

**CITY OF OXFORD**  
**BOARD OF COMMISSIONERS' REGULAR MONTHLY MEETING**  
**Tuesday, August 9, 2016 - 7:00 p.m.**  
**Commissioners' Board Room, City Hall**

*Mayor Pro Tem Calvin (C.J.) Harris, Jr.*  
*Commissioner James (Danny) Currin*  
*Commissioner S. Quon Bridges*

*Elke Doom, City Manager*  
*Barbara Rote, City Clerk*



*Jackie Sergent, Mayor*

*Commissioner Frank Strickland*  
*Commissioner Patricia T. Fields*  
*Commissioner Ron Bullock*  
*Commissioner Alvin Woodlief*

*J. Thomas Burnette, City Attorney*

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**MISSION**

The mission of the City of Oxford is to serve and improve our community by providing high quality, affordable services, sound planning for growth and development, and offering the highest possible quality of life - while maintaining the public's trust through open communication and ethical standards at all times.

**VISION**

The City of Oxford will partner with the community to build upon the charm and character of our historic, vibrant, and walkable city to create an extraordinary quality of life for all.

**Core Values - ETHICORE**

The elected officials, staff, and volunteers of the City of Oxford value and commit to model the following:

**EQUAL TREATMENT** for everyone with **DIGNITY**, **COURTESY**, and **RESPECT**  
**TEAMWORK** within our organization and our community  
**HONESTY** in all of our dealings with citizens, fellow workers, and other organizations  
**INTEGRITY** in every action and service  
**COST-EFFECTIVE** and **QUALITY** services for our community  
**OPEN** and **TRANSPARENT COMMUNICATION** with all parties  
**RESPONSIBILITY** for our decisions and actions  
**EXCELLENCE** in every deed

**\*\*The mnemonic ETHICORE was adopted as a helpful tool to remind us of our core values\*\***

[ CALL TO ORDER ]

[Please be reminded to turn off or mute all cell phones and/or electronic devices]

[ MISSION, VISION, VALUES ]

1. Prayer by Bishop Phillip Betts, Cornerstone Christian Community Church
2. Pledge of Allegiance Commissioner Frank Strickland
3. Consider adjustments to and approval of the Agenda:
  - **Item 9:** Consider Vehicle Take-Home Policy
  - **Item 10:** Consider Resolution and Capital Project Ordinance for Elevated Water Tank
  - **Closed Session:** Pursuant to G.S. 143-318.11(a)(5) a real property matter & Closed session meeting minutes
4. Opening Remarks by Mayor Sergeant  
*In order to provide for the highest standards of behavior and transparency in governance, the Board of Commissioners has approved a Code of Ethics to establish guidelines for ethical standards for Board Members and to provide guidance in determining appropriate conduct. Among those: Board members should avoid impropriety in the exercise of their official duties and should conduct the affairs of the board in an open and public manner. The Mayor now inquires whether any Board Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the Board. If any Board Member knows of a conflict of interest, or appearance of a conflict, please state so at this time.*

[ DELEGATIONS ]

5. Recognition – August Yard of the Month to Earl and Doris Hunt of Kingsbury Street.

[ PUBLIC COMMENT ON AGENDA and NON-AGENDA ITEMS ]

*Citizens may speak on Agenda as well as Non-Agenda items at this time. Citizens wishing to address the Board must sign in on the form located with the City Clerk prior to the beginning of the meeting. When recognized by the Mayor, come forward to the podium, state your name, address, if you are a City resident, and identify the subject about which you wish speak. Please review the Public Comment Guidelines that are provided alongside the sign in form.*

[ PUBLIC HEARINGS ]

*Citizens may only speak on public hearing items at this time. Citizens do not need to sign up in order to speak at a public hearing. When recognized by the Mayor, come forward to the podium, state your name, address, and if you are a City resident. Please review the Citizen Comment Guidelines that are provided at the end of this Agenda.*

6. Public Hearing for contiguous voluntary annexation of 10.03 acres of land located on East Industry Drive owned by Thornrose, LLC (Bruce Whitten)  
Thornrose, LLC (Bruce Whitten) has petitioned the City to annex 10.03 acres of land located on East Industry Drive. The annexation request was required to receive City services for a 32-unit

Unified Housing Development. The property meets all requirements for contiguous annexation and all required procedures will be met following the public hearing. (Attachment 6)

6a. Consider Contiguous Voluntary Annexation Ordinance of 10.03 acres of land located on East Industry Drive owned by Thornrose, LLC (Bruce Whitten)

**Recommended action:** Staff recommends adopting the Contiguous Voluntary Annexation Ordinance for Thornrose, LLC (Bruce Whitten) to annex 10.03 acres of land located on East Industry Drive, effective August 9, 2016.

[ OLD BUSINESS ]

No Old Business

[ NEW BUSINESS ]

7. Consider rental fees for the use of the City Hall auditorium by the Granville Little Theater.

During budget preparation the fees charged to the Granville Little Theater for City Hall auditorium rental were discussed with no official consensus. Previous rental fees were \$25 per rehearsal for the first 10, \$50 per rehearsal for 11 or more, and \$100 per performance. Maintenance costs have increased, along with costs associated with a new auditorium air conditioning chiller and curtains. Rental fees have increased very little over the past 20 years. (Attachment 7)

**Recommended action:** Staff recommends charging the rental fees for the use of the City Hall auditorium by Granville Little Theater at the same rates as in the past with the understanding that fees will increase for FY 2017-2018.

