

**NORTH CAROLINA
GRANVILLE COUNTY
CITY OF OXFORD**

**OXFORD CITY HALL, BOARD MEETING ROOM,
TUESDAY, MAY 8, 2007 AT 7:00 PM**

The Mayor and Board of Commissioners of the City of Oxford met for the May Regular 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 Paul Kiesow
Commissioner Chance Wilkinson
Commissioner S. Quon Bridges
Commissioner Robert Shope
Commissioner Robert B. Williford, Sr.
Commissioner Stephen C. Powell

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

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.

Reverend Phillip Betts gave the prayer.

The Pledge of Allegiance followed the prayer.

PUBLIC COMMENT

JOANNE FRUTH – GRANVILLE LITTLE THEATRE STAGE LIGHTING

Joanne Fruth of 104 E Front Street, representing Granville Little Theatre (GLT) noted directors had been complaining that the lighting on the front of the stage is very dim. A lighting consultant was hired who specializes in theater and noted the lighting was installed in the wrong place and could be rectified by purchasing state of the art lights which would be compatible with

the current system in the auditorium. The lights have been purchased for \$4,100.00. She added an attempt was made to arrange an agreement for GLT to have some liability if something was to go wrong, but the City's insurance carrier was uncomfortable in assuming liability if the lights were operated by GLT. City Attorney Burnette recommended selling the lights to the City (no cash outlay) by reducing the cost for the use of the auditorium up to the cost of the lights (\$4,100.00); therefore the City would assume liability of the lights. Ms. Fruth recognized GLT pays around \$8,000.00 per year for rental.

Commissioner Wilkinson, Chairman of the Finance Committee, recognized he did not see a problem with this affecting the budget and suggested sending it to the Finance Committee. He added it would be placed in next year's budget and stated GLT could proceed with the proposed plan.

Commissioner Bridges asked what type of lights would be installed? Ms. Fruth explained the lights could be mounted on stationery stems, but added the GLT would like to replace half of the existing lights which is a matter of unplugging a 3 prong plug and plugging in the new lights then attaching with a C-clamp and safety wire, which can be done by a licensed electrician or contractor which the GLT has lined up to do. The existing lights could be put on poles to be used on the sides.

Mayor Woodlief noted this would be sent to the Finance Committee, but added Ms. Fruth could go back to GLT and let them know the agreement has been made.

BONITA GREEN – DRAINAGE PROBLEM ON GREEN STREET

Bonita Green of 105 Green Street noted there is a major problem with drainage on Green Street because the water flows downward with no runoff anywhere on the street and it settles in the yards causing many puddles where work cannot be done in the yards. She added she had

spoken with the City Engineer and he backhoed a trench (1/2 foot deep) in front of her home only. This causes a big up hill when you come in and out of the driveway. She commented this would not do any good for her neighbors, only her. She noted the last rain was a disaster.

City Manager Marrow noted he looked at it and recognized the yard is flat and the Street Department tried to cut a ditch, but there was an issue with driveway pipe. With the yard being so flat he was uncertain if a driveway pipe could be installed and still drain.

Street Superintendent David Cottrell noted a ditch could be cut and driveway pipe installed at the owner's expense. Ms. Green stated she understood the pipe was there a few years ago and removed by the City and never replaced.

Commissioner Herring asked City Engineer Larry Thomas if this problem could be fixed? City Engineer Thomas noted he had checked with Mr. Cottrell and he recalls no pipes ever installed. Commissioner Herring noted the problem needs to be fixed. Mr. Thomas noted they attempted to fix the problem (a low spot where it was holding water – this was ditched to an existing ditch). Mr. Thomas noted the problem should be solved for Ms. Green and added when a ditch is fixed a bump may be there. He added there is no place to put a pipe. Commissioner Herring asked if it had rained since the ditch had been cut to which Ms. Green responded no. Her concern was for other residents and she had asked Mr. Thomas about this to which he responded they had not complained therefore they would not worry about them.

Mayor Woodlief requested City Manager Marrow and City Engineer Thomas to look at Green Street in the morning.

EMPLOYEE OF THE MONTH RECOGNIZED – MELISSA LABAR

Mayor Woodlief recognized Melissa LaBar of the Finance Department as April's Employee of the Month winner. A certificate of appreciation and a check for \$25.00 will be given to Melissa. Ms. LaBar was not in attendance.

CITY EMPLOYEE JOHN DAVIS HARRIS RECOGNIZED ON HIS RETIREMENT

Mayor Woodlief recognized John Davis Harris for his 40 years of service with the City. He noted Mr. Harris was in the hospital. A plaque of appreciation will be given to Mr. Harris by the Mayor and the Board of Commissioners on behalf of all the citizens of Oxford for his retirement when he is feeling better.

CITY EMPLOYEE JAMES WILLIAMS RECOGNIZED ON HIS RETIREMENT

Mayor Woodlief presented James Williams with a plaque of appreciation given by himself and the Board of Commissioners on behalf of all the citizens of Oxford for his 7 years of service with the City. He has approximately 30 years in the retirement system.

**MAYOR'S YARD OF THE MONTH AWARD -
BLONNIE YOUNG – MAY'S RECIPIENT**

Mayor Woodlief recognized May's Mayor's Yard of the Month winner, Blonnie Young. Mayor Woodlief read the certificate, which recognizes her for the outstanding job of landscaping maintenance and overall attractiveness of 405 Linden Avenue. He added a sign would be placed in her yard recognizing her as the winner for Mayor's Yard of the Month and that a picture would be taken for the *Oxford Public Ledger*.

PUBLIC HEARING – CDBG GRANT – 40-UNIT ELDERLY HOUSING FACILITY

Mayor Woodlief declared the public hearing open. The purpose of the public hearing was to allow for public comment on the City's support on securing a CDBG grant for

infrastructure of a 40-unit elderly housing facility off the outer loop across from Webb High School.

Dennis Tharrington 430 Woodland Road, Henderson, NC noted the purpose is to obtain a CDBG, which would be used to extend water and sewer lines to the property and to construct an acceleration and deceleration turning lanes on the Outer Loop.

No one had any questions.

Mayor Woodlief closed the public hearing.

**CDBG GRANT SUPPORT APPROVED FOR 40 UNIT
ELDERLY HOUSING FACILITY**

Commissioner Herring motioned to approve request for support in securing a \$240,000.00 CDBG grant for infrastructure of a 40-unit elderly housing facility offer the Outer Loop across from Webb High School. Commissioner Powell seconded the motion. The motion passed unanimously.

**ANNEXATION PUBLIC HEARING – 40 +/- ACRES OF PROPERTY LOCATED OFF
LEWIS STREET (HIGHWAY 15 S) OWNED BY WILLIAM OVERTON**

Mayor Woodlief declared the public hearing open. The purpose of the public hearing is to allow for public comment on the request for non-contiguous annexation for 40 +/- acres of property located off Lewis Street (Highway 15 S) owned by William Overton.

City Manager Marrow noted City Clerk Weary had approved the Certificate of Sufficiency and it meets all the requirements. He explained the landowner and developer have requested the effective date be November 1, 2007.

No one had any questions.

Mayor Woodlief closed the public hearing.

**ANNEXATION ORDINANCE ADOPTED - 40 +/- ACRES OF PROPERTY LOCATED
OFF LEWIS STREET (HIGHWAY 15 S) OWNED BY WILLIAM OVERTON**

Commissioner Wilkinson motioned to adopt annexation ordinance for 40 +/- acres of property located off Lewis Street (Highway 15 S) owned by William Overton. Commissioner Herring seconded the motion. The motion passed unanimously.

