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TUESDAY, NOVEMBER 9, 2010 – 7:00 P.M.
REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS
OXFORD CITY HALL – COMMISSIONERS' BOARD ROOM

The Board of Commissioners for the City of Oxford met at the above-mentioned 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 Al Woodlief, Jr., Mayor Pro Tem Howard Herring, Sr., Commissioners Walter Cantley, Robert B. Williford, Sr., Jackie Sergent, Danny Currin, Ron Bullock, and Calvin Harris, Jr. Present also were City Manager Mark Donham and City Clerk Donna B. Hosch. Absent was City Attorney J. Thomas Burnette.

CALL TO ORDER

Mayor Woodlief called the meeting to order. Prayer was given by Mayor Woodlief. The Pledge of Allegiance followed.

CONSENT AGENDA APPROVED

MPT HERRING MADE A MOTION TO APPROVE THE CONSENT AGENDA.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

- A) Meeting Minutes of the October 4, 2010 Agenda Meeting and the October 12, 2010 Regular Meeting approved
- B) October financial report by Finance Director Steve McNally accepted

<u>October 2010 Financial Report</u> <i>25% of FY Complete</i>	<u>General Fund</u>	<u>Water Fund</u>
REVENUES		
Actual	\$394,235	\$344,777
YTD (%of Budget)	\$3,081,938 (37.33%)	\$1,418,229 (31.26%)
Budget	\$8,256,278	\$4,536,383
YTD Percent of Budget <i>(minus loan proceeds and fund balance allocation)</i>	39.32%	36.54%

EXPENSES		
Actual	\$840,701	\$371,860
YTD (% of Budget)	\$2,809,003 (34.02%)	\$1,502,851 (33.13%)
Budget	\$8,256,278	\$4,536,383
YTD Percent of Budget <i>(minus loan proceeds and fund balance allocation)</i>	34.02%	29.45%
DIFFERENCE (Revenues – Expenses)		
September 2010	(\$446,466)	(\$27,083)
YTD	\$272,936	(\$84,622)

- C) Tax releases approved: GE Capital Information Tech, \$30.01; GE Credit Corp of Tennessee, \$344.49; Siemens Diagnostics Finance, \$964.74; GE Capital Corp, \$524.06; GE Credit Corp of Tennessee, \$882.03
- D) Resolution of Intent to annex properties on College Street and the Outer Loop adopted

A RESOLUTION STATING THE INTENT OF THE CITY OF OXFORD 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

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:

All of Lots 1 through 6 on the map titled "Annexation Survey for: City of Oxford / Property Owner: Susan Salms & J. Greenburg, Flat River Baptist Assoc, Keith Sipe, Morningstar Holdings LLC., Kenneth & Tempie Forbes, James F. Crews Et. Al." This site contains approximately 34.95 acres.

Reference: Surveyed by: Ben L. Bryan
4017 U.S. Hwy 15 South, Oxford, NC 27565
March 29, 2010

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 3, 2011, 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 January 31, 2011, 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 Clerk 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 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.

Section 7. The effective date of the annexation shall be not less than one year following the date of adoption of the annexation ordinance.

Adopted this 9th day of November 2010.

E) Resolution of Intent to annex properties on W. Industry Drive and Pine Tree Road adopted

**A RESOLUTION STATING THE INTENT OF THE CITY OF OXFORD 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**

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:

All of Lot 1 on the map titled "Annexation Survey for: City of Oxford / Property Owner: Ventura Electronics Corp." This site contains approximately 12.86 acres.

Reference: Annexation Survey for: City of Oxford
Property Owner: Ventura Electronics Corp.
Surveyed by: Ben L. Bryan
4017 U.S. Hwy 15 South, Oxford, NC 27565
March 29, 2010

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 3, 2011, 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.

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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.

Section 7. The effective date of the annexation shall be not less than one year following the date of adoption of the annexation ordinance.

Adopted this 9th day of November 2010.

- F) Removing a K-9 from service and transferring ownership to Sgt. Lynne Curl for \$1 approved
- G) Increasing the minimum purchase order requirement from \$250 to \$500 approved
- H) Resolution authorizing the disposition of Fire Engine #10 to Stem adopted

**RESOLUTION
AUTHORIZING THE DISPOSITION OF
CERTAIN PERSONAL PROPERTY BY PRIVATE SALE
TO STEM COMMUNITY FIRE DEPARTMENT AND E.M.S, INC.
FOR PUBLIC PURPOSE USE**

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: Fire Engine 10.
- 2) The City Manager is authorized to dispose of the described property by private sale to STEM COMMUNITY FIRE DEPARTMENT AND E.M.S, INC for public purpose.
- 3) The price to be accepted for the property is \$70,000.00.
- 4) The Clerk shall publish this resolution for private sale for public purposes.
- 5) The sale may be consummated not earlier than 10 days from the date of publication.

Adopted this 9th day of November 2010.

MAYOR'S YARD OF THE MONTH

Mayor Woodlief presented this month's award to Eddie and Pam Dalton for the overall attractiveness of their yard at 506 Hancock Street. The Mayor stated that the YOM sign will be placed in their yard and a picture will be published in the Oxford Public Ledger.

