

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. NOVEMBER 1, 2011**

The Board of Aldermen of the Town of Kernersville met in regular session at 7:05 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, Bob Prescott and Tracey Shifflette.

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; Captain Steve Bowman, Police Department; Doran Maltba, Public Services Director; Franz Ader, Finance Director; Lane Smith, Park Maintenance Supervisor; Walt Summerville, Fire Chief; Ray Smith, Human Resources Director; Crystal Tanner, Human Resources Manager; Russell Radford, Engineering Director; Brian Ulrich, Engineering/Transportation Manager, and Brad Brooks, Computer Technician.

- **CALL TO ORDER**
- **INVOCATION BY PASTOR SAM WHITE, SHADY GROVE WESLEYAN CHURCH**

Mayor Dawn Morgan called the meeting to order and Pastor Sam White of Shady Grove Wesleyan Church delivered the invocation.

- **PLEDGE OF ALLEGIANCE BY GIRL SCOUT BROWNIE TROOP 41029**

The Pledge of Allegiance was led by Girl Scout Brownie Troop 41029 members: Gabby Tilley, Abigail Smith, Sydney Watson, Kaley Leonard, Sarah Morgan, Katie Beth Fradenburg, Christiana Mayas, Allie Brooker, Sarah Bonds, Rebecca Tolle, and Kaitlyn Herrera.

PUBLIC HEARINGS

- 1 a. **PUBLIC HEARING:** John Hodges, Jr., Owner, for property located at 1484 – 1496 Hampton Plaza Drive and 244 Clayton Forest Road, being all of PIN#6885-43-9232, containing 2.97 acres more or less. Petitioner requests a Special Use District rezoning from HB-S (Highway Business – Special Use District) to HB-S (Highway Business – Special Use District) requesting additional permitted uses. Zoning Docket K-710

Mr. Jeff Hatling, Community Development Director presented the Planning Board report for this rezoning request. Mr. Hatling noted that the site is a part of the Stafford Centre Business Park and described the surrounding land uses. He presented specifics on the site plan such as location and size of the building. He explained that this request deviated from the originally approved uses and is essentially removing this site from the Business Park. This action will set

a precedence that will be taken under consideration should future rezoning be brought before the Town. Mr. Hatling presented the list of uses requested. Staff and Planning Board recommend approval of this request with the Planning Board recommending adding “Building Contractor, General” as a use.

Mayor Morgan declared the public hearing open.

In Favor:

John Hodges, 1484 Hampton Plaza Drive, Kernersville, NC – stated that he understands the reason for picking between the uses; however there are a few uses that he would like to add back. He explained that things have changed since the park was developed and it will change even more in the next 15 years. He requested adding back the following uses “Building Material Supply; Churches; Hardware Store; Health Services, Miscellaneous; Postal Processing Center; Recycling Center; Implement Sales or Services. He added that Retail Store, Specialty or Miscellaneous will throw up a red flag, not that I want to put in a Belk or Macy’s but there are some businesses that will fit in this park that fall within this category.

Opposed:

None presented.

Being no further speakers either in favor or opposed, the Mayor closed the public hearing.

1 b. Consideration of an ordinance to rezone above property.

Alderman Bob Prescott asked Mr. Hatling why Building Material Supply was left out. Mr. Hatling stated that this use typically goes with outdoor storage and not in a business park.

Alderman Tracey Shifflette asked about churches. Mr. Hatling stated that a community church is typically 600 people or less and would require more space. A church could have a small office located here.

Alderman Dana Caudill Jones asked if uses can be added at this point after the Planning Board approval. Mr. Hatling confirmed that uses can be added.

Alderman Keith Mason suggested this request be taken back to the Planning Board for consideration of these additional uses.

A brief discussion was held on sending this request back to the Planning Board however it would delay the project 2 to 3 months. A discussion was held on the uses and placing appropriate conditions such as additional screening or limiting outdoor storage if allowed in the park. It was the opinion that most of these uses were reasonable with conditions attached.

Alderman Dana Caudill Jones made a **Motion** to approve the following Ordinance rezoning the property in case K-710 from HB-S (Highway Business – Special Use District) to HB-S (Highway Business – Special Use District) by including the Permitted Uses:

~~ABC Store (Liquor); Adult Day Care Center; Arts & Crafts Studio; Banking and Financial Services; Building Contractors, General; Building Material Supply (outdoor storage shall be screened); Car Wash; Child Day Care Center; Church or Religious Institution, Neighborhood Scale; Club or Lodge; Convenience Store; Food or Drug Store; Furniture and Home Furnishing Store; General Merchandise Store; Government Offices; Hardware Store; Health Services, Miscellaneous (except drug treatment centers); Hotel or Motel; Implement Sales or Service; (outdoor storage shall be screened) Institutional Vocational Training Facility; Medical Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motorcycle Dealer; Museum or Art Gallery; Nightclub; Nursery, Lawn and Garden Supply Store, Retail; Offices, Miscellaneous; Outdoor Display Retail; Police Or Fire Station; Postal Processing Center; Professional Office; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Recycling Center; Retail Store, Specialty or Miscellaneous; Restaurant (Without Drive-Thru Service); Restaurant (With Drive-Thru Service)(Limited to One); Services, Business A; Services, Personal; Storage Services, Retail; Testing And Research Laboratory; Veterinary Services; Warehousing; Wholesale Trade.~~

The said rezoning and uses being consistent with the Town's Comprehensive Plan, and further being both reasonable and in the public interest because:

1. The uses would conform to the approved Final Development Plan (site plan).
2. The uses would conform to the intent of the approved Stafford Business Park.
3. The rezoning and uses would conform to the "Industrial" designation of the Town's *Land Use Plan*.

