

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. FEBRUARY 2, 2010**

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 Kevin Bugg, Aldermen Dana Caudill Jones, Bob Prescott, Keith Mason and Tracey Shifflette.

Absent: Alderman Keith Mason.

Staff Present: Curtis L. Swisher, Town Manager; John G. Wolfe, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Kenny Gamble, Chief of Police; Franz Ader, Finance Director; Ernie Pages, Parks and Recreation Director; John Edwards, Landscape Specialist; Heather Wood, Marketing & Community Relations Specialist; Walt Summerville, Fire Chief; Gray Cassell, Information Systems Director; Doran Maltba, Acting Public Works Director; and Ray Smith, Human Resources Director.

- CALL TO ORDER
- INVOCATION BY REVEREND MIKE GIANOPULOS, MAIN STREET BAPTIST CHURCH
- PLEDGE OF ALLEGIANCE

Mayor Dawn Morgan called the meeting to order and Reverend Mike Gianopulos of Main Street Baptist Church delivered the invocation which was followed by the Pledge of Allegiance.

Mayor Morgan welcomed Michael Brandt, Town Manager of the Town of Summerfield to the meeting.

PUBLIC SESSION

1. SPEAKERS FROM THE FLOOR.

None presented.

2. Consideration of a Thoroughfare and Street Plan Study.

Jeff Hatling, Community Development Director stated that Staff is recommending a Thoroughfare and Street Plan study as presented in the outline in the Board's agenda packet.

Mayor Morgan reported that information regarding the proposal is available on the Town's website. She stated that the Nominations Committee met to discuss a list of citizens to serve on this committee. The Mayor presented the following list from the Nominations Committee:

Alderman Keith Mason
Alderman Tracey Shifflette
Jim Waddell (Planning Board Chairman)
Phyllis Mendel (Planning Board Vice Chair)
Steve Hutchins (Planning Board Member and resident of Main St. Kernersville)
Bob Hicks (longtime Kernersville resident; and resident of Old Salem Road)
Chris Oakman (resident of neighborhood between Hopkins and Mountain St.)
Diann Barbacci (member of POST)
Susan Fradenburg (attorney, resident of Wexford)
Jason Grubbs (attorney, resident of Huntington Run)

She stated that they were looking for residents in different areas of town and are still looking for someone in the Linville Springs Road area.

Alderman Dana Caudill Jones made a **Motion** to authorize a Thoroughfare and Street Plan Study and appointment of committee members as recommended by the Mayor. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

3. Consideration of a Request by the Parks & Recreation Department to Pursue National Accreditation.

Ernie Pages, Parks & Recreation Director explained the Department's desire to pursue national accreditation. He explained that this is a 2-year process which includes analyzing 144 standards that must be met. He noted that the Parks & Recreation Department has received several national awards in the past. Staff recommends approval of this request.

Mayor Pro Tem Kevin Bugg made a **Motion** to authorize the Parks & Recreation Director to pursue National Accreditation for the Parks & Recreation Department. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

4. Discussion and Potential Consideration of an Ordinance Establishing a Tree Commission.

John Edwards, Landscape Specialist in the Kernersville Parks & Recreation Department thanked the Board for the opportunity to introduce this ordinance. He presented the history of how this got started and spoke of the community's love and benefits of trees. He reminded the Board of an Urban Forestry Grant received for Harmon Park and the valuable asset we have today. He stated that because of the community's past support, he has the desire to designate Kernersville a Tree City USA.

Mr. Edwards highlighted four standards to be met:

Arbor Day Observation, celebration planned for March 19th @ Ciener Botanical Gardens.
A Tree Ordinance
A Tree Board or Commission
A Community Forestry Program supported by an annual budget.

Mr. Edwards thanked the Board for their consideration of this request.

a. Consideration of Ordinance.