PUBLIC COMMENT

Frank Strickland of 112 Planters Place addressed the Board. Mr. Strickland expressed concern that a recycling program, which is now law, has not started in Oxford. He does not believe a curator for the City Hall building should be appointed; this should be a committee and not a sole person. Mr. Strickland was concerned that it would be suggested that the building be renamed after "some person"; and if this is done, it should be renamed after Tom Ragland who initiated the process of turning the school into City Hall.

CM Donham stated in response to Mr. Strickland's comment about recycling that State law says cities have to come up with a waste management plan that the Board would decide how to

implement. The Board has done this, so the City is in compliance with the law. We are in partnership with the County who has recycling sites; therefore, the City is in compliance with the law. CM Donham stated that the City is in the process of looking further at recycling and is in the process of evaluating a recycling company that the public will soon hear more about.

William Lytton of 108 West Front Street addressed the Board. He commended the City for looking into the situation of Thorndale Country Club using City water. Mr. Lytton commended CM Donham and stated he had a good meeting with him. The Club wanted to start paying inside rates in July, but Mr. Lytton understood the City's position that the new rates would begin in January [2011].

Royster Washington of 208 West Front Street addressed the Board regarding the curator position. This would be of benefit if done properly. In speaking with Pam Thornton at the Museum about guidelines for this type of position, the City would be inundated with artifacts if it sets itself up as a repository. Therefore, there would have to be specific guidelines as to what would and would not be wanted. The Museum would not be in competition with this curator seeing as the Museum only has a certain amount of space. Instead, it would be appreciative. Mr. Washington stated a good job was done on the [third floor] classroom. This position would take someone who has the time and interest; it would almost need to be someone who is retired. In his opinion, stated Mr. Washington, this person would need to do his/her homework. The exhibits should not take a slant in any direction except City Hall and the City of Oxford. Mr. Washington thought Mayor Woodlief would be a good candidate for the job since he has the time and interest, adding that he thought a committee should be formed to speak with Pam Thornton for guidance.

Eddie McCoy of 408 Kingsbury Street addressed the Board regarding the condition of Raleigh Street. Being no reflection on Planning Director Cheryl Hart, Mr. McCoy stated that with the revitalization project soon to begin on Raleigh Street, he thought the Board should make sure there is some teeth put into this project. A woman recently built a new house on Raleigh Street and was asked why she would have done so. Her answer was that she felt it would uplift and improve the community. Mr. McCoy stated there is a building beside this property owner that needs to be condemned and torn down. There are also other buildings on the street that need the same treatment, particularly when there are dogs and trash and garbage in the front yards. Mr. McCoy stated the Board should let these property owners know the City is "not playing with them", some of the owners probably living out of town.

Angel Marzano of 207 Gilliam Street addressed the Board. Ms. Marzano stated she thought the Board was going to hold off on any annexations and send them to committee since the Board did not seem clear on the rules or a way to do annexations. It seems to make sense to take annexations to committee to make sure everyone is on the same page and that citizens understand there are reasons for annexation besides money. Ms. Marzano stated she wants the City to have the right intent when looking at properties and that annexations are done for the right reasons.

**CONTINUING THE PUBLIC HEARING TO AMEND THE SUBDIVISION ORDINANCE UNDER SECTION 50(f)
FOR EXCEPTIONS TO THE DECEMBER 14 REGULAR MEETING APPROVED**

Mayor Woodlief stated that continuing this hearing will allow time for PD Hart to meet with the Public Works Committee as requested by the Board.

COMMISSIONER SERGENT MADE A MOTION TO CONTINUE THE HEARING.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

**BUDGET AMENDMENT IN THE AMOUNT OF \$500 TO ACCEPT A DONATION TO THE
POLICE DEPARTMENT APPROVED**

Mayor Woodlief stated this is an annual donation from Ms. Gene Finch, a local resident. The funds would be placed in the operating budget, line item 629 – Employee Welfare Fund.

MPT HERRING MADE A MOTION TO ACCEPT THE FUNDS.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10351020	Employee Welfare – Rev	\$500.00	
10510629	Employee Welfare Fund	\$500.00	

REIMBURSEMENT RESOLUTION FOR CAPITAL ITEMS IN THE FY2011 BUDGET ADOPTED

Mayor Woodlief stated that when a government entity purchases capital items with its own funds and then obtains external financing to fund these purchases, the IRS requires the entity to create a resolution stating their intent to do so.

COMMISSIONER CURRIN MADE A MOTION TO ADOPT THE RESOLUTION.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

**CITY OF OXFORD, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of the City of Oxford, North Carolina (the "Issuer") with respect to the matters contained herein.

- Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for the purchase of various capital assets (see attached list).

2. **Plan of Finance.** The Issuer intends to finance the costs of the various capital assets with loan proceeds, the interest on which is to be excluded from gross income for Federal income tax purposes.

3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the purchase of various capital assets is \$491,322.

4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the loan for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 9th day of November 2010.

