



# Cherry County Planning and Zoning Minutes



CHERRY COUNTY PLANNING COMMISSION MINUTES

MAY 1, 2018

CHERRY COUNTY COURTHOUSE MEETING ROOM

The meeting was called to order at 4:00 PM CT, by Jim Buer, Chairman. Due to the size of the public the meeting was then moved to the District Court Room. Roll call was taken. The following members were present: Coby Billings, Herb Pabst, John Wheeler, Todd Mathis, Gary Swanson, Lynell Stillwell, Albert Erickson, and Michael McLeod. Also present were Jessica Coyle, Zoning Administrator, and J. Michael Adam, Richard Coke, Barbara Coke, Twyla Witt, Ray Blackford, Bill Howes, Twyla Gallino, Wanda Simonson, Jim Ducey, LeRoy Semin, Carolyn Semin, Rod Warren, John Mundorf, Matt Coble, Ann Warren, Bob Stetter, C. Trimble, Mike Young, Randy Peterson, Shawn Kellis, Dixie Hollenbeck, Craig Miles, and Gary Weaver.

The Open Meetings Act was noted, as was the public notice in the Valentine Midland News pertaining to this meeting.

Minutes were read from the April 19<sup>th</sup> meeting by Zoning Administrator Jessica C. Gary S. made a motion to approve with the correction of the spelling of Michael McLeod. John W. seconded. Roll call vote was taken. Albert E. abstained and the other members voted in favor. The motion carried unanimously.

Public Comment:

Wayne Eatinger, Wanda Simonson, LeRoy Semin, Mike Adams, Mike Young, Matt Coble, Craig Miles, Jim Ducey, Ann Warren, Twyla Witt, and Nat Warren all spoke on the Amendment to Zoning Regulations Section 613

The meeting was closed at 4:30 to open for Public Hearing CUP-002/18 US Cellular for a 280' Self Support Communications Tower.

Public Comment was opened at 4:30 PM CT.

Shawn Kellis, agent representing USCOC, and Jim Ducey both spoke about CUP-002/18 application.

The Public Hearing was closed at 4:50 PM CT and the regular meeting was opened.

The Planning Commission then discussed CUP-002/18. Jim B. asks for a motion. Coby B. made a motion to recommend approving CUP-002/18. Herb P. seconded. Roll call vote was taken and passed unanimously.

Public Comment concerning section 613 was reopened at 5:00 PM CT.

Public comment was closed at 5:10 and regular meeting resumed.

Herb P. made a statement that they weren't intimidated in making any decisions as the commissioners alluded to.

Communications: Zoning Administrator shared a NPZA workshop that is being held June 9. Jim B. encouraged the public to send a formal document of concerns in writing to the Zoning Office.

Old Business:



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- a. Discussion of Solar Energy Section in Zoning Code—Gary S. made a motion to table this item until the next meeting. Herb P. seconded. Roll call vote was taken with all members in favor.

## New Business:

- a. Discuss Amendment to Zoning Regulations Section 613—Everyone on board received a copy of amendment and the proper procedure was followed and paid. It was then opened for discussion. Jim B. read aloud the amendment. Gary S. stated that a Public Hearing on proposed change is required and set a date. Gary S. also said the board needs to visit with Dave Ptak and Herb P. agreed. Gary S. said the reason a board member needs to visit with Dave Ptak is about the effects of changing zoning rules on an allowed use and potential outcomes. Albert E. made a motion to table until the next meeting. Michael M. seconded. Roll call vote was taken those in favor Coby B., Gary S., John W., Michael M., Albert E. and Herb P. Those not in favor Lynell S. and Todd M. Gary S. made a motion to vote on whether to contact Dave Ptak, Attorney concerning this matter. Coby B. seconded. Roll call vote was taken and passed unanimously. Jim B. asked the board for suggestions on what to ask Dave Ptak.
- b. Discuss & Act on Commissioners denial of proposed changes to Cherry County Zoning Regulations—Discussion was opened. There was discussion of making changes, resubmitting as is, or visiting with the commissioners to see what will be approved. Herb P. said that the decommissioning of towers needs changed. Todd made a motion to submit changes to the commissioners individually to see what they will approve. Lynell S. seconded. Roll call vote was taken with those in favor. Coby B., John W., Todd M., Herb P., Michael M., and Lynell S. Those not in favor Gary S. and Albert E. They stated that they will have all public hearing for each item in one meeting.
- c. Review Permits by Zoning office—The applications were passed around so all board members could see what has been approved.

Excused Absences: None

The next regular meeting is set for June 5 at 4:00 PM CT at the Cherry County Commissioners Meeting Room.

The meeting was adjourned by Chairman Buer at 5:51 PM CT.

Jessica Coyle, Zoning Administrator