

May 20, 2002

The Board of Commissioners of Franklin County, North Carolina, met in Regular Session at 7:30 P.M. in the Commissioners Meeting Room located in the County Administration Building with the following Commissioners present: Chairman John R. Ball, Vice Chairman Robert L. Swanson; Commissioner Harry L. Foy, Jr., Commissioner Edward G. Strickland, and Commissioner George T. Wynne.

1. Consent Agenda

Upon motion by Commissioner Ball, seconded by Commissioner Strickland with all present voting "AYE" duly carried the following Consent Agenda Items approved:

- A. Approval of minutes of meeting held on May 6, 2002
- B. Designation of Voting Delegate to the County Commissioners Association annual state and national meetings.
 - Voting Delegates for the state meetings:
Chairman John Ball and Vice Chairman Robert L. Swanson
 - Voting Delegates for the national meetings:
Richard Self and Angela Harris.
- C. Emergency Medical Service Week, May 19-25, 2002.
- D. Reappointment of Mr. Ralph F. Brown to the Social Service Board for a three-year term expiring June 30, 2005.

Chairman Ball proclaimed the Emergency Medical Services Week. Stated we have a strong Emergency Medical Service department in Franklin County. To honor those in Franklin County, Chairman Ball read the Proclamation and recognized the EMS employees present. Angie Callihan, Director of the Franklin County Emergency Medical Services, informed the citizens present of the upcoming events to be held in the community to observe Emergency Medical Service Week.

1. Public Comment

Chairman Ball read the rules on public comments.

The following individuals made public comments:

Gilbert E. Silva, 78 Walter Grissom Road, Kittrell, NC

Spoke on Franklin County Code of Ethics; still waiting for written response from the District Attorney regarding Commissioner Wynne; at the May 6th meeting the Humane Society wanted to use a tape recording and were informed by Chairman Ball that visual and audio devices were not allowed during public comments; he was at the meeting last year when the rules for public comment were made and feels Board overstepped power and robbed citizens of their constitutional rights.

Joe Alley, 1654 Sid Mitchell Road, Youngsville, NC

Wants the County to have a moratorium on all zoning changes aimed at increasing residential density and all types of residential development; request for a period of one year to allow the Planning and Zoning department, Board of Adjustment,

Planning Board and Adequate Facilities Task Force, the Board of Commissioners, and the citizens of Franklin County time to re-write the Zoning Ordinance; current zoning laws are not being enforced.

Ann Marie Della Morte, 80 Fiddlers Drive, Youngsville, NC

Concerned about our elected officials and their powers; asked if Mr. Willie Cook had been refunded the \$50.00 fee charged by Donnie Rudd; has the District Attorney put his findings on the Commissioner Wynne case in

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writing; County Attorney Darnell Batton stated that was up to the District Attorney.

Patricia Hart, P.O. Box 1, Youngsville, NC

Concerned about the distrust and conduct of the Board; public scrutiny steps will be taken; does not feel it is fair for County taxpayers' property to be auctioned off if they cannot pay the taxes on the property; if it does go to auction advertise on the radio and newspaper so every citizen will have the opportunity to hear or see the ad; feels once a person reaches the age of 62 they should no longer have to pay property taxes and fear losing their home if they are unable to pay.

2. Franklin County Humane Society

Chairman Ball read a letter dated May 10, 2002 from Rene McCormick requesting a motion from the Franklin County Board of Commissioners to make the switch from the gas chamber to lethal injection when the euthanasia of animals is carried out at the Animal Shelter.

Ms. Rebecca Rodgers, President of the Franklin County Humane Society, made a presentation on behalf of the Humane Society regarding the euthanasia of animals; gave definition of euthanasia, Greek term meaning "good death"; must address problem in Franklin County; in her opinion, the method used now is outdated and inhumane; played an audio of unknown origin of how the use of carbon monoxide gas is a torturous method of euthanasia; read quotes from various groups American Veterinary Medical Association (AVMA), The American Humane Association (AHA), Association of Veterinarians for Animal Rights (AVAR) against carbon-monoxide gas chamber; talked about the technical side of injected agents verses inhaled agents; said injected agent for neonatal animals takes only twenty-five seconds and over three minutes for inhaled agent; there is no mass fear or hysteria in animals euthanasia in a comfortable way; County needs to meet State Codes referring to protection of animals; stated that Animal Control Officers are viewed as inhumane and will be better viewed by the community if a more humane method of euthanasia is used; citizens are upset to find out there is another way besides the gas chamber; stated in her opinion, lethal injection would cost less to the County; stated there would be an increase in the animal adoption rate if the hours of operation of the County Animal Shelter were extended and officers were not in the field all day, and if someone were there on weekends the public could come by and view animals for possible adoption; suggested State provide public spay/neuter program; in closing asked that the Board approve lethal injection for euthanasia of 16 weeks and younger animals, older animals and sick animals; implement longer hours at the animal shelter and provide low cost spay/neuter program.