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

Town Ordinance

Zoning Petition of John W. Hodges, Jr., Owner

Zoning Docket K-710

ORDINANCE NO. O-2011-33 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 Zoning District HB-S (Highway Business – Special Use District) to HB-S (Highway Business – Special Use District) requesting permitted uses of ~~ABC Store (Liquor); Adult Day Care Center; Arts & Crafts Studio; Banking and Financial Services; Building Contractors, General; Building Material Supply (outdoor storage shall be screened); Car Wash; Child Day Care Center; Church or Religious Institution, Neighborhood Scale; Club or Lodge; Convenience Store; Food or Drug Store; Furniture and Home Furnishing Store; General Merchandise Store; Government Offices; Hardware Store; Health Services, Miscellaneous (except drug treatment centers); Hotel or Motel; Implement Sales or Service; (outdoor storage shall be screened) Institutional Vocational Training Facility; Medical Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motorcycle Dealer; Museum or Art Gallery;~~

~~Nightclub; Nursery, Lawn and Garden Supply Store, Retail; Offices, Miscellaneous; Outdoor Display Retail; Police Or Fire Station; Postal Processing Center; Professional Office; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Recycling Center; Retail Store, Specialty or Miscellaneous; Restaurant (Without Drive-Thru Service); Restaurant (With Drive-Thru Service)(Limited to One); Services, Business A; Services, Personal; Storage Services, Retail; Testing And Research Laboratory; Veterinary Services; Warehousing; Wholesale Trade A~~ for property located at 1484 – 1496 Hampton Plaza Drive and 244 Clayton Forest Road, being all of PIN#6885-43-9232, containing 2.97 acres more or less and being further described as follows:

BEING KNOWN AND DESIGNATED as all of PIN#6885-43-9232, containing a total of 2.97 acres more or less as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina.

SECTION 2. The Board of Aldermen of the Town of Kernersville has issued a Special Use District Permit for the zoning petition of John W. Hodges, Jr., Owner for property located at 1484 – 1496 Hampton Plaza Drive and 244 Clayton Forest Road, being all of PIN#6885-43-9232, containing 2.97 acres more or less.

SECTION 3. This Ordinance shall be effective from and after its adoption.

Adopted this the 1st day of November, 2011.

2 a. PUBLIC HEARING: Curtis Swisher, Town Manager, for consideration of an amendment to the Kernersville Development Plan to amend the Thoroughfare and Street Plan. Zoning Docket KDP-34.

Alderman Dana Caudill Jones stated that the Board received a letter from Mr. Ray Thomas requesting a delay on behalf of the POST group to allow the group more time to look at it this situation.

Alderman Dana Caudill Jones made a **Motion** to continue this matter to February 2012 meeting. Alderman Tracey Shifflette seconded the motion.

Vote in favor: Aldermen Jones and Shifflette. Vote in opposition: Aldermen Bugg, Mason and Prescott.

Mr. Ray Thomas, 500 Big Mill Farm Rd., Kernersville, NC – stated on behalf of Pat and I, he submitted a letter requesting that Alderman Keith Mason and Alderman Tracey Shifflette recuse themselves from consideration of this issue. Their objections are based upon the fact that the Aldermen were members of the Thoroughfare and Street Plan Study Committee acting in their official capacity as Alderman. The minutes of the Study Committee's meeting on Sept. 8, 2011 reflect that without a public hearing and in their official capacity voted in favor of the plan. After a public hearing, both are being allowed in their official capacity to vote on the plan. He quoted a due process violation. He complimented each Alderman on their service to the citizens and that it gave them no pleasure to make this request.

Mr. John Wolfe, Town Attorney asked if Mr. Thomas has any law in regard to this request. Mr. Thomas stated that they had made an earlier request for continuance and was denied. This denies us the

opportunity to determine if there is any law to support this request. He stated that there are cases that prior action by those making a decision can be biased. We want to make sure that there is impartiality and due process followed. We feel that there is a possibility of a violation.

Mr. Wolfe asked if Mr. Thomas feels there has been bias on either part. Mr. Thomas stated that as reflected in the minutes, they voted for the plan at the last committee meeting. We are required to come before them again. He stated that they are continually referred to in the minutes in their official capacity as Aldermen. The group feels that it is unfair as they have already voted on the matter.

Mr. Wolfe advised that the Alderman have not demonstrated bias on their part and that due process has been followed. He further explained that Aldermen have sat on various committees with citizen groups from time to time and they may be referred to in their official capacity as an elected official. In his opinion no violations have occurred.

Mayor Morgan thanked the audience for their patience and involvement in this process. She reminded everyone that the committee was comprised of citizens from all over the community and not just the Hopkins Road/Bill Mill Farm areas. She thanked the committee for their diligent efforts on this very comprehensive project.

Mayor Morgan explained the process for holding the public hearing tonight.

Mr. Jeff Hatling presented the Planning Board Report for this amendment. He presented a brief history of the committee and the purpose and goals of the study. He pointed out that the study was conducted over the entire community. He stated that data from various traffic studies conducted was analyzed along with the impact of road improvement projects throughout town. He presented long term projections of the Town's future growth trends and needs for both residential and commercial/business areas that will place demands on the Town's infrastructure.

Mr. Hatling then spoke of the Big Mill Farm Road interchange plans by NCDOT. He spoke of planned improvements to S. Main St. and Old Winston Road that would provide some relief to the area however, stressed the need to continually update growth data and the protection of right-of-way for future road improvements to minimize the adverse impacts to adjacent property owners. Mr. Hatling clarified that the Timberview/Big Mill Farm Rd. intersection would be a full service intersection and presented the traffic flow patterns recommended. He added that the Town would work with the WS MPO and NCDOT to incorporate the recently adopted NCDOT Complete Street Policy to design the roadway based on the context of the neighborhood. The avenue street type road is the recommended design for thoroughfares through residential neighborhoods.

Phyllis Mendel, 675 Inland Drive, Kernersville, NC – reported on behalf of the Thoroughfare & Street Plan Study Committee. She stated that she has been in Kernersville since 1985. During this time she has been a builder in the Wexford subdivision and has been a member of the Planning Board for 15 yrs. She stated that she served as Chair of the Infrastructure Committee during the Strategic Planning Process. Ms. Mendel asked the Board to remain focused on the purpose of the plan as they begin their deliberations. She noted that the focus of the plan is to maximize the safe and effective use of existing and future streets. She stated that our comprehensive plan should include connectivity and orderly growth based on the best information available to us.

Ms. Mendel stated that the Town hired a Consultant to run forecasts, population trends, employment trends and vehicle miles traveled data. The Consultant's results mirrored information obtained by NCDOT and the WS MPO and this information was chosen by the Committee to be used in forming their recommendation. She added that the Board may hear other growth projections and trends tonight; however, it's the Board's job to access which estimates have the best basis and facts.

Ms. Mendel noted that despite the economy Kernersville has managed to attract FedEx in a new Business Park, a new hospital in a new medical complex, a vibrant Farmer's Market downtown and most recently a VA facility. Where will we go when the economy improves? She added that sound decisions by this Board and the physical location of Kernersville is bringing business here even as the economy struggles.

