



Neighborhood
Residents
Council of BRANDERMILL

A Committee of Brandermill Community Association Board of Directors

NRC Meeting Agenda
Tuesday, July 22, 2008, 7:00 p.m.

1. Call Regular Monthly Meeting to Order
2. Member Voice 15 minutes
3. President's Report 5 minutes
Update on "Adopt A Median" proposal
4. Committee Reports
 - A. Membership Committee: Jeanne White 3 minutes
 - B. Communications Committee: Mamie McNeal 3 minutes
5. Program: Brandermill Cell Tower Proposal
 - A. Chesterfield County Planning Commissioner, Midlothian District:
Reuben Waller 3 minutes
 - B. Chesterfield County Planning Staff: Robert Clay 10 minutes
 - C. Invisible Towers, Mark Faris, Senior Vice President 15 minutes
 - D. Q&A Session 75 minutes
6. Announcements 1 minute
 - A. BCA Board Meeting: Monday, August 4, 2008, 7:00 p.m.
 - B. National Night Out: Tuesday, August 5, 2008
 - C. Green Market: Saturday, August 9, 2008, 8:00-11:00 a.m.
7. Adjournment

Neighborhood Residents Council

OPEN RESIDENTS MEETING MINUTES

July 22, 2008

CALL MEMBERSHIP MEETING TO ORDER

The meeting was called to order by John Hughes, chair of the NRC, on July 22, 2008 at 7:10 p.m. in the meeting room of Brandermill Woods, 14311 Brandermill Woods Trail, Midlothian, Virginia 23112.

MEMBERS PRESENT

Nancy McCabe - Arrowood
Nancy Powell - Arrowood
Doug Camp – Barne’s Spring
Angela Elliott - Birnam Woods
Frank Bernick - Brandermill Woods
Pat Moyer– Cove Ridge
Richard Kury - Cove Ridge
Marie Stella - Cove Ridge
Betsy Bolling - Fortune's Ridge
Jeanne White - Fortune's Ridge
Susan Schoemmell - Litchfield Bluff
Rubie Gatlin - Long Shadow
Valerie Ambrose – McTyre’s Cove
Scott Fisher – McTyre’s Cove
Grant Miller – McTyre’s Cove
John Hughes - Muirfield Green
Dick Guthrie - Muirfield Green
Sarah Whitmore - Muirfield Green
Mamie McNeal - Planter's Wood
Ray Pfoff – Poplar Grove
Dorothea (Dot) Worsham - Quail Hill

Floyd Worsham - Quail Hill
Hans Josephsen - Ridge Creek
Kevin Healy - Riverbirch Trace
Betty Clapp - Shallowford Trace
Shelby Henson - Steeple Chase
Christine Barnes – Sterling’s Bridge
Jerry Barnes – Sterling’s Bridge
Linda Bierowski – Sterling’s Bridge
Tom Bierowski – Sterling’s Bridge
Joel Bradner – Stoney Ridge
Scott Dillard - Thornridge
Andea Youngblood – Thornridge
Barry Carter – Timber Ridge
Judy Kouri – Timber Ridge
Joyce Rowe - Timber Ridge
Andy Wyman – Walnut Creek
Ed Applequist – Winterberry Ridge
Miguel Chueca - Winterberry Ridge
Marni Pilafian - Winterberry Ridge
Courtney Glaze - Woodbridge Crossing
Patlo Moge

MEMBER VOICE

Chair Hughes informed the audience that this meeting was only for Brandermill residents and that during this portion of the meeting, attendees had 15 minutes to make comments about anything they wished.

Tom Bierowski (Sterling's Bridge) asked if Member Voice only applied to NRC representatives speaking, or if other residents could also speak. Bierowski indicated that several years ago at a meeting concerning the pools, residents were not allowed to speak, and the BCA Board distributed cards to attending residents on which to write their questions. However, the BCA Board shifted through all the questions, and not all the questions were asked. Bierowski asked if the BCA Board was in violation then. Chair Hughes responded that he did not think Member Voice was a law at that time. Member voice is about openness, and most meetings are open.

