



## CHERRY COUNTY PLANNING COMMISSION MINUTES

January 12, 2022

### 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: Dave Rogers, Michael McLeod, Wade Andrews, John Lee, Duane Kime, Sherri Bacon, Albert Ericksen, and Gary Swanson. Absent was 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

Duane K. made a motion to approve the minutes from the December 7, 2021 meeting. Sherri B. seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-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 8-0.

#### 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. Margaret had sent Chapters 4 & 6 over to the Zoning Administrator just prior to the meeting so board members didn't have time to review. She gave a synopsis of what changes she made. Both her and Keith are wanting the board to give them some direction before moving forward.

Keith asked the board if they had reviewed the chapters Margaret gave at the last meeting. Sherri B. stated she had and really liked what Margaret had wrote.

After the call the board discussed having committee meetings to work on the chapters page by page to present at the next meeting.

#### Set Meeting Date and Time

The board set the date of February 1, 2022 at 4:30 Pm CT for the next meeting in the Cherry County Courthouse Meeting Room.

#### Old Business:

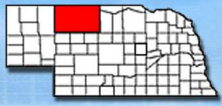
##### Discuss Act on Planning Commission Bylaws

The board directed the Zoning Administrator to make changes to the Cherry County Planning Commission Bylaws and Rules of Procedure. Duane K. made a motion to approve the Cherry County Planning Commission Bylaws and Rules of Procedure as presented with changes discussed. John L. seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-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 8-0.

#### Public Comment:

Various members of the public spoke.

#### Communications:



# Cherry County Planning and Zoning Minutes



Zoning Administrator updated the board on who is the Chairman and Vice Chairman for the County Commissioners.

## Reports and Recommendations

None

## Excused Absence:

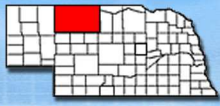
Sherri B. made a motion to excuse Chris Gentry from the meeting. Duane K. seconded the motion. Roll call vote was taken. Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Yes and Dave R.-Yes. Motion carried 8-0.

The board continued to discuss the Comprehensive Plan and reviewing Chapter 1 until the meeting was adjourned.

Chairman Andrews adjourned the meeting at 6:30 PM CT.

Jessica Coyle

Zoning Administrator



# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

February 8, 2022

### CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:34 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: Dave Rogers, Chris Gentry, Wade Andrews, Sherri Bacon, and Gary Swanson. Absent was Michael Mcleod, Duane Kime, 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

Sherri B. made a motion to approve the minutes from the January 12, 2022 meeting. Chris G. seconded the motion. Roll call vote was taken. Chris G.-Yes, Wade A.-Yes, Michael M.-Absent, Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, Albert E.-Absent, and Dave R.-Yes. Motion carried 5-0.

#### Public Comment:

Various members of the public spoke.

#### New Business:

##### Election of Chairman

Gary S. made a motion to nominate Wade Andrews as Chairman. Sherri B. seconded the motion. Roll call vote was taken. Wade A.-Yes, Michael M.-Absent, Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, Albert E.-Absent, Dave R.-Yes, and Chris G.-Yes. Motion carried 5-0.

##### Election of Vice Chairman

Gary S. made a motion to nominate Duane Kime as Vice Chairman. Dave R. seconded the motion. Roll call vote was taken. Michael M.-Absent, Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, Albert E.-Absent, Dave R.-Yes, Chris G.-Yes, and Wade A.-Yes. Motion carried 5-0.

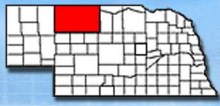
##### Election of Secretary

Sherri B. made a motion to nominate Gary Swanson as Secretary. Dave R. seconded the motion. Roll call vote was taken. Gary S.-No, John L.-Absent, Albert E.-Absent, Dave R.-Yes, Chris G.-Yes, Wade A.-Yes, Michael M.-Absent, Duane K.-Absent, and Sherri B.-Yes. Motion carried 4-1.

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

Prior to getting on the ZOOM with Keith and Margaret the board discussed some of the things that the committee meetings found. They feel Chapter 1 needs more in the history section and Chapter 4 needs more clarification on the policies.