Ms. Mendel noted that S. Main Street is one of the most heavily traveled roads in Forsyth County. This congestion on S. Main Street and Old Winston Road is what makes our job all that more important. She pointed out the Committee has made numerous recommendations for improvements affecting all areas of Kernersville. However, the portion of the study that includes the interchange on Business 40 at Big Mill Farm Road, improvements to Big Mill Farm Road and Hopkins Road is getting the most attention. She stated that the Committee spent lots of time looking at alternatives for the interchange, including improvements to S. Main Street. The committee determined that if all other improvements were funded and constructed we would only buy 13 years before the safety and level of service would slip back to present day levels.

Ms. Mendel stated that the first Thoroughfare Plan was adopted in 1979 and Big Mill Farm Road interchange was listed on that plan. Over the years, the Town has worked diligently with this goal in mind. In 1987, Ms. Mendel stated that she was a general contractor and met with the developers of the Wexford subdivision and was told about this interchange at that time. Somewhere between then and now, purchasers are no longer being told about the projected improvements. The Town however, has maintained a reliable and consistent plan of this area.

Ms. Mendel stated that advanced planning will put the Town's needs at the forefront of the long drawn out competition with other communities for scarce funds. Planning for this interchange is an example of Kernersville doing it right. We need to move forward with the plan.

Ms. Mendel stated that the Board will hear from others that we should remove this project from the plan until the affects of these other road improvements are known. The traffic modeling has already been taken into consideration for these improvements. Waiting for these to be in place will put Kernersville behind. She reminded the Board that we are looking at a 30 year completion of this project and not a project that can wait until the need becomes critical.

Ms. Mendel stated that in her first 10 years on the Planning Board, citizens in this area voiced opposition to rezonings because of traffic congestion. She noted that voters approved \$7 million in funds for road improvements which equated to approximately \$22 million in actual improvements. It seems foolish to wait and allow us to get behind the curve again. She spoke of the 2020 plan and the importance of this road project within that plan and subsequent updates. Ms. Mendel asked the Board to keep in mind what is in the best interest of the entire town, the general welfare and safety of all its citizens. As each section of the Town grows, each section

should shoulder the burden of that growth. Currently the residents on Macy Grove Road are shouldering the burden of the hospital and residents of Gralin Street had to accept the widening of their small street all for the benefit of the entire Town.

Ms. Mendel stated that many wonderful things have happened on the Committee as a result of the POST organization and thanked them for their efforts. She stated that they caused this whole process, a complete update of the Town's Thoroughfare Plan. They demanded a clear enunciation of the various trigger points of when decisions will be made and action taken. This information will be incorporated into Town policy. They assisted with establishing a strong statement of the Town's intent of providing a comprehensive approach when implementing road improvements. They suggested the Town provide additional choices when selecting road profiles, to acknowledge the existence of pedestrians and bike routes, etc. to lessen the impact on neighborhoods. They called for an emphasis to be placed on public education.

Ms. Mendel stated that on a vote of 7-2, the Committee and the Planning Board endorsed the plan. She urged the Board to cast their vote tonight based on the best available information and urged the Board to not delay and adopt the plan tonight.

Susan Fradenburg, 320 Birchridge Dr., Kernersville, NC - presented a report on behalf of POST (Preserve Our Small Town). Mrs. Fradenburg stated that she and Ms. Barbacci were members of the Thoroughfare Planning Committee and were the two opposing votes on the plan. She stated that they are also residents of the Wexford neighborhood. She stated that they are here to request amendments to the plan and to show why these amendments are necessary. She did concur that the document in place is better than what was adopted in 1979. She stated that there are four points that she plans to make tonight. They are not opposed to the Thoroughfare Plan with these recommended amendments.

Mrs. Fradenburg stated that language regarding the Town working with NCDOT and the WS MPO is crucial. Clarification is needed in regard to language about the avenue street type.

Mrs. Fradenburg stated that it is important to note that the report shows an estimate of the project to be approximately \$13 million; however the project has the potential to cost approximately \$40 to \$50 million.

Mrs. Fradenburg stated that the POST recommendation is consistent with what she and Diann voted on and is for the report to reflect a 2-lane avenue. She referred to page 66 of the report which illustrates a 4-lane avenue. She added that this is a compromise on their part as they do not want the Big Mill Farm Road interchange. She further added that they do recognize the area is going to grow and these issues will not go away with the swipe of a magic wand.

Mrs. Fradenburg stated that their second point addresses the cost of the project and that the plan reflects estimates that are actually coming in at \$54 million. We can't move forwarding thinking this is a \$13 million project.

Mrs. Fradenburg stated that their third requested amendment is to remove Big Mill Farm Road from the Long Range Transportation Plan. Their reason for making this request is that by having the project listed on the long range plan, this project can come up for testing and funding.

Mrs. Fradenburg stated their fourth request is that we analyze the actual results of the trigger points prior to moving forward with this plan. The I-74 parkway is now being considered for construction and not projected to be 30 years but 2 years out. She stated that everyone on the Thoroughfare Planning Committee agreed that the Old Winston Road/Papa John's intersection should be our #1 priority. It needs to be funded and constructed.

Mrs. Fradenburg stated that their fundamental issue here is when we concede control to NCDOT. At the end of the day, these are not our roads and what is built will be decided by DOT. Our concern is that once we let go, we lose control.

Mrs. Fradenburg stated that they are also skeptical of moving forward because of the data being used which is prior to 2007. The hospital was on the plan before the recession and possibly FedEx ground as well. The study uses this data to determine the traffic trends and population growth. The other issue is this data shows that a lot of traffic comes from the north. She stated that a lot of the homes being projected for this area are not going to be built anytime soon due to the economy. Unemployment is up, homes sales are down and foreclosures are at a record high in Forsyth County. She contends that these numbers do not support these traffic volume projections.

Mrs. Fradenburg stated that she would like to discuss the traffic redistribution. This is not a case where we are saying we don't want you to build the interchange here but somewhere else. We want to make sure that it "should" be built. She pointed out the other access points for I-40, Business-40 and the new proposed beltway. We should wait and feel more confident that the traffic growth will occur before we continue with these plans.

Diann Barbacci, 6286 Selwyck Lane, Kernersville, NC – she presented the groups fifth reason for not moving forward with these plans. She stated that we do not know the impact of the I-74 beltway. She added that the construction of this beltway has been moved from 2025 and with the stroke of a pen determined that the construction of this beltway will occur in 2014. Mrs. Barbacci stated that this will significantly change the traffic flow of this area. This beltway contains three access points: Hwy. 158, Business-40 and Sedge Garden Road. She stated that many times during this study process the committee was told that a great deal of the traffic is from Walkertown accessing Business 40. The beltway will be accessed at Hwy. 158 and will significantly reduce the traffic on Hopkins Road and S. Main Street. Retail shopping has been developed in Walkertown, also decreasing the need for them to come to Kernersville.