Betty Clapp (Shallowford Trace), representative for Hands across the Lake, informed the audience of a Chesterfield County public hearing on July 30 at 6:30 p.m. Ms. Clapp indicated that this hearing concerned the water Brandermill residents drink and that resident attendance was important because the County would be considering several ordinances concerning the limit amount of phosphorous that can be allowed into 11 tributaries, some of which feed into Brandermill's water shed. She indicated that there was a lot at stake and encouraged everyone to attend the July 30 hearing and to support HAL's position which, she added, would help to ensure the quality of Brandermill's drinking water. She thanked those that went to the June 25 County public hearing and supported HAL's positions. Ms. Clapp also encouraged the residents to learn more by visiting HAL's web site at www.handsacrossthelake.com/.

A resident from Murifield Green asked if there would be another meeting to discuss the cell tower, or if residents could ask questions at this meeting. Chair Hughes acknowledged that the NRC would try to keep the business portion of this meeting brief because the guest speakers from Invisible Towers LLC were returning to Maryland that evening. However, the speakers had agreed that as long as the meeting remained civil, they will try to answer all questions.

MINUTES

The May 20, 2008 minutes were previously approved.

CHAIR'S REPORT

Chair Hughes introduced the following attendees to the audience:

- Betsy Bolling and Jeanne White, members of the Membership Committee
- Grant Miller, officer of the NRC
- Mamie McNeal, Communications Committee
- Andy Wyman, NRC officer
- Frances Hillman, an NRC officer is on vacation and hence was not in attendance at the meeting
- Kevin Healy who's also an NRC officer

Chair Hughes also acknowledged the presence of three BCA board members: Dick Guthrie, Joyce Rowe, and Joel Bradner. Also present were Reuben Waller, Planning Commissioner for Midlothian District, who sat-in for Russ Gulley, Brandermill's Clover Hill Planning Commissioner, and Robert Clay who represented Chesterfield County Planning Department.

Chair Hughes informed the audience of a resident who wanted to maintain the median strip located at the intersection of Old Hundred Road and Genito Road. Unfortunately, two days after the resident made his request, Chesterfield County mowed down the median for safety reasons. This resident will meet with the County to see if anything can be done so he can maintain this strip, in lieu of the County paving it with concrete.

Chair Hughes also said the BCA Board voted the previous night to put the universal pool access question to a referendum vote in October. The NRC hopes to work with the BCA Board to get information to all Brandermill residents prior to the vote.

Chair Hughes reminded everyone of the September 23 NRC meeting on universal pools.

COMMITTEE REPORTS

Membership Committee: Membership Co-Chair Jeanne White reported that there was a strong membership drive this past spring and summer. At the beginning of the year, there were 15 neighborhood representatives and as of this meeting, the count was 38. She also asked residents to become neighborhood

representatives, but if they were not interested, to solicit the help of their neighbors so that their neighborhood could be represented at NRC meetings.

Co-chair White said that it was important for each neighborhood to have a voice in the NRC and that it was a great way to learn about activities, events, and issues concerning Brandermill. They will continue to solicit more residents to become NRC neighborhood reps and hoped to have a table at the Fourth of July parade and at the Green Market in August.

Communications Committee: Committee Chair McNeal said that NRC has begun a Resources page on their web site, www.BrandermillNRC.com, which will enable residents to more easily contact their neighborhood representatives about issues. This contact page has been designed to be electronic so that the NRC could collect issues from the community as a whole for discussion at NRC meetings. She announced that an e-mail address had been established for the NRC as NRCinfo@BrandermillNRC.com which would enable residents to write directly to the NRC officers.

McNeal also acknowledged Wendy Parker for giving quick turnaround in the review and approval process of updating the NRC web page for publication.

OLD BUSINESS

Mamie McNeal (Planter's Wood) said that a resident neighbor had ask her about the status of sound barriers on Old Hundred.

Chair Hughes updated the audience about three memos written to the BCA Board on June 13, 2008: (1) village lighting along Genito Road, (2) sound barriers along Old Hundred Road, and (3) access to the new high school. As of this meeting, the NRC had not heard an official response from the BCA Board. Joel Bradner, President of the BCA Board, responded that all three issues had been addressed with John McCracken, Chesterfield County's Director of Transportation, prior to the Board receiving the memos. President Bradner said that all three of those issues had been rolled into a Route 360-Old Hundred Road study being conducted by Chesterfield County. President Bradner also responded that the Board was now awaiting the results of that study but that the County had not indicated a time frame.

