

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. AUGUST 6, 2013**

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 Scott Cunningham; Franz Ader, Finance Director; Terry Crouse, Fire Chief; Bruce Hennequin, Fire Marshal; Doran Maltba, Public Services Director; Mike Horney, Public Services Operations Manager; Ray Smith, Human Resources Director; Gray Cassell, Information Services Director; and Ernie Page, Parks & Recreation Director.

- CALL TO ORDER
- INVOCATION BY FATHER PAUL DECHANT HOLY CROSS CATHOLIC CHURCH
- PLEDGE OF ALLEGIANCE

Mayor Dawn Morgan called the meeting to order. The invocation was delivered by Father Paul Dechant of Holy Cross Catholic Church which was followed by the Pledge of Allegiance.

- PRESENTATION OF PROCLAMATION FOR THE 38TH ANNUAL HONEYBEE FESTIVAL

Mayor Morgan presented the Honeybee Proclamation to Sharon Williams, Parks & Recreation Program Supervisor. Ms. Williams highlighted the events planned for this year's festival and invited everyone to attend.

PUBLIC SESSION

1. SPEAKERS FROM THE FLOOR.

None presented.

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

Tony Smits, 5831 Sutter Lane, Kernersville, Chairman of the Chamber of Commerce - presented the Chamber's semi-annual report on in-kind services highlighting the downtown marketing efforts, the job fair and business showcase. He reported that Leadership Kernersville kicked off this year's

class earlier tonight. He announced the retirement of Bruce Boyer and noted that efforts are underway to find a new Executive Director. He then made himself available for questions.

3. Consideration of a Resolution establishing Areas of Consideration for Annexation.

Town Manager Curtis Swisher stated that the Town adopts a similar resolution every two years. He explained the changes in State law that makes it very difficult to annex property. He stated that the Town must identify areas that could be considered before anything else can be done. We don't expect the Town to initiate any annexation in the near future.

Mr. Jeff Hatling, Community Development Director, presented a map illustrating the areas of consideration for annexation as required by law.

Alderman Keith Hooker asked for any changes to the previous area. Mr. Hatling noted a change to the boundary of the Oak Ridge Town limit line and that all other changes are only minor adjustments.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the following Resolution establishing Areas of Consideration for Annexation. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

RESOLUTION NO. R-2013-18 A RESOLUTION IDENTIFYING AN AREA AS UNDER CONSIDERATION FOR ANNEXATION AND NOTIFICATION TO QUALIFIED PROPERTY OWNERS OF THEIR RIGHT TO DELAYED ANNEXATION

WHEREAS, §160A-49(i) of the North Carolina General Statutes requires municipalities to adopt a Resolution of Consideration of an area for annexation at least one year prior to the adoption of a Resolution of Intent to annex the property; and

WHEREAS, the Board of Aldermen of the Town of Kernersville has reviewed areas contiguous to the Town and determined that annexation may be initiated in certain of the areas within the statutory time limits and deems it appropriate to identify those areas as being under consideration for annexation,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Aldermen of the Town of Kernersville that:

Section 1. Pursuant to North Carolina Gen. Stat. §160A-49(i), the area shown on the attached map, denoted as Exhibit A and incorporated herein by reference, is identified as being under consideration for future annexation by the Town of Kernersville in accordance with Chapter 160A, Article 4A, Section 3 of the General Statutes.

