

**NORTH CAROLINA
GRANVILLE COUNTY
CITY OF OXFORD**

**OXFORD CITY HALL, BOARD MEETING ROOM
WEDNESDAY, OCTOBER 15, 2008 AT 7:00 P.M.**

The Board of Commissioners of the City of Oxford met in 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 Robert Shope
Commissioner Stephen C. Powell
Commissioner Paul F. Kiesow
Commissioner A. Chance Wilkinson
Commissioner Robert B. Williford, Sr.
Commissioner Walter Cantley

Present also were City Attorney J. Thomas Burnette, City Manager Mark Donham 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 Al Woodlief, Jr. called the meeting to order.

Mayor Pro Tem Herring gave the prayer.

The Pledge of Allegiance followed the prayer.

MAYOR'S YARD OF THE MONTH AWARD – MILDRED NEWSOME

Mayor Woodlief recognized October's Mayor's Yard of the Month winner, Mildred Newsome. Mayor Woodlief read the certificate, which recognizes her for the outstanding job of landscaping maintenance and overall attractiveness of 303 Sunset Avenue. He added a sign would be placed in the 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 COMMENT – FRANK STRICKLAND

Frank Strickland of 112 Planters Place noted he spoke about the health insurance benefits for retired elected officials on January 10. He noted this is wrong; spending taxpayers' monies for a specific benefit of one or two people is wrong. Any expenditure of taxpayers' monies should be for the benefit of every citizen. He explained this has been on the books since 1997 and no one can justify this outrageous deed. The taxpayers have spent approximately \$46,000 for the former mayor; the insurance plan includes dental and vision. He asked the Board to stand up the rights of the citizens and stop this madness. Mr. Strickland requested Mayor Woodlief to apologize to him and the citizens for referring to him as a liar, slanderer and a racist in his official capacity as Mayor. If he will not apologize, he should resign.

PUBLIC COMMENT – BOBBIE DURANT

Bobbie Durant of 801 Williamsboro Street noted there are better expenditures to be made than on health insurance for retired elected officials. She requested doing away with this.

PUBLIC COMMENT – CANDY HOLMES

Candy Holmes of 6773 Leaning Oak Road noted she had to move her mental health and substance abuse treatment firm from Oxford to Durham. She recognized there is no therapy here for the many people on drugs. Reasons are: they cannot get paid and it is difficult to find space. She noted without treatment for mental health and drugs issues incarnations would increase. She hopes to bring back treatment in this area. She

recognized methadone is used to keep people on drugs. Saboxone will help people get off opiate dependency; people are addicted to pain medications. She noted she had met with Commissioner Powell and Police Chief John Wolford.

Mayor Woodlief commented Mayor Pro Tem Herring would look to see if the City had any space available.

LIBRARY BOND ISSUE – RESOLUTION ADOPTED

Commissioner Shope motioned to adopt a resolution supporting the bond issue on the November 2008 ballot for the Granville County Libraries. Commissioner Kiesow seconded the motion. The motion passed unanimously.

**RESOLUTION SUPPORTING THE BOND ISSUE FOR GRANVILLE
COUNTY LIBRARIES – NOVEMBER 2008**

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WHEREAS, on Tuesday, November 4, 2008 Granville County voters will have an opportunity to act on a bond referendum which would improve the libraries in Granville County; and

WHEREAS, The Oxford Board of Commissioners recognize that better facilities allow for better programs, including new meeting room spaces, quiet areas, and expanded computer areas; and

WHEREAS, The Oxford Board of Commissioners recognize that the 45 year old Richard H. Thornton Library would be renovated and expanded by 10,545 square feet, a new facility would be erected in Stovall, a new facility would be erected in the Southern part of the county, technology and furniture upgrades would occur at the Berea Branch, and library services would be available at satellite locations or by bookmobile; and

WHEREAS, homeowners in Granville County with a home valued at \$150,000 would only see an approximate increase of \$39.96 annually or \$3.33 a month;

NOW, THEREFORE, BE IT RESOLVED BY THE OXFORD BOARD OF COMMISSIONERS THAT:

The Oxford Board of Commissioners hereby support the Bond Issue for Granville County Libraries and ask that all voting citizens recognize the importance of this Bond and vote for its passage on November 4, 2008.

Adopted this the fifteenth day of October 2008.

GRANVILLE COUNTY ECONOMIC DEVELOPMENT QUARTERLY REPORT

Jay Tilley, Granville County Economic Development Director noted he began this position on August 1. Hiring in Granville County has leveled off. Revlon has continued to hire and made a commitment to capital improvements. The current unemployment rate for NC is 6.9% above the national average and Granville's is 7.2%; manufacturing jobs continue to decline. Bids have been submitted to the Department of Commerce on several projects; however they do not hold promise for serious looks. Triangle North holds an active project that is awaiting FDA approval in order to move forward. Another project is looking at southern Granville due to the need for rail; a lot of projects are looking at rail in an effort to save on transportation costs. The pace of projects has slowed. This is a time for Granville County to prepare itself to be ready for product. NBAF is in a lull period, waiting for the final EIS report from the Department of Homeland Security. He commented he does not anticipate Granville County being selected.

