

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
REGULAR MEETING 7:00 P.M. JULY 6, 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, Keith Mason, Tracey Shifflette and Bob Prescott.

**Absent:** None

**Staff Present:** Curtis L. Swisher, Town Manager; John G. Wolfe, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Sharon Richmond, Senior Planner; Kenny Gamble, Chief of Police; Doran Maltba, Public Services Director; Franz Ader, Finance Director; Ernie Pages, Parks and Recreation Director; Russell Radford, Engineering Services Director; Walt Summerville, Fire Chief; Gray Cassell, Information Systems Director; and Ray Smith, Human Resources Director, and Retired Police Captain Doug Kiger.

- CALL TO ORDER
- INVOCATION BY REVEREND BONNIE HARRIS, PINE GROVE UNITED METHODIST CHURCH

Mayor Dawn Morgan called the meeting to order and the Reverend Bonnie Harris of Pine Grove United Methodist Church delivered the invocation.

- PLEDGE OF ALLEGIANCE

The Kernersville Honor Guard presented Colors and led the Pledge of Allegiance.

- PRESENTATION OF THE BADGE AND SERVICE REVOLVER TO DOUGLAS L. KIGER, RETIRING POLICE CAPTAIN IN ACCORDANCE WITH THE NORTH CAROLINA GENERAL STATUTES

Mayor Morgan presented Captain Kiger with a Resolution declaring his badge and revolver surplus and highlighted many of his career accomplishments. Chief Gamble presented Captain Kiger with his badge and revolver and thanked him for his many years of outstanding service.

Retired Captain Kiger stated that he appreciates everything the Police Department and Town has done for him. He stated that he has had a great career here and thanked the Town for his badge and revolver.

## PUBLIC HEARINGS

- 1a. **PUBLIC HEARING:** PM Development, LLC, Applicant and Owner of property and Curtis Swisher, Agent for the Town of Kernersville, for property located approximately 1,500 feet north of Ogden School Road, being all of PIN#6884-15-3166, containing 30 acres more or less. Petition is to process a correction to previous rezoning case K-641.A3, which inadvertently omitted the PIN# from the legal description. Petitioner requests a Special Use District rezoning from AG (Agricultural) District to MU-S (Mixed Use – Special Use District). *Requested Uses: Uses as listed in original approved rezoning case K-641.A3. Zoning Docket K-641.A5 (Two Phase)*

Mr. Jeff Hatling presented the Planning Board report for this rezoning request which is to correct the PIN # that was inadvertently omitted. He presented the findings of this case and reported that the Planning Board and Staff recommend approval.

Mayor Morgan declared the public hearing open.

### **In Favor**

None

### **Opposed**

None

Being no speakers either in favor or opposition, Mayor Morgan closed the public hearing.

### **1 b. Consideration of an Ordinance for zoning petition.**

Mayor Pro Tem Kevin Bugg made a **Motion** to approve the following Ordinance to amend the Unified Development Ordinance of the Town of Kernersville by rezoning the property in case K-641.A5 from Kernersville AG to Kernersville MU-S, the said rezoning being consistent with the Town's comprehensive plan, the *Kernersville Development Plan*, and further being both reasonable and in the public interest because of the following facts.

- The petitioner requested Special Use District rezoning to allow for building architectural and site plan standards to be applied that assures the development addresses the *Development Plan Goal* of establishing Kernersville as a “unique high quality community within the Triad”.
- The petitioner requested Mixed Use - Special Use District rezoning to allow for the continued implementation of the *NC66 / Old Salem Road Metro Activity Center Guidelines* plan.

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

**Town Ordinance**

**Zoning Petition of PM Development, LLC, Applicant and Owner of property and Curtis Swisher, Agent for the Town of Kernersville**  
**Zoning Docket K-641.A5**

**ORDINANCE NO. O-2010-22**

**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 Map be amended by changing from AG (Agricultural) District to MU-S (Mixed Use – Special Use District) for property located approximately 1,500 feet north of Ogden School Road, being all of PIN#6884-15-3166, containing 30 acres more or less and being further described as follows:

**BEING KNOWN AND DESIGNATED** as all of PIN#6884-15-3166 containing a total of 30 acres more or less as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina.

