

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
REGULAR MEETING 7:00 P.M.      FEBRUARY 7, 2012**

The Board of Aldermen of the Town of Kernersville met in regular session at 7:00 p.m. on the above date in the Municipal Council Chambers at the Municipal Building at 134 East Mountain Street.

**Present:** Mayor Dawn H. Morgan, Mayor Pro Tem Dana Caudill Jones, Aldermen Tracey Shifflette, Irving Neal, Neal Stockton and Keith Hooker.

**Absent:** None

**Staff Present:** Curtis L. Swisher, Town Manager; John G. Wolfe, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Police Chief Ken Gamble; Doran Maltba, Public Services Director; Franz Ader, Finance Director; Ernie Pages, Parks & Recreation Director; Walt Summerville, Fire Chief; Ray Smith, Human Resources Director; and Russell Radford, Engineering Director.

- **CALL TO ORDER**
  
- **INVOCATION BY REVEREND R. DALE HILTON, MAIN STREET UNITED METHODIST CHURCH**

Mayor Dawn Morgan called the meeting to order and the invocation was delivered by Reverend R. Dale Hilton of Main Street United Methodist Church.

- **PLEDGE OF ALLEGIANCE LED BY GIRL SCOUT TROOP 41583**

The Pledge of Allegiance was led by Girl Scout Troop 41583: Kaley Wood, Emma Wood, Anna Katherine Watts, Nell Watts, Annaleigh Wise, Maryssa Wise, Grace Polomski and Laura Wood, Troop Leader.

- **PRESENTATION TO THOROUGHFARE AND STREET PLANNING COMMITTEE**

Mayor Morgan presented each of the Thoroughfare and Street Planning Committee members in attendance with a certificate of appreciation and small gift for their efforts in participating on this committee. Those in attendance were Steve Hutchins, Bob Hicks, Diann Barbacci, Susan Fradenburg and Phyllis Mendel.

Mayor Pro Tem Dana Caudill Jones also thanked the Committee for their efforts on this very complex and difficult study.

Mayor Morgan stated that Items #1 and #2 are related and therefore the Planning Board Reports will be presented together as well as the public hearings.

- 1a. **PUBLIC HEARING: Triad Baptist Church, Inc., Owner, for property located at 1175 South Main Street, being all of PIN#6875-49-8103, containing 9.02 acres more or less. Petitioner requests a General Use District rezoning from IP-S (Institutional and Public-Special Use) District to IP (Institutional and Public) District. Zoning Docket K-598.A1**
  
- 2a. **PUBLIC HEARING: Triad Baptist Church, Inc., Owner, for property located at 1456 Whicker Road, being part of PIN#6875-48-0438, containing 4.26 acres more or less. Petitioner requests a Special Use District rezoning from IP-S (Institutional and Public-Special Use) District to IP-S (Institutional and Public-Special Use) District, Two Phase. Zoning Docket K-598.A2 (Agenda packet item is included in 1a)**

Mr. Jeff Hatling, Community Development Director presented the Planning Board Report for these two rezoning requests. He pointed out that the first tract is being rezoned from a special use district to a general use district to simplify the process and to eliminate the need for a rezoning change each time the church changes their expansion plans. A Planning Board review would still be required.

Mr. Hatling spoke of the need for a pedestrian crosswalk across the road extension should the church include ball fields or other uses across the street. He noted discussion and comments made at previous meetings regarding the responsibility of the pedestrian crossing and being the responsibility of the church.

Mr. Hatling then addressed concerns expressed regarding the times the ball fields would be used. He noted the close proximity to the residential neighborhood located on the adjacent property and that neighbors have informally complained about the amplification being used during activities. The Planning Board added a condition that the use of the amplification on the ball fields be prohibited after 8:00 PM.

Mayor Morgan declared the Public Hearing open.

### **In Favor**

**Steve Jones, 252 Creek Side Drive, High Point, NC** – stated that he is here to represent Triad Baptist Church. He thanked the Board for the opportunity to speak tonight. He addressed the recommendation by the Planning Board in regards to condition #3 which is the amplification on the ball fields being prohibited after 8 PM. He stated that this would severely cripple the Academy's ability to provide extracurricular activities. He referred to the Town's current noise ordinance and recommended that this ordinance be allowed to regulate the issue. He explained that a portable PA system is used only on game days to introduce players and for half-time activities. He stated that noise is not restricted in Town parks until 10:00 PM and asked for the same consideration. He stated that Triad Baptist Church strives to be a responsible citizen and give back more than is taken. He thanked the Board for their consideration.

