

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. DECEMBER 4, 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; Terry Crouse, Acting Fire Chief; Ray Smith, Human Resources Director; Gray Cassell, Information Services Director; Russell Radford, Engineering Director; and Brian Ulrich, Transportation Manager.

- **CALL TO ORDER**
- **INVOCATION BY REVEREND JEFF PATTERSON, MAIN STREET UNITED METHODIST CHURCH**
- **PLEDGE OF ALLEGIANCE**

Mayor Dawn Morgan called the meeting to order and Reverend Jeff Patterson of Main Street United Methodist Church delivered the invocation which was followed by the Pledge of Allegiance.

- **PRESENTATION OF THE BADGE AND SERVICE REVOLVER TO RICKY LEE MOORE, RETIRING MASTER POLICE OFFICER II IN ACCORDANCE WITH THE NORTH CAROLINA GENERAL STATUTES**

Mayor Morgan, Alderman Neal Stockton and Police Chief Ken Gamble presented Officer Moore with his Badge and Revolver recognizing him for his service to the Citizens of Kernersville.

- **PRESENTATION OF THE BADGE AND SERVICE REVOLVER TO GERALD DWAYNE JACOBS, RETIRING SERGEANT IN ACCORDANCE WITH THE NORTH CAROLINA GENERAL STATUTES**

Mayor Morgan, Alderman Stockton and Police Chief Ken Gamble presented Sgt. Jacobs with his Badge and Revolver recognizing him for his service to the Citizens of Kernersville.

Alderman Neal Stockton stated that as the former Police Chief, he watched both of these men grow with the department and that each has served the citizens very well.

Chief Gamble also commended each Officer for their service to this community. He then led the Officers in attendance in a salute to Officer Moore and Sgt. Jacobs.

Sgt. Jacobs thanked the Town for the opportunity to serve. Officer Moore added that the Chief encouraged us to make this town all we can. He then thanked the Lord Jesus Christ for saving and watching over him all these years.

<p style="text-align: center;"><u>PUBLIC HEARINGS</u></p>
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Mayor Morgan presented procedures for the meeting.

- 1a. PUBLIC HEARING: Johnita and Ron Bennett, for properties located at 417 North Main Street and 419 North Main Street, being all of PIN#(S) 6886-46-3738, 6886-46-4631, and 6886-46-3567 containing a total of .99 acres more or less. Petitioner requests a General Use rezoning from RS-7 (Residential Single-Family, minimum lot size 7,000 sq. ft.) and NB-S (Neighborhood Business – Special Use District) to NB (Neighborhood Business). Zoning Docket K-714**

Mr. Jeff Hatling, Community Development Director presented the Planning Board Report for this rezoning request. He presented the surrounding land uses and findings for this request. He stated that the property owner owns two adjacent lots and desires to have all three lots in the same Neighborhood Business zoning district. He reported that the Planning Board and Staff recommend approval of the request as presented.

Mayor Morgan declared the Public Hearing open.

In Favor

None presented.

Opposed

None presented.

Being no speakers either in favor or opposed, Mayor Morgan closed the Public Hearing.

- 1b. Consideration of an ordinance for above rezoning.**

Alderman Irving Neal made a **Motion** to approve the following Ordinance to amend the Zoning Ordinances of the Town by rezoning the property in case K-714 from RS-7 (Residential Single Family 7,000 square foot minimum lot size) and NB-S (Neighborhood Business – Special Use District) to NB (Neighborhood Business).

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

- The Town has already begun the process of rezoning approvals along this corridor that support the surrounding neighborhood.
- These uses allowed in this general use request are consistent with other request along this corridor.

Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Town Ordinance

Zoning Petition of Johnita and Ron Bennett

Zoning Docket K-714

ORDINANCE NO. O-2012-22 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 a RS7 (Residential Single-Family, minimum lot size 7,000 sq. ft.) and NB-S (Neighborhood Business – Special Use District) to NB (Neighborhood Business Zoning) District for property located at 417 North Main Street and 419 North Main Street, being all of PIN#(S) 6886-46-3738, 6886-46-4631, and 6886-46-3567, containing a total of .99 acres more or less and being further described as follows:

Properties located at 417 North Main Street and 419 North Main Street, being all of PIN#(S) 6886-46-3738, 6886-46-4631, and 6886-46-3567, containing a total of .99 acres more or less.