ORDINANCE NO: 07-05-02
ADOPTED: 05-08-07
EFFECTIVE: 11-01-07

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF OXFORD, NORTH CAROLINA
NON CONTIGUOUS ANNEXATION BY
WILLIAM T. OVERTON (40 +/- ACRES - LEWIS STREET/HIGHWAY 15 S)**

WHEREAS, the Oxford Board of Commissioners has been petitioned under G.S. 160A-58.1 to annex the are described below; and

WHEREAS, the Oxford Board of Commissioners has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the 3rd Floor Board Room of Oxford City Hall, 300 Williamsboro Street at 7:00 PM on May 8, 2007, after due notice by publication in the Oxford Public Ledger on April 19 & 26, 2007; and

WHEREAS, the Oxford Board of Commissioners finds that the area described therein meets the standards of G.S. 160A-58.1(b) to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the City of Oxford;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the City of Oxford;
- c. The area described is so situated that the City of Oxford will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

- d. No subdivision, as defined by G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Oxford; and

WHEREAS, the Oxford Board of Commissioners further finds that the petition has been signed by all the owners of the real property in the area who are required by law to sign; and

WHEREAS, the Oxford Board of Commissioners further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Oxford and the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Oxford, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the City of Oxford, as November 1, 2007:

METES AND BOUNDS

Commencing at USGS Monument "26 JS 9", having grid coordinates of N: 912929.867 and E: 2114134.499; thence N 17-13-51 E for 7904.47 feet to an iron pin at the northern right of way of NC State road 1647 and the Point of Beginning, thence with the lands of R.L. Moss, N 05-08-30 W for 343.86 feet to an iron pin, thence N 86-46-46 W for 594.89 feet to an iron pin at the easterly right of way of NC Highway 15; thence with the right of way of NC 15 along a curve concave to the east having a radius of 5679.76 feet, an arc of 709.66 feet and a chord of S 10-36-52 W for 709.20 feet to an iron pin; thence N 14-08-50 E for 110.48 feet to a new iron pin; thence leaving the right of way of NC Highway 15, S 76-14-51 E for 277.29 feet to a new iron pin; thence N 13-42-30 E for 103.15 feet to a new iron pin; thence S 76-17-10 E for 1504.74 feet to a new iron pin; thence with the new common line of the lands of Henley, S 06-24-35 W for 528.63 feet to a concrete monument at the westerly right of way of I-85; thence turning with the right of way of I-85 S 55-05-36 W for 50.00 feet to an iron pin; thence S 43-15-45 W for 455.62 feet to an iron pin; thence along a curve concave to the north having a radius of 298.10 feet, an arc of 319.54 feet and a chord of N 73-18-03 E for 304.46 feet to an iron pin; thence leaving the right of way of I-85 and running with the northerly right of way with NC State Road 1647, N 82-01-50 W for 108.62 feet to a concrete monument, thence S 13-23-52 W for 19.72 feet to an iron pin; thence N 75-47-01 W for 487.39 feet to an iron pin and the Point of Beginning. Said tract contains 40.000 Acres or 1,742,365 square feet more or less.

Section 2. Upon and after November 1, 2007, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force of the City of Oxford and shall be entitled to the same privileges and benefits as other parts of the City of Oxford. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Oxford shall cause to be recorded in the office of the Register of Deeds of Granville County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Granville County Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Oxford.

Adopted this 8th day of May, 2007.

PUBLIC HEARING – HISTORICAL PRESERVATION COMMISSION

Mayor Woodlief declared the public hearing open. The purpose for the public hearing was to allow for public comment concerning amending the Oxford Zoning Ordinance to include the Historic Preservation Commission Ordinance as Article 1500.

Commissioner Wilkinson suggested in an effort to save time ask for those who are for the HPC to stand and have the ones who are against to speak.

Mayor Woodlief asked if anyone present would stand and come forward if they were against the ordinance. No one stood.

Mayor Woodlief asked those who are in support of the ordinance to stand. Most members of the audience, excluding city department heads, stood in favor of the ordinance.

Mayor Woodlief asked if anyone from the group who is in support of the ordinance would like to make a comment. No one wished to speak.

Mayor Woodlief closed the public hearing.

HISTORICAL PROPERTIES COMMISSION ORDINANCE RESCINDED

Commissioner Bridges motioned to rescind Historical Properties Commission Ordinance adopted April 16, 1985, amended February 11, 1986 and May 9, 1989. Commissioner Williford seconded the motion. The motion passed unanimously.

HISTORICAL PRESERVATION COMMISSION ORDINANCE ADOPTED

Commissioner Shope motioned to adopt amendment to include the Historic Preservation Commission Ordinance as Article 1500 of the Oxford Zoning Ordinance. Commissioner Bridges seconded the motion.

Commissioner Kiesow noted the HPC would be good for the City if done right. He stated many of the components of the HPC would be against the renovations of State Farm and Union Bank buildings. He recognized many are against the proposed Wal-mart and this puts the Board of Commissioners in a poor position. He suggested talking with Mayors, City Managers and Commissioners of other cities and noted this has not been done. Oxford could learn from other cities and towns. He recognized half are against HPC, and noted it was not shown tonight. He added all agree the City should go slowly and be sure of what is passed. He commented several downtown building owners are against it. He stated this is the second public hearing held and suggested delaying setting up the HPC because many are confused as to what it is, many are opposed and we have not done our homework. He commented Broad and Hancock Streets have not been addressed and haven't discussed the Louisburg ordinance. He stated there would be a cost and this would need to be included in the new budget. He recognized the Board has learned the budget is going to be very tight. He stressed the Board should not be in any hurry.

Commissioner Wilkinson explained that the Board of Commissioners is creating the Commission tonight and the Commission would be created by the Board of Commissioners. The

HPC would come back with rules and regulations; then the Board of Commissioners would decide what the rules and regulations are going to be and where the historic district will be. He stated there would be time to address some of Commissioner Kiesow's concerns. He continued at this point it is not decided where the historic district is going to be or deciding what the rules and regulations are going to be. He noted there had been some concern about it, but he wanted to make sure everyone understood this.

Commissioner Herring noted it would then be decided if it would include residential and/or downtown.

There being no further discussion, Mayor Woodlief called for a vote on the motion.

Commissioner Shope motioned to adopt amendment to include the Historic Preservation Commission Ordinance as Article 1500 of the Oxford Zoning Ordinance. Commissioner Bridges seconded the motion. Commissioners Shope, Bridges, Powell, Herring, Wilkinson and Williford voted in favor of the motion. Commissioner Kiesow voted against. Motion passed 6-1.

CITY OF OXFORD HISTORICAL PRESERVATION COMMISSION ORDINANCE

A. Revocation of Historical Properties Commission Ordinance of 1985

WHEREAS, the North Carolina Statutes governing establishment of historic preservation commissions pursuant to which this Board of Commissioners created the "Historical Properties Commission Ordinance" on April 16, 1985, have been amended;

RESOLVED, that the Ordinance approved and passed by the City of Oxford Board of Commissioners creating the "Historical Properties Commission Ordinance" dated April 16, 1985, be rescinded with immediate effect.

B. Adoption of Historical Preservation Commission Ordinance

WHEREAS, the historic heritage of the State of North Carolina is one of our most valued and important assets; and

WHEREAS, the North Carolina General Statutes authorize cities to safeguard their heritage by preserving any district therein that embodies important elements of its culture, history, architectural history or prehistory and to promote the use and conservation of such district for the education, pleasure and enrichment of the residents of the city and the State as a whole; and

WHEREAS, the conservation and preservation of historic districts stabilize property values and strengthen the overall economy of the State and the City of Oxford; and

WHEREAS, the Board of Commissioners desires to safeguard the heritage of the City of Oxford by preserving and regulating historic districts; to enhance the environmental quality of neighborhoods; and to foster economic development;

NOW, THEREFORE BE IT ORDAINED AS FOLLOWS:

The Board of Commissioners hereby establishes and designates a commission to be known as the Historic Preservation Commission (the "Commission") to perform the duties and carry out the responsibilities and authorities of preserving and safeguarding historic districts within the zoning jurisdiction of the City of Oxford under the provisions of the *General Statutes of North Carolina, 160A-400.1-400.14*.

