

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
REGULAR MEETING 7:00 P.M. JANUARY 4, 2011**

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; Kenny Gamble, Chief of Police; Doran Maltba, Public Services Director; Franz Ader, Finance Director; Ernie Pages, Parks and Recreation Director; Walt Summerville, Fire Chief; Ray Smith, Human Resources Director, and Russell Radford, Engineer Department Director.

- **CALL TO ORDER**
- **INVOCATION BY PASTOR PETE KUNKLE, FIRST CHRISTIAN CHURCH**
- **PLEDGE OF ALLEGIANCE**

Mayor Dawn Morgan called the meeting to order and Pastor Pete Kunkle of First Christian Church delivered the invocation which was followed by the Pledge of Allegiance.

- **RECOGNITION OF THE 2010 EMPLOYEE OF THE YEAR**

Town Manager Curtis Swisher explained the Employee of the Year nomination and selection process. He reported that Ann Stroud, Barbara Crawford, Mark Holt, Dale Metzinger and Ricky Everhart all of the Public Services Department were nominated by co-workers for this award.

Mr. Swisher presented Ricky Everhart of the Central Maintenance Division of Public Services Department with this year's award. Mr. Swisher read portions of the nomination explaining Ricky's work ethic and ability to perform any job assigned to him. He reported that his attitude has gained him a great deal of respect and support from his fellow co-workers.

Mr. Everhart expressed his appreciation to the Town and thanked all the employees that made this possible.

**PRESENTATION OF RESOLUTIONS OF APPRECIATION FOR EMPLOYEES  
RETIRING IN 2010**

**Paul Feggins  
Danny Kiger  
Curtis Escue  
Tim Shields**

**Doug Kiger  
Kenneth Minnix  
Norman Cline**

Mayor Morgan read and presented a Resolution adopted by the NCLM to retirees: former Captain Doug Kiger of the Kernersville Police Department and former Battalion Chief Danny Kiger of the Fire Rescue Department. The other recipients were not in attendance.

- **PRESENTATION OF MEMORIAL RESOLUTIONS OF APPRECIATION FOR 2010**

Mayor Morgan also presented a Resolution of Appreciation adopted by the NCLM to Lisa Davenport, wife of the late David Davenport of the Kernersville Fire Rescue Department

## **PUBLIC SESSION**

### **1. SPEAKERS FROM THE FLOOR**

None presented.

#### **2 a. Consideration of a substitute amendment to the petition by Ray Thomas, Attorney for McDonald's Corporation, to amend Chapter B, Article II, Section 2-1.6 of the Unified Development Ordinance modifying the Central Kernersville Overlay District (CKOD) and the Highway Corridor Overlay District (HCOD) location/boundaries. Zoning Docket KT-200 (Continued from the December 7<sup>th</sup> meeting.)**

Mr. Jeff Hatling presented the history of this proposed text amendment and the substitute language being proposed after review by the Planning Board and Town Attorney to modify the Central Overlay District and the Highway Corridor Overlay District. The proposed language has broken the area into 2 districts: Downtown & Historic Area and Gateway Area and explained the changes in requirements to both districts.

**Ray Thomas, 116 S. Cherry St., Kernersville, NC** – stated that they have no opposition as the proposed language appears to resolve the issue with the non-conforming use and proposed drive-thru.

#### **2 b. Consideration of an ordinance for a text amendment.**

Alderman Dana Caudill Jones made a **Motion** to approve the following ordinance amending Chapter B, Article II, Section 2-1.6 of the Unified Development Ordinance modifying the Central Kernersville Overlay District (CKOD) and the Highway Corridor Overlay District

(HCOD) location/boundaries, Zoning Docket KT-200. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

**ORDINANCE NO. O-2011-01**  
**ORDINANCE PROPOSED BY THE TOWN OF KERNERSVILLE**  
**AMENDING CHAPTER B, ARTICLE II SECTION 2-1.6**  
**OF THE UNIFIED DEVELOPMENT ORDINANCE MODIFYING**  
**THE CENTRAL KERNERSVILLE AND HIGHWAY CORRIDOR**  
**OVERLAY DISTRICT LOCATION/BOUNDARIES**

Be it ordained by the Town of Kernersville, North Carolina, that the *Unified Development Ordinance* is hereby amended as follows:

**Section 1. CHAPTER B, ARTICLE II, SECTION 2-1.6** to be amended as follows:

**CHAPTER B-ZONING ORDINANCE**

**ARTICLE II-ZONING DISTRICTS, OFFICIAL ZONING MAPS, AND USES**  
**SECTION 2-1.6 OVERLAY AND SPECIAL PURPOSE ZONING**  
**DISTRICTS**

**(F) Town of Kernersville Zoning Overlay Districts**

**(6) Central Kernersville Overlay District (CKOD).**



- h) Prohibited Uses:** For purposes of Prohibited Uses within the Central Kernersville Overlay District, the District is divided into the *Gateway Area* and the *Downtown & Historic Area*. The following uses shall be prohibited:

**Central Kernersville Overlay District – Gateway Area**

**The Gateway Area is described as follows:** South Main Street from a line across South Main Street, the eastern most point of which line is located in the south margin of the right of way of South Main Street at the northwest corner of Tax Lot designated PIN# 6876-82-5300 (Tax Lot 115, Block 5351) on the Forsyth County Tax Maps and the western most point of said line being located in the north margin of

the right of way of South Main Street at the southeast corner of Tax Lot designated PIN# 6876-81-8455 (Tax Lot 502B, Block 5351) on the Forsyth County Tax Maps in a westerly direction to the north right of way of Business 40.

**Prohibited Uses.** The following uses shall be prohibited within the CKOD *Gateway Area*:

Adult Entertainment; Animal Feeding Operation; Asphalt and Concrete Plant; Borrow Site; Bulk Storage of Petroleum Products; Correctional Institution; Fuel Dealer; Implement Sales and Services; Building Contractor, Heavy; Dirt Storage; Hazardous Waste Management Facility; Meat Packing Plant; Landfill, Construction & Demolition; Landfill, Land Clearing/Inert Debris; Landfill, Sanitary; Mining, Quarry, or Extractive; Motor Vehicle, Storage Yard; Motor Vehicle Dismantling and Wrecking Yard; Outdoor Display Retail (less than two acres); Recycling Center; Recycling Plant; Services, Business B; Signs, Off-Premises; Storage Service, Retail; Storage Trailer; Storage and Salvage Yard; Transmission Tower; Wholesale Trade B (with outside storage).

#### **Central Kernersville Overlay District – *Downtown & Historic Area***

**The Downtown & Historic Area is described as follows:** All property located within the Central Kernersville Overlay District with the exception of those properties within the *Gateway Area* as referenced above.

**Prohibited Uses.** The following uses shall be prohibited within the CKOD *Downtown & Historic Area*:

Adult Entertainment; Asphalt and Concrete Plant; Borrow Site; Building Materials Supply; Bulk Storage of Petroleum Products; Fuel Dealer; Implement Sales and Services; Building Contractor, Heavy; Dirt Storage; Hazardous Waste Management Facility; Meat Packing Plant; Landfill, Construction & Demolition; Landfill, Land Clearing/Inert Debris; Landfill, Sanitary; Motor Vehicle, Rental and Leasing; Motor Vehicle, Body and Paint Shop; Motor Vehicle, Storage Yard; Motor Vehicle Dismantling and Wrecking Yard; Outdoor Display Retail (less than one acre); Recreation Services, Outdoor; Recycling Center; Recycling Plant; Restaurant (with drive-through service); Services, Business B; Signs, Off-Premises; Storage Trailer; Storage Services, Retail; Storage and Salvage Yard; Transmission Tower; Wholesale Trade B.

**Section 2.** This Ordinance shall be effective upon adoption.

Adopted this the 4<sup>th</sup> day of January, 2011.

### **3. Semi-annual Report by the Chamber of Commerce for In-kind Services.**

**Mr. John Coulter, 5735 Bromley Dr., Kernersville, NC** - stated that this is his first official duty as President of the Kernersville Chamber of Commerce. He presented highlights of the Chambers semi-annual report on in-kind services provided to the Town of Kernersville as required by the lease of Town property. He then thanked the Board for their continued support of the Chamber.

Mayor Morgan recognized the Town Attorney John Wolfe. Mr. Wolfe explained that agenda items #4, #5, and #6 are related and explained that relationship. He reminded the Board that at their December meeting the Board adopted changes to the conditions for the hospital. At this time he requested that the Board consider a motion to delete the last sentence of those conditions which will be covered under the CIP and Municipal Infrastructure Reimbursement Agreement being considered by the Board in items #5 and #6.