**PUBLIC HEARING – REQUEST FROM OBGURN REALTY- REZONE
CORNER OF GRANVILLE STREET & SPRING STREET**

Mayor Woodlief declared the public hearing open. The purpose of the public hearing was to allow for any comments as it pertains to Ogburn Realty's request to rezone property from the corner of Granville Street and Spring Street to the alley from O-I (Office-Institutional) to B-1 (Central-Business). The Planning Board recommends approving this request to rezone the six parcels of land.

There being no comment, Mayor Woodlief declared the public hearing closed.

**REQUEST FROM OBGURN REALTY APPROVED - CORNER OF
GRANVILLE STREET & SPRING STREET REZONED FROM O-I TO B-1**

Commissioner Cantley motioned to rezone property from the corner of Granville Street and Spring Street to the alley from O-I (Office-Institutional) to B-1 (Central Business) as requested by Ogburn Realty. Commissioner Williford seconded the motion. The motion carried unanimously.

PUBLIC HEARING – AMEND SECTION 406.2 SIGN REGULATIONS

Mayor Woodlief opened the public hearing for comment. The purpose of the public hearing was to allow for comment as it pertains to amending Section 406.2 Sign Regulations of the Zoning Ordinance to allow signs to change in at least one-minute intervals while avoiding the flashing effect.

Planning Director Cheryl Hart explained an applicant had requested to install a sign that would carry a message. She interpreted that the ordinance did not allow for this type of sign. The applicant appealed her decision to the Zoning Board of Adjustment and the ZBA felt the intent of the ordinance was not to have scrolling language or flashing affect that would cause a traffic problem. The ZBA granted the appeal for the sign. The Planning Board recommended amending the ordinance to allow signs to change in at least one-minute intervals while avoiding the flashing effect.

Dr. Joseph Melamed of 220 Gilliam Street opposed the variance to allow the sign. Electronic signs are obtrusive, ugly and tacky. He believes this is one foot down the slippery slope towards turning downtown into a replica of Dabney Drive. These signs do not belong in downtown. Signs in the downtown area should be pedestrian friendly. He noted the City should not throw out its standards to attract businesses. He noted if this business is allowed to have this sign, then the next business will want one too. Then

downtown will look terrible. He encouraged the Board to uphold the existing ordinance and not allow the variance.

Maureen Taylor of 108 E Front Street noted the Mayor created the Beautification and Vision Committees a year and a half ago. The Board of Commissioners agreed to establish a Historic Preservation Commission. All these groups share the same mission of preserving and enhancing Oxford as a unique and beautiful place to live and work. To allow Walgreen's to put up the ticker tape sign undermines the mission of these groups. The Section 406.2 of the Zoning Ordinance prohibits the sign. To amend the ordinance will open up the floodgates to allow similar signs to be installed downtown. This will lead to visual pollution of the downtown. She noted we regret the pharmacy building on Williamsboro Street. Neon or blinking lights serve no purpose in a town this small. She asked the Board not to amend the ordinance.

Gary Weaver of 221 Gilliam Street pointed out attendees at the vision workshops talked about how important downtown is to them and that downtown is the future. These signs do not fit the image. He asked if the Commissioners represent all the people of Oxford or just some and if they approve the sign ordinance is this what people really want?

Susan Wicker of 404 College Street noted it is important to have a defined mission in order for it to be easy to make a decision when these types of issues come along. She noted as a Physician Recruiter for Granville Medical Center it is sad to tell the videographer to film this house and not this house. She stressed to keep the charm of Oxford.

Ben Floyd of 136 Pine Cone Drive noted he was excited about Walgreen's locating in downtown, but he is opposed to the sign they want to use. He suggested using a sign without any moving or flashing words. If the Board deems the sign a necessity for Walgreen's, he suggested looking at other places to place the sign so that it could not be seen from Main Street. He asked to consider a variance just for this Walgreen's store instead of changing the ordinance.

Royster Washington of 206 E Front Street asked the Commissioners to support Cheryl Hart and enforce the laws that are in place.

David Wicker of 404 College Street noted Planning Director Hart was correct in her ruling and correct in her statement to the Commissioners. He recalled the flashing bail bonds signs in Durham; this is not what the Commissioners want for Oxford. It does not keep the charm Oxford has and the mission of preserving and protecting the town. In the future if someone wants a flashing sign Ms. Hart will not have the ability to pick and choose the rules and to whom they will apply. He recognized the Commissioners might not have the authority to regulate any adjustment given by the Board of Adjustment; he asked to give it some consideration. Oxford will not lose this business. Walgreen's is a vast improvement and enhancement to downtown and can be this without the sign.

Commissioner Wilkinson asked for clarification on ZBA's ruling to which Ms. Hart explained they ruled in favor of allowing the sign because they felt the sign did not have the flashing effect if the message stayed stationary in one-minute intervals. She added amending the ordinance would be for all business signs. Commissioner Wilkinson recognized the City is bound by the ZBA's ruling. Commissioner Kiesow commented

the ordinance could be amended. Ms. Hart added the location of the sign has been granted which is on the corner of Hillsboro Street and Linden Avenue.

Commissioner Williford asked why Walgreen's thought the sign was so important to which Ms. Hart noted Walgreen's likes to announce their weekly specials.

