

**Members:**

Ed Donaldson, Chairman  
Melree Hubbard Tart, Vice-Chair  
Horace Humphrey  
Joseph Dykes  
(Vacant)



**Alternates:**

Carrie Tyson-Autry  
Yvette Carson  
Vickie Mullins  
Winton McHenry  
George Lott

## *Cumberland County Board of Adjustment*

130 Gillespie Street  
Fayetteville, NC 28301  
(910) 678-7603

MINUTES  
JULY 18, 2013  
7:00 P.M.

**Members Present**

Ed Donaldson, Chairman  
Melree Hubbard Tart  
Horace Humphrey  
Joseph Dykes  
Winton McHenry (voting)  
George Lott (non-voting)

**Absent Members**

None

**Staff/Others Present**

Patti Speicher  
Melodie Robinson  
Ken Sykes  
Robert Hasty, Jr. (Assistant  
County Attorney)

Chair Donaldson called the meeting to order at 7:00 p.m. in Public Hearing Room #3 of the Historic Courthouse.

1. ROLL CALL

Ms. Speicher called the roll and stated a quorum was present. For this meeting, Mr. McHenry is a voting member and Mr. Lott is a non-voting member.

2. MS. SPEICHER: Gave the Oath of Office to Winton McHenry and George Lott.

3. CHAIR DONALDSON SWORE IN THE STAFF

4. ADJUSTMENTS TO THE AGENDA

MS. SPEICHER: Item 11 – RECOMMENDATION FOR NOMINATION – We need to add Yvette Carson to the recommendation as an alternate member. Her term is up in August 2013 and she does want to be reinstated as an alternate.

5. APPROVAL OF THE MAY 16, 2013 MINUTES

**A motion was made by Mr. Dykes and seconded by Mr. Humphrey to approve the May 16, 2013 minutes as submitted. The motion passed unanimously.**

6. CORRECTION OF THE APRIL 18, 2013 MINUTES – PAGE 19

**A motion was made by Mrs. Tart and seconded by Mr. Humphrey to approve the correction to page 19 of the April 18, 2013 minutes. The motion passed unanimously.**

7. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES

There were none.

8. PUBLIC HEARING DEFERRAL(S)

There were none.

9. POLICY STATEMENTS REGARDING APPEAL PROCESS

Ms. Speicher read the Board's policy regarding the appeal process to the audience.

10. PUBLIC HEARING(S)

**Opened Public Hearing**

**A. P13-04-C:** CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A 250 FOOT TOWER IN A RR RURAL RESIDENTIAL DISTRICT ON 16.00+/- ACRES, LOCATED ON THE SOUTH SIDE OF MUSCAT ROAD (SR 1119) AND WEST OF EARP COURT; SUBMITTED BY JOHN MCNEILL, JR. AND BETTY GAINEY RAY (OWNERS) AND THOMAS H. JOHNSON, JR., NEXSEN PRUET, PLLC ON BEHALF OF AMERICAN TOWERS, INC.

CHAIR DONALDSON: Is it Mr. Johnson who is going to speak on behalf of the owners of the property?

MR. JOHNSON: Yes, I will, in addition to Mr. Smathers.

CHAIR DONALDSON: Mr. Aman, I understand you have signed up to speak in opposition to it?

MR. AMAN: Yes, and with your permission, I would like to ask four questions. [Passed out copies of his typed questions – Exhibit 1]

CHAIR DONALDSON: Okay, if you will listen, I will let him put his questions out and we will come back to you.

MR. AMAN: I have copies of the questions so there will not be any misunderstanding.

MS. SPEICHER: Presented the zoning, land use and photos of the site to the Board with the following correction: On the site profile where it says water availability, even though the tower doesn't need it, the subject property would be required to be developed with PWC water for any future development.

CHAIR DONALDSON: Does any of the board members have any questions?

MS. SPEICHER: I would like to note that in your packet we have provided you with all the documentation that was attached to the application. All ordinance standards for towers were met or conditioned, which is the last three pages of your packet, the conditions of approval.

