

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
BRIEFING SESSION SEPTEMBER 28, 2011**

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

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

**Absent:** None

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

**Call to order and invocation.**

Mayor Dawn Morgan called the meeting to order and Alderman Dana Caudill Jones delivered the invocation.

- 1. Consideration of Year Two Funding for the Forsyth County Joint DWI Task Force.**
  - a. Resolution Authorizing Acceptance of Grant**
  - b. Resolution Authorizing NC Governor's Highway Grant**
  - c. Authorizing Interlocal and Mutual Assistance Agreements**

Ken Gamble, Police Chief stated that the Board approved the Town's participation in this Forsyth County Joint DWI Task Force in 2010. He added that during the ten months that this program has been in operation 450 DWI charges have been made. He further added that since this four year grant requires a Town match, it requires Board approval annually. He stated that a 15% Town match is required this year of \$11,400, a 25% match in year 3, and a 50% match in the fourth year.

Alderman Dana Caudill Jones made a **Motion** to approve the following Resolution Authorizing Acceptance of Grant. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

**R-2011-25**

**RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE  
NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM  
TO CONTINUE OPERATION OF A FORSYTH COUNTY DRIVING WHILE**

**INFLUENCED (DWI) JOINT TASK FORCE AND AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF KERNERSVILLE, NORTH CAROLINA, THE CITY OF WINSTON-SALEM, NORTH CAROLINA AND THE COUNTY OF FORSYTH, NORTH CAROLINA TO ACCEPT GRANT FUNDING AND EXECUTION OF A MUTUAL ASSISTANCE AGREEMENT BETWEEN THE SAME PARTIES FOR CONTINUANCE OF THE DWI JOINT TASK FORCE**

**WHEREAS**, the Town of Kernersville (Town), City of Winston-Salem (City) and Forsyth County (County) are eligible to share \$396,477 in grant funds available under the North Carolina Governor's Highway Safety Program Traffic Safety Project Program in order to continue second year operation of a Forsyth County DWI Joint Task Force (hereinafter sometimes referred to as the "Task Force") program; and

**WHEREAS**, the receipt of the abovementioned grant funding is conditioned on a total matching contribution of 15% from the CITY, COUNTY and TOWN in the amount of \$69,967.

**WHEREAS**, the Task Force will continue operating within the entire geographic area of Forsyth County such that the Town and City Police Departments will be required to operate outside of their municipal territorial jurisdiction, the parties will execute a Mutual Assistance Agreement to address the particular operations of the Task Force and the requirements for requesting, granting, receiving and providing assistance; and

**WHEREAS**, the basic terms of the Interlocal Agreement and Mutual Assistance Agreement will include the following:

- (a) The City will continue to serve as the administrator for the Task Force grant;
- (b) The Town, City and County will continue to designate personnel to serve on the Task Force. Grant funds provided for the Task Force will be utilized solely for the payment of Task Force officer salaries, fringe benefits, equipment, training and travel and other items necessary for maintenance of the Task Force. Specific budgets for costs of the Town, City and County will be utilized and no payments in excess of those budgets will be allowed;
- (c)
  - i. The City will receive the grant funds and will reimburse the Town for invoices submitted, provided the documentation is for allowable expenses. The Town agrees to submit an official invoice along with required documentation for reimbursement within 30 days after payment has been made by the Town.

- ii. The City will make payments of the total matching contribution required on behalf of the Town and the Town will reimburse the City 15% of eligible expenses, which represents the Town's individual share of the total matching contributions required by the grant. Said reimbursements will be made within 30 days of the CITY's request.
- iii. Failure to comply with all terms, conditions and requirements of the Task Force grant may result in the withholding of reimbursement of grant funds.

Mutual assistance will be requested, granted, received and provided in accordance with the Mutual Assistance Agreement between the parties for purposes of Task Force operations;

- (d) All parties will provide reports, statistics and documents required in order to ensure compliance with grant terms and conditions;
- (e) The parties will agree on the mutually acceptable: crime reporting criteria and coding for Task Force activity; vehicle markings and/or identification, common uniforms, handling of evidence collected and stored by Task Force officers; policies regarding pursuit of DWI offenders; and distribution of any proceeds from forfeitures or other seizures of property or monies; and

**WHEREAS**, the Town, City and County will have the opportunity to apply for continued funding from the GHSP for an additional two years, with GHSP funding available at 70% in the third year and 50% in the fourth year; and

**WHEREAS**, the Town, City and County would be required to assume funding of the Task Force at the conclusion of the fourth year; and

**WHEREAS**, it is in the best interest of the Town to accept the grant funds and to authorize the continued operation of the Task Force within the Town and Forsyth County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kernersville Board of Aldermen authorizes the execution of an Interlocal Agreement and a Mutual Assistance Agreement, as outlined above, by the appropriate Town officials, upon approval as to form and legality by the Town Attorney's Office.

Adopted the 28th day of September, 2011

Alderman Tracey Shifflette made a **Motion** to approve the following Resolution Authorizing NC Governor's Highway Grant. Mayor Pro Tem Kevin Bugg seconded the motion and the vote was all for and motion carried.