Mrs. Barbacci stated that their sixth reason for opposing this plan is that travelers into Kernersville will have five access points into Kernersville. She stated that in her opinion, in a very short period of time, we will have actual decrease in traffic on Hopkins Rd. and I-40 because of the I-74 beltway. Do we really need another access point without further study?

Mrs. Barbacci stated that reason number seven is regarding the trigger points throughout this process. She stated that when POST's report was presented to the Planning Board in 2009, they recommended improvements to the S. Main/Papa John's intersection. She noted that the Committee has spent hours reviewing alternatives. She added that they don't know what the final plans will be for this intersection; however, they do recommend improvements to this intersection as the #1 priority. She added that improvements here will alleviate traffic for 13 years so why we are rushing forward now with these improvements.

Mrs. Barbacci stated that reason number eight is unsupported average daily traffic counts and forecasts. She spoke of peak hour traffic counts in this area for 2008 and 2011 which has not grown in five years. If you build this interchange all this traffic will end up on Hopkins Road. She asked the Board to think about the impact that would have on the area.

Mrs. Barbacci stated that the majority of the traffic is local and will decrease once the I-74 beltway is built. She stated that morning traffic expects to wait at the intersection of Old Winston Road and Hopkins Road for no more than 3 or 4 minutes during a 30 minute period, again at lunch and in the evening. She stated that people expect to have to wait during rush hour. If we build roads to accommodate rush hour traffic we would have to pave roads all over Kernersville.

Mrs. Barbacci explained their ninth reason. She explained that DOT only builds big roads today. No disrespect intended but they will build what they think we need.

Mrs. Barbacci made their tenth point by saying that it is important to remember that the avenue design speed is 45 mph. All the adjacent neighborhoods have a 25 mph speed limit. This will adversely impact the quality of life on these existing neighborhoods. If we let DOT build anything but a 2-lane road we are creating a significant safety hazard for our children. This will also increase the crime rate along Hopkins Road and will create significant noise issues.

Mrs. Barbacci raised her final point regarding neighborhood connectivity. What is disturbing about this topic is how it came to our attention. After the Committee had voted, one of her neighbors contacted her about neighborhood connectivity. This neighbor referred to a conversation held in the basement of the library in which a connection from Timberview to Post Oak was discussed. She reminded the Board of the cost issues placed upon the developer if he was required to build a bridge to connect these two roads. She pointed out that Wexford would be cut in half if you build this proposed roadway through it and then again if you connect Timberview to Post Oak. She asked why was connectivity never addressed during this study process.

Mrs. Barbacci summarized their recommended amendments:

- change everywhere in the study to 2 lane avenue
- add the cost of interchange to reflect total cost of the project
- remove Hopkins/Big Mill Farm Roads from State's Long Range plan
- before proceeding with any financing analyze the impacts of the current trigger points I-74 and improvements to the Hopkins Road/Papa John's intersection.

Mrs. Barbacci stated that if you truly believe that this road will never be built then there is no reason to discuss any of these trigger points. She asked if the Board is 100% sure that we need this road; she contends that we don't. Let's wait to get data which supports this project. She stated that she is not opposed to building a road if we really need it; however, we must analyze the data. Never within the process did we ever say what will happen if we don't build this road. She then asked the audience to stand in support of the POST recommendations. Approximately 70-80 individuals stood.

Mayor Morgan thanked everyone on the Committee for all the effort on this study.

Mayor Morgan then called for a brief recess at 9:01 PM. The meeting was reconvened at 9:17 PM.

Mayor Morgan declared the Public Hearing Open.

In Favor

None presented.

In Opposition

Tab Waldrop, 335 Timberview Drive, Kernersville, NC – thanked the Board for the opportunity to speak tonight. He stated that his concern is with the connection of Timberview Drive to Post Oak Road. He explained that he attended the open house at the Library and talked with the Town Engineer. He stated that he had not heard about the connection before and challenged him on this issue. He stated that you will have to build a bridge to cross this creek and questioned the feasibility of that connection. He stated that if this is not going to happen, then document it so that this connection will not be made in the future. He recommended that the map be amended to reflect this change.

Mr. Hatling stated that the study does not provide any direction that Timberview be connected. There is a section on connectivity but this specific connection is not included. Mayor Morgan asked about amending the map. Mr. Hatling stated that the Thoroughfare Plan includes areas that are identified as paper streets that were previously approved however, that does not mean it will be connected.

Mr. Swisher stated that to his knowledge this connection was not a part of this project either.

Alderman Keith Mason stated that there are two issues here and asked if Mr. Waldrop wanted this connection removed in both this study document and on the Thoroughfare Plan. Mr. Waldrop stated that years down the road people may not remember this conversation and would recommended that it be documented that there be no connectivity.

Alderman Mason asked Staff for any disadvantages to this. Mr. Hatling stated that when congestion comes to a point where residents have a hard time getting in and out of the neighborhood then the neighborhood representatives will petition to make some of these paper street connections. These paper streets are preserved for the future.

Don Swaim, 515 Hopkins Rd., Kernersville, NC – stated that he built here in 1964. He stated that if he is given a choice, he prefers nothing be done to Hopkins Road that would encourage this road to be used as a short cut for trucks. He concurs with POST comments and added that months back he read that the Town received good news regarding the Town's bond rating.

Mr. Swaim stated that his personal concern is with the "bad curve" there on Hopkins Road. His driveway is in that curve. The drawings that show the curve straightened out will take a good chunk of his property and will affect the value of his property. He pointed out that he would lose his natural barrier there as well. He stated that Staff came out for an onsite visit and suggested that the road be moved slightly south to keep from chopping up his property.

Mayor Morgan asked Mr. Greg Errett to address this concern of shifting the road.

Greg Errett, Planning Development Coordinator, Winston-Salem Transportation, stated that DOT will go through a complete planning process. A planning document will need to be approved and then it will go into a design process which will include public hearings and other meetings in which the individual property owner can come and state their concerns. Staff will take those comments into account during the design phase to minimize the impact as much as possible on the surrounding property owners. He added that DOT implements dozens of compromises all the time to minimize the impact as much as possible.

Mayor Pro Tem Bugg asked for the process to designate a roadway for weight limits. Mr. Errett stated that he is not a traffic engineer, but that most DOT roads are accessible to large vehicles; there are weight limits established for bridges. He stated that construction of roads in some cases can limit the weight restriction but would be happy to research this further.

