Cherry County Planning and Zoning Minutes

Cherry County Planning Commission Minutes

September 1, 2026

Cherry County Courthouse Meeting Room

APPROVED

The meeting was called to order at 4:30 pm CDST by Chairman Duane Kime in the advertised location of the Cherry County Courthouse Meeting Room.

Roll Call

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

The Open Meetings Act was noted as well as verification of proper advertisement for the meeting. The meeting was advertised in the Valentine Midland News, August 19, 2026.

Approval of minutes

Marla S. made a motion to approve the August 11, 2026 meeting minutes as corrected and reviewed by Sherri B as provided to Jane S. seconded by Duane K. Roll call vote was taken. Gary S – Yes, Chad T. - Yes, Sherri B. – Yes, Bill W. – Absent, Gordon W. – Yes, Marla S. – Yes, Wade A. – Yes. Gary M. -Yes, Duane K. – Yes, , Motion carried 8-0.

Public Comment

None

Old Business

Clarification of Animal Feeding Operation Regulations was discussed. Marla S. reviewed notes confirming the definition for Class 1A which is 100 – 300 animal units. Section 6.06 Agricultural Feeding Operations changes 1000 to 300. Table 606.1 on page 100 added Class 1A and on number 4 added greater than 300 AU. It is clear that 100 – 300 AU does not require a CUP and is classified as a Farm.

Discussion continued regarding how to enforce the ¼ mile setback. The decision had already been made that this would not require a CUP but would have to get the approval of neighboring property owners located closer than ¼ mile.

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New Business

Solar regulations on page 112 were discussed. Gary M. handed out information regarding the Knox County ban on wind and solar as well as factual findings for a resolution for Cherry County.

Discussion regarding industrial, commercial, and large scale solar and the differences in size. Marla S. stated per Google - a large solar farm utility scale generates electricity for the public power grid to supply thousands of homes, while a commercial solar farm powers a specific business, factory, or agriculture operator.

Section 6.14 Solar Energy Uses – add to the end of the first sentence "with the exception of 6.14.03 individual solar conversion systems."

Page 114 number 10 change the word "the" to "any". Page 113 change Solar Conversion System, Individual (ISCS) wording from residential to residence and strike remainder of sentence.

During discussion of 6.14.03 Industrial Solar Conversion Systems, Gary S. stated that the draft regulations were not good and would not support them. Marla S. asked if he had any suggestions. Gary S. provided a copy of Howard County Solar Energy Facilities regulations.

Gary S. left the meeting at 6:03 PM.

Discussion continued regarding Solar Conversion System. It was the consensus that on page 113 Solar Conversion System is to be replaced with "Solar Conversion System (SCS) – is defined as a complete, independent network of components designed to capture sunlight and convert it into usable thermal or electrical energy for a private, localized property.

Marla S. wanted to review the notes from Gary S. instead of moving forward in order to be prepared for the next meeting. The discussion was tabled until the next meeting.

Communications

None

Following discussion regarding meeting more than once a month, the next meeting date was set for October 6, 2026 in the Cherry County Courthouse Meeting Room at 4:30 PM CDST.

APPROVED

Reports and Recommendations

None

Excused Absences

Wade A. made a motion to excuse Bill W. from the meeting. Marla S. seconded the motion. Roll call was taken. Duane K. – yes, Gordon W. – yes, Sherri B. – yes, Marla S. – yes, Gary S – absent, Chad T. – yes, Wade A. – yes, Bill W. – absent, Gary M.-yes.

Adjournment

The meeting was adjourned at 6:15 pm.

Jane Stolzenburg

Interim Zoning Administrator

APPROVED