OPEN DISCUSSION/TOPICS

Chair Hughes began the presentation portion of the meeting by introducing Planning Commissioner Reuben Waller.

Commissioner Waller informed the audience that public meetings had been held for the past six months over the issue of cell tower construction. He also announced that there will be another public hearing in August where the applicant [Invisible Towers, LLC] will be asking for a 30-day deferral, and hence this issue would not be presented before the Planning Commission until September. Waller anticipated more meetings, both open and closed, on the topic of cell tower construction before the Planning Commission made its recommendation to the Board of Supervisors.

Waller also mentioned that there will be a Chesterfield Board of Supervisors meeting on July 30 regarding the Swift Creek Reservoir which will impact the County at-large. He encouraged Chesterfield County residents to attend the meeting, regardless of what position they may have.

Robert Clay, representing Chesterfield Planning Department, stated that he would cover two topics: (1) to explain the County's process of zoning property, e.g., an applicant seeking permission to authorize a tower on a piece of property and where the applicant stood in that process at that point in time; and (2) review the County's tower site policy.

With regards to zoning of property, an applicant initially approaches the Planning Department with a particular use of a specific piece of property. Generally, the Planning Department requires that the applicant provide as much information as possible for the proposed use. Meetings are held between the Planning Department and the applicant, and information is shared with other County departments, e.g., environmental engineering, utilities, schools, etc., as necessary. County feedback to the applicant includes issues that must be reconciled with residents and surrounding communities as well as conditions under which the Planning Department staff will support or not support the proposed project. The Planning Department then makes a recommendation to the Planning Commission. The Commission schedules at least one public hearing on the proposed project. After the public hearing(s), the Planning Commission votes to make a recommendation to the Board of Supervisors, who ultimately makes the final decision.

Clay stated that the applicant made an application with the Planning Department in early June 2007 and began meeting with citizens affected by the proposed project. The application is presently on the August 19 agenda, but according to Clay, the applicant is considered asking for a 30-day deferral. The Planning Department continues to work with the applicant to review what concerns might have arisen. The applicant also has the option to withdraw its application.

With respect to the County's tower site policy, Clay commented that the County generally places telecommunications towers in areas that are zoned for industrial or commercial uses. Although the County prefers to site these towers in industrial and commercial areas, the policy does not directly indicate that towers cannot be constructed in other areas of the County, e.g., areas zoned office, areas zoned residential, areas zoned agricultural, etc. The policy does recognize that there may be reasons for locating a tower in areas other than industrial and commercial. In these latter cases, the policy states that the tower must mask the utilitarian nature of the tower. The site policy also addresses buffer areas in some instances.

Chair Hughes opened the floor for questions to Clay with regards to County processes and procedures.

Ray Pfoff (Poplar Grove): If the applicant filed a 30-day deferral with the Planning Department, will this deferral automatically be granted? Or, did I hear you say that the deferral will not be granted until August 19 when the applicant asks for that deferral?

Clay: The deferral will not be heard until the applicant actually makes that request at the August 19 hearing. The Planning Commission must consider that request during the public hearing process, and typically, if the applicant has asked for a deferral for the reason of conducting further meetings with the community to further reconcile issues, the Commission will grant such.

Pfoff: The deferral is not guaranteed until the applicant files it, is that correct? If 50 people stay away from that meeting, it is not guaranteed that the application will be deferred 30 days since the applicant has the prerogative to not enter the deferral and proceed with business.

Clay responded: That is correct.

Pfoff continued: If an applicant is asking for a deferral and does so three days before a scheduled public hearing, is it not the Planning Commission's

procedure to send written notification to all the adjacent property owners? Isn't the reason for that notification so that citizens will not have to attend a public hearing when a deferral has already been granted?

Clay stated: If the applicant does that, especially in a case of this magnitude, and if the Commission knows that citizens are concerned, the deferral will be granted.

Barry Harbor (Timber Ridge): Is there a policy about the tower proximity to schools or day care centers?

Clay: The policy addresses towers proximity to schools; it does not speak directly to day care centers. We also have them in County parks as well.