Brian Ulrich, Transportation Manager, stated that weight limits are usually implemented for bridges however they can be implemented as well due to the construction of the road. Mayor Pro Tem Bugg asked for the purpose of truck routes. Mr. Ulrich stated that a truck route is to encourage truck traffic to stay on major roads. They can deviate from those routes when necessary. He stated that there is a radius of five miles or so that they can travel to get fuel or something to eat.

Mayor Morgan noted that the Town has requested DOT to look at roads regarding truck traffic in the past.

Terry Kiger, 471 Hopkins Rd., Kernersville, NC – stated that he also supports the Post group. He stated that at some point this road will happen. He stated that DOT Staff will look at the matter to determine if the road is justified. He stated his issue is different. If this Board votes to build this road, his house becomes unsellable tomorrow. He explained that the right of way in front of his house is currently 60 ft. The right-of-way for this proposed road way is 100 ft. He would not be able to park his truck in front of his garage without being in the right-of-way. He stated that he purchased his house a little over a year ago. He stated that his wife was told that this road would be three lanes, don't worry about it. He asked the Board to take a conservative approach. He stated that the data used is from 2007. We are operating in a dramatically different economic landscape today and asked the Board to look at the impact this road will have on him and his neighborhood.

Mayor Morgan asked Mr. Hatling to address the right-of-way issues. Mr. Hatling stated that he has had a similar conversation with the property owner across the street. He explained the avenue design with a 35 mph speed and the possibility of shifting the road slightly. Mr. Kiger stated that if you move the road the other way you can wind up in the middle of his house. He added that if it is not me it's him and there is no place you can move the road without affecting one of us. Mr. Swaim has options; however we don't. He added that if the Board votes yes tonight, I have to disclose this plan and nobody will want to purchase my property.

Aubrey Turner, 506 Bent Creek Trail, Kernersville, NC – stated that he also supports POST. He stated that he bought his home in 1996 and picked Kernersville because it is a great place to live and raise a family. He stated that building a 4-lane road that will connect to I-40 through a neighborhood is a bad idea. He asked them to imagine Silas Creek Parkway next door to you. This plan is out of date

and there does not need to be an interchange here nor 4 lanes of traffic next to my house or your house. Let's keep this a great place.

Mr. Turner then reminded everyone that there is an election in town. He added that he cannot vote for you if you support this plan. He added that there is no reason that this plan has to be voted on right now other than someone wants to get it in before the election. He stated that he would like to hear from our Board candidates on this as well. It will determine how he votes in the election.

Mr. John Wolfe called Mr. Turner out of order and reminded him that this is a public hearing on the Thoroughfare Plan and that threats are improper and out of bounds during this discussion.

Mr. Turner stated that this vote can be postponed until next month.

Michael Bellas, 317 Carlisle Park Drive, Kernersville, NC – thanked the Board for the opportunity to share his feelings regarding this matter. He stated that the neighborhood is asking the Board not to consider this proposal in its present form and that the plan be sent back to the committee to incorporate concrete and correct information. He noted serious issues with how the Committee, Planning Staff and Town Manager are projecting this study. He stated that another speaker suggested you use the best information available to you. He referred to Mr. Hatling's comments regarding data being the most important aspect of any plan and is the foundation upon which projections are made.

Mr. Bellas referred to the projected population growth rates and traffic growth rates used in the study when the growth rates found on the Town's website are different, which is correct. He stated that the Community Development Director has used the term "gridlock" regarding the traffic situation on Hopkins Road. There has been very little actual increase in traffic and at most a 2 to 3 minute wait at the intersection of Old Winston Road and Hopkins Road.

Mr. Bellas referred to Chapter 3's opening statement. Data is the most critical component in the entire plan but yet it's inconsistent and unreliable. It is incomprehensible that this plan was brought forward from the Committee and the leadership of this town. He asked that this plan be sent back to the committee to incorporate solid data which will allow you to make the right decision.

Mayor Morgan asked Mr. Hatling to explain the process the committee went through to formulate this plan.

Mr. Hatling stated that the Committee looked at the greater Kernersville area and not just the city limits. He explained that the data used was averages of this area. The data used was not created but factual information that was averaged from all areas of Town.

Lynwood Baker, 6360 Lamshire Road, Kernersville, NC – stated that his property is on the corner of Big Mill Farm Rd. right where this road goes. His concern is similar to that mentioned by Mrs. Barbacci and Mr. Kiger that if you vote on this, I will have no hope of ever selling my home. On this map, my house is in the red. He stated that when he went to the library he asked three individuals but no one had an answer. He added that Big Mill Farm Rd. is an old asphalt road and you can't get an accurate measurement of it but the average is 22 ft. wide. If you use the avenue design which is 80-90 ft. in right-of-way and you measure from the middle of the road out, the road stops 8-11 feet from my home. What happens to the value of my home? He asked the Board to put a personal face on this instead of all the data and numbers thrown out here tonight. He stated that he is a lifelong resident of

Kernersville that understands growth and traffic however, putting it through an established neighborhood that will affect the lives of those that live there is not right.

Mr. Hatling stated that the Committee looked at many alternatives and the map showing the area in red reflects property that will come near the roadway. Mr. Baker asked him to talk about specifics and not in general. Mr. Hatling stated that there is not enough right-of-way at Lamshire so the road will be shifted in the middle of the 100 ft. right-of-way. Mr. Hatling stated that the Town can draft a letter if he considers selling his property explaining the situation.

Mr. Baker stated that you can write all the letters you want but nobody is going to buy a house with the right-of-way 8 to 10 ft. beside of it. He stated that he bought his house in 1994 and never heard of this roadway. Let's put a personal face on it and make a conscious and ethical decision and not based on numbers.

Alderman Mason stated that he is not clear on the distance between Mr. Baker's house and the road. Mr. Hatling stated that the map Mr. Baker is referring to was to illustrate the alternatives and has nothing to do with the homes and right-of-way. Mr. Baker stated that he has requested someone explain this to him and he still doesn't have any answers. He didn't make this up.

Gregg Errett explained that it makes a difference if the design of road is for ribbon pavement or curb and gutter. This road would most likely be a curb and gutter designed road. Generally a 3 lane road is about 40 ft. of paving with 10-15 ft. on each side from the edge of curb to the end of the right-of-way.

Mr. Baker asked how close the pavement has to stop before my house is taken. Mr. Errett stated that an evaluation of the property is conducted and each case has many different factors. Damages are calculated on a case by case basis. He pointed out some of the issues such as location of septic tanks that are considered when evaluating the property.