**Dwight Moore, 2748 Stable Hill Trail, Kernersville, NC** – stated that he oversees the property at Triad Baptist Church. He asked the Board for favorable consideration of this request and the changes recommended by Mr. Jones. Mr. Moore asked that it be the choice of the church to build the crossing if the property across the roadway continues to be used as a ball field or for other uses. He stated that the Church will evaluate the situation and if funds are not available they would like to have a choice in the matter to build a crosswalk or move the recreation area to another location.

Mr. Moore asked that the noise ordinance not be more restrictive than others and that the Church be allowed to address any concerns as best we can with wisdom that the Church will do what is right for all concerned.

**Phyllis Mendel, 675 Inland Drive, Kernersville, NC** – stated that she is not speaking in favor or opposition to the request. She asked Mr. Hatling to display a map of the property and its location to her neighborhood.

Ms. Mendel stated that she did not want to give anyone the impression that she is against this program. She commended our local churches and other organizations that offer quality activities for the children in our community to teach them values and sportsmanship.

Ms. Mendel stated that she is the neighbor that complained about the noise. She explained that when she sits on her back porch, just south of the property with a valley and creek between them, the sound is magnified and is as clear as if she is in the stands. She stated that now is the opportunity to address this concern. She proposed what she felt was a reasonable compromise and that was to allow activities from 6 or 7 AM in the morning until 8 PM in the evening. She felt that 10:00 PM is too late. She stated that every now and then wouldn't cause a problem but there needs to be some guidelines. She hoped the program would be very successful, however asked that it be done during a reasonable timeframe.

Ms. Mendel stated that she and the Planning Board had another concern with children being dropped off and running to meet their friends on the other side of the road which would create a dangerous situation. There were three (3) alternatives: pedestrian overpass, underpass and pedestrian crosswalk. The pedestrian crosswalk was not discussed because it would not provide enough safety for the children.

### **Opposed**

None presented.

Mayor Morgan declared the public hearing closed.

### **1b. Consideration of an ordinance rezoning said property.**

Mayor Pro Tem Dana Caudill Jones stated that looking back over the minutes from the Planning Board and Board of Aldermen it was clear that this would be left up to church at that time. Multiple things can happen out here and to her it was clear.

Mayor Pro Tem Jones stated that she understands Ms. Mendel's concern with the noise. We have other situations in town where it appears that water is causing sound to amplify through an area. She stated that in order for the Town to be consistent, we have a noise ordinance in place and should rely on it to regulate these issues.

Alderman Tracey Shifflette also felt that it was left up to the church in the previous minutes and questioned the need for a requirement now. She felt that the decision should be that of the church. As far as the noise is concerned, she recommended we be consistent and rely on our current ordinances without making exceptions.

Alderman Neal Stockton stated that Triad Baptist Church has been a very responsible leader in our Town. He stated that highway safety and public safety has always been very important. He expressed his confidence that the church will do the right thing at the right time. He reminded the church that ADA regulations would apply as well. He believed this issue would take care of itself.

The Board continued to discuss the crosswalk and roadway concerns in regard to safety issues of pedestrians, the potential to change the uses for the property across the street, the costs involved with an overpass or underpass. The Board also discussed the need to follow future guidelines by either the Town or NCDOT if this crosswalk is ever built.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the following ordinance to amend the Zoning Ordinances of the Town of Kernersville by rezoning the property in case K-598.A1 from IP-S to IP-S Two Phase. The said rezoning being consistent with the Town's Comprehensive Plan, and further being both reasonable and in the public interest because:

1. The property is located in the Highway Corridor Overlay District to assist in implementing the Kernersville Development Plan goal of "establishing Kernersville as a unique high quality community within the Triad."
2. The following uses listed in the IP District require a site plan review and approval by the Board of Aldermen, Planning Board, or Board of Adjustment for the uses as listed in the Staff Report.
  - a. Family Group Home B
  - b. Family Group Home C
  - c. Planned Residential Development (Special Use District Rezoning Required)
  - d. Adult Day Care Home
  - e. Child Care (Sick Children)
  - f. Child Care Institution
  - g. Child Day Care Center
  - h. Child Day Care Large Home
  - i. Church or Religious Institution, Community
  - j. Club or Lodge

- k. Landfill, Land Clearing/Inert Debris
  - l. School, Private
  - m. School, Public
  - n. School, Vocational or Professional
  - o. Access Easement, Private Off-Site
  - p. Helistop
  - q. Transmission Tower
3. The IP zoning district includes uses that will assist in implementing the comprehensive plan.

Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

**Town Ordinance**  
**Zoning Petition of Triad Baptist Church, Owner**  
**Zoning Docket K-598.A1**

**ORDINANCE NO. O-2012-01**  
**AN ORDINANCE AMENDING THE**  
**KERNERSVILLE ZONING ORDINANCE AND THE**  
**OFFICIAL ZONING MAP OF THE**  
**TOWN OF KERNERSVILLE, NC**

BE IT ORDAINED by the Board of Aldermen of the Town of Kernersville as follows:

**SECTION 1.** The Kernersville Zoning Ordinance and the Official Zoning Map of the Town of Kernersville, NC are hereby amended by changing from Zoning District IP-S (Institutional and Public-Special Use) District to IP (Institutional and Public) District for property located at 1175 South Main Street, being all of PIN#6875-49-8103, containing 9.02 acres more or less and being further described as follows:

**BEING KNOWN AND DESIGNATED** as all of PIN#6875-49-8103, containing 9.02 acres more or less, as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina

**SECTION 2.** This Ordinance shall be effective from and after its adoption.

Adopted this the 7th day of February, 2012.

**2b. Consideration of an ordinance rezoning said property.**

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the following ordinance to amend the Zoning Ordinances of the Town of Kernersville by rezoning the property in case K-598.A2 from IP-S to IP-S Two Phase. The said rezoning being consistent with the Town's Comprehensive Plan, and further being both reasonable and in the public interest because:

1. The property is located in the Highway Corridor Overlay District to assist in implementing the Kernersville Development Plan goal of "establishing Kernersville as a unique high quality community within the Triad."

**Site Plan:**

1. The Tract 2 portion of the approved K-598 site plan shall apply and the ball field or fields shall be allowed to be completed with the accessory structures of dug outs, bleachers, concession building, lights, maintenance shed and parking.
2. At such time Kernersville Parkway is scheduled for construction and recreational and/or other facilities or uses are located on property described in K-598.A2, the costs of any pedestrian tunnel or overpass as may be required by either the Town of Kernersville or NCDOT shall be borne by the owner of the property described in K-598.A2, and construction of said required pedestrian tunnel or overpass shall be completed by the owner of the property described in K-598.A2 within six (6) months of notification; provided, however, the owner of the property described in K-598.A2 may abandon such facilities and/or uses as will alleviate Town and/or NCDOT requirement of said tunnel or overpass construction.

Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**Town Ordinance**

**Zoning Petition of Triad Baptist Church, Owner  
Zoning Docket K-598.A2**

**ORINANCE NO. O-2012-02  
AN ORDINANCE AMENDING THE  
KERNERSVILLE ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF THE  
TOWN OF KERNERSVILLE, NC**

BE IT ORDAINED by the Board of Aldermen of the Town of Kernersville as follows:

**SECTION 1.** The Kernersville Zoning Ordinance and the Official Zoning Map of the Town of Kernersville, NC are hereby amended by changing from Zoning District IP-S (Institutional and Public-Special Use) District to IP-S (Institutional and Public-Special Use) District (*Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Residential Building, Single Family; School, Private; Swimming Pool, Private;*

*Utilities*) **TWO PHASE** for property located at 1456 Whicker Road, being part of PIN#6875-48-0438, containing 4.26 acres more or less and being further described as follows:

**BEING KNOWN AND DESIGNATED** as part of 6875-48-0438.00 beginning at the Northeast corner of Tax Lot 2 Block 5351W and along Whicker Road thoroughfare S 21° 34' 49" E 425.11' to a point; Thence adjoining the property of Bonner Thomason, Tax Lot 214M Block 5646 S 64° 39' 00" W 40.62' to a point; Thence S 03° 26' 45" W 125.97' to a point; Thence along the proposed zoning line of Tax Lot 2 Block 5351W N 68° 02' 25" W 496.22' to a point; Thence continuing along the proposed zoning line N 48° 01' 22" W 219.21' to a point; Thence along the property of Southern Community Bank N 68° 01' 22" E 551.15' to the point and place of beginning containing 4.26 acres +/-.

**SECTION 2.** This Ordinance shall be effective upon condition of compliance with the "Tract 2" portion of the site plan entitled *Triad Baptist Church, 1175 S. Main Street, Kernersville, North Carolina 27284*, identified as "Attachment A of the Special Use District Permit" issued by the Board of Aldermen the 7th day of February, 2012, which is located in Zoning Docket K-598 and K-598.A2 files and in the office of the Town Clerk.