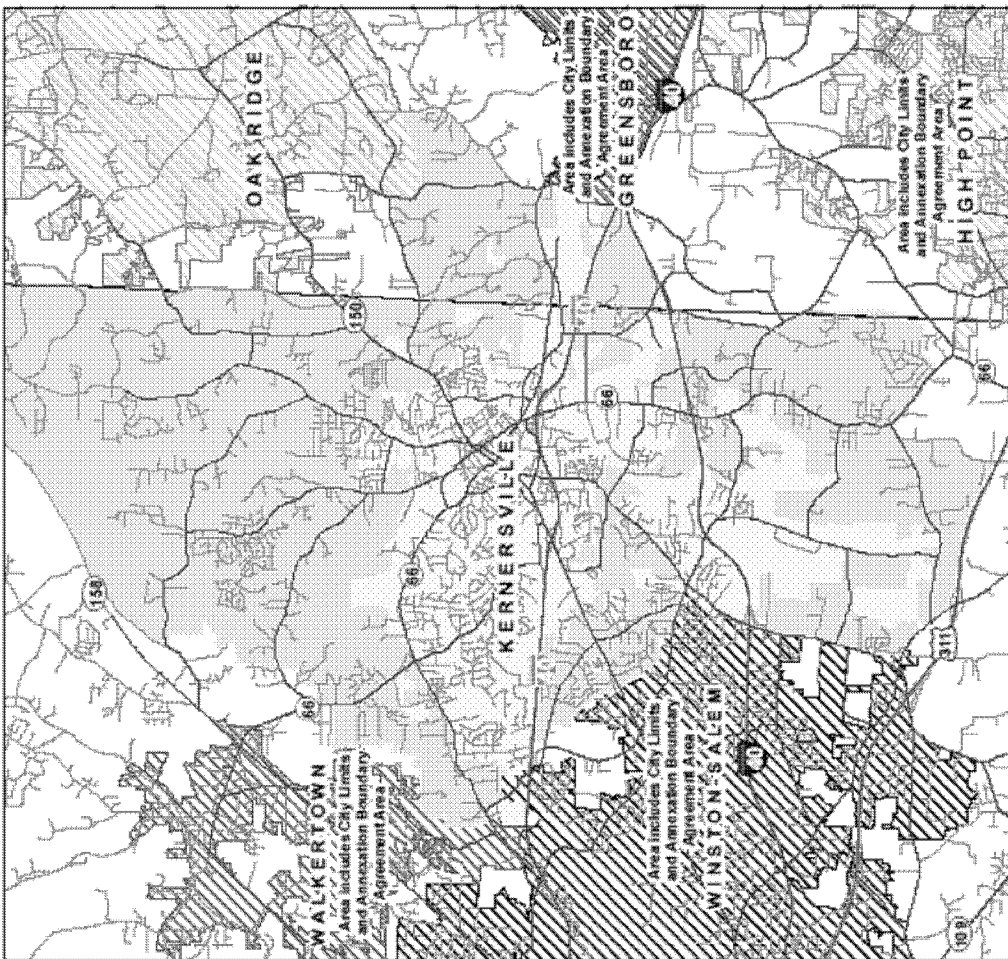
Section 2. Owners of agricultural land, horticultural land or forest land within the area identified as under consideration for annexation in Section 1 are hereby notified that they may have the right to delay the effective annexation date. North Carolina Gen. Stat. §160A-49(f) provides that this delay may apply when either (a) land is taxed at present-use value pursuant to G. S. §105-277.4 or (b) the tax assessor certifies that the land is being used for actual production and would be eligible for present-use value under §105-277.4 but has not been used for actual production for the time required

by §105-277.3. For such tracts, annexation would become effective on the last day of the month the tract or portion thereof either becomes ineligible for present-use value classification under §105-277.4 or no longer meets the requirements of §160A-49(f)(2). Until annexation, the tract is not subject to Town taxation or entitled to receive Town services. During the delayed annexation period, such tract is considered part of the Town for establishing Town boundaries for additional annexations and for the exercise of Town authority for planning and regulation of development.

Section 3. A copy of this Resolution shall be filed with the Town Clerk of Kernersville.

Section 4. This Resolution shall remain effective as provided by G. S. §160A-49(i).

Adopted this the 6th day of August, 2013



2013
Areas of Consideration
for Annexation
Kernersville, Forsyth County
North Carolina

LEGEND

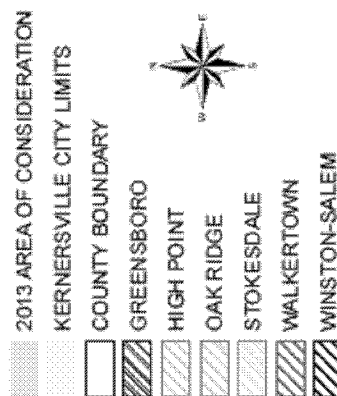


Exhibit A

Date: _____
Adoption: _____
Prepared by the Town of Kernersville
Community Development Department
File: AOC Annexation 2013



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

Mr. Swisher explained recently adopted legislation whereby the State will be collecting taxes on automobiles with the inspections fees. He stated an amendment to our agreement with Forsyth County is needed to ensure that the Town receives these funds collected by the State. Forsyth County agrees to disperse the Town's share of these taxes.

