



NORTH CAROLINA
GRANVILLE COUNTY
CITY OF OXFORD

Oxford City Hall – Commissioners' Board Room
300 Williamsboro Street
TUESDAY, NOVEMBER 10, 2009 – 7:00 P.M.

REGULAR MONTHLY MEETING OF THE OXFORD BOARD OF COMMISSIONERS

The Board of Commissioners met at the above-stated time and place. All members of the Board and local news media were notified of the same as well as the purpose of the meeting.

Present were Mayor Pro Tem Howard Herring, Sr., Commissioners Paul Kiesow, Steve Powell, A. Chance Wilkinson, Robert B. Williford, Sr., Robert Shope, and Walter Cantley.

Present also were City Manager Mark Donham, City Attorney Thomas Burnette, and Tanya S. Weary sitting in for the City Clerk. Absent were Mayor Al Woodlief, Jr., and City Clerk Donna B. Hosch.

CALL TO ORDER

Mayor Pro Tem Herring called the meeting to order. Prayer was given by William Johnston, City Chaplain. The Pledge of Allegiance followed.

MAYOR'S YARD OF THE MONTH

Mayor Pro Tem Herring presented this month's award to Charlie and Mary Green for the overall attractiveness of their yard at 104 Green Tree Circle. He stated that the YOM sign will be placed in their yard and a picture of the yard will be published in the Oxford Ledger.

MPT Herring stated that Item V-E under New Business, consider approving a 5-lot subdivision off of Pine Cone Drive as a final plat, would not be discussed on this evening. It will be referred to Committee since the City Attorney and City Manager believe there are legal questions concerning easements. CA Burnette stated he had questions as to whether or not the dead end road would, in fact, end or be extended through the subdivision. Also, if it will extend through, CA Burnette questioned the road being at least 26 feet wide rather than 20 feet wide.

COMMISSIONER WILLIFORD MADE A MOTION TO DELAY THIS ITEM AND HAVE IT REVIEWED AGAIN BY THE PLANNING BOARD AND PASSED TO THE PROPERTY COMMITTEE. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

CONSENT AGENDA APPROVED

COMMISSIONER WILKINSON MADE A MOTION TO APPROVE THE CONSENT AGENDA. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

- A) Meeting Minutes of the October 5, 2009 Agenda Session and the October 13, 2009 Regular Session approved
- B) Monthly Financial Report accepted
- C) Unanimous email vote in the affirmative to approve the closing of Littlejohn Street on October 31, 2009 as requested by the Oxford Baptist Church ratified
- D) Tax releases as requested by Siemens Diagnostics Finance Company, General Electric Credit Corporation, and General Electric Capital Corporation approved
- E) Resolution of Intent considering the annexation of Meadow Heights (Lots #1-6) and fixing the date of the public information meetings for Monday, January 4, 2010 adopted

RESOLUTION OF INTENT

A RESOLUTION STATING THE INTENT OF THE CITY OF OXFORD, NC TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF A PUBLIC INFORMATIONAL MEETING AND A PUBLIC HEARING ON THE QUESTION OF ANNEXATION
(Meadow Heights - Lots #1-6)

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

Section 1. It is the intent of the Board of Commissioners of the City of Oxford to consider annexation of the following described territory pursuant to Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina:

Being all of Lots 1-6, known as Woodview, located on Meadow Heights. These lots are shown on a plat of survey entitled "Woodview, Oxford Township, Granville County, N.C., Chandler T. Currin - Developer", dated September 8, 1997, prepared by Precision Surveys, Inc. This site contains 183,444.2280 square feet or 4.2113 acres.

External Boundary is 1,917.43 feet, 718.15 feet of this is contiguous with the present City Limit, or 0.3745%. 1/8 or 0.1250% is required.

Section 2. A public informational meeting on the question of annexing the above described territory will be held at Oxford City Hall at 5:30 p.m. on January 4, 2010, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the City of Oxford will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

Section 3. A public hearing on the question of annexing the above described territory will be held at Oxford City Hall at 5:30 p.m. on Monday, February 8, 2010, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the City of Oxford will be given an opportunity to be heard.

Section 4. A report of plans for extending services to the above described territory shall be made available for public inspection, at the office of the City of Oxford Clerk at least thirty (30) days prior to the date of the public informational meeting. The statement of financial impact contained in the report shall be delivered to the Granville County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. A legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed who have been identified shall be posted in the office of the City of Oxford Clerk at least thirty (30) days prior to the date of the public informational meeting.