**SECTION 2.** This ordinance is adopted after approval of and upon condition of compliance with the site plan entitled, "*Carrollton*", identified as "Attachment A of the Special Use District Permit" issued by the Board of Aldermen the 6th day of July, 2010 to *PM Development, LLC*.

**SECTION 3.** The Board of Aldermen hereby directs the issuance of a Special Use District Permit pursuant to Chapter 19 of the Town code for *Carrollton*. 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 6th day of July, 2010.

**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 included in this zoning petition of PM Development, LLC. The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use Permit" for *Carrollton* approved by the Board of Aldermen the 6th day of July, 2010 and signed, provided the property is developed in accordance with requirements of the zoning district MU-S (Mixed Use – Special Use District) Chapter 19 of

the Town Code, the Erosion Control Ordinance, and other applicable laws permitted with the original approved uses as listed in case K-641.A3.

**CONDITIONS:**

1. Conform to the K-641.A3 - Two Phase site plan, as approved.
2. K-641 original conditions shall apply.

**2 a. PUBLIC HEARING: Vincent Townsend, Agent for Owners, Ramon and Martha Gonzalez, for property located at 606 Nelson Street, being all of PIN#6886-57-1220, containing .44 acres more or less. Petitioner requests a Special Use District rezoning from RS-12 (Residential Single Family, minimum lot size 12,000 sq. ft.) to RSQ-S (Residential Single Family Quadruplex-Special Use District.) *Requested Uses: Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Multi-family. Zoning Docket K-702***

Mr. Hatling presented the Planning Board Report for this rezoning request. He presented the findings in this case and reported that the Planning Board and Staff recommend approval with the following modification to condition #6a:

“that the sides of the building facing Nelson Street must have front architectural elevation features as presented in Exhibit 1.”

Mayor Morgan declared the public hearing open.

**In Favor**

**Vincent Townsend, 609 Stafford Point Court, Oak Ridge, NC** - spoke in favor of this request. He noted that this is the best use of this property. He made himself available for questions.

**Opposed**

None

Being no additional speakers, Mayor Morgan closed the public hearing.

**2 b. Consideration of an ordinance for zoning petition.**

Alderman Dana Caudill Jones made a **Motion** to approve the following Ordinance to amend the Unified Development Ordinance of the Town by rezoning the property in case K-702 from RS-12 to RSQ-S, the said rezoning being consistent with the Town’s comprehensive plan, the *Kernersville Development Plan*, and further being both reasonable and in the public interest due to the following facts:

- ☐ The petitioner requested Special Use District rezoning to allow for building architectural standards to be applied that assures the development standards address the *Kernersville Development Plan Goal* of establishing Kernersville as a “unique high quality community within the Triad”.

- This project adds to the rehabilitation and transition of this neighborhood as many of the previous rezoning cases in this area have contributed.

Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

Alderman Dana Caudill Jones made a **Motion** for the approval of site plan as presented with conditions as recommended by the Planning Bard. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

#### **Town Ordinance**

#### **Zoning Petition of Vincent Townsend, Agent for Owners**

#### **Zoning Docket K-702**

### **ORDINANCE NO. O-2010-23 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 Map be amended by changing from RS-12 (Residential Single Family, minimum lot size 12,000 sq. ft.) to RSQ-S (Residential Single Family Quadraplex-Special Use District) for property located at 606 Nelson Street, being all of PIN#6886-57-1220, containing .44 acres more or less and being further described as follows:

**BEING KNOWN AND DESIGNATED** as all of PIN#6886-57-1220 containing a total of .44 acres more or less as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina.

**SECTION 2.** This ordinance is adopted after approval of and upon condition of compliance with the site plan entitled, “*606 Nelson Street*”, identified as "Attachment A of the Special Use District Permit" issued by the Board of Aldermen the 6th day of July, 2010 to *Vincent Townsend, Agent for Owners*.

**SECTION 3.** The Board of Aldermen hereby directs the issuance of a Special Use District Permit pursuant to Chapter 19 of the Town code for *606 Nelson Street*. 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 6th day of July, 2010.

