

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING COMMISSION MEETING
NOVEMBER 28, 2017**

PRESENT AND ACTING:

**DANNY RAY WISE, CHAIRMAN
GENE BAILEY, VICE-CHAIRMAN
DARRELL MCDUGALD
DENNIS JONES**

**MATT FUQUA, ATTORNEY
CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT**

The meeting was called to order by Chairman Wise at 5:00 p.m., CT.

Mr. Snowden stated there are two (2) applications for Conditional Use Permits to build communication towers from Coral Towers and Excell Communications.

Mr. Snowden stated the first Conditional Use Permit application is from Coral Towers for the Shelton's Corner area. Mr. Snowden stated the site is about one half mile west of the intersection of SR 73 and SR 274. Mr. Snowden stated the tower would be a 250-foot tall self-support tower. Mr. Snowden stated Mr. Ron Grace, the company representative, has provided the County with the application, and all necessary paperwork needed including a letter of agency from the property owner, Mr. James Burke. Mr. Snowden stated the project meets all set back requirements and Mr. Grace has obtained a letter of no flight risk from the FAA (Federal Aviation Administration).

Mr. Grace stated his client is requesting a Conditional Use Permit in order to build a communications tower in this location to improve cell service in the County and provide improved E911 services. Mr. Grace stated he is open for any questions or concerns from the Board regarding the project. Mr. Snowden stated this cell tower is not very far from Commissioner Hall's residence, who has issues getting cell service at his home. Commissioner McDougald inquired about Mr. Grace's client building the site. Mr. Grace stated he represents Verizon. Commissioner McDougald asked if there is an alternate location for the cell tower. Mr. Grace stated there is no alternate location; the site is right where the company needs a tower to be located. Mr. Grace stated there are seven (7) tower locations Verizon needs throughout the county. Chairman Wise asked if the tower meets all the setback restrictions required in the Comprehensive Plan. Mr. Grace stated the site more than meets the setback restrictions, and would not hit any other properties if it were to fall. There was further discussion about the cell tower.

Chairman Wise opened the floor to public comment.

Mr. Chris Kohlsaas stated he lives across the street from the proposed cell tower site and has no problem with cell service at his home. Mr. Kohlsaas stated he is against the cell tower being placed at this site, and has signatures from thirteen (13) surrounding landowners who are also in opposition of the cell tower. Mr. Kohlsaas stated the letter sent from the County informing the surrounding landowners of

the Planning Commission meeting regarding the cell tower was not clear enough on where the cell tower would be located. Mr. Kohlsaas stated he believes cell towers de-value surrounding property values and are an eyesore to look at. There was further discussion about the cell tower. Commissioner McDougald stated he has received calls from landowners both in favor of and in opposition of the cell tower. Mr. Ron Grace stated there have been studies done on cell towers and property value, and there have been no cases where the property value was decreased due to cell tower placement.

Ms. Virginia Baker stated her husband, Dr. Murray Baker, was approached about seven (7) months ago to provide land in Blountstown for utilities associated with a communication tower. Ms. Baker stated due to their location and neighborhood in town, they declined, but at the same time did some research about property values and cell towers. Ms. Baker stated a property appraiser stated there would be no change in property value except post facta, which means they could not say what would happen to real estate. Ms. Baker stated they called a realtor who stated property values would change, especially in a residential neighborhood. Ms. Baker stated her husband purchased land across the street from the location of the proposed cell tower for \$40,000 per acre, and is concerned about the value of the property if a cell tower were installed. Ms. Baker stated the property would not have been purchased if they had known a cell tower would be built across the street. Ms. Baker stated concerns about radio frequency impacts on human health from communications towers. Ms. Baker stated she and her husband are against the placement of the communication tower.

Mr. Grace stated he has met the obligations to the County and what was required, and in the 1996 Telecom Act, Section four (4) states the local jurisdiction is not allowed to base any decision on Radio Frequency Transmission, it takes the burden away from local jurisdictions on heresy versus fact. Attorney Fuqua stated on the American Cancer Society website they state there is no correlation between cancer rates and cell phone towers. Ms. Baker stated there is other research that has been done in Germany and Switzerland that have a different opinion on cancer rates. Commissioner McDougald asked about research concerning radiation from a cell phone. Mr. Grace stated there is more radiation from the cell phone than the tower itself.

