

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
REGULAR MEETING 7:00 P.M.      OCTOBER 2, 2012**

The Board of Aldermen of the Town of Kernersville met in regular session at 7:00 p.m. on the above date in the Municipal Council Chambers at the Municipal Building at 134 East Mountain Street.

**Present:** Mayor Dawn H. Morgan, Mayor Pro Tem Dana Caudill Jones, Aldermen Keith Hooker, Tracey Shifflette, Irving Neal and Neal Stockton.

**Absent:** None.

**Staff Present:** Curtis L. Swisher, Town Manager; John G. Wolfe, Town Attorney; Dale F. Martin, Town Clerk; Jeff Hatling, Community Development Director; Police Chief Ken Gamble; Franz Ader, Finance Director; Ernie Pages, Parks & Recreation Director; Walt Summerville, Fire Chief; Ray Smith, Human Resources Director; Gray Cassell, Information Services Director; Russell Radford, Engineering Director and Thad Buck, Solid Waste Superintendent.

- **CALL TO ORDER**
- **INVOCATION BY REV. CLARK VINCENT, FIRST PRESBYTERIAN CHURCH**
- **PLEDGE OF ALLEGIANCE LED BY BROWNIE TROOP #02326**

Mayor Dawn H. Morgan called the meeting to order and Reverend Clark Vincent of First Presbyterian Church delivered the invocation. The Pledge of Allegiance was led by Brownie Troop #2326: Anna Ceglowski, Anna Gray, Ashtyn Kington, Bethany Aubee, Emma Aitken, Jenna Lang, Josie Manter, Kaitlyn Farmery, Loganne Murphy, Lydia Pearman, and Megan Spong.

- **PRESENTATION OF PROCLAMATION FOR RED RIBBON WEEK TO YOUNG MARINES**

Mayor Morgan presented Private First Class Emmanuel Martiz and Private First Class McCray McGee members of the Young Marines with a Proclamation honoring Red Ribbon Week.

- **RECOGNITION OF PINEY GROVE ELEMENTARY STUDENTS FOR OUTSTANDING ACHIEVEMENT IN THE SCHOLASTIC BOOK CONTEST**

Mayor Morgan then recognized Ms. Karen Davis and Stacy McAnulty teachers at Piney Grove Elementary School along with the students: Henry Blake, Corbin Lanowitz, Kevin Holland, Hannah Martin, Sydney Taylor, Katie Brinckerhoff, Sammie Reagan, Maggie Bryson, Cora McAnulty, Nadia Lischke, Nicole Hamm, and Ethan Gilkey. These students recently won the 2012 Scholastic Young Authors Award for a non-fiction kids book, "A Kid for Jack." Ms. Davis

explained the duties each child had in putting this book together. She noted what a great learning experience this was for the children.

Ms. Stacy McAnulty briefly explained the true story behind the book and commended the children on an excellent job.

Mayor Morgan then read a proclamation and presented each child with a Certificate.

## **PUBLIC HEARINGS**

Mayor Morgan explained the procedures for a public hearing.

- 1a. PUBLIC HEARING: on the annexation of property currently owned by the Town of Kernersville located at 1815 Teague Lane, containing approximately 5.463 acres more or less.**

Mr. Curtis Swisher explained that this property was purchased for a future fire station. The property is located on Teague Lane.

Morgan declared the public hear open.

### **In Favor**

None presented.

### **Opposed**

None presented.

