

**MINUTES OF A PUBLIC HEARING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
DECEMBER 10, 2015**

The Jackson County Board of Commissioners held a Public Hearing on December 10, 2015, at 11:00 a.m., Albert Carlton-Cashiers Community Library, 249 Frank Allen Road, Cashiers, North Carolina.

Present: Brian McMahan, Chairman
Mark Jones, Vice Chair
Charles Elders, Commissioner
Vicki Greene, Commissioner
Boyce Deitz, Commissioner

Chuck Wooten, County Manager
Angela M. Winchester, Clerk to Board
Heather C. Baker, County Attorney

Chairman McMahan called the public hearing to order and stated the purpose was to receive public input for consideration regarding an application received for the proposed construction of a wireless communications tower to be located at 106 Gana Sita Road, Cashiers, North Carolina.

PUBLIC COMMENTS:

(a) Rick Barrs of Cashiers stated he was the General Partner of Straight Eight Co. and owned land immediately to the west and north of the property where the proposed cell tower would be placed. He stated many reasons why the cell tower application should be denied:

- Already an existing tower serving the Cashiers business district;
- Law requires that the tower should be located in the business district to serve that district instead of a residential/rural area;
- There will be substantial injury to the value of the Barrs property;
- Application does not comply with the county ordinance; and
- Other sites for a new tower are available on the host property.

(b) Ken Fernandez of Cashiers read letters from residents that could not attend the public hearing:

- Thomas Bates of Cashiers asked for a vote in favor of private land protection and felt the new tower would create an unnecessary blemish on the downtown area and diminish property values of adjoining property owners.
- Tom Sawyer of Cashiers felt the proposed location was not consistent with the residential neighborhood.

(c) Pat Carlton of Cashiers stated he was representing Plateau LLC. He stated that if Commissioners decided to change technology in the future, there was capacity with the fiber optic network already in place in town. Also, he stated that a property owner should be able to use their property for whatever legal purpose they wanted. He thought the property owner should be the first person to be given the most stature in the proceedings.

(d) Craig Pendergrast of Whiteside Cove stated he had been a property owner in the area for 26 years and was very familiar with the topography of the area. He was only interested in the ordinance being applied correctly. He thought it was important to understand that Verizon Wireless was not making the application, it was Crown Castle. The burden of proof was on Crown Castle to say they cannot co-locate on the existing tower or locate the tower in another location.

(e) Stephanie Edwards of Cashiers stated she was speaking on behalf of Ann Austin, who was out of town. She read a letter from Ms. Austin stating she understood the need for wireless communication, but the ordinance states the first choice was on an existing tower. This would be a preferred alternative to placing the tower in the Gana Sita neighborhood.

(f) Jane Nardy of Cashiers stated her family owned property that bordered one side of the proposed site. Her family had no problem with putting the tower at the proposed location.

(g) Mary Palmer Dargan of Cashiers suggested that the tower be relocated and co-locate to a different site. She felt the 12 story tower would be an abrupt abomination to the woodland of the proposed site.

(h) Fred Jones stated he represented the Barrs in the matter. The cell tower review process required a lot of time and work from the Commissioners and county staff and he appreciated it. He felt there were flaws in the application and that there were alternative sites. Also, he believed there would be damage to the Barrs' property.

(i) Dan Duckham of Cashiers stated there could be a compromise made as to the location of the site of the proposed cell tower. A compromise was made with the cell tower on Laurel Knob.

(j) Henry Campen stated he represented the applicant in the proceeding. He thanked the Commissioners and county staff for their work on the ordinance.

(k) Donna Barrs of Cashiers stated there was new, non-invasive technology, which takes the place of the large towers. These small cells provide better technology and was what the citizens wanted.

(l) Keven Hawkins of Cashiers stated his concern was more about the bigger issue of land use. He felt land owners should be able to use their property in any legal way.

(m) Jeff Kahn of Cashiers stated he was a resident of Gana Sita and had no complaints regarding the current site that had been selected for the proposed cell tower.

(n) Marcia Shawler of Cashiers stated she was the daughter of a developer and landowner. It concerned her that someone's land could be instantly cut by the use of a cell tower.

(o) Michael Cox of Cashiers stated he was a local real estate broker and thought the important points were that the fiber optic system was in place. Also, it was so important to have cell service no matter where the tower was located. Having limited internet connectivity was holding the area back economically. He asked the Commissioners to consider this carefully because so much about the future of the village was involved in their decision.

(p) Jim Maultsby of Cashiers stated he represented the Big Sheepcliff Property Owners. They had no preference as to whether the application was approved or not; however, if the application was denied, they would like Big Sheepcliff to be considered as a site for a cell tower.

(q) Mark Zachary of Cashiers stated he was one of 18 owners of the property where the proposed tower would be located. Crown Castle had worked with them for the last four years trying to find the best location on the property for maximum coverage of Cashiers. There would be 40 white pine trees planted on Barrs' side of the location with further trees to be planted there. Their purpose was to provide better cell service for Cashiers in a location to be the least visually objectionable to the people who actually live in Cashiers.

There being no further public comments, Commissioner Jones moved that the public hearing be adjourned. Commissioner Elders seconded the Motion. Motion carried.

Attest:

Approved:

Angela M. Winchester, Clerk

Brian Thomas McMahan, Chairman