**SECTION 3.** The Board of Aldermen of the Town of Kernersville hereby directs the issuance of a Special Use District Permit pursuant to Chapter 19 of the Town Code for a development to be known as *Triad Baptist Church, 1175 S. Main Street, Kernersville, North Carolina 27284*. Said Special Use District Permit and site plan with associated documents attached hereto and incorporated herein.

**SECTION 4.** This Ordinance shall be effective from and after its adoption.

Adopted this the 7th day of February, 2012.

**SPECIAL USE DISTRICT PERMIT**  
**Issued by**  
**Board of Aldermen of the Town of Kernersville**

The Board of Aldermen of the Town of Kernersville has issued a Special Use District Permit for the site shown on the site plan map entitled *Triad Baptist Church, 1175 S. Main Street, Kernersville, North*, included in this zoning petition of Triad Baptist Church, Owner. The site shall be developed in accordance with the plan approved by the Board of Aldermen the 7th day of February, 2012 and signed, provided the property is developed in accordance with requirements of the IP-S (Institutional and Public-Special Use) **TWO PHASE** zoning district of Chapter 19 of the Town Code, the Erosion Control Ordinance, and other applicable laws permitted with the approved uses of *Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Residential Building, Single Family; School, Private; Swimming Pool, Private; Utilities*.

**Site Plan Approval:**

1. The Tract 2 portion of the approved K-598 site plan shall apply and the ball field or fields shall be allowed to be completed with the accessory structures of dug outs, bleachers, concession building, lights, maintenance shed and parking.

2. At such time Kernersville Parkway is scheduled for construction and recreational and/or other facilities or uses are located on property described in K-598.A2, the costs of any pedestrian tunnel or overpass as may be required by either the Town of Kernersville or NCDOT shall be borne by the owner of the property described in K-598.A2, and construction of said required pedestrian tunnel or overpass shall be completed by the owner of the property described in K-598.A2 within six (6) months of notification; provided, however, the owner of the property described in K-598.A2 may abandon such facilities and/or uses as will alleviate Town and/or NCDOT requirement of said tunnel or overpass construction.

Alderman Stockton thanked the Planning Board, Staff and the church for working through these issues.

### **PUBLIC SESSION**

#### **3. SPEAKERS FROM THE FLOOR.**

None presented.

#### **4. Presentation on the Metropolitan Medical Response System.**

Fire Chief Walt Summerville introduced Battalion Chief Jim Robinson from the City of Greensboro Fire Department to give a report on the Town's participation in the Metropolitan Medical Response System (MMRS).

Chief Robinson stated that this program is housed in Greensboro. He gave the history and an overview of this program. Chief Robinson pointed out the hazards and opportunities we have in this area for some type of disaster event to occur. He stated that these MMRS programs were strategically located across the county to reach 80% of population in the United States. He stated that this is an operations system at the local level. Greensboro Fire Department runs the program along with a number of partners, and we hope Kernersville will come aboard. The purpose is to respond to mass casualty incidents by providing equipment and training for those events.

Alderman Neal asked if we have a vehicle that will pull this trailer. Chief Summerville explained that we have two vehicles within the Kernersville Fire Department that can pull the trailer. He further explained the cost incurred for the trailer would be for a license tag at \$120, insurance that would cost approximately \$25 a year and the cost of a new set of tires every six years.

Alderman Stockton asked if this would allow us to expand our capabilities. Chief Summerville stated that it would as we would become part of a much larger response team. Alderman Stockton stated that it was a good move when the Town accepted rescue responsibilities. He stated that this would further expand on our ability to serve the citizens and believes this is a good program.



Alderman Neal Stockton made a **Motion** to authorize a partnership with the Greensboro Metropolitan Medical Response System (MMRS). Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

Mayor Morgan expressed the importance of education and requested that this group be a part of the Kernersville Department's education program.

**5. Presentation of Annual Audit Report by Dixon Hughes Goodman, LLP.**

Mr. John Frank of Dixon Hughes Goodman, LLP presented this year's annual audit report. He commended the Finance Department and Department Heads on their efforts as this year; once again, the Town received a clean audit opinion with no management comments. The Town has received the Certificate of Excellence every year since 1997. He stated that overall the Town is in good financial condition. He noted a few new accounting procedures implemented this year as required by law. He stated that revenues were slightly down this year and that Staff was able to control expenditures, not requiring an excessive amount be taken from the Town's fund balance.