**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 included in this zoning petition of Vincent Townsend, Agent for Owners. The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use Permit" for 606 Nelson Street approved by the Board of Aldermen the 6th day of July, 2010 and signed, provided the property is developed in accordance with requirements of the zoning district RSQ-S (Residential Single Family Quadraplex-Special Use District), Chapter 19 of the Town Code, the Erosion Control Ordinance, and other applicable laws permitted with the approved uses of: Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Multi-family.

**Site Plan Conditions:** Approval with the following conditions.

\*Standard Conditions

**1. Transportation**

- a. \*A Town of Kernersville Driveway Permit is required to access Nelson Street.

**2. Plat Requirements**

- a. \*All easements as required by the Town's *Design and Construction Specifications Manual* shall be shown on the final plat. Recordation of plat is required prior to the request of building permits.
- b. \*The developer shall record on the final plat a 10 foot public utility, sidewalk, drainage, slope, retaining wall, and permanent construction easement, directly behind the limits of the existing right-of-way along Nelson Street.
- c. \*A note on the final plat shall state: "*All storm drainage devices included but not limited to the bio-retention cell, pipes, drainage boxes, inlets, outlets and open channel conveyances located outside of the public utility easement shall be maintained by the property owner. Prior to the sale of any unit, a homeowners association covenants and restrictions shall be submitted and approved by the Watershed Administrator.*"
- d. \*An access easement to and around the bio-retention basin shall be provided on the final plat.

**3. Public Infrastructure**

- a. \*All water and sanitary sewer drawings with appropriate easements shall be approved by the City-County Utilities Commission.

**4. Environmental**

- a. \*Developer shall adhere to all State, Federal and Local Government environmental regulations.
- b. \*A detailed (engineer sealed) grading plan, with finished grades, shall be submitted with construction plans. The detailed grading plan shall include consideration of and provisions for adequate drainage of surface water between and around dwelling units. Finish grading in the vicinity of the building foundations shall result in a minimum slope away from the building of six 6-inches in 10-feet. Detailed grading plans shall be in compliance with current requirements of the North Carolina Building Code.

Shallow, grassed drainage swales provided to transport surface water drainage between and around dwelling units shall have a minimum slope of two (2) percent.

- c. \*An engineered stormwater management plan will be submitted to and approved by Engineering Services prior to a final plat. Any required permanent stormwater management devices shall be installed prior to issuance of any “Certificates of Occupancy” permits.
- d. \*Should the residential units be individually owned and prior to any sale of a unit to an individual, the developer shall establish a maintenance fund pursuant to the following:
  - i. Acknowledgement that the association shall continuously operate and maintain the stormwater control and management facilities.
  - ii. Establishment of an escrow account, which can be spent solely for sediment removal, structural, biological or vegetative replacement, major repair, or reconstruction of the *structural BMPs*. If *structural BMPs* are not performing adequately or as intended or are not properly maintained, the Town of Kernersville in its sole discretion, may remedy the situation, and in such instances the Town of Kernersville shall be fully reimbursed from the escrow account. Escrowed funds may be spent by the association for sediment removal, structural, biological or vegetative replacement, major repair, and reconstruction of the *structural BMPs*, provided that the Town of Kernersville shall first consent to the expenditure. Escrowed funds shall not be spent for routine landscaping maintenance items such as mowing.
  - iii. Requirement of both *developer* contribution and annual sinking funds to fund the escrow account. Prior to plat recordation or issuance of construction permits, whichever shall first occur, the *developer* shall pay into the escrow account an amount equal to fifteen (15) per cent of the initial construction cost of the *structural BMPs*. Two-thirds (2/3) of the total amount of the sinking fund budget shall be deposited into the escrow account within the first five (5) years and the full amount shall be deposited within ten (10) years following initial construction of the *structural BMPs*. Funds shall be deposited each year into the escrow account. A portion of the annual assessments of the association shall include an allocation into the escrow account. Any funds drawn down from the escrow account shall be replaced in accordance with the Schedule of anticipated work used to create the sinking fund budget.
- e. \*The developer shall ensure that the depth of the existing curb inlet is sufficient to accommodate a bio-retention cell, or other stormwater treatment device, required to be properly designed for this site.

## 5. Emergency Services

- a. \*All Fire Department requirements shall be met during and after the construction process.