Alderman Dana Caudill Jones made the following **Motion:**

Madam Mayor, understanding that the Board is about to undertake discussion of certain matters regarding Medical Parkway, conditioned upon approval of the Capital Improvement Plan proposed by the Town Manager and further conditioned upon the Board approving that the Town enter into a Municipal Infrastructure Reimbursement Agreement with Forsyth Memorial Hospital, Inc. and Novant Health, Inc., I move that the last sentence of the revised Subdivision Conditions approved by this Board December 7, 2010, entitled "1. Transportation c. Construction of the remaining portion of Medical Parkway shall be commenced within six (6) months of Developer having obtained required Federal, State and/or Local Permits." be deleted; and, that the Subdivision Conditions for Case K-681,

1. Transportation c. shall read as follows:

"1. Transportation

- c. Prior to a Certificate of Occupancy being issued for the operation of the proposed 50-bed Medical Center, adjoining Medical Office Building, and/or necessarily related structures, the Developer shall have (a) completed four (4) lanes and median of the Medical Parkway from Macy Grove Road westward for a minimal distance of two thousand (2,000) feet, and (b) completed preliminary, engineered, drawings (minimally 80% completed) for the remaining portion of the Medical Parkway with the exception of any portion of the Parkway for which necessary Federal, State and/or local permitting is required and Permits have not been issued."

Mayor Pro Tem Kevin Bugg seconded the Motion and the vote was all for and motion carried.

**4. Presentation and Consideration of a Resolution to Adopt the Capital Improvement Plan for FY 2011-2016.**

Town Manager Curtis Swisher presented the FY 2011-2016 CIP. He added that this is a plan of the Town's needs through the year 2016. What gets funded will depend upon the funds available.

Mr. Swisher reported on the suggestion by the Mayor at the Board's Briefing regarding a sidewalk on Cherry Street. He referred to a memo from Brian Ulrich, Engineer/Transportation Manager. Mr. Ulrich estimated the cost of a sidewalk along N. Cherry Street from Piney Grove Road to West Bodenhamer Street to be approximately \$63,407. His memo spoke of potential grant opportunities for funding this project. Mr. Swisher stated that if the Board wants to add this project to the CIP, that it be placed under future projects and that we pursue funding.

Mayor Morgan noted problems expressed by Rick Wells a resident in Kernersville that is blind. She explained the difficulty he has in maneuvering through this area.

Mayor Pro Tem Kevin Bugg made a **Motion** to approve the following Resolution adopting the FY 2011-2016 CIP as amended to include the Cherry St. sidewalk under the Future projects category. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

**RESOLUTION NO. R-2011-01**

**RESOLUTION ADOPTING THE  
TOWN OF KERNERSVILLE CAPITAL IMPROVEMENT PLAN**

WHEREAS, the Board of Aldermen of the Town of Kernersville has determined that it is in the best interest of the Town to adopt a Capital Improvement Plan to designate certain major capital improvements deemed to be a priority for completion by the Town in the next five years; and

WHEREAS, the North Carolina General Statutes authorize municipalities to adopt Capital Improvement Plans related to the design and construction of municipal infrastructure.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Aldermen of the Town of Kernersville that the attached Exhibit A is hereby adopted as the Capital Improvement Plan for the Town for the years 2011 through 2016.

This the 4<sup>th</sup> day of January, 2011.

**5. Consideration of an Ordinance Adopting Reimbursement Agreements.**

The Town Attorney explained that the North Carolina General Statutes allows Municipalities to enter into reimbursement agreements with private developers and property owners under certain circumstances. He stated that the proposed ordinance will allow such reimbursement.

Alderman Dana Caudill Jones made a **Motion** at approximately 7:45 PM for the approval of the following ordinance permitting the Town to enter into reimbursement agreements pursuant to NCGS Section 160A-499. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**ORDINANCE NO. 0-2011-02  
AN ORDINANCE TO PERMIT THE TOWN OF KERNERSVILLE  
TO ENTER INTO REIMBURSEMENT AGREEMENTS  
PURSUANT TO N.C.G.S. SECTION 160A-499**

**WHEREAS**, North Carolina General Statutes (“N.C.G.S.”) Section 160A-499(a) provides that cities and towns may enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure, including, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities, that is included on the city’s or town’s capital improvement plan and serves the developer or property owner; and

