



NORTH CAROLINA
GRANVILLE COUNTY
CITY OF OXFORD

Oxford City Hall – Commissioners’ Board Room
300 Williamsboro Street
TUESDAY, JULY 13, 2010 – 7:00 P.M.

REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS

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., Commissioners Walter Cantley, Robert B. Williford, Sr., Jackie Sergent, Danny Currin, Ron Bullock, and Calvin Harris, Jr. Present also were City Manager Mark Donham, City Clerk Donna B. Hosch, and City Attorney J. Thomas Burnette. Absent was Mayor Pro Tem Howard Herring, Sr.

CALL TO ORDER

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

CONSENT AGENDA APPROVED

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

- A) Meeting Minutes of the June 1, 2010 Agenda Meeting, the June 8, 2010 Regular Meeting, the June 14, 2010 Budget Public Hearing, and the June 24, 2010 Special Meeting approved
- B) June financial report by Finance Director Steve McNally approved

June 2010	General Fund	Water Fund	Other
Actual Revenues	\$544,391	\$317,517	\$114,650

Actual Expenses	\$541,200	\$396,478	\$56,538
Subtotals - Revenues	\$8,022,284	\$3,746,918	\$1,619,946
Subtotals - Expenses	\$7,762,108	\$4,056,540	\$1,837,383

- C) Unanimous affirmative email vote adopting a Resolution to dissolve the Granville County Economic Development Commission ratified

**RESOLUTION DISSOLVING THE GRANVILLE COUNTY
ECONOMIC DEVELOPMENT COMMISSION**

WHEREAS, the Granville County Board of Commissioners and the City of Oxford Board of Commissioners adopted a “Resolution Creating The Granville County Economic Development Commission on April 1, 1985 which Resolution was revised on November 4, 1991 and again on April 20, 1992 (the “Resolution”), pursuant to the legal authority granted to counties and municipalities in Chapter 158, Article 2 of the North Carolina General Statutes;

WHEREAS, Granville County and the City of Oxford wish to repeal the Resolution and dissolve the Granville County Economic Development Commission (the “Commission”); and

WHEREAS, N.C. Gen. Stat. §158-8 states that “[t]he resolution creating a municipal, county, or regional economic development commission may be modified, amended, or repealed in the same manner as it was originally adopted.”

NOW, THEREFORE, BE IT RESOLVED:

1. That the Resolution Creating the Granville County Economic Development Commission is hereby repealed effective June 30, 2010.
2. That the Board of Directors of the Commission shall exercise its legal authority to wind up the affairs of the Commission and to cause to be paid all known, verifiable liabilities of the Commission on or before June 30, 2010.
3. That all funds remaining on hand on June 30, 2010 shall be transferred to the Granville County Finance Officer before close of business on June 30, 2010. The Granville County Finance Officer shall hold said funds in a separate account for a period of 120 days after June 30, 2010 and shall, to the extent of said funds, pay from said account all verifiable liabilities of the Commission incurred by the Commission prior to June 30, 2010.
4. That any funds remaining after the liabilities described in paragraph 3 above are paid shall be distributed as follows: Two-thirds to Granville County and one-third to the City of Oxford.
5. That all other assets of the Commission shall be distributed based on their depreciated value with two-thirds of said assets being distributed to Granville County and one-third being distributed to the City of Oxford unless the parties shall agree to the contrary by separate written agreement.

Adopted this the 21st day of June, 2010.

- D) Tax releases approved: Financial Service of Henderson, \$1.85; Marvin and Lucy Rose, \$253.71; Joyce Ball, \$270.00

MAYOR'S YARD OF THE MONTH

Mayor Woodlief presented this month's award to Crawford Knott for the overall attractiveness of his yard at 103 Parker Street. The Mayor stated that the YOM sign will be placed in his yard and a picture will be published in the Oxford Public Ledger.

