

**MINUTES OF THE BOARD OF ALDERMEN  
TOWN OF KERNERSVILLE, N.C.  
BRIEFING SESSION JULY 31, 2013**

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 Keith Hooker and Alderman Irving Neal.

**Absent:** Alderman Tracey Shifflette and Alderman Neal Stockton.

**Staff Present:** Curtis L. Swisher, Town Manager; Jayne Danner, Deputy Town Clerk; John Wolfe, Town Attorney; Jeff Hatling Community Development Director, Scott Cunningham, Police Chief; Terry Crouse, Fire Rescue Chief; Doran Maltba, Public Services Director; Russell Radford, Engineering Director; Ernie Pages, Parks & Recreation Director; Gray Cassell, Chief Information Officer; Franz Ader, Finance Director.

**Call to order and invocation.**

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

**1. Presentation of National Night Out Proclamation to the Kernersville Police Department.**

Mayor Morgan presented a proclamation to Police Chief Scott Cunningham in recognition of the 30th Annual National Night Out to be held on Tuesday August 6, 2013.

Chief Cunningham thanked the Board for their continued support of National Night Out. He added that this event is a great opportunity to enhance the relationship between the Police Department and the community.

**2. Presentation on the History of the Depot by CJ Idol.**

Mayor Morgan introduced CJ Idol.

CJ thanked the Board for the opportunity to present this information. He gave a brief overview of the history of the Depot that was built in 1873 and financed by Forsyth County. He added that citizens came together to raise funds to move the depot to its current location and to restore it to its current state. He stated that in the fall of 2012 he started to compile a notebook to serve as an inventory of all the items that have been donated to the Depot. He added that the items were photographed and then catalogued by donor. C J circulated the notebook. He expressed appreciation to Barbara Bull and Callie Jones who assisted him with the project. He added that a rising Glenn High School freshman will continue the notebook project.

Mayor Pro Tem Jones thanked CJ for his commitment to this project and Barbara Bull for her continued commitment to the Depot.

The notebook was left for viewing and returned to the Depot at a later date.

### **3. Briefing on the August 6, Regular Meeting Agenda.**

Mr. Curtis Swisher, Town Manager stated that there is one ceremonial item on the agenda, Presentation of a Proclamation for the 38<sup>th</sup> Annual Honeybee Festival. He noted that since there are no public hearings the first item on the Agenda will be Speakers from the Floor.

#### **Item # 2 Presentation of Semi-annual Report by the Chamber of Commerce for In-kind Services.**

Mr. Swisher, Town Manager stated that a member of the Chamber of Commerce will present this semi-annual report as required in the terms of the Lease Agreement.

#### **Item # 3 Consideration of a Resolution establishing Areas of Consideration for Annexation.**

Mr. Jeff Hatling, Community Development Director stated that the Town is required to prepare a Resolution establishing Areas of Consideration for Annexation every 2 years. He added that due to new legislation it is more difficult to annex areas; therefore the areas for consideration are the same as those two years ago.

Mr. Swisher advised the Board that the City of Winston Salem has notified the Town that they do not wish to renew the boundary agreement with the Town.

#### **Item # 4 Consideration of an Amendment to Interlocal Agreement with Forsyth County Tax Administration for Billing and Collecting of Town of Kernersville Taxes.**

Mr. Swisher stated that these changes are due to the new Tax and Tag Together program. He added that the State will now collect vehicle property tax, the taxes will then be forwarded to the County and then the County will forward to the Town.

#### **Item # 5 Consideration of exercising an option for the purchase of real property.**

Mr. John Wolfe, Town Attorney stated that the Town Manager has been authorized by the Board to present options for potential purchases of property on behalf of the Town. He added that an option was presented to Novant Health for an 11+ acre parcel of land on Harmon Lane and Broad Street for \$100k per acre which will be presented to the Board for discussion and consideration on Tuesday evening.

#### **Item # 6 Acceptance of Gift and Approval of Agreement for Kernersville Museum.**

Mr. Swisher stated that the full agreement and deed to accept the building known as the Bellamy House for use as the Kernersville Museum has been forwarded to the Board for review. He noted that this is a similar use and maintenance agreement that the Town has for the Depot.