CHAIR DONALDSON: Swore in Ron Aman.

CHAIR DONALDSON: What were your questions sir?

MR. AMAN: I'll ask the question and there are points of discussion the respondent can use to guide his response to it. Question 1. What is the cell phone tower density protocol? That is, how many are there going to be? How do we justify adding more towers?

CHAIR DONALDSON: Go ahead and ask all of your questions and we will let him respond when he gets up.

MR. AMAN: Question 2. Can the applicant confirm that this action will not result in the damaging of property value immediately approximate to this new tower? The bottom line for me is, if that tower had been there when I bought this \$200,000 home, I wouldn't have bought it and I'm sure other people would feel pretty much the same way. Question 3. Is there any other construction planned for this 16 acre proposal site in addition to the antenna and the attendant electronics in direct support of this antenna? Question 4. What is the longest tower separation allowable in the current plan for the Hope Mills area? Again, that is antenna density. Hope Mills is receiving several towers, maybe there is going to be more.

CHAIR DONALDSON: Well, I'm sure there will be as communication systems grow. I have one question. Where do you live in relation to that piece of property?

MS. SPEICHER: If we could Chair, also get the address for the record.

MR. AMAN: My address is 5472 Kentucky Lane. [pointed to his house on the presentation]

CHAIR DONALDSON: So your back property line adjoins the property line of the subject property? Are there any other questions that you have?

MR. AMAN: No sir, this is more of an education thing for me.

CHAIR DONALDSON: Swore in Thomas Johnson.

MR. JOHNSON: The gentleman said he lived right here. [pointing to the presentation] The tower site itself is to be sited way over here. [pointing to the presentation] This is a wood line and this is a wood line here too. So we are tucking it back in here between the wood lines, just to the edge of the woods. Just for the very reason that Mr. Aman was talking about, we wanted to make sure it was tucked in there so you would not be able to see it so much as you got away from the trees. The tower; as you get further away, less and less of it would be visible; and as I mentioned, from his property, it would be less visible because he is all the way down here on the other end of the whole 16 acre tract. We are leasing a 100' x 100' area, accessing off Earp Court with the equipment length of the tower, which is another one of his questions. I want to show these maps to answer some of the questions he had. This is a good map, showing the existing coverage in the area without the tower. These are the existing towers that AT&T has in the area. The goal is to have the red color and the yellow color, with the red color being more in building commercial coverage and the yellow more in building residential. You get into outside coverage as you get into this green area. Basically, when you see this white, there is no effective coverage in the area. So, this new tower is going right in here to try to cover this gap that we have in the area. On the next slide,

you see how it covers up the white. If you say, why the difference, this has less red than here. That all has to do with terrain, but it does effectively cover the gap between these two towers. It is not perfect with this one, but we tried to do the best we can in terms of siting it. Obviously you've got a lot of residential lots over here and we can't very well site the tower on a residential lot. We tried to do it on a vacant property. That's the other question and that is what we are trying to cover. As you can see, these are all AT&T sites in the area, there is a lot of coverage, but there is some coverage gaps. AT&T is in an aggressive stance right now to come into Cumberland County, really into the State of North Carolina and to cover these areas where AT&T does not have good coverage. It is for two reasons; one, people are relying more on wireless phones in their homes, they are dropping landlines so we want to make sure customers have dependable service when they are using their wireless devices at home. The second part is data usage by 2016 is going to be tremendously more than it is now. It is because people have multiple devices. I've got an iPhone here that obviously has data on it; I can get the internet and all of that. People have tablets and other kinds of smart phones. The desire is to be able to get to the internet and you have to have a stronger signal for that. That is why you are seeing more towers going in. You need that stronger signal to have access to, as they call it now, the 4G LTE and in order to have that access you need to have that strong signal. In Fayetteville, there is a 4G LTE market. It is not in all markets in the state yet, but it is part of the investment campaign by AT&T. On the property value, we submitted an impact study report in the application and basically it states property values will not be adversely impacted by this site. I have Mr. Smathers here with me, he can speak to that as well, and he is the real estate expert. The construction on the rest of the parcel, I don't know what the property owner has planned for the rest of this parcel; it has been vacant for a long time. I know we are planning on tucking the tower back into approximately a 100'x 100' area. Tower separation – there is not a separation requirement in the County; basically we are trying to cover this gap that we showed you on the map. As you can see, there are other existing towers in the area. I'll be glad to answer any questions that the board may have. I do ask that the application and all supporting documentation that you have before you be admitted as evidence in support of our application.

