

**MINUTES OF THE BOARD OF ALDERMEN
TOWN OF KERNERSVILLE, N.C.
REGULAR MEETING 7:00 P.M. SEPTEMBER 3, 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; Ray Smith, Human Resources Director; Gray Cassell, Information Services Director; and Ernie Page, Parks & Recreation Director.

- CALL TO ORDER
- INVOCATION BY DR. STEVE MARTIN, FIRST BAPTIST CHURCH OF KERNERSVILLE
- PLEDGE OF ALLEGIANCE

Mayor Dawn Morgan called the meeting to order at 7:09 PM. The invocation was delivered by Dr. Steve Martin of First Baptist Church of Kernersville, which was followed by the Pledge of Allegiance.

- PRESENTATION OF PROCLAMATION IN RECOGNITION OF CHILD PASSENGER SAFETY WEEK

Mayor Morgan recognized Fire Chief Terry Crouse and Police Chief Scott Cunningham and presented them a Proclamation recognizing Child Passenger Safety Week, September 15th through the 21st.

Chief Crouse presented the history of the program which was started in 2001.

Mayor Morgan announced the Cruise-In group will have a car show downtown on September 14 and will be promoting the American Cancer Awareness effort.

Mayor Morgan then presented the procedures adopted by the Board of Aldermen for conducting their meetings.

PUBLIC HEARINGS

- 1a. **PUBLIC HEARING: on the Annexation of property owned by the Town of Kernersville consisting of approximately 0.661 acres, more or less, presently known as the southernmost portion of Masten Drive.**

Mr. Jeff Hatling explained that this is property owned by the Town and is located at the intersection of Masten Drive and Whicker Road.

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

Mayor Dawn Morgan declared the public hearing open.

In Favor

None presented.

Opposition

None presented.

Being no additional speakers, the Mayor closed the public hearing.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to adopt the following Ordinance annexing property known as the southernmost portion of Masten Drive at 7:21 PM. Alderman Irving Neal seconded the motion and the vote was all for and motion carried.

**ANNEXATION ORDINANCE NO. A2-2013-16
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF KERNERSVILLE, NORTH CAROLINA TO INCLUDE
AN APPROXIMATELY 0.661 ACRE TRACT KNOWN AS
THE SOUTHERNMOST PORTION OF MASTEN DRIVE**

WHEREAS, the Board of Aldermen of the Town of Kernersville, on the 6th day of August, 2013, adopted a Resolution of Intent to annex a tract of property located on Masten Drive 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 September 3, 2013, 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 3rd day of September, 2013, after due notice by publication on the 22 day of August, 2013; 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 0.661 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 3rd day of September, 2013, at 7:21 o'clock p.m.

Section 2. Upon and after this 3rd day of September, 2013, at 7:21 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 3rd day of September, 2013.

2a. PUBLIC HEARING: Peter J. Jugis, Bishop of the Diocese of Charlotte, NC, for properties located at 616 South Cherry Street, being all of PIN#(S) 6876-92-8312, 6876-92-6090 and 6876-91-6908 containing a total of 10.058 acres more or less. Petitioner requests a General Use rezoning from IP-S (Institutional and Public - Special) and RS-12 (Residential, Single-Family – 12,000 square foot minimum lot size) to IP (Institutional and Public). Zoning Docket K-720

Mr. Jeff Hatling, Community Development Director presented the Planning Board Report for this rezoning request. He explained that this is a combination rezoning to the IP (Institutional Public) district and that the property is currently located in two different zoning districts. He added that the Planning Board and Staff recommend approval of this request.

Mayor Dawn Morgan declared the public hearing open.

In Favor

None presented.

Opposition

None Presented.

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

2b. Consideration of ordinance rezoning said property.