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

### **1b. Consideration of an ordinance annexing said property.**

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the following ordinance annexing said property. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

**ANNEXATION ORDINANCE NO. A1-2012-19  
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE TOWN OF KERNERSVILLE, NORTH CAROLINA TO INCLUDE  
AN APPROXIMATELY 5.463 ACRE TRACT DESCRIBED HEREIN  
AND GENERALLY KNOWN AS TEAGUE LANE FUTURE  
FIRE STATION PROPERTY LOCATED AT 1815 TEAGUE LANE**

**WHEREAS**, the Board of Aldermen of the Town of Kernersville, on the 4<sup>th</sup> day of September, 2012, adopted a Resolution of Intent to annex a tract of property located on Teague Lane and owned by the Town, being more particularly described herein, in accordance with North Carolina General Statute 160A-31(g); and

**WHEREAS** said Resolution of Intent set the time and date of a Public Hearing to be held on the question of Annexation as being October 2, 2012, at 7:00 p.m. in the Kernersville Council Chambers/District Courtroom; and

**WHEREAS**, a public hearing on the question of this Annexation was held at a regular meeting of the Board of Aldermen of the Town of Kernersville in the Kernersville Council Chambers/District Courtroom at 7:00 p.m. on the 2<sup>nd</sup> day of October, 2012, after due notice by publication on the 18<sup>th</sup> day of September, 2012; and

**WHEREAS**, the Board of Aldermen does hereby find as a fact that said annexation meets the requirements of N.C.G.S. 160A-31, as amended, including that this property is owned by the Town of Kernersville and is contiguous to the present corporate limits of the Town of Kernersville.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Board of Aldermen of the Town of Kernersville, North Carolina:

**Section 1.** By virtue of the authority granted in North Carolina General Statutes 160A-31, as amended, the territory of approximately 5.463 acres, as further described in the attached **Exhibits A and B**, which are included herein as if fully set out, is hereby Annexed and made part of the Town of Kernersville as of this 2<sup>nd</sup> day of October, 2012, at 11:59 o'clock p.m.

**Section 2.** Upon and after this 2<sup>nd</sup> day of October, 2012, at 11:59 o'clock p.m., the above described territory, and its citizens and property, shall be subject to all debts, laws, ordinances and regulations in force in the Town of Kernersville and shall be entitled to the same privileges and benefits as other parts of the Town of Kernersville.

**Section 3.** The newly Annexed territory described herein shall be subject to Town of Kernersville taxes according to G.S. 160A-58.10.

**Section 4.** A certified copy of this Ordinance shall, together with a map outlining the newly annexed areas, be recorded in accordance with N.C.G.S. §160A-39 in the Office of the Secretary of State of North Carolina and in the Office of the Register of Deeds of Forsyth County, North Carolina; and, a copy of this Ordinance, and map outlining the newly annexed area shall be sent to the Forsyth County Board of Elections as provided for in N.C.G.S. §163-288.1(a), as well as to the Forsyth County Tax Supervisor's Office.

Adopted this 2<sup>nd</sup> day of October, 2012.

## **PUBLIC SESSION**

## **2. SPEAKERS FROM THE FLOOR.**

None presented.

## **3. Consideration of a Donation of Playground Equipment for Beeson Park.**

**Nicole Donoghue, 142 Coltsgate Drive, Kernersville, NC** – spoke about her son, Declan and his wonderful spirit before he passed away at the age of 2 from a rare genetic disease. Declan's foundation was created in honor of him and their mission is to build playgrounds in his honor.

Mrs. Donoghue presented pictures of the playground they donated in Harmon Park and spoke of its success. She stated that they now want to do the same for Beeson Park. She thanked Mr. Swisher and Mr. Pages for their assistance in these endeavors. She told about the Foundation's successful fundraising efforts in 2012. She noted that the same criteria for the equipment will be used as the first time, a commercial grade product with safety criteria put in place due to the close proximity of the ball fields. The equipment will be purple and orange with a butterfly theme in honor of Declan. This equipment will be a little bit different since there are no trees to provide shade; shades have been added to the equipment. They anticipate a February installation. She presented an aerial view at the park illustrating the location of the playground, the safety netting and fencing around the equipment.

Mrs. Donoghue then presented a total cost of \$75,834.64. The Foundation has raised over \$48,000 or 64% of the cost with the remaining \$27,567.64 being requested from the Town.

Mrs. Donoghue made herself available for questions.