8. Consider removing two speed bumps on Coleman Street.

The Public Works Committee discussed removing the two speed bumps on Coleman Street because they are no longer needed. One of the speed bumps is close to a stop sign.

**Recommended action:** Staff and the Public Works Committee recommend removing two speed bumps on Coleman Street.

9. Consider changing the intersection of Harris & Cherry Streets, and Harris & Sunset Streets from 2-way stops to 4-way stops, for a 6-month trial period. Following the 6-month trial, the 4-way stops would become permanent if traffic calming is effective.

The Public Works Committee discussed making 4-ways stops at the intersections of Harris & Cherry, and Harris & Sunset for traffic calming. Both intersections are currently 2-way stops. If traffic calming is achieved the 6-month trial period would become permanent.

**Recommended action:** Staff and the Public Works Committee recommend changing the intersection of Harris & Cherry Streets, and Harris & Sunset Streets, from 2-way stops to 4-way stops, for a 6-month trial period. Following the 6-month trial, the 4-way stops would become permanent if traffic calming is effective.

10. Consider adopting a Take-Home Vehicle Policy.

A Take-Home Vehicle Policy was discussed during the July 28, 2016 Personnel Committee Meeting. City Manager Doom was instructed to draft a Policy for the Board to consider. The policy sets the criteria and accountability measures for City personnel who take home vehicles. (Attachment 10)

**Recommended action:** City Manager Doom recommends adopting the Take-Home Vehicle Policy as presented effective upon adoption.

11. Consider adopting a resolution that accepts a loan offer in the amount of \$3,139,200 from the Drinking Water State Revolving Fund (DWSRF) and the associated Capital Project Ordinance for the new elevated storage tank, associated mains; and, installation of SCADA and altitude valves on the existing Henry Street and Spring Street tanks.

The Department of Environmental Quality has offered the City of Oxford a DWSRF loan in the amount of \$3,139,200 for the new elevated storage tank, associated water mains and for the installation of SCADA and altitude valves on the existing Henry Street and Spring Street water tanks. The Board must accept the loan by resolution and adopt a Capital Project Ordinance for the project to proceed. The City will be responsible for the 2% Closing Fee estimated at \$62,784. (Attachment 11)

**Recommended action:** Staff recommends adopting a resolution that accepts a loan offer in the amount of \$3,139,200 from the Drinking Water State Revolving Fund (DWSRF) and the associated Capital Project Ordinance for the new elevated storage tank, associated mains; and, installation of SCADA and altitude valves on the existing Henry Street and Spring Street tanks.

[ REPORTS ]

12. June and July Financial Reports highlights by Finance Director Ung. Reports will be provided on meeting night.
13. Manager's Report – City Manager Elke Doom

[ CONSENT AGENDA ]

14. Accept the June and July Financial Reports by Finance Director Ung (available on meeting night)
15. Approve a temporary variance to *The Oxford Code of Ordinance 14-9, Unnecessary Noise* from 11 p.m. to 11:30 p.m. for the Bicentennial Celebration on Saturday September 3, 2016.
16. Approve the following 2016 meeting minutes:  
\* July 5, Agenda Session                      \* July 12, Regular Session

[ BOARD COMMENTS ]

[ CLOSED SESSION ]

Pursuant to G.S. 143-318.11(a)(5) a real property matter and approve the closed session meeting minutes of August 1, 2016.

[ ADJOURNMENT ]

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**REMINDERS:**

If you need additional information about the following items, please see the City Clerk.

- August 11: Community Roundtable – R.H. Thornton Library, 5:30 p.m.
- August 25: Downtown Movie Night – 8 p.m. concessions, 8:30 p.m. movie
- September 3: Bicentennial Celebration – Hix Complex, 2:00 p.m.

**CITY OF OXFORD**  
**PUBLIC COMMENT GUIDELINES:**

The Mayor and Board welcome and encourage citizens to attend City Board Meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the Board:

- a) Citizens are requested to limit their comments to five minutes. However, the Mayor, at his or her discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Board.
- b) Comments should be presented in a civil manner and be non-personal in nature, fact-based, and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods.
- c) Citizens may not yield their time to another person.
- d) Topics requiring further investigation will be referred to the appropriate City official, Board Committee or agency, and may, if in order, be scheduled for a future meeting Agenda.
- e) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager.
- f) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted.
- g) Citizens should not expect specific Board action, deliberation, and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting Agenda.



CITY OF OXFORD  
STAFF REPORT

TO: Mayor Sergent and the Board of Commissioners  
VIA: Elke Doom, City Manager  
FROM: Barbara J. Rote, City Clerk  
DATE: July 20, 2016  
SUBJECT: Hold Public Hearing and consider Adopting the Contiguous Annexation Ordinance for Bruce Whitten, Thornrose, effective August 9, 2016.

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SUMMARY STATEMENT

Thornrose LLC (Bruce Whitten) has petitioned the City to annex 10.03 acres of land located on East Industry Drive. The annexation request was required to receive City services for a 32-unit Unified Housing Development. Holding the public hearing is the last step before adopting the Annexation Ordinance.

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REVIEW

The initial petition for voluntary annexation by Thornrose, was received on May 20, 2016. The property located on Industry Drive meets all requirements for contiguous annexation and all required procedures will be complete following the public hearing. Following the public hearing, the Board can vote to annex the property.