Ray Thomas, 500 Big Mill Farm Road, Kernersville, NC – stated that there has been a lot of conversation on this topic. He stated that he has been before the Board many times regarding zoning cases and does not remember a time when a continuance was not granted.

Mr. Thomas stated that the Board must decide if the best available information has been used tonight. He asked if anything has occurred since that information was compiled and today that would change the way you vote. He reminded the Board of the Governor's recent decision to build a road. He stated that if the Board doesn't know for sure how much the road will cost then you need to find out before you make a decision. He noted that in 1979, I-40 was interstate 40 but now it is Business-40. He asked the Board to think about the changes that have occurred in this area. He asked if they assume that the bridge will be built. He noted various traffic patterns in and out of the area and then asked if the Board should consider the extension of the road at Triad Baptist Church to connect to Whicker Road. Should we do this at the same time as we are building this bridge so that we do not create what we are trying to solve, gridlock.

Mr. Thomas stated that if the Town does not give up control of Big Mill Farm Road then you don't lose control. He stated that he deals with procedures and rules all the time but has yet to understand the process used by DOT. If this road goes on the TIP and we find that we are wasting money, can we take it off.

Mr. Thomas stated that one thing he has learned is that the last refuge for anybody is their home. The Board represents all the citizens of this community and this area is a part of Kernersville. He added that no one spoke in favor of this proposal and that should be a consideration when you make your decision.

Mayor Morgan declared the Public Hearing closed.

2 b. Consideration of a resolution to amend the Kernersville Development Plan.

Alderman Shifflette stated that we don't have a crystal ball to predict the future. She asked Staff how long it would take to get a project back on the long range plan if the Board were to remove it. Brian Ulrich stated that nothing is certain; however, the long range plan is a 30 year document. He stated that he is not sure but believes this project was added to the long range plan before 2000-20001 and was projected to be built in 2005-2014 and included in updates to the 2015 -2020 long range plan and the 2016-2025 long range plan. He stated that we give them 10-14 years once it gets added to the TIP to get built but that's not always the case. If you take it off, we have to get it added back on and start the process over.

Mayor Pro Tem Kevin Bugg explained the prioritization plan for NCDOT and how it was used for Macy Grove Road. He added that we don't know how it will work in the future. Mr. Ulrich agreed and added that it will probably change again in the future.

Mr. Errett clarified that Macy Grove is fully funded which makes a difference from projects that are not funded. The timing may shift from year to year and it becomes a matter of "when" it will be built and not "if" it will be built. He stated that the Big Mill Farm Road project is not on the TIP, and has not gone through the planning process or formal study process. The long range plan is a wish list of projects.

Alderman Bob Prescott thanked everyone for being here and sharing your concerns with us. He thanked the POST group for getting involved with this project. He stated that this plan was a 16 month process for the Committee, the Planning Board worked on this, this Board has worked on this and this Board is better equipped to decide this issue than the next Board. He proposed changes that he has been working on with Staff. He added that the trigger points are valid points and his proposed amendment would address those issues.

Alderman Bob Prescott made a **Motion** to move forward with this Thoroughfare Plan with these changes:

1. Future thoroughfare widening projects in residential neighborhoods, like the Big Mill Farm Road Interchange/Hopkins Road project, be a "*2-lane Avenue*" as listed in the NCDOT Complete Street Design Guidelines.
2. To determine if the South Main Street/Old Winston Road intersection improvements are adequate to address the traffic congestion on South Main Street; the Big Mill Farm Road Interchange shall not be built until after the South Main Street/Old Winston Road intersection improvements are completed.

3. The Town shall work with NCDOT and the Metropolitan Planning Organizations on revising the regional traffic modeling for the Big Mill Farm Road Interchange by using the Beltway completed, newest Census, traffic counts, and other demographic data available to update the traffic model.
4. The Town staff shall disseminate to the community that the Big Mill Farm Road Interchange is not a NCDOT TIP funded project and shall notify the community when NCDOT is considering funding the interchange.
5. A citizen group shall be formed by the Board of Aldermen to undertake an annual review of the Town's growth data and provide comments to the Planning Board and Board of Aldermen on data generated at the Town, county, regional, state, and federal levels. The citizen group shall be made up of residential, commercial, industrial, and institutional property owners.
6. Big Mill Farm Road and Hopkins Road shall be designated as a "Minor Thoroughfare" on the Thoroughfare and Street Plan.

Alderman Prescott added the following two conditions as recommended by the Planning Board:

- a. **Page 16, 2nd column, last paragraph** – *"The current, long range plan for the northern section of Hopkins Road (north of Big Mill Farm) and Big Mill Farm Road proposes a 4-lane boulevard with a posted speed limit of 45 mph. The Study recommends a "2-lane Avenue" design versus a "4-lane Boulevard" design."*
- b. **Page 18, 3rd column, 2nd paragraph** *"The Study recommends an "2-lane Avenue" design versus a 4-lane "Boulevard" design in residential areas."*

Alderman Keith Mason stated that he would like to see the concern addressed by Mr. Waldrop regarding the connection of Timberview Drive.

Alderman Prescott included the following in his motion:

"Timberview Drive connection between Wexford Subdivision and Barrington Park Subdivision shall not be connected."

Mayor Pro Tem Kevin Bugg seconded the motion.

Alderman Dana Caudill Jones expressed her concern with getting this information today and the neighborhood not having time to think about these changes.

Alderman Prescott explained that this wasn't finalized until about 5:00 PM today.

Alderman Caudill Jones stated again that everyone needs an opportunity to review this information.

Ms. Barbacci stated that she wants to make sure that this project is removed from Long Range Transportation Plan. Alderman Prescott stated that he did not want to remove it from the plan however; it won't ever happen with these triggers and safeguards in place.

Mr. Swisher noted that just because this project is on the Long Range Plan doesn't mean it will be funded and built. If we ever want this road funded by DOT then we shouldn't take it off the plan because we may never get it back on there. It is Staff's recommendation to leave it on the Long Range Plan.

The Board continued to discuss what it means to have the project on the long range plan.

Alderman Bob Prescott withdrew his Motion. Mayor Pro Tem Kevin Bugg rescinded his second to the motion.

Mayor Pro Tem Kevin Bugg made a **Motion** to continue this matter until the December 6, 2011 Board of Aldermen meeting to allow time for the public to review these proposed amendments. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Mayor Morgan called a recess at 11:03 PM and reconvened the meeting at 11:17 PM.