Alderman Irving Neal asked about the quality of the equipment and if this playground is complete with everything that is needed to provide safety for the children. Mr. Pages stated that this equipment is commercial grade equipment and with the extra netting and fencing in place it will be safe for the children.

Alderman Tracey Shifflette stated that she has spent a lot of time at Beeson and the thing she hears most is that we need playground at Beeson Park. She expressed her appreciation to the Foundation for these wonderful contributions.

Alderman Tracey Shifflette made a **Motion** to accept the donation of playground equipment for Beeson Park and authorize the expenditure of \$27,567.64 needed to complete the project. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

Mayor Morgan also commended Mrs. Donoghue and the foundation for their contribution to this community.

## **4. Consideration of Adoption of the Capital Improvement Plan (CIP) for Fiscal Years 2013-2018.**

Mr. Swisher update the Board on the proposed CIP for the next five (5) years. He stated that the Board has no obligation to purchase any of the equipment, infrastructure, etc. in the CIP; however this is a guideline of the needs to be purchased this year and for the next five years. He then highlighted some of the items contained in the CIP. He asked for questions.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the Capital Improvement Plan for Fiscal Years 2013-2018 as presented by Staff. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

## **5. Consideration of Budget Amendment No. 1 for Fiscal Year 2012-2013.**

Mr. Swisher covered the budget amendment as specified in the memo from the Finance Director.

### **General Fund – Expenditures**

1. To increase the Governing Body Department expenditures in the amount of \$6,688 to cover Community Appearance Commission funds raised last fiscal year and to reflect expenditures that were budgeted yet unspent at fiscal year-end (FY11-12).
2. To increase the Administration Department salaries and wages expenditures in the amount of \$133 to cover Medical Loss Ratio (MLR) rebate costs. The MLRs are rebates due to the Town from United Healthcare as required by the Patient Protection and Affordable Care Act of 2010. These rebates are required when healthcare providers do not spend a certain amount of insurance premiums received on health care services.
3. To increase the Inspection Department expenditures salaries and wages expenditures in the amount of \$133 to cover MLR rebate costs.
4. To increase the Finance Department salaries and wages expenditures in the amount of \$265 to cover MLR rebate costs.
5. To increase the Planning and Zoning expenditures in the amount of \$6,708 to cover MLR rebate costs and items budgeted yet unspent at fiscal year-end (FY11-12) including an analysis project and wayfinding signage.
6. To increase the Information Technology Department expenditures in the amount of \$133 to cover MLR rebate costs.
7. To increase the Human Resources Department expenditures in the amount of \$9,245 to cover expenditures associated MLR rebate costs and KRONOS project costs budgeted yet unspent at fiscal year-end (FY11-12).
8. To increase the Police Department expenditures in the amount of \$87,114 to cover expenditures associated with the following, some of which were budgeted yet unspent at fiscal year-end (FY11-12): MLR, off-duty expenses, Immigration Customs Enforcement (ICE) Task Force Grants, Laserfiche project, bullet proof vest purchases and Saved by the Bilty GHSP Highway Grant.