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RECOMMENDATION

Staff recommends adopting the Contiguous Annexation Ordinance for Thornrose, LLC (Bruce Whitten) to annex 10.03 acres of land located on East Industry Drive, effective August 9, 2016.

Attachments: Y

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF  
OXFORD, NORTH CAROLINA**

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31 to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Commissioners' Board Room, third floor, City Hall, 300 Williamsboro Street, Oxford, NC at 7:00 p.m. on August 9, 2016 after due notice by publication in the Oxford Public Ledger on July 28, 2016 and

WHEREAS, the Board of Commissioners finds that the area described therein meets the standards of G.S. 160A-31;

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described contiguous territory is hereby annexed and made part of the City of Oxford as of August 9, 2016\*.

**10.03 +/- Acres  
East Industry Drive, Oxford, North Carolina, 27565  
(Thornrose, LLC)**

A Certain tract or parcel of land situate on the north side of East Industry Drive in Fishing Creek Township, Granville County, North Carolina, and more particularly described as follows:

That certain tract or parcel of land designated as Tract 1 containing 10.03 acres, more or less, as shown on map entitled "Subdivision of Allen, Edmundson & Watkins Property" prepared by Bobby Fuquay and Associates dated January 4, 2016, and recorded in Map Book 44, Page 85, Granville County Registry.

Also described as and being the same as: BEGINNING at an iron pin in the northern margin of East Industry Drive, which said iron pin is the southeastern corner of the property herein described and being the southwestern corner of the property heretofore conveyed in Deed Book 1534, page 354 to Jake's Ridge, LLC; going thence along the northern margin of Industry Drive S. 81° 12' 38" W. 14.59 feet to an iron pipe found; continuing along the northern margin of Industry Drive S. 80° 23' 03" W. 200.92 feet to an iron pin; thence S. 81° 03' 56" W. 27.00 feet to an iron pin, corner of Tract No. 2 on the hereinafter referred to plat; going thence along the line of Tract No. 2 on the hereinafter referred to plat in a new line N. 14° 54' 08" W. 615.44 feet to an iron pin; thence continuing in a new line S. 81° 33' 10" W. 284.67 feet to a rebar found in the line of Granville Health Investors, LLC; thence along the line of Granville Health Investors, LLC, N. 60° 38' 28" W. 321.87 feet to a rebar found; thence N. 64° 21' 16" W. 60.02 feet to an iron pin in the line of Tamara E. Jones; thence along the line of Tamara E. Jones N. 25° 38' 44"

E. 380.95 feet to an existing concrete monument; continuing along Jones' line N. 25° 38' 44" E. 18.11 feet to an axle found in the line of Tempie H. Broyal; thence along the line of Tempie H. Broyal S. 68° 28' 01" E. 113.80 feet to an iron pin; thence S. 69° 59' 27" E. 55.03 feet to an existing concrete monument; thence S. 03° 17' 52" W. 167.90 feet to an iron pin; thence N. 89° 40' 21" E. 456.89 feet to an axle; thence N. 89° 24' 23" E. 107.53 feet to an iron pin, which is the northeastern corner of the property herein described and the northwestern corner of the property of Jake's Ridge, LLC, as described in Deed Book 1534, page 354; thence along the line of Jake's Ridge, LLC S. 08° 47' 22" E. 841.85 feet to an iron pin in the northern margin of East Industry Drive, which said point is the point and place of beginning, containing 10.03 acres, according to map and survey entitled, "ALTA/ASCM Land Title Survey of Allen, Edmundson & Watkins Property", prepared by Bobby Fuquay and Associates of 6525 Mal Weathers Road, Raleigh, N.C. 27603. Date of survey being 01/04/2016 and date of Map being 01/05/2016.

**For further reference see Plat Book 44, page 85, and Deed Book 254, page 387, Granville County Registry.**

Section 2. Upon and after August 9, 2016\*, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Oxford and shall be entitled to the same privileges and benefits as other parts of the City of Oxford. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

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

Adopted this Ninth day of August, 2016

\_\_\_\_\_  
Jacqueline vdH Sergent, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Barbara J. Rote, City Clerk

\_\_\_\_\_  
J. Thomas Burnette, City Attorney

\*The ordinance may be made effective immediately, or on any date within six months of adoption.

STANDARD EXCEPTIONS:

1. The surveyor has not been notified of any existing easements, encroachments, or other interests in the property...

2. The surveyor has not been notified of any existing easements, encroachments, or other interests in the property...

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Legend for the survey map showing symbols for various features like easements, encroachments, and utility lines.