Ben Floyd voiced his concern about the location of the sign because it is located at a busy intersection and added he could see this as a traffic problem. He suggested putting the sign at the other corner.

Cathy Weaver 221 Gilliam Street clarified if there was no recourse to appeal the ZBA's ruling to which Mayor Woodlief stated the courthouse. Ms. Weaver noted the Walgreen's sign in Henderson is very distracting and it does not stay a minute. Mayor Woodlief recognized Walgreen's has been very cooperative with the type of building the City wanted. Commissioner Wilkinson suggested not passing the proposed amendment tonight and look at making the ordinance more restrictive. Ms. Weaver asked what would stop CVS in requesting a similar sign? Gary Weaver noted most corporations want to be good citizens and suggested two approaches: 1) discuss with Walgreen's that the sign would be inconsistent with downtown or 2) sue them. Ms. Weaver noted most people when surveyed by the Vision Committee do not want to see signs; instead they want to see landscaping. Joan Roberson of 119 W Front Street questioned the ZBA's decision to which Commissioner Wilkinson stressed Walgreen's has the legal right to have the sign based on the ZBA's decision.

Louis Barrington of 214 Main Street noted it is a good idea to talk with Walgreen's. Constance Lue of 104 Greenfield Circle commented that this affects everyone who lives here and there is no chance for citizens to voice their opinions to

which Mayor Woodlief noted the ZBA's meetings are advertised. Ms. Weaver asked the qualifications for membership on the ZBA to which Mayor Woodlief noted it is divided in quadrants and members are chosen out of districts selected by the Board of Commissioners. Commissioner Cantley asked who is the Appearance Commission to which Mayor Woodlief noted it is chaired by Helen Mitchell and they decide the landscaping. Commissioner Cantley asked who decided what the building looks like to which Mayor Woodlief replied he, Ms. Hart and Linda Sigmon looked at this particular building design. Mayor Woodlief suggested tabling the proposed amendment to November and he would call the developer and explain the concerns.

Susan Wicker commented this raises a bigger issue of who gets placed on these boards and added a similar issue occurred with the HPC. She noted it is imperative for people who serve on the boards should have an appreciation of the mission and must be able to distinguish what does and doesn't fit the mission. The members should be able to read and follow the law and noted this did not happen in recent events by the HPC. It is important to select people who understand their role and are willing to do it. Mayor Woodlief noted it is almost impossible to fill vacancies and added they are published in the newspaper. Mr. Melamed noted he applied for the HPC and Mayor Woodlief noted there was a surplus for this committee.

City Attorney Burnette arrived to the meeting at approximately 8:10 PM. Mayor Woodlief briefed him on the issue and the comments made during the public hearing. City Attorney Burnette concurred that the only legal recourse would be the courthouse.

Jackie Sergeant of 114 High Street noted that the Commissioners have heard enough tonight not to approve the proposed amendment to the zoning ordinance.

Louis Barrington asked Commissioner Wilkinson to excuse himself from a legal standpoint when the City speaks to Walgreen's. Commissioner Wilkinson noted he would not be a part of the committee that would speak to Walgreen's.

Commissioner Powell stressed the importance of making sure the language for future businesses is clear and it relates to how we want Oxford to look. He noted businesses are willing to conform to requests made by the City.

Commissioner Cantley noted this was opening up a floodgate and stressed the importance of being consistent.

Sandra Cole Roger of 122 Wall Street asked why the ZBA passed the variance for the sign to which Planning Director Hart noted the Board felt that since the message would sit still and not have a flashing effect that it was appropriate.

There being no further comments, Mayor Woodlief declared the public hearing closed.

**ZONING ORDINANCE AMENDMENT TAKEN OFF AGENDA –
SECTION 406.2 SIGN REGULATIONS**

Commissioner Wilkinson motioned to take the following agenda item off the agenda: *Consider amending Section 406.2 Sign Regulations of the Zoning Ordinance to allow signs to change in at least one-minute intervals while avoiding the flashing effect.*

Commissioner Williford seconded the motion. The motion carried unanimously.

ZONING ORDINANCE AMENDED – SECTION 500 DRIVEWAYS

Commissioner Williford motioned to amend the Zoning Ordinance under Section 500 to require all new dwelling units to have a paved driveway (asphalt or concrete).

Mayor Pro Tem Herring seconded the motion.

Commissioner Wilkinson issued a substitute motion to require all new dwelling units to have a driveway of (asphalt, concrete or a surface that will absorb rainwater, excluding gravel). He recognized there are opportunities to look at surfaces that can absorb water and added the City Manager had reservations about this because grass could grow up in them. Commissioner Kiesow added some concrete allows the absorption of water. Commissioner Kiesow seconded the substitute motion.

The Mayor called for a vote on the substitute motion. Commissioners Wilkinson, Shope, Powell, Kiesow, Herring, Wilkinson and Williford voted in favor of the substitute motion. Commissioner Cantley voted against. The motion passed 6-1.

WATER TAP APPROVED FOR NEW HORIZONS BAPTIST CHURCH

Mayor Pro Tem Herring motioned to approve a water tap for New Horizons Baptist Church. Commissioner Shope seconded the motion. The motion passed unanimously.