Mr. Frank again thanked the Finance Staff for their assistance with preparing this audit report then made himself available for questions.

**6. Quarterly report by the Kernersville Downtown Preservation & Development Council as required in the Funding Agreement.**

Ms. Larissa Hess Director of the KDPDC presented highlights of the quarterly report, noting the new hats for sale and the Council's successful events such as the Halloween Trick or Treat, Downtown Open House, Music and Mingle series, New Year's Eve Spectacular, etc. She thanked the Board for their continued support and then made herself available for questions.

Mayor Morgan called a recess at 9:02 PM. The meeting was reconvened at 9:14 PM.

Alderman Tracey Shifflette asked about the KDPDC's funding agreement. Mr. Curtis Swisher explained that a revised agreement would be discussed at the KDPDC retreat and would be brought back before this Board. He stated that he feels that it will be very similar to the previous agreement.

**7. Consideration of Renewal of Annual Lease for the Depot.**

Mr. Swisher stated that this is a lease for the Kernersville Depot and is very similar to the other Town leases.

Mayor Pro Tem Dana Caudill Jones made a **Motion** for the approval of the annual lease for the Depot. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**8. Consideration of changing the date of the Honeybee Festival.**

Ernie Pages, Director of Parks & Recreation explained that the September date for the Honeybee Festival conflicts with other area events, and it is becoming harder each year to get vendors and entertainment. The Staff and Recreation Advisory Board recommend the date be changed and that the Honeybee be held August 25, 2012. He added that he has spoken with Mary Mullinax who is in support of the date change as the late September date makes it difficult to find a supply of honey. Mr. Pages pointed out that originally the Honeybee was held in August.

Alderman Irving Neal made a **Motion** to hold this year's Honeybee Festival on August 25, 2012. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**9. Consideration of Board Appointments to the Parks & Recreation Comprehensive Master Plan Steering Committee.**

Mr. Pages reported that the latest 20 year Comprehensive Master Plan was established in 2002 and is recommended to be reviewed and updated every 10 years. A major component of the process is to create a Steering Committee to review the plan. Staff submits the following names as potential members of this Steering Committee:

Dharmesh Patel- Member of the Kernersville Citizen Recreation Advisory Board.  
Sue Kubiak- Member of the Kernersville Citizen Recreation Advisory Board.  
Howard Martin (Chair)- Member of the Kernersville Citizen Recreation Advisory Board  
Louis Thibodaoux - Kernersville Citizen.  
Kevin Bugg (vice)- Kernersville Citizen and Lacrosse Coach.  
Alderman Tracey Shifflette  
Alderman Neal Stockton

Alderman Keith Hooker made a **Motion** to appoint the following individuals to the Parks & Recreation Master Plan Steering Committee:

Dharmesh Patel- Member of the Kernersville Citizen Recreation Advisory Board.  
Sue Kubiak- Member of the Kernersville Citizen Recreation Advisory Board.  
Howard Martin (Chair)- Member of the Kernersville Citizen Recreation Advisory Board  
Louis Thibodaoux - Kernersville Citizen.  
Kevin Bugg (vice)- Kernersville Citizen and Lacrosse Coach.  
Alderman Tracey Shifflette  
Alderman Neal Stockton

Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

**10. Consideration of a Contract with Raftelis Financial Consultants, Inc. for the Review of a Stormwater Management Program.**

Mr. Curtis Swisher stated that approval of this contract would provide an independent review of the Town's stormwater management program to ensure that the Town is in compliance with the

Phase II Permit and Jordan Lake rules. Staff recommends approval of said contract. He stated that the funds would come from the Stormwater Fund.

Mayor Pro Tem Dana Caudill Jones made a **Motion** for the approval of a contract with Raftelis Financial Consultants, Inc. to provide a review of the Town's Stormwater Management Program. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

**11. Presentation by Police Chief Ken Gamble on the FBI Academy.**

Police Chief Ken Gamble presented a report on his recent attendance at the FBI Academy. Chief Gamble thanked Alderman Stockton for his recommendation when he served as Chief of Police and Mr. Swisher for allowing him to be gone for 10 weeks. He stated that this was an opportunity of a life time and he is grateful for that opportunity.

**12. Consideration of a Resolution Authorizing the Filing of an Application for approval of a Financing Agreement for Infrastructure Improvement Projects.**

Mr. Swisher stated that in order for the Town to file an application for approval of a financing agreement for infrastructure improvements, the Board must adopt a Resolution. Staff recommends approval of the following resolution authorizing an application for infrastructure improvements and repairs.