The Commission shall consist of seven (7) members, appointed by the Oxford Board of Commissioners. Initially members shall be appointed for staggered terms, with three (3) members being appointed for two years, and four (4) members being appointed for three years. Thereafter, all appointments shall be for a term of three years. Any member may be reappointed for a second consecutive term, but after two consecutive terms, a member shall be ineligible for reappointment until at least one year has elapsed from the date of the termination of his/her last term. A majority of the members shall have demonstrated special interest, experience or education in history, architecture, archaeology or related subjects, and all members shall be residents of the City of Oxford (*G.S. 160A-360*). The Commission may appoint advisory bodies and committees as appropriate.

Adopted this 8th day of May, 2007.

**BUDGET AMENDMENT APPROVED – HISTORICAL PRESERVATION
COMMISSION EXPENSES**

Mayor Woodlief noted the funds would be for the HPC as they get organized and added until the officers are formed this would be in control of the City Clerk.

Commissioner Bridges motioned to approve a budget amendment in the amount of \$3,000.00 made payable from the General Fund for expenses incurred by the Historic

Preservation Commission. Commissioner Shope seconded the motion. Commissioners Shope, Bridges, Powell, Herring, Wilkinson and Williford voted in favor of the motion. Commissioner Kiesow voted against. Motion passed 6-1.

BUDGET AMENDMENT

ACCT. NO.	DESCRIPTION	INCREASE	DECREASE
010410648	Historic Preservation Co	\$3,000.00	
010399000	App Fund Balance	\$3,000.00	

The audience applauded the Board of Commissioners.

Mayor Woodlief reconvened the meeting after a 5 minute break was taken.

ZONING PUBLIC HEARING - REZONE TRACT LOCATED ON CORNER OF IVEY DAY ROAD & NORTH COUNTRY CLUB DRIVE

Mayor Woodlief declared the public hearing open. The purpose of the public hearing is to consider request to rezone 40 +/- acre tract of land located on the corner of Ivey Day Road and North Country Club Drive from R-A (Residential-Agricultural) to R-15 (Single Family Residential) for a proposed 67-lot subdivision.

The Planning Board recommends the rezoning of this property. Once the rezoning is complete, the developer will submit their subdivision plans, once they are approved, they will petition to be annexed.

Jeff Derry of 109 Meadowbrook Lane noted he had attended 3 hearings (2 Planning Board meetings and 1 Board of Commissioners meeting) regarding flooding. He recognized he had received verbal reassurances that flooding problems in Meadowbrook would be addressed and new development will be careful in terms of rainwater runoff. He stated he hasn't seen anything in writing or any concrete action. He added this could be handled one of three ways: 1) rainwater in Meadowbrook will get worse, 2) get better due to the development, or 3)

rainwater will stay the same. He noted the scenario that it may get worse motivates him to encourage putting the brakes on the rezoning for the housing development. He stated Meadowbrook does not need any additional rainwater. He recognized 112 Meadowbrook stays perennially wet, which backs up to the proposed development. He advocated for retirees and others that did not get notice of the meeting all are concerned about the flooding in Meadowbrook. He recognized he is not anti-growth but believes existing issues should be addressed before moving forward. Mr. Derry indicated he could not understand how land could be rezoned for residential development if the land would be more impervious to water for the community next to it that still has rainwater issues. He recognized rules for development have changed. Mr. Derry stressed he has a problem with the logic of rezoning the land when there are existing problems. He recognized the developer RDT has given him a phone number. He remains opposed and asked the Board of Commissioners to vote against it.

Mayor Woodlief noted the Board of Commissioners spoke with Representative Jim Crawford during Executive Session at its last meeting and he has promised funds for piping both on Country Club and further down near Goshen Street. He recognized this is not in writing, only verbal. He stated in addition to the retention methods as required, the City has been promised they will make a way for the water to get away from Meadowbrook. Mayor Woodlief added the City has been working on the issue and has applied for a permit with the Corps of Engineers to clean the creek out.

Allen Daniel of 108 Meadow Heights presented pictures of flooding within Meadowbrook Subdivision. He noted he was opposed to the rezoning and growth. He recognized the need for business and tax dollars in the City, but the flooding issues need to be fixed first. He recognized school systems are crowded and this would increase the capacity for

the school systems. He stressed he does not want Granville County to be like Wake County as far as discussing year round schools.

Mr. Daniel noted the land illustrated in the pictures stays wet all the time and does not drain very well. He also presented pictures of Lexington Park. He asked if fencing would be installed around the retention ponds and how the issue of mosquitoes would be addressed.

Mayor Woodlief stated Goshen Street would be extended across Cherry to McClanahan Street to keep people off Broad and College Streets especially during the school year.

Allen Daniel asked if the existing ponds would be drained? City Manager Marrow replied he had not heard and stressed the developer would have to meet the Stormwater regulations. He stated he does not have the final touches on a proposal addressing the flooding. He stated he will bring it before the Board for review at the next Board meeting. He stated the subdivision is being studied in an effort to alleviate flooding.

Commissioner Bridges recognized Mr. Daniel, Mr. Derry and Mrs. Constance Lue spoke to the Board of Commissioners at the April meeting. He commented that he wished he knew the answer to their flooding problems and what affect the new development would have on the flooding. He hopes the current flooding can be fixed and hopes assurances can be given with the new development that the flooding will not get worse or continue as it is presently. He requested City Engineer Thomas to be upfront about the problem and the engineering firm the City has hired will provide information on the problem. He stated he does not want a maybe or we've got to see what happens because he doesn't want to waste folks' time when they complain about the flooding. City Manager Marrow noted there are not any plans that exist that will prevent all flooding in Meadowbrook; there is not enough money in the community to prevent Meadowbrook from flooding. It is proposed to help alleviate certain floods because you cannot

alleviate all floods. He thinks there will be reasonable reduction in flooding. Commissioner Wilkinson noted he hopes that future subdivisions will not have this same problem.

Commissioner Herring asked when a developer submits a completed plan, is this available for public inspection. He recommended the citizens of Meadowbrook be contacted to look at the plans when available regarding the new development. He recognized retention ponds should help alleviate a lot of flooding if done correctly. Mayor Woodlief noted the State requires the retention ponds be cleaned and maintained. He stressed the Board cannot say the flooding will stop 100%, but hopefully something can be done to help when flooding occurs with a ½” rainfall.

Mary Strickland of 304 N. Elm Street, Creedmoor, owns a house located at 403 Ivey Day Road, noted during the last rain event her driveway was flooded and water was up to the middle of the road. She stated there is already flooding without any houses.

Dean Smith, Member of RDT Properties, LLC of Creedmoor noted Cliff Credle, PE of Credle Engineering of Durham, NC has been contacted to do Stormwater designs, engineering calculations, surveying, layouts of the streets, pipes, etc. in an effort to meet all State and City codes. He has tried to get an answer from him, but has been reluctant to say anything because he has not done any calculations. Mr. Smith explained Credle Engineering will not be hired if their request is not approved. He stated as a developer if they meet the State’s requirements and if the rezoning is approved, then Credle Engineering will be hired. He stressed the engineer is responsible for certain steps and making sure the construction is what was designed.