The board had a ZOOM conference with Keith Marvin and Margaret Byfield on the status of the Comprehensive Plan. Margaret had sent Chapter 10 over to the Zoning Administrator just prior to the meeting, so board members didn't have time to review. She stated that some of Chapter 10 in Keith's version she felt needed moved to Chapter 11 Land Use. The board gave them feedback that needs added in Chapter 6 and asked why Chapter 4 contained some policies. Margaret said she will be working on Chapter 11 and that it will have a lot of new content.



# Cherry County Planning and Zoning Minutes



After the ZOOM ended, the board continued to review Chapter 4 and Chapter 6. Gary S. is going to meet with Zoning Administrator to get verbiage on the some of the revisions to send to Keith and Margaret.

## Set Meeting Date and Time

The board set the date of March 1, 2022 at 4:30 Pm CT for the next meeting in the Cherry County Courthouse Meeting Room.

## Old Business:

None

## Communications:

Sherri B. shared an email correspondence she got from Deputy Assessor Moreland on preserving the tax base on tribal lands.

Zoning Administrator told the board of the recommended change on the Planning Commission Bylaws and Rules of Procedure the Commissioners made in their February 8, 2022 meeting.

## Reports and Recommendations

None

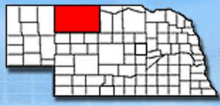
## Excused Absence:

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

Chairman Andrews adjourned the meeting at 6:37 PM CT.

Jessica Coyle

Zoning Administrator



# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

March 1, 2022

### CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:37 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: Dave Rogers, Wade Andrews, Duane Kime, Sherri Bacon, Gary Swanson, and Albert Ericksen. Absent was Chris Gentry, Michael McLeod and John Lee. 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

Sherri B. made a motion to approve the minutes from the February 8, 2022 meeting. Gary S. seconded the motion. Roll call vote was taken. Dave R.- Yes, Chris G.-Absent, Wade A.-Yes, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Yes. Motion carried 6-0.

#### Public Comment:

No members of the public spoke.

#### New Business:

##### Discuss/Work on Comprehensive Plan

The board discussed Chapters 10 and 4 along with Conservation Easements that Margaret had sent previously. Zoning Administrator, Jessica Coyle, gave the board Chapter 11 and other documents that Margaret sent prior to the meeting. Chris Gentry joined the meeting at 4:47 PM CT.

#### Set Meeting Date and Time

The board set the date of April 5, 2022 at 4:30 PM CT for the next meeting in the Cherry County Courthouse Meeting Room.

#### Old Business:

None

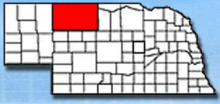
#### Communications:

Zoning Administrator, Jessica Coyle, informed the board that the NPZA Spring ZOOM Conference registration is open. Duane K. and Sherri B. said they would like to be registered.

#### Reports and Recommendations

Gary S. asked the board if they were okay with him having a ZOOM call to update Keith Marvin and Margaret Byfield on their discussions. The board agreed to allow Gary Swanson and Zoning Administrator to have a ZOOM call with Keith Marvin and Margaret Byfield at their convenience.

#### Excused Absence:



# Cherry County Planning and Zoning Minutes



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

Chairman Andrews adjourned the meeting at 5:52 PM CT.

Jessica Coyle

Zoning Administrator

APPROVED





# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

April 5, 2022

### CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

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

Roll call was taken. The following members were present: Duane Kime, Sherri Bacon, Gary Swanson, John Lee, and Albert Ericksen. Absent was Dave Rogers, Chris Gentry, Michael McLeod, and Wade Andrews. 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 March 1, 2022 meeting. Albert E. seconded the motion. Roll call vote was taken. Dave R.- Absent, Chris G.-Absent, Wade A.-Absent, Michael M.-Absent, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 5-0.

#### Public Comment:

No members of the public spoke.