9. To increase the Fire Department expenditures in the amount of \$57,718 to cover MLR rebate costs and the following items budgeted yet unspent at fiscal year-end (FY11-12): Rescue Management training, side mirrors on Engine 44, breathing air equipment and defibrillator for Station #41 and a vehicle.
10. To increase the Engineering Department expenditures in the amount of \$149,088 cover MLR rebate costs and the following items budgeted yet unspent at fiscal year-end (FY11-12): sanitary sewer study and the Duffield Court project.
11. To increase the Street Department expenditures in the net amount of \$707 to cover MLR rebate costs.
12. To increase the Solid Waste Department expenditures in the net amount of \$15,384 to cover MLR rebate costs, landfill project expenses budgeted yet unspent at fiscal year-end (FY11-12) and internal transfers to covers expenses associated with the delivery of recycle carts to customers.
13. To increase the Transportation Department expenditures in the net amount of \$1,635,633 to cover the following projects budgeted yet unspent at fiscal year-end (FY11-12): Bodenhamer Roundabout, School Road, Union Cross Road, Piney Grove Road, Angel Road and general improvements.
14. To increase the Recreation Department expenditures in the amount of \$84,628 to cover MLR rebate costs, a new freezer/refrigerator in the Beeson Concession Stand and the following expenses budgeted yet unspent at fiscal year-end (FY11-12): sod at Beeson Park, NCDENR Urban and Community Forestry Grant grants and renovations at the Fourth of July Park tennis courts.
15. To increase Special Appropriation expenditures in the amount of \$55,380 to reserve the MLR for future group insurance expenses and a transfer from general fund reserve to the Stormwater Fund for MLR rebate costs.
16. To increase the General Services Department expenditures in the amount of \$2,833 to cover MLR rebate costs and fire damage to the Public Services administration building.
17. To increase the Public Services Administration Department expenditures in the amount of \$177 to cover MLR rebate costs.
18. To increase the Central Maintenance Department expenditures in the amount of \$3,520 to cover the following costs: MLR rebate, tires, gasoline and parts/accessories.

#### **General Fund – Revenues**

1. To increase the Restricted Intergovernmental Revenues in the amount of \$1,201,802 to reflect revenues received from a sanitary sewer study and Duffield Court (CCUC: \$148,000 and \$1,000 respectively) and the following grant revenues: Piney Grove and Union Cross Road projects (NCDOT: \$924,000 and \$110,578 respectively), Urban and Community Forestry (NCDENR: \$8,274), Saved by the Belt (GHSG: \$8,950) and ICE (Federal: \$1,000).
2. To increase the Functionally Related Revenues in the amount of \$39,900 to reflect off-duty police expenses.

3. To increase the Operating Grants and Contributions Revenues in the amount of \$65,708 to reflect the MLR rebate.

4. To increase the Interfund Transfers in the amount of \$3,211 to reflect Stormwater Fund reimbursements for the maintenance and gasoline expenses paid from the general fund.

5. To increase the fund balance appropriated in the amount of \$804,866 to balance the general fund revenues with the general fund expenditures.

#### **Law Enforcement Forfeiture (U.S. Treasury) – Expenditures**

To increase the expenditures in the amount of \$5,650 to cover expenditures associated with K-9 costs: handler training, travel, lodging, etc.

#### **Law Enforcement Forfeiture (U.S. Treasury) – Revenues**

To increase the revenues in the amount of \$5,650 to offset expenditures.

#### **Law Enforcement Forfeiture (State/Local) – Expenditures**

To increase the expenditures in the amount of \$9,615 to cover budgeted yet unspent expenditures at fiscal year-end (FY11-12) associated with records software project and the Save our Schools Grant.

#### **Law Enforcement Forfeiture (State/Local) – Revenues**

To increase the revenues in the amount of \$9,615 to offset expenditures.

#### **Justice Assistance Grant (JAG) – Expenditures**

To increase the expenditures in the amount of \$5,001 to cover budgeted yet unspent expenditures at fiscal year-end (FY11-12) associated with the records software project and the Save our Schools Grant.

#### **Justice Assistance Grant (JAG) – Revenues**

To increase the revenues in the amount of \$5,001 to offset expenditures.

#### **Stormwater Fund – Expenditures**

To increase the expenditures in the amount of \$302,584 to account for budgeted yet unspent expenditures at fiscal year-end (FY11-12) including the King and Delmont Street improvement projects.