NOVEMBER REGULAR SESSION DATE CHANGED

Commissioner Williford motioned to change the November Regular Session scheduled for November 11, 2008 to November 18, 2008 beginning at 7:00 PM in the 3rd Floor Board Room due to Veterans' Day Holiday. Commissioner Shope seconded the motion and carried unanimously.

HEALTH INSURANCE FOR RETIRED ELECTED OFFICIALS DISCUSSED

Mayor Pro Tem Herring placed this item on the agenda.

Mayor Pro Tem Herring informed the Commissioners in 1997 approved paid health insurance coverage for retired elected officials with 15 years of service until the age 65. At age 65 the official would be transferred to a Medicare supplement. At this

time two persons were eligible for the benefits: former Mayor Allie Ellington (is currently receiving the benefits) and the current Mayor is eligible under the policy passed in 1997, but is not receiving the benefits. He recognized the controversy towards this policy. He noted he had considered sending this to the Personnel Committee for consideration, but added elected officials are not under the City's personnel policy act, so any decision that relates to the decision made in 1997 rests upon the Board and not a committee. He does not believe any committee has set and decided this policy. He distributed a 20-page packet prior to the start of the meeting, which includes information dating back to November 1997. He recognized he supported this policy in 1997. He asked the Commissioners to put this issue to rest and asked them to study the information presented and come to the November meeting to discuss. He asked the City Attorney to provide to each Commissioner in writing on or before the November Agenda Session what the current Commissioners can or cannot do as it relates to the policy established in 1997; recognizing former Mayor Allie Ellington is currently receiving benefits and the current Mayor is eligible. Mayor Pro Tem Herring noted this issue would be addressed at the November meeting. Mayor Woodlief informed the years of service was changed from 15 to 20 years (January 2006).

Commissioner Cantley motioned to vote tonight on the issue by rescinding health insurance for the two eligible officials.

Eddie McCoy of 408 Kingsbury Street noted if the issue were voted on tonight, citizens would not have an opportunity to comment on it. He believes John Doe should read it in the paper that the City is considering looking at the health insurance policy.

Mayor Pro Tem Herring noted it was not his intentions to discuss or vote on it tonight; he wanted to provide information on the issue.

Commissioner Powell seconded Commissioner Cantley's motion.

Commissioner Wilkinson asked if the Board could vote on this since it was not on the agenda to which City Attorney Burnette noted all seven Commissioners would have to agree to add the item to the agenda.

Commissioner Williford asked if the Commissioners have the right to take this away that had been promised? He added the public knew about the policy and had the right not to vote them back into office. City Attorney Burnette noted in his opinion he does not believe it can be taken away; people who are vested in this policy have a right to it. He added he was not prepared to give this tonight because he had not researched it, but added this was his opinion.

Commissioner Powell retracted his second to Commissioner Cantley's motion.

The motion died due to lack of a second.

Mayor Woodlief noted this issue would be placed on November's agenda as requested by Mayor Pro Tem Herring.

Frank Strickland asked for someone to research if this was brought before the public in November 1997 right before the Board went out. This was a last minute decision. Mayor Pro Tem Herring noted this is in the information he presented the Commissioners. Commissioner Shope noted he would share figures with the Commissioners on past monies spent. Mayor Pro Tem Herring noted the Board that made the decision in 1997 is still standing today and it is common knowledge that Board's make decisions. He noted he concurs with the City Attorney's decision.

Commissioner Cantley noted it is a different Board now. Commissioner Wilkinson noted this is a legal question. Commissioner Shope noted this has gone as far as the NCLM; they do not have an answer. Commissioner Cantley noted the Attorney General is to make a decision on this later as told by the NCLM.

AFTER SCHOOL PROGRAMS DISCUSSED

Commissioner Powell placed this item on the agenda.

Commissioner Powell recognized the high drop out rate and consequently this translates to expenditures that the city has to spend. He included information pertaining to after school programs. He added he is part of the NLC Youth Education & Families Committee. He added there is no public transportation in Oxford. For the 400 students who enter 9th grade at Webb each year, translates to 200+ seniors who graduate. Young people, who need to be involved and have academic assistance, cannot stay at school because they cannot get home. Commissioner Powell noted if a class wants to go on an excursion they must come up with the money for gas and a driver (\$0.75 per mile). He asked the Board to consider approving financial support for transportation that will enable young people to get the help they need. This would be for any school in Oxford that service Oxford children. Commissioner Cantley asked if there were any legal ramifications to which Commissioner Powell noted he is only asking for monies so the school system can provide transportation service and added the City should take some responsibility for their own children.

Commissioner Williford asked how many children stay after school currently, to which Commissioner Powell replied athletic teams, choir and bands; these are the ones that can afford to participate. Mayor Pro Tem Herring asked whom the funds would be

provided to, to which Commissioner Powell explained Superintendent Dr. Farley is in favor of his proposal. Mayor Pro Tem Herring asked how much money are we talking to which Commissioner Powell responded \$10,000, which would be solely for transportation. He added it would not be up to the Commissioners to say how the money is distributed. Commissioner Cantley commended Commissioner Powell, but noted he was concerned about city funds.