BEING KNOWN AND DESIGNATED as being all of PIN#(S) 6886-46-3738, 6886-46-4631, and 6886-46-3567, containing a total of .99 acres more or less as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina.

SECTION 2. This Ordinance shall be effective from and after its adoption.

Adopted this the 4th day of December, 2012.

- 2a. PUBLIC HEARING: Jeff Smith, agent for I-40 Union Cross RE, LLC, for properties located in the 1400 block of Union Cross Road, being all of PIN#(S) 6874-29-9209, 6874-29-9567, 6874-39-1720, 6874-39-4747, 6874-39-6995, 6874-48-0736, 6874-49-7107, 6874-59-2195, 6875-30-4115, 6875-30-5140 containing a total of 83.96 acres more or less. Petitioner requests a Special Use District Two-Phase rezoning from RS-20 (Residential Single-Family, minimum lot size 20,000 sq. ft.) and MU-S (Mixed Use – Special Use District) to MU-S (Mixed Use – Special Use District) Two-Phase. Zoning Docket K-715 (Request to withdraw petition has been submitted)**

Jeff Smith, 8443 Alice Player Drive, Oak Ridge, NC – stated that this property is family owned and has not developed due to the downturn in the economy. He requested that this petition be withdrawn to allow them time to design a site plan and to meet with adjacent property owners.

2b. Consideration of an ordinance for above rezoning.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to allow the Petitioner to withdraw this rezoning request. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

3a. PUBLIC HEARING: Ray Thomas, Attorney for TM Development, LLC, for properties located at 1125 Highway 66 South, being all of PIN# 6885-78-3208 containing a total of 18.05 acres more or less. Petitioner requests a General Use rezoning from GI (General Industrial) to HB-S (Highway Business Special Use). Zoning Docket K-716

Mr. Hatling presented the Planning Board Report for this rezoning request. He presented a location map for the site, the surrounding land uses and findings of this request. He presented the traffic impact of the area and the list of permitted uses allowed under this rezoning. He stated that the Planning Board added the use Motorcycle Dealer.

Mayor Morgan declared the Public Hearing open.

In Favor

Ray Thomas, Attorney, 116 S. Cherry St., Kernersville, NC – stated that it is a pleasure to be here and noted the addition of a clock. He asked the Board to support this request and then made himself available for questions.

Opposed

None presented.

Being no additional speakers either in favor or opposed, Mayor Morgan closed the Public Hearing.

3b. Consideration of an ordinance for above rezoning.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the following Ordinance to amend the Unified Development Ordinance of the Town by rezoning the property in case K-716 from GI and HB-S. The said rezoning being consistent with the Town's Comprehensive Plan and Kernersville Development Plan and further being both reasonable and in the public interest due to the following facts:

1. Limiting the uses in the HB zoning district assists in implementing the Land Use Plan and addresses potential adverse traffic impacts.
2. Special Use District rezoning is used to assist in integrating land uses.

***Standard Conditions**

1. Transportation

- a. *During the Zoning Permit process for new “permitted uses” NCDOT Driveway Permits are required to access NC 66 South and Industrial Park Drive. All NCDOT improvements required as part of the Driveway Permit approval process shall be constructed as part of this project. All improvements on NCDOT maintained roads shall be, at a minimum, in accordance with NCDOT design standards.
- 2. **Public Infrastructure**
 - a. *All water and sanitary sewer drawings with appropriate easements shall be approved by the City-County Utilities Commission.
 - b. *All detailed construction plans for infrastructure must be submitted to and approved by the Engineering Department prior to construction.
 - c. *Dumpster pads and enclosures shall be constructed in accordance with the *Town of Kernersville Design and Construction Specifications* manual, and locations approved by the Public Services Department, Solid Waste Division.
- 3. **Environmental and Stormwater Management**
 - a. *Developer shall adhere to all State, Federal, and Local Government environmental regulations.
 - b. *A Watershed/Stormwater Permit approved by the Town Engineer is required.
 - c. *A detailed grading plan for lot drainage, with the area draining to each structure clearly delineated, shall be submitted with the construction plans. Detailed grading plans shall be in compliance with current requirements of the North Carolina Building Code.
 - d. *Drainage design calculations shall be submitted with the submittal of the grading plan.
- 4. **Emergency Services**
 - a. *All Fire Department requirements shall be met during and after the construction process. The Fire Marshal shall approve any changes to the submitted site plan concerning all interior turning radiuses and all public access points.
- 5. **Screening**
 - a. “Motor Vehicle, Storage Yard” as the primary use shall require a Type II Bufferyard between the storage yard and public right-of-way.
- 6. **Two-Phase**
 - a. If during a request for a Zoning Permit, utilizing the existing developed area, the site plan changes will only include meeting the overlay district and driveway permit requirements; a Final Development Plan shall not be required.
- 7. **Permitted Uses**
 - a. Permitted uses shall be as listed:
Fuel Dealer; Implement Sales and Service; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Wholesale Trade A; Banking and Financial Services; Building Contractors, General; Car Wash; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard; Motorcycle Dealer; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; Church or

Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Government Offices; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Police or Fire Station; Post Office ; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Access Easement, Private Off-Site; Broadcast Studio; Helistop A; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; Utilities

Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Town Ordinance

Zoning Petition of Ray Thomas, Attorney for TM Development, LLC

Zoning Docket K-716

**ORDINANCE NO. O-2012-23
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 a GI (General Industrial) to HB-S (Highway Business-Special Use District) for properties located at 1125 Highway 66 South, being all of PIN# 6885-78-3208 containing a total of 18.05 acres more or less and being further described as follows:

BEING KNOWN AND DESIGNATED as being all of PIN# 6885-78-3208, containing a total of 18.05 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 hereby directs the issuance of a Special Use District Permit pursuant to Chapter 19 of the Town Code for property located at 1125 Highway 66 South being all of PIN# 6885-78-3208. Said Special Use District Permit with associated documents attached hereto and incorporated herein.

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

Adopted this the 4th day of December, 2012.

**SPECIAL USE DISTRICT PERMIT
Issued by the
Board of Aldermen of the Town of Kernersville**

The Board of Aldermen of the Town of Kernersville has issued a Special Use District Permit for the site included in this zoning petition of Ray Thomas, Attorney for TM Development, LLC. The site shall be developed in accordance with the plan approved by the Board of Aldermen the 4th day of December, 2012 and signed, provided the property is developed in accordance with requirements of

the zoning district HB-S (Highway Business – Special Use) District of Chapter 19 of the Town Code, the Erosion Control Ordinance, and other applicable laws permitted with the approved uses of *Fuel Dealer; Implement Sales and Service; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Wholesale Trade A; Banking and Financial Services; Building Contractors, General; Car Wash; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard; Motorcycle Dealer; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Government Offices; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Police or Fire Station; Post Office; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Access Easement, Private Off-Site; Broadcast Studio; Helistop A; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; Utilities*

1. Transportation

- a. *During the Zoning Permit process for new “permitted uses” NCDOT Driveway Permits are required to access NC 66 South and Industrial Park Drive. All NCDOT improvements required as part of the Driveway Permit approval process shall be constructed as part of this project. All improvements on NCDOT maintained roads shall be, at a minimum, in accordance with NCDOT design standards.

2. Public Infrastructure

- a. *All water and sanitary sewer drawings with appropriate easements shall be approved by the City-County Utilities Commission.
- b. *All detailed construction plans for infrastructure must be submitted to and approved by the Engineering Department prior to construction.
- c. *Dumpster pads and enclosures shall be constructed in accordance with the *Town of Kernersville Design and Construction Specifications* manual, and locations approved by the Public Services Department, Solid Waste Division.

3. Environmental and Stormwater Management

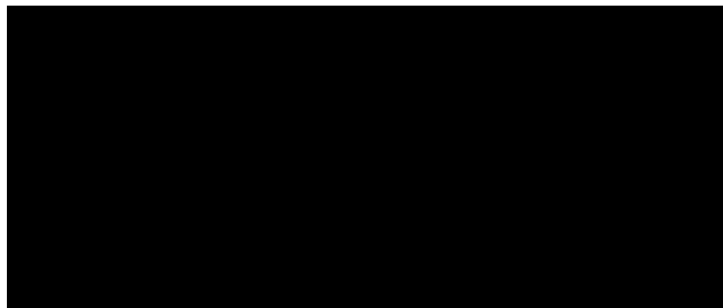
- a. *Developer shall adhere to all State, Federal, and Local Government environmental regulations.
- b. *A Watershed/Stormwater Permit approved by the Town Engineer is required.
- c. *A detailed grading plan for lot drainage, with the area draining to each structure clearly delineated, shall be submitted with the construction plans. Detailed grading plans shall be in compliance with current requirements of the North Carolina Building Code.
- d. *Drainage design calculations shall be submitted with the submittal of the grading plan.