Alderman Dana Caudill Jones made a **Motion** to approve the following Ordinance establishing a Tree Commission for the Town of Kernersville. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

ORDINANCE NO. O-2010-07
AN ORDINANCE AMENDING THE KERNERSVILLE CODE
OF ORDINANCES ADDING A NEW CHAPTER 2, ARTICLE X
TO CREATE AND ESTABLISH A TREE CITY COMMISSION
TO BE KNOWN AND REFERRED TO AS THE
KERNERSVILLE TREE COMMISSION

WHEREAS, the Board of Aldermen has been proactive in the arenas of health and safety of the Town's citizens, beautification of the Town, and preservation of natural resources; and

WHEREAS, as part of a recommendation to the Board of Aldermen, it appears to the Board that the creation of a Tree City Commission would provide health, safety, beautification, and recognition to the Town and its citizens;

NOW, THEREFORE, be it hereby ORDAINED by the Board of Aldermen of the Town of Kernersville that the Code of Ordinances of the Town of Kernersville be and is hereby amended by adding the following:

"Chapter 2

ARTICLE X. TREE CITY COMMISSION

Sec. 2-211. Creation and Establishment.

A Tree City Commission to be known and referred to as The Kernersville Tree Commission and hereinafter referred to as "Commission", is hereby created and established.

Sec. 2-212. Composition; Terms; Vacancy.

The Commission shall consist of no less than nine (9) members nor more than fifteen (15) members, all appointed by the Board of Aldermen on a rotating, staggered term basis.

Annually the Commission shall designate one (1) member as Chairperson, one (1) member as Vice Chairman, another as Secretary, and another as Treasurer. Any other officers of the Commission, which may be established from time to time by the Commission, shall be appointed by the Commission.

All members of the Commission shall be citizens and residents of the State of North Carolina. A minimum of fifty percent (50%) of the members of the Commission shall be Kernersville citizens or employed by the Town of Kernersville. The remaining members may live outside the corporate limits of the Town and/or not be employed by the Town but shall be appointed to give additional guidance and expertise to the Commission.

Members of the Commission shall be appointed with staggered terms expiring on the 30th day of June each year, and shall serve until their successors are appointed and qualified.

The initial appointments to the Commission by the Board of Aldermen shall be so arranged that approximately one-third (1/3) of the members will serve a term of one (1) year, one-third (1/3) of the members shall serve a term of two (2) years, and one-third (1/3) of the members will serve a term of three (3) years.

Vacancies occurring for reasons other than the expiration of term shall be filled as they occur by the Board of Aldermen for the period of the unexpired term. Faithful attendance of the meetings of the Commission is considered a prerequisite for continued membership on the Commission.

Sec. 2-213. Powers and Duties.

The Commission shall, with reference to the Town of Kernersville, have and exercise all those powers as may be conferred upon it from time to time by the Board of Aldermen including, but not limited to, representation of the Town of Kernersville in the Tree City USA Program.

The Commission, in addition thereto, shall:

1. Develop a comprehensive strategy for the protection, maintenance, planting and removal of trees on Town-owned or controlled property and, from time to time, present the same as a recommendation to the Board of Aldermen for any action it desires to take.
2. Develop, adopt, and maintain guidelines for the planting of trees in the community, including standards and specifications for plantings on street rights-of-way and adjacent to overhead and underground utilities, preferred trees for planting along street rights-of-way, and recommended tree species that are best suited for the community's climate and conditions.
3. Develop, adopt, and maintain standards and practices for the conservation and maintenance of trees on Town-owned or controlled property.

4. Develop and implement programs that educate the community about proper tree planting and maintenance practices, encourage volunteer tree planting efforts, and increase public awareness and support of the community's urban forest.
5. Assist, when requested, in the planting, maintenance, and protection of trees on Town-owned or controlled property.
6. Identify dead, dying, disease or insect-infested trees from Town-owned or controlled property.
7. Adhere to and promote those Tree City USA Standards as promulgated by the National Arbor Day Foundation® including, in cooperation with the Kernersville Community Appearance Commission, assisting in the coordination and sponsorship of the Town's annual observance of Arbor Day.
8. Review and approve requests to plant, prune, or remove trees on Town-owned or controlled property in accordance with this Ordinance and the Town's adopted standards and practices.
9. Develop and maintain an inventory of trees on Town-owned or controlled property.
10. Identify and solicit grants, loans, or contributions from governmental agencies, corporations, organizations, and individuals that benefit the Town's urban forestry program.

Sec. 2-214. Rules and Records.

The Commission shall adopt rules and regulations for the transaction of its business, including but not limited to those times and places the Commission shall meet and shall keep an accurate record of its members' attendance and of its discussions, findings, recommendations, and Resolutions the record of which shall be a public record.