## 6. Other Conditions

- a. Each building shall incorporate dormers, gables, paneled doors, cornices over the doors, 6



over 6 paned glass windows, window cornices, window shutters, and decorative attic vents, as shown in **Exhibit 1**. The above architectural standards shall apply to all sides. **The sides of the building facing Nelson Street must have front architectural elevation features as presented in Exhibit 1.**

- b. No building shall exceed two stories in height.
- c. All fences shall be of uniform design, material, and appearance.
- d. A free standing arm sign for the development shall not exceed 6 feet in height and 12 square feet.

### **PUBLIC SESSION**

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

None

#### **4. Annual presentation by the Kernersville Soccer Association. (Continued from June 1<sup>st</sup> meeting)**

**Jeff Berry, 443 Raven Ridge Drive, Kernersville and Ed Crowder, 2076 Elizabeth Avenue, Winston-Salem was in attendance.** – Mr. Berry thanked everyone for the opportunity to speak tonight. He briefly highlighted the report submitted by KSA noting that the organization consists of 98 teams with over 1,000 players. He noted the partnerships that have been established with other organizations in surrounding areas. He presented upgrades made to the facilities. He also reported on a number of hosting opportunities that have been established on an annual basis. Mr. Berry thanked the Town, Mr. Swisher and Mr. Pages for their support of KSA. He mentioned several of the sponsors that have been acquired as well.

Mr. Berry made himself available for questions.

Town Attorney John Wolfe presented an amendment to the agreement with KSA as follows:

Paragraph VII Usage Section d. shall be amended by the following to read:

- 6. Notwithstanding anything to the contrary set forth above, the TOWN is guaranteed:
  - a. The use of one soccer field for its “Little Kickers” Program on Tuesdays and Thursdays 5:30 – 6:30 p.m. during the month of March of each year.
  - b. The use of at least one (1) Soccer Field during each Soccer Season as defined above.
  - c. The use of at least two (2) Soccer Fields each year from the 2<sup>nd</sup> week in November through the last week of January during which the Town may, among other uses, use the fields for sport programs operated by the TOWN. Should there be damage to a field(s) used by the TOWN during such period the TOWN, at its expense, shall have the responsibility of repairing the damage and returning the field to pre- 2<sup>nd</sup> week of November condition.”



Paragraph XI. Annual Reports to the Town shall be amended to read:

**XI. Annual Reports to the Town and Periodic Meeting of the Parties.**

The KSA agrees to continue to present the TOWN Board of Aldermen with an annual report (containing an annual financial report) on or before March 15<sup>th</sup> outlining the general operations of KSA including, but not limited to, the number of youth and adult members, the activities which have taken place at the Beeson Road Park property, cost estimates of upkeep and maintenance of Lot #1 of Exhibit B, the current officers of KSA, and an outline or projection of the following year's activities and goals. The President of KSA and the Town Manager of the TOWN shall meet on a quarterly basis for KSA to advise the status of the soccer program and to attempt to "work out" any issues that have arisen and need discussion and/or agreement.

Alderman Bob Prescott asked if KSA has reviewed and agrees with these changes. Mr. Swisher stated that KSA is aware of these changes and that their Board of Directors has already approved the amendment.

Alderman Tracey Shifflette made a **Motion** to amend the contract with Kernersville Soccer Association as presented. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

**5. Discussion on Tax Collection Policies.**

Mr. Swisher stated that this was a request by a citizen that has an issue with the policies for collecting taxes used by Forsyth County. The citizen is not in attendance and therefore asked that the item be withdrawn.

The Town Attorney reminded the Board that this process is governed by state statute and that Forsyth County complies with those procedures.

Alderman Dana Caudill Jones made a **Motion** to withdraw this request. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

**6. Presentation of Semi-annual Report by the Chamber of Commerce for In-kind Services.**

**Mr. Danny Jefferson, Chairman of Chamber of Commerce, 1225 N. Main St., Kernersville, NC** – reported on the difficult times in 2009 due to the economy. He reported that the Chamber has done well by adding businesses to their membership this year. We are making sure that our programs are doing well, however we are not adding any new programs this year. He highlighted a number of successful events and activities organized by the Chamber. He reported

on enhancements made to the Chamber's website. He commended all Chamber volunteers for their efforts.