Sandra Wood, Director of Franklin County Health Department, talked about carbon monoxide (CO) use for euthanasia. She stated that this is what the County uses at this time, 100% carbon monoxide. Euthanasia is not something that people enjoyed hearing about or discussing but euthanasia is reality. We need to educate the public on the responsibility of having an animal as well as spay and neuter. We need to take into consideration the welfare of the Animal Control Officers' safety and feelings when euthanasia of an animal is carried out. Commissioner Strickland asked if lethal injection is dangerous. Ms. Wood stated that if not properly administered it could be dangerous to the animal and the person giving the injection. Chairman Ball asked what the cost is of lethal injection verses gas; Ms. Wood reported that with lethal injection you have the cost of sedatives and this is what is expensive. Chairman Ball also asked if there could be an accident where a person could injure themselves administering an injection; Ms. Wood reported that yes, the person has to restrain the animal, find a vein and inject the agent and this could cause the animal to become distressed. Ms. Wood spoke about the considerations most common to inhalant agents, the loss of consciousness is more rapid, and euthanasia is more humane

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if the animal is rapidly exposed to a high concentration of the agent. The advantages of using carbon monoxide induces loss of consciousness without pain and with minimal discernible discomfort and the disadvantages are that

safeguards must be taken to prevent exposure of personnel. The primary advantage of using barbiturates is speed of action. This effect depends on the dose, concentration, route, and rate of the injection. Barbiturates induce euthanasia smoothly, with minimal discomfort to the animal and are less expensive than many other euthanasia agents. The disadvantages are intravenous injection is necessary for best results and requires trained personnel. Each animal must be restrained. Current federal drug regulations require strict accounting for barbiturates and these must be used under the supervision of personnel registered with the U.S. Drug Enforcement Administration (DEA). An aesthetically objectionable terminal gasp may occur in unconscious animals. These drugs tend to persist in the carcass and may cause sedation or even death of animals that consume the body. Using controlled drugs (lethal injection) increases liability and you have to abide with DEA regulations. Acceptable agents for euthanasia for cats and dogs are Barbiturates, inhalant anesthetics, CO₂, CO, potassium chloride in conjunction with general anesthesia.

Dr. Elyse Goldman of Tar River Veterinary Hospital, talked about what is involved in restraining an animal when using lethal injection and the fact that you have to hit a vein or it is not effective. It takes 5 or 10 minutes for the sedative to take; if you do not use a sedative you have to have someone hold the animal or use restraints. Shaving the animal for the procedure can cause distress. A method needs to be used that is less stressful to the animal and the Animal Control Officer. Dr. Goldman explained the difference between carbon dioxide (the County does not use) and carbon monoxide (this is what the County uses and it does not take three minutes as stated by the Humane Society). Dr. Goldman reported that the AVMA (American Veterinary Medical Association) approves of the use of carbon monoxide as a method of euthanasia stating that it is a fast loss of consciousness.

Commissioner Strickland asked Sandra Wood how many counties in North Carolina use gas as a means of euthanasia and she reported that she surveyed eight counties; Johnston, Person, Nash, Vance, Granville, Warren, Wake and Edgecombe.

Chairman Ball asked if there were any other comments to be made. The following individuals spoke:

Tara Hunt asked that the County perform euthanasia on only one animal at a time.

Rene McCormick talked about how many feral dogs she has taken to the veterinarian to be euthanized by lethal injection.

Laura Pickett stated that lethal injection can be harmful to humans but gas is also dangerous. Can provide cost estimate from other counties using injection method.

Vivian Graves has 18 shelter pets, none are aggressive, most were lost; if they had been left at the animal shelter longer than three days in Franklin County they would have been gassed; asked the Board to use lethal injection or at least separate dogs and cats in the chamber.

Greg Addleman stated that he could not believe this topic was being discussed; the Board needs to have the method of euthanasia changed.

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A request for a motion by the Board was made by Rene McCormick to institute a policy for euthanasia of animals 16 weeks and younger, injured, sick and elderly be done by lethal injection.

Commissioner Strickland questioned if this issue should come before the Health Board; Commissioner Foy agreed.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland, with all present voting "AYE" duly carried the issue of euthanasia of animals in Franklin County go before the Health Board.