#### New Business:

##### Discuss/Work on Comprehensive Plan

The board discussed Chapter 11 that Margaret Byfield had sent previously. Zoning Administrator, Jessica Coyle, told the board about a work session scheduled with Keith Marvin on May 19, 2022, to get one complete document to review.

#### Set Meeting Date and Time

The board set the date of May 3, 2022 at 4:30 PM CT for the next meeting in the Cherry County Courthouse Meeting Room.

#### Old Business:

None

#### Communications:

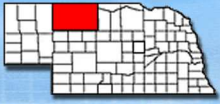
Zoning Administrator, Jessica Coyle, asked the board if anyone was going to try to attend the 30x30 Summit in Lincoln as registration is due April 7, 2022. Sherri B. said she would like to. Zoning Administrator Coyle will get Sherri B. and herself registered.

#### Reports and Recommendations

None

#### Excused Absence:

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



# Cherry County Planning and Zoning Minutes



Secretary Swanson adjourned the meeting at 6:26 PM CT.

Jessica Coyle

Zoning Administrator

APPROVED





# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

May 3, 2022

### CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

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

Roll call was taken. The following members were present: Michael McLeod, Duane Kime, Sherri Bacon, Gary Swanson, and Albert Ericksen. Absent were Dave Rogers, Chris Gentry, John Lee, and Wade Andrews. 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 April 5, 2022 meeting. Sherri B. seconded the motion. Roll call vote was taken. Dave R.- Absent, Chris G.-Absent, Wade A.-Absent, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Yes. Motion carried 5-0.

#### Public Comment:

Various members of the public spoke.

#### Public Hearing:

##### A. Public Hearing on Snake River Founders CUP#001/22 Temporary Employee Housing at 4:35 PM CT

Chairman Kime opened the Public Hearing on Snake River Founders CUP#001/22 Temporary Employee Housing at 4:35PM CT. Mark Stencil a representative of the Snake River Founders LLC spoke on the CUP giving the reasoning behind the need for the housing and the kind of housing that is already in place. Carolyn Semin asked for clarification on why a CUP was needed and not a Building Permit. Tom Davis asked if they are in the same area as the previous CUP that was filed and denied. Mark Stencil stated that these are just a temporary housing options for summer interns and other employees that cannot find housing in Valentine. Mark stated that they are planting trees to provide screening, so they are not seen from HWY 97. Public hearing closed at 4:41 PM CT.

##### B. Chairperson shall ask for proof of Publication

Chairman Kime asked Zoning Administrator for proof of proper advertisement. Zoning Administrator stated that the ad ran in the April 20th and 27<sup>th</sup> editions of the Midland News and had the printed copy.

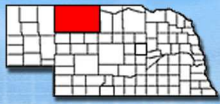
##### C. Chairperson shall ask Zoning Administrator if Snake River Founders CUP#001/22 application is complete

Chairman Kime asked Zoning Administrator if the application was complete, and Administrator responded that it was.

##### D. Chairperson shall ask for disclosure of any conflicts of interest on Snake River Founders CUP#001/22

Chairman Kime asked for any conflicts of interest and there was none.

##### E. Chairperson shall ask for any disclosure of ex-parte communications by any member on Snake River Founders CUP#001/22



# Cherry County Planning and Zoning Minutes



Chairman Kime asked the board if there were any ex-parte communications. Sherri B. stated that she had visited with Mark about the previous CUP and knew prior to the filing as Mark is her neighbor. She stated that she also has no interest in the project.

## F. Discuss/Act on Snake River Founders CUP#001/22 Temporary Employee Housing

Chairman Kime asked for clarification on why a CUP was filed instead of a Zoning Permit. Zoning Administrator explained that the reason is the proximity of the houses and that they fall under rental cabins in the current Zoning Regulations for a CUP. Also Zoning Administrator explained that it is also how the Assessor will tax these. Albert E. asked for more information from Mark on the structure and design of the housing. Mark Stencil explained in more detail the setup, sewer, water, and electric. Chairman Kime asked if all the campers are gone. Mark Stencil said that the last two will be gone by next week. Gary S. stated that it does not matter if the houses are hidden or not. Chairman Kime entertained a motion on Snake River Founders CUP#001/22 Temporary Employee Housing. Sherri B. made a motion to approve Snake River Founders CUP#001/22 Temporary Employee Housing. Gary S. seconded the motion. No other discussion. Roll call vote was taken. Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, Albert E.-Yes, Dave R.-Absent, Chris G.-Absent, Wade A.-Absent, Michael M.-Yes. Motion carried 5-0.