Meeting Attendee: Do you know how many towers there are in Chesterfield County right now?

Clay: No, ma'am, I do not.

Meeting Attendee: Is there a way to find out? And does every single provider need their own tower?

Van Thompson, Senior Vice President, Invisible Towers: Wherever they can, the carriers tend to co-locate.

Marni Pilafian (Winterberry Ridge): If this application is defeated, what precludes the County from allowing another applicant to file this same application every year? Is there a precedent set if this application is defeated or if it is accepted?

Clay: There is nothing to preclude another company from filing this same application. We would have to go through this process again, but there would be no precedent set if this application fails. Likewise, if this application is approved, another applicant would have to go through this same process again. Each applicant would have to go through the same process.

Marie Stella (Cove Ridge): Was there a study done to see if there was another place to put the tower? Was an environmental study done since Brandermill is a bird sanctuary?

Clay: Your questions should be answered by Invisible Towers. All tower applications are forwarded to the Chesterfield County Airport Manager for

compliance with FAA regulations, and in this case, it was discovered to be in compliance.

Chair Hughes: How is the Brandermill County Club zoned?

Clay: It was zoned residential as a part of the overall Brandermill development; the area in discussion is part of the recently amended open space rezoning that has conditional uses. The applicant wants to amend the zoning for additional use.

Stella: Was there not industrial area that the tower could be located?

Clay: We do not make recommendations on property. The applicant brought a specific space to the Planning Department and asked for zoning approval. No industrial area was brought before the County for approval.

Meeting Attendee: Are there any other cell towers in residential areas in the County or in the local Richmond area or in Midlothian?

Clay: There are quite a few here in residential areas.

Resident (Muirfield Green): What about the setback or buffer? What is the minimum setback or buffer area?

Clay: They would be whatever the residential requirements would be.

Chair Hughes began the presentation portion of the meeting by introducing Invisible Towers, LLC Senior Vice Presidents Mark Faris and Van Thompson. He also acknowledged the presence of Mickey Mahoney, a representative of AT&T.

Faris began by stating that his firm was Invisible Towers, LLC, a small firm owned, operated and funded by him, Thompson and a third partner. Each of the partners has many years of experience in the telecommunications industry. He stated that his firm builds custom-fit or focus-fit telecommunications tower coming into a community; they do not build anything that is not concealed and/or build on specs. Some of their customers are AT&T, Verizon, Clearwire, Sprint Nextel, and Ntelos.

Invisible Towers was asked by AT&T to come into the area and to look for sites that met the certain telecommunications requirements. Faris stated that Invisible Towers only considers sites in areas specified by their customers. When his firm comes to an area, plans are fully disclosed. He described industry

recognition and other projects completed by his firm, using PowerPoint slides to illustrate their work.

Thompson displayed large slides depicting how the Brandermill site was selected, based on lack of AT&T cell phone coverage. He said that the slides did not appear as credible as it will actually look.

Faris then asked opened the floor for questions, and Chair Hughes facilitated the process.

Barry Carter (Timber Ridge): I'm not so concerned about a fake tree standing in a wood area, but what is the environmental impact of having a tower?

Faris: Environmental impact studies are done as part of the approval process. The FAA study is complete, and the proposed construction meets the requirements. Invisible Towers would be glad to make these studies available. He suggested that residents visit their web site where there is a lot of information, some of which addresses the health issues previously raised. He encouraged everyone to read the articles from the World Health Organization and the FCC.

Stella expressed her concern about RF electro thermal impact on children's health and about the 2½-mile area which goes over the schools. She said we needed to be more careful, as more recent studies have alluded to potential health disorders.

Jerry Barnes (Sterling's Bridge): Do AT&T coverage maps indicate 100% coverage, 90% coverage, 705?

Mahoney: Any promulgation model is generally about 85%.

Barnes: Okay. Did AT&T pay Invisible Towers to find a site, or did your engineers initially develop that and say "This is where we'd like to go."

Mahoney: AT&T has been in an amphitheater in Virginia since 1977, and Brandermill has been an area that AT&T has been trying to recover since then. So we have commissioned Invisible Towers to look for a right site for the right unit.

