



Cherry County Zoning and Planning Commission Minutes

April 7th 2026

Cherry County Courthouse Meeting Room

The meeting was called to order by Chairman Duane Kime at 2:00pm CT in the advertised location of the Cherry County Courthouse Meeting Room.

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

The Open Meetings Act was noted as well as verification of proper advertisement for the meeting.

Approval of the Agenda.

Wade Andrews made a motion to approve the agenda and seconded by Gordon Witte. Roll Call Vote was taken to approve the agenda. Sherri Bacon -Y Duane Kime-Y Wade Andrews-Y Marla Shelbourn-Y Gordon Witte- Y Bill Wachob- not present Chad Tetherow-Y Gary Swanson-Y Gary MacLeod-Y Motion carried 8-0

Approval of Minutes.

Corrections to minutes were discussed and noted prior to motion to approve the minutes.

Wade Andrews made the motion to approve the minutes with corrections seconded by Marla Shelbourn. Roll Call Vote taken to approve the minutes with the changes. Marla Shelbourn-Y Bill Wachob- not present Sherri Bacon-Y Gary Swanson-Y Wade Andrews-Y Gary MacLeod-Y Gordon Witte-Y Chad Tetherow-Y Duane Kime-Y Motion carried 8-0

Public Comment.

Public comment heard from Carolyn Semin, she read off an unsigned document to be made part of the public record



The board set May 5th 2026 at 4:30 CT for the next regular meeting in the Cherry County Courthouse Meeting room.

Old Business

Discussed the outcome of the agenda item brought to the Cherry County Commissioners in reference to Marvin and Associates and updates to the Zoning Regulations and the proposed Comprehensive Plan. Duane Kime and the Zoning administrator Katie Ormesher attended the County Commissioner meeting and voiced concerns that Keith Marvin was not getting the changes made and returned to the Planning Commission or the County Commissioners. The Commissioners made the decision to have Eric Scott draft a letter to Keith Marvin requesting that he full fill his contractual obligations.

New Business

Discussion on LB663 as it pertains to establishing a timeline for the county commissions to act on CUP applications, as well as the mandated education hours (2 hours per term).

The addition of a timeline to the existing check list for CUP applications to keep all CUP in compliance with the timeline established by LB663 was suggested to the Zoning Administrator until the Zoning Regulations can be updated to reflect the changes that LB663 put into effect.

Discussed the Animal Feeding Operations/Livestock Feeding Matrix. Marla Shelbourn pointed out that the current matrix in use would have to be modified to fit our area and soil type to accurately reflect the impact these operations would have in our region.

Communications

Discussion regarding planning commission members sending “informational” email. If information is pertinent, it should be given to the Chairman and the Zoning Administrator so it may be placed on the agenda for discussion to allow the public access to the same information.

Discussion regarding the question posed to Zoning Administrator in reference to the decommissioning of cellular communication towers. It was stated that it would be the land owners issue to make sure the tower did not fall into abandonment. If the tower does fall into abandonment, the Zoning Administrator would have to follow the regulations currently on the books to address the issue.



Marla Shelbourn presented the board her notes and information she gained in her attendance to 2026 NPZA conference in Kearney Nebraska.

3:13CT Gary MacLeod left the meeting

Reports and Recommendations

Define the word commence for the regulations-

2 definitions were offered –

1. Commence- construction has begun and includes man made changes to alter the existing land use such as grading, excavation or building.
2. Commence Work- the performance of substantial work at the site, in relationship to the total project.

Sherri Bacon pointed out that there is a definition for commence work in the Proposed Zoning Regulations. It was stated that we should ask Eric Scott for his recommendation of which definition would be appropriate.

Excused Absence

Wade Andrews moved to excuse Bill Wachob seconded by Gordon Witte Roll Call Vote was taken. Sherri B.-Y Wade A.-Y Gary M.-not present Chad T.-Y Bill W.- not present Marla S.-Y Gary S.-Y Duane K.-Y Gordon W.-Y motion carried

Chairman Duane Kime adjourned the meeting at 3:23 CT

Katie Ormesher Zoning Administrator

Sherri Bacon- Secretary of Zoning and Planning Commission