CHAIR DONALDSON: Are there any questions?

MR. HUMPHREY: The owner of the property is not here tonight, is that correct?

MR. JOHNSON: He appointed me as his agent. He is well aware of it, the documentation is in file.

MR. DYKES: Is this a case that is a continuation from earlier this year or last year sometime?

MR. JOHNSON: No, this is an entirely new case.

CHAIR DONALDSON: We heard a case last year. It was down in Hope Mills.

MR. JOHNSON: We did have one in the Hope Mills area and I actually made a presentation. Again, we were trying to get those areas covered that don't have good service.

MR. DYKES: Okay. I knew it was something similar, I just wanted to make sure.

MS. SPEICHER: Also, I believe the one you are talking about is the one that was across the street from the AT&T tower near Black Bridge and the Lake Upchurch area that was deferred. That tower still has not been built.

CHAIR DONALDSON: Mr. McHenry?

MR. MCHENRY: You say it is 250' high?

MR. JOHNSON: Yes sir.

MR. MCHENRY: It is sitting around a bunch of trees, so has anyone looked at how far away you would have to get before you would actually see the tower?

MR. JOHNSON: We did not in this case because your ordinance doesn't require it. Some ordinances do require that you fly a balloon and check visibility. In this case, this is a large vacant tract of land and we are putting it behind the trees. Having done this for a long time, the prevailing tree height in mature trees is roughly 90'. So you got 90' at the bottom of the tower covered up, we have to get above that in order to have effective coverage. Plus, to allow as your ordinance requires; that we have additional carriers who can locate on this tower in the future and still be above the tree line. That is a combination of what we are trying to do in addition to trying to cover that gap, so you need to be a little bit higher in order to cover the gap without having to go into the residential area. If you have a small residential lot, we can't put a tower in there, so we try to find vacant tracts in the area that needs coverage and so we can get high enough to match up with the existing tower sites. Just by logic, over distance, the tower appears shorter on the horizon as you get further away from it. That is why this gentleman's property being further away, he's going to have less visibility than those that are closer to the tower. But even those closer, the good thing is we have mature standing trees.

MRS. TART: You are leasing just a corner of that property?

MR. JOHNSON: Yes. We are leasing a site that is 100' x 100' and then we have the access road that is coming off of Earp Court.

CHAIR DONALDSON: At the end of Earp Court is just woods, you are going to have to build a driveway in, right?

MR. JOHNSON: Correct, we will have to cut what we need to get that driveway in.

CHAIR DONALDSON: Please show the overview again. You are going to come in off Earp Court right there to the open field?

MR. JOHNSON: Correct, we are coming right here to the open field. [pointing to the aerial view] The 100' x 100' area is right here on the edge of this tree line.

CHAIR DONALDSON: Sort of down in the corner?

MR. JOHNSON: I have a better aerial for you. Earp Court is here and we are coming in right here [pointing to the aerial view]. You can see the defined tree lines. It is wooded all along these edges of the property.

CHAIR DONALDSON: So you are going to come out into the open field and put it in there?

MR. JOHNSON: Correct. We are coming straight out into the open field and putting it in there. It has a little bit of a curve to it.

CHAIR DONALDSON: Okay. Is there going to be a gate at the end of the dirt road?

MR. JOHNSON: We weren't planning a gate there. The facility itself will be gated.

CHAIR DONALDSON: I knew that. I was just wondering if you were blocking off that road there. Can you go back to the aerial coverage map one more time? What is the pink and the light green?