Dan Buffinga of 323 Kingsbury Street asked the name of the development company to which Mr. Smith responded RDT Properties and Credle Engineering is the firm who will do the design.

Ron Gregor of RDT Properties noted the procedure is to go through zoning, once completed, this will be released to their engineer/site planners. He recognized when Meadowbrook Subdivision was developed Stormwater regulations were not in place. He explained their site plan includes the existing ponds because it is a retention area for Stormwater and instead of curb and gutter because it is an impervious barrier and alleviates water too rapidly they will go with swales which is recommended by the State. Filtration system and horse barriers are built into this system and will be designed by Credle Engineering. Sediment basins have to be implemented before ground is disturbed on this property. He suggested residents of Meadowbrook look at how RDT Properties are trying to regulate its water. He believes that once these things are in place rainwater will then be controlled where currently it is not. Mr. Gregor stressed there is no way to tell where water will go. He explained RDT Properties and the landowner are advocates for control growth. He recognized he did not know if Stormwater regulations would resolve all the problems in Meadowbrook. He added he does not believe all the flooding in Meadowbrook is generated from this property. Mr. Derry agreed.

Mr. Daniel asked where the water is going to runoff once it is collected. Mr. Gregory responded that he did not know and wouldn't know until the engineer looks at it. Mr. Daniel recognized the only way for the water to go is across Ivey Day Road. Mr. Gregor stated the elevation of the property would need to be determined and the amount of water that runs across the elevation. Mr. Daniel asked Mr. Gregor to look at the pictures of the flooding that occurs with a 1-1½ inch rain. Mr. Gregor noted not doing anything to the property would not make the problems go away. He stressed it is not their intention to dump water in their backyards.

Mr. Smith requested making available to their engineer the study being done by the City.

Clayton Strickland of 304 N. Elm Street, Creedmoor owns a house located at 403 Ivey Day Road noted it was stated at the last meeting they were going to look at the flooding problem and requested to be notified when they decide to take a look at it. Mr. Gregor recognized it was stated that once the design has been put in place the neighboring community and city engineer would be able to review the plan. He believes this project will make the problem better by controlling Stormwater on site and not creating runoff in neighboring communities.

William Johnson of 109 Saddletree Road asked who has the long term responsibility of maintaining the holding ponds? City Engineer Thomas responded it is usually maintained by the homeowners association. Mr. Johnson asked if the development would have a homeowners association to which Mr. Gregor responded yes.

Commissioner Wilkinson recognized the retention ponds could alleviate some of the problems.

Joan Roberson 502 Country Club Drive asked how long had the Stormwater regulations been in effect to which Mr. Gregor responded forever, except that they have gotten stringent and since 1998 due to sediment and tributary runoff their guidelines are very strict during the process of construction because sediment basins are required on the site during construction and the State comes out and checks. Maintenance of the retention areas must be maintained during the process of construction. Retention ponds are built temporary to retain sediment and Stormwater once vegetation is put in place to break the water down some of the ponds are eliminated. He recognized the current pond will not be eliminated. A swale (ditch) will run through the property. The Division of Water Quality will regulate how this works itself into play. The design work must be submitted to the City Engineer and the Division of Water Quality and it is rare that the first plan is approved.

There were no other questions from the audience.

Commissioner Kiesow, Public Works Committee Chairman recognized the City had been under the Stormwater ordinance around 2 years and asked City Engineer Thomas if it is better to have Stormwater control. City Engineer Thomas noted the State's definition of Stormwater is nutrient control. The intent is to stop nitrogen and phosphorus from getting in the creek and heading down into the estuary. The focus of the ordinance is nutrient control and not flooding; however you get flood control by trapping and removing the nutrients. The developer will have to design a 2 year storm, trap water on the property with difference of water runoff from the day purchased and the amount that will runoff once developed and slowly release the water. The developer is allowed to slowly release a 10% increase of water with additional nitrogen phosphorus that will be within the limits of the State. This is determined by the amount of acreage. He stressed water goes where water goes and water will probably go the same place it is going now once the property is developed. He added Meadowbrook drains a huge tract of land (600+ acres). The water comes to a small pipe underneath the road that cannot handle the water. He hopes to open up land by creating a small pond for water to rise in and released in the existing pipe. He added this means the residents of Meadowbrook would have to give up some of their land to hold the water. He believes this is what the engineers will say.

Mr. Daniel noted the majority of his water comes from Quailridge and it is worse this year and believes the 3 houses recently built on Quailridge may have increased the water flow coming into his yard. He stated he cannot mow 15 ft x 100 ft of his yard because it is muddy.

Commissioner Powell asked City Engineer Thomas what affect would the new development have and would it be a negative affect? City Engineer Thomas explained it would

be an modest increase of 10% in the amount of water that will come off the developer's property during the 2 year storm. A 2 year storm is an average storm.

Commissioner Wilkinson asked if the Board of Commissioners could request a 0% increase. City Engineer Thomas noted if the restrictions are made more stringent it will make the developer unable to develop due to costs.

Commissioner Herring stated that any plan that meets the minimum specifications of the Division of Water Quality, is up to the City Engineer to monitor, evaluate and visit onsite to see that construction is going according to the plan submitted. He believes that if this is done then the amount of water will be controlled through the Division of Water Quality.

Commissioner Wilkinson clarified that he understands that it will increase Meadowbrook's water by 10%. There is already a problem and this will only exasperate it, unless something is done and he does not believe the City Engineer has the authority to change it unless the Board does. Commissioner Herring recognized the City is already in the process of fixing the problem at Meadowbrook. He added the developer wants to know if he will be able to build and then he will submit the plan for development.

Commissioner Powell recognized that if the problems are addressed that the 10% increase may not be of any consequence? City Engineer Thomas stated that it would probably not be noticed downstream.

Mayor Woodlief closed the public hearing.

**REZONE TRACT LOCATED ON CORNER OF IVEY DAY ROAD & NORTH
COUNTRY CLUB DRIVE APPROVED**

Commissioner Herring motioned to approve request to rezone 40 +/- acre tract of land located on the corner of Ivey Day Road and North Country Club Drive from R-A (Residential-Agricultural) to R-15 (Single Family Residential) for a proposed 67-lot subdivision because the

City is moving towards with an engineering firm to correct the flooding problems at Meadowbrook Subdivision. Commissioner Powell seconded the motion. Commissioners Herring, Powell, Williford, Kiesow and Shope voted in favor of the motion. Commissioners Wilkinson and Bridges voted against the motion. Motion passed 5-2.

FINANCIAL REPORT – APRIL 2007

Finance Officer Stephen McNally supplied the Board with a copy of the April 2007 financial report that included General Fund actual revenues of \$419,083 actual expenses of \$476,650; Water Fund actual revenues of \$336,659, and actual expenses of \$989,532 and Other actual revenues of \$726,339 and actual expenses of \$765,898. The subtotals to date are General Fund actual revenues of \$5,934,818 and actual expenses of \$5,412,271; Water Fund actual revenues of \$3,052,439 and actual expenses of \$3,928,514; Other actual revenues of \$1,483,959 and actual expenses of \$1,559,902. Mayor Woodlief noted that if there were not any questions concerning the report, Finance Director McNally would be in his office tomorrow for any questions.

DEMOLITION ORDINANCE ADOPTED – 120 CLEMENT AVENUE

Commissioner Bridges motioned to adopt a demolition ordinance for 120 Clement Avenue. Commissioner Powell seconded the motion. The motion passed unanimously.