CAPITAL OUTLAYS

(Taken from the FY 2011 Budget book)

Shaded amounts denote funding via bank financing				
	Department	Description	Amount	
	General Fund			
500	Buildings	Repair Annex 2	\$20,000	500-550
410	Gen Govt	MS Office 2007 Software	\$9,500	410-543
722	Engineering	Pick -up	\$15,000	722-550
420	Exec	2 Computers	\$2,900	420-543
442	Finance	Scanning System	\$17,000	442-550
530	Fire	Reporting Software Upgrade	\$1,400	530-543
	Fire	Ventilator Saw	\$1,500	530-543
	Fire	Pre Con Valve	\$1,500	530-543
	Fire	Hose Cover	\$2,667	530-543
	Fire	Fire Protection Gear	\$7,500	530-550
	Fire	Hose Section	\$6,000	530-550
	Fire	Rescue Pump	\$7,100	530-550
	Fire	Roof Repair	\$10,000	530-550
			\$37,667	
620	Parks and Rec	Van	\$22,000	620-550
510	Police	6 Cars	\$183,500	510-550
	Police	Recording System Digital Upgrade	\$11,700	510-550
	Police	Police Server	\$9,565	510-550
	Police	Lap top	\$2,500	510-543
	Police	Emergency Response Team Equip	\$5,000	510-543
	Police	In Car Cameras	\$11,000	510-543
	Police	Repair to Police Building	\$46,000	550-466
	Police	Laptops	\$10,000	510-543
			\$279,265	
561	Street	Tamp	\$3,000	561-543
	Street	Dump Truck (2/3 Gen - 1/3 Water)	\$56,667	561-550
			\$59,667	
	General Fund Total		462,999	101,860

Department	Description	Amount
Water Fund		
824	WWTP	
	Pick-up	15,000 824-550
828	Water /Sewer	
	Locator wands	2,000 828-543
	Leak Detector	2,500 828-543
	Trash Pump	2,000 828-543
	Backhoe	80,000 828-550
	Pick-up truck	35,000 828-550
	Dump Truck (2/3 Gen - 1/3 Water)	28,333 828-550
Water Fund Total		164,833
Grand Capital Outlay Grand Total		627,832
Total Financed		\$491,332

BID FOR PROFESSIONAL ADMINISTRATIVE SERVICES FOR THE RALEIGH STREET COMMUNITY REVITALIZATION PROJECT AWARDED TO HOBBS UPCHURCH ASSOCIATES

Mayor Woodlief stated that of the four companies submitting proposals, this was the lowest.

MPT HERRING MADE A MOTION TO AWARD THE BID TO HOBBS UPCHURCH ASSOCIATES.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

APPOINTING A CURATOR FOR THE CITY HALL BUILDING NOT APPROVED

MPT Herring stated that he'd sent an email to the Board related to this appointment and that CM Donham sent a definition of curator. Everyone heard Mr. Washington's comments; and, in his opinion, MPT Herring did not know of anyone in the building more capable than the Mayor of handling this position. MPT Herring stated that the Mayor would either be appointed or the City would get someone else.

MPT HERRING MADE A MOTION TO APPOINT MAYOR WOODLIEF CURATOR OF CITY HALL.
COMMISSIONERS HARRIS, HERRING, AND SERGENT VOTED IN THE AFFIRMATIVE.
COMMISSIONERS BULLOCK, CURRIN, WILLIFORD, AND CANTLEY VOTED IN THE NEGATIVE.
THE MOTION FAILED BY A FOUR TO THREE VOTE.

BUDGET AMENDMENT IN THE AMOUNT OF \$47,500 FOR GRANT FUNDS APPROVED

Mayor Woodlief stated this amendment is necessary to account for the receipt and expenditure of funds related to the award of the 2009 FEMA Assistance to Firefighters Grant.

MPT HERRING MADE A MOTION TO APPROVE THE AMENDMENT.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10353310	FEMA Assist to FireFighters Grant	\$47,500.00	
10530559	Vehicle Exhaust Removal System	\$50,000.00	
10530550	Fixed Assets > \$5,000		\$2,500.00

USE OF \$6,300 FROM CAPITAL OUTLAY LINE ITEM 530-550 APPROVED

Mayor Woodlief stated these funds would be used to repair the roof at the Fire Department. Commissioner Harris asked were the funds budgeted and where will the left over funds be placed. CM Donham stated the left over funds will go into the Fire Department budget. This item would have been placed on the Consent Agenda but it was received late.

MPT HERRING MADE A MOTION TO APPROVE THE USE OF FUNDS.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER

ON A MOTION BY COMMISSIONER WILLIFORD, THE BOARD VOTED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION ACCORDING TO G.S. 143.318.11 TO DISCUSS A PERSONNEL MATTER.

ON A MOTION BY COMMISSIONER CURRIN, THE BOARD VOTED UNANIMOUSLY TO RETURN TO OPEN SESSION.

ADJOURNMENT

WITH THERE BEING NO FURTHER BUSINESS, COMMISSIONER CURRIN MADE A MOTION TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.