## New Business:

### Discuss/Work on Comprehensive Plan

Chairman Kime turned the meeting over to Gary Swanson to continue working through the Comprehensive Plan. The board and Zoning Administrator worked to bring those that had missed last meeting up to date. They continued discussions and got an idea of who is going to attend the work session with Keith Marvin on May 19<sup>th</sup>.

### Set Meeting Date and Time

The board set a tentative date of June 28, 2022, at 4:30 PM CT for the next meeting in the Cherry County Courthouse Meeting Room. There may be a change in the date if needed.

## Old Business:

None

## Communications:

None

## Reports and Recommendations

None

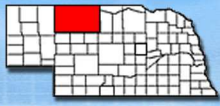
## Excused Absence:

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

Chairman Kime adjourned the meeting at 5:50 PM CT.

Jessica Coyle

Zoning Administrator



# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

June 28, 2022

### 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, Duane Kime, Sherri Bacon, Gary Swanson, John Lee, and Albert Ericksen. Absent were Dave Rogers 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

Duane K. made a motion to approve the minutes from the May 3, 2022 meeting. Albert E. seconded the motion. Roll call vote was taken. Chris G.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Yes, and Dave R.-Absent. Motion carried 7-0.

#### Public Comment:

Various members of the public spoke.

#### Public Hearing:

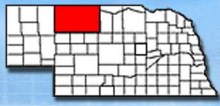
- A. Public Hearing on Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision at 4:35 PM CT

Chairman Andrews opened the Public Hearing on Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision at 4:35PM CT. Jason Kaup testified that they live adjoining and wanted those buying the new lots aware of the septic issues with the water table being lower. Dutch Van Denburg said he is the biggest neighbor with seventy acres and his concern was the well system and impact on the Minnechaduza. Matt Springer with the US Fish and Wildlife Service read a letter that they previously provided to Cherry County stating the restrictive clause on the 121 acres staying a golf course. Matt also provided written testimony of letters from his department on the restrictive clause prior to the meeting. The board was given copies of these letters. Cleve Trimble addressed the concerns on the sewer stating that the lots were going to be no less than 3 acres and could go bigger with low density. He also addressed the restrictive clause stating that there was a Resolution filed resolving the clause. Cleve also recited parts of his letter he provided with his application on why he did not complete his prior approval. Zoning Administrator gave the board Jim Ducey's written testimony provide prior to the meeting. Public Hearing closed at 5:00 PM CT.

- B. Chairperson shall ask for proof of Publication

Chairman Andrews asked Zoning Administrator for proof of proper advertisement. Zoning Administrator stated that the ad ran in the June 15th and 22<sup>nd</sup> editions of the Midland News and the printed copy was in the application packet provided.

- C. Chairperson shall ask Zoning Administrator if Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision application is complete



# Cherry County Planning and Zoning Minutes



Chairman Andrews asked Zoning Administrator if the application was complete, and Administrator responded that it was. Administrator also provided the board with a copy of the original deed that showed the restrictive clause and the deed to Deer Park Golf.

- D. Chairperson shall ask for disclosure of any conflicts of interest on Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision

Chairman Andrews asked for any conflicts of interest and there was none.

- E. Chairperson shall ask for any disclosure of ex-parte communications by any member Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision

Chairman Andrews asked the board if there were any ex-parte communications and there was none.