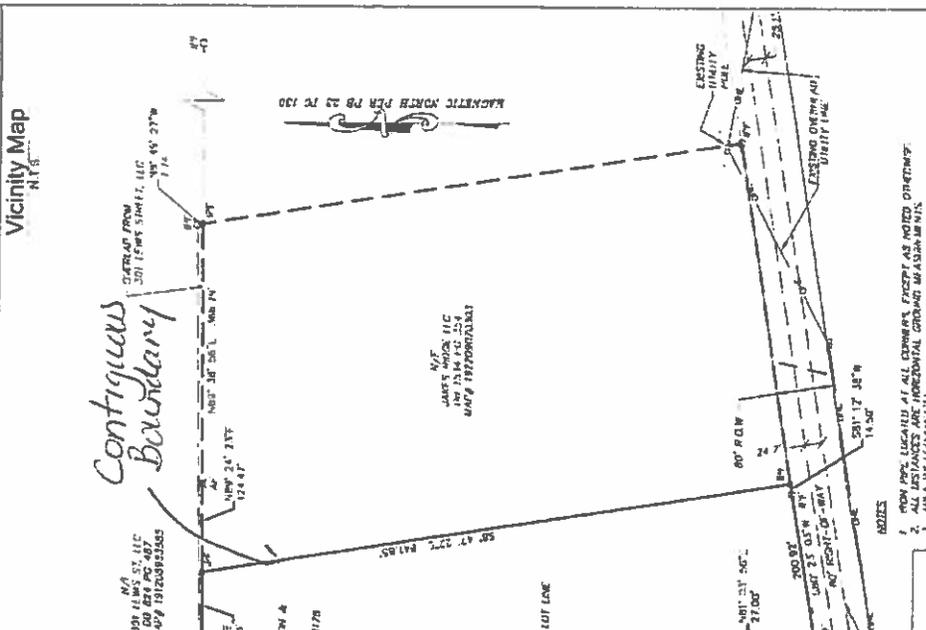


Table with 2 columns: 'REVISIONS' and 'REVISED'. It lists various changes to the survey and the dates they were made.

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Notary Public seal for Bobby Fuquay and Associates, including a signature and the text 'NOTARY PUBLIC'.

Notary Public seal for Bobby Fuquay and Associates, including a signature and the text 'NOTARY PUBLIC'.

LEGAL DESCRIPTION: A certain tract or parcel of land situated in the north side of East Liberty Drive in Volusia County, Florida, United States...

Also mentioned on and being the same as the map in the northern margin of the plat... and being the northern corner of the property hereinafter described...

THE MILL TRACT WAS THE SUBJECT PROPERTY IN THE SURVEY LOCATED IN THE NORTHWEST CORNER OF THE HIGHLAND AREA AS DETERMINED BY THE DEPT. OF HEAVEN AND LAND DEVELOPMENT...

BOBBY FUQUAY and ASSOCIATES, 1425 MALWEATHER RD., FLEMING, FL. 32623. DATE OF SURVEY: 01/07/16. CHECK AND CLOSURE BY: B.F.



**STAFF REPORT**

TO: Mayor Sergent and the Board of Commissioners  
VIA: Elke Doom, City Manager  
FROM: Kenny Manning  
DATE: 7/26/16  
SUBJECT: Granville Little Theatre Rental Fees

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SUMMARY STATEMENT

During budget preparation the fees charged to The Granville Little Theatre for auditorium rental were discussed. No official consensus was reached and very little revenue was put in the budget.

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REVIEW

Past rental fees are as follows:

- \$ 25.00 per rehearsal for first 10
- \$ 50.00 per rehearsal for 11 or more
- \$ 100.00 per performance

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RECOMMENDATION

The cost of upkeep and maintenance on the auditorium is adding up. In order to recoup some of those costs we should charge the majority user reasonable fees. The fees charged have changed very little in twenty years. My recommendation is to charge the same fees this year as in the past with the understanding that fees will increase next year.



## MEMO

**TO:** Mayor and Commissioners  
**FROM:** Elke Doom, City Manager  
**DATE:** August 3, 2016  
**SUBJECT:** Granville Little Theater

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Per the commission discussion of reinstatement of rental fees for the use of the auditorium, their most recent budget items are listed below.

The most recent budget information (2014-2105) provided by the Granville Little Theater is:

\$22,049.37 annual budget

\$24,419.90 actual expenditures

\$5,300, budgeted for auditorium rentals

\$5,900, actual expenditure for auditorium rentals

\$16,875, budgeted for ticket revenue

\$13,279, actual ticket revenue

The adopted city fee schedule for the Granville Little Theater is:

\$100.00 per performance

\$ 25.00 per rehearsal (up to 10)

\$ 50.00 per rehearsal (11 and up)

Attached please see the complete budget for additional information.

# 2014-2015 Season

## Event Budget for FY 14-15: EXPENSES

Production	Estimated	Actual
Auditorium Rental	\$5,300.00	\$5,950.00
Set Construction	\$1,800.00	\$1,946.37
Props	\$370.00	\$269.47
Costumes	\$700.00	\$630.37
<b>Total</b>	<b>\$8,170.00</b>	<b>\$8,796.21</b>

Royalties	Estimated	Actual
Licensing	\$3,445.00	\$4,473.00
Scripts	\$1,070.00	\$497.95
Add'l Rehearsal Material	\$100.00	\$52.13
Music	\$200.00	\$99.75
Return Postage for Scripts	\$50.00	\$30.99
<b>Total</b>	<b>\$4,865.00</b>	<b>\$5,023.08</b>

Publicity	Estimated	Actual
Banners	\$900.00	\$808.12
Posters	\$500.00	\$293.46
Playbills	\$1,800.00	\$1,242.58
<b>Total</b>	<b>\$3,200.00</b>	<b>\$2,344.16</b>

Miscellaneous	Estimated	Actual
Copies	\$500.00	\$165.74
Audition Materials	\$140.00	\$91.21
Related Exp Not Specified	\$350.00	\$627.87
<b>Total</b>	<b>\$990.00</b>	<b>\$884.82</b>