Doug Camp (Barne's Spring): The premise is people cannot get cell coverage. I know that this is just a section of us; we understand that. There are a lot of AT&T users here who have 5-bars, and we're not that far from the Country Club. So, where's the need?

Mahoney: The need arises from Brandermill being in a very heavily wooded area, and those trees block and absorb the transmissions going in and out the community. The reason you have coverage right here is because we're on the side along Old Hundred Road. So along that side, signals – along the landfill side, along the water side, along the high school side, along Commonwealth Pointe – still aren't penetrating through the trees.

Scott Fisher (McTyre's Cove): Why doesn't AT&T use the technology that Verizon uses instead of having a tower?

Mahoney: It has to do with spectrum. Verizon and Alltel (with 750-800 mHz frequencies) were the original carriers in the area. FCC auctions off spectrums for people to use as wireless communications. In the mid to late 90's when the wireless telecommunications business boomed, FCC realized that more people wanted to enter the wireless communications business and auctioned off more of the spectrum but in the 1,900 mHz frequency. Hence, for the newer carriers to provide service, there has to be different technology.

Joyce Rowe (Timber Ridge): I believe the 9th green is about where you're putting the tower, and I believe about a half mile away, we do have a commercial area. Why not put the tower just half a mile away? Also, will the tower require lights at night?

Thompson: No, no lights are needed.

Mahoney: What happens is the industry is that you perform a search ring. The industry generally commissions people like Mark and Van here to do a study in that area to be sure that the site meets our firm's criteria. So, to answer your question about the commercial property you're describing is I don't have an answer to that. I don't know that it was recommended as an alternative site.

Chair Hughes: I think a lot of people would like to know the answer to the question of alternative sites.

Tom Bierowski: There has been a lot conversation about just the cell phone application here. With talk about electronic medical records and EMF, would your tower be used for that also? With a daycare center being so close, what would happen if lightning strikes the tower?

Mahoney: As far as EMF is concerned, the first right of refusal is to the County. So it will be available for their EMF use. Now, as far as their spectrum and wave, that is dependent on County requirements.

Thompson: The tower is actually a steel rod and will act as a lighting rod, but it has attached to it unbelievable grounding materials around it.

Tom Bierkowski: Is the County experiencing a break in their EMF, police, and fire communications right now?

Mahoney: If they are using AT&T, yes.

Tom Bierkowski: Does the County have a contract with AT&T?

Mahoney: I don't know.

Sara Whitmore (Muirfield Green): I'm concerned about the impact of the tower on children over time. What is the strength/capacity of the tower? How much signal does it carry? How big is it?

Faris: This tower was designed for five carriers. We take the worst case load and compute the maximum load on the tower as a starting point for its construction. Coverage really isn't the issue; it's capacity. So we build it to the maximum height for the number of carriers that we expect to serve in Brandermill. It will be the County's responsibility to specify the maximum height allowed.

Whitmore: What is the capacity or maximum load of the tower?

Faris: The radio emissions are measured by the aggregates at the site. I recommend that you read the articles on our web site.

Pat Moyer (Cove Ridge): Can you [AT&T] piggyback off one of the other existing towers?

Mahoney: I believe we were the first on the monopole on Old Hundred; I believe there are two other carriers on it now. At the intersection of Route 288 and Powhite, there are many power structures there.

Moyer: I don't understand why you would build a tower for five carriers, but you're the only one that needs it. Are you then going to come back next year because Woodlake doesn't have coverage?

Chair Hughes: See this tower here? When it was placed there, the residents had rejected it being built within the community. Back then, there was nothing in that area where the tower was built. Since its construction years ago, the community has built up to it.

Faris: Let me comment on the number of carriers. Just because AT&T is the only carrier represented here doesn't mean that there aren't other carriers interested in being located on this tower.

Thompson: Ntelos is all over me all day. T-Mobile is the same thing. I don't think Verizon has committed yet. We're getting calls from other carriers all day long.

Moyer: It doesn't make sense to me to build a tower to serve just 3,700 people, maximum.

Chair Hughes: You've all heard about what happened in Woodlake? Does anybody know why the applicant withdrew its application?

