



Cherry County Board Minutes



BOARD OF COMMISSIONERS MINUTES PUBLIC HEARING February 7, 2018

The Cherry County Board of Commissioners met in special session on February 7, 2018 at the Valentine High School at 4:30 PM, as per notice 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 Jim Van Winkle, Tanya Storer, and Martin DeNaeyer. Also present were Cherry County Clerk Tom Elliott and Cherry County Attorney Eric Scott.

The meeting was called to order at 4:30 PM by Chairman Storer. The Open Meetings Act Poster was acknowledged by Chairman Storer. Pastor Scott McClellan began the meeting with a prayer. The Pledge of Allegiance was recited.

Chairman Storer opened the public hearing at 4:40 PM and stated that the purpose of the hearing was to receive testimony on seven proposed amendments to the wind energy section of the Cherry County zoning regulations as recommended by the Cherry County Planning Commission. She asked that verbal testimony be limited to 5 minutes and that comments be kept germane to the agenda topic. She invited the submission of written testimony as well as testimony in a digital format.

Approximately 150 people were in attendance at the hearing. The following persons offered verbal testimony: Merrial Rhoades, Craig Andresen, Sherri Bacon, Cleve Trimble, Bill Howes, Carolyn Semin, Steve Moreland, Gary Phipps, Dan Welch, Wanda Simonson, Glenda Phipps, Cindy Weller, Paul Schock, Larry Ridenour, Lynn Mundorf, Ann Warren, Bob Stetter, Paul Coble, Tom Wiese, Dave Hamilton, Lucas Nelsen, Peggy Marsh, Matt Miles, Julie Olson, Matt Coble, Lynn Welker, Lyn Messersmith, Brent Steffen, Jan Drinkwalter, Matt Robinette, John Mundorf, Michael Knapp, Craig Miles, A.B. Cox, Wayne Eatinger, Carol Lewis, Twyla Witt, Deb Galloway, Jim Ducey, Todd Adamson, Melanie Coffman, John Ravenscroft, Kevin Willert, Tony Baker and Jill Coble.

The Board thanked the people for offering their testimony and thanked the Planning Commission for all the time and effort they put into their job. They discussed some of the basic purposes of zoning regulations in Cherry County, including preserving the health and safety of citizens and protecting private property rights.

The Board also discussed the proposed changes as compared to current zoning regulations for other types of industrial and commercial development in the County.

Commissioner Storer moved that the setbacks for Wind Energy Conversion facilities be sent back to the Planning and Zoning Board for refinement with consideration for the precedence of setbacks in relationship to size and impact of a development, using sound science, as is the case with our own agriculture industrial setbacks and regulations governing commercial communication towers. Furthermore, I propose that financial resources be provided by Cherry County to provide the Planning and Zoning Board with the professional technical assistance to develop setbacks under the parameters set forth.

After some further discussion, the motion on the floor died for lack of a second.

Cherry County Attorney Eric Scott suggested options for actions that the Board could take at this time.

Commissioner Van Winkle moved to not accept, in their entirety, the recommendations to amend the Cherry County zoning regulations as proposed by the Cherry County Planning Commission. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner Van Winkle - Aye. Commissioner Storer – Naye. Commissioner DeNaeyer – Aye. The motion carried.

At 8:00 PM, Chairman Storer declared the meeting adjourned.