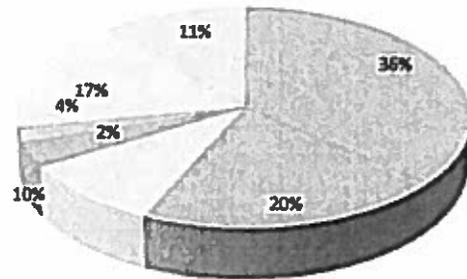
Cast Comfort/Party	Estimated	Actual
Cast Comfort/Party	\$400.00	\$506.00
<b>Total</b>	<b>\$400.00</b>	<b>\$506.00</b>

Honorariums	Estimated	Actual
Director	\$2,800.00	\$2,800.00
Musical Director	\$1,000.00	\$1,000.00
Stage Manager	\$300.00	\$100.00
Costumer	\$200.00	\$100.00
Producer	\$300.00	\$100.00
Add'l Honorariums Paid	\$150.00	\$100.00
<b>Total</b>	<b>\$4,750.00</b>	<b>\$4,100.00</b>

Operational Expenses	Estimated	Actual
Operational Expenses	\$0.00	\$2,765.63
<b>Total</b>	<b>\$0.00</b>	<b>\$2,765.63</b>

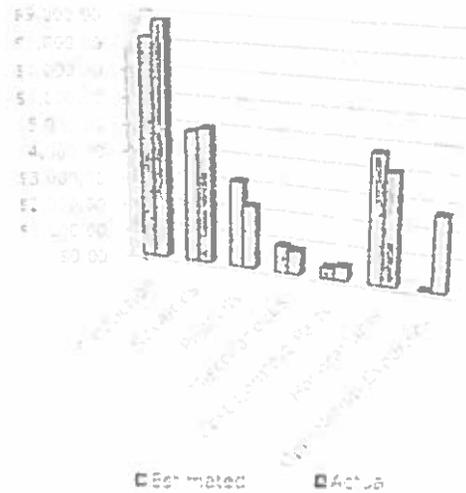
Total Expenses	Estimated	Actual
<b>Total</b>	<b>\$22,375.00</b>	<b>\$24,419.90</b>

Actual Cost Breakdown



- Production
- Royalties
- Publicity
- Cast Comfort/Party
- Miscellaneous
- Honorariums
- Operational Expenses

Estimated vs. Actual







DRAFT

## Take-Home Vehicle Policy

### **PURPOSE**

City vehicles are provided to certain employees of the City for the purpose of ensuring efficient and timely response while on municipal business unless otherwise indicated by an explicit agreement between the employee and the City. Vehicles are assigned for official government use to and from work and during a meal period. Vehicles are not to be used for personal purposes or regarded as compensation.

### **APPLICABILITY**

This administrative procedure applies to all of City of Oxford employees who are assigned or furnished a City vehicle not covered by an explicit agreement.

### **MONITORING RESPONSIBILITY**

The City Manager is responsible for assuring compliance with this directive.

### **DIRECTIVE**

Employees may be assigned a vehicle that will be kept overnight at their homes. These employees may include managerial, professional or technical personnel or other employees who may be on-call for emergencies, who must be accessible and who often conduct work or attend meetings in their official capacity after regular work hours. If assigned a vehicle for one or more of these purposes, an employee may drive their assigned vehicle to and from work and for a meal period. In some instances, employees may be required to keep their city vehicles with them while not engaged in City business in order to fulfil stand-by work responsibilities.

Authorization for take-home vehicle use requires a recommendation by a Department Head and the approval by the City Manager.

This Administrative Directive is effective this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Elke Doom  
City Manager

300 Williamsboro Street  
P.O. Box 1307, Oxford NC 27565

919-603-1100

[www.oxfordnc.org](http://www.oxfordnc.org)

## **Additional Requirements**

- **Employees assigned a vehicle must live within a 20 mile radius of Oxford City Hall, 300 Williamsboro Road, Oxford NC 27565.**
- **Employees shall abide by all state and federal motor vehicle laws.**
- **Employees shall not operate a City vehicle while under the influence of drugs or alcohol.**
- **If an employee is involved in an accident driving a city vehicle, the employee shall immediately be subject to drug testing per city policy.**
- **Employees shall not use tobacco products including chewing tobacco, natural or synthetic, or vaping while operating a city vehicle.**
- **Employees operating take-home vehicles are considered on-duty and shall abide by all other City of Oxford policy and procedures.**
- **Employees will operate city vehicles in a manner with all applicable driving rules and regulations set for by the State of North Carolina.**
- **Employees shall not transport any person(s) other than city employees in a City vehicle except in the course of official business. Take-home vehicle is not to be used as a personal or family vehicle.**
- **Employees driving City vehicles are representatives of the City and should be in proper attire when driving a City vehicle.**
- **In the event that an employee issued a take home vehicle is on leave, the Department Head may assign their vehicle to the employee assuming temporary duties of the person on leave.**
- **Take-home vehicles shall be legally parked and locked at all times. (exception made in emergency situations).**
- **Sensitive or public documents shall not be left in the vehicle with the exception of reference materials.**
- **City Manager and/or designee may authorize the temporary use of a take home vehicle for out-of-town travel, weather events or other circumstances that necessitate such use. (Department Head approval is required).**
- **No Department may create, amend, or follow an alternate take-home vehicle policy be it written or implied without written consent of the City Manager.**
- **Any use of City vehicles not consistent with this policy may result in the City Manager terminating authorization for use of the vehicle as a take home vehicle.**

- Department Head is responsible for the following:
  - Periodic monitoring of employees use of their assigned City vehicle.
  - The employee will be required to maintain a mileage log at the start and end of each shift they work.
  - The Department Head will be responsible for periodically reviewing employee's mileage log.
  - Submit a report to the City Manager by January 31 each year of the take-home vehicle usage in their Department for the previous calendar year. Said report shall include:
    - Name of each employee with assigned vehicle number and a copy for the calendar year.
    - Identification of any incidence of non-compliant use of vehicle and management action to address the non-compliant use.
    - Annual mileage report per employee.
  