ORDINANCE NO. 07-05-01
ADOPTED: 05-08-07
EFFECTIVE: UPON ADOPTION

**AN ORDINANCE DIRECTING THE HOUSING CODE OFFICER
TO DEMOLISH THE PROPERTY HEREIN DESCRIBED
AS UNFIT FOR HUMAN HABITATION
AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT
THE SAME MAY NOT BE OCCUPIED UNTIL DEMOLISHED.**

WHEREAS, the Board of Commissioners of the City of Oxford finds that the property described herein is unfit for human habitation under the City Housing Code, and that all of the provisions of the Housing Code have been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said structure should be demolished as directed by the Housing Code Officer and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure have been given a reasonable opportunity to bring the structure up to the standards of the Housing Code in accordance with G.S. 160A-443(5) pursuant to an order issued by the Housing Code Officer on October 25, 2007, and the owners having failed to comply with the order;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Oxford, that:

Section 1. The Housing Code Officer is hereby authorized and directed to place a sign containing the legend:

"This building is unfit for human habitation; the use of or occupancy of this building for human habitation is prohibited and unlawful."

on the building located at the following address: 120 Clement Avenue, Oxford, North Carolina;
Owner(s): Robert Newcomb, 4202 Highway 15, Oxford, NC 27565

Section 2. The Housing Code Officer is hereby authorized and directed to demolish the above-described structure in accordance with her order to the owner thereof dated the 8th day of May 2007, and with the Housing Code and G.S. 160A-443.

Section 3. It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein described to be unfit for human habitation.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this 8th day of May, 2007.

CERTIFICATE OF SUFFICIENCY APPROVED - LAND LOCATED ON THE NORTH & SOUTH SIDE OF OXFORD OUTER LOOP (US HIGHWAY 158) – EASTON FARMS, LLC

City Attorney Burnette noted the property is owned by Easton Farms and comprised of members of the Millridge group. He added the petition adequately describes the property to be annexed.

No one had any questions.

Commissioner Herring motioned to approve the certificate of sufficiency for non-contiguous annexation petition received for 3 parcels of land located on the north and south side of Oxford Outer Loop (US Highway 158) owned by Easton Farms, LLC. Commissioner Wilkinson seconded the motion. The motion passed unanimously

**CERTIFICATE OF SUFFICIENCY
NON CONTIGUOUS ANNEXATION -
LAND SITUATE ON THE NORTH & SOUTH SIDE OF THE OUTER LOOP (US #158)
– EASTON FARMS, LLC**

To the Board of Commissioners of the City of Oxford, North Carolina:

I, Tanya S. Weary, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Oxford, this 4th day of May, 2007.

RESOLUTION ADOPTED - ANNEXATION PUBLIC HEARING SET - LAND LOCATED ON THE NORTH & SOUTH SIDE OF OXFORD OUTER LOOP (US HIGHWAY 158) – EASTON FARMS, LLC

Commissioner Herring motioned to adopt a resolution calling for a public hearing in conjunction with the June 12, 2007 Regular Session meeting beginning at 7:00 PM to consider non-contiguous annexation petition received for 3 parcels of land located on the north and south

side of Oxford Outer Loop (US Highway 158) owned by Easton Farms, LLC with effective date of annexation to be set after all three parcels have been rezoned. Commissioner Kiesow seconded the motion and passed unanimously.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-58.2
NON CONTIGUOUS ANNEXATION –
LAND SITUATE ON THE NORTH & SOUTH SIDE OF THE
OUTER LOOP (US #158) – EASTON FARMS, LLC**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Oxford Board of Commissioners has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Oxford, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held in conjunction with the Regular Session meeting at Oxford City Hall Board Meeting Room, 3rd Floor, 300 Williamsboro Street, at 7:00 PM on Tuesday, June 12, 2007.

Section 2. The area proposed for annexation is described as follows:

METES AND BOUNDS

A certain tract or parcel of land situate on the south side of Oxford Outer Loop (US #158) near the city of Oxford, Granville County, North Carolina, and being more particularly described as follows:

Beginning at an existing iron pin situate in the southern margin of the Oxford Outer Loop right of way, which said iron pin is also situate in the northeast corner in the property of Charles L. Easton, Sr. and wife, Rosemary D. Easton (Book 792, page 982); running thence along the southern margin of the Oxford Outer Loop right of way, S. 80° 34' 21" E. 618.03 feet an existing

iron pin, S. 85° 02' 05" E. 349.69 feet to an iron pin, S. 85 02' 05" E. 255.41 feet to an existing rebar, and S. 82° 56' 48" E. 513.59 feet to an existing rebar; thence continuing along the southern margin of the Oxford Outer Loop right of way as follows: along a curve having a length of 354.62 feet, a radius of 2211.83 feet, a chord of 354.24 feet and a direction of S. 76° 58' 51" E. to an existing rebar; along a curve having a length of 112.08 feet, a radius of 2211.83 feet, a chord of 112.07 feet, and a direction of S. 70° 56' 10" E. to an existing rebar; thence S. 62° 11' 52" E. 96.73 feet to existing rebar; and along a curve having a length of 179.75 feet, a radius of 2201.83 feet, a chord of 179.70 feet, and a direction of S. 64° 33' 33" E. to a point situate in the centerline of Coon Creek; thence in a southerly direction along the meanders of Coon Creek as follows: S. 26° 35' 12" E. 101.43 feet, S. 20° 43' 53" E. 105.10 feet, S. 17° 11' 50" E. 95.99 feet, S. 22° 16' 45" E. 89.63 feet, S. 13° 37' 06" E. 80.81 feet, S. 01° 55' 41" W. 82.15 feet, S. 07° 18' 03" E. 113.37 feet, S. 09° 25' 34" E. 36.01 feet, S. 48° 47' 37" E. 81.68 feet, S. 49° 14' 16" E. 74.53 feet, S. 39° 14' 41" E. 68.39 feet, SA. 21° 14' 31" E. 29.71 feet, S. 28° 08' 22" W. 66.70 feet, S. 35° 19' 24" W. 56.09 feet, S. 10° 15' 30" W. 48.41 feet, and S. 24° 05' 00" E. 37.29 feet to a mathematical point, which said point is situate N. 83° 50' 06" E. 6.49 feet from an existing iron pin and is further located in the southwest corner of the property of Charles Bettingfield, III, et al (Book 569, page 408); thence along the southern property line of Charles Bettingfield, III, et al N. 83° 50' 06" E. 392.21 feet to an existing iron pin and N. 83° 49' 48" E. 379.57 feet to an existing iron pin situate in the western margin of the Oxford Outer Loop right of way; thence transversing the Oxford Outer Loop right of way N. 83° 48' 58" E. 205.90 feet to an existing iron pin situate in the northeastern margin of the Oxford Outer Loop right of way; thence continuing along the southern property line of Charles Bettingfield, III, et al N. 83° 48' 58" E. 1222.25 feet to an existing iron pin situate in the southwest corner of the property of William T. Landis, Jr. (561, page 337) in or near the southern margin of the Landis Road (SR#1523) right of way; thence along the southern property line of William T. Landis, Jr., N. 83° 46' 45" E. 312.88 feet to an iron pin situate in or near the centerline of Landis Road (SR 1523), which said iron pin is also situate in the northwest corner of Easton Place Subdivision; thence along the western property line of Easton Place Subdivision S. 02° 49' 51" E. 41.20 feet to an existing iron pin, S. 02° 50' 17" E. 165.25 feet to an existing iron pin, S. 02° 52' 50" E. 169.52 feet to an existing iron pin, S. 02° 50' 48" E. 169.06 feet to an existing iron pin, S. 02° 50' 17" E. 169.01 feet to an existing iron pin, S. 02° 50' 29" E. 175.80 feet to an iron pin, S. 02° 51' 42" E.