Section 6. Notice of the public informational meeting and public hearing shall be given by the Oxford Public Ledger and by first class mail, as required by G.S. 160A-49. The effective date of the annexation shall be not less than one year following the date of adoption of the annexation ordinance.

Adopted this 10th day of November 2009

- F) Resolution of Intent considering the annexation of Shadow Lane (Lots #1-13) and fixing the date of the public information meeting for Monday, January 4, 2010 adopted

RESOLUTION OF INTENT

A RESOLUTION STATING THE INTENT OF THE CITY OF OXFORD, NC TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF A PUBLIC INFORMATIONAL MEETING AND A PUBLIC HEARING ON THE QUESTION OF ANNEXATION
(Shadow Lane - Lots #1-13)

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

Section 1. It is the intent of the Board of Commissioners of the City of Oxford to consider annexation of the following described territory pursuant to Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina:

Being all of Lots 1-13 of Green Acres Section 8, known as Shadow Lane. These lots are shown on a plat of survey entitled "Green Acres - Section 8, Property of Hancock Realty Corporation, Oxford Township, Granville County, North Carolina", dated June 17, 2000, prepared by Barry H. Oakes Surveying, P.A., Registered Land Surveyor. This site contains 529,515.36 square feet or 12.156 acres.

External Boundary is 3,336.36 feet, 3,336.36 feet of this is contiguous with the present City Limit, or 100%. 1/8 or 0.1250% is required.

Section 2. A public informational meeting on the question of annexing the above described territory will be held at Oxford City Hall at 5:30 p.m. on January 4, 2010, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the City of Oxford will be given an opportunity to ask questions and receive answers regarding the proposed annexation.

Section 3. A public hearing on the question of annexing the above described territory will be held at Oxford City Hall at 5:30 p.m. on Monday, February 8, 2010, at which time plans for extending services to said territory will be explained and all residents and property owners in said territory and all residents of the City of Oxford will be given an opportunity to be heard.

Section 4. A report of plans for extending services to the above described territory shall be made available for public inspection, at the office of the City of Oxford Clerk at least thirty (30) days prior to the date of the public informational meeting. The statement of financial impact contained in the report shall be delivered to the Granville County Board of Commissioners at least thirty (30) days prior to the date of the public informational meeting.

Section 5. A legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed who have been identified shall be posted in the office of the City of Oxford Clerk at least thirty (30) days prior to the date of the public informational meeting.

Section 6. Notice of the public informational meeting and public hearing shall be given by the Oxford Public Ledger and by first class mail, as required by G.S. 160A-49. The effective date of the annexation shall be not less than one year following the date of adoption of the annexation ordinance.

Adopted this 10th day of November 2009

- G) Certificate of Sufficiency for the voluntary annexation of 1020 Lewis Street accepted.

CERTIFICATE OF SUFFICIENCY

To the City of Oxford Board of Commissioners of the City of Oxford, North Carolina regarding 1020 Lewis Street:

I, Donna B. Hosch, City of Oxford 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 herein, 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 19th day of October 2009.

- (1) Resolution fixing the Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 adopted

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31
1020 LEWIS STREET, OXFORD, NC**

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

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

WHEREAS, certification by the City of Oxford 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 at City Hall, Commissioners' Board Room, at 5:30 p.m. on November 30, 2009.

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

A certain tract or parcel of land situate in Granville County, North Carolina, adjoining the lands of Flora A. Newton, W. O. Wilson, and others and bounded as follows:

Situate about one mile south of the corporate limits of Oxford and thus described: Beginning in the center of U. S. Highway No. 15, 200.5 feet S. 15 W. from the corner of Dick Wilkins and Bettie Wilkins, and at W. O. Wilson's southeast corner, and run thence with W. O. Wilson's line N. 76 W. 220 feet to an iron pin, corner of W. O. Wilson in Mrs. Flora Newton's line; thence with Mrs. Flora A. Newton's line S. 14 W. 200 feet to an iron pin in Mrs. Newton's line; thence S. 76 E. 220 feet to the center of said U. S. Highway No. 15; thence along the center of said U. S. Highway No. 15 N. 14 E 220 feet to the beginning, and being the same lot or parcel of land conveyed to Oxford Security Company, Inc., by Dick Wilkins and wife Bettie Wilkins, by deed dated November 20, 1952, of record in the office of the Register of Deeds of Granville County in Book 121, at page 436.