- The City Manager will provide a summary report on take-home vehicle use annually to the City Commission during the budget development process.

**Current positions authorized a take home vehicle applies to the following departments:**

- Police Department
  - Chief
  - Captain
  - Lieutenant (s)
  - Detective (s)
  - Evidence Technician
  - Patrol Officers
  
- Fire Department
  - Fire Chief
  
- Public Works Department
  - Public Works Director
  - Street Superintendent
  - Water and Sewer Superintendent
  - On Call Water and Sewer Personnel
  - On Call Street Department Personnel
  
- Wastewater Treatment
  - Plant Director
  
- Recreation Department
  - Recreation Director
  - Recreation Maintenance Supervisor

**CITY OF OXFORD****STAFF REPORT**

**TO:** Mayor Sergent and Board of Commissioners

**VIA:** Elke Doom, City Manager

**FROM:** Amy Ratliff, PE

**DATE:** 8/3/2016

**SUBJECT:** Elevated Storage Tank Resolution to accept Drinking Water State Revolving Fund (DWSRF) Loan Offer and Capital Project Ordinance

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**SUMMARY STATEMENT**

Consider adopting a resolution that accepts a loan offer in the amount of \$3,139,200 from the Drinking Water State Revolving Fund (DWSRF) and the associated Capital Project Ordinance for the new elevated storage tank, associated mains; and, installation of SCADA and altitude valves on the existing Henry Street and Spring Street tanks.

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**REVIEW**

The Department of Environmental Quality has offered the City of Oxford a DWSRF loan in the amount of \$3,139,200 for the new elevated storage tank, associated water mains and for the installation of SCADA and altitude valves on the existing Henry Street and Spring Street water tanks. The Board must accept the loan by resolution and adopt a Capital Project Ordinance for the project to proceed. The City will be responsible for the 2% Closing Fee estimated at \$62,784.

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**RECOMMENDATION**

Staff recommends adopting a resolution that accepts a loan offer in the amount of \$3,139,200 from the Drinking Water State Revolving Fund (DWSRF) and adopting the associated Capital Project Ordinance for the new elevated storage tank, associated mains; and, installation of SCADA and altitude valves on the existing Henry Street and Spring Street tanks.

Attachments: Resolution of Acceptance  
Capital Project Ordinance  
Offer and Acceptance Document

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## RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The State Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking-water system owners in financing the cost of construction for eligible, drinking-water infrastructure; and
- WHEREAS, The North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund Loan in the amount of \$3,139,200 for the construction of a new Elevated Water Storage Tank and associated mains, and; install SCADA and altitude valves on the existing Henry Street & Spring Street tanks, hereafter referred to as the "Project"; and
- WHEREAS, The City of Oxford intends to construct said project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section.

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

That the City of Oxford does hereby accept the Drinking Water State Revolving Fund Loan offer in the amount of \$3,139,200; and

That the City of Oxford does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard "Conditions" and "Assurances" of the Department's funding offer, awarded in the form of the Drinking Water State Revolving Fund Loan; and

That Jacqueline vdH Sergent - Mayor and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application; and

That the City of Oxford has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted August 9, 2016 at Oxford, North Carolina.

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Jacqueline vdH Sergent, Mayor – City of Oxford

August 9, 2016  
Date

CAPITAL PROJECT ORDINANCE  
STATE OF NORTH CAROLINA  
COUNTY OF GRANVILLE

BE IT ORDAINED by the Governing Board of Commissioners of the City of Oxford, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the North Carolina General Statutes, the following Capital Project Ordinance is hereby adopted:

SECTION 1: The capital project herein authorized, new Elevated Water Storage Tank and associated mains, and; install SCADA and altitude valves on the existing Henry Street & Spring Street tanks (Project), is for the construction and/or installation of drinking water infrastructure, to be financed by a Drinking Water State Revolving Fund Loan.

SECTION 2: The officers of this unit of local government are hereby directed to proceed with the Project within the terms of the Board resolution, loan documents and the budget contained herein.

SECTION 3: The following amounts are appropriated for the project:

Engineering & Administration	\$258,200
Land & associated costs	\$50,000
Construction	\$2,831,000
Total	\$3,139,200

SECTION 4: The following revenues are anticipated to be available to complete the project:

Drinking Water SRF Loan (FY 2016 through FY 2018)	\$3,139,200
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SECTION 5: The Finance Director is hereby directed to maintain within the Water Capital Project Fund sufficient, specifically detailed accounting records to satisfy the requirements of the funding agency, the funding agreements, and federal regulations.

SECTION 6: Funds may be advanced from the Water Fund for the purpose of making payments as due. Reimbursement requests should be made to the funding agency in an orderly and timely manner.