PUBLIC SESSION

3. SPEAKERS FROM THE FLOOR.

Harvey Pulliam, 415 Holt St., Kernersville, NC – referred to notification by the NCLM regarding their encouragement for municipalities to contact the Dept. of Justice on the Rules of Annexation. He stated that this should be unconstitutional. Elected officials represent us and forced annexation is wrong. He asked how many of the Board members would vote to cut funds to NCLM and asked the Board not to fund them. He stated that a man's last refuge is his home and they are out to destroy it.

Louis Thibodeaux, 280 Post Oak Road, Kernersville, NC – expressed his appreciation for Kernersville Medical Center. He stated that fortunately he knew how to get there during an incident involving his family. His family is not familiar with the location and would not know how to get there. He strongly suggested that the signage be improved which may save a life.

4. Quarterly Report by the Kernersville Downtown Preservation & Development Council as required by the Funding Agreement.

Danny Jefferson, President of KDPDC, presented the quarterly report for the Downtown Council highlighting the newly ordered hats with the branding logo, installation of the new banners on Thursday, the continued success of the Farmer's Market, and the Depot restoration efforts. He stated that the Downtown Council is continuing to work with the Gardens, the Chamber, the Kernersville Parks & Recreation Department, and the Folly to make sure we are working together to bring folks into town. He noted the recent coloring book contest in our schools and the Discover Kernersville website updates. He reported that KDPDC helps organize events downtown such as Music & Mingle series, Halloween was wonderful last night, Overtime at the factory. The Brick Marker program is ready to lay bricks and the New Year's Eve Spectacular plans are going well. He thanked the Board for their continued support of the Downtown Council and made himself available for questions.

5. Consideration of a Proposed Contract for a Comprehensive Sanitary Sewer Study.

Mr. Swisher stated that this is a request for a contract to prepare a Comprehensive Sanitary Sewer Study for areas within the corporate limits, the ETJ and other selected growth areas. He stated that a study of this magnitude has not been done in Kernersville since 1976. The cost of this study will be funded from the water and sewer fund administered by City-County Utility Commission.

Mayor Pro Tem Kevin Bugg made a **Motion** to approve a contract with Alley, Williams, Carmen and King for a Comprehensive Sanitary Sewer Study. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

6. Consideration of an Ordinance Amendment to Establish a Police Reserve Program.

Mr. Swisher stated that an ordinance is needed to establish the Police Reserve Program the Board approved at the October meeting.

Alderman Dana Caudill Jones made a **Motion** to approve an Ordinance amendment to establish a Police Reserve Program. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

ORDINANCE NO. O-2011-34

ORDINANCE AMENDMENT TO ESTABLISH POLICE RESERVE

WHEREAS, North Carolina General Statute §160A-282 authorizes municipalities to establish and utilize auxiliary police personnel, hereinafter referred to as Police Reserve; and

WHEREAS, the Chief of Police has recommended to the Board of Aldermen that the Town of Kernersville initiate a Police Reserve program in order to, among other things, provide supplemental support to the existing staff and create a possible pool of applicants for future employment; and

WHEREAS, the Board of Aldermen concurs that it would be in the best interest of the Police Department and the Town of Kernersville to establish a Police Reserve force; and

WHEREAS, the General Statutes also authorizes the Town to provide that Police Reserve personnel shall be entitled to benefits under the Worker's Compensation Act during official training or while on duty and the Board of Aldermen agrees that such coverage should be provided to the Police Reserve.

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 is hereby amended by:

1. Adding Section 13-6 to Chapter 13 as follows:

“Sec. 13-6. Police Reserve.

(a) Pursuant to authority of G.S. 160A-282, The Chief of Police of the Town is hereby authorized to recruit, appoint, train, equip, organize and utilize the services of Police Reserve officers, who shall be subject to the same supervision and control by the Chief of Police and his subordinate

commanding officers and subject to the same laws duties and regulations as regularly employed Police Officers, while undergoing official training and while performing official duties on behalf of the Town.

(b) Police Reserve officers who have been duly appointed and sworn shall, while undergoing official training and while performing official duties on behalf of the Town pursuant to orders or instructions of the Chief of Police or his subordinate commanding officers, be entitled to all powers, privileges and immunities afforded by law to regularly employed police officers, including benefits under the North Carolina Worker's Compensation Act to the same extent that regular employees of the Town are entitled to the benefits of such act. Police reserve officers shall not be entitled to any of the benefits provided for regular employees of the Town except worker's compensation; provided that this article shall not in any manner affect the rights of any person to benefits provided by the state or by any act of Congress for such auxiliary police officers.”

2. This Ordinance shall be effective upon adoption.

This the 1st day of November, 2011.

7. Consideration of an Ordinance Prohibiting Firearms and Concealed Weapons on various Town properties.

Town Attorney John Wolfe presented a proposed ordinance regarding Firearms and Concealed Weapons on Town property. He stated that the Town has contacted the other entities that currently lease town property and they are fine with the Town establishing said ordinance. He noted that we have not heard back from Allegacy Credit Union. He reported that at the last meeting the Board identified areas where you do and don't want firearms on Town properties. He noted that the proposed ordinance prohibits firearms in any building owned, leased or occupied by the Town. Firearms are also prohibited in Town Parks on the playground, athletic fields, swimming pools and athletic facilities. Mr. Wolfe stated that this ordinance does not prohibit concealed firearms on the exterior of Town buildings. He made himself available for questions.

The Board discussed those buildings that are owned by the Town but leased to another person or entity. It was the opinion of the Board to incorporate the third option under 4. Section 11-7(d) to allow those that lease from the Town and occupy the building to establish their own regulations.

Alderman Tracey Shifflette made a **Motion** to approve the following Ordinance Prohibiting Firearms and Concealed Weapons on various Town properties with third option under 4. Section 11-7(d).

