered species and wetlands protection plus others as needed. She told the board that they work with boards two ways \$100/hour or \$1500/month.

Discuss/Act on hiring Margaret Byfield as a Secondary Consultant

The board discussed the pros and cons of hiring someone and most agreed to hire. Gary S. stated he was initially against due to of her being in another state, but with technology and her being fluent on endangered species and conservation easements that it will work. Duane made a motion to hire Margaret Byfield as a Secondary Consultant at the \$100/hour rate and if need to change to the \$1500/month. Sherri B. seconded the motion. Roll call vote was taken. Dave R.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Absent with a vacancy. Motion carried 5-0.

Discuss Updates on Comprehensive Plan

Zoning Administrator stated that she had not received an updated plan from Keith Marvin.

Set the date for the next meeting of August 3, 2021 at 4:30 PM CT in the Cherry County Courthouse Meeting Room.

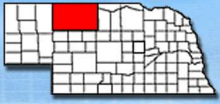
Old Business:

None

Public Comment:

Various members from the public spoke during this time.

Communications:



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Zoning Administrator shared with the board the Proposed Amendments to Brown County Zoning Regulations. Chairman Andrews asked if the Planning Commission still needed to come up with a 30x30 resolution since the Commissioners passed one. Duane K. said that appointed boards did not need to, but all elected boards are encouraged to.

Reports and Recommendations

None

Excused Absence:

Duane K. made a motion to excuse Dave Rogers, John Lee, and Albert Ericksen from the meeting. Michael M. seconded the motion. Roll call vote was taken. Dave R.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Absent with a vacancy. Motion carried 5-0.

Chairman Andrews adjourned the meeting at 5:29 PM CT.

Jessica Coyle

Zoning Administrator

APPROVED



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CHERRY COUNTY PLANNING COMMISSION MINUTES

August 3, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:32 PM CT by Chairman Wade Andrews in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Wade Andrews, Duane Kime, Sherri Bacon, John Lee, Albert Ericksen, and Gary Swanson. Absent was Dave Rogers and Michael McLeod with a vacancy. Also present were Jessica Coyle, Zoning Administrator, Keith Marvin, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Duane K. made a motion to approve the minutes from the June 8, 2021 meeting. Sherri B. seconded the motion. Roll call vote was taken. Dave R.-Absent, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes with a vacancy. Motion carried 6-0.

New Business:

Discuss Updates on Comprehensive Plan with Keith Marvin

Keith Marvin was present an updated Comprehensive Plan. He introduced the board to his assistant Mason Herman. Keith presented a current land use map and a future land use map that would dictate the Zoning Regulations. He presented the board with some options of zoning districts. The board advised they think keeping the zoning districts similar to current would be best.

Public Hearing

Public Hearing at 4:45 PM CT on CUP 001/21 Gregory Nollette RV Campsite with bathroom/shower house

Chairman Andrews opened the Public Hearing on CUP 001/21 Gregory Nollette RV Campsite with bathroom/shower house at 4:48 PM CT. Chairman Andrews asked applicant to speak on the application. Greg Nollette stated he's a co-owner of Niobrara Valley Vineyard a destination winery. He stated they want to add the RV Campsite to provide a place for people to come and stay at the winery. He feels this will be an asset to the business with their wine tastings. Greg also stated that they are looking into expanding their tasting room with a dining area to serve food.

No comments were made by the public.

Sherri B. asked Sheila Higen if she was concerned of the traffic as her house is located off the same road. Shelia said she isn't concerned at all. Sheila stated that those who come are very respectful of the area.

John L. asked Greg if the sites were going to have electrical hookups. Greg said that half will have electrical.

Sherri B. asked Greg to clarify on the drawing what HH mean. Greg said that it stands for a Harvest Host site where the public can park and explore without a cost or any amenities.

Chairman Andrews closed the Public Hearing on CUP 001/21 Gregory Nollette RV Campsite with bathroom/shower house at 5:00 PM CT.

