

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
BRIEFING SESSION FEBRUARY 29, 2012**

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 Dana Caudill Jones, Alderman Irving Neal, Alderman Tracey Shifflette and Alderman Neal Stockton.

Absent: Alderman Keith Hooker.

Staff Present: Curtis L. Swisher, Town Manager; John G. Wolfe III, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Chief of Police Ken Gamble; Walt Summerville, Fire Chief; Doran Maltba, Public Services Director; Russell Radford, Engineering Director; Franz Ader, Finance Director; Ernie Pages, Parks & Recreation Director; Gray Cassell, Chief Information Officer; Ray Smith, Human Resources Director and Brian Ulrich, Transportation Manager.

Call to order and invocation.

Mayor Dawn H. Morgan called the meeting to order and Mayor Pro Tem Dana Caudill Jones delivered the invocation.

1. Consideration of a Policy regarding Invocations at Board meetings.

Mayor Morgan opened the floor for comments by the Board.

Mayor Pro Tem Dana Caudill Jones stated that this topic has been previously discussed by the Board. She stated that we are all aware of the efforts by the ACLU. Her long term goal is for the Board to continue to have a prayer at the beginning of our meetings. She stated that she hopes to draft a policy that represents all the people of Kernersville. She asked the Board to set a policy for all citizens regardless of religion and one we all can support.

Alderman Neal Stockton stated that this is a real dilemma for the Board however; the policy being proposed is the law. He added that we are all of the Christian faith and he doesn't like it however, it is the law.

Alderman Tracey Shifflette asked for the letter that we send out now. Town Attorney John Wolfe read the letter currently sent out to Ministers on the Town's list. Alderman Shifflette asked how the process works now.

Town Clerk Dale Martin explained that over the years we have been fortunate to not have to go out and solicit Ministers to give our invocation. She explained that over time, Ministers have come to meetings or Town Hall for various reasons and expressed an interest in providing the invocation and then they were added to the Town's list. Ministers leaving a church will refer the new Minister. She also stated that in cases where a Minister has failed to show up three or four times, they were removed from the list. It has been a simple volunteer situation over the years.

The Board discussed the format of the letter from the Mayor's office and whether or not the policy would be included in the body of the letter or as an attachment to the letter. It was noted that any format should be approved by the Town Attorney, that the policy was "softer" if included in the body of the letter and not as an attachment. It was recommended and discussed that the Town branch out to all denominations by sending a letter to all religious institutions in the area. A letter is to be composed of language from the previous letter which includes the time and place of our meetings and then inform them of the Town's new policy to offer a non-sectarian prayer at Town meetings and then extend the Town's invitation to the church. The letter should offer an option to decline the invitation if they so desire. Mr. Wolfe then read a draft letter incorporating these suggestions.

The Board discussed implementing the policy immediately and contacting those Ministers that have already been asked to deliver the invocation through June of this year to see if they are still interested in offering an invocation at those meetings. Mayor Morgan confirmed that she would contact those Ministers.

Alderman Irving Neal made a **Motion** to implement a policy for non-sectarian prayer at all Town Board meetings as proposed by the Town Attorney. Alderman Neal Stockton seconded the motion.

Town Attorney John Wolfe read his draft proposal again. Mayor Morgan and Alderman Shifflette offered minor amendments to the letter. Mr. Wolfe incorporated those changes into the letter.

Alderman Neal amended his **Motion** to accept minor amendments suggested and approved by the Town Attorney. Alderman Neal Stockton seconded the amended motion.

Mayor Pro Tem Caudill Jones stated that in the past, letters from the Board have traditionally been signed by the Mayor. She asked if the Mayor is comfortable with signing this letter.

Mayor Morgan stated that she would sign this letter and then expressed her support of actions by this Board and that the courts have ruled in favor of non-sectarian prayers. She commended this community and our ministers for their continued support to provide prayer at our Board meetings.

Alderman Shifflette and Stockton expressed their displeasure in adopting such a policy however, it is a legal issue and this policy will bring us into compliance.

The vote was all for and motion carried.

2. Briefing on the March 6, Regular Meeting Agenda.

• PLEDGE OF ALLEGIANCE LED BY BOY SCOUT TROOP 944

Mayor Morgan announced that Boy Scouts from Troop 944 will lead the Pledge of Allegiance at the meeting.

- **PRESENTATION OF TREE CITY USA AWARD**

Mayor Morgan stated that the Town has once again received the Tree City USA award and will be presented with the award at this meeting.

- **PRESENTATION OF PROCLAMATION RECOGNIZING ARBOR DAY**

Mayor Morgan and Ernie Pages, Parks & Recreation Director elaborated on various events being held in recognition of Arbor Day.

ITEM #1 PUBLIC HEARING: Curtis Swisher, Agent for the Town of Kernersville, for a proposed Zoning Text Amendment by amending Chapter C, Article V, Section 5-1.8(B) *Table of Uses*; and Section 5-1.9(B)(2) *Minor Variances of the Riparian Buffer Protection Ordinance for Lands Within the Jordan Watershed* requirement of the Unified Development Ordinance (UDO). Zoning Docket KT-207.

Mr. Curtis Swisher briefed the Board on this text amendment and deferred to Russell Radford, Engineering Director for questions.

ITEM #2 PUBLIC HEARING: on the Proposed Financing of Construction or Improvements to real property owned by the Town of Kernersville and the Construction of Angel Drive.

