

Cherry County Planning and Zoning Minutes



Cherry County Courthouse Meeting Room

365 N Main St. Valentine, NE

February 3, 2026 _____ 2:00 PM CT

The meeting was called to order at 02:01 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: Gary Swanson, Chad Tetherow, Gordon Witte, Marla Shelbourn, Wade Andrews, Sherri Bacon. Absent were Bill Wachob, Duane Kime, and Gary MacLeod. Also present was Katie Ormesher Zoning Administrator.

The open Meeting Act was noted as was the public notice hung in the courthouse the public library and the post office, as well as the Zoning Administrators office door.

Approval of the meeting minutes. Sherri Bacon made motion to approve Oct. 23rd, 2025, minutes, seconded by Gordon Witte. Roll call vote. Gary S.-Y Chad T.- Y Sherri B.- Y Bill W.- not present Gordon W.-Y Marla S. – Y Wade A.- Y Gary M.-not present Duane K. – not present. Motion carried 6-0

Sherri Bacon discussed her frustration with Marvin and Associates in regard to changes to be made to the Zoning Regulations and the Comprehensive Plan not happening in a timely manner.

Sherri Bacon made a motion to suspend work on Zoning regulations updates until:

1. The commissioners present us with the new adopted comprehensive plan
2. We have all the changes we have requested from Keith Marvin through December 2025 in a single document.

Motion was seconded by Gary S.. Roll call vote- Sherri B. – Y Gary S.- Y Marla S.- N Chad T.- N Gary M. not present Bill W.- not present Gordon W.- N Wade A.- Y

Motion: failed. 3-3

Sherri Bacon made a motion that the chairman or designee to accompany the Zoning Administrator with a request to be on the commissioners' agenda to put forth the need for them to address the status of Marvin and Associates. Motion seconded by Gary S.

Marla Shelbourn made a motion to amend the motion to state- Chairman or designee accompany the Zoning Administrator with a request to be on the commissioner's agenda to put forth the need for them to address the status of the Cherry County draft of the Comprehensive Plan and the draft of the Zoning Regulation with Marvin and Associates. Motion seconded by Chad T.

Roll call vote taken: Duane K.-not Present Gordon W.-Y Sherri B.-N Marla S.- Y Gary S.- N Chad T.-N Wade A.- N Bill W.-not present Gary M. not present----- motion failed 2-4

Roll call vote on original motion: Chad T.-Y Gary S.-Y Sherri B.-Y Bill W.- not present Marla S.-Y Wade A.-Y Gary M.- not present Duane K.- Not present Gordon W.-Y-----Motion carried 6-0

Old Business-

Discuss Zoning Regulations Article 9,10,11,&12

Add 804 to the Sept. 2025 version to 8.02

Add article 1201 to 804-01 in the Sept. 2025 version. The first article of enforcement: one will move to 2 and 2 to 3 and so on with the addition

Discuss river setback outside of the River Ag District:

The setback was discussed and found not to be a zoning issue if there is no conditional use permit and to use the regularly used setbacks

New Business-

Discuss the moratorium for animal feeding operations, wind and solar conditional use permits.

No action taken

Discussed the adding of a definition of commence to be added to the zoning regulations

It was discussed that a legal definition should be obtained from Eric Scott or get his guidance with this.

It was also mentioned that it would be a good question for the Zoning administrator to bring to the NPZA conference in March.

Election of Chairman:

Marla S. made motion to nominate Duane K. for chairman, motion seconded by Sherri B. Motion for nominations cease made by Gary S. seconded by Sherri B. Roll call vote: on motion to cease- Chad T. Y Bill W.-not present Gordon W.-Y Marla S. -N Wade A.-N Gary M.-not present, Duane K. not present- Sherri B.-Y Gary S.- Y motion carried 4-2

Roll call vote for Chairman: Chad T-Y Bill W.-not present Gordon W.-Y Marla S. -Y Wade A.-Y Gary M.-not present Duane K.-not present Sherri B.-Y Gary S.-Y motion carried 6-0

Election of Vice Chair:

Marla S. made motion to nominate Gordon W. for vicechair seconded by Chad T.

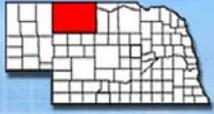
Roll call vote- Bill W.-not present Gordon W.-Y Marla S.-Y Wade A. -Y Gary M.-not present, Duane K.- not present, Sherri B.-Y Gary S.-Y Chad T.-Y. motion carried 6-0

Election of Secretary:

Marla S. made motion to nominate Sherri B. For secretary seconded by Wade A.

Roll Call Vote: Gordon W.-Y Marla S.-Y Wade A.-Y Gary M. not present Duane K.-not present Sherri B.- Y Gary S.-Y Chad T.-Y Bill W.-not present. motion carried 6-0

Discuss/act annual review of Planning Commission Bylaws and Rules of Procedure



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Sherri B. made a motion to make no changes to the Planning Commission Bylaws and Rules of Procedure seconded by Chad T.. Roll call vote: Marla S.-Y Wade A.-Y Gary M.- not present Duane K. -not present- Sherri B.- Y Gary S.-Y Chad T.-Y Bill W.-not present Gordon W.-Y motion carried 6-0

Recommendations- to discuss the livestock matrix and continue to discuss Animal feeding operations

Public Comment: no public comment

Excused Absence- motion to Excuse Duane K. and Bill W. motion made by Wade A. seconded by Chad T. Roll call vote : Gary S.-Y Chad T. -Y Gary M.-unexcused- Sherri B.-Y Marla S.-Y Bill W.-not present Gordon W.-Y Wade A.-Y Duane K.- not present motion carried 6-3

Gary M. unexcused absence

Set Meeting for April 7th 2026 at 02:00PM CT.

Meeting was adjourned 03:58 PM CT

Sherri Bacon: Secretary of Zoning and Planning Commission

Katie Ormesher: Zoning Administrator

UNAPPROVED