Discuss and Act on CUP 001/21 Gregory Nollette RV Campsite with bathroom/shower house



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There was no discussion among the board. Duane K. made a motion to recommend approval of CUP 001/21 Gregory Nollette RV Campsite with bathroom/shower house. Albert E. seconded. Roll Call vote was taken. Dave R.-Absent, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes with a vacancy. Motion carried 6-0.

New Business

Discuss Updates on Comprehensive Plan with Keith Marvin

Discussion continued with Keith Marvin on the Future Land Use plan. They discussed a trans agricultural district around the villages in the county.

Discuss Updates with Margaret Byfield via ZOOM

Margaret Byfield joined the meeting via ZOOM at 5:12 PM CT. Margaret went over the memo sent prior to the meeting. Margaret said she'd like to see the Comprehensive Plan and Natural Resources Plan become one document. Her memo outlined her ideas of how to join the two documents. Sherri B. stated she'd like to see language on Conservation Easements similar to Brown County's Regulations. Margaret went over somethings the board needs to review closely when moving ahead that was included in her memo too.

Keith and Margaret are going to try to have a meeting between themselves so they can work together on a combining the Comprehensive Plan and Natural Resources documents. Keith is going to create a map like Margaret suggested showing county, state, and federal lands within the county.

Set the date for the next meeting of October 5, 2021 at 4:30 PM CT in the Cherry County Courthouse Meeting Room.

Old Business:

Discuss Act on Planning Commission Bylaws

Board discussed some changes, and no action was taken.

Public Comment:

No members from the public spoke during this time.

Communications:

Zoning Administrator shared with the board the NPZA Conference registration and that the date for early is September 1.

Reports and Recommendations

None

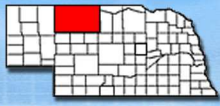
Excused Absence:

Duane K. made a motion to excuse Dave Rogers and Michael McLeod from the meeting. John L. seconded the motion. Roll call vote was taken. Dave R.-Absent, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes with a vacancy. Motion carried 6-0.

Chairman Andrews adjourned the meeting at 6:14 PM CT.

Jessica Coyle

Zoning Administrator



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CHERRY COUNTY PLANNING COMMISSION MINUTES

October 5, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:30 PM CT by Chairman Wade Andrews in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Wade Andrews, Duane Kime, Sherri Bacon, John Lee, Albert Ericksen, and Gary Swanson. Absent was Dave Rogers, Michael McLeod, and Chris Gentry. Also present were Jessica Coyle, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Albert E. made a motion to approve the minutes from the August 3, 2021 meeting. Duane K. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chris G.-Absent, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 6-0.

Public Comment:

Various members of the public spoke.

New Business:

Set the date for the next meeting of November 9, 2021 at 4:30 PM CT in the Cherry County Courthouse Meeting Room.

Old Business:

Discuss Comprehensive Plan

Sherri B. brought up some ideas and suggestions to the board. The board members discussed these suggestions and then asked Zoning Administrator Jessica Coyle to pass these along to Keith Marvin.

Discuss Act on Planning Commission Bylaws

Board discussed some changes brought by the Zoning Administrator Jessica Coyle. Jessica is going to update the Planning Commission Bylaws and send a copy to the County Attorney Eric Scott for review. No action was taken.

Communications:

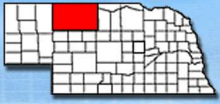
Zoning Administrator shared with the board that Chris Gentry was appointed to fill the remainder of Chelsea L. term at the Commissioners September 28 meeting.

Reports and Recommendations

Sherri B. reported that she attended a day of the NPZA conference and what she learned in a session about solar. Duane K. reported that the Board of Education School Lands is looking at leasing some of the ground for solar.

Excused Absence:

John L. made a motion to excuse Dave Rogers, Michael McLeod, and Chris Gentry from the meeting. Duane K. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chris G.-Absent, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 6-0.



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Chairman Andrews adjourned the meeting at 6:00 PM CT.