Alderman Tracey Shifflette made a **Motion** to approve the Amendment to the Interlocal Agreement with Forsyth County Tax Administration as presented. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

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

Town Attorney John Wolfe explained the option to purchase 11.4 acres on Harmon Lane from Novant Health. He stated that the property is bounded by Pineview Drive and Harmon Lane. The property is to be purchased for \$100,000 per acre and that the Town has until November 15th to exercise an option to purchase. He explained that between now and November he will proceed with drafting a contract to purchase and a letter of intent with the expected closing on the property in 60 days after the Local Government Commission grants approval of the financing. He noted that the property currently has some restrictions however; Novant has indicated that those restrictions could be removed. Mr. Wolfe stated that the purpose for this property is to lease the property to Forsyth County to be used as the new Kernersville Library. He stated that he will bring a contract back before the Board for consideration at a later date.

Carl Cox, 708 Carter Street, Kernersville, NC – stated that he heard at the Board's Briefing and understands that this is to be used for a library and a senior center. He expressed his concern with how much money would be left in the Town's rainy day fund if this property is purchased.

The Town Manager explained that the Town has approximately \$4.9 million in unrestricted funds. He added that it is not the Town's intention to take this money out of fund balance but to finance the purchase and spread the cost over 15-20 years.

Mr. Cox stated that given the current situation with the Town's budget, why are we creating a mortgage. He suggested the Chamber find someone else to buy the property. He asked if the Town is going into the real estate business. He recommended the Board look more closely at this purchase as he doesn't see the need for this property.

Mr. Swisher gave an update on the current situation with the Paddison Memorial Library and its current usage. He stated that studies have indicated the desire to keep the library downtown. There are not a lot of options in the downtown therefore; we have to act upon them when they become available. He stated that any of this property the Town doesn't use would be sold off to be used as a possible Senior Center/Shepherd Center.

Mr. Cox asked what happens if the Town can't sell the land. Mr. Swisher stated that the Town would still be obligated to pay for the property.

Alderman Irving Neal stated that both the County and the Town have been looking for a site for the library, the Shepherd Center, and a Community Center and it has been difficult to find land available. He added that this Board has to look down the road at what is best for Kernersville and sometimes we have to get creative with financing options. He stated that thanks to Novant Health we can purchase this property at a good price. He stated that nobody on this Board is out to just spend money but sometimes we have to for the benefit of the Town.

Alderman Irving Neal made a **Motion** to exercise an Option to purchase 11.4 acres of property off of Harmon Lane and Pineveiw Drive at \$100,000 per acre. Alderman Neal Stockton seconded the motion.

Mayor Pro Tem Dana Caudill Jones stated that the Board has been looking at this for a while. She added that Novant approached the Town about this land. She noted that this property could be sold for a lot more than what Novant is offering it to the Town. She stated that the Town does not envision constructing a building for these entities but to simply provide the land. She referred to recent bonds that were approved by the voters for a new library in Kernersville. The Town wants to keep the library downtown as the Kernersville library is one of the highest used facilities in the County. She added that the Town needs a Senior Center and a Shepherd Center and this property has a lot of opportunity. We don't know exactly what will be there but we believe it will be a great benefit to Kernersville.

Alderman Neal Stockton stated that this is an opportunity to protect our resources and to provide a benefit to our citizens which are our biggest asset. Our citizens deserve a high quality of life. We are not just a bedroom community anymore.

Alderman Keith Hooker noted that this property is being purchased for about half the tax value. Mr. Swisher stated that this is correct and that Novant has been approached by others wanting to buy this parcel for amounts well above what it is being offered to the Town. Mr. Hatling presented a map of the property and noted that he believes that most of the infrastructure is already in place.

Alderman Hooker stated that if we wait for Forsyth County to buy the land, a new library could be put anywhere and will take much longer. This purchase will definitely speed up the project, keep in the downtown and will provide a facility that will be used for years.

Mayor Morgan stated that this has the support of the 2020 plan which has been updated every five years. She noted that citizen groups came together to develop this plan. She noted that the Kernersville library consistently has the highest usage in the County. She stated that it is very important to have a library that can grow with the community. She referred to the bond referendum that was mentioned earlier. She stated that Town staff has tried to pull together land possibilities in the past however; this tract was not available when that study was done. She noted that this area has been planned as a gateway to our community. It may take a while to actually build a library but this action will move it up as a priority.

The vote was all for and motion carried.

6. Acceptance of Gift and Approval of Agreement for Kernersville Museum.

Mr. Swisher explained that John & Bobbie Wolfe have made a generous donation to the Town of Kernersville with the Bellamy House located on West Mountain Street for a Kernersville Museum. He added that based on conditions voiced by both parties the proposed agreement is being presented for the Board's consideration.

Mr. Swisher stated that the Town will own the property however; a foundation will be established with donations pledged to get the museum started. The foundation will operate the museum once it has been established. He stated that if for any reason the property is not suitable for a museum and is to be sold, the money from the sale is to go to a more suitable location for a museum, or donated to the restoration of Korner's Folly first and then to the Kernersville Historic Society.