There is expressly excepted from the description of a above lot or parcel of land a strip of land, twenty feet in width, next adjacent to U. S. Highway No. 15, conveyed to the State Highway & Public Works Commission as an additional right of way for U. S. Highway No. 15.

For further reference, see Book 138, page 49, Granville County Registry. See also the Last Will and Testament of Elbert E. Parrott of record in Estate File #90 – E – 80 in the Office of the Clerk of Superior Court of Granville County. (5809T)

James Crawford Parrott as Executor of the Estate of Elbert E. Parrott, (File #90 – E – 80), joins in this conveyance in order to release the above tract of land from the assets of the decedent in accordance with the provisions set forth in N. C. General Statutes sec. 28A – 17 – 12(a)(2).

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.

H) Demolition Ordinance for 512 Hillsboro Street adopted

ORDINANCE NO. 09-11-01

ADOPTED: 11-10-09

EFFECTIVE: 11-10-09

**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. 16OA-443(5) pursuant to an order issued by the Housing Code Officer on April 22, 2009, 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: 512 Hillsboro Street, Oxford, North Carolina 27565 (Cornerstone Christian Community Church, property owners).

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 22nd day of April, 2009, and with the Housing Code and G.S. 16OA-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 10th day of November 2009.

I) Organizational Meeting set for Tuesday, December 8, 2009

PUBLIC HEARING – ASSESSMENT ROLL FOR McCLANAHAN STREET

MPT Herring declared the public hearing open.

Mr. Larry Leatherberry addressed the Board asking if stimulus money could be involved to assist with payment due from the elderly who live on the street. CM Donham stated no money has been applied for and chances of receiving funds would be slim.

Ms. Angel Marzano of 429 Williamsboro Street asked why the road is being paved and why was it not paved initially since houses have always been on the street. She felt it would be a hardship on the residents to pay their portion of the paving. CM Donham stated the state law provides for paving of the street.

Commissioner Powell asked if there was a way the public could be notified of what possibilities there are of obtaining or applying for stimulus money. CM Donham stated a large amount of money was distributed by the State in a fast period and that the process was very complex. The State has a website and a coordinator; 5 or 6 organizations in the State are trying to keep track of this money. Commissioner Wilkinson stated that the property owner does benefit from the paving as property value does goes up. Several roads have been paved using this process in the past, and this is probably the last street to be paved.

MPT Herring declared the public hearing closed.

**RESOLUTION CONFIRMING THE ASSESSMENT ROLL AND
LEVYING ASSESSMENTS ADOPTED**

COMMISISONER WILLIFORD MADE A MOTION TO ADOPT THE RESOLUTION. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS

WHEREAS, the Board of Commissioners of the City of Oxford has on this day held a public hearing, after due notice as required by law, on the Preliminary Assessment Roll for the improvement of McClanahan Street from Railroad Avenue to the Dead End; and

WHEREAS, the Board of Commissioners of the City of Oxford has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

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

- (1) The Assessment Roll for the improvement of McClanahan Street from Railroad Avenue to the Dead End in the City of Oxford, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with G.S. 160A-228.

- (2) The Board of Commissioners for the City of Oxford, pursuant to authority conferred by Chapter 160A, Article 10 of the General Statutes of North Carolina does hereby levy assessment as contained in the said Assessment Roll, as follows:

Property Owner	Frontage	Assessment
Larry Leatherberry	73.00'	\$ 909.17
Martha L. Umstead et al	48.00'	\$ 597.81
Martha L. Umstead et al	29.00'	\$ 361.18
Martha L. Umstead et al	40.00'	\$ 498.17
J.D. and Betty H. Smith	100.00'	\$1,245.43
Larry Leatherberry	90.00'	\$1,120.89

- (3) The City Clerk is hereby directed to deliver to the City of Oxford Tax Collector the said Assessment Roll.
- (4) The City Tax Collector is hereby charged with the collection of the said assessments in accordance with the procedure established by law.
- (5) The City Clerk is hereby further directed to publish once on the 3rd day of December 2009, a notice of confirmation of the Assessment Roll, which notice shall set forth the terms of payment of the assessments (with installment payments to become due and payable on succeeding due dates of property tax)(with the first installment payment to become due and payable on the 60th day following confirmation and the succeeding installments to become due and payable on the same date in succeeding years).

Adopted this 10th day of November 2009

\$16,414 FROM THE POWELL BILL FOR SIDEWALK REPAIRS ON COLLEGE STREET APPROVED

Commissioner Kiesow stated the Public Works Committee reviewed the request and recommended the expenditure.

