

**MINUTES
LINCOLN COUNTY BOARD OF COMMISSIONERS
MONDAY, JANUARY 24, 2000**

The Lincoln County Board of County Commissioners met at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 12:00 p.m. on January 24, 2000 in a recessed meeting from the regularly scheduled meeting on January 17, 2000.

Commissioners Present:

James A. Hallman, Chairman
Terry L. Brotherton, Vice-Chairman
Beth H. Saine
W. J. Waters, Jr.
John R. Gamble, Jr.

Others Present:

Stan B. Kiser, County Manager
Jeffrey A. Taylor, County Attorney
Leon Harmon, Finance Director
Amy S. Long, Clerk to the Board

Call to Order: Chairman Hallman called the recessed meeting back to order.

Chairman Hallman stated that items of business left over from the January 17, 2000 meeting were the School Bonds and a discussion about the Exotic Animals Ordinance under Other Business.

A MOTION by Commissioner Saine to include the Exotic Animal Ordinance on the Agenda as Other Business.

Vote: 3 – 2 AYES: Saine, Hallman, Brotherton
NOES: Gamble, Waters

School Bonds:

Commissioner Waters introduced the following order authorizing bonds, which was read by title and summarized by the Finance Director:

**ORDER AUTHORIZING \$36,000,000
SCHOOL BONDS**

WHEREAS, the Lincoln County Board of Education has petitioned the Board of Commissioners for the County of Lincoln, North Carolina to provide additional school facilities in the County of Lincoln by erecting additional school buildings and other school facilities, remodeling, enlarging and reconstructing existing school buildings and other school facilities and acquiring necessary land and equipment therefor, the estimated aggregate cost of which is at least \$36,000,000.

WHEREAS, said petition requests said Board of Commissioners to provide the funds required for such school facilities; and

WHEREAS, said Board of Commissioners, acting as an administrative agent of the State in providing a State system of public schools, has determined to order the issuance of bonds of the County of Lincoln so that the school facilities mentioned in said petition and in paragraph 1 of this order may be provided; now, therefore,

BE IT ORDERED by the Board of Commissioners for the County of Lincoln:

1. That, pursuant to The Local Government Bond Act, as amended, the County of Lincoln, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue School Bonds in an aggregate principal amount not exceeding \$36,000,000 for the purpose of providing funds, together with any other available funds, for erecting additional school buildings and other school facilities, remodeling, enlarging and reconstructing existing school buildings and other school facilities, and acquiring necessary land and equipment therefor in order to provide additional school facilities in the County of Lincoln.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners for said County and is open to public inspection.

4. That this order shall take effect when approved by the voters of said County at a referendum as provided in said Act.

The Board of Commissioners thereupon designated the Finance Director as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Bond Act, as amended, to be filed after a bond order has been introduced and before the public hearing thereon.

Thereupon the Finance Director filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt as so required.

Thereupon the order entitled: "ORDER AUTHORIZING \$36,000,000 SCHOOL BONDS" was passed on first reading.

On motion duly made, seconded and unanimously carried, the Board of Commissioners fixed 5:30 P.M., on February 14, 2000, at the Lincoln County Citizens Center, 115 West Main Street, Lincolnton, North Carolina, as the hour, day and place for the public hearing upon the foregoing order, and directed the Clerk to the Board of Commissioners to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Lincoln Times-News not later than the sixth day before said date.

Commissioner Brotherton stated that he would like to clarify his position on this, he will vote for it and support it, but he looks upon it as nothing but seeking permission to hold the referendum. His vote is not an endorsement on spending \$36 million.

UPON MOTION by Commissioner Gamble, seconded by Commissioner Brotherton, the Board voted unanimously to approve the Order Authorizing \$36,000,000 School Bonds.

Commissioner Gamble stated that he will be absent at the February 14, 2000 meeting.

Other Business:

Exotic Animal Ordinance:

Bill Beam presented the following list of proposed changes to the Exotic Animal Ordinance.

Lincoln County Ordinance Regulating Inherently Dangerous Animals

1. Section A (3)
North Carolina State Wildlife according to Carl Betsill at 919 733-7291, does not have a list of animals they regulate nor do they have a list of animals they do not regulate.
2. USDA covers only Business, Commercial or Research Animals. They only have cage requirements for Dogs, Cats, and Primates. No requirements for Lions, Tigers or dangerous exotics that are pets. Authority Dr. Kay Carter-Corker phone 919 716-5608.
3. Under current as passed ordinance all exotics are banned or required to be registered whether dangerous or not. This would require AC to register exotic lizards to boa, non poisonous snakes. If only inherently dangerous exotic animals were banned then this would simplify the matter greatly. Remove exotic animal wording and use only Inherently Dangerous Exotic Animals.
4. There are no restraint requirements when out of cage or for cage requirements. There are not fines for violations such as escape or attacks nor bans for attacking animals. Fine scale does not increase with additional infractions for not registering.
5. If AC Officer states cage is proper, then escape occurs, Lincoln County's liability.

6. If person states animal is used for agricultural purpose, then it is exempt even from registration. The statement of it being used that way would be hard to prove pro or con.

Change in ordinance 1A:

- Delete
- II. Delete exotic animals 2 places
- IV. (4) delete
 - Add cage requirements and notification of AC upon escape.
 - Require capture equipment for owner in case of escape.
- V. Increase fee for continuing violations.

Chairman Hallman suggested Animal Control or any Commissioners supply Jeff Taylor with changes to the Ordinance.

Commissioner Waters stated that he believes the Board should leave the Exotic Animal Ordinance alone.

UPON MOTION by Commissioner Gamble, the Board voted unanimously to table the Exotic Animal Ordinance to two months hence.

Commissioner Gamble stated that he is upset about not getting any answers from the Hospital Board.

Chairman Hallman stated that they are supposed to get a copy of the audit report at the next hospital board meeting. He stated that it is in the original transfer agreement that they appear, and two letters have been sent requesting them to appear before the Board of Commissioners. They have declined both, and have not let the Board know of a date they can meet.

Commissioner Gamble stated that the Board is not being treated fairly.

Stan Kiser, County Manager, stated that the dedication of the new South Fork Fire Department will be Sunday, January 30, 2000 from 2:00 to 5:00 p.m.

Adjourn: **UPON MOTION** by Commissioner Gamble, the Board voted unanimously to adjourn the meeting.