MR. JOHNSON: When you get into the blue and the pink, the green is automobile coverage. The blue and pink is south side coverage, but the pink is going to be spots. The white is no effective signal. Could you get a signal in the white area at a given point in time? You might, just like back in the old days when you might be able to move the antenna on your TV to get a signal when you could.

CHAIR DONALDSON: Now this is going to be not just an AT&T use, but will be open to others, Verizon and all of them, right?

MR. JOHNSON: Absolutely. My client and American Towers built the towers for the company. AT&T came to American Towers and said we need a tower in this location, can you build it for us. When we do, we build it so that others can come, and they do.

MS. SPEICHER: In the application there is a certification that AT&T is the initial user and they will provide a co-location for at least three additional users.

CHAIR DONALDSON: Does anybody else have any questions?

MRS. TART: At the end of Earp Court, when you are extending access to the tower, there will not be a gate there?

MR. JOHNSON: There will not be a gate there. We need for emergency services to get back there. We have gated them before, but that was required then, an ox box maybe by the fire department.

CHAIR DONALDSON: But it will be gated and locked around the site itself?

MR. JOHNSON: A ten foot security fence and it will be locked.

MRS. TART: This question is for the staff. The property owner, what kind of access would he have to the rest of his acreage?

MS. SPEICHER: He would at least have better access than he had before.

MRS. TART: He would basically go that road and around there?

CHAIR DONALDSON: He can go in the property; he is just leasing that 100' x 100' property.

MRS. TART: That's what I'm saying. He's got a tremendous amount left and it makes sense to extend Earp Court.

MS. SPEICHER: In answering one of the gentleman's questions concerning future plans, I can tell you my office does a plan review regardless of what type of improvement for the County and in the Hope Mills Municipal Influence Area and we have no plans submitted for that site.

CHAIR DONALDSON: Did you hear that sir? [Mr. Aman] Is there anything else you wanted to say Mr. Johnson?

MR. JOHNSON: No, other than I'm available for any additional questions and also Mr. Smathers if you have any real estate questions.

CHAIR DONALDSON: Sir, did you want to say anything in response? [Asking Mr. Aman]

MR. AMAN: I'm satisfied with the respondent in what he said, I don't always agree, but yes, I'm okay.

CHAIR DONALDSON: Are there any other questions or comments by the board? Do I hear a motion?

MR. HUMPHREY: We didn't hear anything about the real estate value.

CHAIR DONALDSON: He didn't bring it up. Under the law, he has to have expert witnesses if he is contesting that anyway.

MR. JOHNSON: I would be happy to have Mr. Smathers come up and give a presentation if you would like him to.

CHAIR DONALDSON: That is okay. The gentleman has already stated he is satisfied with the responses. Does anybody else want to be heard on this matter?

### **Public Hearing Closed**

CHAIR DONALDSON: Are there any comments?

MRS. TART: Mr. Chairman, I move that we approve.

MR. AMAN: I would like to say that in the future, regarding all the cell towers that are being built, that you all could put something into the planning of these towers that would state that at the point when they are no longer needed, that it would be a requirement of the same company to tear those down.

CHAIR DONALDSON: We don't have any authority to do that; it would be up to the legislature.

MS. SPEICHER: Chair, the Ordinance does require it after six months. If it is not used, that is addressed in condition # 21 on the conditions of approval. The Code Enforcement Officer, Mr. Sykes will order the owner of the tower to remove the tower.

CHAIR DONALDSON: I'm sure that is observed more in the briefs than in reality; based on the amount of money spent on those things to put them up.

MR. JOHNSON: We agree with that condition.

CHAIR DONALDSON: That is beyond the scope of what we can do as far as in the future because who knows as far as communications; in ten years they may not need towers.

MR. AMAN: That is what I was getting at. Who would be responsible for tearing it down? It would be nice to have that stated.

