

**NORTH CAROLINA
GRANVILLE COUNTY
CITY OF OXFORD**

**OXFORD CITY HALL, BOARD MEETING ROOM,
MONDAY, APRIL 24, 2006 AT 5:45 PM**

The Mayor and Board of Commissioners of the City of Oxford met for a Special Session at City Hall, 300 Williamsboro Street at the above-mentioned time and place.

Present: Mayor Alvin Woodlief, Jr.
Mayor Pro Tem Howard G. Herring, Sr.
Commissioner S. Quon Bridges
Commissioner Paul Kiesow
Commissioner Chance Wilkinson
Commissioner Stephen C. Powell
Commissioner Robert Shope
Commissioner Robert B. Williford, Sr.

Present also were City Attorney J. Thomas Burnette, City Manager Thomas S. Marrow, City Clerk Tanya S. Weary and Deputy Clerk Donna B. Hosch.

All members of the board and local news media were notified of the time, place and purpose of the meeting.

Mayor Woodlief called the meeting to order.

STOVALL INTERLOCAL AGREEMENT APPROVED

Commissioner Kiesow, Chairman of the Public Works Committee, recommended approving the contract. He reported a Public Works Committee meeting was held with Stovall on March 29th and at this meeting, an agreement was reached. He added he emailed possible changes and most of the changes were made. He noted he received the contract on April 20th and reviewed it the following day and recommended changes under the following sections of the contract:

- **Pass-Thru of Water**: that the Town shall not pass through the City's water network or sell any water to any other municipality unless the pass through or sale is approved by the City in writing prior to its occurrence.
- **Responsibility for Quality**: In no event, will the Town's pre-existing water well system be connected to the water system once delivery of water begins under this agreement.
- **Item 4 (last page)**: The basis of this contract is a resolution passed by the Oxford City Board on November 9, 2004 with no change.

Stovall Attorney Tom Currin agreed to these changes. He thanked the Board of Commissioners on behalf of Stovall and stated they would meet on Wednesday to adopt the contract with the changes as noted.

Commissioner Kiesow motioned to approve the water purchase contract with the Town of Stovall. Commissioner Wilkinson seconded the motion. The motion passed unanimously.

SOC AGREEMENT APPROVED

City Manager Marrow reported Pamlico-Tar River Foundation and Clean Water for North Carolina filed a suit against the State and the City intervened in the suit. He added when Oxford intervened a settlement was negotiated, which consisted of the following:

- **Presentation**: The agency shall provide an opportunity for Petitioners and downstream residents to make a presentation to senior DWQ staff about impacts of failed enforcement for sewage violations by the City of Oxford. This presentation shall be made by four or five people, including Hope Taylor-Guevara and Heather Jacobs. No more than three representatives of the City of Oxford may attend but will not be part of discussion.

- Monitoring: The City of Oxford agrees to perform monitoring on Fishing and Coon Creeks after overflows for a period of three (3) years from the date of execution of this Agreement at the following locations:
 - For overflows at headworks: upstream of WWTP on Fishing Creek on eastern branch (flows past WWTP), downstream at current ambient monitoring point;
 - For overflows at Coon Creek lift station or from influent lines draining into Coon Creek: within 100 yards upstream of lift station on Coon Creek, and downstream within 100 yards of lift station;
 - For the following parameters to be analyzed by a certified laboratory:
 - dissolved oxygen
 - fecal coliform
 - NO3/NO2
 - PO4
 - TSS

The City agrees to notify a person or a limited number of persons designated by Petitioners when an overflow occurs and before samples are taken. The designated person or persons will have the opportunity to observe the samples being taken if they arrive prior to the taking of the samples and will have the opportunity to take their own samples if they so desire. Results should be provided to Petitioners and to the Fishing and Coon Creeks Committee of Granville County.

- Restoration of Fishing Creek: The City of Oxford agrees to continue to work with Granville County and other organizations to apply for a grant for restoration of Fishing Creek to the Clean Water Management Trust Fund. If the funding is secured, the City of Oxford agrees to participate in the implementation. If a grant is obtained that requires

matching participation, the City of Oxford will use its best efforts to assist in funding the match portion.

Commissioner Kiesow noted a final agreement has been reached and added the following items bother him:

- Stipulated Penalties. He added the penalties do not affect the City. He stated they would affect the City if the City were to reapply.
- The agency shall provide an opportunity for Petitioners and downstream residents to make a presentation to senior DWQ staff about impacts of failed enforcement for sewage violations by the City of Oxford. This presentation shall be made by four or five people, including Hope Taylor-Guevara and Heather Jacobs. No more than three representatives of the City of Oxford may attend but will not be part of discussion. Commissioner Kiesow noted this is wrong.

