



Cherry County Board Minutes



BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES December 19, 2016

The Cherry County Board of Commissioners met in special session on December 19, 2016 at 4:00 PM, as published in the Valentine Midland News, with the agenda being on file in the office of the County Clerk. Roll call was taken. Present at this meeting were Cherry County Commissioners: Mark Adamson and Tanya Storer with Jim Van Winkle being absent, Cherry County Clerk, Tom Elliott and Commissioner-elect Martin DeNaeyer. Also present were Merial Rhoades, Twyla Witt, Jim Ducey, Sherri Bacon, Eric Johnson, Michael Knapp, Pat Wright, Craig Miles, Bill DeNaeyer, Shaniya DeNaeyer, Shae DeNaeyer, Steve Moreland, Bob Stetter, Karl Busch, Ann Kruger, Rod Swendener, Austin Swendener, Mark Burchfield, Judith Rath, Craig Andresen, Tom Witt, Eve Millar, Marion Rhoades, Kort Hamilton, Wayne Eatinger, Olen Olson, Julie K Olson, Sam Miles, Tom Hoffmann, Jerry Adamson, Susan Welker, Mike Welker, Gary Garvin, Matt Coble, Dave Hamilton, Dean Churchill, Rob Lee, Kevin Willert, Charlene Reiser-McCormick, Tamera Stoner, Dale Stoner, Charles Stoner, Jim Herrmann, Gail Herrmann, Debby Galloway, John Mundorf, Lynn Mundorf, Joe Mundorf, Katie Mundorf, Marjorie Manning, Laura Vroman, Rose MacLeod, Gary MacLeod.

The meeting was called to order by Chairman Adamson. The Open Meetings Act Notice was announced. Due to the size of the crowd, it was the consensus of the Board to re-locate the meeting to the Cherry County Courtroom.

Chairman Adamson stated that the one agenda item before the Board was to discuss and act on the conditional use permit application, 01-16, submitted by BSH Kilgore, LLC. He also stated that he had requested from the applicant documentation of land ownership and executed easements relevant to the proposed project.

Memorandum of Agreements between landowners and Cherry County Wind LLC were provided and reviewed. Commissioner Storer asked if an M.O.A. existed with the Rothleutner Family Partnership. Eric Johnson provided a lease agreement with Rothleutner and stated that it was in the process of being replaced with a new agreement that would allow road access but not allow the construction of turbines. Mr. Johnson said that the project was not changing but downsizing from 30 planned turbines to 22 turbines.

Commissioner Storer stated that the new information being presented to the Board seemed to change the scope of the project and that it was information that the County Board had not had the opportunity to review.

Commissioner Adamson stated that several material changes had been made to the original C.U.P. application and that Cherry County Zoning Regulation #7 had not been fully complied with.

Chairman Adamson moved the C.U.P. 01-16 be denied. Commissioner Storer seconded the motion. Roll call vote taken. Commissioner Adamson-aye. Commissioner Storer-aye. Commissioner Van Winkle- absent. The motion carried.

At 4:52 PM, Chairman Adamson moved to adjourn the meeting. Commissioner Storer seconded the motion. Roll call vote taken. Commissioner Storer-aye. Commissioner Adamson- aye. Commissioner Van Winkle- absent. The motion carried and the meeting adjourned.