Mayor Woodlief asked for the total price tag of each Commissioner Powell's items listed on the agenda. Commissioner Powell recognized Candy Holmes in the audience, a certified counselor and noted they had been in discussion with Police Chief Wolford who is in support of this process to be in place. He added the Ministerial Alliance asked for this process to be dealt with three years ago and noted he had been in conference with Lee Isley of Granville Medical Center concerning ideas to kick this off with no cost initially to prove that there is a need to fund. Mayor Woodlief noted that rent-free would involve something. Mayor Pro Tem Herring commented he would look into a possible location and get with the manager and the board. Mayor Woodlief asked Ms. Holmes if this needed to a private location to which Ms. Holmes explained her prior location was in Pastor Willie Darby's office; she stressed the need for a central area because transportation is an issue. Mayor Woodlief noted he had spoken with Cynthia Yancey and she explained the County and State already have these programs in place and are not being used. Ms. Holmes recognized Dr. Michael Avant is the only person who serves Granville County. She added she moved to Durham because space was problem and clientele does not have insurance.

Mayor Pro Tem Herring was excused from the meeting at 8:58 PM.

Mayor Woodlief asked when sessions occur to which Ms. Holmes noted some are in the evenings and individual assessments are held during the day. In the beginning she would work more in the evenings. Mayor Woodlief noted the possible location Mayor Pro Tem Herring is going to look at would best be used during the evenings.

Commissioner Williford suggested churches volunteering to use their space to which Ms. Holmes commented churches believe you can pray to fix the problem and some pastors don't want to acknowledge the problem. Mayor Woodlief noted churches have room and a van but he is amazed that when it comes to this that they put their head in the sand to which Commissioner Powell extended he was exactly right. Mayor Woodlief suggested requiring a parent to come to the sessions also.

Commissioner Cantley recalled GS 122C and added Norman Foster is over the 5 County Mental Health System. Ms. Holmes noted she refuses to contract with 5 County and added she is a private provider and they only service certain people. She noted she is not seeking state funds; private providers have their own Medicaid members and make their own fee scale. Treatment is better because it is not being regulated.

Commissioner Powell explained the agenda item, *consider proposal to provide part time salaries for drug therapy and counseling* that they wanted to prove there is a need for it by developing traffic and clientele and then make a decision from this.

Commissioner Powell noted cities and counties are creating a youth advisory committee and added the Commissioners should select this committee. The committee brings advice, fresh ideas and the needs for young people to the Board. He added this has nothing to do with recreation. Mayor Woodlief asked if Commissioner Powell was

willing to go to the County to ask for the same thing to which Commissioner Powell replied absolutely.

Commissioner Williford noted the County spends 37% of tax dollars on education; are we doubling taxes and is this legal to which Commissioner Powell noted he did not have the answer. He stressed not to play ping-pong with young people's lives.

Mayor Woodlief noted the City contributes to the Oxford Business and Professional Chain and added this could help with transportation. Commissioner Wilkinson noted he had a prior business relationship with Ms. Holmes and asked to be excused from voting.

Mayor Woodlief noted the churches should stay out of this if they don't want to help out; to which Commissioner Powell agreed. The Mayor believes the city is looking at \$50,000-\$60,000 for this to work. He added there are a lot of issues to look at; the Commissioners need to absorb them. The schools have old vans that they do not use and added the youth advisory committee can be pulled together. Commissioner Powell noted he would pull together a panel of principals and teachers to determine how the young people should be recommended. Commissioner Powell noted there is a lot of adults of all cultures who have drug related addictions.

TRANSPORATION FOR AFTER SCHOOL PROGRAMS

Commissioner Wilkinson stated the root of the problem is that children are from broken families, no fathers in the households. He added the government tries to be everyone's parent. He believes the city should not get involved in it. He added it is not a question of money, but next year there will be something else. He added the County

would start depending on the city for school bus transportation and others. He noted he is against it.

Commissioner Powell noted the issue is what can the City do to help the situation rather than point the finger at what is wrong; this has nothing to do with the solution.

Jackie Sergeant noted she sees both sides of the issue and added parents are working two shifts and cannot get away to pick the child up from school. The child is suffering from the inability to be involved in after school activities that would help him or her in academic performance, etc. She noted in her work she is looking for sustainable projects and asked to research Commissioner Powell's proposal instead of investing funding at this time. KARTS in Henderson is looking at ways to improve public transportation. She suggested contacting them with the idea of putting in an after school route.

Mayor Woodlief noted around 70% of people use recreation they do not pay for; will the county use this? He added that the County needs to step up and put some money here. Commissioner Cantley noted every one is hard pressed to spend any money because the country is in dire straights due to the major economic situation.

Commissioner Powell motioned to make a financial investment in the amount of \$10,000 relative to transportation so that children may stay for after school programs.

City Attorney Burnette noted in his opinion this is a county function and not a city function.

The motion failed due to lack of a second.

RENT-FREE SPACE FOR DRUG COUNSELING

Commissioner Powell motioned for the City to actively participate in acquiring space for drug therapy sessions in order to determine whether or not the traffic of clientele merits financial support in the future.

The motion failed due to lack of a second.

PART-TIME SALARIES FOR DRUG THERAPY & COUNSELING

Commissioner Powell noted there is no need in going with this one because no one saw a need to provide a service.