3. Size of Commissioner Residence Districts

Chairman Ball read Ms. Renee McCormick's letter of May 10, 2002 requesting to address the Board on the number of citizens residing in each County Commissioner's District. Ms. McCormick stated that she had just learned that Commissioners were elected at large and must reside in specific geographical areas of the County. Ms. McCormick handed out information from the Census Bureau concerning the population in each of the five Districts. She feels each District does not have proper representation on the Board. General Statue 153-A22 – Redefining electoral boundaries; she asked how do we change this; this does not apply to the County. Part 4 – Statue 153-58 – Modification in the Structure of the Board of Commissioners. The Justice Department has to decide on this issue. Ms. McCormick feels the general public needs to make the decision, the way it is now is not fair. Commissioner Swanson stated that he has been serving his District for 23 years and feels he has done a good job in representing them.

Larry Tetterton, Chairman, Board of Elections, reported that the Districts of the House of Representatives is based on population and the Districts for the Senate is based on

geography. There is usually one Commissioner from each township that is either a Democrat, Republican, Libertarian, or Unaffiliated and all citizens can choose what particular partisan they want.

Mr. Tetterton stated that each township and precinct is recognized by the Census. Franklin County Districts are well defined. Every citizen votes to elect the members of the Board and there is no possible way to change the Districts with five Commissioners.

Chairman Ball asked if there were any questions.

The following individuals made comments:

John May spoke stating he has worked with redistricting with the Legislature, County Commissioners represent Franklin County; concerned that if we redistrict there will be a minority/majority problem; this redistricting issue is politics/power.

Patricia Hart asked if property taxes were the same for Youngsville, Bunn and Centerville; we need more representation; Commissioners are elected to serve the citizens in fairness; Youngsville needs help.

Grady Macon spoke stating that two districts have a majority of the population. He expressed concern that property values are not equal.

Commissioner Swanson commented that the same formula used in his district as Youngsville.

Mr. Tetterton commented that if you start changing Districts in Franklin County you lose control.

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Patricia Hart stated that for the next Board meeting she will have tax rates for each District.

No action requested on this item by Chairman Ball.

4. Resolution of Recognition

Chairman Ball read a Resolution of Recognition acknowledging Mr. Clee Nowell for his dedication and efforts in serving as the Interim Director of the County Public Utility Department for the period April, 2001 through April, 2002.

Upon motion by Commissioner Foy, seconded by Commissioner Strickland, with all present voting "AYE" duly carried the approval of the Resolution recognizing Mr. Clee Nowell.

5. Resolution Requesting that Local Government Revenue Sources be made Secure

Commissioner Foy asked if this Resolution is not accepted by legislation do the local government funds go to the State.

Chairman Ball stated that this Resolution is to protect revenue due to the County.

County Manager Richard Self explained what revenues would be protected.

Upon motion by Commissioner Strickland, seconded by Commissioner Foy, with all present voting "AYE" duly carried the adoption of the Resolution seeking legislation and a constitutional amendment to protect local revenues.

6. Committee Reports

Commissioner Swanson reported that he has met with the North Carolina Association of the Board of Commissioners regarding the local government revenue and they agreed that they needed to be protected.

Chairman Ball reported on the current unemployment status in the County. According to the Franklin County Employment Security Commission there are 1,394 people unemployed at this time. 5.7% of the County population were unemployed in March.

Chairman Ball also reported that he had received a letter from Secretary Tolson that the ½ cent tax Resolution was accepted.

Commissioner Strickland reported the North Carolina Department of Revenue is attempting to have forms and procedures in place for distribution before October.

7. Manager's Report

County Manager Richard Self reported to the Board that the Budget is taking a little longer to make sure all the "bugs" are out, and he planned to have it in their hands this week. Public Hearing scheduled for June 3rd. He stated if it is okay with Board members, he would like to place it on the County's Web Page the day after it is sent to them. Manager Self advised that the agency heads, Chuck Murray, Angela Harris and he would be available to any of them to discuss in detail anything they have questions on.

Holland Consulting Planners, Inc.

- Anticipate completion of the 4 houses in the Franklinton area, and the 1 on Laurel Mill Road by the end of the month.
- Hurricane Floyd Crisis Housing Assistance Program – completed 7 of the 10 repair/rehabilitation; 12 of the 18 replacement houses completed. Anticipate completing the other 8 houses by September 30th (ahead of schedule).
- Continue collecting names of persons interested in the Scattered Site Housing Program.

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The County Commissioners Association will begin "Lobbyist for a Day" in June for County Commissioners. The Association will prepare a schedule of General Assembly activities, provide the Commissioner with a special badge that would identify them as a lobbyist.

The Board is invited to a live fire demonstration of the Multiple Launch Rocket System (MLRS) at Fort Bragg on June 9, 2002. It will begin at noon and end at 2:00 p.m. A light lunch will be served from 11:00 a.m. to around 1:00 p.m. Centralized parking at Fort Bragg and transportation to the firing demonstration will be provided. Commissioners to let Manager Self know if they would like to attend.

There being no further business to come before the Board, adjournment recorded at 9:52

P.M.

JOHN R. BALL, CHAIRMAN

RICHARD B. SELF, CLERK