Pilafian: Yes, I can tell you why. I own a house there. The residents were 100% opposed, including the association, because they were going to put it right on the soccer field of Clover Hill Elementary School, surrounded by hundreds of children from nearby neighborhoods.

Richard Kury (Cove Ridge): Invisible Towers, what was the scope of work given to you for your assignment from AT&T?

Faris: AT&T determined a search ring, and they said now determine and find us a location.

Kury: A location or locations? I mean, when you came back with your findings, did you just recommend just a location?

Faris: In our business, we cannot build the type of tower we're building with seamless technology because it's quite expensive for just one company. If AT&T was the only company that was interested, Van and I would not have filed the application. So it's not just the scope of work from this client, but it must also work into the fiber of other carriers' networks.

Think of us as land developers. We lease space to each of our clients on this tower, who then sell their services to consumers.

Kury: But did you determine that this was the only location or the best location? Or, were there other locations just as viable? Did you have a Plan B and a Plan C to offer them?

Thompson: This is the best location.

Faris: This is the location is the site we recommended to our client, and they said this was optimal to what we're trying to do, relative to how our network is constructed.

Kury: One or multiple sites?

Thompson: We looked at multiple sites.

Kury: Where were the other sites?

Thompson: There were several off Old Hundred Road.

Meeting Attendee: The Brandermill Country Club was the only willing landlord you could get?

Thompson: They were the only one we got to sign.

Pilafian: AT&T is the client, Invisible Towers LLC is the server, and the Country Club is the landlord. Landlords usually make on average \$100,000 a year from having a tower on their property. I know that from my own experience.

There appear to be health hazards associated with cell towers. Is AT&T, Invisible Towers and Brandermill Country Club willing to assume the liability insurance for Brandermill neighborhoods and health hazards? Have you done this in the past and do it now? Will you put it in writing?

Mahoney: I cannot answer for AT&T legally.

Meeting Attendee: The Telecommunications Act of 1996 and the 911 Act of 1999 says that they are not liable.

Faris: I own one-third of Invisible Towers, Van owns one-third of the firm, and our third partner is not present. My answer is "No, we will not assume liability." I cannot answer for the Country Club.

Mamie McNeal (Planter's Wood): There is one carrier committed to this tower at present, and as other carriers are added to the tower, will it exponentially or arithmetically add frequency of RF waves around us?

Faris: It depends on what antennas they use, how many channels they put in, and what power base it takes for their network. All of that is evaluated and made compliant by the FCC rules. I cannot say what specifically the step rate is. I don't believe it is exponential, but I cannot tell you the exact mathematical formula.

Barnes: Are you going to put a security fence around the tower and the equipment you're placing around the tower?

Faris: The way it's designed today is we're going to build two structures with a tower court yard, with the tower inside the court yard. It will look like a tree is growing out of the building. If the question is: "Will the tower be secure?" The answer is yes. If the question is: "Are you putting a fence around it?" The answer is "No, we're doing alternative design that we've actually custom designed."

Barnes: Have you run this by the Board?

Faris: Yes, we have run it by the Architectural Review Board as we simultaneously apply with the County and conduct community meeting. We are going through your elected officials to be sure that it will look like what you want to see.

Andrea Young: Who is going to measure the tower radiation? What is the process involved with that?

Faris: There is a certification process, and the site is monitored on a periodic basis. The FCC requires the carriers to be compliant with regards to emissions, and depending on the carriers' licenses, these tests will be run on a periodic basis.

Pfaff: I began very impartial before the first meeting but having done some research; I have discovered that there are communities that have done studies that found there were increases in cancer in children, birth defects, and early Alzheimer's. These things are happening all over the United States.

These radio frequency waves travel 2½ miles. They bounce; they hit the ground and bounce. The signal itself does nothing. Anything with low frequency builds in your body over time. If your family has a tendency toward cancer, these frequencies can trigger the disease.

Kelly Brady (Murifield Green): Why would you pick a site that was that close to a daycare center, with children under age seven? How far do you need to be from the day care?

Faris: The County has no specific policy that addresses tower site issues around schools.

Bradner: As a parent of a child who attended Greenwood School. Is there a different stipulation for schools as opposed to daycare centers?

Faris: Presently there are towers located on school property in Chesterfield County. They are co-located on athletic fields. There is no mandated setback for schools.