Mayor Pro Tem Dana Caudill Jones stated that she is excited about this opportunity. The Community has talked about something like this for years but didn't know how to make it happen. Thanks to the generosity of John and Bobbie this will become reality. She stated that this is a great example of a public-private partnership.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approve the Agreement as presented. Alderman Keith Hooker seconded the motion.

Jim Davis, 419 S Main Street, Kernersville, NC – stated that he is the current President of the Kernersville Historic Preservation Society and he too would like to thank the Wolfe's as well as the Town for this opportunity. He stated that the Society's mission is to preserve our history. He stated that we have had the money available for a while for this is the project and are excited to see it get started.

Bruce Frankel, 114 Saint Mary Court, Kernersville, NC - stated that this is very exciting for Kernersville and he greatly appreciates this opportunity. He thanked the Board for being visionaries of the Town and for their support of this project. He added that there will never be a perfect time for action; however this will be an opportunity to build on the Town's strengths and to promote our historic downtown. He spoke of the perfect location and that the museum will draw local residents as well as those from all over the world. The execution of this agreement is the first step in making this a reality and commended the Board for their action.

Aldermen Irving Neal and Keith Hooker also thanked Mr. & Mrs. Wolfe for their generosity.

The vote was all for and motion carried.

Mr. Hatling presented a slide show of photos of the inside of the Bellamy House.

7. Reconsideration of Annual Fee for Yard Cart Collection.

Town Manager Curtis Swisher presented the following cost analysis and impact of rescinding the Yard Cart fee for the 2013-14 to 2015-16 fiscal years.

FY13-14

Revenue

Hold Harmless	\$350,000
Increase in Sales/Use Tax	\$24,927
Loss from Yard Waste Renewals	\$0
Total New Revenue	\$374,927

Expenses

Expenses Associated with Yard Waste	
HVAC Unit Town Hall Overbudget	\$50,000
Total Expenses	\$50,000

Net Loss/Gain for FY13-14	\$324,927
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FY14-15**REVENUE****New Development**

	Tax Base	Rev.Generated
Deere-Hitachi	\$55,000,000	\$145,063
Other Development	\$18,000,000	\$94,950

Other Revenue

Projected Increase in Sales/Use Rev		\$38,082
Total New Revenue	\$73,000,000	\$278,095

Loss in Revenue

Annual Renewal Fee	\$109,000
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Total Increase/Decrease Revenue	\$169,095
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NEW EXPENSES FOR FY14-15

Expenses Associated with Yard Waste	\$57,500
Land Payment (Broad/Harmon)	\$95,000
Resurfacing	\$250,000

Total New Expenses for FY14-15	\$402,500
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Net Loss/Gain for FY14-15	-\$233,405
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FY15-16

REVENUE

New Development

	Tax Base	Rev.Generated
Revenue from FY14-15		\$278,095
Growth in 2014	\$18,000,000	\$94,950

Other Revenue

Projected Increase in Sales/Use Rev	\$3,696
Total New Revenue	\$376,741

Loss in Revenue

Annual Renewal Fee	\$109,000
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Total Increase/Decrease Revenue	\$267,741
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NEW EXPENSES FOR FY15-16

Expenses Associated with Yard Waste	\$57,500
Land Payment (Broad/Harmon)	\$95,000
Resurfacing	\$250,000

Total New Expenses for FY14-15	\$402,500
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Net Loss/Gain for FY15-16	-\$134,759
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NOTE: The above calculations are based on the premise that the annual renewal fee is eliminated completely. Elimination of the fee forces the calculation to be based on the amount of users that the Town had before the fee was imposed, which is 2500. This many users requires a new person and additional expenses to collect the carts beginning in FY14-15

NOTE: These calculations show revenue from Deere-Hitachi at 50% of what they will pay. We anticipate beginning reimbursement to Deere Hitachi in FY14-15, per the reimbursement agreement.

NOTE: The calculation for the increase in sales/use revenue is based on the information provided by the NCLM. The figures indicate how much of an increase we will see over our current base amount. Thus, the figures do not reflect an increase of that amount every year. For example, the figure for FY14-15 is \$63,009. This indicates that we will receive \$63,009 more than we currently do, but that is only an increase of \$38,082 from FY13-14 because we received \$24,927 more in FY13-14. We will not see an increase equal to the full amount of \$63,009.