Chairman Wise closed the floor to public comment.

Commissioner McDougald stated the County needs better cell service.

Chairman Wise asked Mr. Snowden if the applicant has met all the conditions required by the Comprehensive Plan, and if the property owner is exercising his right as a property owner to allow this cell tower to be placed on his property. Mr. Snowden stated all the documentation is in order as required by the Comprehensive Plan and Mr. Grace has a letter of agency from the property owner.

Commissioner Bailey stated the certified letter that is sent out should be placed on letterhead (all letters are sent on Planning Commission letterhead), and the letter sent is standard for all Comprehensive Plan notifications. Attorney Fuqua stated it might be better if a map of the area in question could be included with the letters, but written notification is not required at all so the County is going above and beyond what is required.

Commissioner Jones stated he would have liked to see more people attend the meeting to voice their opinion about the cell tower.

- ❖ Commissioner McDougald made a motion to approve Coral Tower's application for a Conditional Use Permit to construct a communications tower. Chairman Wise seconded the motion. Commissioner Bailey stated the County has done their due diligence according to law. Commissioner McDougald stated he has received calls for and against the communications tower, and stated the County is weak in cell phone reception. The motion passed unanimously 4-0.

Mr. Snowden stated Excell Communications is proposing to place a 410-foot guyed wire telecommunications tower off Jim Durham Road between SR 71 and John G. Bryant Road. Mr. Snowden stated the site is 13.5 acres, and a very detailed site plan has been provided. Mr. Snowden stated the only issue for this site is there are some man made wetlands due to the old County dirt pit. Mr. Snowden stated the wetlands are not listed on the National Wetlands Inventory or Floodplain Map. Attorney Fuqua stated generally the County would not allow development in the floodplain, but since the County created the wetland area with the borrow pit, from a legal standpoint he has no issue with the tower being constructed in the area if it meets all the other criteria for the tower.

Mr. Clay Brogdon stated he is the manager of site acquisition and construction for Southern Link. Mr. Brogdon stated Southern Link is a wholly owned subsidiary of Southern Company, and they are the wireless communications provider for Southern Company's four (4) large electric utility companies including Gulf Power, Georgia Power, Alabama Power, and Mississippi Power. Mr. Brogdon stated they also provide wireless communications to numerous local, city, and State governmental agencies, other electric utility companies, and emergency management agencies. Mr. Brogdon stated in addition to Gulf Power, some of their customers in this area include the Florida Department of Law Enforcement, Chipola College, Couch Aggregates, and Phoenix Construction, who all depend on Southern Link to provide reliable wireless communications. Mr. Brogdon stated Excell Communications is proposing to build a 410 foot guyed wire tower on property owned by Calhoun County. Mr. Brogdon stated this tower is needed to maximize coverage, capacity, and data speeds on their new state of the art 4G LTE communications network. Mr. Brogdon stated Excell Communications is asking the County to approve a Conditional Use Permit to construct the tower, and if the proposed tower were approved, they would be assigning it to Foresight Towers, one of their preferred partners, to build, own, and operate. Mr. Brogdon stated Foresight Towers has agreed to allow Calhoun County to co-locate antennas at the top of the tower, antenna space between 350 and 375 feet, and space on the ground for the County's communication system, all at no charge to the County. Mr. Brogdon stated this would allow the County to enhance their own communication system without having to invest a significant amount of money. Mr. Brogdon stated since the proposed development is on County owned land; Foresight Towers would be making payments to the county in the amount of \$700 per month for use of the property. Mr. Brogdon stated Foresight would also design the tower to accommodate co-locations of other wireless carriers such as Verizon, AT&T, and Sprint, and would encourage these carriers to co-locate on this tower if they have a need. Mr. Brogdon respectfully asked the Board to approve the Conditional Use Permit for the proposed communications tower. Mr. Brogdon read a letter of support from Ms. Sandy Sims, the district manager for Gulf Power for this district, who was unable to attend the meeting due to a conflicting appointment. Mr. Brogdon submitted Ms. Sims' letter for the record. Commissioner Bailey asked if there would be any charges to the County if the County installs an antenna at 375 feet on the tower and locates a transmitter at the bottom of the tower. Mr. Brogdon stated there would be no extra charges to the County. Mr. Brogdon stated Foresight Towers is willing to provide space at the top of the tower for antennas, space between 350 feet and 375 feet for what may be needed, and a spot at the bottom of the tower for the County's equipment to be housed, all at no charge to the County. Chairman Wise asked if this agreement is in writing. Mr. Brogdon stated these items could be listed as conditions