SECTION 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each Project element in Section 3 and on the total loan revenues received or claimed.

SECTION 8: The Finance Director is directed to include a detailed analysis of past and future costs and revenues on the Project in every budget submission made to this Board.

**SECTION 9: Copies of this Capital Project Ordinance shall be furnished by the Clerk to the Governing Board, and the Finance officer for direction in carrying out the Project.**

**SECTION 10: The City Manager, City Engineer, and Finance Director are authorized to review and approve all payments for the purpose of constructing this project.**

**Adopted this 9<sup>th</sup> day of August 2016**

**This ordinance shall be in full force and effect from and after the date of its adoption.**

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**Jacqueline vdH Sergent, Mayor**

**Attest:**

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**Barbara J. Rote, CMC, City Clerk**

\* \* \* \* \*

**I, Barbara J. Rote, City Clerk for the City of Oxford, North Carolina, do certify herewith that the foregoing Ordinance was duly adopted by the Board of Commissioners in an official meeting of said Board held on the 9<sup>th</sup> day of August 2016 and that same is a true copy.**

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**Barbara J. Rote, CMC, City Clerk**



Water Infrastructure  
ENVIRONMENTAL QUALITY

PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

KIM H. COLSON

Director

July 14, 2016

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Amy Ratliff, P.E., City Engineer  
City of Oxford  
Post Office Box 1307  
Oxford, North Carolina 27565

**Subject:** Offer & Acceptance Documents for a Federal Loan  
**DWI DWSRF Project No.:** WIF-1872  
**Project Scope:** Install approximately 5,100 feet of 12-inch water mains along NC 15; Construct a 750,000-gallon elevated storage tank (near NC 15 & Industry Drive), and; Install SCADA and altitude valves on the existing Henry Street & Spring Street tanks.

Dear Ms. Ratliff:

The City of Oxford has been approved for loan assistance from the North Carolina Drinking Water State Revolving Fund (DWSRF). Enclosed are two (2) copies of an Offer-and-Acceptance document extending the City a funding award in the amount of **\$3,139,200**. This offer is made subject to the Assurances and Conditions set forth in the enclosed Offer-and-Acceptance document.

Please submit the following items to the Division of Water Infrastructure (DWI), 1633 Mail Service Center, Raleigh, North Carolina 27699-1633, as soon as they are prepared:

1. A resolution adopted by the governing body accepting the loan offer and making the applicable assurances contained therein (sample copy attached);
2. One (1) copy of the original Offer-and-Acceptance Document, executed by the Authorized Representative for the Project, along with the signed "Acknowledgement of Standard Conditions and Assurances" for federal SRF loans. **Retain the other copy for your files;**
3. The Federal Identification Number and DUNS Number of the Applicant (Memo attached); and
4. A Sales-Tax Certification Form (sample copy attached).

Nothing Compares™

State of North Carolina | Environmental Quality | Water Infrastructure  
1633 Mail Service Center, Raleigh, North Carolina 27699 | Location 512 N. Salisbury Street, Raleigh, North Carolina 27604  
919 707 9160 T

Amy Ratliff, Engineer  
City of Oxford  
July 14, 2016  
Page No. 2 of 2

The Site Certification and a Capital Project Ordinance (or a budget ordinance covering the subject project) must be provided to DWI before disbursements can begin. For further assistance, please see the enclosed Guidance Document for a complete list of those items due no later than the project's first reimbursement request. By contract, if a Fiscal Sustainability Plan is applicable to the subject project, please note its certification is not due to DWI until the final reimbursement request.

Reimbursement requests (printed sample form enclosed with this transmittal) for drinking-water projects should be forwarded to Teresa Tripp at the address noted below (see the footer on the first page of this transmittal letter). A reference copy of this request form has been enclosed for your convenience.

On behalf of the Department of Environmental Quality, I am pleased to make this offer of State Revolving Loan funds, made available by the North Carolina Water Infrastructure Fund.

Sincerely,



Kim H. Colson, P.E., Director  
Division of Water Infrastructure, NCDEQ

Enclosures: Loan/Grant Offer-and-Acceptance Document (two copies)  
Resolution to Accept Loan Offer (suggested format)  
Federal ID & DUNS Number Request Memo  
Sales-Tax Certification Form  
Reimbursement Request Form  
Guidance Document  
Site Certification  
Capital Project Ordinance (sample)

cc: Doug Chapman, P.E., Consulting Engineer, McGill Associates, P.A.  
Mark Hubbard, DWI  
Amy Simes, DWI  
Matthew Rushing, DWI  
DWSRF Project File (red Correspondence folder / MC - LOX)



STATE OF NORTH CAROLINA  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 DIVISION OF WATER INFRASTRUCTURE

**Funding Award Offer and Acceptance**

**Legal Name & Address of Award Recipient (Applicant):**

Oxford, City of  
 Post Office Box 1307  
 Oxford, North Carolina 27565

**Account:**

- Drinking Water State Revolving Fund (SRF)
- Clean Water State Revolving Fund (SRF)
- State General Loan (SRL)
- State Emergency Loan (SEL)
- High Unit-Cost Grant (HUC)
- Technical Assistance Grant (TAG)

**State Project Number:** H-LRX-F-2016-1872  
**Federal Project Number:** WIF-1872  
**CFDA Number:** 66.468

Amendment	Date	Additional Amount
Original	--	--
1	--	--
2	--	--

**Project Description:**

Install approximately 5,100 feet of 12-inch transmission mains along NC Highway 15; Construct a 750,000-gallon elevated storage tank (near NC 15 and Industry Drive), equipped with an aeration unit to reduce the presence of disinfection byproducts in the stored finished water, and; Install SCADA and altitude valves on the existing "Henry Street" and "Spring Street" storage tanks.