NOTE: The two new expenses shown are just the two expenses that we know about right now that will arise in FY14-15 and are currently not in the FY13-14 Budget. The amount for resurfacing could change depending on what the Board approves. The new expenses do not reflect any change in the current operational expenses of the Town that will be present in the FY14-15 budget. These are likely to increase by 3-5% or more.

Mr. Swisher pointed out that ½ cent on the tax rate would generate approximately \$134,000.

Mr. Swisher then presented the following information on phasing out the program.

	FY13-14	FY14-15	FY15-16
Phase out \$60/\$30/\$30	\$60	\$30	\$0
Revenue			
Cart Revenue		\$15,000	\$0
Other Revenue		\$278,095	\$376,741
Total Revenue		\$293,095	\$376,741
New Expenses			
Land Payment		\$95,000	\$95,000
Resurfacing		\$250,000	\$250,000
New exp w/yard waste		\$57,500	\$57,500
Total New Expenses		\$402,500	\$402,500
Net Loss/Gain		\$109,405	-\$25,759

NOTE: This scenario is projecting the net/loss gain based on the revenue that will be generated and not the \$109,000 in revenue that we currently collect. Therefore, the net/loss gain will be different than the other scenarios because this is a stand alone calculation.

NOTE: In this scenario the projection is based on the assumption that about 1800 renewals have taken place in FY13-14. Because the fee of \$60 is for two years the assumption is that there will only be about 500 new households sign up in FY14-15. However, 500 carts will require a new person because the current person cannot collect the entire route. There are additional expenses associated with this increase as well.

Carl Cox, 708 Carter Street, Kernersville, NC – stated that he wanted to revisit the time line. He spoke of the Board’s previous discussion regarding bulky yard waste pickup which was eventually eliminated. He stated that citizens came out to speak against the yard cart fee however; it did no good since the Board passed it on a vote of 5-0. He stated that we can’t burn in city and can’t legally put clippings in the trash because of landfill concerns. Recycling and trash pickup doesn’t cost the citizens any extra money. The citizens are caught between a rock and hard place.

Mr. Cox stated that this has become a service the town must furnish and give everybody the chance to do the right thing. He stated that he understands that right now Town Staff goes down the street trying

to find something to pick up, let's make it on a call in basis. He felt that the Town should supply this service along with recycling and trash pick and that it is not fair for people to pay it. If we have to raise taxes a little bit to pay for it then so be it and do it the way it should be done.

Lynn Kale, 944 Kaye Gibbons Court, Kernersville, NC - stated that she has talked with Mr. Maltba and received budget information for this service. She added that a fee was put in place because of decreasing property values and a loss of revenue. According to the most recent audit report, the Town is in good financial condition. The Town has a balance of \$4.7 million in the rainy day fund and that the Town will get \$350,000 in revenues that were not expected.

Ms. Kale stated that regarding the decreasing property values, she asked who is losing. She spoke of the Forsyth County reevaluation and the requirement to calculate a revenue neutral tax rate. The Town did approve a tax rate increase to bring in the same amount of taxes. Up until the current year, Kernersville had the highest tax rate, now we have the seconded highest rate. She stated that her tax bill is \$80 less than last year; however her property is valued at less too. She expressed her concern that the average hard working citizen is having to make up the difference. She has to do more with less and believes the Town should do more with less also. She asked the Town to find a solution to cover this fee. This will be a step in the right direction so that the little man will feel less gouged.

Mayor Pro Tem Dana Caudill Jones stated that this is your tax dollars being spent. She stated that part of this discussion gets lost. She stated that money is tight across the board and the Town is feeling this as well. She added that the Town is trying to be proactive and came up with that fee. She explained that the yard waste carts are not being used by a majority of the residents. That only a third of the residents use the cart. She noted that many of the residents have told her that they hire a landscaper and they take care of it or they dispose of the waste in other ways.

Mayor Pro Tem Jones stated that the Town is not trying to find random ways to generate revenue but trying to find a way to pay for the service that a small amount of the residents use. She asked why should we put this on the backs of everybody for only a few to benefit. She stated that the bulky yard pick up was complicated and we did eliminate that. We did see a reduction in the numbers using this service but out of 6,000 residents only 1800 were using the service. A majority of the households do not use this service. She stated let's keep it for those that want to use it but find a balance and charge a nominal fee to only those residents that want to use the service instead of having a tax increase on everybody.

Mayor Morgan pointed out the advantages of having this service and explained the benefit it provides to our stormwater runoff along with other environmental issues.