4. Emergency Services

- a. *All Fire Department requirements shall be met during and after the construction process. The Fire Marshal shall approve any changes to the submitted site plan concerning all interior turning radiuses and all public access points.

5. Screening

- a. “Motor Vehicle, Storage Yard” as the primary use shall require a Type II Bufferyard between the storage yard and public right-of-way.
- 6. **Two-Phase**
 - a. If during a request for a Zoning Permit, utilizing the existing developed area, the site plan changes will only include meeting the overlay district and driveway permit requirements; a Final Development Plan shall not be required.
- 7. **Permitted Uses**
 - a. Permitted uses shall be as listed:
Fuel Dealer; Implement Sales and Service; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (without drive-through service); Wholesale Trade A; Banking and Financial Services; Building Contractors, General; Car Wash; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory; Medical and Surgical Offices; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard; Motorcycle Dealer; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Veterinary Services; Warehousing; Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Government Offices; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Police or Fire Station; Post Office ; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Access Easement, Private Off-Site; Broadcast Studio; Helistop A; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; Utilities



- 4a. **PUBLIC HEARING: To hear comments regarding a Grant Application for Transportation for Elderly Persons and Persons with Disabilities (Section 5310 Program). The purpose of this program is to provide financial assistance for transportation services planned, designed and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities in all areas – urbanized, small urban and rural.**

Brian Ulrich, Transportation Manager wanted to make the Board aware of this transportation grant opportunity by NCDOT. He noted the original route of the service previously provided. He presented costs projections if the Board considers continuing this shuttle service.

General Operating Expense

Cost per Hour: \$19.68
Cost per Mile: 78 cents

Original Route Expense

Number of Days: 104

Cost per hour	x	No. of hours	=	Hourly expense
\$19.68		832	=	\$16,373.76

Cost per mile	x	Annual miles	=	Mileage Expense
78 cents	x	10,317	=	\$8,047.26

Operating Expense	\$24,421.02
<u>Kernersville Expense \$2,442.10 (10%)</u>	

Mr. Ulrich stated that there are some concerns regarding routes and stops not being used. He stated that based on a recommendation by the driver the routes were revised. The Board requested a survey of the ridership however; we never got that information from WSTA. Debi Grant rode the bus today and conducted a survey of today's riders.

Cost Data

@ \$1025/Month = \$256.25/day

@ 33 trips = \$7.77/trip

@16.5 people = \$15.53/person

day was not complete

Mr. Ulrich stated that the application deadline is December 15th. Funding would be for service from July 2013 through June 2015. There is no obligation to accept the grant if awarded and no obligation to spend the money if we are awarded; it's based on a reimbursement method. Chances are good that we would receive funding as NCDOT has reported that they have trouble getting enough applicants for these funds.

Mr. Ulrich stated that requirements of the grant are for the elderly and handicapped however, other riders cannot be turned away.

Mr. Ulrich presented the cost estimates if the Board considers extending the service and presented a potential service route.

Operating Expense

2 days/ week cost was \$2053.12

1 day/week cost is half, \$1026.56 **SAY \$1025**

Town paid \$2,050 for 2 additional months of service, through December

He stated that the \$60,000 request would meet the requirement of the grant and the two day service we currently offer. \$30,000 request would provide a one day a week service. He explained the flexibility we would have in the routes.

Modifications to route after grant application and/or award

- 8.5 hours & 66 miles/day, 2 days a week would cost approximately \$23,000 per year.

\$30,000 request allows some flexibility

For example –

Adding another loop to proposed expanded route (increase from 5 to 6 per day):

- 10 hours & 79 miles/day, 2 days a week would cost approximately \$27,000 per year
- Cutting a loop would result in a cost of \$19,000/year

Mr. Ulrich speculated that this may be our best chance to provide this service. The next grant timeframe is unknown at this time. He added that the final route can be modifiable and increased or decreased as needed to provide the best service. He stated that these are alternatives for the Board to consider.

Mayor Morgan declared the Public Hearing open.

In Favor

None presented.

Opposed

None presented.

Being no speakers either in favor or opposed, Mayor Morgan declared the Public Hearing closed.

4b. Consideration of a Resolution authorizing grant application.