Alderman Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

ORDINANCE NO. O-2011-35

**ORDINANCE AMENDMENT REGARDING THE
REGULATION OF CONCEALED HANDGUNS AND
THE CARRY AND DISPLAY OF FIREARMS AND WEAPONS**

WHEREAS, the North Carolina General Assembly has amended the General Statutes of the State that establish limitations on municipal regulations related to the carrying of concealed handguns; and

WHEREAS, North Carolina General Statute §160A-189 authorizes municipalities to regulate the display of firearms on streets, sidewalks and other public property; and

WHEREAS, the changes in the concealed handgun laws have required the town to fully evaluate its regulation of both concealed handguns as well as the display of firearms and carrying of other weapons; and

WHEREAS, the Board of Aldermen has determined that it is in the best interest of the Town of Kernersville to modify its ordinances to reflect the changes in the concealed handgun laws and to enact regulations regarding the open display of firearms and other weapons.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Board of Aldermen of the Town of Kernersville that the Code of Ordinances is hereby amended as follows:

1. The title of Section 11-7 is amended to “Possession and discharge of firearms, weapons.”
2. Section 11-7(b) is amended to read as follows:

“The carrying of a concealed handgun in accordance with North Carolina General Statute 14-415.11 is prohibited in any building owned, leased as lessee, operated, occupied, managed or controlled by the Town, and in or upon the recreational facilities operated by the Town and specifically identified in Section 11-7(c). Notice of this prohibition shall be posted in a conspicuous location at each entryway available to the general public at all buildings and at the primary points of public access to all other covered locations. Violation of this prohibition shall be prescribed by the applicable North Carolina General Statutes.

3. Section 11-7(c) is added to read as follows:

“Concealed handguns are prohibited in the following specified Town recreational facilities:

(1) Playgrounds:

(2) Athletic fields:

(a) Beeson Athletic Complex soccer fields including the playing fields, their sidelines, restrooms, bleachers and concession stands;

(b) Beeson Athletic Complex multi-use, softball and baseball fields including the playing fields, their sidelines, restrooms, dugouts, bleachers, stands and concession stands; and

(c) Beeson Athletic Complex Lacrosse fields and their side lines.

(3) Swimming Pools:

(4) Athletic Facilities:

(a) Beeson Athletic Complex hiking, biking, walking and running and/or cross country trails and/or tracks including spectator areas adjacent to the trails.

4. Section 11-7(d) is added as follows:

“The possession of firearms is prohibited in all buildings owned, leased as lessee, operated, occupied, managed or controlled by the Town, save and except those buildings owned by the Town and leased to another person or entity.”

5. Section 11-7(e) is added as follows:

“The possession of firearms is prohibited in all Town parks and recreational facilities, unless carried concealed under the lawful authority of a concealed handgun permit in an area of such park or facility not listed hereinabove in paragraph (c).”

6. Section 11-7(f) is added as follows:

“It shall be unlawful for any person to carry any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind onto any property or into any building owned, leased as lessee, operated, occupied, managed or controlled by the Town.”

7. Section 20-15(7) is amended to read as follows:

“(7) *Weapons.* No person shall possess a bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind in any park. This provision shall not apply to law enforcement officers, to any person who carries a concealed handgun under the lawful authority of a concealed handgun permit in an area of such park or facility not listed hereinabove in paragraph (c) or to persons who possess a permit to carry such for certain public exhibitions wherein such deadly weapons are specifically permitted by, and as set forth within, the permit issued by the Director of Parks and Recreation.”

8. Section 5-61(b)(5) is amended to read as follows:

“(5) No person shall at any time have in his/her possession any firearm or a bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind within the designated area unless carried concealed under the lawful authority of a concealed handgun permit. This provision shall not be applicable to officers of the Kernersville Police Department nor officers of other law enforcement agencies.”

9. This Ordinance shall become effective December 1, 2011.

This the 1st day of November, 2011.

Mayor Morgan stated that she would like the Board to review the signage before placing the order.

8. Consideration of Revised Personnel Policy.

Mr. Swisher presented a revised Personnel Policy which has been thoroughly reviewed by a Personnel Policy Review Committee. He noted that most of the changes are minor or duplications. There have been changes to bring the policy into compliance with State law.

Alderman Dana Caudill Jones made a **Motion** to approve a Revised Personnel Policy. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

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 September 28, 2011 Briefing Session
Approval of Minutes for September 28, 2011 Closed Session
Approval of Minutes for October 4, 2011 Regular Session

C-2 Consideration of Appointments to various Boards and Commissions.

Community Appearance Commission: (3 Vacancies)

Janel B. Jernigan, new appointment to fill unexpired term (Walker), term to expire 6/30/2013

Recreation Advisory Board: (1 Vacancy)

Gregory Glenn Felts, new appointment to fill unexpired term (Poston), term to expire 6/30/2013

Sister City Commission: (1 Vacancy)

Ernie Pages, new appointment to fill unexpired term (Smith), term to expire 6/30/2012

Board of Adjustment: (2 Vacancies)

Ken Layfield, reappointment to Regular member, term to expire 6/30/2014
Janice Carroll, reappointment to Regular member, term to expire 6/30/2012
Tod Edward Hancock, new appointment to fill unexpired term, Alternate member (McFadden), term to expire 6/30/2013
Thomas Neal Hicks, new appointment to fill unexpired term, Alternate member (Wilson), term to expire 6/30/2012

Pedestrian & Bicycle Advisory Committee: (5 Vacancies)

Jim Taylor, new appointment to fill unexpired term (McFadden), term to expire 6/30/2013
Donnie Lee Swaim, new appointment to fill unexpired term (Shelor), term to expire 6/30/2013

Alderman Tracey Shifflette made a **Motion** to approve the Consent Agenda as presented. 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 presented.

12. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher presented a request by the Police Department for an updated Mutual Assistance Agreement with the City of Winston-Salem and Forsyth County for the DWI Joint Task Force operations.

Alderman Dana Caudill Jones made a **Motion** to approve an updated Mutual Assistance Agreement with the City of Winston-Salem and Forsyth County. Alderman Keith Mason seconded the motion and the vote was all for and motion carried.

13. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.

Mr. Wolfe requested a Closed Session.

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

Alderman Tracey Shifflette asked for an update on the fountain at Harmon Park. Mr. Swisher stated that he will find out and send something out to the Board.

Mayor Morgan asked for suggestions on disseminating the new information proposed in regard to the Thoroughfare Plan to the public. Mr. Hatling noted that it would be put on the Town's website, emailed to the Board of Aldermen, Planning Board, Thoroughfare & Street Plan Study Committee as well as other appropriate distribution lists.


Alderman Keith Mason thanked Alderman Bob Prescott for all his work on the Thoroughfare Plan proposal.

Alderman Keith Mason made a **Motion** to go into Closed Session at 11:46 PM for the purpose of discussing certain matters about which our Town Attorney needs to advise us, and which fall within the Attorney Client privilege in Closed Session. Alderman Dana Caudill Jones seconded the Motion and the vote was all for and motion carried.

15. ADJOURNMENT.

Alderman Bob Prescott made a **Motion** to adjourn the meeting immediately following the Closed Session at 12:03 AM. 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.


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 November 1, 2011.

This the 1 day of Lo, 2012


Dale F. Martin, MMC, Town Clerk