Alderman Irving Neal stated that he probably caused this issue to come up. He stated that there are several issues and concerns that must be addressed. He added that the Board believed this was the best option when it was implemented. If you look at the numbers, it is unfair for 6,000 households to pay for a service that only 2000 residents use. It's also unfair for our businesses to pay this extra in fees as well.

Alderman Neal reminded the Board of their previous discussion regarding the holdharmless money as well as the other revenues being held by the State and that if the Town did receive that money that we would use it for one time purchases and not for recurring expenses. If we eliminate this fee, we would be using the money for a recurring expense.

Alderman Neal noted the Town's projected growth that we hope would cover our additional expenses but if not, we can't continue to take money from the fund balance to balance the budget. He stated that regardless of what we do with this fee, we can't save the tax payers one cent this year. Therefore, he recommends that the Board take no action on this tonight and revisit the issue during our budget discussions for next year.

Alderman Irving Neal made a **Motion** to table this issue until the budget process next year.

Alderman Keith Hooker stated that he also wanted this issue brought up. He stated that Alderman Neal and Mayor Pro Tem Jones have made some very good points. He agrees that the numbers would not save any money at the present time. He pointed out that the Board will be spending approximately \$72,000 from fund balance this year even with the Town receiving the holdharmless funding. He would like to see this discussed during budget next year as well.

Alderman Neal reminded the Board that no money or very little money was budgeted for storm damage, street resurfacing and only a small amount for snow removal. The revenues we are receiving could be better spent this year.

Alderman Neal withdrew his motion since no action is required at this time.

Alderman Neal Stockton stated that the State's withholding the Town's money has been discussed for some time. He stated that the loss in revenues can be devastating to our tax base, however this year it appears we have dodged a bullet. He added that it is time we start to think outside the box. He stated that he would love to see this fee removed just like everyone else on this Board but the Board has to look at the future and what's best for all the citizens of the Town and not just a select few.

Alderman Tracey Shifflette stated that she would like to rescind this ordinance tonight and that she didn't like it when it was implemented. She also noted that this is a service that only a third of our residents use. She also wanted this issue revisited during budget discussions next year and encouraged Town residents to contact the Board with their input.

Mayor Morgan stated that no action is required on this item at this time.

Mayor Morgan called for a five minute recess at 8:44 pm. The meeting was reconvened at 8:57 PM.

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.**

NORTH CAROLINA

FORSYTH COUNTY

ORDINANCE NO. O-2013-14

ORDER OF THE COUNCIL OF THE TOWN OF KERNERSVILLE
IN ACCORDANCE WITH G.S.105-373, G.S.105-321, AND G.S.105-330.3
FOR THE COLLECTION OF 2012 AND PRIOR YEARS' TAXES

TO: JOHN T. BURGISS, RES
 TAX COLLECTOR OF FORSYTH COUNTY, CITY OF WINSTON-SALEM,
 VILLAGE OF CLEMMONS, VILLAGE OF TOBACCOVILLE, TOWN OF
 LEWISVILLE, TOWN OF RURAL HALL, TOWN OF WALKERTOWN, CITY OF
 KING, TOWN OF KERNERSVILLE, TOWN OF BETHANIA, CITY OF HIGH POINT

You are hereby authorized, empowered, and commanded to collect the taxes remaining unpaid as set forth in the 2004 through 2012 tax records filed in the Office of the Forsyth County Tax Collector, and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered, and commanded to collect the 2004 through 2012 taxes charged and assessed as provided by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Forsyth County, City of Winston-Salem, Town of Rural Hall, Town of Walkertown, Village of Clemmons, Village of Tobacoville, Town of Bethania, Town of Lewisville, City of King, Town of Kernersville, City of High Point, Beeson's Cross Roads Fire Protection District, Belews Creek Fire and Rescue Protection District, City View Fire Protection District, Clemmons Fire and Rescue Protection District, Forest Hill Fire and Rescue Protection District, Griffith Fire Protection District, Gumtree Fire and Rescue Protection District, Horneytown Fire and Rescue Protection District, King of Forsyth County Fire and Rescue Protection District, Lewisville Fire and Rescue Protection District, Mineral Springs Fire Protection District, Mineral Springs Service District, Mount Tabor Fire and Rescue Protection District, Northeast Fire and Rescue Protection District, Old Richmond Fire and Rescue Protection District, Piney Grove Fire Protection District, Suburban Fire and Rescue Protection District, Salem Chapel Fire and Rescue Protection District, South Fork Fire Protection District, Talley's Crossing Fire and Rescue Protection District, Triangle Fire Protection District, Union Cross Fire and Rescue Protection District, Vienna Fire Protection District and West Bend Service District, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell, any real or personal property, and attach wages and/or other funds, of such taxpayers, for and on account thereof, in accordance with law.