Andy Wyman (Walnut Creek): I cannot use my AT&T phone at my house, and I don't want to change my carrier. Our site policy was not developed based on visual reasons, not for health reasons. The federal government report in 1996 also mandated that local authorities cannot deny communication towers solely based on health reasons.

Brady: It's really a moral question.

Barnes: There are a lot of concerns – some over health reasons, some over reception, etc. The overriding picture is still property resale value. How does this affect that? Am I correct in hearing from Faris and Thompson was that the tower was not secured by a fence? Having lived here in a community with some 2,500 teenagers, it seems inherent that teenagers will climb the tower and possibly commit vandalism.

Faris: There are no gaps. They will not be able to climb the tower; it will be absolutely secure.

Christine Barnes: If the County waives the 1,000 ft setback for the tower, what else will it waive? Even if it looks like a tree, it still has power.

Clay: There is no 1,000 ft setback requirement, ma'am. The code does not require it.

Meeting Attendee: I question where the board is on this issue.

Dick Guthrie, BCA Director: This is why we are here – to listen to what the residents have to say. That’s why we were at the last meeting. This feedback will be important to influence how the Board votes.

Betsy Bolling (Fortune’s Ridge): Would you [Invisible Towers] be willing to come back with answers for questions that you were asked tonight?

Faris: Yes, ma’am. We asked to defer our case for another 30-day with the County, which Mr. Clay talked about earlier, and in that process, we have asked for another community meeting with the BCA Board. The only caveat that we ask you to write your questions down so that we can be better prepared. So, yes, we are planning on coming back for another meeting.

Bolling: Well, I happen to have paper and pens back here. So I’ll ask that you write your questions down so we can forward them for the next meeting. And thank you.

Clay: There seems to be some concern about a 1,000 ft. setback. Let me try and clarify that. Part of our site policy says that in some instances for construction of a standard monopole telecommunications tower, depending on the area, it may require you to have an intermediate use between that structure and the tower within residences. What the policy states is that if you have a distance of 1,000 ft. from that tower and residential uses, then an intermediate use may not be necessary. There is no requirement that a communications tower is setback 1,000 ft.

Pilafian: So how can our voices be heard? Are we going to have a vote to help the Board decide? Or is a survey going to be sent out?

Chair Hughes stated that this is an open meeting so any representative can make a motion. We have 14 neighborhoods represented so we do have a quorum for a vote at this meeting. How would you like to continue?

Pilafian: I would like to make a motion to vote to help the Board make up its mind.

Chair Hughes: Do we have enough information right now to have a vote or do we need more information? Do you want to continue to ask more questions?

Pilafian: I think the residents should be able to make a motion right now to decide either “aye” or “nay” to the cell tower construction.

Chair Hughes: I think we should get more information, but I certainly can't stop any neighborhood rep from making a proper motion, getting a second, having a discussion and voting.

Bradner: I would like to make a suggestion on how you word your motion. I don't want to discourage you at all, as a matter of fact; I encourage you to do so. The NRC is a committee of the BCA Board of Directors. So the NRC would make a recommendation to the BCA Board to take a position to approve or deny construction of the cell tower.

Chair Hughes: You must be a neighborhood rep to vote on this motion, and there is only one vote per neighborhood.

MOTION: Rep. Pilafian moved that the NRC recommend to the BCA Board that we specifically deny establishment of a cell tower in Brandermill.

MOTION SECONDED: Rep. Ed Applequist.

MOTION DISCUSSION: Officer Wyman suggested that the vote was being taken under great emotionalism and not rationally.

Betsy Bolling, membership co-chair, performed a roll call by neighborhood and a vote on the above motion was taken accordingly.

MOTION CARRIED: Six representatives voted yes, three voted no, and three abstained.

Officer Wyman said he would not vote and resigned as an officer of the NRC.

ADJOURNMENT

A motion to adjourn the meeting was made, seconded and unanimously carried. The meeting was adjourned at 9:40 p.m., July 22, 2008.

Respectfully submitted,

/s/ FRANCES HILLMAN
Frances Hillman, Secretary
Neighborhood Residents Council

/s/ JOHN HUGHES
John Hughes, Chair
Neighborhood Residents Council