245.36 feet to an existing iron pin and S. 02° 47' 55" E. 84.73 feet to an existing iron pin situate in the northern property line of Royal Home Fashions, Inc. (Book 887, page 448); thence along the northern property line of Royal Home Fashions, Inc. N. 89° 08' 02" W. 104.07 feet to an existing iron pin and N. 89° 08' 17" W. 617.94 feet to a rebar situate in the northeastern margin of the Oxford Outer Loop right of way; then transversing Oxford Outer Loop N. 89° 29' 47" W. 274.21 feet to an existing iron pin situate in the northeast corner of Revlon Consumer Products Group (Book 853, page 265); thence along the northern property line of Revlon Consumer Products Group N. 89° 13' 22" W. 1299.45 feet to an existing iron pin and N. 89° 16' 55" W. 29.13 feet to a point situate in the centerline of Coon Creek, which said point is also situate N. 89° 16' 55" W. 24.73 feet from an existing iron pin; thence in a southwesterly direction along the meanders of Coon Creek as follows: S. 31° 51' 08" W. 17.80 feet, S. 42° 18' 07" W. 75.25 feet, S. 33° 04' 26" W. 59.20 feet, S. 45° 58' 39" W. 69.67 feet, S. 32° 07' 12" W. 64.94 feet, S. 23° 27' 53" W. 78.23 feet, S. 52° 14' 52" W. 52.71 feet, S. 25° 04' 43" W. 82.08 feet, S. 40° 41' 22" W. 71.32 feet, S. 33° 16' 05" W. 72.88 feet, S. 33° 32' 44" W. 75.47 feet, S. 64° 40' 49" W. 22.49 feet, N. 74° 04' 09" W. 19.88 feet, N 58° 58' 36" W. 57.34 feet, N. 75° 12' 55" W. 43.97 feet, S. 89° 46' 00" W. 54.00 feet, S. 79° 24' 10" W. 84.69 feet, S. 87° 48' 28" W. 60.08 feet, N. 83° 40' 48" W. 62.28 feet, S. 87° 38' 59" W. 45.63 feet, N. 86° 22' 23" W. 72.95 feet, N. 76° 13' 17" W. 66.35 feet, S. 78° 39' 05" W. 24.63 feet, S. 70° 29' 59" W. 54.40 feet, S. 51° 46' 22" W. 57.59 feet, S. 39° 06' 14" W. 69.15 feet, S. 05° 59' 17" W. 50.09 feet, S. 14° 01' 06" W. 49.72 feet, S. 22° 03' 16" W. 66.29 feet, S. 20° 55' 39" W. 56.57 feet, S. 02° 26' 32" E. 48.82 feet, S. 17° 34' 05" W. 61.60 feet, S. 15° 55' 45" W. 50.16 feet, S. 12° 54' 45" E. 57.03 feet, S. 81° 43' 00" W. 42.18 feet, N. 46° 01' 03" W. 38.84 feet, N. 38° 43' 27" W. 44.72 feet, N. 42° 11' 03" W. 45.65 feet, N. 14° 40' 30" W. 41.45 feet, N. 14° 57' 43" W. 47.04 feet, N. 51° 17' 07" W. 41.79 feet, S. 74° 03' 36" W. 40.84 feet, S. 68° 48' 39" W. 45.85 feet, S. 57° 49' 11" W. 34.12 feet, S. 53° 23' 03" W. 44.63 feet, S. 38° 21' 25" W. 118.71 feet, S. 20° 21' 14" W. 53.74 feet, S. 51° 28' 08" W. 23.46 feet, S. 81° 26' 58" W. 23.47 feet, and N. 69° 36' 51" W. 8.13 feet to a computed point situate in the southeast corner of the property line of David Lloyd Powers (Book 814, page 579); thence along the eastern property line of David Lloyd Powers, N. 37° 30' 43" E. 23.80 feet to an existing iron pin N. 37° 30' 43" E. 164.25 feet to a computed point, N. 35° 47' 42" E. 370.60 feet to an existing iron pin, and N. 35° 47' 42" E. 517.36 feet to an existing iron pin situate in the northeast corner of the property of David Lloyd Powers and the

southeast corner formerly of T.B. Estes and Virginia L. Estes; thence along the northern property line of David Lloyd Powers N. 67° 06' 12" W. 708.92 feet to an existing iron pin N. 67° 06' 12" W. 667.76 feet to an existing iron pin and N. 67° 06' 12" W. 448.25 feet to an existing iron pin situate in the southeast corner of the property of Lorene B. Allen and husband, James K. Allen (Book 991, page 668), which said iron pin is also situate S. 67° 06' 12" E. 199.10 feet from an existing iron pin set in the eastern margin of the Glendale Road (SR#1530) right of way; thence along the eastern property line of Lorene B. Allen, et vir N. 14° 05' 08" E. 210.81 feet to an existing iron pin situate in the southeast corner of the property of Richard W. Young, et ux (Book 924, page 260); thence along the eastern property line of Richard W. Young, et ux N. 14° 05' 30" E. 191.56 feet to an existing iron pin situate in the southern margin of a 0.51 acre easement extending along the property of Virginia E. Claiborne, et vir (Book 627, page 31); thence along the property line of said 0.51 acre easement S. 76° 51' 35" E. 138.71 feet to a new iron pin, a corner, and N. 13° 18' 06" E. 59.96 feet to a new iron pin situate in the southwest corner of another lot of Virginia E. Claiborne, et vir (Book 809, page 774); thence along the southern property line of another lot of Virginia E. Claiborne, et vir S. 76° 51' 03" E. 130.77 feet to an iron pin and N. 13° 18' 19" E. 220.13 feet to an iron pin situate in the northeast corner of Virginia E. Claiborne, et vir (Book 809, page 774); thence along the northern property line of Virginia E. Claiborne, et vir (Book 809, page 774) N. 76° 51' 35" W. 400.34 feet to an existing iron pin situate in the northeast corner of the third lot of Virginia E. Claiborne, et vir (Book 599, page 161); thence along the northern property line of the third lot of Virginia E. Claiborne, et vir and the northern property line of David T. Smith, et ux (Book 718, page 265), N. 76° 32' 18" W. 298.44 feet to an existing iron pin; thence continuing along the northern property line of David T. Smith, et ux N. 77° 05' 27" W. 27.95 feet to an iron pin situate in the southeast corner of Lot B (9.30 acres) of Easton property; thence along the eastern property line of Lot B, N. 30° 45' 01" E. 140.11 feet to an existing iron pin, N. 19° 03' 25" W. 198.31 feet to an existing iron pin, N. 11° 53' 06" E. 148.50 feet to an existing iron pin, N. 12° 37' 33" W. 39.98 feet to an existing iron pin and N. 22° 37' 51" W. 101.79 feet to an existing iron pin situate in the southeast corner of Lot A (15.61 acres) of Easton property; thence along the eastern property line of Lot A, N. 43° 17' 12" E. 212.10 feet to an existing iron pin and N. 10° 08' 49" W. 435.27 feet to an existing rebar situate in the southern margin of the Oxford Outer Loop right of way, the point and place of beginning. The above described tract or parcel of land includes of Tracts 1, 2, 3, 4, and 5

(156.14 acres) as shown on survey and plat of Summit Consulting Engineers, entitled “ Property Surveyed for Easton Farms, LLC”, dated November 21, 2006, of record in Plat Book 34, page 155; and Tracts 1 and 2 (37.64 acres) as shown on survey and plat of Summit Consulting Engineers, entitled “Property Surveyed for Easton Farms, LLC”, dated January 16, 2007, of record in Plat Book 34, page 187, Granville County Registry.