Sec. 2-215. Removal of Members.

Members of the Commission may be removed by the Board of Aldermen, including by recommendation of the Commission, for neglect of duty, malfeasance, or misfeasance in office as well as lack of attendance and participation.

Sec. 2-216. Compensation of Members.

No member of the Commission shall be compensated for his or her services on the Commission.

Sec. 2-217. Cooperation With Other Agencies.

The Commission shall work in cooperation with other appropriate Town Boards, Commissions, Departments, the Town Manager, and the Board of Aldermen.

Sec. 2-218. Annual Report.

The Commission shall, no later than April 15th of each year, unless otherwise specified by the Board of Aldermen from time to time, submit to the Board of Aldermen a written report of the Commission's activities, together with a statement of any income and expenditures during the current fiscal year, and any requested budget for the next fiscal year.

Sec. 2-219. Receipt and Expenditure of Funds.

The Commission may receive on behalf of the Town of Kernersville any donations and contributions from public or private agencies, Foundations, organizations, individuals, the State of North Carolina, the Federal Government, and any other source in addition to any sums appropriated for its use by the Board of Aldermen."

This Ordinance shall be effective from and after its adoption.

This the 2nd day of February, 2010.

b. Consideration of Nominations Committee Recommendation for Appointments to Tree Commission.

Alderman Dana Caudill Jones made a **Motion** to appoint the following individuals to the newly established Tree Commission. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

J. Chris Thompson – 1 year term
Mary Jac Brennan – 3 year term
Adrienne Roethling – 2 year term
Kathy Boyer – 1 year term
Debi Petrisko – 3 year term
Johnathan Wishart – 2 year term
Stephen Joyce – 1 year term
Dale Metzinger – 3 year term

Eric Compton – 2 year term
Pat Thomas – 1 year term
Jon Roethling – 3 year term
Ernie Pages – 2 year tem
John Edwards – 1 year term
Sharon Richmond – 3 year term
Keith Finch – 2 year term

5. Consideration of a STP-DA Grant for Sidewalk and Greenway Improvements.

Mr. Curtis Swisher stated that at last month's meeting, the Board was presented with a list of four projects to submit to the MPO. They are now requesting formal approval of these four projects and a letter of support. A 20% match is required and would be brought back to this Board for approval if awarded the grant. The four projects are as follows:

1. Kerner Mill Creek Greenway – estimated cost, \$1,278,834.84
2. Century Place Blvd. Sideway – estimated cost, \$79,582.80
3. West Mountain St. Sidewalk – estimated cost, \$309,068
4. Oakhurst St. Sidewalk – estimated cost, \$132,687.50

Alderman Caudill Jones asked about the order to be considered and asked if it could be changed. The Town Manager and Mr. Maltba agreed that it could be changed. Mayor Morgan asked if the letter of support could contain the order of preference. Mr. Maltba stated that the letter could include this information.

Alderman Caudill Jones stated that she is fine with the order and asked about the time frame for these projects. Mr. Maltba stated that we do not know. We could be awarded all four this year or one per year, however, it will be spread over three years.

Alderman Caudill Jones referred to the 20% match and expressed concern for the number of projects we should anticipate during budget deliberations. Mr. Maltba stated that Staff is concerned about the same thing and explained that we have the option to turn any of them down if we can't come up with matching funds.

Mayor Pro Tem Kevin Bugg made a **Motion** authorizing Mayor Morgan to execute documents for a STP-DA Grant for Sidewalk and Greenway Improvements. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

6. Consideration of an Ordinance Amending the Kernersville Code of Ordinance Book:

Town Attorney John Wolfe briefly highlighted changes to Chapter 5 which are basically minor grammatical changes. He highlighted changes in Chapter 11, Sec. 11-7.5 (d) to bring up to date with NC General Statutes. A change to Sec. 11-10 is recommended to be removed to comply with NC General Statutes as well.