Mayor Pro Tem Dana Caudill Jones made a **Motion** for the approval of the following Resolution authoring a financing agreement as required by NCGS 160A-20. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

**RESOLUTION R-2012-02**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20**

**WHEREAS**, the Town of Kernersville, North Carolina desires to make improvements to Town-owned facilities and infrastructure. These improvements, hereafter referred to as the "Project", include the following: 1) driveway surface improvements at Fire Station 42 and the Public Services facility; 2) the conversion of Angel Drive from a gravel to paved road; 3) roof improvements to the Public Services Administration building; 4) tennis court improvements at Fourth of July Park; and 5) storm gutter improvements at Town Hall. These improvements will better serve the citizens of Kernersville; and

**WHEREAS**, The Town of Kernersville desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

**WHEREAS**, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Aldermen of Kernersville, North Carolina, meeting in regular session on the 7<sup>th</sup> day of February, 2012, make the following findings of fact:

1. The proposed contract is necessary or expedient because facilities and infrastructure of the Town require certain improvements to increase their functionality.
2. The proposed contract is preferable to a bond issue for the same purpose because of several factors. First, private placement financing can be secured within a quicker timeframe compared to the issuance of bonds. Second, the private placement financing term will be shorter than a typical bond financing period. And third, private placement financing is currently available with interest rates comparable to or lower than bonds.
3. The cost of financing under a proposed installment purchase contract is comparable or less than the cost of issuing general obligation bonds.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because debt repayment can occur with no tax increase or increase in service fees.
5. The Town of Kernersville's debt management procedures and policies are good because the Town's financial records, procedures and policies are reviewed annually by an independent audit firm and are determined to be in compliance with the applicable regulations and industry practices.
6. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be 0 cents per \$100 valuation.
7. The Town of Kernersville is not in default in any of its debt service obligations.
8. The attorney for the Town of Kernersville has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Town Manager and Finance Director are hereby authorized to act on behalf of the Town of Kernersville in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this the 7<sup>th</sup> day of February, 2012

The motion to adopt this resolution was made by Alderman Dana Caudill Jones, seconded by Alderman Irving Neal and passed by a vote of 5 to 0.

**13. CONSENT AGENDA: All of the following matters are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion unless a Board member or citizen so requests, in which event the matter will be removed from the Consent Agenda and considered under the following item.**

- C-1 Approval of Minutes for December 13, 2011 Regular Session**
- Approval of Minutes for January 3, 2012 Regular Session**
- Approval of Minutes for January 3, 2012 Closed Session**
- Approval of Minutes for January 5, 2012 Joint Planning Board Meeting**
- Approval of Minutes for January 12, 2012 Planning Retreat**

**C-2 Forsyth County Tax Refund**

Honda Lease Trust	Billed in error	\$96.69
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Alderman Tracey Shifflette made a **Motion** for the approval of the Consent Agenda items as submitted. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

**14. ITEMS REMOVED FROM CONSENT AGENDA.**

None removed.

**15. SPEAKERS FROM THE FLOOR.**

None Presented.

**16. TOWN MANAGER’S REPORT AND MISCELLANEOUS.**

No report submitted.

**17. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.**

No report submitted.

**18. MATTERS TO BE PRESENTED BY THE MAYOR AND BOARD OF ALDERMEN.**

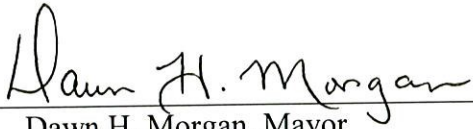
Mayor Morgan thanked the Parks and Recreation Staff for organizing the Father Daughter dance for the ninth year.

Alderman Tracey Shifflette made a **Motion** at 9:45 PM to enter into Closed Session for the purpose of discussing certain matters about which our Town Attorney needs to advise us, and which fall within the Attorney-Client privilege for discussion in Closed Session as well as matters of personnel and economic development that the Board must address. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

**19. ADJOURNMENT.**

Alderman Keith Hooker made a **Motion** to adjourn the meeting. Alderman Irving Neal 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 at 11:05 pm.

  
\_\_\_\_\_  
Dawn H. Morgan, Mayor

Attest:

  
\_\_\_\_\_  
Dale F. Martin, Town Clerk

I, Dale F. Martin, Town 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 February 7, 2012.

This the 30 day of March, 2012.

  
\_\_\_\_\_  
Dale F. Martin, MMC, Town Clerk