**WHEREAS**, N.C.G.S. Section 160A-499(b) requires that cities or towns enact ordinances setting forth procedures and terms under which such reimbursement agreements may be approved; and

**WHEREAS**, the Board of Aldermen of the Town of Kernersville desires to adopt an ordinance setting forth the procedures and terms under which the Town may enter into such reimbursement agreements; and

**WHEREAS**, based upon all the steps and investigations taken by the Town of Kernersville Board of Aldermen in connection with defining procedures and terms for reimbursement agreements, the Town Board of Aldermen, although not required by law, makes the following legislative findings:

**A.** The above recitals are incorporated as legislative findings by the Town of Kernersville Board of Aldermen.

**B.** Reimbursement agreements offer the opportunity for careful integration between public capital facilities planning and private implementation of such facilities on an accelerated schedule, facilitating economic development and industry in the Town of Kernersville by addressing the impacts of such development and industry with adequate and necessary municipal infrastructure, to the mutual benefit of the Town and its citizens.

**C.** Adoption of an ordinance setting forth the procedures and terms under which the Town of Kernersville may enter into such reimbursement agreements is

authorized by law and is, after careful review and consideration by the Town Board of Aldermen, in the best interests of the Town and its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE, NORTH CAROLINA:**

Section 1. Title:

This Ordinance shall be known as the Ordinance to Permit the Town of Kernersville to Enter into Reimbursement Agreements pursuant to N.C.G.S. § 160A-499, and may be cited as such, or as “The Reimbursement Agreement Ordinance”.

Section 2. Jurisdiction:

This Ordinance is and shall be applicable to all land within the corporate limits of the Town of Kernersville. Infrastructure projects eligible for reimbursement may be located anywhere within Forsyth or Guilford Counties, within or outside the corporate limits of the Town.

Section 3. Severability:

If any portion of this Ordinance shall be determined to be invalid, unconstitutional or otherwise ineffective, such ruling shall not affect the remainder and other parts and clauses of this Ordinance, and the same shall remain in full force and effect.

Section 4. Procedures:

- A. Any private developer or property owner desiring to enter into a reimbursement agreement with the Town of Kernersville shall submit an application to the Town Manager. The Town Manager may promulgate a form of application, but any application shall be sufficient if it specifies the applicant’s name and contact information, its interest in the real property to be served by the proposed municipal infrastructure, the description and nature of municipal infrastructure to be reimbursed, whether such municipal infrastructure is on the Town’s official capital improvement plan, and the period of time over which such reimbursement is proposed to occur. The application must be signed by the applicant or the applicant’s representative and may have attached a draft of the proposed reimbursement agreement.
- B. The Town Manager, or designee, is authorized to negotiate municipal reimbursement agreements with private developers and property owners in accordance with N.C.G.S. 160A-499, this Ordinance and applicable policies and procedures.
- C. The Town Manager shall make a recommendation to the Town Board of Aldermen within thirty (30) days of receiving a complete application, with regard to whether the Town should or should not enter into the reimbursement agreement.
- D. The Town Board of Aldermen shall, in its discretion, consider approval of the reimbursement agreement at a regular or special meeting in which the Town Manager makes his recommendation, at the next regular meeting following the Town Manager’s recommendation, or at a special meeting following the Town Manager’s



recommendation.

- E. Upon approval of a reimbursement agreement by the Town Board of Aldermen, the Town Manager shall be authorized to enter into the reimbursement agreement on behalf of the Town.

Section 5. Interpretation and Intent:

This Ordinance shall not be construed to hold the Town of Kernersville responsible for any defect of the developer's or property owner's technical compliance with N.C.G.S. Chapter 143, Article 8.

Section 6. Effective Date:

This Ordinance shall be effective upon its passage this the 4th day of January, 2011.

Section 7. Funding:

The Town of Kernersville may provide for such reimbursements to be paid from any lawful source, including the Town's unrestricted general fund.

Be it hereby ordained by the Board of Aldermen of the Town of Kernersville on this the 4th day of January, 2011 at 7:45 p.m.

**6. Consideration of a Resolution to enter into a Municipal Infrastructure Reimbursement Agreement with Novant Medical Center.**

Mr. Wolfe stated that due to the action in item #5, the Board now has the authority to enter into the proposed agreement with Novant Medical Center. He explained that this will offer protection to the Town and may accelerate the construction of Medical Parkway which would be a benefit to the Town. It would stimulate the surrounding area for development and therefore increase the Town's tax base. This reimbursement agreement is based upon the premise as stated in the agreement that the Town will begin to repay the infrastructure cost for a portion of the Medical Parkway up to a maximum of \$2,997,000 or 20 years.