- a. Chapter 5, Business Regulations and Taxation
- b. Chapter 11, Offenses

Alderman Dana Caudill Jones made a **Motion** for the approval of the following ordinance amending Chapter 5 and Chapter 11 of the Town Code of Ordinances. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

ORDINANCE NO. O-2010-08

**AN ORDINANCE AMENDING CHAPTERS 5 AND 11 OF
THE CODE OF ORDINANCES OF THE TOWN OF KERNERSVILLE**

WHEREAS, the Board of Aldermen has determined that the Code of Ordinances of the Town should be reviewed regularly to ensure that the provisions contained therein are up-to-date and in conformity with state and federal laws and to make minor adjustments as needed to make the enforcement of the Ordinances more effective; and

WHEREAS, the Town Manager, Department Heads and Town Attorney have reviewed, discussed and researched the proposed Ordinance changes and recommended changes have been provided to the Board of Aldermen and after review been found to be in the best interest of the Town.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE THAT:

1. Chapter 5 of the Code of Ordinances entitled “Business regulation and Taxation” is amended to read as shown in the attached Exhibit A, which reflects adoption of all of the changes shown in the attached Exhibit B.

2. Chapter 11 of the Code of Ordinances entitled “Offenses” is amended to read as shown in the attached Exhibit C, which reflects adoption of all of the changes shown in the attached Exhibit D.

3. This Ordinance shall be effective upon adoption.

4. All laws and clauses of laws in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Adopted this the 2nd day of February, 2010.

7. Consideration of an Extension to the Banking Services Contract with RBC Bank.

Mr. Swisher stated that the Town currently contracts with RBC Bank to provide banking services to the Town. This contract expires June 30th. RBC has approached us with a contract extension at the same rate as in 2008. He added that also included is a request that one-year extensions be approved by the Town Manager. Staff is recommending approval of this request as presented.

Alderman Tracey Shifflette made a **Motion** approving the following resolution. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

RESOLUTION NO. R-2010-03

**RESOLUTION AWARDING A CONTRACT EXTENSION FOR BANKING SERVICES
FEBRUARY 2, 2010 THROUGH JUNE 30, 2013**

WHEREAS, RBC Bank was awarded a contract on February 1, 2005, to provide banking services for the period of July, 2005 through June, 2008 with a current contract extension until June 30, 2010; and

WHEREAS, RBC Bank has provided excellence banking services, maintained an excellent reputation with the Town and the community, and are favorably rated by Fitch, Moody's and Standard and Poor's; and

WHEREAS, RBC Bank will continue to honor all the terms and conditions of the original contract; and

WHEREAS, the staff recommends an extension to the RBC Bank contract; and

WHEREAS, from time to time a one-year contract extension may be in the best interest of the Town of Kernersville and may be authorized by the Town Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE to award an extension of the contract for banking services to RBC Bank until June 30, 2013. The Board of Aldermen further authorizes the Town Manager, Town Clerk and Finance Director to execute such documents necessary to implement said contract and future one-year contract extensions.

Adopted the 2nd day of February, 2010.

8. Consideration of an Extension of the Cell Tower Lease with AT&T.

Mr. Swisher stated that AT&T currently has a lease on the Town's tower and they have requested two five-year extensions. They are currently offering the same terms as with the current lease with an escalation clause each year. They are planning to implement equipment upgrades and they want to be assured of the lease. He further explained that he and the Town Attorney have looked at their offer and recommend approval as presented. Should anything change, we will bring it back to the Board.

Alderman Dana Caudill Jones made a **Motion** for the approval of an Extension to the Cell Tower Lease with AT&T as recommended by Staff. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

9. Consideration of amending the Town's Schedule of Fees and Charges to include a Precious Metal Dealer Application Fee in Accordance with State Law.

Chief Gamble explained that due to the spike in the value of gold we are experiencing an explosion of dealers. Legislatures responded last year by adopting the Precious Metals Dealers Act. This Act makes local law enforcement responsible for the permitting process for these dealers. Staff is requesting that we adopt a fee schedule set by the Legislature. We will contact

all the businesses that are affected by this legislation. The fees levied will cover the Town's administrative costs.

Alderman Tracey Shifflette asked how this pertains to businesses that travel beyond state boundaries. Chief Gamble stated that the State attached these permits at the local level so that if a business does business in Kernersville, they are required to get a permit in Kernersville. This applies when they are buying metals locally.