#### **Stormwater Fund – Revenues**

To increase the revenues in the amount of \$302,584 to offset the expenditures.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the following Ordinance for Budget Amendment No. 1 for Fiscal Year 2012-13 as presented by Staff. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**ORDINANCE NO. O-2012-20  
TOWN OF KERNERSVILLE  
BUDGET AMENDMENT # 1**

Be it hereby ordained by the Board of Aldermen of the Town of Kernersville that the following amendment be made to the Budget Ordinance adopted on the 20th day of June, 2012 as follows:

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

<b>General Fund - Expenditures</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Governing Body		6,688	460,113
Administration Department		133	280,635
Inspections Department		133	359,208
Finance Department		265	747,680
Information Technology Department		133	375,932
Planning and Zoning		6,708	300,727
Human Resources Department		9,245	571,560
Police Department		87,114	6,604,216
Fire Department		57,718	6,308,362
Engineering Department		149,088	824,171
Street Department	8,000	8,707	1,561,652
Solid Waste	20,000	35,384	2,717,930
Transportation Department	6,500	1,642,133	2,220,190
Recreation Department		84,628	1,357,235
Transfer fr-GF to Stormwater Fund -MLR Rebates		1,108	1,108
Reserve for Future Group Insurance Expenses		54,272	54,272
General Services Department		2,833	467,348



Public Services Administration Department	177	321,323
Central Maintenance (Division of Public Works)	3,520	1,441,256
Total	34,500	2,149,987

This will result in a net increase of \$2,115,487 in the expenditures of the General Fund. The above changes in expenditures will require an adjustment to revenues as follows:

<b>General Fund - Revenues</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
GHSG-Saved by the Belt Grant		8,950	8,950
Immigration Customs Enforcement "ICE" Grant		1,000	1,000
Due fr NCDOT-Piney Grove Widening		924,000	924,000
Due/fr NCDOT-Union Cross Turn Lane		110,578	110,578
Due/Fr CCUC-Sanitary Sewer Study-SS001		148,000	148,000
Due/Fr CCUC-Duffield Court Project -54001		1,000	1,000
DENR-Urban & Community Forestry Grant		8,274	8,274
Off-Duty Police Officer Fees		39,900	114,900
Medical Loss Ratio Rebate		65,708	65,708
Transfer fr Stormwater Fund-Vehicle Maint		3,211	3,211
Fund Balance Approp.		804,866	1,305,520
Total	0	2,115,487	

Section 2. To amend the Local Law Enforce. Forfeiture-US Treasury Fund, the expenditures are to be changed as follows:

<b>LLEF-US Treasury Expenditures</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
LLEF-US Treasury Expenditures		5,650	31,745
Total	0	5,650	

This will result in a net increase of \$5,650 in the expenditures of the LLEF-US Treasury Fund. The above changes in expenditures will require an adjustment to revenues as follows:

<b>LLEF-US Treasury Revenues</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Forfeiture Funds- US Treasury		5,650	19,918

Total	0	5,650
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Section 3. To amend the Local Law Enforcement Forfeiture - State/Local Fund, the expenditures are to be changed as follows:

<b>L L E F-State/Local Fund-Expenditures</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
LLEF-State/Local Expenditures		9,615	61,365
Total	0	9,615	

This will result in a net increase of \$9,615 in the expenditures of the Local Law Enforcement Forfeiture State/Local Fund. The above changes in expenditures will require an adjustment to revenues as follows:

<b>L L E F State/Local Fund-Revenues</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Fund Balance Approp.		9,615	56,315
Total	0	9,615	

Section 4. To amend the Justice Assistance Grant Fund, the expenditures are to be changed as follows:

<b>Justice Assistance Grant Fund-Expenditures</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Justice Assistance Expenditures		5,001	5,001
Total	0	5,001	

This will result in a net increase of \$5,001 in the expenditures of the Justice Assistance Grant Fund. The above changes in expenditures will require an adjustment to revenues as follows:

<b>Justice Assistance Grant Fund-Revenues</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Justice Assistance Revenues		5,001	5,001
Total	0	5,001	

Section 5. To amend the Stormwater Fund, the expenditures are to be changed as follows:

<b>Stormwater Fund- Expenditures</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Transfer to GF Vehicle Maint. Repairs & Gasoline		3,211	3,211
Reserve for Future Group Insurance Expenses		1,108	1,108
Stormwater Fund Expenditures		298,265	1,760,183
Total	0		

This will result in a net decrease of \$302,584. in the expenditures of the Stormwater Enterprise Fund. The above changes in expenditures will require an adjustment to revenues as follows:

<b>Stormwater Enterprise Fund- Revenues</b>	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
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Transfer fr GF Medical Loss Ratio rebate	1,108	1,108
Fund Balance Approp.	301,476	586,993
Total	0	

Section 6. Copies of the budget amendment shall be furnished by the Town Clerk of the Board of Aldermen, the Budget Officer, and Finance Director for their directions.