Within available funds in the budget ordinance and personnel positions established, the Tax Collector may appoint employees and authorize them to perform those functions authorized by the Machinery Act of Chapter 105 of the North Carolina General Statutes and other applicable laws for current and previous years' taxes. County personnel presently in the Tax Collector's office continue to serve in their respective positions in the discretion of the Tax Collector.

Taxes on classified Motor Vehicles for 2009 and prior years are deemed uncollectible; therefore, the Forsyth County Commissioners, pursuant to G.S. 105-373(h) do hereby relieve the tax collector of the charge of collecting taxes on classified motor vehicles listed pursuant to G.S. 105-330.3(a)(1) for 2008 and prior years.

WITNESS my hand and official seal, this the __ day of August, 2013.

C-3 Consideration of Ordinance by Forsyth County to Collect Town of Kernersville Taxes for 2013.

NORTH CAROLINA

FORSYTH COUNTY

ORDINANCE NO. O-2013-15
ORDER OF THE COUNCIL OF THE TOWN OF KERNERSVILLE
IN ACCORDANCE WITH G.S.105-321 AND G.S. 153A-156
FOR THE COLLECTION OF 2013 TAXES

TO: JOHN T. BURGISS, RES
TAX COLLECTOR OF FORSYTH COUNTY, CITY OF WINSTON-SALEM,
VILLAGE OF CLEMMONS, VILLAGE OF TOBACCOVILLE, TOWN OF LEWISVILLE,
TOWN OF RURAL HALL, TOWN OF WALKERTOWN, CITY OF KING,
TOWN OF KERNERSVILLE, TOWN OF BETHANIA, CITY OF HIGH POINT

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the 2013 tax records filed in the Office of the Forsyth County Tax Collector, and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered, and commanded to collect the 2013 taxes charged and assessed as provided by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Forsyth County, City of Winston-Salem, Town of Rural Hall, Town of Walkertown, Village of Clemmons, Village of Tobacoville, Town of Bethania, Town of Lewisville, City of King, Town of Kernersville, City of High Point, Beeson's Cross Roads Fire Protection District, Belews Creek Fire and Rescue Protection District, City View Fire Protection District, Clemmons Fire and Rescue Protection District, Forest Hill Fire and Rescue Protection District, Griffith Fire Protection District, Gumtree Fire and Rescue Protection District, Horneytown Fire and Rescue Protection District, King of Forsyth County Fire and Rescue Protection District, Lewisville Fire and Rescue Protection District, Mineral Springs Fire Protection District, Mineral Springs Service District, Mount Tabor Fire and Rescue Protection District, Northeast Fire and Rescue Protection District, Old Richmond Fire and Rescue Protection District, Piney Grove Fire Protection District, Suburban Fire and Rescue Protection District, Salem Chapel Fire and Rescue Protection District, South Fork Fire Protection District, Talley's Crossing Fire and Rescue Protection District, Triangle Fire Protection District, Union Cross Fire and Rescue Protection District, Vienna Fire Protection District and West Bend Service District, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell, any real or personal property, and attach wages and/or other funds, of such taxpayers, for and on account thereof, in accordance with law.

You are also hereby authorized, empowered and commanded to administer and to collect taxes on gross receipts derived from retail short-term leases or rentals of motor vehicles as set forth under G.S. 153A-156. You are hereby authorized to promulgate such rules and procedures necessary to administer these taxes which are not inconsistent or contrary to applicable law.

Within available funds in the budget ordinance and personnel positions established, the Tax Collector may appoint employees and authorize them to perform those functions authorized by the Machinery Act of Chapter 105 of the North Carolina General Statutes and other applicable laws for current and previous years' taxes. County personnel presently in the Tax Collector's office continue to serve in their respective positions at the discretion of the Tax Collector.

WITNESS my hand and official seal, this the ____ day of August, 2013.

C-4 Consideration of a Resolution of Intent to Annex Property located at the most southerly portion of Masten Drive.