Mr. Jefferson stated that the Chamber is excited about what's happening in Kernersville with the education grant program and highlighted the number of grants given out last year and the additional sponsors to the program.

Mr. Jefferson thanked the Board for their support of the Chamber and then made himself available for questions.

**7. Consideration of a Governor's Highway Safety Equipment Grant for the purchase of a Digital Radar System.**

Police Chief Ken Gamble reported that radar trailer is not being funded by this grant this year but it will fund the digital radar system. Chief Gamble explained how this radar system would be used. The grant is for 75% funding with a 25% match by the Town. The money will come out of the Police Department's Forfeiture Fund.

Alderman Dana Caudill Jones made a **Motion** to authorize the Governor's Highway Safety Equipment Grant and matching funds in the amount of \$1,100 for the purchase of a digital radar system. Mayor Pro Tem Kevin Bugg seconded the motion and the vote was all for and motion carried.

**8. Consideration of Adding the Farmer's Market Shelter to the List of Facilities Rented by the Parks and Recreation Department.**

Mr. Swisher reported that we have received several requests from individuals to rent this facility for events. He requested that this facility be added to the list of facilities rented by the Parks and Recreation Department and that all rules and regulations will be the same as all other facilities. This shelter would require a special use permit.

Mayor Pro Tem Kevin Bugg made a **Motion** to add the Farmer's Market Shelter to the list of facilities rented by the Parks and Recreation Department. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Mayor Pro Tem Bugg referred to the projection screen in the courtroom and noted the new Farmer's Market website.

**9. 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 May 26, 2010, Briefing Meeting  
Approval of Minutes for June 1, 2010, Regular Meeting**

**Approval of Minutes for June 8, 2010, Special Meeting  
Approval of Minutes for June 15, 2010, Special Meeting**

- C-2 Consideration of a Resolution setting the Public Hearing date for a voluntary annexation petition by Stock Building Supply, LLC for property located at 5599 Kerwin Circle, 17.59 acres more or less.**

**RESOLUTION NO. R-2010-18**

**RESOLUTION SETTING TIME AND PLACE FOR PUBLIC HEARING  
ON ANNEXATION OF 17.599 ACRES GENERALLY  
KNOWN AS STOCK BUILDING SUPPLY, LLC PROPERTY  
LOCATED AT 5599 KERWIN CIRCLE UPON PETITION OF  
STOCK BUILDING SUPPLY, LLC**

**WHEREAS**, the Board of Aldermen of the Town of Kernersville was petitioned on the 10<sup>th</sup> day of June, 2010, to consider the annexation of certain property consisting of approximately 17.599 acres, more or less, presently known as Stock Building Supply, LLC property located at 5599 Kerwin Circle, Kernersville, Forsyth County, North Carolina, as more fully described on the attached Exhibits A and B, which Exhibits are incorporated herein as if fully set out within this Resolution, and which property is contiguous to the present municipal boundary of the Town of Kernersville; and

**WHEREAS**, the Town Clerk has certified to the Board of Aldermen as to the sufficiency of said Petition; and

**WHEREAS**, it is now necessary to set a time and place for a Public Hearing on the matter of Annexation of said property and to publish Notice thereof;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE** that the Public Hearing on the question of Annexation of the herein set forth property by The Town of Kernersville, being more particularly described in the attached Exhibits A and B, is hereby set at 7:00 p.m. in the Kernersville Council Chambers/District Courtroom, Town Hall, Kernersville, Forsyth County, North Carolina, on the 3<sup>rd</sup> day of August, 2010, and that Notice therefore be given according to law.

This the 6<sup>th</sup> day of July, 2010.