- F. Discuss/Act on Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision

Duane K. stated that he cannot make a decision until it has been proven to be resolved between US Fish and Wildlife service and Cleve. Albert E. agreed with Duane. Gary S. stated that the issue between Cleve and the US Fish and Wildlife is not of their concern. Sherri B. stated she had a problem with there was no definite plan as to what the subdivision will look like. John L. asked for clarification on the approval date of original application and that it expired. John L. asked Cleve why he never acted on the original approval. Cleve stated his reasons were in the letter he provided with the application. Gary S. made a motion to table Minnechaduza LLC Cleve Trimble CUP#002/22 for residential single family housing subdivision until 2 officers have a chance to meet with the County Attorney. Duane K. seconded the motion. No other discussion. Roll call vote was taken. Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Yes, Dave R.-Absent, Chris G.-Absent, and Wade A.-Yes. Motion carried 7-0.

## New Business:

### Discuss/Work on Comprehensive Plan

Gary S. updated the board on what was discussed at their May 19<sup>th</sup> work session. Zoning Administrator told the board that Keith Marvin was not completely done with the changes from May 19<sup>th</sup>. She will let the board know when the document arrives.

### Set Meeting Date and Time

The board set a date of August 2, 2022, at 8:00 AM CT for the next meeting in the Cherry County Courthouse Meeting Room.

## Old Business:

None

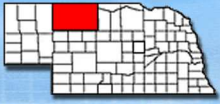
### Communications:

None

### Reports and Recommendations

None

## Excused Absence:



# Cherry County Planning and Zoning Minutes



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

Chairman Andrews adjourned the meeting at 5:24 PM CT.

Jessica Coyle

Zoning Administrator

With corrections approved on August 2, 2022

APPROVED





# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

August 2, 2022

### CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 8:00 AM 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, and Albert Ericksen. Absent were Gary Swanson, Michael McLeod, Dave Rogers, 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.

Michael McLeod joined the meeting at 8:04 AM.

#### Approval of Minutes

Duane K. made a motion to approve the minutes from the June 28, 2022 meeting with corrections. John L. seconded the motion. Roll call vote was taken. Chris G.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Absent, John L.-Yes, Albert E.-Yes, and Dave R.-Absent. Motion carried 6-0.

#### Public Comment:

No members of the public spoke.

Gary Swanson joined the meeting at 8:06 AM.

#### New Business:

##### Discuss/Work on Comprehensive Plan

The board reviewed the changes sent back by Keith Marvin. The board is going to have a subcommittee to work with Zoning Administrator on making some of the changes without sending back to Keith. The board reviewed Chapters 4 and 6 with changes to be made by Zoning Administrator.

#### Set Meeting Date and Time

The board set a date of September 6, 2022, at 4:30 PM CT for the next meeting in the Cherry County Courthouse Meeting Room.

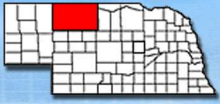
#### Old Business:

##### Discuss/Act on Minnechaduza LLC Cleve Trimble for residential single family housing subdivision CUP#002/22

John L. made a motion to untable Minnechaduza LLC Cleve Trimble for residential single family housing subdivision CUP#002/22. Duane K. seconded the motion. Roll call vote was taken. Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Yes, Dave R.-Absent, Chris G.-Absent, and Wade A.-Yes. Motion carried 7-0.

John L. made a motion to accept applicant's withdrawal of Minnechaduza LLC Cleve Trimble for residential single family housing subdivision CUP#002/22 without reservation. Duane K. seconded the motion. Roll call vote was taken. Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Yes, Dave R.-Absent, Chris G.-Absent, Wade A.-Yes, and Michael M.-Yes. Motion carried 7-0.





# Cherry County Planning and Zoning Minutes



## Communications:

Zoning Administrator gave each member a copy of the NPZA Conference and Schedule. There are 2 members who are going to try and attend at least part of the conference.

## Reports and Recommendations

None

## Excused Absence:

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

Chairman Andrews adjourned the meeting at 9:45 AM CT.

Jessica Coyle

Zoning Administrator

APPROVED



# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

October 4, 2022

### 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: Dave Rogers, Wade Andrews, Michael McLeod, Duane Kime, Sherri Bacon, Gary Swanson, and Albert Ericksen. Absent were Chris Gentry and John Lee. 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 2, 2022 meeting. Duane K. seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, and Albert E.-Yes. Motion carried 7-0.