Adopted this the 2nd day of October, 2012.

## **6. Consideration of a Reimbursement Agreement with Deere Hitachi.**

Mr. Swisher explained that meetings were held with Deere Hitachi over the past year to discuss an expansion of their facility by up to 60%. He explained Deere Hitachi's request for assistance to the infrastructure, which includes improvements to Perry Road, the railroad crossing and W. Mountain Street. The total cost of the project is estimated to be approximately \$1.2 million. The Town's portion of the cost would be \$350,000. He noted the significant increase in the Town's tax base and explained the payback time frame.

Mr. Swisher noted that this is the first time the Town has considered a reimbursement agreement for an existing company and added the impact this expansion will have on the Town and the much needed improvements from NCDOT to this area. He recommended the Board approve the proposed agreement.

**Ms. Gayle Anderson, Chairman of the Winston-Salem Chamber of Commerce** - stated that she works with businesses throughout Forsyth County. She stated that she has heard the details of this project and believes it to be a wonderful addition for Kernersville and Forsyth County and asked the Board to support the project.

**Bruce Boyer, Executive Director, Kernersville Chamber of Commerce, 108 Rockford Court, Kernersville, NC** – stated that Deere Hitachi has been one of the best corporate citizens for years. This is the kind of industry that does things behind the scenes and is loyal to their customers. He stated that if this agreement is consistent with the others the Town has entered into, then he asks the Board to support this project. He noted that this is an excellent opportunity for Kernersville.

Alderman Stockton stated that this area has been a traffic hazard for years and supports the road improves in this area. He pledged his support for the project.

Alderman Neal Stockton made a **Motion** to approve a Reimbursement Agreement with Deere Hitachi as presented. Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

## **7. Consideration of a Resolution supporting NCDOT for Improvements to Perry Road.**

Mr. Swisher noted that NCDOT is requesting a Resolution of support for this project. He noted that funds would come from two different sources, \$250,000 from small construction funds and \$500,000 from contingency funds.

Alderman Keith Hooker made a **Motion** to approve the following Resolution supporting NCDOT for improvements to Perry Road, the railroad crossing and W. Mountain Street. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

**R-2012-41**  
**RESOLUTION OF SUPPORT FOR CONSTRUCTION OF**  
**IMPROVEMENTS TO PERRY ROAD**

**WHEREAS**, the Town of Kernersville has consistently been a proactive partner with the North Carolina Department of Transportation in regard to roadway improvements in an effort to reduce traffic congestion, increase mobility, and enhance safety along North Carolina highway corridors; and

**WHEREAS**, staff of the North Carolina Department of Transportation and the Town of Kernersville have worked together and have agreed that improvements to Perry Road will address safety issues at the intersection with West Mountain Street and the railroad crossing; and

**WHEREAS**, the North Carolina Department of Transportation has agreed to manage the project based on plans approved by the Town; and,

**WHEREAS**, the North Carolina Department of Transportation has estimated the project to cost approximately \$1,100,000 which includes the installation of right turn lane, traffic signal, the widening of Perry Road, the installation of crossing signals, gates and concrete crossing panels.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Aldermen of the Town of Kernersville that the Town pledges support for this project and hereby requests that NCDOT award \$250,000 in small Construction Funds towards the project and \$500,000 of Contingency Funds towards the project.

Adopted this the 2<sup>nd</sup> day of October, 2012.