Mayor Woodlief noted there is a good possibility space can be found.

Commissioner Wilkinson suggested the Property Committee consider proposal for the City of Oxford to provide space for drug counseling. Mayor Woodlief asked Bob Williford Chairman of the Property Committee to look at this.

YOUTH ADVISORY COUNCIL

Commissioner Wilkinson motioned to create a youth advisory committee to the Board of Commissioners. Commissioner Williford seconded the motion.

It was agreed for Commissioner Powell to chair the committee and have an application to review by the next meeting. Commissioner Powell suggested having seven youth serve.

The motion passed unanimously.

ANNEXATION RESOLUTION OF CONSIDERATION **ADOPTED – SHADOW LANE**

Commissioner Williford motioned to adopt the Resolution of Consideration to annex Shadow Lane located in Green Acres Subdivision. Commissioner Shope seconded the motion. The motion passed unanimously.

RESOLUTION OF CONSIDERATION
SHADOW LANE IN GREEN ACRES SUBDIVISION
A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING
UNDER CONSIDERATION FOR ANNEXATION AND NOTIFICATION
TO CERTAIN PROPERTY OWNERS OF THEIR RIGHTS
TO DELAYED ANNEXATION OF QUALIFIED PROPERTIES

BE IT RESOLVED by the Board of Commissioners of the City of Oxford that:

Section 1. Pursuant to G.S. 160A-49(i), the following described area(s) is/are hereby identified as being under consideration for future annexation by the City of Oxford, under the provisions of Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina:

**SEE ATTACHED MAP RECORDED AT THE GRANVILLE COUNTY
REGISTER OF DEEDS IN PLAT BOOK 27, PAGE 147**

Section 2. Owners of agricultural land, horticultural land, and forestland within the area(s) under consideration for annexation as described in Section 1 above are hereby notified that they may have rights to a delayed effective date of annexation. G.S. 160A-49(f1) and (f2) provide that land being taxed at present-use value taxation but which has not been in actual production for the time period required by G.S. 105-277.3 may qualify for delayed annexation by making application to the Granville County Tax Assessor for certification. For qualified tracts, the annexation will not become effective for most purposes until the last day of the month in which the tract or part thereof becomes ineligible for present-use value classification under G.S. 105-227.4 or no longer meets the requirements of G.S. 160A-49(f1)(2). Until annexation of a tract becomes effective, the tract will not be taxed by the City of Oxford and will not be entitled to services from the City of Oxford.

Section 3. A copy of this Resolution shall be filed with the City Clerk.

Section 4. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 15th day of October, 2008.

ANNEXATION RESOLUTION OF CONSIDERATION
ADOPTED – MEADOW HEIGHTS LOTS #1-6

Commissioner Williford motioned to adopt the Resolution of Consideration to annex lots #1-6 located on Meadow Heights. Commissioner Wilkinson seconded the motion. The motion passed unanimously.

RESOLUTION OF CONSIDERATION

**LOTS #1-6 ON MEADOW HEIGHTS
A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING
UNDER CONSIDERATION FOR ANNEXATION AND NOTIFICATION
TO CERTAIN PROPERTY OWNERS OF THEIR RIGHTS
TO DELAYED ANNEXATION OF QUALIFIED PROPERTIES**

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**SEE ATTACHED MAP RECORDED AT THE GRANVILLE COUNTY
REGISTER OF DEEDS IN PLAT BOOK 21, PAGE 56**

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Section 3. A copy of this Resolution shall be filed with the City Clerk.

Section 4. This Resolution shall remain effective as provided by G.S. 160A-49(i).

Adopted this 15th day of October, 2008.

**DEPOSIT REQUIRED FOR CUSTOMERS WHO DO
NOT DISCLOSE SOCIAL SECURITY NUMBER ON UTILITY APPLICATION**

City Manager Donham noted the social security number is vital in collecting bad debts via the NC Debt Set Off program.

Commissioner Shope noted it is a legal right not to disclose your social security number; he believes this is a punishment. Commissioner Powell noted \$200 is a lot of

money for some people trying to get started. City Attorney Burnette explained the city is only requiring a deposit and if the customer pays their bill, they will get the money back. Finance Officer Steve McNally noted the Institute of Government has recommended that municipalities do this.

Commissioner Wilkinson motioned to require a \$200 deposit and no refund of the deposit until account termination for customers who do not disclose their social security number on their utility application. Commissioner Kiesow seconded the motion. Commissioners Wilkinson, Kiesow and Williford voted in favor of the motion. Commissioners Powell, Shope and Cantley voted against. In the event of a tie, the Mayor breaks the tie. Mayor Woodlief voted in favor of the motion. The motion passed 4-3.

ZONING PUBLIC HEARING SET – SCHOOLS-DAY TREATMENT

Commissioner Kiesow motioned to call for a public hearing in conjunction with the November 18, 2008 Regular Session beginning at 7:00 PM in the 3rd Floor Board Room to consider amending the Zoning Ordinance to include definition and development standards for Schools-Day Treatment Facilities. Commissioner Wilkinson seconded the motion and carried unanimously.

