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Posted By: Evelyn Baker  
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**MINUTES OF A  
WORK SESSION  
OF THE  
JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
JANUARY 7, 2008**

The Jackson County Board of Commissioners met in a Work Session on January 7, 2008, at 5:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman  
Tom Massie, Commissioner  
William Shelton, Commissioner  
Mark Jones, Commissioner  
Kenneth L. Westmoreland, County Manager  
Evelyn Baker, Clerk to Board

Absent: Joe Cowan, Vice Chair

Chairman McMahan called the meeting to order and stated the purpose of the work session is to discuss amendments to the Wireless Telecommunications Facilities Ordinance.

Linda Cable, Planning Director, introduced Rusty Monroe and Jackie Hicks of The Center for Municipal Solutions who have been working with the county as consultants prior to adoption of the original ordinance in 2002. At present, the county has 18 cell tower accounts.

Mr. Monroe stated his role with the county is to enable the county to make informed decisions and know its options. The new state legislation did not change the county's regulations, but does require changing how it is done. There are approximately 5,000 towers in North Carolina and it is slated for approximately 30,000 more sites in the near future which will become a major infrastructure issue. He gave an overview of the major changes and stated there needs to be a balance between the technical needs of the applicant and protection of the nature and character of the community. Cell towers are not "line of sight" technology and a misconception is that carriers need more towers, but in the majority of cases, they do not. One of the major issues is siting towers in scenic and residential areas, but there is no need for towers to be on ridgetops. A new technology "Distributive Access System" (DAS) is a small unit attached to the top of utility poles and designed specifically for areas such as Jackson County and is not to serve broad areas, but up and down valleys and populated areas.

New legislation states that the tower industry is not required to provide proof of need for a new tower; however, they must comply with all other regulations. The new law allows the granting of a special use permit, but it would not be issued until the tower company has a carrier who would have to prove, within 24 months, that no co-location is available and the only option is a new tower, otherwise the permit becomes null and void. The carrier must also prove the lowest height at which the service will work and take into consideration stealth, camouflage, etc. Another major change is public awareness which is included the proposed revision. Utility

companies cannot prevent co-location on its poles since poles are considered a tower; however, the utility companies are entitled to compensation. The county can require that all existing towers must comply with new regulations within a specified period of time.

The county is now required to furnish a single figure cost which includes consultant costs and application fee. He recommended the estimated cost for anything other than a co-location and assuming no application amendment be changed to \$6,000 and the estimated cost for a co-location, other than the first carrier attaching to a new tower be \$5,000.

He recommended that the current ordinance be replaced in order to comport with the legislative changes.

A Public Hearing was scheduled on January 22, 2008 at 5:00 p.m.

There being no further comments, Commissioner Massie moved that the work session be adjourned. Commissioner Shelton seconded the Motion. Motion carried and the work session adjourned at 5:50 p.m.

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Evelyn B. Baker, Clerk

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Brian Thomas McMahan, Chairman