Alderman Dana Caudill Jones made a **Motion** to amend the Town's Schedule of Fees and Charges to include a Precious Metal Dealer Application Fee in accordance with State Law. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

10. Consideration of a Request For Proposal (RFP) for the NCHSAA State Cross Country Championships.

Mr. Swisher reported that we hosted Cross Country events last year at Beeson Park. We received many positive comments from those events and have been asked to consider hosting a championship event. To be considered, we must submit an RFP to host the State Cross Country Meet with the appropriate funding. He explained that most of the funding could be taken from the Town's Occupancy Tax funds and any additional funds would come from the General fund.

Mr. Swisher stated that staff is requesting approval to submit the RFP and the funding for four years. He stated that we had a meeting with individuals from Visit Winston-Salem last week and took them to look at our facility. They pledged \$3,500 last year to Tanglewood for hosting this event, while they couldn't guarantee us that amount they did pledge some financial support. Mr. Swisher projected a cost of approximately \$18,000-\$20,000 per year and the revenues generated would be approximately \$8,000 to \$10,000. The economic impact to the Town is projected to be approximately \$90,000 to area businesses. The deadline is March 15 for submittal.

Mayor Pro Tem Bugg asked if the revenues generated would be from parking and concessions. Mr. Swisher stated that we estimated fees for about 1,000 cars and explained the ticket price breakdown established by the NCHSAA. He noted that some revenues could come from hotel room fees as well. He also explained how sponsorships could work for this event.

Alderman Dana Caudill Jones made a **Motion** authorizing the Town to submit a Proposal for the NCHSAA State Cross Country Championships as recommended by Staff. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

11. 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 8, 2009 Regular Session
Approval of Minutes for December 29, 2009, Briefing Session
Approval of Minutes for January 5, 2010 Regular Session**
- C-2 Forsyth County Tax Refunds**
- C-3 Consideration of a revised Resolution concerning Board of Aldermen meetings. (Changes the Briefing date back to Wednesday)**

RESOLUTION NO. R-2010-04

**RESOLUTION CONCERNING BOARD OF ALDERMEN
MEETING PROCEDURES REVISED**

WHEREAS, it is the desire of this Mayor and Board of Aldermen to make the most effective use of the time spent in Board meetings.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF
ALDERMEN OF THE TOWN OF KERNERSVILLE THAT:**

1. The Regular Monthly Meeting of the Board of Aldermen shall take place on the first Tuesday of each month at 7:00 P. M. unless otherwise changed by the Board of Aldermen. A monthly meeting known as a Briefing Session of the Board of Aldermen shall take place at 6:30 P.M. on the Wednesday night immediately preceding the Regular Monthly Meeting of the Board of Aldermen unless otherwise changed by the Board of Aldermen. This Briefing Session shall be held in the Executive Conference Room at Town Hall in order for the Town Manager to brief the Board on Agenda items. The said Briefing Session Meeting may also be used, from time to time, by the Board of Aldermen in order to consider business, and decide matters, of the Town including, but not limited to, occasions when matters need to be heard at the earliest possible time or when the Board of Aldermen has a great amount of business to be heard in a particular month. (List of Meeting Dates is posted on the main bulletin board at the Municipal Building and is filed with the Town Clerk.)
2. Individuals or groups desiring to bring a matter to the Board of Aldermen for action are hereby required to make written request to the Town Manager in accordance with established policy regarding Public Input at Meetings. The Agenda Items shall include the name of the person or persons making the request and matter they wish to present.
3. The two Agenda items noted as "Speakers from the Floor" will be placed as follows: at the conclusion of all Public Hearings and subdivision approvals, but prior to the remainder of the Public Session items and at end of the Agenda, immediately prior to the Town Manager's Report. Persons who wish to speak about non-agenda items will be recognized at that time.

4. Unless the Board votes unanimously to consider a non-agenda item brought from the floor or from its membership, no action shall be taken on said matter until the next regular meeting.
5. All speakers are required to address the Board from the podium, unless limited by a physical impairment from doing so. Speakers shall state their name and address for the record. The Mayor will rule out of order any person who speaks from the audience without first obtaining the recognition of the Mayor and approaching the podium.
6. Items on which there is thought to be general agreement within the Board and are considered to be routine in nature are to be placed on a Consent Agenda and voted on as a single group without Board discussion. The Town Manager and the Mayor are authorized to determine what items should be placed on the Consent Agenda. Any item may be removed from the Consent Agenda for consideration on the Regular Agenda upon the request of any elected official or citizen present at the meeting.
7. The Board authorizes the use of a facsimile stamp of the Mayor's signature when issuing notices of special meetings.