Section 3. Notice of the public hearing shall be published in the Oxford Public Ledger, a newspaper having general circulation in the City of Oxford, at least ten (10) days prior to the date of the public hearing.

ZONING PUBLIC HEARING SET - LAND LOCATED ON THE SOUTH & SOUTH SIDE OF OXFORD OUTER LOOP (US HIGHWAY 158) – EASTON FARMS, LLC

Commissioner Herring motioned to call for a public hearing in conjunction with the June 12, 2007 Regular Session meeting beginning at 7:00 PM to consider request from Easton Farms, LLC to rezone 1 tract of land which consists of 144.01 acres from R-A (Residential-Agricultural) to R-15 (Single Family Residential). Commissioner Powell seconded the motion and carried unanimously.

RESOLUTION ADOPTED – SALE OF SURPLUS PROPERTY – WWTP GENERATOR

Commissioner Kiesow motioned to adopt a resolution authorizing the sale of surplus item, Wastewater Treatment Plant Generac Generator SD500. Commissioner Shope seconded the motion. The motion passed unanimously.

Mayor Woodlief noted the funds received from the generators will be used to purchase a generator for the Fire Department and Public Works.

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PRIVATE SALE

WHEREAS, the Board of Commissioners of the City of Oxford desires to dispose of certain surplus property of the City;

NOW THEREFORE, BE IT RESOLVED by the Oxford Board of Commissioners that:

- 1) The following described property is hereby declared to be surplus to the needs of the City: Generac Generator SD500.
- 2) The City Manager is authorized to dispose of the described property by private sale at a negotiated price.
- 3) The minimum price to be accepted for the property is \$20,000.00.
- 4) The City Clerk shall publish notice summarizing this Resolution in accordance with G.S. 160A-267.
- 5) The sale may be consummated not earlier than 10 days from the date of publication.

Adopted this 8th day of May, 2007.

BUDGET AMENDMENT APPROVED – SURPLUS PROPERTY PROCEEDS

Commissioner Bridges motioned to approve a budget amendment in the amount of \$24,308.00 (\$22,833.00 made payable to the General Fund and \$1,475.00 made payable to the Water Fund) to accept proceeds from surplus property sold on Govdeals.com. Commissioner Kiesow seconded the motion. The motion passed unanimously.

BUDGET AMENDMENT

ACCT. NO.	DESCRIPTION	INCREASE	DECREASE
010385040	General Sales of Surplus	\$22,833.00	
010399000	App Fund Balance		\$22,833.00
030385040	Water Sales of Surplus Prop	\$1,475.00	
030399000	App Fund Balance		\$1,475.00

BUDGET AMENDMENT APPROVED – CONSTRUCTION & DESIGN FEES FOR ATHLETIC FIELD AT OXFORD ATHLETIC PARK

Commissioner Bridges, Chairman of the Recreation Committee, motioned to approve a budget amendment in the amount of \$41,000.00 made payable from the General Fund to fund construction and design fees for the athletic field at Oxford Athletic Park. Commissioner Powell seconded the motion and carried unanimously.

BUDGET AMENDMENT

ACCT. NO.	DESCRIPTION	INCREASE	DECREASE
010620553	Oxford Athletic Park	\$41,000.00	
010399000	Approp Fund Balance	\$41,000.00	

GRANVILLE BUSINESS PARK INCLUDED IN WATER & SEWER CIP PROGRAM

City Manager Marrow noted the City is in position to be a funneling agent to receive a \$900,000 grant to help extend sewer lines to Granville Business Park. He noted this would need to be included in the 5-year CIP Program.

Commissioner Kiesow noted the Public Works Committee supports this.

Commissioner Shope motioned to include sewer line grant for Granville Business Park in the Water & Sewer CIP Program. Commissioner Williford seconded the motion. The motion passed unanimously.

**PUBLIC HEARING SET – DEVELOPMENT ORDINANCE
WITH GRANVILLE BUSINESS PARK**

Finance Officer Steve McNally asked if the \$900,000 grant would be received before any construction. City Manager Marrow explained the developer will invoice the City, City Engineer Thomas will review and the invoice will be taken to the COG for the COG to in turn write a check. The City will cosign the check and give to the developer.

Commissioner Kiesow motioned to call for a public hearing in conjunction with the June 12, 2007 Regular Session meeting beginning at 7:00 PM to consider adopting a development

ordinance for the City to enter into agreement with the Granville Business Park. Commissioner Herring seconded the motion. The motion passed unanimously.

**RESOLUTION OF THE KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS
SUPPORTING THE WORKFORCE DEVELOPMENT BOARD ADOPTED**

City Manager Marrow noted the purpose of the resolution is for the COG to put together high tech training programs for Region K in order to be put in a position to work with pharmaceutical or high tech industries. He added the COG is not asking for monies, only support. Vincent Gillreath is in charge of the program.

Commissioner Bridges motioned to adopt a resolution of the Kerr-Tar Regional Council of Governments supporting the Workforce Development Board & Consortium's request for financial support and advocacy from State and Local Government Agencies. Commissioner Shope seconded the motion and carried unanimously.

**RESOLUTION OF THE CITY OF OXFORD BOARD OF COMMISSIONERS
SUPPORTING THE WORKFORCE DEVELOPMENT BOARD & CONSORTIUM'S
REQUEST FOR FINANCIAL SUPPORT AND ADVOCACY FROM STATE AND
LOCAL GOVERNMENT AGENCIES**

WHEREAS, the City of Oxford Board of Commissioners supports the Workforce Development Board and Consortium's efforts in seeking ways to address the unacceptable drop out rate in our school systems; and

WHEREAS, the Kerr-Tar Workforce Development Board and Kerr-Tar Interlocal Consortium for Job Training have fiduciary responsibility for the Workforce Investment Act funds administered by the Kerr-Tar Regional Council of Governments; and has invited local governments to apply for such funding; and,

WHEREAS, the Kerr-Tar Workforce Development Board and Kerr-Tar Interlocal Consortium have established priorities to develop a workforce to satisfy the current labor needs, as well as the targeted industry clusters being recruited for the region for the Kerr-Tar Hub; and,

WHEREAS, the Kerr-Tar Regional Council of Governments along with the WIA Program, have funded a Labor Area Study from the UNC Center of Competitive Economies, which shows a shortage of technically task focused skilled technicians to replace an aging workforce, as well as a substantial out-commuting pattern of skilled workers in the region; and

WHEREAS, the Kerr-Tar Workforce Development Board and Kerr-Tar Interlocal Consortium, resultant of its Strategic Planning Process, have convened a task force comprised of community college presidents, local industry representatives, county commissioners, school board chairs, economic developers, and school superintendents, to discuss current and future labor market needs;

NOW, THEREFORE, BE IT RESOLVED, by the Kerr-Tar Regional Council of Governments that financial support and advocacy is needed from state and local governments, economic development corporations, and educational institutions to aid in accomplishing the following work to aid in transforming the workforce in the Kerr-Tar Region, as well as aiding in the recruitment of businesses to the Kerr-Tar Hub:

- To encourage the State Board of Education to retain the college tech prep track, with modifications for meeting current and future needs, and the college university prep track for high school graduation. This will improve the current dismal graduation rate while at the same time increasing the rigor and relevance and diversity in programs necessary to prepare students for the workplace and secondary education.
- To support the expansion of Governor Easley's Learn and Earn Program. Substantial additional funding is recommended for the program in order that high school graduates may earn an associate degree from a community college with one additional year of study beyond high school. This cooperative program between community colleges and public schools will focus on technical education for the workforce that is needed for business and industry.
- To provide credit bearing program opportunities for middle and high school students to develop math, science, technology, biotechnology and entrepreneurship skills acquired through hands-on applications that are required by today's business and industry. Such learning may be accelerated by summer math and science camps supported by the Kerr-Tar Workforce Development Board and local industry.
- To develop marketing strategies to educate the public about investments and jobs that follows a knowledgeable and skilled workforce having creative thinking, problem solving, team work and communication skills.
- To develop a web-based marketing plan aimed at students, teachers, advisors and parents to create a greater awareness of well-paying career opportunities in the Kerr-Tar region. This approach would be supported by an annual program initiated by the region's school systems that would include industrial needs survey, industrial plant tours, internships, and student mentoring programs.