R-2011-26  
North Carolina Governor's Highway Safety Program  
LOCAL GOVERNMENT RESOLUTION

**Form GHSP-02-A**

(To be completed, attached to and become part of Form GHSP-02, Traffic Safety Project Contract.)

**WHEREAS**, the Town of Kernersville (herein called the "Agency") has completed an application contract for traffic safety funding; and that the Kernersville Board of Aldermen (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract:

**THEREFORE, NOW BE IT RESOLVED BY THE KERNERSVILLE BOARD OF ALDERMEN IN OPEN MEETING ASSEMBLED IN THE TOWN OF KERNERSVILLE, NORTH CAROLINA, THIS 28<sup>TH</sup> DAY OF SEPTEMBER, 2011, AS FOLLOWS:**

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Chief of Police Kenneth W. Gamble is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety program for federal funding in the amount of \$76,000 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$11,400 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangements for other appropriate person to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

This 28<sup>th</sup> day of September, 2011

Alderman Bob Prescott made a **Motion** to approve Interlocal and Mutual Assistance Agreements authorizing Town's participation in the Forsyth County Joint DWI Task Force. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**2. Briefing on the October 4, Regular Meeting Agenda.**

Curtis Swisher, Town Manager advised of the ceremonial items prior to the first item on the Agenda, Speakers from the Floor.

**Item # 2. Presentation by the Police Department on new Reserve Officer Program.**

Police Chief Ken Gamble briefed the Board on the Reserve Officer Program. He stated that this program will improve efficiency; however it will not make up for the frozen positions. He added

that once these officers are trained they will provide assistance during special events, to help offset overtime reduction and help establish a pool of future candidates. He further added that if the Board approves this program the goal is to have it implemented no later than January 2012.

**Item # 3. Discussion Regarding New State Legislation Regulating Firearms on Town owned property and the potential of new Town Ordinances governing the same.**

Mr. John Wolfe, Town Attorney briefed the Board on this matter. He stated that the North Carolina General Assembly has passed legislation, HB 650, regarding the carrying of concealed weapons (GS 14-415.23) in local government buildings, their appurtenant premises and recreational facilities that will become effective December 1, 2011. Mr. Wolfe advised the Board that the Town's current Ordinance would be superseded by this legislation. He recommended that the Board discuss and consider how they want to proceed with this matter after which he could draft an Ordinance for the Board's consideration, based on their recommendations, for the November Agenda.

**Item # 4. Consideration of an Ordinance Rescinding No Parking on Century Place Blvd. and Designating Parking at the PART Bus Stop.**

Mr. Swisher briefed the Board on this matter. He stated that this Ordinance will rescind the current "no parking" on Century Place Boulevard in order to allow for parking at the PART bus stop.

Mayor Morgan inquired about the proximity of the fire hydrants to the designated parking spaces.

Walt Summerville, Fire Chief stated that these would be in compliance with state code.

Mayor Morgan asked Mr. Radford to provide a map illustrating the parking spaces and fire hydrants to the Board prior to the meeting on Tuesday.

**Item # 5. Consideration of a Contract with McGill Associates for the Design of the Kerner Mill Creek Greenway.**

Mr. Swisher briefed the Board on this matter. He stated that Staff is recommending awarding a contract to McGill Associates for the final design for Phase I of the Kerner Mill Creek Greenway.

**Item # 6. Consideration of Designating a Voting Delegate and Alternate for NCLM Annual Conference.**

Mr. Swisher stated that in order for him to vote at the Business Meeting at the Annual NCLM Conference on October 24<sup>th</sup> he must be designated as the Town's voting delegate by the Board.

**Item # 7. Consideration of location for Tree City Signs.**

Mayor Morgan briefed the Board on this matter. She illustrated the two recommended sites for the signs with a map, one at South Main Street and Business 40; and one at I40 and Highway 66. She added that additional signs could be purchased if the Board desired.

**Item # 8. Consent Agenda:**

- C-1 Approval of Minutes for August 31, Special Meeting  
Approval of Minutes for August 31, Briefing Session  
Approval of Minutes for September 6, Regular Session  
Approval of Minutes for September 6, Closed Session**
- C-2 Consideration of a new Lease with the Kernersville Little Theatre for the Harmon Park Building.**

Mayor Morgan highlighted the Consent Agenda items.

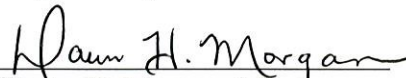
**3. Matters to be presented by the Town Manager and Town Attorney.**

Alderman Keith Mason made a **Motion** to go into Closed Session for the purpose of a discussion that falls within Attorney Client Privilege at 7:21 p.m. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**4. ADJOURNMENT.**

Mayor Pro Tem Kevin Bugg made a **Motion** to adjourn the meeting at 8:01 p.m. immediately following the Closed Session. Alderman Bob Prescott seconded the motion and the vote was all for and motion carried.

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

  
Dawn H. Morgan, Mayor

Attest:

  
Jayne Danner, Deputy Clerk

I, Jayne Danner, Deputy Clerk of the Town of Kernersville, North Carolina, do hereby certify that this is a true and correct copy of the minutes of the meeting duly held on September 28, 2011.

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

  
Jayne Danner CMC, Deputy Clerk