Mayor Pro Tem Dana Caudill Jones stated that as she understands it we are only considering submitting the application tonight in the amount of \$60,000 and that the specifics of the routes will

be done later. Mr. Ulrich stated that this is correct however we are saying that this is a senior service. Mr. Swisher stated that the Board will need to establish the amount we are applying for also.

The Board held a lengthy discussion on the number of days the service would run, the route and stops provided. Mayor Pro Tem Caudill Jones expressed her concern that we are providing a service that serves a small population and that seniors living in their homes would be excluded. She and Alderman Shifflette expressed a concern that the current route basically serves only one side of town and that there is a need to expand the route to serve areas north of Town.

Alderman Neal expressed a concern that the cost for this service be shared by those using the services and places such as Wal-mart since this is not offered to the general public. He stated that he could not move forward with this project.

Alderman Shifflette stated that she is in favor of providing this service even though it might seem like this is a service for a certain group of people in our community. She sees this as the first step in providing a transit system for our citizens. She stated that most of these residents are provided with subsidized housing and they can't afford a van to provide this service. She stated that maybe we could look at a minimum fare to help offset the costs. She recommended we adjust the routes to include more stops and residents. She stated that we need this service and this grant will provide the funding with a minimum amount provided by the Town.

Mayor Pro Tem Caudill Jones stated that she sees good points on both sides and recommended that we look at other ways to make this work. There is a need here but still has some concerns. She stated that grant money is not free as it is still taxpayer funds that will serve a small segment of our population. If the Town is able to secure this grant money, then we need to make sure we spend it in the best way possible. She understands that this will be a work in progress if we move forward however, she is not happy with it like it is now. She stated that we have an opportunity to apply for a grant to help us get started but that we must continue to work on this proposal to extend the service to other areas of town. She expressed a concern with providing this service forever but may be willing to give it a shot. She reminded the Board members that the Board will be facing a very difficult budget coming up.

Alderman Neal Stockton stated that he could not support this project due to cutbacks in Town services and personnel. He stated that he could see this becoming a burden on the Town and when the Town is forced to stop the service it will become an issue. He stated that after further study it could be revisited again in the future.

Alderman Keith Hooker stated that he could support the grant application which would allow the Town six months to evaluate all of our alternatives. He suggested that perhaps others would be willing to assist the Town with this service. We won't know if it could work if we don't give it a try.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to apply for this Transportation grant as requested in the amount of \$60,000. Alderman Keith Hooker seconded the motion. The vote in favor: Mayor Pro Tem Caudill Jones, Alderman Hooker and Alderman Shifflette. The vote in opposition: Alderman Neal and Alderman Stockton. Motion carried 3-2 vote.

Resolution No. 2012-50
PUBLIC TRANSPORTATION PROGRAM RESOLUTION

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, the purpose of the Section 5310 program is to provide financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities in all areas—urbanized, small urban, and rural; and

WHEREAS, the purpose of the Section 5316 program is to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities; and

WHEREAS, the purpose of the Section 5317 program is to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the ADA of 1990 by providing funding assistance that supports new public transportation services and/or new public transportation alternatives beyond those required by the ADA; and

WHEREAS, NCDOT has been designated as the State agency with principal authority and responsibility for administering the Section 5310 program for all areas—urbanized, small urban, and rural; and

WHEREAS, NCDOT has been designated as the State agency with principal authority and responsibility for administering the Section 5316 and 5317 programs for small urban and rural areas; and

WHEREAS, the Town of Kernersville, North Carolina hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the Mayor of the Town of Kernersville, North Carolina is hereby authorized to submit a grant application for federal and state funding, and the Town of Kernersville will provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

I, Dale F. Martin, Town Clerk do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Kernersville Board of Aldermen duly held on the 4th day of December, 2012.

Mayor Morgan referred to a meeting with Art Barnes, Director of Operations with WSTA. She stated that WSTA applied for the grant and operated the service with no input from the Town on the routes and stops. She stated that this is the first transportation service in which the Town has been involved and it could be different and very good for our community. She stated that Mr. Barnes did discuss a van service with Mr. Ulrich and her in which citizens could call to schedule an appointment however; WSTA did not have Staff to handle these calls. She asked Mr. Swisher if there is some way through the website perhaps that the Town could provide that staffing.

Alderman Neal stated that public transportation is a major program. We have recently been forced to cut services and cut employees and did not feel we should be looking at a public transportation service.

Mayor Pro Tem Caudill Jones stated again her concern that we try to reach as many citizens as possible. If this was our only route and alternatives she would not support this program.