#### Public Comment:

No members of the public spoke.

#### New Business:

##### Discuss/Act on H-1.1 Housing should be limited in the rural areas of Cherry County

Gary S. gave the board a recap on the proofreading and changes to the Comprehensive Plan. This was an item that the committee felt the board should vote on. This would limit housing in Cherry County. The board discussed amongst themselves. Duane K. stated he may have a possible conflict of interest from serving on the Nebraska Board of Educational Lands. Sherri B. made a motion to change the should to a may in H-1.1 Housing should be limited in the rural areas of Cherry County and leave H-1.2 pending further discussion. No second and motion failed. No action was taken.

##### Discuss/Work on Comprehensive Plan

Chairman Andrews turned the meeting over to Gary S. during this agenda item. Gary S. reviewed with the board the changes the committee discussed in Chapter 10 Natural Resources. The board as a whole reviewed Chapter 14 and discussed possible changes. The board will discuss and act on Chapter 14 at the next meeting. Gary S. stated that everyone needed to read through the Comprehensive Plan and bring any changes to the next meeting.

#### Set Meeting Date and Time

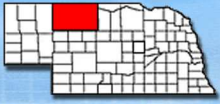
The board set a date of November 1, 2022, at 4:30 PM CT for the next meeting in the Cherry County Courthouse Meeting Room.

#### Old Business:

None

#### Communications:

Zoning Administrator gave a report on the NPZA Conference and that the next conference is set for March 2023.



# Cherry County Planning and Zoning Minutes



## Reports and Recommendations

None

## Excused Absence:

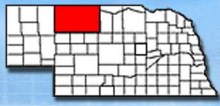
Duane K. made a motion to excuse John L. and Chris G. from the meeting. Michael M. seconded the motion. Roll call vote was taken. Wade A.-Yes, Michael M.-Yes, and Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Absent, Albert E.-Yes, Dave R.-Yes, and Chris G.-Absent. Motion carried 7-0.

Chairman Andrews adjourned the meeting at 5:40 PM CT.

Jessica Coyle

Zoning Administrator

APPROVED



# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

November 1, 2022

### 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, Duane Kime, Sherri Bacon, Gary Swanson, and John Lee. Absent were Dave Rogers, Chris Gentry 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 October 4, 2022 meeting. Michael M. seconded the motion. Roll call vote was taken. Dave R.-Absent, Chris G.-Absent, Wade A.-Yes, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Absent. Motion carried 6-0.

#### Public Comment:

No members of the public spoke.

#### Public Hearing:

##### A. Public Hearing on Jerry Stoner for Stoner Truck was CUP#003/22 at 4:35 PM CT

Chairman Andrews opened the Public Hearing on Jerry Stoner for Stoner Truck was CUP#003/22 at 4:35PM CT. Cody Stoner spoke as the applicant and that it is to keep trucks clean and get recertified. Carolyn Semin said she was glad to see it reopen as a neighbor. Public Hearing closed at 4:50 PM CT.

##### B. Chairperson shall ask for proof of Publication

Chairman Andrews asked Zoning Administrator for proof of proper advertisement. Zoning Administrator stated that the ad ran in the October 19<sup>th</sup> and 26<sup>th</sup> editions of the Midland News and the printed copy was in the application packet provided.

##### C. Chairperson shall ask Zoning Administrator Jerry Stoner for Stoner Truck was CUP#003/22 application is complete

Chairman Andrews asked Zoning Administrator if the application was complete, and Administrator responded that it was.

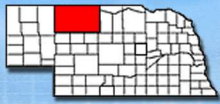
##### D. Chairperson shall ask for disclosure of any conflicts of interest on Jerry Stoner for Stoner Truck was CUP#003/22

Chairman Andrews asked for any conflicts of interest and there was none.

##### E. Chairperson shall ask for any disclosure of ex-parte communications by any member Jerry Stoner for Stoner Truck was CUP#003/22

Chairman Andrews asked the board if there were any ex-parte communications and there was none.