ADOPTED this the 8th day of May 2007.

**RESOLUTION APPROVING RBC CENTURA BANK FOR
FINANCING VEHICLES ADOPTED**

Commissioner Wilkinson, Finance Committee Chairman motioned to adopt resolution approving RBC Centura Bank for financing vehicles in the amount of \$247,506.00. Commissioner Shope seconded the motion. The motion passed unanimously.

RESOLUTION

The governing body for the City of Oxford , North Carolina, held a regular meeting at the 3rd Floor Board Room, Oxford City Hall, the regular place of meeting, on May 8, 2007, at 7:00 PM

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

Absent: None

Also Present: City Manager Thomas S. Marrow, City Attorney J. Thomas Burnette and City Clerk Tanya S. Weary

* * * * *

Mayor Alvin Woodlief, Jr. introduced the following resolution, which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$247,506.00 WITH RBC CENTURA BANK TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE CITY OF OXFORD , NORTH CAROLINA, AUTHORIZING THE EXECUTION AND

DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the City of Oxford, North Carolina (the "Unit"):

Section 1. The governing body does hereby find and determine:

- a) The City of Oxford proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- b) After consideration, the governing body has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to said Section 160A-20, the City of Oxford is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) RBC Centura Bank ("RBC Centura") has proposed that RBC Centura enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which RBC Centura will lend the Unit then amount of \$247,506. (the "Contract") and a related Escrow Agreement between the Unit and RBC Centura (the "Escrow Agreement").

Section 2. The governing body hereby authorizes and directs the Authorized Officer, Finance Officer Stephen McNally to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Unit in such form and substance as the person executing and delivering such instruments on behalf of the Unit shall find acceptable. The Clerk is hereby authorized to affix the official seal of the City of Oxford to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for RBC Centura in such instance.

Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of

1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of RBC Centura.

Section 6. The Unit hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit will issue in the aggregate less than \$10,000,000 of tax-exempt obligations, including the Contract (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2006. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Chance Wilkinson, Finance Committee Chairman, seconded by Commissioner Robert Shope, members of the governing body, the foregoing resolution entitled **"RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$247,506.00 WITH RBC CENTURA BANK TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH"** was passed by the following vote:

Ayes: Commissioners Wilkinson, Shope, Williford, Kiesow, Herring, Bridges and Powell.

Noes: None.

PASSED AND ADOPTED this 8th day of May, 2007.

* * * * *

I, Tanya S. Weary, Clerk for the City of Oxford, North Carolina DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the governing body of said City of Oxford at a regular meeting held on May 8, 2007, the record having been made in the minutes of said governing body, and is a true copy of so much of said minutes as relates in any way to the passage of a resolution providing for the authorization of the Installment Financing Contract referred to therein.

I DO HEREBY FURTHER CERTIFY that a schedule, stating that the regular meetings of the Council are held on the second Tuesday of each month at 7:00 PM, respectively, at City Hall, 3rd Floor Board Room, Oxford, North Carolina, was on file with me for at least seven calendar days prior to said meeting, all in accordance with G.S. 143-318.12.

WITNESS my hand and corporate seal of said City of Oxford, this 9th day of May, 2007.

FAMILIES LIVING VIOLENCE-FREE REQUEST FOR FUNDING

Agenda item, *consider request from Families Living Violence-Free for \$12,000.00 to assist in continuing to provide a court advocate for clients* was sent to the Finance Committee.

Commissioner Wilkinson, Chairman of the Finance Committee noted the Committee was discussing this request.

Commissioner Powell asked how much of the services are rendered to Oxford citizens. Jackie Goodwin, Executive Director, replied 85% goes to Oxford.

Commissioner Bridges noted in his experience in working with the court system, there is a weakness of protecting women and families from violence. He requested the Board to look closely at this program and its benefits because there are a lot of gaps in the system when addressing these issues.

Mayor Woodlief recognized he has added this request to the list for additional funding when he makes his visits.

Commissioner Kiesow asked what is the share the County is giving towards the program to which Ms. Goodwin responded she did not know. She added the agency receives federal and state monies. Mayor Woodlief asked what percent of budget is received outside of what is requested to which Ms. Goodwin replied all. She continued that the agency is grant funded.

Police Chief John Wolford commented there has been some reduction in federal and state grants. Mayor Woodlief asked if there are people from Butner and Creedmoor in the program to which Ms. Goodwin responded yes and added the funding is for all of Granville County.

City Attorney Burnette asked if there are any other cities that fund these programs. Ms. Goodwin replied most of them, and cities provide actual space for the agency. She added most

agencies receive city and county funding. Police Chief Wolford recognized the agency had been in existence since 2002 and had not requested any local funding.

Commissioner Herring recognized that Ms. Goodwin would probably receive some funding from the City, but not all requested because the City is losing monies. Commissioner Bridges recognized the letter submitted by Ms. Goodwin notes there had been an increase in clients from 79 to 1169 from when the agency started. Commissioner Powell requested to look at the affect the services have on the entire city because it has a financial and social affect on the entire City. The City's investment does not come close to dealing with what the agency deals with, which affects all people. Problems escalate to other problems.

Ms. Goodwin noted she would approach the county for funding also.

PUBLIC HEARING / ADOPTION OF BUDGET ORDINANCE FOR 2007-2008
FISCAL BUDGET – JUNE 4 & JUNE 12, 2007

Commissioner Wilkinson, Finance Committee Chairman made a motion to hold a public hearing in conjunction with the Agenda Session on June 4, 2007 at 5:45 PM to receive public input on the upcoming budget and consider adopting the FY 2007-2008 Budget Ordinance at the Regular Session meeting beginning at 7:00 PM on June 12, 2007. Both meetings are scheduled in the 3rd Floor Board Room, City Hall. Commissioner Bridges seconded the motion and carried unanimously.

ADDITIONAL ITEMS

FIREMAN'S RELIEF FUND APPOINTMENTS –
GRAHAM WRIGHT & TAYLOR JACKSON

Commissioner Herring, Chairman of the Public Safety Committee motioned to appoint Graham Wright and Taylor Jackson to the Fireman's Relief Fund for a one-year term. Commissioner Bridges seconded the motion and carried unanimously.

BUDGET AMENDMENT APPROVED – DEBRIS GRINDING AT WWTP

Commissioner Shope motioned to approve a budget amendment in the amount of \$18,000.00 made payable from the General Fund for tub grinding the debris at the Wastewater Treatment Plant. Commissioner Powell seconded the motion. The motion passed unanimously.

BUDGET AMENDMENT

ACCT. NO.	DESCRIPTION	INCREASE	DECREASE
010561260	Stump grinding	\$18,000.00	
010399000	App Fund Balance	\$18,000.00	

CONSENT AGENDA APPROVED

A. Meeting Minutes

Commissioner Wilkinson motioned to approve meeting minutes of April 2 & 10, 2007. Commissioner Kiesow seconded the motion. The motion passed unanimously.

ADJOURNMENT

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