Alderman Shifflette asked if we could have something like a fixed route on Tuesday and call ins on Thurs. Mr. Ulrich stated that we can work it lots of different ways however, WSTA cannot handle the calls for the Town.

Mr. Swisher stated that we are not set up anywhere at Town Hall to handle these calls and to offering scheduling for this service. We would have to hire additional personnel to handle these calls adding to the cost of this service.

The Board discussed offering the service on the south side of Town one day and the other day on the north side of Town. It was asked if we could we reach out to services that could handle the calls for scheduling such as one of our non-profits.

PUBLIC SESSION

5. SPEAKERS FROM THE FLOOR.

None presented.

6. Consideration of a Partnership Agreement with Winston-Salem Forsyth County Schools to Provide Cameras at Southeast Middle School.

Mr. Swisher stated that the Board approved a partnership agreement two years ago to install cameras at Southeast Middle however; the project was put on hold temporarily. The issues have been resolved and we have received the formal agreement. He explained that the Town will be required to provide matching funds in the amount of \$7,500. Staff recommends approval of this agreement as presented.

Alderman Neal Stockton made a **Motion** authorizing a Partnership with Winston-Salem Forsyth County Schools to upgrade the cameras at Southeast Middle School and authorizing matching funds in the amount of \$7,500 which are budgeted in this fiscal year's budget. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

7. Election of the Mayor Pro Tem as required by the Town Charter.

Mayor Morgan reminded the Board that the Town Charter requires that a Mayor Pro Tem be selected each year.

Alderman Tracey Shifflette made a **Motion** nominating Dana Caudill Jones as Mayor Pro Tem as required by the Town's Charter. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

8. Consideration of appointments to Nominations Committee.

Mayor Morgan recommended Aldermen Tracey Shifflette and Neal Stockton be appointed to the Nominations Committee for next year.

Alderman Irving Neal made a **Motion** to appointed Aldermen Tracey Shifflette and Neal Stockton to the Nominations Committee as recommended. Mayor Pro Tem Dana Caudill Jones 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 October 24, 2012 Briefing Session
Approval of Minutes for October 24, 2012 Closed Session
Approval of Minutes for October 30, 2012 Regular Session**

C-2 Forsyth County Tax Refund

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the Consent Agenda as submitted. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

10. ITEMS REMOVED FROM CONSENT AGENDA.

None removed.

11. SPEAKERS FROM THE FLOOR.

Ray Thomas stated that it is such a pleasure to walk around Town during the holidays and see all the lights and Christmas decorations. He then shared a story: One Solitary life, a story about the life of Jesus Christ.

12. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher presented a grant for landscape enhancements from NCDOT for the Business-40 Interchange. He explained the delay in the project and that now NCDOT is ready to move forward.

The Board and Staff discussed the maintenance cost now and when the project is complete. The shrubbery and trees are all overgrown now and hard to maintain, the new plantings will be easier to maintain and will lower the Town's costs for maintenance in this area.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the agreement with NCDOT for landscape enhancements to the interchange at Business 40 and S. Main Street. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

Mr. Swisher reported that the trees on Salisbury Street are being removed. He presented pictures of the trees noting that all of them are rotten as suspected. He stated that the Town will grind out the

stumps and in some places we may have to replace the sidewalk. When finished on Salisbury Street crews will move on to S. Main Street.

13. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.

Town Attorney John Wolfe announced that the purchase of the last parcel on Medical Parkway has been closed on as of Friday. He then announced that the lawsuit with Joyce Development has been settled as well.

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

Alderman Keith Hooker wished everyone a Merry Christmas.

Alderman Dana Caudill Jones also wished everyone a Merry Christmas and commended all the agencies that were involved in the weekend's holiday events on a job well done.

Alderman Tracey Shifflette also wished every a happy and safe holiday.


Alderman Neal Stockton wished everyone a happy holiday and commended Town Employees for their efforts all year long and especially the crews that were involved in the past weekend's events.

Alderman Irving Neal made a Motion to go into Closed Session to confer on matters permitted by N.C.G.S. 143-318.11(a)(2), Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

15. ADJOURNMENT.

Being no further business to come before the Board, the meeting was adjourned immediately following the Closed Session at 9:11 PM.


Attest:


Dawn H. Morgan, Mayor


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 December 4, 2012.

This the 12 day of February, 2013.


Dale F. Martin, MMC, Town Clerk