

March 25, 2009

The Board of Commissioners of Franklin County, North Carolina, met for a Recessed Meeting at 7:00 P.M. in the Commissioner's Meeting Room located in the County Administration Building with the following Commissioners present: Chairman Robert L. Swanson, Vice-Chairman Penny McGhee-Young, Bob Winters, Sidney E. Dunston, Donald C. Lancaster, Harry L. Foy, Jr. and E. Shane Mitchell.

Chairman Swanson called the meeting to order for the purpose of a public hearing regarding Triangle Skydiving Center and to consider an addendum to an existing lease with C-N-C Mechanical. Both items were introduced at the Board's March 16, 2009 meeting.

1. CONTRACT WITH TRIANGLE SKYDIVING CENTER

An agreement has been reached between Franklin County and Triangle Skydiving Center in the matter of skydiving operations at Triangle North Executive Airport (TNE). The Board was asked to approve the five-year lease to allow this new tenant to commence jump operations.

Chairman Swanson asked Rob Southerland, Airport Director, and David Guin, Attorney, to offer a brief background on the project for those in attendance.

Mr. Guin summarized that as the owner of a public use airport, the County has been asked to allow skydiving activity to occur there as skydiving is considered an aeronautical activity. Greg Upper, operator of Triangle Skydiving Center, came to the County with a proposal to provide a skydiving school as well as training and recreational opportunities for skydivers in the area. If approved, Mr. Upper would rent the hangar and leased plane to service jumps. At this time, a lease has been negotiated and prepared. The purpose for the public hearing was to obtain comments and address questions from nearby property owners who were not previously contacted about the proposed operation.

Mr. Guin then stated each skydiver would be required to sign a waiver before a jump. He said they will also have insurance for injury that might occur to their person or the property of someone else. Commissioner Swanson asked if there is any liability on behalf of the County. Mr. Guin stated there was no way to determine if the County would ever be sued in reference to skydiving operations, but he said because the County itself is not operating the skydiving center or the flight school, liability is unlikely. Again he stated releases signed by each skydiver should prevent the airport from liability.

At approximately 7:13 P.M., Chairman Swanson opened the public hearing.

Stephen Torrent, 2660 Ronald Tharrington Road, Louisburg, NC

- Mr. Torrent stated he is a Franklin County resident, a skydiver and a retired pilot with 19,000 hours of experience. He has also been a parachute instructor and a jump master. Mr. Torrent's feeling is that many people don't understand that parachuting is a sport that shares the runway with airports and airplanes. He said most skydiving operations in other areas are located on municipal airports. He said very few airports have a runway solely dedicated to skydiving. He stated since he began flying in 1969, he's operated a variety of aircraft and seen many aspects of aviation. He said he's never known skydiving to be a "terrible problem."

Boyd Sturges, 905 North Main Street, Louisburg, NC

- Mr. Sturges is an attorney in the Louisburg area who was in attendance to represent approximately 11 landowners that neighbor the Triangle North Executive airport. Mr. Sturges states his clients are opposed to the skydiving operation, concerned with property damage, should a skydiver land outside of the drop zone owned by the County.

Don Carrington, 719 Weathergreen Drive, Raleigh, NC

- Mr. Carrington stated he has been skydiving for 37 years. For the past 35 years he has jumped in Franklin County at Carolina Skysports. Mr. Carrington said he had jumped at many venues and said he occasionally lands where he is not supposed to, but said those instances are rare. He stated the relationship with skydivers was very good at Carolina Skysports and said he looks forward to continuing operations at Triangle Executive.

Robbie Earnhardt, 7412 Churchill Drive, Wake Forest, NC

- Mr. Earnhardt stated he is a member of the Pilot's Association, a business owner in Wake Forest and has a plane located in Franklin County. He stated he is opposed to skydiving operations and doesn't feel it offers a safe environment. He also stated the drop zone is too small. Mr. Earnhardt stated Franklin has a "wonderful airport" with a great staff.

Holmes Hansel, 200 Stone Southerland Road, Louisburg, NC,

- Mr. Hansel stated he lives near the airport and said he's been involved in aviation for many years. He said the Board should be in favor of the center and said he understands that the center would generate a lot of revenue which airports are notoriously "shy of." He also stated that some skydivers could be business owners who'd like to jump here and possibly own businesses in Franklin in the future.

With no further comments, Chairman Swanson closed the public hearing at approximately 7:37 P.M.

Commissioner Young commented to Mr. Upper that she sensed threats from him when the Board decided (March 16, 2009) to hold a public hearing and said as a business person, she didn't feel it was in his best interest to make threats. Mr. Upper responded by saying he never threatened to contact the Federal Aviation Administration (FAA). He said any mention of the FAA was done by Mr. Guin in a previous open meeting.

If approved, Commissioner Young asked where landowners could voice concerns if something should arise in reference to skydiving. Mr. Guin stated the concerns should be addressed to Mr. Upper and Robert Southerland, Airport Manager. Concerns should also be brought to the attention of the Airport Commission.

Commissioner Mitchell stated the purpose of the public hearing was to give neighbors of the airport a chance to be heard since they were not given the opportunity previously. He said an important part of Mr. Upper's plan was missed in that he failed to communicate with neighbors. Commissioner Mitchell said the Board has to ensure that citizens have a voice.

Mr. Guin followed up by saying the skydiving center was never intended to be a secret. He said no one was directed to advise citizens. He also said it would be difficult to satisfy everyone's concerns.

Commissioner Winters then made the motion to approve a five-year lease with Triangle Skydiving Center as presented, seconded by Commissioner Dunston.

Commissioner Mitchell asked if the Board could create a mechanism to keep communication open to revisit the project if there are problems with offset landings. Commissioner Winters, a member of the Airport Commission, stated that should be the responsibility of the Airport Commission.

Upon Commissioner Winters motion to approve the five-year lease with Triangle Skydiving Center as presented, seconded by Commissioner Dunston, the motion duly carried with all present voting "AYE."

2. ADDENDUM TO EXISTING LEASE WITH C-N-C MECHANICAL

In order to provide needed space for Triangle Skydiving Center in Corporate Hangar A, Robert Szelc of C-N-C Mechanical has agreed to locate in Corporate Hangar B. The Board was asked to consider an addendum to the existing lease with C-N-C Mechanical.

Commissioner Young made the motion to approve a second addendum to an existing five-year lease with C-N-C Mechanical, seconded by Commissioner Winters. The motion duly carried with all present voting "AYE."

Before the close of the meeting, County Manager Angela L. Harris mentioned she will meet with Molly Maxon, a representative of Senator Richard Burr's office, to discuss what Franklin has submitted regarding stimulus monies. She invited commissioners to attend the meeting which will be held April 3, 2009 from 3:00-4:00 P.M.

Chairman Swanson adjourned the meeting at approximately 8:02 P.M.

Robert L. Swanson, Chairman

Kristen G. King, Clerk to the Board