

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
BRIEFING SESSION JUNE 22, 2011**

The Board of Aldermen of the Town of Kernersville met in a briefing session at 6:30 P.M. on the above date in the Town Hall Executive Conference Room at the Municipal Building at 134 East Mountain Street.

Present: Mayor Dawn Morgan, Mayor Pro Tem Kevin Bugg, Alderman Tracey Shifflette, Alderman Keith Mason, Alderman Bob Prescott and Aldermen Dana Caudill Jones.

Absent: None

Staff Present: Curtis L. Swisher, Town Manager; John G. Wolfe III, Town Attorney; Jayne Danner, Deputy Clerk; Jeff Hatling, Community Development Director; Doran Maltba, Public Services Director; Captain Tim Leonard, Police Dept.; Walt Summerville, Fire Chief; Brian Ulrich, Transportation Manager; Franz Ader, Finance Director and Ray Smith, Human Resources Director.

Call to order and invocation.

Mayor Dawn Morgan called the meeting to order and Alderman Keith Mason delivered the invocation.

1. Consideration of an Ordinance Setting the Annual Compensation of the Town Manager.

Mayor Dawn Morgan stated that the Board has reviewed compensation for Town Managers in other communities. She added that based on the comparisons and the excellent performance of Mr. Swisher over the past three years an Ordinance has been prepared amending his compensation effective July 1, 2011.

Alderman Dana Caudill Jones made a **Motion** to approve the following Ordinance Setting the Annual Compensation of the Town Manager. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried

**ORDINANCE NO. 0-2011-19
AN ORDINANCE SETTING ANNUAL COMPENSATION FOR THE
KERNERSVILLE TOWN MANAGER**

WHEREAS, Curtis L. Swisher, has been employed with the Town of Kernersville for a period in excess of three (3) years with his anniversary date being February 18th; and



WHEREAS, the Board of Aldermen has, as it does from time to time, reviewed compensation paid Town Managers of other communities, as well as reviewed the Town Manager's performance during the past year; and

WHEREAS, the Board of Aldermen has found that the Town Manager continues to perform satisfactorily and commendably in his position;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMEN that the Town Manager's (Curtis L. Swisher) compensation be set in the following manner effective July 1, 2011:

1. An annual salary of Ninety-six Thousand Six Hundred and no/100 Dollars (\$96,600.00) paid in accordance with the Town of Kernersville Employee Payment Plan.

2. An annual allowance of up to Six Hundred and no/100 Dollars (\$600.00) for local civic organization dues and memberships;

3. A monthly automobile allowance of Five Hundred and no/100 Dollars (\$500.00);

4. One week of paid vacation annually in addition to that which the Town Manager is entitled, and accrues, as an employee of the Town.

5. All other usual benefits afforded other Town employees as defined by the Personnel Policy of the Town such as relate to health and life insurance, sick leave, and so forth; and

6. By contract, that he is guaranteed severance compensation of four (4) months' salary (representing one month granted at the time of his Appointment and one month for each year of service to date) should the said Town Manager's employment be terminated during the current year of employment other than by himself voluntarily terminating his employment, or for misconduct on his part in his employment.

This Ordinance is effective upon its adoption.

This 22nd day of June, 2011.

2. Consideration of an Ordinance adopting the Operating Budget for FY 2011-12.

Mayor Dawn Morgan stated that a Budget Workshop was held June 1st and as required by General Statutes a Budget Public Hearing was held on June 7, 2011. She added that citizens have had an opportunity to review the Budget on the Town's website, in the public library and in the Town Clerk's office. Mayor Morgan further added that the Budget has to be adopted by July 1, 2011 and an Ordinance has been prepared for the Board's consideration. Mayor Morgan asked if the Board members had any questions, recommendations or changes.

Alderman Prescott and Shifflette stated that they had received calls from citizens about the changes in services for yard waste pick-up.

Doran Malta, Public Services Director stated that letters will go out to all citizens once the Budget has been adopted explaining the changes in service, fees associated with services and procedures if citizens decide to return yard carts or extra trash carts. He further stated that the annual magnet distributed to citizens will include quarterly bulky and yard waste pick up schedules. Mr. Maltba stated that the month of July will be a transition period and services will remain the same.