**David Parks, 3604 Cherry Laurel Ct., Winston-Salem, NC** – thanked the Board for the opportunity to speak on this matter. He stated that the adoption of this agreement will serve as a catalyst to accelerate the development of both the medical business park as well as property along the parkway without requiring any up-front cost to the Town of Kernersville. He stated that he appreciates the efforts by Staff and the Board in reviewing this agreement and requested their support. He made himself available for questions.

**Louise Thibodeaux, 280 Post Oak Road, Kernersville, NC** – stated that at first he thought this sounded good but now has questions. He reminded the Board that the hospital was here last month asking for changes and the Town agreed. They are here tonight asking for another \$2,997,000.00 over 20 years. Why would Novant want to do this? He asked if they are changing from nonprofit to a profit making organization. He stated that the citizens have a right

to know how each of the Aldermen feels about this agreement. He also wanted to know where Novant is with the State permits needed.

Mr. Swisher reported that he received information today but suggested that David Park or Hank Perkins comment on this.

**Hank Perkins, 807 N. Trade St., Winston-Salem, NC** - reported that FEMA has requested additional information and they have 90 days to review that information and send back a reply. The worst case would be that the permits are not issued until May. He added that they can request additional information which would allow for additional 90 days to review.

Alderman Dana Caudill Jones stated that she did speak with Mr. Thibodeaux and explained that under this agreement the Town will not start to pay back the cost of this infrastructure until some construction has been started along the parkway. It could move things along faster and the money would be paid back quicker. We don't pay anything back until we have something out there on the ground on which we will collect taxes. We are not taking any money from the tax payers.

Mr. Swisher stated that the \$2,997,000.00 is the cap or 20 years. If we get to 20 years and we haven't paid them this money, that's all they get. It will not be extended out another 20 years for them to reach the \$2,997,000.00. If they get paid back in 10 years that is it as well, we won't continue to pay them for 20 years. He explained that 50% provision for payback as well.

Mr. Thibodeaux stated that who wouldn't like a 50% tax bill for the next 20 years. He suggested that Board give this more thought and holdout until next month to make a decision.

Alderman Caudill Jones reminded Mr. Thibodeaux that if they don't construct anything out there they get nothing back.

Mayor Pro Tem Bugg explained that 50% of something is better than 50% of nothing which is where we would be without this agreement.

Mr. Thibodeaux stated that this is a gamble and we won't know the truth of it for 10-20 years down the road. He suggested they take more time to look at this agreement.

Mayor Pro Tem Bugg stated that the Board has read this agreement many times.

Alderman Prescott stated that this issue has taken over two elections to work out. He stated that this is a good agreement and good for the town. We need this road and this will bring tax dollars to town as well as speed up the process. He added that we have to look down the road and without this agreement we may not have this development.

Alderman Shifflette stated that the road may not be built otherwise and this agreement will ensure that we get the road. This agreement is similar to the one for Triad Park and it has developed much faster than we thought it would.

Alderman Mason stated that we have spent a lot of time here; however he understands the concerns. He added that we have negotiated with Novant over a long period of time. He reminded everyone of the stress the residents in the area are experiencing. We need to fulfill our obligation to the residents and get this road built. He stated that we have had very spirited conversations with all those involved on the issues but at the end of day we tried to make the best decision possible.

Mayor Morgan asked the Police Chief and Fire Rescue Chief to speak to the importance of this roadway.

Police Chief Ken Gamble stated that this road is very important to Kernersville. He noted that the current access is a two-lane, dimly lit road. This could cause difficulties for emergency response.

Fire Rescue Chief Walt Summerville agreed with comments from Chief Gamble. He added that we need more than one way in and noted that if Macy Grove Road were blocked for any reason emergency services could not be provided. He reminded everyone that the current road is not designed for large emergency vehicles such as a fire truck or high speed vehicles and that every second counts on the way to the hospital.

Mr. Swisher stated that originally he was Mayor when he became involved in these discussions. He assured Mr. Thibodeaux that this has not been taken lightly. He agreed that this is a good agreement that will speed up the construction of this road and the increase in the town's tax base. We have a good agreement here and added that 50% of something is better than 50% of nothing.