Adopted this the 2nd day of February, 2010

Town Manager Curtis Swisher asked the Item C-2 be removed.

Alderman Tracey Shifflette made a **Motion** for the approval of the Consent Agenda Item C-1 and C-3 as submitted. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

12. ITEMS REMOVED FROM CONSENT AGENDA.

C2 – Forsyth County Tax Refunds:

Mr. Swisher explained that these refunds are larger than have been in previous months due to appeals to lower the tax value being granted. Forsyth County has the final decision on these issues.

Mayor Pro Tem Kevin Bugg made a **Motion** to approve Item C-2 as submitted. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

13. SPEAKERS FROM THE FLOOR.

None presented.

14. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher presented a NCDOT Municipal Agreement for the mast arm poles for the stop lights at Main and Mountain Street in the amount of \$55,000.

Alderman Dana Caudill Jones made a **Motion** for the authorizing of a Municipal Agreement for the mast arm light poles at Main and Mountain Street for \$55,000. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Mr. Swisher commented on the cost of snow removal. He commended all the Public Works Staff for the excellent job done removing the snow from our streets. The previous event cost the Town approximately \$18,000. The current snowstorm thus far has cost the Town approximately \$38,000. He could not recall how much was budgeted for snow removal but was confident that it was not \$56,000 and he would probably have to bring a budget amendment to the Board in June.

15. MATTERS TO BE PRESENTED BY THE MAYOR, BOARD OF ALDERMEN AND TOWN ATTORNEY.

Town Attorney John Wolfe represented an easement necessary for the placement of the mast arms poles that Mr. Swisher just presented to the Board. This easement is for the corner where Sun Splash Tanning Salon is located. He reported that the property owner requests that the arm not be higher than the existing pole, that the Town maintain the mast arm fixture and that the property owner be held harmless from any lawsuits that might arise from this fixture. He recommends acceptance of these conditions.

Mayor Pro Tem Kevin Bugg made a **Motion** authorizing an easement on said corner of Main Street and Mountain Street. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Mayor Pro Tem Bugg gave an update on the Farmer's Market explaining that we hope to see progress when the weather improves.

Mayor Morgan stated that we need to make several appointments to the Fireman's Relief Fund and the appointment of an alternate to the Heart of the Triad Committee.

Fireman's Relief Board – recommends J. Max Coltrane and Carl Cook.

Heart of the Triad – Alternate - Bob Prescott

Alderman Dana Caudill Jones made a **Motion** accepting the Mayor's recommendation to appoint J. Max Coltrane and Carl Cook to the Fireman's Relief Fund Board and Bob Prescott as the Alternate member of the Heart of the Triad. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Mayor Morgan also commended Town Staff on cleanup efforts during the recent snow storm.

Alderman Caudill Jones also commended Town Staff for their efforts during the storm.

Alderman Shifflette expressed her appreciation to all the citizens for their willingness to serve on town boards and committees.

Mayor Morgan commended Chief Gamble and the Police Department Staff for their recent Gang presentation.

Mayor Pro Tem Kevin Bugg stated that there are certain matters about which our Town Attorney needs to advise us, and which fall within the Attorney-Client privilege for discussion in closed session. And I further understand that the Board needs to meet in closed session regarding land acquisition. I therefore made a **Motion** that the Board go into Closed Session to confer with our legal Counsel under the Attorney-Client privilege and to discuss land acquisition, which is permitted by N.C.G.S. 143-318.11. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

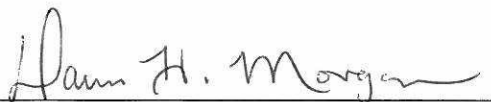
Meeting adjourned to closed session at 7:55 PM.

16. ADJOURNMENT.

Alderman Dana Caudill Jones made a **Motion** to go into Open Session at 9:08 PM. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Mayor Pro Tem Kevin Bugg made a **Motion** to adjourn the meeting at 9:09 PM. 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 at 9:09 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 2, 2010.

This the 8 day of March, 2010.


Dale F. Martin, CMC, Town Clerk