

<b>LINCOLN COUNTY BOARD OF COMMISSIONERS</b>	<b>MINUTES JULY 20, 1999</b>
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The Lincoln County Board of County Commissioners met in regular session on July 20, 1999, which was recessed from the July 19, 1999 regular meeting, at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 7:00 PM. The following were present:

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

Jeffrey Taylor, County Attorney  
Stan Kiser, County Manager

Also present was Amy S. Long, Clerk to the Board of Commissioners.

### **CALL TO ORDER**

Chairman Hallman called the July 20, 1999 meeting, which was recessed from July 19, 1999 to order.

Chairman Hallman stated that a closed session needed to be added to the agenda.

A motion by Commissioner Saine to add a closed session to the agenda.

Unanimously approved.

Chairman Hallman stated that the main purpose of the meeting is to review the Exotic Animal Ordinance. The intent is not to rewrite the Ordinance tonight, but that all interested parties will have a chance to speak. The Board will take what is said tonight and review it, and possibly change the Ordinance at a later time.

Bill Brooks stated that his main concern with the Ordinance now, is that it defines exotic as being any animal that is not native to the state. That covers horses and birds. He stated that he gave to Commissioner Brotherton a good, clear Ordinance from the State of Texas, which is well organized and clear. Mr. Brooks stated that common sense needs to be used with this. He stated that the Board needs to appoint a research committee and let them draw this up.

Shirley Lee stated that she is for exotic animals, and hers is in her car if the Board would like to see it. She stated that she has a Giant Bermeses Python.

Carl Wayne stated that they are not asking for a total ban on these animals, just restrictions that would limit them and get them out of residential neighborhoods. He stated that he attended two previous meetings here and not one person spoke against this ordinance. He stated that at the second meeting, it was voted on unanimously and passed. He stated that he found out a month later that it was overturned and will be voted on again. Mr. Wayne stated that all the while, this animal stays longer and longer and gets bigger. He stated that this animal needs to be removed now.

Bartley Neal stated that he lives next door to Rick Willis and wants the animal out of the neighborhood. He stated that he has a daughter that plays in the yard and a baby on the way. He stated that this is a dangerous animal, and somebody is going to get hurt.

Rick Willis stated that he has the cat that started this whole thing. He stated that his neighbors have not even seen the cat, that it stays in the basement or in the kennel with a privacy fence around it. He stated that he does not have a problem with requirements, he had a fence ordered before this Ordinance came up. Mr. Willis stated that his neighbors have never come to him with a problem and he has never had a problem with animal control.

Scott Carter stated that he does not own exotic animals, but would like to be able to own birds. He stated that he was at Mr. Willis' house this weekend and was able to pet the cat. He stated that the neighbors could possibly go see the animal. Mr. Carter stated that he did not feel the animal was dangerous or he would not have stuck his hand in there with it.

Todd Arrowood stated that he lives in western Lincoln County and has exotic pets. He stated that he wishes the Board would specify which exotic pets would be exempt. He stated that by words in the Ordinance, it says exotic animals, which could include horses and dogs. He stated that there should be a committee formed to research this. He stated that people should have to have permits to have these animals, but should be allowed to have them.

Carl Wayne stated that everyone keeps talking about birds, but birds are not inherently dangerous exotic animals. He stated that it is clearly defined in Mr. Morris' proposal.

Commissioner Brotherton stated that the definition says any animal not native to North Carolina, which would include birds.

Buddy Parker stated that he lives in western Lincoln County and has played with Rick Willis' cat from day one. He stated that he doesn't see that it is dangerous, it is fenced, housed, and well taken care of.

Grant Beam stated that he is from western Lincoln County and has not been to the other meetings, because he felt the Board would not pass such a broad ordinance. He stated that he is appalled by the fact that the Board would pass one outlawing everything. He stated that as long as the animal is not inherently dangerous to neighbors within reason, he sees no reason why people can't own them.

Amy Neal stated that she lives in western Lincoln County and does not agree with this. She stated that she has snakes and properly houses them. Ms. Neal stated that they should be able to keep these animals as long as they are feeding them and properly caring for them.

Shirley Lee stated that most exotic animal owners network with other exotic animal owners. The doctors give you a progress report on the condition of the animals. She stated that exotic animal owners have a genuine true interest in the animals well being.