PRESENTATION BY DAVE EMERY

Mr. Dave Emery of 216 Coleman Street addressed the Board regarding placement of a speed bump on Coleman Street, a petition from all residents (18 in total) being presented. Mr. Emery stated that when the road was being worked on, a strip was filled with gravel. This slowed cars down, but a speed bump would be more effective. City Engineer Larry Thomas stated there has not been a count made, but there are a good number of people traveling this street. Mr. Emery stated there are lots of kids on the street and no sidewalks. Occasionally, the children do cross the street; and if cars are going fast, they will not stop. There are no signs indicating children on the street, so travelers don't pay attention to them.

Mayor Woodlief stated the issue will go before the Public Safety Committee, with a response to come in the next 30 days. The Mayor added that the City does not like placing speed bumps. Commissioner Williford asked if any times are worse than others, Mr. Emery replying weekends and evenings.

PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT FOR GARDEN PARK VILLAS

Mayor Woodlief declared the public hearing open.

Planning Director Cheryl Hart stated this grant was for \$240,000, all funds have been spent, and that she is waiting for a visit from the State to hopefully close out the grant. The Mayor complimented that this is a very nice place and hoped another one would be built. No one from the audience wished to speak.

The Mayor declared the public hearing closed.

ADDITIONAL STREET LIGHT ON DANIEL STREET APPROVED

Commissioner Harris stated he was approached by Ms. Bowden regarding the safety on this street due to it being very dark. He has traveled the street himself at night and has found it, in fact, to be dark. The adjacent streets have two lights whereas Daniel only has one.

Commissioner Harris stated pole number ESE91 is most suitable for another light. The Public Safety Committee met and recommended this action.

COMMISSIONER HARRIS MADE A MOTION TO APPROVE AN ADDITIONAL STREET LIGHT ON DANIEL STREET.

Commissioner Cantley stated that the City Manager and Engineer stated the light is within specification with the rest of the City and that the crime on Daniel Street is no different than anywhere else. If this light is placed, it will set a precedent for the whole City to request additional lights. The Mayor stated that weekly calls come in from around the City when the foliage is out because it blocks the light. After the leaves are gone, nothing else is usually heard until the spring. City Managers in the past have stated that the City has only one third of the lights it needs but that there has been no money to fund any additional lights.

COMMISSIONERS HARRIS, WILLIFORD, CURRIN, BULLOCK, AND SERGENT VOTED IN THE AFFIRMATIVE; COMMISSIONER CANTLEY VOTED IN THE NEGATIVE. THE MOTION PASSED BY A 5 TO 1 VOTE.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE THE PETITION FOR ANNEXATION OF PROPERTIES OWNED BY DANUBE PARTNERS 141, LLC
APPROVED**

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

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-58.1

WHEREAS, a petition requesting annexation of an area described in said petition was received on May 3, 2010 by the City of Oxford Board of Commissioners; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the City of Oxford Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the City of Oxford deems it advisable to proceed in response to this request for annexation;

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

The City of Oxford Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City of Oxford Board of Commissioners the result of her investigation.

This the 13th day of July 2010.

**RESOLUTION OF INTENT TO ANNEX PROPERTY ON THE CORNER OF
W. INDUSTRY DRIVE AND PINE TREE ROAD APPROVED**

COMMISSIONER WILLIFORD MADE A MOTION TO APPROVE THE RESOLUTION.

Commissioner Sergent asked that this and future annexations go through the Annexation Committee before coming before the Board. Often times there are questions that can be answered in a Committee meeting so as not to tie up the Regular Meeting. The Mayor asked the Board if they wished a policy as part of the annexation procedure that requests go before Committee first, to which the Board agreed.

ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

**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 August 30, 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 October 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 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 13th day of July 2010.

**RESOLUTION OF INTENT TO ANNEX PROPERTIES ALONG COLLEGE STREET
AND THE OUTER LOOP APPROVED**

COMMISSIONER HARRIS MADE A MOTION TO APPROVE THE RESOLUTION. ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

**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 August 30, 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 October 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 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 13th day of July 2010.

**CALLING FOR A PUBLIC HEARING TO AMEND THE OXFORD ZONING
ORDINANCE FOR ADOPTING REQUIREMENTS FOR INDUSTRIAL**

AND COMMERCIAL SPECIAL USE DISTRICTS APPROVED

COMMISSIONER BULLOCK MADE A MOTION TO CALL THE PUBLIC HEARING.