Jessica Coyle

Zoning Administrator

APPROVED



Cherry County Planning and Zoning Minutes



CHERRY COUNTY PLANNING COMMISSION MINUTES

November 9, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:30 PM CT by Chairman Wade Andrews in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Wade Andrews, Michael McLeod, Dave Rogers, Sherri Bacon, Chris Gentry, Albert Ericksen, and Gary Swanson. Absent was John Lee and Duane Kime. Also present were Jessica Coyle, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Gary S. made a motion to approve the minutes from the October 5, 2021 meeting. Albert E. seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-Abstain, Wade A.-Yes, Michael M.-Abstain, Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Yes. Motion carried 5-2.

Public Hearing on CUP 002/21 The Prairie Club for Homestead Cabin and guesthouses closest to main lodge

Chairman Andrews opened the public hearing on CUP 002/21 The Prairie Club for Homestead Cabin and guesthouses closest to main lodge at 4:35 PM CT. Roger Brashear spoke on behalf of the Prairie Club explaining the application and the need for more lodging for guests. Michael M. asked if this would cause any courses to close and Roger stated no it wouldn't affect them. Albert E. asked why the guest houses are staggered and Roger explained that it is for privacy reasons of the guests. Sherri B. asked why the homestead wasn't considered a residence. Zoning Administrator Coyle explained that it's not a residence as it's a rented lodge to guests. Roger also addressed the boards concerns of the septic and water stating that each building will have their own systems. Chairman Andrews closed the Public Hearing on CUP 002/21 The Prairie Club for Homestead Cabin and guesthouses closest to main lodge at 4:50 PM CT.

Discuss and Act on CUP 002/21 The Prairie Club for Homestead Cabin and guesthouses closest to main lodge

The board had no discussion. Albert E. made a motion to recommend approval of CUP 002/21 The Prairie Club for Homestead Cabin and guesthouses closest to main lodge. Sherri B. seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-Yes, Wade A.-Yes, Michael M.-Yes, Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Yes. Motion carried 7-0.

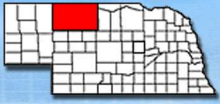
New Business:

Discuss Updates on the Comprehensive Plan with Keith Marvin and Margaret Byfield

The board had a ZOOM conference with Keith Marvin and Margaret Byfield on the status of the Comprehensive Plan. Keith reported that all the changes the board had requested the Zoning Administrator send to him after the October meeting were complete. Keith also stated that he feels they can incorporate the Natural Resources Plan, Comprehensive Plan and the 30x30 Resolution into one document with the state statutes and state application of Conservation Easements. Keith said he'd have chapters to Margaret for her to start reviewing by early next week. Margaret asked how many chapters could be done for the board to have prior to the December meeting. Keith stated 3 chapters should be done. Keith is going to try to make the December meeting.

Set the date for the next meeting of December 7, 2021 at 4:30 PM CT in the Cherry County Courthouse Meeting Room.

Old Business:



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Discuss Act on Planning Commission Bylaws

There has been no response from the County Attorney concerning these after the Zoning Administrator sent them via email. Chairman Andrews and Gary S. are going to make an appointment to visit with him prior to the next meeting. There was some discussion amongst the board members about the numbers of votes need to approve any agenda items. No action was taken.

Public Comment:

Various members of the public spoke.

Communications:

None

Reports and Recommendations

Sherri B. was stating she thinks we need to do a mailer about the updates we are doing to the Comprehensive Plan and Zoning Regulations. Gary S. stated that they had discussed a survey to get the publics input but didn't make any decisions about it yet.

Excused Absence:

Albert E. made a motion to excuse Duane Kime and John Lee from the meeting. Chris G. seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-Yes, Wade A.-Yes, Michael M.-Yes, Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Yes. Motion carried 7-0.

Chairman Andrews adjourned the meeting at 5:25 PM CT.