Ernest King stated that he lives in Iron Station and has exotics. He stated that he has chimpanzees, baboons and has been raising exotics over the last 45 years. Mr. King stated that there is nothing dangerous at his house. He stated that his chimpanzee fishes and actually catches fish, and mows the grass. He stated that his chimpanzee is 35 years old and he has had him 25 years. He stated that it is not right to make somebody get rid of something they have had for years.

Chuck Morris stated that at the last meeting he gave the Board a proposal.

Bill Brooks interrupted Mr. Morris, stating that he objects to Mr. Morris being here, asking if Mr. Morris is a resident of Lincoln County.

Chairman Hallman stated that Mr. Morris may be a Lincoln County resident before long, and this Board has the prerogative to listening to information from anyone that would choose to speak.

Mr. Morris stated that he has given copies to the residents that had spoken at the first meeting. He stated that this proposal defines everything, and leaves no questions. This takes care of the snake and bird issues. The County can put any ordinance into effect that they want. The state requires permits. He stated that he presented the proposal to the Board, but it was written by County residents, he was only a spokesperson.

Diane Mullinax stated that she is from Gaston County. She stated that she believes people everywhere should be able to have their animals. She asked about the five acres requirement in the proposal. She stated that she can understand the neighbors being afraid.

Buddy Parker stated that he has two wolf dogs and there is an expert on this present.

Randall Bolen stated that he is from Statesville and is an expert in wolf dog crosses. He stated that he has raised and had wolf dogs for over 28 years. He stated that he does not understand why people can say that certain animals are dangerous. Cows and horses are not considered dangerous in this ordinance. He stated that North Carolina regulates a wildlife license for 100% Eastern Timberwolves and Redwolves. He stated that North Carolina does not regulate wolf dog crosses. He stated that the US Department of Agriculture considers crosses between wild and domesticated as domesticated.

Sherry Neal stated that she lives next door to Rick Willis. She stated that she does not feel that a predator animal should have the right to live in her neighborhood. She stated that eventually the animal may get out and kill or maim her child. She stated that she has no problem with exotic birds, but has a problem with a large predator animal living next door to her children.

Jeff Lawing stated that he is not familiar with the proposal, but has exotic birds. He stated that he spends about \$2,000 a year on his birds. He stated that if he has to get rid of them he will, but the local feed stores will lose business.

Todd Arrowood stated that he feels the people who have proposed the new ordinance have not considered the whole thing. He feels the Board should elect a committee, because these people have gathered together and are one-sided.

Sarah Hoyle stated that she is a lifetime resident of Lincoln County and owns a fence company. She stated that it is expensive building fences for these expensive animals. She stated that she has built fences for a lot of the people in this room. Ms. Hoyle stated that she has exotics herself. She stated that from what she's seen all exotic animal owners care about the animals safety and are responsible animal owners.

Larry Hartman stated that these exotic animals cost money, and people take care of them, containing them, so they won't get away. He stated that these people don't want to lose money.

Rick Willis stated that he didn't show up at the second meeting. He stated that he met with Dr. Wilson when he was Commissioner, and Dr. Wilson told him that if he moved the cat, the Board would table this Ordinance and it would not show up again. He stated that he moved the cat, but brought it back when the Ordinance was passed. He stated that Dr. Wilson lied to him. He played a tape of a telephone call to the Sheriff's Department. He stated that the Board needs to get someone who can control Animal Control. The Board needs to take Animal Control back over.

Chairman Hallman stated that everyone who wanted to speak has had a chance, so he declared this part of the meeting closed. He stated that the Board appreciates the input from the citizens. He stated that any action taken will be in a public meeting.

Chairman Hallman called for a five minute recess.  
Chairman Hallman called the meeting back to order.

## **CLOSED SESSION – CONTRACTUAL AND PERSONNEL**

A motion by Commissioner Waters to go into Closed Session for the following purposes pursuant to N. C. G. S. 143-318.11:

(5) To establish, or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (l) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Unanimously approved.

## **NO ACTION WAS TAKEN IN CLOSED SESSION**

## **OTHER BUSINESS**

Chairman Hallman stated that when the Board appointed the Tax Administrator, they neglected to set a salary. The recommendation is for Grade 31, Step 1.6, which is \$47,388.72 annually.

A motion by Commissioner Brotherton to approve Grade 31, Step 1.6, for \$47,388.72 annually for the Tax Administrator.

Unanimously approved.

## **ADJOURN**

A motion by Commissioner Brotherton to adjourn the July 20, 1999 meeting.

Unanimously approved.