Commissioner Sergent addressed PD Hart stating that in the submission requirements, there does not appear to be specifications regarding the site. Since this would be going to a less stringent zoning code, would there be an opportunity for more control over the site plan as a whole as far as setbacks, green spaces, and landscaping. The concern is that the property does not become all parking lot and building. PD Hart stated that additions, subtracts, etc. can be added within this requirement and that she welcomed comments from the Board. The Mayor reminded the Board that plans would need to go before the Appearance Committee before anything is built. PD Hart stated that the only restrictions which would change would be in terms of the amount of acreage; landscaping requirements would not change. The existing development would be matched to what is being proposed to ensure correct buffering and screening.

ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

CALLING FOR A PUBLIC HEARING TO AMEND THE OXFORD ZONING ORDINANCE TO ALLOW COIN OPERATED AMUSEMENT (VIDEO GAMES) AND BILLIARD TABLES AT THE HILLTOP SHOPING CENTER APPROVED

COMMISSIONER WILLIFORD MADE A MOTION TO CALL THE PUBLIC HEARING.

Mayor Woodlief stated he and members of the Board had questions concerning this issue. He asked permission for this hearing to be delayed until the matter can go before the Public Safety Committee and receive input from Police Chief John Wolford.

PD Hart stated that the latest businesses at this location [internet sweepstakes] slipped in under the radar. The current applicant is not requesting alcohol, and it would be included as a condition that no alcohol can be served in the future as designated by the Planning Board. This would only apply to Hilltop since the other shopping centers allow this type of business.

PC Wolford stated that since this could be problematic, he would suggest considering a background check before the issue is presented to the Board for voting. City Attorney Tom Burnette stated he wasn't sure this could be used as a condition of zoning the property. Commissioner Currin reminded the Board that the internet sweepstakes businesses did not require a background check.

CA Burnette also stated that he was not sure the Board could use no alcohol as a condition of zoning. PD Hart stated this was talked about, and Ms. Dutra thinks that since the

concept was developed with a list of about 25 uses, anything different would need to go before the Planning Board and this Board to receive a permit. PD Hart restated that this type of amendment is necessary only because this is a neighborhood shopping center; all other shopping centers allow this type of use. The zoning would not change; the only change would be the types of uses which would be allowed.

COMMISSIONERS CURRIN, HARRIS, BULLOCK, SERGENT, AND WILLIFORD VOTED IN THE AFFIRMATIVE; COMMISSIONER CANTLEY VOTED IN THE NEGATIVE. THE MOTION PASSED BY A 5 TO 1 VOTE.

CALLING FOR A PUBLIC HEARING TO REZONE 15 +/- ACRES FROM I-1 (PRIME INDUSTRIAL) TO I-2 SPECIAL USE DISTRICT APPROVED

COMMISSIONER WILLIFORD MADE A MOTION TO CALL THE PUBLIC HEARING.

Commissioner Sergent asked PD Hart how changing the zoning would affect the buffer. PD Hart stated she is proposing the appropriate building designs and requirements which would protect the buffer. A change was made making the minimum lot size six acres as is the case with Prime Industrial. PD Hart stated that a business would need to go through the approval process of the Boards, which would include any requested changes to the buffer.

ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

ENGINEERING SERVICES CONTRACT WITH DAVIS-MARTIN-POWELL TO REHABILITATE A SEWER LINE FROM HANCOCK STREET TO LINDEN AVENUE APPROVED

COMMISSIONER HARRIS MADE A MOTION TO APPROVE THE CONTRACT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

REVISED PLANNING AND ZONING FEE SCHEDULE APPROVED

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE SCHEDULE WITH AN INCREASE OF \$175. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

**PLANNING AND ZONING FEES
Effective July 1, 2010**

USE	ADOPTED FEE
PERMITS	
Accessory structure on residential lot	\$40
Alteration or addition to residential structure	\$40