**Item # 7 Reconsideration of Annual Fee for Yard Cart Collection.**

Mayor Morgan stated that she and several Aldermen added this item to the agenda. She added that a yard cart fee was implemented due to the bad economy and lack of growth in the Town; however use of the yard carts declined after a fee was implemented. She further added that now that the State has balanced its budget we have been informed that the Town will receive some funds for Sales and Use Tax Hold Harmless for this year, it is being suggested that the yard cart fee be eliminated. She asked Mr. Swisher if he had any numbers that he could share.

Mr. Swisher stated that he would have more information on Tuesday however the preliminary figures show that the Town will receive \$350,000 in FY 13-14 for Sales & Use Tax Hold Harmless. Mr. Swisher added that approximately 2,500 households were using the yard cart service, when a fee was implemented in FY 11-12 the usage dropped to 1,800 households, 1,500 of which have already paid the \$60 service fee for FY 13-14. He added that if the fee is rescinded and the usage of the yard cart service goes back up to 2,500 households an employee would need to be hired to provide this service. He added that to rescind or refund the fee, and hire a new employee the overall cost to the Town would be \$175, 000. He expressed concern at using the hold harmless funds to offset an ongoing annual expense, especially when projects funded, such as the HVAC replacement, appear to be going to cost more than initially predicted and budgeted. He reminded the Board that \$400,000 was used from the Fund Balance to balance the budget and any additional expenses such as the potential land purchase could have a serious impact on the FY 14-15 Budget, despite the expected growth at Deere Hitachi. Mr. Swisher suggested that the Board consider using the hold harmless funds for a one-time expense such as road resurfacing, or equipment purchase that has not had any funding for several years. He added he may have more figures to report on Tuesday however he didn't think it would be much brighter.

Mayor Pro Tem Dana Jones stated that the article in the Tuesday July 30, 2013 Kernersville News about the yard cart fee was not totally accurate as to why the yard cart fee was implemented in FY 11-12. She added that the fee was implemented based on the recommendation by Public Services staff and statistics that reflected low participation in the program. She further added it was a tough economy and the Town could not justify paying to operate a vehicle and pay the salary for an employee for so few participants. She also noted that in budget discussions with the Town Manager earlier this year he recommended that if hold harmless funds were received in FY 13-14 that it be used for items that had not been funded and would not be a recurring cost. She suggested that the Board review the minutes of these meetings.

Mayor Morgan stated that the Board would discuss this further at the meeting on Tuesday.

**Item # 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 June 4, 2013, Regular Session**
- Approval of Minutes for June 19, 2013 Briefing Session**

**Approval of Minutes for June 19, 2013 Closed Session  
Approval of Minutes for June 25, 2013 Regular Session  
Approval of Minutes for June 25, 2013 Closed Session**

- C-2 Consideration of Ordinance by Forsyth County to Collect Town of Kernersville Taxes for Prior Years.**
- C-3 Consideration of Ordinance by Forsyth County to Collect Town of Kernersville Taxes for 2013.**
- C-4 Consideration of a Resolution of Intent to Annex Property located at the most southerly portion of Masten Drive.**

Mayor Morgan highlighted the Consent Agenda items.

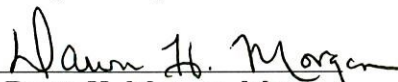
**4. Matters to be presented by the Town Manager and Town Attorney.**

John Wolfe, Town Attorney advised the Board that the NC General Assembly had recently passed new legislation regarding concealed carry weapons that will go into effect in October 2013. He further advised that he would research what changes the Town will need to implement in order to be in compliance with this new legislation. He added that he will prepare an amendment to the current Town Ordinance for the Board's consideration at the September 3, 2013 Board of Aldermen Meeting.

**5. Adjournment.**

Mayor Pro Tem Jones made a **Motion** to adjourn the meeting at 7:16 p. m. 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.

  
Dawn H. Morgan, Mayor

Attest:

  
Jayne Danner, CMC, NCCMC Deputy Clerk

I, Jayne Danner, Deputy Clerk of the Town of Kernersville, North Carolina, do hereby certify that this is a true and correct copy of the minutes of the meeting duly held on July 31, 2013.

This the 9<sup>th</sup> day of September, 2013.

  
Jayne Danner, CMC, NCCMC Deputy Clerk