- C-3 Consideration of a Resolution Declaring Certain Property Surplus and Authorizing Its Disposal.**

**RESOLUTION NO. R-2010-19**

**RESOLUTION DECLARING EQUIPMENT SURPLUS AND AUTHORIZING THE  
ELECTRONIC AUCTION OF SURPLUS PERSONAL PROPERTY**

**WHEREAS**, the Board of Aldermen of the Town of Kernersville desires to declare said property surplus and dispose of said property of the Town in accordance with the Town of Kernersville's Finance Policy and the North Carolina General Statutes, and

**WHEREAS, NOW, THEREFORE BE IT RESOLVED** that the Board of Aldermen of the Town of Kernersville that:

The following described property is hereby declared to be surplus to the needs of the Town:

<b>Fixed Asset #</b>	<b>Item Description</b>
10768	Premier phone system with handsets
10716	Pitney Bowes Mailing Machine
11532	Konica Minolta D1251 Copier
11599	Scott Thermal Imaging Camera
11561	Financial server and software

**Adopted the 6<sup>th</sup> day of July, 2010.**

Alderman Dana Caudill Jones made a **Motion** for the approval of the Consent Agenda as submitted. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

**10. ITEMS REMOVED FROM CONSENT AGENDA.**

NONE

**11. SPEAKERS FROM THE FLOOR.**

None

**12. TOWN MANAGER'S REPORT AND MISCELLANEOUS.**

Mr. Curtis Swisher presented a Resolution in support of the VA Clinic in Kernersville. He reported that they are looking at several sites in Kernersville and Winston-Salem.

Alderman Dana Caudill Jones made a **Motion** to approve the following resolution as requested. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

**RESOLUTION NO. R-2010-20**

**A RESOLUTION IN SUPPORT OF THE U.S. DEPARTMENT OF**

**VETERANS AFFAIRS ESTABLISHING AN OUTPATIENT  
CLINIC IN KERNERSVILLE, NORTH CAROLINA**

**WHEREAS**, the U. S. Department of Veterans Affairs has announced its intention to locate an Outpatient Clinic in the Triad of North Carolina; and

**WHEREAS**, the Board of Aldermen understands that the U.S. Department of Veterans Affairs has, before it, at least three viable proposals for the Outpatient Clinic to be located in Kernersville; and

**WHEREAS**, the Board of Aldermen understands that the U.S. Department of Veterans Affairs' intent is to lease a building, that will be constructed and owned by the private sector, of approximately 280,000 square feet, and 2,240 parking spaces, to be used as the proposed Outpatient Clinic, its offices, and other facilities; and

**WHEREAS**, Kernersville is the most centrally located municipality within the Triad, is a full service municipality, and has in place all utilities, Police, Fire Rescue, and other services necessary to serve such an Outpatient Clinic facility as is being proposed; and

**WHEREAS**, Kernersville will see, by mid-year 2011, the opening of the Kernersville Medical Center, a 50-bed hospital facility with surgical center, that could work well in conjunction with the proposed Veterans Affairs Outpatient Clinic; and

**WHEREAS**, an Outpatient Clinic as proposed, and located in Kernersville, would not only serve the citizens of Kernersville well, but would also, because of its strategic location, serve well all of the citizens of the Triad.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE** that the U.S. Department of Veterans Affairs be and is hereby encouraged to select the site of the new Outpatient Clinic facility from the proposed Kernersville sites; and

**BE IT HEREBY FURTHER RESOLVED BY THE KERNERSVILLE BOARD OF ALDERMEN** that Kernersville formally expresses its willingness to help and assist the U.S. Department of Veterans Affairs in any manner it can during not only the selection process, but also throughout the development of such facility.

This the 6<sup>th</sup> day of July, 2010.

Mr. Swisher then presented a Resolution in support of the Business 40 interchange at Macy Grove Rd. He stated that FedEx has learned that it is not on the TIP for the State and will not be included in their work plan until 2014 - 2019. He explained the difficulties that this creates for FedEx. We met with FedEx about this issue and they have asked us to adopt a Resolution requesting that this road be constructed sooner. He stated that upon the Mayor's signature it will be delivered tomorrow to the Governor's office.