##### F. Discuss/Act on Jerry Stoner for Stoner Truck was CUP#003/22



# Cherry County Planning and Zoning Minutes



Duane K. asked Cody Stoner about the monitoring of the 2 trucks a week and who would do it. Cody replied that the well house will be locked, and he would monitor. Duane K. made a motion to recommend approval of Jerry Stoner for Stoner Truck was CUP#003/22. Michael M. seconded the motion. No other discussion. Roll call vote was taken. Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Absent, Dave R.-Absent, Chris G.-Absent, and Wade A.-Yes. Motion carried 6-0.

## New Business:

### Discuss/Work on Chapter 11 Land Use of Comprehensive Plan

The board reviewed the Chapter 11 and the Zoning Administrator is going to make changes before the next meeting.

### Discuss/Work on Comprehensive Plan

Chairman Andrews turned the meeting over to Gary S. during this agenda item. Gary S. stated that he would suggest they wait to vote on anything in the plan until all changes are made at the second meeting in December.

### Set Meeting Date and Time

The board set a date of December 6 and 19, 2022, at 4:30 PM CT for the next meetings in the Cherry County Courthouse Meeting Room. Duane K. left the meeting at 5:34 PM CT.

## Old Business:

### Discuss/Act on H-1.1 Housing should be limited in the rural areas of Cherry County

Tabled until December 19, 2022 meeting.

### Discuss/Act Chapter 14 of Comprehensive Plan

Tabled until December 19, 2022 meeting.

## Communications:

None

## Reports and Recommendations

None

## Excused Absence:

Michael M. made a motion to excuse Dave R., Albert E., and Chris G. from the meeting. Michael M. amended his motion to just Chris G. and Albert E. to be excused. John L. seconded the motion. Roll call vote was taken. Duane K.-Absent, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, Albert E.-Absent, Dave R.-Absent, Chris G.-Absent, Wade A.-Yes, and Michael M.-Yes. Motion carried 5-0.

Chairman Andrews adjourned the meeting at 5:44 PM CT.

Jessica Coyle

Zoning Administrator





# Cherry County Planning and Zoning Minutes



## CHERRY COUNTY PLANNING COMMISSION MINUTES

December 6, 2022

### CHERRY COUNTY COURTHOUSE CONFERENCE ROOM

The meeting was called to order at 4:35 PM CT by Vice Chairman Duane Kime in advertised location of the Cherry County Courthouse Conference Room.

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

John Lee made a motion to approve the minutes from the November 1, 2022 meeting. Michael McLeod seconded the motion. Roll call vote was taken. Dave R.-Yes, Chris G.-Absent, Wade A.-Absent, Michael M.-Yes, Duane K.-Yes, Sherri B.-Yes, Gary S.-Yes, John L.-Yes, and Albert E.-Yes. Motion carried 7-0.

#### Public Comment:

One member of the public spoke.

#### New Business:

##### Discuss/Work on Comprehensive Plan

Vice Chairman Kime turned the meeting over to Gary S. during this agenda item. Gary S. asked each Commission member for suggested changes or corrections. A number of things were noted, discussed and marked for correction. The board will discuss and act on Chapter 13 at the next meeting. Gary S. stated that everyone needed to read through the Comprehensive Plan and bring any changes to the next meeting.

##### Discuss/Work on Appendix A of Comprehensive Plan

Appendix A was reviewed, and no changes were made.

##### Discuss/Set agenda items to act on for the next meeting

H1.1 and Chapter 13 were reviewed and will be voted on at the next meeting.

##### Set Meeting Date and Time

The board set a date of December 19, 2022, at 1:00 PM CT for the next meetings in the Cherry County Courthouse Meeting Room.

#### Old Business:

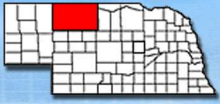
None

#### Communications:

None

#### Reports and Recommendations





# Cherry County Planning and Zoning Minutes



None

Excused Absence:

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

Vice Chairman Kime adjourned the meeting at 5:57 PM CT.

Gary Swanson

Secretary

APPROVED