8. **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 August 29, Briefing Session  
Approval of Minutes for August 29, Closed Session  
Approval of Minutes for September 4, Regular Session

**C-2 Consideration of a new Lease with the Kernersville Little Theatre for the Harmon Park Building.**

**C-3 Consideration of a Resolution Authorizing a Piggy Back Purchase of Universal Roll Carts.**

**RESOLUTION NO. R-2012-42**

**RESOLUTION AUTHORIZING THE “PIGGYBACKING” ON A PURCHASE AGREEMENT FROM THE CITY OF ASHEVILLE FOR UNIVERSAL ROLL CARTS**

**WHEREAS**, the Town of Kernersville is in need of **UNIVERSAL ROLL CARTS**; and

**WHEREAS**, the Town of Kernersville has found that the City of Asheville, North Carolina entered into a contract with Schaefer Systems International on January 4, 2012 for the purchase of Universal Roll Carts meeting the Town of Kernersville’s specifications; and

**WHEREAS**, the City of Asheville found Schaefer Systems International to be the lowest responsible bidder on such equipment; and

**WHEREAS**, pursuant to the provisions of N.C. Gen. Stat. §143-129(g), a governing body of a municipality may enter into a contract for the purchase of equipment without regard to formal bid process provided that the provisions of the statutes are met; and

**WHEREAS**, a public notice of this purchase without competitive bidding was placed on the Town in the Kernersville News on September 18, 2012; and

**WHEREAS**, this Board desires Alderman finds the waiver of usual bid process and the purchase of Universal Roll Carts from Schaefer Systems International pursuant to the same or more favorable terms and conditions as that contract by and between the City of Asheville and Schaefer Systems International to be in the best interest of the Town.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Aldermen of the Town of Kernersville as follows:

1. The Board authorizes the “piggyback” purchase of Universal Roll Carts from Schaefer Systems International for the amount of \$306,475.00.
2. The Town’s purchase is in accordance with the terms and conditions of that contract entered into by and between Schaefer Systems International and the City of Asheville on January 4, 2012.

Adopted by the Board of Alderman of the Town of Kernersville this 2nd day of October, 2012.

**C-4 Consideration of a Resolution to declare certain Town property surplus and authorize its disposal.**

**RESOLUTION NO. R-2012-43**

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

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

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

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

Fixed Asset #	Vehicle #	Asset Description
10428	103	1995 Chevy Caprice 4D Serial # 1G1BL52P9SR136996
10777	909	1997 Ford Crown Vic 4D Serial # 2FALP71W8VX203589
10779	153	1997 Ford Crown Vic 4D Serial # 2FALP71W1VX202199
10940	170	1999 Ford Crown Vic 4D Serial # 2FAFP71W1XX163744
10992	186	2000 Ford Crown Vic 4D Serial # 2FAFP71W8YX173141
11038	179	2000 Ford Crown Vic 4D Serial # 2FAFP71W6YX144978
11156	197	2001 Ford Crown Vic 4D Serial # 2FAFP71WX1X128935
11160	192	2001 Ford Crown Vic 4D Serial # 2FAFP71W01X128930
11162	189	2001 Ford Crown Vic 4D Serial # 2FAFP71W01X128927
11518	119	2002 Ford Crown Vic 4D Serial # 2FAFP71W12X132003

**WHEREAS**, North Carolina G.S. 160A-270(b) allows the Town to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Kernersville Town Board of Alderman that the Town Manager or his designee is authorized to sell the surplus property described below by electronic auction beginning on October 19, 2012 at [www.GovDeals.com](http://www.GovDeals.com), as per the terms and conditions and in accordance with North Carolina G.S. 160A-270(c) and in compliance with the Finance policy. The Town Manager or his designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270.

Adopted by the Board of Alderman of the Town of Kernersville this 2nd day of October, 2012.

**C-5 Consideration of Designating a Voting Delegate and Alternate for NCLM Annual Conference.**

Designated Curtis Swisher as voting delegate, if any Board member decides to go that person will be the Alternate.