Commissioner Kiesow motioned to approve the agreement. Commissioner Herring seconded the motion. The motion passed unanimously.

Mayor Woodlief noted a budget amendment would eventually be needed and recognized it would be costly. A press release was made available.

LAKES BROADCASTING – SATELLITE REQUEST

Tom Birch, President of Lakes Media and owner of US 98.3 reported the radio station is up and running at its new location on Hillsboro Street. He noted the original plan was to move the 12 feet diameter satellite onto the roof on Hillsboro Street and a structural engineer stated it is possible, but would require expensive renovations to reinforce the roof. He added the satellite is not income producing; it is a link to ABC network and the Paul Harvey Show. He noted the satellite is vulnerable to winds over 50-60 mph. He noted the Zoning Board of Adjustment

approved the erection of a tower for the studio transmitter dish and added an 8 ft. chain link fence must be constructed around the tower. He suggested extending the fence into a larger area and put the satellite on the ground. He noted the antenna weighs approximately 1,000 lbs and if the satellite is anchored on the roof by 4 cinder block pods, approximately 200 lbs per pod, the weight is a total of 1,800 – 2,000 lbs. Mr. Birch noted the cost to reinforce the roof is not recoverable and would cost an estimated \$5,000 - \$10,000 with earliest completion 1-2 months from now. He proposed placing the satellite on the ground between the generator and the antenna tower, which would be approximately 5-7 feet from the rear door. He noted the 8 ft. fence would extend diagonally from the building on Ace Hardware and Bank Street sides and run parallel to the parking lot between the water tower footers. He emphasized Lakes Broadcasting would be willing to mitigate the aesthetics of the chain link fence, such as hedges.

Commissioner Herring asked Mr. Birch if he would be willing to consider leasing space on the water tower? Mr. Birch replied no and explained a studio transmitter link would require putting the satellite dish at the transmitter site in Bullock and then add a microwave link, which would carry the signal to Hillsboro Street and then have communication between the studio and the transmitter. He added this is expensive.

Mayor Woodlief referred to the pictures of the existing satellite on the Lewis Street building and pictures of the downtown tower. He added the pad had already been started for the satellite dish. He recognized it was originally stated no antennas, satellite dishes or generators would be needed, and now they are needed. He added the agreement with him regarding the generator has not been drawn up. He reported the DOEDC were proposing to put picnic tables in the green area behind the building.

Commissioner Kiesow clarified that the fence would not go into the handicap area. Mr. Birch replied the fence would remain in the green area. Commissioner Kiesow asked where the protective hedging would be planted. Mr. Birch noted hedging would be planted outside the fence and added it would take time for the hedging to grow to hide an 8 ft fence.

Commissioner Wilkinson asked if this request should go before the Zoning Board? Mayor Woodlief explained Planning Director Cheryl Hart stated it is not on the book. City Manager Marrow suggested doing additional research.

Commissioner Bridges asked if any consideration could be put forth for another kind of fence instead of the proposed chain link? Mayor Woodlief suggested a wooden fence in front of the chain link fence. Mr. Birch agreed to this. Commissioner Williford suggested white vinyl fencing. Mayor Woodlief recommended that the Appearance Commission look at this.

Commissioner Powell asked if the fencing would prevent getting a signal? Mr. Birch explained the dish could be put close enough to the building that a clear shot of the southwestern sky should be obtained. Commissioner Powell asked how an 8 ft fence would prevent people from climbing the tower? Mr. Birch noted there are spurs on the tower; a fence isn't needed. The fence is required by the City's ordinance.

Commissioner Shope asked how high would the satellite stand? Mr. Birch explained the dish would be 4-5 ft off the ground and would be seen over the fence.

City Attorney Burnette recognized the antenna is on the City's property and the generator is partially on the City's property. He stated he did not know if this is a permitted use.

Commissioner Powell asked what is the City's liability? Mayor Woodlief explained a lease would be drawn up stating the City is not liable.

A consensus of the Board of Commissioners was taken and it was agreed to notify the property owners about Lakes Broadcasting request to locate a 12 ft in diameter satellite dish behind the old Granville United/Capital Bank, and City Attorney Burnette bring a recommendation to the Board of Commissioners at the Agenda Session scheduled for May 1, 2006 and vote on Lakes Broadcasting request at the Regular Session meeting scheduled for May 9, 2006.

ADJOURNMENT

There being no further business, Mayor Woodlief adjourned the meeting.