CHAIR DONALDSON: It's in the requirements if they don't use it. Now if they ever stop utilizing it; that would be the same thing. It would be a matter of code enforcement doing it, but I don't foresee that happening. You are correct; most people are getting rid of their landline phone. I'm dropping my landline. I only get about five calls a month on my landline and most of those are from the staff other than junk calls. There is no sense paying \$75.00 a month to Century Link for it. Mrs. Tart has made a motion to approve the request, is there a second?

MR. HUMPHREY: I second that motion.

CHAIR DONALDSON: All those in favor, say aye.

**The motion passed with a unanimous vote.**

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
TART	YES	
HUMPHREY	YES	
DYKES	YES	
MCHENRY	YES	

CHAIR DONALDSON: One thing I want to do is incorporate into the record the response of the request, all the supporting documents and the four questions the gentlemen submitted.

MS. SPEICHER: Chair, if I could read into the record the findings that the Board is required to make for the findings. Also, to clarify when you said incorporate into the record, that you are establishing that they met these findings.

In granting the Special Use, the Board has found that:

1. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;



**The proposed tower will be located on a 16.00 +/- acre tract, a wooded area surrounding the site. The tower base will be enclosed in a chain link fence ten feet in height, it will be setback 250' on all sides from the property lines and structures, if it were to fail; the public will not be harmed. The tower's power density levels are lower than the Federal and ANSI required standards. In addition, it will comply with all Federal, State and local ordinances, including all Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) rules and guidelines.**

2. The use meets all required conditions and specifications;

**The proposed tower meets all of the conditions and specifications of the ordinance. Furthermore, the applicant/property owners verbally agreed to all Ordinance Related Conditions contained within the board packet material.**

3. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and

**The applicant/property owner submitted as evidence, a property value report prepared by Graham Herring, a North Carolina Licensed Real Estate Broker. In his report, Mr. Herring stated that the tower site will maintain the value of the adjoining or abutting properties and will not be detrimental if developed as proposed. The tower site will be compatible with the existing areas and proposed use, and will not have a substantial negative impact on existing or future plan development of the surrounding properties. Wireless services are many times considered a public necessity and are often the only access that citizens have to emergency services.**

4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and is in general conformity with Cumberland County's most recent Land Use Plan;

**The applicant/property owner testified that the tower will be structurally designed and sounded to accommodate three more users in addition to the initial user. The proposed tower will provide much needed access to emergency services and meet the infrastructure needs that the 2030 Growth Vision Plan requires in this area of the County. In addition, the applicant/property owner presented a map as evidence that there are not other existing towers, buildings or other useable structures suitable for collocation within the coverage area. The proposed tower is in harmony with the purpose and intent of the Ordinance and will not be injurious to the neighborhood or the general welfare. The use is permitted through the request of a Special Use Permit, and will not change the district boundaries.**

CHAIR DONALDSON: Now I will incorporate all the documents submitted to support those findings.

## 11. RECOMMENDATION FOR NOMINATION(S)

MS. SPEICHER: We need a replacement as a regular member for Mr. Newsome. It's my understanding that Mr. McHenry and Mr. Lott would be interested in becoming a regular member, and Ms. Mullins is interested as well. In addition to that, you have in your packet the applicant list that

we got from the Clerk's Office. Mr. Feinberg stated he would prefer to be a regular member but would also be okay as an alternate. Mr. McManus said he was not interested in serving at this time. Alberta Ortiz wants alternate only and if we could fill Mr. Newsome's vacancy first.

CHAIR DONALDSON: What was the reason why he resigned?

MS. SPEICHER: The reason I was told is because of the demands of his business, so he was not able to continue participation with the board.

CHAIR DONALDSON: So we have to fill two regular spots?

MS. SPEICHER: We have two regular spots and two alternate spots. One of the alternates is Mrs. Carson and she is willing to serve again only as an alternate.

CHAIR DONALDSON: We got Mr. Lott, Mr. McHenry and the two applicants on the back, well actually, the first one on the list, right?

MRS. TART: So we need two regulars and one alternate.

MS. SPEICHER: Yes.

CHAIR DONALDSON: So the both of you are interested in serving as regulars?