**C-6 Forsyth County Tax Refunds**

First Citizens Bank	Leased closed in 2010	\$659.54
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**C-7 Consideration of a Resolution Authorizing the Town's Participation in the 2012 Scattered Site Housing Rehabilitation (CDBG) Grant.**

**RESOLUTION No. R-2012-44  
THE TOWN OF KERNERSVILLE  
STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH**

**RESOLUTION: TO APPROVE PARTICIPATION IN THE FISCAL YEAR  
2012 COMMUNITY DEVELOPMENT BLOCK GRANT  
SCATTERED SITE HOUSING REHABILITATION  
PROGRAM IN FORSYTH COUNTY**

**IT IS THEREFORE RESOLVED** that the **Town of Kernersville** approves participation in the Fiscal Year 2012 Scattered Site Housing Program in Forsyth County and should be considered in all committees, plans and activities related to this Scattered Site Housing Rehabilitation project.

Received this the 2<sup>nd</sup> day of October, 2012.

Alderman Irving Neal made a **Motion** to approve the Consent Agenda as submitted. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

**9. ITEMS REMOVED FROM CONSENT AGENDA.**

None removed.

**10. SPEAKERS FROM THE FLOOR.**

None presented.

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

Mr. Swisher reminded the Board about the grant submitted for landscaping at the interchange of S. Main and Business 40. He stated that the guidelines for this grant was updated causing a delaying in the project. He recommended the Board approve a request to NCDOT for an extension.

Alderman Tracey Shifflette made a **Motion** to request an extension from NCDOT on the grant proposal for landscape enhancements to the interchange at S. Main Street and Business-40. Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

**12. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.**

Mr. Wolfe presented an easement on Town property located on S. Park Drive from Duke Energy. He stated that the five (5) foot easement is needed for installation of lines and maintenance.

Alderman Irving Neal made a **Motion** to grant the easement as requested. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

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

Mayor Morgan stated that the Community Development Staff has finished the Town's Thoroughfare Plan document and it is now available for review at Town Hall. The document is too large for the Town's website to support.

Mayor Morgan stated that work is continuing on the Downtown Strategic Plan.

Mayor Morgan reported on Staff's plans for a land use plan study for the Old Winston Road area in light of NCDOT's improvement plans for that area. Mr. Hatling presented the current land use plan for the area. After a brief discussion, the Mayor polled the Board and it was a consensus among the Board to pursue a new land use study of the area.

Alderman Tracey Shifflette asked for an update on the Salisbury Street Bridge. Mr. Swisher stated that the bridge is almost complete, with work remaining on the side railing. Mr. Radford stated that some paving still needs to be done as well and that the lights have not been received.



The lights will be installed at a later time. Completion of all the work depends on the weather but the bridge should be operational by the end of October.

Alderman Shifflette encouraged everyone to have a happy and safe Halloween.

Alderman Neal Stockton expressed his appreciation to all Town employees for the weekly updates of Town events and activities. He commended the Recreation Advisory Board for updating the Recreation Master Plan and the numerous events and activities held by Parks & Recreation and commended the Police Department for solving the armed robbery that occurred recently. He updated the Board on Emergency Management activities regarding pursuit of a grant to enhance the ability to transport multiple patients.

Alderman Keith Hooker reminded everyone of the numerous events in Kernersville during October and highlighted the domestic violence fundraiser by Next Step Ministries, the Kernersville Exchange Club Chicken Stew, Triad Ladies Civitan Club Craft show and the Downtown Trick or Treat.

Mayor Morgan stated that she has received questions regarding the Downtown Trick or Treat event and asked Bruce Boyer to provide the details. Mr. Boyer stated that the Chamber is working with Parks & Recreation on this event. He explained the layout of the event and some of the activities that will be provided.

#### 14. ADJOURNMENT.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to adjourn the meeting. Alderman Irving Neal 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 7:58 PM.

  
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 October 2, 2012.

This the 1 day of November, 2012.

  
Dale F. Martin, MMC, Town Clerk