RESOLUTION NO. R-2013-19

**RESOLUTION OF INTENT TO ANNEX A 0.661 ACRE TRACT KNOWN AS
THE SOUTHERNMOST PORTION OF MASTEN DRIVE**

WHEREAS, the Board of Aldermen of the Town of Kernersville authorized the acquisition of certain property for the construction of Masten Drive and the Town became the owner of the property on which this road was constructed by deeds recorded on July 13, 1994 in Deed Book 1830, Page 1519 and on June 23, 1995 in Deed Book 1861, Page 3596 of the Register of Deeds of Forsyth County,; and

WHEREAS, said property is contiguous to the existing corporate limits of the Town, the Town owns the underlying fee simple interest in the road, and the Board of Aldermen has determined that it is in the best interest of the Town to annex the 0.661 acre portion of this road that has not yet been annexed into the corporate limits of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF KERNERSVILLE that:

1. The Board of Aldermen hereby states its intention to annex that 0.661 acre portion of Masten Drive, being more particularly described in the attached Exhibits A and B, in accordance with North Carolina General Statute 160A-31(g)- (i).

2. The Public Hearing on the question of Annexation of the herein set forth property by The Town of Kernersville, is hereby set at 7:00 p.m. in the Kernersville Council Chambers/District Courtroom, Town Hall, Kernersville, Forsyth County, North Carolina, on the 3rd day of September, 2013, and that Notice therefore be given according to North Carolina General Statute 160A-31(c).

This the 6th day of August, 2013.

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

9. ITEMS REMOVED FROM CONSENT AGENDA.

None presented.

10. SPEAKERS FROM THE FLOOR.

None presented.

11. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher presented a NCDOT Municipal Agreement for the construction of a sidewalk along N. Cherry Street from Piney Grove Road to Bodenhamer Street. He stated that we have been awarded the grant however; Staff is requesting the Board reject it. He stated that Staff will be required to track the money for three (3) years which will cost the Town more than the grant. He added that there are more strings attached to the grant than it's worth. We feel the project can be completed in a more feasible manner than through this grant.

Alderman Tracey Shifflette asked if the Town has rejected any grants before. Mr. Swisher stated that we have and explained that there are other ways to fund this project such as we did on the Railroad Street and School Street projects.

Alderman Neal Stockton made a **Motion** to reject the grant funds and take money out of the fund balance to pay for the project. Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Mr. Swisher thanked the Board members for calling our Local Representatives about the losses in revenues. He stated that Kernersville stood the chance of losing a lot of money. Your efforts paid off since some of those revenues were restored. It made a difference not only in Kernersville but across the State.

12. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.

None presented.

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

Mayor Morgan asked if anyone had a problem with changing the Boards August 28th Briefing start time to 7:00 PM. None were presented.

Alderman Tracey Shifflette made a **Motion** to change the time for the August 28th Board Briefing meeting to 7:00 PM. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

Mayor Morgan stated that she is excited about the Museum and looks forward to a Town meeting to get the project started.

Alderman Keith Hooker thanked Mr. Swisher for all his hard work on this year's budget.

Mayor Pro Tem Dana Caudill Jones asked for an update on the traffic circle planned at Bodenhamer and Dobson Streets. Mr. Swisher stated that all of the right-of-way has been acquired and the project should begin very soon. Mayor Pro Tem Jones expressed her concern with the start of this project at the beginning of the school year. She asked that we try to coordinate the project with the School System. Mr. Swisher stated that we will get the word out as soon as we know when the project will begin.

Mr. Swisher then brought up a request by Public Services to purchase a mower. He explained that Parks & Recreation is responsible for mowing the interchanges on both 40's. With limited staff, it is difficult to keep up with all the mowing. He stated that with the purchase of this mower, Public Services will be able to assist with the mowing.

Following a brief discussion on financing this piece of equipment, Alderman Irving Neal made a Motion to lease a mower for the Public Services Department. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

Alderman Neal Stockton welcomed new Police Chief Scott Cunningham and thanked him for continuing the tradition of holding the National Night Out event.

Mayor Morgan also welcomed Chief Cunningham and thanked him for his quick involvement into the community and for attending his first official Board of Alderman meeting

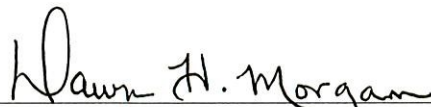
Mayor Morgan thanked the candidates for getting involved in Town Government. She noted that the Town operates under the Council-Manager form of government. Mr. Swisher oversees the day to day operations of the Town. She encouraged them to ask Mr. Swisher any questions they have regarding the operations of the Town.

Mayor Morgan thanked all those involved in coordinating this year's Fourth of July celebration.

14. ADJOURNMENT.

Alderman Tracey Shifflette made a Motion to adjourn the meeting at 9:20 PM. Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Being no further business to come before the Board, the meeting was adjourned at 9:20 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 August 6, 2013.

This the 3 day of October, 2013.


Dale F. Martin, MMC, Town Clerk