DEMOLITION ORDINANCE ADOPTED – 202 RAILROAD AVENUE

Commissioner Cantley motioned to adopt a demolition ordinance for 202 Railroad Avenue. Commissioner Shope seconded the motion. The motion passed unanimously.

ORDINANCE NO. 08-10-03

ADOPTED: 10-15-08

EFFECTIVE: 10-15-08

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 April 4, 2008, 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: 202 Railroad Avenue, Oxford, North Carolina; Owner(s): Joann Griffin, PO Box 705, 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 4th day of April 2008, 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 the fifteenth day of October, 2008.

Adopted this 15th day of October, 2008.

DEMOLITION ORDINANCE ADOPTED – 210 ORANGE STREET

Commissioner Williford motioned to adopt a demolition ordinance for 210 Orange Street. Commissioner Cantley seconded the motion. The motion passed unanimously.

ORDINANCE NO. 08-10-04

ADOPTED: 10-15-08

EFFECTIVE: 10-15-08

**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 June 3, 2008, 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: 210 Orange Street, Oxford, North Carolina; Owner(s): Irene Mitchell, 207 Easy Street, 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 3rd day of June 2008, 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 the fifteenth day of October, 2008.

Adopted this 15th day of October, 2008.

DEMOLITION ORDINANCE ADOPTED – 209-A WILMINGTON AVENUE

Commissioner Shope motioned to adopt a demolition ordinance for 209-A Wilmington Avenue. Commissioner Cantley seconded the motion. The motion passed unanimously.

ORDINANCE NO. 08-10-05
ADOPTED: 10-15-08
EFFECTIVE: 10-15-08

**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 April 4, 2008, 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: 209 A Wilmington Avenue, Oxford, North Carolina; Owner(s): Joann Griffin, PO Box 705, 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 4th day of April 2008, 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 the fifteenth day of October, 2008.

Adopted this 15th day of October, 2008.

**ANNEXATION SUFFICIENCY CERTIFICATION APPROVED - 3 PARCELS
OF LAND SITUATED ALONG INDUSTRY DRIVE OWNED BY CENTRAL
CHILDREN'S HOME**

Commissioner Kiesow motioned to approve sufficiency certification for contiguous annexation of 3 parcels of land situated along Industry Drive between Raleigh

Street and Henderson Street owned by the Central Children's Home. Commissioner Shope seconded the motion and carried unanimously.

CERTIFICATE OF SUFFICIENCY

3 PARCELS OF LAND SITUATED ALONG INDUSTRY DRIVE BETWEEN RALEIGH STREET AND HENDERSON STREET OWNED BY THE CENTRAL CHILDREN'S HOME

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-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Oxford, this 1st day of October, 2008.

ANNEXATION PUBLIC HEARING SET BY RESOLUTION - 3 PARCELS OF LAND SITUATED ALONG INDUSTRY DRIVE OWNED BY CENTRAL CHILDREN'S HOME

Commissioner Kiesow motioned to adopt a resolution calling for a public hearing in conjunction with the November 18, 2008 Regular Session at 7:00 PM to consider contiguous annexation of 3 parcels of land situated along Industry Drive between Raleigh Street and Henderson Street owned by the Central Children's Home. Commissioner Shope seconded the motion. The motion passed unanimously.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31
3 PARCELS OF LAND SITUATED ALONG INDUSTRY DRIVE BETWEEN RALEIGH STREET AND HENDERSON STREET OWNED BY THE CENTRAL CHILDREN'S HOME**

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 at Oxford City Hall Board Meeting Room, 3rd Floor, 300 Williamsboro Street, at 7:00 PM on Tuesday, November 18, 2008.

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

SEE ATTACHED MAP RECORDED AT THE GRANVILLE COUNTY REGISTER OF DEEDS IN PLAT BOOK 32, PAGE 132

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.

**BUDGET AMENDMENT APPROVED – STREET DEPARTMENT
TEMPORARY EMPLOYEE**

Commissioner Williford motioned to approve a budget amendment in the amount of \$8,500.00 made payable from the General Fund to fund the cost of a temporary employee for three months in the Street Department. Commissioner Kiesow seconded the motion. Commissioners Williford, Kiesow, Powell and Wilkinson voted in favor of the motion. Commissioners Shope and Cantley against. The motion passed 4-2.

BUDGET AMENDMENT

ACCOUNT NO.	DESCRIPTION	INCREASE	DECREASE
010561203	Contract Labor	\$8,500.00	
010399000	Approp. Fund Balance	\$8,500.00	

**BUDGET AMENDMENT APPROVED – LOAN FINANCING
FOR OXFORD ATHLETIC PARK**

Commissioner Powell, Recreation Committee Chairman, motioned to approve a budget amendment in the amount of \$300,000.00 made payable to the General Capital Projects Fund to reflect the increased installment loan financing for the Oxford Athletic Park. Commissioner Shope seconded the motion. The motion passed unanimously.