Construction of a single-family unit or duplex	\$40
Construction of a multi-family residential unit	\$60 + \$2.00/unit
Accessory structure of business or industrial property	\$30
Alteration of office, commercial, or industrial structure without addition to the structure	\$50 - \$0-\$50,000 value \$100 - >\$50,000 value
Construction of office or commercial structure. If outdoor display of storage is involved, then the size of the lot to be used for that purpose is to be included in determination of permit fee. This shall include car sales and mobile home sales, etc.	\$75
Construction of warehouse, indoor/outdoor storage facility	\$50 + \$1.00 for every 1,000 square feet of storage area
Construction – addition of industrial structure to include outdoor	\$75 +\$1.00 for every 1,000 square feet of floor space
BOARD OF ADJUSTMENT	
Special Use Permit, Variance Permit, or appeal	\$175
PLANNING BOARD	
Rezoning request	\$150
Ordinance amendment	\$50
SUBDIVISIONS	
Subdivision plat	\$125 – 1-5 lots \$300 – > 5 lots
Copy of Subdivision Ordinance	\$10/each
ZONING	
Copy of Zoning Ordinance	\$15/each
Copy of Zoning Map	\$10/each
SIGN FEES (cost per sign)	
\$0.00-\$100	\$10/permit application
\$101-\$500	\$20/permit application
\$501-\$1,000	\$25/permit application
\$1,001-\$2,500	\$30/permit application
\$2,501-\$5,000	\$40/permit application
\$5,001-\$10,000	\$45/permit application
\$10,001-\$20,000	\$50/permit application
Over \$20,000	\$2.00/\$1,000 cost per permit application
An additional fee of \$1.50 per circuit shall be charge for all electric signs	
PUD APPLICATION FEE	\$300

AMENDMENT OF SECTION 5(b) OF THE OXFORD HISTORIC PRESERVATION COMMISSION’S CHARTER AND RULES OF PROCEDURE APPROVED

Mayor Woodlief stated that this would allow applications for minor works to be processed faster. Currently, this section requires the signatures of the Chairman and Vice

Chairman for minor works. The amendment will allow the Planning Director and Chairman or Vice Chairman to sign off on applications.

COMMISSIONER BULLOCK MADE A MOTION TO APPROVE THE AMENDMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

BUDGET AMENDMENT IN THE AMOUNT OF \$248,957 FOR STREET RESURFACING AND SIDEWALK GRINDING APPROVED

Mayor Woodlief stated that the street and sidewalk work approved for fiscal year 2010 will not be completed and invoiced until fiscal year 2011. This money, therefore, needs to be carried forward via a budget amendment.

COMMISSIONER SERGENT MADE A MOTION TO APPROVE THE AMENDMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
055570536	Street Ressurfacing	\$224,998.00	
055570242	Sidewak Repair	\$23,959.00	
055399000	Appropriated Fund Balanc	\$248,957.00	

REQUEST FROM GEORGE CANFIELD TO OPERATE A TAXICAB SERVICE APPROVED

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE REQUEST. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

ANNUAL SIDEWALK SALE IN DOWNTOWN OXFORD ON FRIDAY, AUGUST 6TH AND SATURDAY, AUGUST 7TH APPROVED

COMMISSIONER BULLOCK MADE A MOTION TO APPROVE THE SALE. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

NATIONAL INDEPENDENT RETAILERS WEEK PROCLAMATION APPROVED

COMMISSIONER WILLIFORD MADE A MOTION TO APPROVE THE PROCLAMATION. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

City of Oxford
National Independent Retailers Week Proclamation

Whereas, National Independent Retailers Week provides a time to celebrate the independence of the member of the community of Oxford and the entrepreneurial spirit represented by our core of local independent retailers; and

Whereas, the individual decisions every community member makes today affect the future of Oxford; and

Whereas, Oxford local independent retailers help preserve the uniqueness of the community and give us a sense of place; and

Whereas, Oxford's core of independently-owned retailers give back to this community in goods, services, time and talent; and

Whereas, the health of Oxford's economy depends on our support of businesses owned by our friends and neighbors; and

Whereas, Oxford's independent retailer owners and employees enrich community members' shopping experiences with their knowledge & passion;

Therefore, as we celebrate National Independent Retailers Week 2010, we acknowledge that the ability to choose the direction of Oxford lies within each of us.