**Mr. Bruce Boyer, Executive Director, Kernersville Chamber of Commerce, 108 Rockford Ct., Kernersville, NC** – reported that the Chamber is very concerned about economic development and enhancing the Town's growth and quality of life of our citizens. He stated that the voters passed legislation which gave us the authority to enter into reimbursement agreements. This is not an out pouring of tax dollars but sharing future tax dollars which will help the Town. The delay in this road would be a loss of revenue and growth to the Town. He agreed with the comments made regarding emergency response on Macy Grove Road and stated that we all will benefit from this commercial road.

Mr. Boyer stated that an infrastructure improvement to a large area is the way that the Board of Alderman can support the business world because it helps numerous businesses.

Mayor Pro Tem Kevin Bugg made a **Motion** to approve the following Resolution authorizing a Municipal Infrastructure Reimbursement Agreement with Novant Medical Center. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

#### **RESOLUTION NO. R-2011-02**

#### **RESOLUTION APPROVING THE TOWN OF KERNERSVILLE ENTERING A MUNICIPAL INFRASTRUCTURE AGREEMENT WITH**

**FORSYTH MEMORIAL HOSPITAL, INC. AND  
NOVANT HEALTH, INC.**

**WHEREAS**, the Board of Aldermen of the Town of Kernersville has determined that it is in the best interest of the citizens of the Town of Kernersville for the Town to enter a Municipal Infrastructure Agreement with Forsyth Memorial Hospital, Inc. and Novant Health, Inc; and

**WHEREAS**, the North Carolina General Statutes and Kernersville Ordinance No. O-2011-02 authorize the Town to enter such an Agreement.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Aldermen of the Town of Kernersville that entering the Municipal Infrastructure Agreement, as presented this date, with Forsyth Memorial Hospital, Inc. and Novant Health, Inc. is hereby approved; that the Mayor is hereby authorized to execute the same on behalf of the Town of Kernersville; and, that the Town Manager and Town Attorney are hereby authorized and directed to carry out the terms and conditions of the Agreement on behalf of the Town.

This the 4<sup>th</sup> day of January, 2011.

7. **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 1, 2010 Briefing Session**

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

**8. ITEMS REMOVED FROM CONSENT AGENDA.**

None.

**9. SPEAKERS FROM THE FLOOR.**

Town Manager Curtis Swisher read the following email from Harvey D. Pulliam, Jr:

Mr. Town Manager Curtis Swisher, Kernersville Mayor and Kernersville Board Of Alderman.  
January 4.2011.

Would you cause this instrument of communication to be presented to The Mayor & Board, and read into the minutes of the Kernersville Public Meeting of this evening, January 4, 2011?

Mayor & Board:

The area in which I reside has been ceded to the maggot drug dealers, thieves, illegal criminals, and slum lords, but not with unanimous consent.

We just had an election and the message was strong, and emphatic, we are tired of allowing self seeking power hungry politicians, and beaucrats to continue to ignore our freedoms and rights, while pandering to the interest that have them on puppet strings.

The people in our area, deserve and are endowed with the rights of the peaceful use and security of their persons and property.

We are organizing, and are enabled with the assistance of the Kernersville Police Department, Street Dept, and building inspectors, to rid our community of these maggots.

Your support has been absent, as you apparently, with at least 2 members of this board used your positions of elected office to hinder the elections of persons who are, and have in the bunkers of conservatism, with us

You can be assured that in time your ivory towers are also at risk, as the conditions in our community cannot be allowed to be ignored, as the war has begun to reclaim our rights, and our funds that some you have been spending on band-aids, while the symptoms confronting us are much more serious.

Respectfully,

Harvey Pulliam Jr.  
415 Holt St.  
Kernersville, NC. 27284-2635  
[www.harveypulliam.com](http://www.harveypulliam.com)

Mr. Swisher then presented the following information provided by Chief Gamble:

The Kernersville Police Department Vice and Narcotics Unit as well as the Criminal Investigations Unit have been working diligently over the last six months to address Harvey's concerns about his neighborhood. I spoke to Harvey in July about several possible drug houses on the block and assigned the Narcotics Unit to investigate further.