Alderman Keith Mason made a **Motion** to approve the following resolution as requested. Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

**RESOLUTION NO. R-2010-21**  
**RESOLUTION REQUESTING IMMEDIATE STATE ASSISTANCE IN THE**  
**CONSTRUCTION OF INTERCHANGE ON BUSINESS-40 AT MACY GROVE ROAD**

**WHEREAS**, Kernersville and Eastern Forsyth County have two projects underway, FedEx Ground and Forsyth Medical Center, into which it is estimated that a total of approximately \$300,000,000 is being invested, and which will provide 800 to 1,000 jobs; and

**WHEREAS**, each of the above named projects is scheduled for its operational opening during the second quarter of 2011; and

**WHEREAS**, each of the above-named projects needs transportation infrastructure that will provide adequate access, for the trucks of FedEx, and the patients of Forsyth Medical Center; and

**WHEREAS**, a Business-40/Macy Grove Interchange has been a priority of the Town of Kernersville for decades; and

**WHEREAS**, this Interchange will provide access to over 1,500 acres of industrial, commercial, retail, and medical facility developable property, a critical part of the “Heart of the Triad” planning process; and

**WHEREAS**, further, the safety of the motoring public, and potential lifesaving of the citizens of eastern Forsyth County, dictate that an Interchange of Business-40 at Macy Grove Road be constructed immediately;

**NOW, THEREFORE**, the Board of Aldermen of the Town of Kernersville hereby respectfully requests the Governor, the Legislature, and the North Carolina Department of Transportation for safety, potential lifesaving, and the vitality of the Town of Kernersville and Eastern Forsyth County, to make all reasonable efforts to fund and construct the Interchange of Business-40 at Macy Grove Road immediately.

This the 6th day of July, 2010.

Mr. Swisher’s third Resolution is for the naming of park property on Gralin and Green Streets. He explained that at the request of a citizen, park land has been identified for a park. These kids need somewhere to go play instead of in the street. This citizen is asking the Town to recognize the land as a park and the neighborhood will solicit donations and hold fundraisers to put in soccer goals and/or other play equipment. The Town will have to accept liability of the park and there will be some maintenance required.

Alderman Tracey Shifflette made a **Motion** to approve the following resolution as requested. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

## **RESOLUTION NO R-2010-22**

### **A RESOLUTION CREATING A COMMUNITY PARK AT GRALIN AND GREEN STREETS**

**WHEREAS**, the Town of Kernersville is desirous of providing recreational opportunities and activities for all segments of its citizenry including, of course, its young people; and

**WHEREAS**, the Town of Kernersville owns certain property at the intersection of Gralin and Green Streets that is property left over from former extension, and re-construction of Gralin Street; and

**WHEREAS**, the aforementioned parcel of property is appropriately suitable, as well as easily and inexpensively adapted, for soccer and other sports.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Aldermen of the Town of Kernersville that the Town of Kernersville establishes that property located at the intersection of Gralin and Green Streets within the Town, as a Community Park to be developed as the Town's Recreation Department deems proper under the guidance of the Town Manager.

This the 6<sup>th</sup> day of July, 2010.

Mr. Swisher reported that the Town's Bond rating has been increased from AA- to AA as a result of the Town's financial position. This upgrade will benefit the Town.

Mr. Swisher reported that he was informed that the Town will start the crosswalks downtown.

Mayor Morgan asked about the mast arms lights at the square. Mr. Russell Radford, Engineering Services Director explained the work left to be done.

Mayor Morgan asked about the new left turn arrows that are now yellow and asked if that is temporary and will be changed to green and red. Mr. Radford explained that this is a new standard and explained the synchronization of the signals on S. Main Street.

### **13. MATTERS TO BE PRESENTED BY THE MAYOR, BOARD OF ALDERMEN AND TOWN ATTORNEY.**

Town Attorney John Wolfe stated that the Board needs to have a closed session at the end of the meeting.

Mayor Pro Tem Kevin Bugg thanked the Town's Staff for their efforts during this year's Fourth of July Parade and fireworks events.


Mayor Dawn Morgan also commended the Staff on their efforts during all the holiday events keeping our citizens safe.

Alderman Tracey Shifflette made a **Motion** to go into Closed Session at 8:21 PM to discuss 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 Dana Caudill Jones seconded the motion and the vote was all for and motion carried.


#### 14. ADJOURNMENT.

Alderman Keith Mason made a **Motion** to adjourn the meeting immediately after the Closed at 9:15 pm. Alderman Tracey Shifflette 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:

  
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 July 6, 2010.

This the 9 day of August, 2010.

  
Dale F. Martin, MMC, Town Clerk