MR. MCHENRY: Yes.

MR. LOTT: Yes.

MS. SPEICHER: It might be helpful to the board if you let them tell a little bit about themselves and what they do.

CHAIR DONALDSON: We could do that, but the last time we let the Board of Commissioners decide.

MS. SPEICHER: Well, it is the Board of Commissioners that has the final word.

CHAIR DONALDSON: Yes, we just didn't make any recommendation because we didn't know any of the people. Mr. Lott, could you tell us a little bit about yourself?

MR. LOTT: Gave the board a brief summary of his background.

MR. MCHENRY: Gave the board a brief summary of his background.

CHAIR DONALDSON: Of course we have the other applicant, the gentleman that is a soldier. Do we know anything about him?

MS. SPEICHER: No.

CHAIR DONALDSON: Do we have a resume or anything?

MS. SPEICHER: A couple of days ago, I did have Pier call over to make sure we had all of the applicants and that is the first time his name popped up. The notes that you see below his name will start showing up on all the applicants. We're not just singling him out. It's just that the other two names were already on the applicant list.

CHAIR DONALDSON: It would be nice if we had a little sheet on each one with certain standardized information e.g., age, education.

MS. SPEICHER: I relayed that to the Clerk's Office when you stated that before.

CHAIR DONALDSON: It would be nice to have some background, work history or something. We are trying to screen and all we have is a name. Ms. Ortiz, didn't her name come up once before?

MS. SPEICHER: Yes, Ms. Ortiz has been on the list for quite a while and she has requested to only be considered as an alternate.

CHAIR DONALDSON: And Mrs. Carson wants to be considered as a regular member, right?

MS. SPEICHER: Mrs. Carson wants only the alternate position.

CHAIR DONALDSON: We have two choices; we can select two of the three names and submit to the board; that would be either Mr. McHenry, Mr. Lott or Mr. Feinberg. Or we can submit all three names and let the board select. Are there any comments?

MR. DYKES: I make a motion that we submit all three names to the Board of Commissioners and let them take it from there.

MS. SPEICHER: We still have one more vacant alternate seat coming open, besides Mrs. Carson's seat. I'm talking about Mrs. Carrie Tyson-Autry's seat.

CHAIR DONALDSON: Yes, but we are talking about the two regular seats now. We have three names who want to be considered as a regular member, Mr. McHenry, Mr. Lott and Mr. Feinberg.

MRS. TART: We have four, including Ms. Mullins.

CHAIR DONALDSON: Do we know anything about her?

MS. SPEICHER: She's been here a couple of times for our meetings. She's worked I think for the Agro Expo, with the gardening and farm stuff. She told me that one night after a meeting.

MRS. TART: I think we are in a little better position this time to make recommendations. I move that we recommend Mr. George Lott and Ms. Vickie Mullins for the regular members.

MR. HUMPHREY: I will second that.

CHAIR DONALDSON: Are there any comments or discussions on the motion? All those in favor say aye.

**The motion passed with 3 in favor, with a simple majority.**

	IN FAVOR	OPPOSED
DONALDSON		YES
TART	YES	
HUMPHREY	YES	
MCHENRY		YES
DYKES	YES	

MS. SPEICHER: Did you want to specify a name for either seat or just send the names over?

CHAIR DONALDSON: We will just send the names over. I would have supported Mr. Dykes' motion to send all four names to the Board of Commissioners and let them decide.

MRS. TART: I wouldn't object to sending all four names over.

CHAIR DONALDSON: Mr. Humphrey, how do you feel about that?

MR. HUMPHREY: About undoing her motion?

MRS. TART: Can we do that?

CHAIR DONALDSON: It's just a simple motion to set aside the previous vote and then do a new motion. I would like to have some unanimity if we send it over basically saying we all agree. We're parting on this one. You all can do what you want to do.

MR. HUMPHREY: That would be fine with me.

CHAIR DONALDSON: I need a motion to set aside the previous vote.

MRS. TART: I so move.

MR. DYKES: I second.