Mayor Pro Tem Bugg made a **Motion** to approve the following Ordinance adopting the Operating Budget for FY 2011-12. Alderman Keith Mason seconded the motion and the vote was all for and motion carried

O-2011-20

AN ORDINANCE MAKING APPROPRIATIONS FOR THE OVERALL OPERATIONS OF THE TOWN OF KERNERSVILLE FOR THE YEAR JULY 1, 2011 THROUGH JUNE 30, 2012

WHEREAS, this Board of Aldermen of the Town of Kernersville has received a budget with a recommended plan for the operation of the town government and its activities for the fiscal year 2011-2012 from the Town Manager, and

WHEREAS, after deliberations held in Open Session with the citizens of Kernersville, it is the desire of the Board of Aldermen to adopt said budget to provide for the effective and orderly provision of services to the Town of Kernersville.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. That revenues for the General Fund be established as follows:

General Fund

2011-12 Ad Valorem & Prior Years Taxes	12,519,548
Other Taxes & Fees	135,287
Unrestricted Intergovernmental Revenue	6,077,181

Restricted Intergovernmental Revenue	3,268,890
Penalty and Interest	90,800
Other Revenue	47,500
Functionally Related Revenues	2,130,596
Operating Grants/Contributions	870,022
Interfund Transfers	1,566,488
Fund Balance Appropriated	302,337
Total Anticipated Revenues	27,008,649

Section 2. That expenditures for the General Fund be appropriated as follows:

General Fund

Governing Body	435,948
Administrative Department	281,342
Inspections Permits & Enforcement (Division of Community Development)	356,215
Finance Department	726,373
Information Technology Department	393,435
Planning and Zoning (Division of Community Development)	338,437
Human Resources Department	560,126
Police Department	6,780,535
Fire Department	5,036,235

Engineering Department	444,164
Street (Division of Public Services)	1,481,004
Solid Waste (Division of Public Services)	2,272,963
Engineering-Transportation	2,000,842
Recreation and Parks Department	1,233,827
Paddison Memorial Library Department	82,628
General Services Department	574,830
Special Appropriations Department	2,256,505
Public Services Administration	313,984
Central Maintenance (Division of Public Services)	1,439,256
Total	27,008,649

Section 3. That there is hereby levied a tax rate of forty-nine seventy five cents (\$0.4975) per one hundred dollars assessed valuation on all real property and other applicable property within the Town of Kernersville, such rate based upon an estimated total assessed valuation of property for purposes of taxation of \$2,537,083,000 and an estimated collection rate of 98.00% through June 30, 2012.

Section 4. That anticipated revenues for the Law Enforcement Forfeiture Funds be established as follows:

Other Revenue	150
Fund Balance Appropriated	70,227
Total Anticipated Revenues	70,377

The expenditures for the Law Enforcement Forfeiture Funds shall be authorized as follows:

Law Enforcement Forfeiture Funds Expenses	70,377
Total	70,377

Section 5. That anticipated revenues for the Contributions Fund be established as follows:

Other Revenue	50
Contributions	4,200
Fund Balance Appropriated	2,000
<hr/>	
Total Anticipated Revenues	6,250

The expenditures for the Contributions Fund shall be authorized as follows:

Contribution Fund Expenses	6,250
<hr/>	
Total	6,250

Section 6. That anticipated revenues for the E-911 Fund be established as follows:

Forsyth County Reimb. E-911	64,000
Fund Balance Appropriated	45,823
<hr/>	
Total Anticipated Revenues	109,823

The expenditures for the E-911 Fund shall be authorized as follows:

E-911 Expenses	109,823
<hr/>	
Total	109,823

Section 7. That anticipated revenues for the Justice Assistance Grant Fund be established as follows:

Fund Balance Appropriated	1,400
<hr/>	
Total Anticipated Revenues	1,400

The expenditures for the Justice Assistance Grant Fund shall be authorized as follows:

Justice Assistance Grant Fund Expenses	1,400
<hr/>	
Total	1,400

Section 8. That a Workman's Comp Self-Insurance Fund be established with anticipated revenues as follows:

Other Revenue	200
Charges for Services	156,870
<hr/>	
Total Anticipated Revenues	157,070

The expenditures for the Workman's Comp Self-Insurance Fund shall be authorized as follows:

Workman's Comp Self-Insurance Expenses	157,070
Total	157,070

Section 9. That an Stormwater Enterprise Fund be established with anticipated revenues as follows:

Other Revenues	1,500
Stormwater Fees	963,350
Due/fr General Fund - Town's Stormwater Fees	212,332
Fund Balance Appropriated	512,430
Total Anticipated Revenues	1,689,612

The expenditures for the Stormwater Enterprise Fund shall be authorized as follows:

Stormwater Fund Expenses	1,374,680
Transfer to General Fund - Engineering Department	24,022
Transfer to General Fund - Street Department	133,410
Transfer to General Fund - Sanitation Department	157,500
Total	1,689,612

Section 10. That an Occupancy Tax Fund be established with anticipated revenues as follows:

Occupancy Tax Revenue	84,425
Other Revenues	75
Total Anticipated Revenues	84,500

The expenditures for the Occupancy Tax Fund shall be authorized as follows:

Occupancy Tax Fund Expenses	49,500
------------------------------------	---------------

Transfer to General Fund - Recreation	35,000
Total	84,500

Section 11. That an Capital Reserve Fund be established with anticipated revenues as follows:

Other Revenues	200
Transfer fr. General Fund- Transportation Projects	477,050
Total Anticipated Revenues	477,250

The expenditures for the Capital Reserve Fund shall be authorized as follows:

Transfer to General Fund- for Interest earned on investments	200
Reserve for Transportation Projects	477,050
Total	477,250

Section 12. That the Schedule of Fees and Charges be adopted for fiscal year 2011-2012 in accordance with Exhibit A attached and made a part of this Ordinance.

Section 13. That the Town Manager be authorized to establish rates and charges for all other use of Town Facilities and services other than special assessments or other charges regulated by State law or Local Ordinance.

Section 14. That the Town Manager, as Budget Officer, be authorized to make budget amendments to all departments and be required to have such amendments entered into the minutes of the next regular meeting of the Board of Alderman.

Section 15. That the Town Manager, as Budget Officer, be authorized to transfer amounts between line item expenditures within a department without limitation and without a report being required.

Section 16. That this budget ordinance be entered into the minutes of the Board and, within five days after adoption, copies thereof shall be filed with the Finance Officer, Budget Officer and Clerk to the Board of Aldermen.

Section 17. That within funds appropriated for salaries a two percent (2.00%) merit increase is included for each full-time permanent employee that meets the criteria.

3. Consideration of a Resolution Honoring Donna Cannon, Principal of Cash Elementary School.

Alderman Dana Caudill stated that during Ms. Cannon's tenure as principal at Cash Elementary School she has made a significant impact at the school and in the community. She highlighted many of Ms. Cannon's accomplishments including her involvement with Leadership Kernersville and Kernersville Cares for Kids.

Alderman Dana Caudill Jones made a **Motion** to approve a Resolution Honoring Donna Cannon, Principal of Cash Elementary School. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

4. Briefing on the June 28, Regular Meeting Agenda.

Item # 1. PUBLIC HEARING: Curtis Swisher, Agent for the Town of Kernersville, for consideration of an amendment to the Unified Development Ordinance (UDO) creating Chapter C, Article V – *Riparian Buffer Protection Ordinance for Lands within the Jordan Watershed* and Chapter C, Article VI - *Riparian Buffer Protection Ordinance for Lands within the Randleman Lake Watershed* and renumbering subsequent chapters accordingly. **Zoning Docket KT-205.**

Mr. Jeff Hatling, Community Development Director briefed the Board on this Watershed Ordinance. He stated that Staff and Planning Board recommend approval as presented.

Item # 3 Presentation by Winston-Salem Transit Authority (WSTA) on Potential Senior Shuttle Service.

Mayor Morgan stated that she, Brain Ulrich & Jeff Hatling had recently met with Mr. Art Barnes, WSTA General Manager to discuss a potential shuttle for seniors in Kernersville. She distributed a copy of the information handed out at that meeting to each of the Board members. Mayor Morgan stated that Mr. Barnes indicated that 90% of the funding is available for the shuttle and that he planned to meet with the Forsyth County Commissioners to request funds for the remaining 10%. Mayor Morgan added that Mr. Barnes will be at the meeting on Tuesday to give a presentation to the Board on this potential shuttle.

