

STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)
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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
SEPTEMBER 27, 2007

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a Joint Meeting with the Stokes County Planning Board to discuss new Legislation – Senate Bill 831 (Regulations for Wireless Tele-Communications Facilities) in the Commissioners’ Chambers of the Ronald Wilson Reagan Memorial Building (Administrative Building) located in Danbury, North Carolina on Thursday, September 27, 2007 at 6:00 pm with the following members present:

Board of Commissioners
Vice-Chairman Jimmy Walker
Commissioner Ron Carroll
Commissioner Ernest Lankford
Commissioner Stanley Smith
Chairman J. Leon Inman - absent

County Personnel in Attendance:
County Manager K. Bryan Steen
Clerk to the Board Darlene Bullins
Planning Director David Sudderth

Stokes County Planning Board Members:
Chairman Darryl Lester
Vice Chairman Ted Hairston
Member Dempsey Lilly
Member Ronnie Morris
Member Ronnie Tilley
Member Patrick Flinchum
Member Lewis Wood
Member Tommy White

Vice Chairman Jimmy Walker called the joint meeting to order. (Chairman Inman was absent due to attending the CenterPoint Human Services –Board of Directors’ meeting)

Planning Board Chairman Darryl Lester called the Planning Board Meeting and Joint Meeting with the Board of Commissioners to order.

Mr. Lilly delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Commissioner Lankford opened the meeting by inviting the citizens in attendance to join the Board with the Pledge of Allegiance.

Discussion – Senate Bill 831

Planning Director David Sudderth introduced Mr. Rusty Monroe – Center for Municipal Solutions, the County’s telecommunication consultant.

Mr. Monroe presented the following key issues regarding new legislation –Senate Bill #831:

- Suggestion to replace the current county ordinance – currently developing an ordinance with new regulations that can incorporate the needs of Stokes County
- Presented a PowerPoint presentation detailing issues relating to the new regulations
- County is right where it should be – regulating tele-communication towers
- Need to have all the information to make an informed decision
- Need for additional sites across the state
- Cap on Consultant Fees
- Requirements for new and amended definitions
- Proof of Need – Preventing Spec Towers and Controlling Height of Towers
 - Require compliance with all issues involving safety, minimum visual impact/aesthetics, coning, etc.
 - Solution: Grant Special Use Permit, but prohibit building permit without a carrier who will actually use the facility and who can prove the height needed
 - Permit becomes null and void if construction is not started within 24 months of the grant of the SUP and the carrier is not providing service within 60 days after that
 - Solution: No new towers, unless a carrier can prove the need for a new tower and the need for the height, to the exclusion of all other technical alternative options that are not “technically or commercial impracticable”

- Costs including Application Fee and Consulting Costs must be a “fixed” amount
 - Establish a fixed hourly cost for consultants along with an estimate representing the total based upon approximately 30 hours – state this cost as a “retainer” for expert assistance.
 - Establish a fixed cost for an “Application Fee” that reflects a “fully allocated cost” to the community for all non-consulting costs, including an average of about 1 hour per year administration per permit with a 3% per year annual escalator factored in and project the cost for the 30 year average useful life of the facility.
 - Set the above two costs and set that as the “Fixed Application Fee:
 - State that any costs attributable to the application not being complete or being amended (as defined under definitions) may result in an increased Application Retainer
 - Protect the right to be assured payment of necessary consulting costs by requiring that the retainer be replenished to 50% of the original amount if it drops below 25% of the original amount and that no further work will be done on the application until the required minimum balance has been established
- Time for Review
 - Applicant must be notified within 45 days of the receipt of a complete application, as defined. If application is not complete, the 45-day period is tolled until it is complete.
- Insurance - Eliminate requirement for co-locations
 - Tower owner is responsible for all activities at the site it owns or lease
- Removal Bond - Eliminate requirement for co-locations
 - Tower owner or owner of other structure will assure that any abandoned equipment is removed to make room for new lessee
- Regulations height of tower – must proof the need for height – possible recommendation for 120 feet- higher height must be proven by carrier/vendor
- No need to be attractive to cell phone companies – they will come if the need is there
- Deadline December 1, 2007

Mr. Monroe commended the excellent working relationship with Planning Director David Sudderth- “he gets the job done”.

Planning Director Sudderth noted the draft model ordinance would be presented first to the Planning Board, then the Planning Board’s recommendation would be presented to the Board of Commissioners for final adoption.

Adjournment

There being no further business to come before the Board, Vice Chairman Walker entertained a motion to adjourn the joint meeting.

Commissioner Carroll moved to adjourn the joint meeting. Commissioner Smith seconded and the motion carried (4-0) with Chairman Inman absent.

Planning Board Chairman Darryl Lester recessed the planning meeting until 7:00 pm.

Darlene M. Bullins
Clerk to the Board

J. Leon Inman
Chairman