Mr. Swisher briefed the Board on the financing of various projects. He explained that the Local Government Commission requires a public hearing on the financing. He stated that bids were received and after review, Staff recommends the financing be awarded to BB&T. He stated that once the financing has been approved by the LGC, Staff will bring the contract to the Board for final approval.

ITEM #4. Consideration of Recommendations by KDPDC to Allow the Kernersville Classic Cars Cruise-In's from June through October 2012.

Mr. Swisher presented the request for a Classic Car Cruise-In downtown. He stated that it has been reviewed by KDPDC and they recommend approval as presented. He stated that the events will be similar to what's been done in the past, one Saturday a month June through October.

Mayor Pro Tem Dana Caudill Jones stated that the KDPDC has done a good job of working with downtown merchants to address concerns with these types of events.

**ITEM #5. 2012 Annual Reports and Budget Requests:
 Korner's Folly
 Kernersville Cares for Kids
 Community Appearance Commission**

Mayor Morgan stated we will hear the annual presentations from these groups. Mr. Swisher further explained that these groups will present their budget request for next year. He stated that these presentations are being held now prior to the budget workshop so that funds will be included in next year's budget. Mr. Swisher stated that if any Board member has a concern with this level of funding to please contact him.

ITEM #6. Presentation by Korner's Folly Foundation Regarding Renovations and Preservation of the Folly.

Mr. Swisher stated that representatives from the Folly will be making a presentation to the Board regarding renovations and repairs needed at the Folly.

- ITEM #7. Consideration of Reports and Request by Tree Commission:**
- a. Annual Report by the Tree Commission as required by Ordinance No. O-2010-07**
 - b. Consideration of Grant Application from the North Carolina Urban & Community Forestry Grant Program.**

Mr. Pages briefed the Board on this annual report and grant request by the Tree Commission.

- ITEM #8. Consideration of bids for Infrastructure Projects:**
- a. Construction and Improvements including:
Construction of Angel Road, Fire Station 42 Driveway Improvements,
Public Services Facility Driving Surface Improvements**
 - b. Other Facility Construction and Improvements including:
Fourth of July Park Tennis Court Improvements, Public Services
Administration Roof Improvements, Town Hall Rain Gutter
Improvements**

Mr. Swisher stated that these are the projects that required a financing public hearing discussed earlier in the meeting. He then explained the projects being funded.

Mayor Pro Tem Dana Caudill Jones asked about the bid process and if the Town has a blanket policy for vendors interested in submitting a bid. The Town Manager and Doran Maltba, Public Services Director explained that the formal bid process is set by the General Statutes for the most part with additional requirements by the Town. These requirements are also followed for informal bid projects.

ITEM #9. Consideration of Bids for Improvements to the Intersection of Union Cross Road and Glennwood Road.

Mr. Swisher briefed the Board on bids received for the improvements to the intersection of Union Cross Road and Glennwood Road.

ITEM #10. Consideration of a Consultant Contract for Water Harvesting Feasibility Study.

Mr. Russell Radford, Engineer Director briefed the Board on the proposed contract and explained that this is a follow up to what was submitted in December.

ITEM #11. Consideration of Budget Amendment No. 2 to FY 2011-2012.

Mr. Swisher briefed the Board on the proposed budget amendment.

ITEM #12. Consideration of a Resolution Declaring Certain Property Surplus and Authorizing Disposal.

Mr. Swisher briefed the Board on the resolution declaring property surplus. He stated that the property would be disposed of through Govdeals.com.

ITEM #13. 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 January 19, 2012 Special Meeting
Approval of Minutes for February 1, 2012 Briefing Session
Approval of Minutes for February 1, 2012 Closed Session
Approval of Minutes for February 7, 2012 Regular Session
Approval of Minutes for February 7, 2012 Closed Session**
- C-2 Consideration of a Resolution establishing dates for the Spring Folly.**
- C-3 Consideration of a Request by the Chamber of Commerce to hold the Music at Twilight concerts in the Town Hall Courtyard.**
- C-4 Consideration of a Resolution requesting NCDOT to remove SR 4377 (Wyndfall Drive), SR 4378 (Megan Cross Lane) and SR 4379 (Woodland Point Drive) due to an error in being added to the State system for maintenance.**
- C-5 Forsyth County Tax Refunds**

Mayor Morgan highlighted each Consent Agenda item.

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

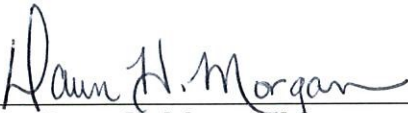
None presented.

4. Adjournment.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to adjourn the meeting. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

Being no further business to come before the Board, the meeting was adjourned at 8:04 PM.

Gray Cassell, Chief Information Systems Officer conducted iPad training for Mayor Morgan, Mayor Pro Tem Caudill Jones, Aldermen Shifflette and Stockton, Town Attorney John Wolfe and Town Clerk Dale Martin.



Dawn H. Morgan, Mayor

Attest:



Dale F. Martin, Town Clerk

I, Dale F. Martin, Town Clerk of the Town of Kernersville, North Carolina, do hereby certify that this is a true and correct copy of the minutes of the meeting duly held on February 29, 2012.

This the 18 day of April, 2012.



Dale F. Martin, MMC, Town Clerk