CHAIR DONALDSON: All those in favor say aye.

**The motion passed with a unanimous vote.**

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
TART	YES	
HUMPHREY	YES	
DYKES	YES	
MCHENRY	YES	

CHAIR DONALDSON: Do we have to revote on his motion? All we did was set aside the vote. I now motion to have a motion to strike the previous motion.

MRS. TART: That is what we just did.

CHAIR DONALDSON: No, that was the vote, we struck the vote. The motion is set aside. Strike the previous motion.

MRS. TART: I so move.

CHAIR DONALDSON: Actually, the best way to do it is for you to withdraw your motion. You made the motion and you can withdraw your motion.

MRS. TART: I withdraw my motion but it was already set aside in the vote.

CHAIR DONALDSON: I need a motion to submit all four names to the Board of Commissioners.

MR. DYKES: I motion that we submit all four names to the Board of Commissioners.

MRS. TART: I second.

CHAIR DONALDSON: All those in favor say aye.

**The motion passed with a unanimous vote.**

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
TART	YES	
HUMPHREY	YES	
DYKES	YES	
MCHENRY	YES	

CHAIR DONALDSON: We need to recommend for the alternates.

MR. HUMPHREY: I motion to recommend Yvette Carson be reappointed as an alternate member.

MR. DYKES: I second.

CHAIR DONALDSON: All those in favor say aye.

**The motion passed with a unanimous vote.**

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
TART	YES	
HUMPHREY	YES	
DYKES	YES	
MCHENRY	YES	

MS. SPEICHER: Staff can send a memo over stating whichever of the recommendations for the regular members that are not nominated or selected for the regular position is considered for the alternate position.

CHAIR DONALDSON: That is fine with me. Does everybody agree?

**The motion passed with a unanimous vote.**

12. DISCUSSION

Right now I don't have the definite details, but the County Clerk's Office will have a Cumberland County Appointed Board Welcome and Information Session. The tentative date is August 13, 2013, Tuesday evening at the Department of Social Services in one of the conference rooms from 6:30 to 8:30 pm. Melodie will email the date, time & location to you, but I wanted to make you all aware that it was coming up. We encourage you to attend. It's a Welcome and Information Session. It's for all boards, not just the Board of Adjustment, it is for all County appointed boards.

CHAIR DONALDSON: Who is sponsoring this?

MS. SPEICHER: The County Clerk's Office will do the presentation. I don't know who any of the other speakers will be.

13. UPDATE(S)

MS. SPEICHER: There are more significant changes that came out with the telecommunications towers and wireless support zoning. One is the maximum coverage and things like that. In my opinion, in October 1, 2013, the tower companies are not going to want to show those anymore. The State passed a bill stating they did not have to basically give away their industry secrets or their coverage's. If they start changing their presentations, I didn't want you all to think they were holding back on us.

CHAIR DONALDSON: We can always ask the question, but they don't have to tell us. You can ask them to bring the slide with them because we may ask.

MS. SPEICHER: It's kind of like with the emissions and how we can't address at the local level, the emissions from the towers and their effect on your health.

CHAIR DONALDSON: I have one other thing that I want to bring up. I think we all owe a debt to Mrs. Melree Hubbard Tart for her service for the last eight years. She has done a magnificent job. I've only been here three years and she has always been wonderful in her work and has been very conscientious. I make a motion that the board commends Mrs. Tart for her excellent service to the community and to the Board of Adjustment for the past eight years. Do I have a second?

MR. HUMPHREY: I would agree and I second the motion.

**The motion passed with a unanimous vote.**

	IN FAVOR	OPPOSED
DONALDSON	YES	NONE
TART	YES	
HUMPHREY	YES	
DYKES	YES	
MCHENRY	YES	

MRS. TART: Thank you Mr. Chairman.

CHAIR DONALDSON: You're welcome. You have done a wonderful job and you are a wonderful person.

#### 14. ADJOURNMENT

The meeting adjourned at 8:00 pm, motioned by Mr. Dykes and seconded by Mr. McHenry.