This began a three month investigation that culminated on October 20<sup>th</sup> when our Emergency Response Team executed a high risk warrant at 419 Holt Street. Detectives found cocaine, marijuana, steroids and a handgun during the search warrant. The other two houses involved were 420 and 414 Holt Street. Six subjects were arrested and charged with a total of 31 criminal charges including Possession With Intent to Sell and Deliver Marijuana, Cocaine and Schedule

III Drugs, Maintaining a Dwelling for the Keeping and Selling of Controlled Substances, Trafficking by Possession of Opium/Heroin, Trafficking by Delivering Opium/Heroin, Trafficking by Selling Opium/Heroin, Possession of a Firearm by a Convicted Felon, Conspiracy and Delivering & Selling Schedule III Drugs. The subjects involved had moved into the neighborhood in rental properties over the last three to five months.

I spoke to Harvey's wife the week after the search warrant and she told me about problems she had with the residents of 420 Holt Street. She reported that there were always juveniles there and she believed some of them were runaways. I passed this information on to the Criminal Investigations Division for follow-up.

While CID was in the process of investigating this allegation there were 8 cars broken into on Holt Street during the evening hours of November 14<sup>th</sup> and 15<sup>th</sup>. Detectives were finally able to gather enough evidence to get a search warrant for 420 Holt Street and they served it on 11-19-2010. They found stolen property and took custody of a runaway from Winston-Salem. They also interviewed a 15 year-old suspect who confessed to breaking into 10 cars. The youths were referred to Juvenile Court.

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Louis Thibodeaux reported that an 18-wheeled truck was in his neighborhood on Saturday selling furniture. He was told that they had a permit. He understood that this was not allowed and requested an investigation.

#### **10. TOWN MANAGER'S REPORT AND MISCELLANEOUS.**

Mr. Swisher commended Town Staff for the excellent job in clearing streets during the recent snow storm during the Christmas holiday.

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

The Town Attorney stated that comments received are not required to be read into the minutes and advised the Board not do this on a regular basis. He added that it is appropriate to forward these comments to the Board.

Alderman Prescott also commended Staff on the excellent job clearing streets during the recent snow storm.

Alderman Shifflette also commended Staff for their job during the storm and offered congratulations to Mr. Everhart, 2010 Employee of the Year.

Alderman Caudill Jones commended Staff of the cleanup efforts and added that she has received numerous compliments from citizens.

Alderman Mason also complimented Town Staff.

Mayor Pro Tem Bugg complimented Town Staff on their efforts getting up leaves all over town prior to the snow storm. He spoke of the numerous infrastructure leaks that have caused problems due to the cold temperatures. It was noted that this is the responsibility of the CCUC and it was recommended that we contact both Dave Saunders, Director of the CCUC and the Town's Representative on the CCUC Board, Doug Jewell.

Mayor Morgan complimented all those involved in the downtown holiday decorations, commended Town Staff for the snow removal, and commended the KDPDC on a successful New Year's Eve event.

Mayor Morgan reminded the Board of the Planning Retreat on Friday, January 14<sup>th</sup> at Fidelity Bank.

## **12. ADJOURNMENT.**

Alderman Dana Caudill Jones made a **Motion** to adjourn the meeting at 8:31 PM. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

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Dawn H. Morgan, Mayor

Attest:

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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 January 4, 2011.

This the \_\_\_\_ day of \_\_\_\_\_, 2011.

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Dale F. Martin, MMC, Town Clerk

Alderman Mason also complimented Town Staff.

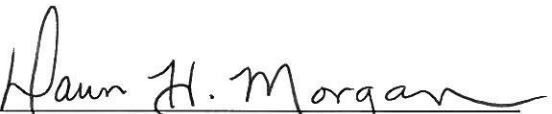
Mayor Pro Tem Bugg complimented Town Staff on their efforts getting up leaves all over town prior to the snow storm. He spoke of the numerous infrastructure leaks that have caused problems due to the cold temperatures. It was noted that this is the responsibility of the CCUC and it was recommended that we contact both Dave Saunders, Director of the CCUC and the Town's Representative on the CCUC Board, Doug Jewell.

Mayor Morgan complimented all those involved in the downtown holiday decorations, commended Town Staff for the snow removal, and commended the KDPDC on a successful New Year's Eve event.

Mayor Morgan reminded the Board of the Planning Retreat on Friday, January 14<sup>th</sup> at Fidelity Bank.

## 12. ADJOURNMENT.

Alderman Dana Caudill Jones made a **Motion** to adjourn the meeting at 8:31 PM. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

  
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 January 4, 2011.

This the 4 day of February, 2011.

  
Dale F. Martin, MMC, Town Clerk