Jessica Coyle

Zoning Administrator



Cherry County Planning and Zoning Minutes



CHERRY COUNTY PLANNING COMMISSION MINUTES

December 7, 2021

CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:31 PM CT by Chairman Wade Andrews in advertised location of the Cherry County Courthouse Conference Room.

Roll call was taken. The following members were present: Wade Andrews, John Lee, Duane Kime, Sherri Bacon, Chris Gentry, Albert Ericksen, and Gary Swanson. Absent was Dave Rogers and Michael McLeod. Also present were Jessica Coyle, Zoning Administrator, and various members of the public.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Approval of Minutes

Chris G. made a motion to approve the minutes from the November 9, 2021 meeting. Albert E. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chris G.-Yes, Wade A.-Yes, Michael M.-Absent, Duane K.-Abstain, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 6-1.

Public Hearing on CUP 003/21 Snake River Founders LLC for 5 cottages for employee housing

Chairman Andrews opened the public hearing on CUP 003/21 Snake River Founders LLC for 5 cottages for employee housing at 4:35 PM CT. No representative of the application was in attendance. Tom Davis representing Bow and Arrow Ranch spoke about his concerns of the trash that already exists and won't this create more. This trash he said blows into their pastures where they are running cattle. Tom wants to know when the building will stop before there's a small town between the golf courses and subdivisions. Chairman Andrews closed the Public Hearing on CUP 003/21 Snake River Founders LLC for 5 cottages for employee housing at 4:50 PM CT.

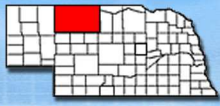
Discuss and Act on CUP 003/21 Snake River Founders LLC for 5 cottages for employee housing

Zoning Administrator brought up a concern of the traffic increase and that there are no plans for the kind of housing provided with the application. Sherri B. said she went out and looked at where the houses were going to be located. Many members of the board stated they would have liked to see the applicant attend to answer concerns. John L. made a motion to recommend to not approve of CUP 003/21 Snake River Founders LLC for 5 cottages for employee housing as presented for inadequate site plan. Duane K. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chris G.-Yes, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 7-0.

New Business:

Discuss Updates on the Comprehensive Plan with Keith Marvin and Margaret Byfield

The board had a ZOOM conference with Keith Marvin and Margaret Byfield on the status of the Comprehensive Plan. Keith reported he sent a copy prior to the meeting that the board had of his changes and adding in the items the board wanted. Keith also sent this to Margaret, and she was reviewing these as well. Margaret had reviewed a few sections and sent her changes prior to the meeting. She went through these with the board and brought up some points they need to ponder about Conservation Easements and Energy sections of the plan. Margaret also brought up some things with the Introduction that the board needs to decide how they want it to read. Margaret is going to continue to send sections to Zoning Administrator Jessica Coyle as she completes. Zoning Administrator will then send these sections onto the board to review. The board is planning to meet with Keith and Margaret again in January via zoom to discuss these items further.



Cherry County Planning and Zoning Minutes



Set the date for the next meeting in the Cherry County Courthouse Meeting Room. The board left this up to the Zoning Administrator to schedule due to availability and not able to hold on regular meeting day.

Old Business:

Discuss Act on Planning Commission Bylaws

Chairman Andrews and Gary S. met prior to the meeting with County Attorney Eric Scott. Eric gave them some advice and changes he would like to see in the Bylaws. The board discussed these changes and asked Zoning Administrator to make these. Zoning Administrator is going to send the updated document to the members prior to the next meeting. No action was taken.

Public Comment:

Various members of the public spoke.

Communications:

None

Reports and Recommendations

Sherri B. wanted to discuss community meetings start now prior to completion of draft Comprehensive Plan. The rest of the board feels they need a good document to present to community prior to these meetings.

Excused Absence:

John L. made a motion to excuse Dave Rogers and Michael McLeod from the meeting. Chris G. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chris G.-Yes, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 7-0.

Chairman Andrews adjourned the meeting at 6:12 PM CT.

Jessica Coyle

Zoning Administrator