of approval for the Conditional Use Permit. Commissioner Bailey asked about the wetlands on the property, and asked if the State has determined the wetlands to be jurisdictional. Attorney Fuqua stated there is a certain species of plant growing in the pond dug by the County that was determined by environmental consultants to be wetlands, not the State. Attorney Fuqua stated the wetland area does not show up on the State wetland or floodplain maps. Mr. Brogdon stated there would be minimal impacts to the wetland area, and he has a report from their environmental consultant for the project that indicates what the status of the project is and indicates what the company has to do to ensure requirements are met. Mr. Brogdon stated two (2) jurisdictions are in charge of the wetlands on this property, the North West Florida Water Management District and the United States Army Corps of Engineers. Mr. Brogdon stated their environmental consultant is working with both agencies to make sure any issues are addressed, and a permit is obtained from both agencies before any construction begins. Mr. Brogdon provided the Board with a summary of their status on the wetland issue from their environmental consultant.

Chairman Wise opened the floor to public comment.

Mr. Joe Wood stated he lives close by to the proposed cell tower location and expressed his support for the construction of the cell tower.

Mr. Brogdon stated the representative for Coral Towers had mentioned Verizon has seven (7) site locations in Calhoun County where they would like to locate towers. Mr. Brogdon stated Foresight Towers would be reaching out to Verizon to see if one (1) of those seven (7) sites were anywhere close to this tower site, and if so Verizon could locate on this tower and alleviate the need for at least one (1) more tower to be constructed.

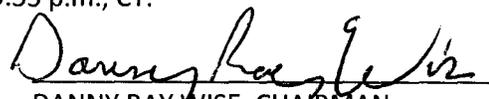
Chairman Wise closed the floor to public comment.

Commissioner Jones asked about the wetlands area. Mr. Snowden stated there is only a very small portion of the property that is considered wetlands; the guyed lines would be flying over the wetlands, and construction would not be on the wetland area.

- ❖ Commissioner Bailey made a motion to approve the Conditional Use Application for Excell Communications. Commissioner McDougald seconded the motion. The motion passed unanimously 4-0.

Mr. Snowden stated at the last Planning Commission meeting Mr. Matthew Griffin addressed the Board about an issue he has with his property. Mr. Snowden stated on his behalf and on the behalf of a number of realtors he has spoken with, he feels there needs to be a workshop held to address some language in the wetlands policies of the Comprehensive Plan. Mr. Snowden stated there is differing language in the Comprehensive Plan regarding building on properties with wetlands. Mr. Snowden stated he would like to change the language to provide a more clear definition for building on properties with wetlands. There was consensus from the Board to hold a workshop on January 23, 2018 at 5:00 p.m. Mr. Snowden stated anyone who would like to talk to him about the issue is welcome to provide any input between now and the workshop. Mr. Snowden stated Mr. Griffin has plenty of uplands to build on his property and more than enough buffer to satisfy the normal fifty (50) foot buffer for building in wetlands. Mr. Snowden stated he has noticed other Comprehensive Plans are not so restrictive. Mr. Snowden stated the wetlands need to be protected, but there is a way to protect the wetlands and for development to co-exist at the same time.

There being no further discussion, the meeting adjourned at 5:55 p.m., CT.


DANNY RAY WISE, CHAIRMAN

ATTEST:


CARLA A. HAND, CLERK