**Total Financial Assistance Offer:** **\$3,139,200**

Principal Forgiveness: \$ - 0 -  
 Total Project Cost: \$3,139,200  
 Interest Rate (Per Annum): 1.40%  
 Maximum Loan Term: 20 Years  
 Estimated Closing Fee (2% of loan): \$62,784

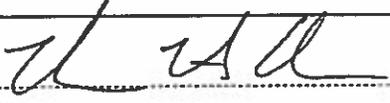
Pursuant to North Carolina General Statute 159G:

- The Applicant is eligible under Federal and State law;
- The Project is eligible under Federal and State law; and
- The Project has been approved by the Department of Environmental Quality (DEQ) as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Kim H. Colson, P.E., Director, Division of Water Infrastructure  
 North Carolina Department of Environmental Quality**

Signature:  Date: 7/15/16

On Behalf of:

Name of Representative in Resolution: Ms. Amy Rothoff, P.E.  
 Title (Type or Print): City Engineer

Will be corrected for Mayor Sergeant

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and make the Assurances and accept the Standard Conditions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## STANDARD CONDITIONS FOR FEDERAL SRF LOANS

1. The following “super cross-cutters” apply to SRF projects and may be found in the Public Policy Requirements section of the EPA General Terms and Conditions for each year’s appropriation. This document can be found at [www.epa.gov/ogd/tc.htm](http://www.epa.gov/ogd/tc.htm). Please note that nothing is submitted to the State’s SRF program offices regarding compliance with these items.
  - (a) Title VI of the Civil Rights Act of 1964
  - (b) Section 504 of the Rehabilitation Act of 1973
  - (c) The Age Discrimination Act of 1975
  - (d) Section 13 of the Federal Water Pollution Control Act Amendments of 1972
2. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The Applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification from provided by DEQ.
3. Specific MBE/WBE (i.e., disadvantaged businesses enterprises or “DBEs”) forms and instructions are provided and shall be included in the contract specifications. These forms will assist with the documenting of positive efforts made by the Applicant and their consultant(s) and contractor(s) to utilize DBEs. Such efforts should allow DBEs the maximum, feasible opportunity to compete for those sub-agreements and subcontracts that are to be performed. Documentation of all efforts made to utilize DBE firms must be maintained by all applicants and construction contractors, and shall be made available to DEQ or others upon request.
4. Applicants shall comply fully with Subpart C of the Code of Federal Regulations, Chapter 2, Part 180 (2 CFR 180) entitled, “Responsibilities of Participants Regarding Transactions Doing Business with Other Persons”, as implemented and supplemented by 2 CFR 1532. The Applicant is responsible for ensuring that any lower-tier covered transaction, as described in Subpart B of 2 CFR 180, entitled “Covered Transactions”, includes a term or condition requiring compliance with Subpart C. The Applicant is responsible for further requiring the inclusion of a similar term or condition in any subsequent, lower-tier covered transactions. The Applicant acknowledges that failing to disclose the information required under 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment. Applicants may access suspension and debarment information at: <http://www.sam.gov>. This system allows applicants the capability of performing searches for determining whether an entity or individual is excluded from receiving Federal assistance.
5. The construction contract(s) require(s) the contractor to adhere to the Davis-Bacon and Related Acts Provisions and Procedures, as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this also is enacted in Title 40, United States Code, Subtitle II, Sections 3141 through 3148.
6. As required by Subsection 436 (a)(2) of the Consolidated Appropriations Act of 2014, the Project is subject to the federal American Iron and Steel provisions. The State provides detailed requirements that are to be included in the construction contract specifications.

**ASSURANCES**

1. The Applicant intends to construct the Project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division. The Applicant acknowledges that in the event a milestone contained in the most recent Drinking Water State Revolving Fund (DWSRF) Intended Use Plan (IUP) and/or the Letter of Intent to Fund (LOIF) is missed, the Department of Environmental Quality will rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for SRF funding.
3. The construction of the Project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. As of the acceptance of this Funding Award Offer, Steps A – D in the SRF Guidance shall be completed. These Assurances, likewise, incorporate the most recent version of the SRF Guidance, and the Applicant hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRF Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, reimbursements, closeout and repayment.
5. The Applicant shall provide and maintain adequate engineering supervision and inspection.
6. The Applicant agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the Project and these records will be retained and made available for a period of at least three (3) years following completion of the Project.
7. All SRF funds loaned shall be expended solely for carrying out the approved Project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the Applicant's compliance with the "Standard Conditions..." of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
8. The Applicant shall expend all of the requisitioned funds for the purpose of paying the costs of the Project within three (3) banking days following the receipt of the funds from the State. Please note the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.

**Acknowledgement of Standard Conditions and Assurances**

The Applicant hereby gives assurance to the Department of Environmental Quality that the declarations, assurances, representations, and statements made by the Applicant in the Application, and all documents, amendments, and communications filed with the Department of Environmental Quality by the Applicant in support of its request for financial assistance, shall be fulfilled.

..... <i>Signature</i>	..... <i>Date</i>
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