Mayor Morgan asked Mr. Wolfe if any action taken in this matter on Tuesday would require a Resolution approved by the Board.

Mr. Wolfe stated that it would be his recommendation that the Board send a letter to the Forsyth County Commissioners expressing their support of the initiatives presented by Mr. Barnes. He added that it was not necessary that a Resolution be prepared at this time.

Item # 4 Consideration of Budget Amendment No. 3 for Fiscal year 2010-11.

Mr. Swisher briefed the Board on Budget Amendment No. 3. He added that this is the final Budget Amendment for FY 10-11 and that it will be distributed to the Board in the Weekly Friday Packet.

Item # 5 Presentation of Semi-annual Report by the Chamber of Commerce for In-kind Services.

Mayor Morgan stated that a member of the Chamber of Commerce will be at the meeting on Tuesday to present this semi-annual report as required in the agreement.

Item # 6 Update on Piney Grove Road Widening Project and Cherry Street Sidewalk.

Mr. Swisher briefed the Board on this matter. He stated that Brain Ulrich, Transportation Manager will give an update on funding possibilities for this project at the meeting on Tuesday.

Item # 7 Consideration of Safety Improvements to School Zones.

Mr. Swisher briefed the Board on this matter. He stated that Staff and Board Members have met with NCDOT and that Mr. Ulrich will give a presentation of the changes that could be made to each of the school zones at the meeting on Tuesday for the Board's consideration.

Item # 8 Consideration of a Capital Project Ordinance for the Kerner Mill Creek Greenway Project.

Mr. Swisher briefed the Board on this matter. He added that prior to funds being received or expended on this capital project an Ordinance needs to be adopted by the Board.

Item # 9 CONSENT AGENDA:

- C-1 Approval of Minutes for May 3, 2011 Regular Meeting
Approval of Minutes for May 19, 2011 Closed Session
Approval of Minutes for June 1, 2011 Briefing Meeting
Approval of Minutes for June 1, 2011 Closed Session Meeting
Approval of Minutes for, June 7, 2011 Regular Meeting**
- C-2 Consideration of a Fund Balance Policy**
- C-3 Consideration of the new Lease with the Shepherds Center for the Basement of the Library.**
- C-4 Consideration of the new Lease with the Kernersville Woman's Club for the Kernersville Community House.**

Mr. Swisher highlighted the consent agenda items. He stated that the Town is now required to have a Fund Balance Policy. He further stated that both items C-3 and C-4 are the annual renewal of leases. Mr. Swisher added that Staff has been unable to contact members of the

Woman's Club to ensure they are in agreement with the terms so this item may be pulled if necessary.

5. Matters to be presented by the Town Manager and Town Attorney

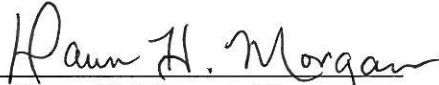
John Wolfe, Town Attorney stated that at the May Briefing meeting he presented a Guilford County Interlocal Agreement for Tax Collection for approval by the Board. He added that the fee was incorrect on that agreement. Mr. Wolfe stated that the rate should have been \$880 per year. He further stated that this is still a very reasonable amount and recommended approval of this agreement at that rate.

Alderman Dana Caudill Jones made a **Motion** to approve the amended Guilford County Interlocal Agreement at a rate of \$880 per year. Alderman Keith Mason seconded the motion and the vote was all for and motion carried

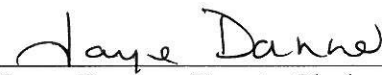
6. Adjournment.

Alderman Tracey Shifflette made a **Motion** to adjourn the meeting at 7:07 p.m. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Being no further business to come before the Board, the meeting was adjourned.

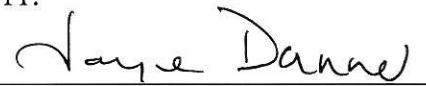

Dawn H. Morgan, Mayor

Attest:


Jayne Danner, Deputy Clerk

I, Jayne Danner, Deputy Clerk of the Town of Kernersville, North Carolina, do hereby certify that this is a true and correct copy of the minutes of the meeting duly held on June 22, 2011.

This the 9th day of August, 2011.


Jayne Danner CMC, Deputy Clerk