BUDGET AMENDMENT

ACCOUNT NO.	DESCRIPTION	INCREASE	DECREASE
015632553	Oxford Athletic Park	\$300,000.00	
015399010	Proceeds from Financing	\$300,000.00	

**BUDGET AMENDMENT APPROVED – DEBT SERVICING
FOR OXFORD ATHLETIC PARK**

Commissioner Wilkinson, Finance Committee Chairman, motioned to approve a budget amendment in the amount of \$16,256.00 made payable to the General Fund to recognize additional debt servicing for the current budget year for the additional \$300,000.00 financing for Oxford Athletic Park. Commissioner Williford seconded the motion. The motion passed unanimously.

BUDGET AMENDMENT

ACCOUNT NO.	DESCRIPTION	INCREASE	DECREASE
010726539	Payment on Debt	\$16,256.00	
010399000	Approp. Fund Balance	\$16,256.00	

**BUDGET AMENDMENT APPROVED – TRANSFER TO DEBT
SERVICE FUND - OXFORD ATHLETIC PARK**

Commissioner Wilkinson motioned to approve a budget amendment in the amount of \$16,256.00 to transfer this amount from the General Fund to the Debt Service

Fund for the Oxford Athletic Park. Commissioner Williford seconded the motion. The motion passed unanimously.

BUDGET AMENDMENT

ACCOUNT NO.	DESCRIPTION	INCREASE	DECREASE
020670742	Oxford Athletic Park Loan	\$16,256.00	
020369140	Transfer from General Fund	\$16,256.00	

**RESOLUTION APPROVED FOR LOAN FINANCING –
OXFORD ATHLETIC PARK**

Commissioner Powell motioned to adopt a resolution approving BB&T’s proposal to provide \$500,000.00 installment loan financing for Oxford Athletic Park. Commissioner Wilkinson seconded the motion. The motion passed unanimously.

RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The City of Oxford (“City”) has previously determined to undertake a project for the Oxford Athletic Park (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated September 24, 2008. The amount financed shall not exceed \$500,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.67%, and the financing term shall not exceed ten (10) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 15th day of October, 2008.

STREET CLOSING FOR OXFORD BAPTIST CHURCH
HALLOWEEN ACTIVITIES APPROVED

Commissioner Cantley motioned to approve a request by Oxford Baptist Church to close Littlejohn Street on Friday, October 31, 2008 between 5:00 PM and 8:00 PM for Halloween activities. Commissioner Shope seconded the motion. The motion passed unanimously.

The Chief of Police has approved Halloween for the City of Oxford for Friday, October 31, 2008 from 6:30 PM – 8:30 PM.

BOY SCOUT TROOP 637 APPROVED TO USE PARKING LOT ADJACENT TO ATTORNEY WATSON, DUNLOW & WILKINSON

Commissioner Wilkinson motioned to approve the use of the parking lot adjacent to Law Office of Watson, Dunlow & Wilkinson at no cost for the annual sale of Christmas trees by Boy Scout Troop 637 from November 22, 2008 until December 20, 2008. Commissioner Shope seconded the motion. The motion passed unanimously.

LIGHTING OF THE GREENS & CHRISTMAS PARADE APPROVED

Commissioner Cantley motioned to approve request from Downtown Oxford Economic Development Corporation to close the following streets on Friday, December 5, 2008 as follows: 1) Main Street (commercial district) from 12:00 PM until 8:00 PM for the Lighting of the Greens activities, 2) Main Street (residential district) from 4:00 PM to 6:30 PM for carriage rides and 3) Hillsboro and Williamsboro Street for the parade route, assembling on Spring and Belle Streets and disbanding in the parking lot of Public Works from 6:00 PM until approximately 7:30 PM for the Holiday Parade. Commissioner Williford seconded the motion and carried unanimously.

REAPPOINTMENT – JOHN C. WILLIFORD – OXFORD PARKING AUTHORITY

Commissioner Wilkinson motioned to reappoint John C. Williford to the Oxford Parking Authority for a five-year term expiring October 2013. Commissioner Cantley seconded the motion. The motion passed unanimously.

UNIFORMS FOR PUBLIC WORKS EMPLOYEES

Mayor Pro Tem Herring placed this item on the agenda.

Mayor Woodlief noted the City currently has a uniform service employees can voluntarily participate in. City Engineer Thomas added the City pays a small portion of the uniform fee for the ones who elect to rent them; most of the cost is on the employee and most do not participate.

Mayor Woodlief noted Mayor Pro Tem Herring brought this issue to the Board because he saw a concern for safety and identity. Mayor Woodlief requested this item be placed on the November agenda.

CONSENT AGENDA APPROVED

A. MEETING MINUTES

Commissioner Wilkinson motioned to approve meeting minutes of September 2 & 9, 2008. Commissioner Cantley seconded the motion. The motion passed unanimously.

B. FINANCIAL REPORT – SEPTEMBER 2008

Finance Officer Stephen McNally supplied the Board with a copy of the September 2008 financial report that included General Fund actual revenues of \$522,156 actual expenses of \$569,740; Water Fund actual revenues of \$319,350, and actual expenses of \$287,742 and Other actual revenues of \$608,939 and actual expenses of \$358,419. The subtotals to date are General Fund actual revenues of \$2,330,127 and actual expenses of \$1,777,852; Water Fund actual revenues of \$1,105,029 and actual expenses of \$1,019,989; Other actual revenues of \$1,161,798 and actual expenses of \$705,786. 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.

ADJOURNMENT

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