NOW, THEREFORE, I, Al Woodlief, Jr., Mayor of the City of Oxford on behalf of the Oxford Board of Commissioners do hereby proclaim the week of July 18-24 2010, as: "National Independent Retailers Week" and salute our community members and locally owned independent retailers who are integral to the unique flavor of Oxford and honor their efforts to make Oxford the place we want to live and work.

IN WITNESS WHEREOF, I hereunto set my hand and cause the seal of the City of Oxford to be affixed this 13th day of July, 2010.

REAPPOINTMENT OF WAYNE T. RICHMOND TO THE RECREATION ADVISORY BOARD APPROVED

This reappointment would be for a three-year term, expiring in October 2012.

COMMISSIONER CURRIN MADE A MOTION TO APPROVE THE REAPPOINTMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

APPOINTMENT OF CYNTHIA CASH TO THE RECREATION ADVISORY BOARD APPROVED

This appointment would be for a three-year term, expiring in October 2012.

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE APPOINTMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

APPOINTMENT OF KIM RACKLEY BOOTH TO THE HISTRIC PRESERVATION COMMISSION APPROVED

This appointment would be for a three-year term, expiring in June 2013.

COMMISSIONER SERGENT MADE A MOTION TO APPROVE THE APPOINTMENT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS APPROVED

Mayor Woodlief stated this is in reference to the Rural Center grant sewer rehabilitation project easement acquisition. The City has all but this one easement for this project and needs to begin these proceedings in order to move forward.

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE RESOLUTION. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION PASSED.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS

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WHEREAS, the City of Oxford has elected to rehabilitate a sewer line and the provision of said utility service is a matter of public necessity; and

WHEREAS, the City has contracted with Davis Martin-Powell, an engineering consulting firm, to design the sewer line; and

WHEREAS, it has been determined that the proposed rehabilitation provides the public with an adequate and sound sewerage and wastewater treatment and disposal system to meet the need for expanded services as defined in N.C. Gen. Stat. § 160A and the laws of the State of North Carolina; and

WHEREAS, the WWTP sewer line traverses over approximately one (1) parcel of land located inside the City limits which said parcel is more particularly described in Exhibit A attached hereto and incorporated by reference herein and it is necessary to enter onto such land to construct, repair, and maintain the sewer line; and

WHEREAS, a plat of the parcel has been prepared pursuant to N.C. Gen. Stat. §40A-45(c) which said plat is hereby incorporated by reference as if fully set forth herein; and

WHEREAS, the City has been able to obtain private easements over some of the parcels affected but it may be unable to obtain private easements over the remainder;

NOW, THEREFORE, BE IT RESOLVED, because this matter is of urgent public necessity, the City has determined that it must condemn and take easement over and across the affected property, pursuant to N.C. Gen. Stat. §40A, et. seq., for the purpose of constructing, repairing, and maintaining the sewer line and in accordance with and required by said law, give the owner of the affected property notice of the City's intention to proceed pursuant to the N.C. Gen. Stat. §40A, et. seq. whereby thereafter, in the event the City is unable to negotiate a private easement over the affected parcel within the thirty (30) day period set forth in N.C. Gen. Stat. §40A and contained in the Notice of Intent to Proceed, the City shall proceed to file action in condemnation against the owner of the affected parcel pursuant to N.C. Gen. Stat. §40A, et. seq., and in accordance with said law, deposit with the Clerk of Court in such action, the total amount of Ninety Four (\$94.00) Dollars.

BE IT FURTHER RESOLVED that the Mayor, and/or the City Clerk and/or the City Finance Officer shall be authorized to issue a check on account of the City for the amount recited above. In the event the property owner affected hereby agrees to a private easement over his/her property, the aforementioned individuals are authorized to pay the above said amount to said property owner as just compensation.

This resolution shall be effective immediately.

Adopted this thirteenth day of July 2010.

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 Harris, 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.