COMMISSISONER KIESOW MADE A MOTION TO APPROVE THE FUNDING FROM THE POWELL BILL. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT IN THE AMOUNT OF \$17,800 TO REALLOCATE WATER FUND HEALTH INSURANCE REIMBURSEMENT FUNDS TO DEPARTMENT INSURANCE EXPENDITURES APPROVED

Commissioner Wilkinson stated the Finance Committee met on this item, and this is only a shift in monies between line items.

COMMISSIONER WILKINSON MADE A MOTION TO APPROVE THE BUDGET AMENDMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
30720183	Hospital Insurance	\$3,600.00	
30721183	Hosp Insurance	\$2,400.00	
30824183	Hosp Insurance	\$6,000.00	
30828183	Hosp Insurance	\$4,700.00	
30411185	Hosp Insurance	\$1,100.00	
30665194	Health InsurReimbursm		\$17,800.00

BUDGET AMENDMENT IN THE AMOUNT OF \$79,000 TO REALLOCATE GENERAL FUND HEALTH INSURANCE REIMBURSEMENT FUNDS TO DEPARTMENTAL INSURANCE EXPENDITURES APPROVED

Commissioner Wilkinson stated the Finance Committee met on this item, and this is only a shift in monies between line items.

COMMISSIONER WILKINSON MADE A MOTION TO APPROVE THE BUDGET AMENDMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10420183	Hospital Insu	\$3,600.00	
10440183	Hospital Insu	\$1,200.00	
10442183	Hospital Insu	\$4,800.00	
10490183	Hospital Insu	\$1,000.00	
10500183	Hospital Insu	\$2,500.00	
10502183	Hospital Insu	\$1,200.00	
10510183	Hospital Insu	\$28,960.00	
10530183	Hospital Insu	\$11,300.00	
10561183	Hospital Insu	\$1,400.00	
10620183	Hospital Insu	\$8,500.00	
10650183	Hospital Insu		\$4,000.00
10722183	Hospital Insu	\$2,400.00	
10411180	Elected Hosp Insurance	\$3,000.00	
10411185	Retired Hosp Ins	\$28,000.00	
10530539	Payment on Debt		\$14,860.00
10410183	Health InsurReimburseme		\$79,000.00
20369140	Transfers from General		\$14,860.00
20670744	'09 Pumper Truck		\$14,860.00

**BUDGET AMENDMENT IN THE AMOUNT OF \$4,250
FOR PROGRAMMING COSTS FOR ADDITIONAL PROGRAMMING FOR THE
CONVERSION OF THE BUSINESS PRIVILEGE LICENSE SYSTEM TO GROSS RECEIPTS
CALCULATION APPROVED**

Commissioner Wilkinson stated the Finance Committee met on this item and that Finance Director McNally stated this would be final payment to the vendor.

COMMISSIONER WILKINSON MADE A MOTION TO APPROVE THE BUDGET AMENDMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10442445	Computer Maint	\$4,250.00	
10399000	Approp Fund Balance	\$4,250.00	

WATER AND SEWER RATE STUDY BY RFC ACCEPTED

Commissioner Kiesow gave a review of statistics related to the study and pointed out several changes which were requested by the Public Works Committee. MPT Herring pointed out that voting on this night would not be on implementing any policies of the study but rather to accept the study as presented.

COMMISSIONER KIESOW MADE A MOTION TO ACCEPT THE STUDY.

Commissioner Kiesow stated that voting on the rates would take place at the December regular meeting. The report recommends an increase for a typical homeowner using 4,500 gallons a month. The rate would go up to \$4.45 in 2011, \$5.13 in 2012, \$0.53 in 2013, \$0.55 in 2014, and \$0.71 in 2015.

ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

**BUDGET AMENDMENT IN THE AMOUNT OF \$2,347 MADE PAYABLE
FROM THE GENERAL FUND TO PURCHASE A NEW ICE MACHINE
FOR THE GYM APPROVED**

CM Donham stated capital expenditures were not budgeted for this but that this is a necessary piece of equipment and there would be no installation charge.

COMMISSIONER WILLIFORD MADE A MOTION TO APPROVE THE BUDGET AMENDMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10620543	Fixed Assets < \$5,000	\$2,347.00	
10399000	Approp. Fund Balance	\$2,347.00	

ADJOURN

WITH THERE BEING NO FURTHER BUSINESS, MAYOR PRO TEM HERRING CALLED FOR A MOTION TO ADJOURN. COMMISSIONER WILKINSON MADE THE MOTION. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.