Mayor Pro Tem Dana Caudill Jones made a **Motion** to approved the following Ordinance to amend the Zoning Ordinances of the Town by rezoning the property in case K-720 located at 6106 South Cherry Street from IP-S (Institutional and Public – Special District) and RS-12 (Residential, Single-Family – 12,000 square foot minimum lot size) to IP (Institutional and Public). The said rezoning being consistent with the Town’s Comprehensive Plan and further being both reasonable and in the public interest. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Town Ordinance

Zoning Petition of Peter J. Jugis, Bishop of the Diocese of Charlotte, NC

Zoning Docket K-720

ORDINANCE No. O-2013-17 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 IP-S (Institutional and Public - Special) and RS-12 (Residential, Single-Family – 12,000 square foot minimum lot size) to IP (Institutional and Public) for property located at 616 South Cherry Street, being all of PIN#(S) 6876-92-8312, 6876-92-6090 and 6876-91-6908 containing a total of 10.058 acres more or less as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina and being further described as follows:

BEING KNOWN AND DESIGNATED as 616 South Cherry Street, being all of PIN#(S) 6876-92-8312, 6876-92-6090 and 6876-91-6908 containing a total of 10.058 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 3rd day of September, 2013.

3a. PUBLIC HEARING: Julie R. Richardson, Agent for Home Paramount Pest Control, Inc., for properties located at 501 and 505 North Main Street, being all of PIN#(S) 6886-46-7870 and 6886-46-8834 containing a total of .65 acres more or less. Petitioner requests a General Use rezoning from RS-12 (Residential, Single-Family – 12,000 square foot minimum lot size) to GB (General Business). Zoning Docket K-721

Mr. Jeff Hatling, Community Development Director presented the Planning Board Report for this rezoning request. He explained that this is a General Use rezoning and has no conditions. He noted the changes that have taken place along N. Main Street. He noted the surrounding land uses in the area. He stated that the Planning Board and Staff recommend approval as submitted.

Mayor Dawn Morgan declared the public hearing open.

In Favor

None presented.

Opposition

None presented.

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

3b. Consideration of ordinance rezoning said property.

Alderman Irving Neal clarified that this is a general use rezoning request. Mr. Hatling stated that the request is for general business and that the lots are small lots in this area. He stated that the zoning is consistent with the area and that no additional right-of-way is anticipated for this transitional area.

Alderman Irving Neal made a **Motion** to approve the following Ordinance to amend the Zoning Ordinance of the Town by rezoning the property in case K-721 located at 501 and 505 North Main Street from General Use rezoning RS-12 (Residential, Single-Family – 12,000 square foot minimum lot size) to GB (General Business).

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

1. The Town has designated this corridor as commercial to support the surrounding neighborhoods.
2. The uses allowed in this general use request are consistent with other approvals along this commercial corridor.
3. Road improvements to accommodate commercial uses have been completed.

Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

Town Ordinance

Zoning Petition of Julie R. Richardson, Agent for Home Paramount Pest Control, Inc.

Zoning Docket K-721

**ORDINANCE No. O-2013-18
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 RS-12 (Residential, Single-Family – 12,000 square foot minimum lot size) to GB (General Business) for property located at 501 and 505 North Main Street, being all of PIN#(S) 6886-46-7870 and 6886-46-8834 containing a total of .65 acres more or less as recorded in the Office of the Register of Deeds, Forsyth County, North Carolina and being further described as follows:

BEING KNOWN AND DESIGNATED as 501 and 505 North Main Street, being all of PIN#(S) 6886-46-7870 and 6886-46-8834 containing a total of .65 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 3rd day of September, 2013.

PUBLIC SESSION

4. SPEAKERS FROM THE FLOOR.

Mayor Morgan reported that nine individuals have signed up to speak. She asked Town Attorney John Wolfe to review the time limits for Speakers From the Floor. Mr. Wolfe read the Boards policy adopted by the Board.

It was determined that each speaker will have approximately 1.45 minutes to speak.

John Hopkins, 1635 Bright Leaf Road, Pfafftown, NC - addressed the Board on citizens' right to protest on public right of ways and to freedom of speech. He expressed a concern with municipalities adopting rules that constrict that speech to the point where people don't really have a right to speak anymore. He asked the Board to consider this when making restrictions on when and where to people can speak.

Walter Emery, 6758 Forest Oak Drive, Clemmons, NC – stated that he is here to support the flag of the United States. He added that he supports the Constitution and would like to see the Constitution overrule local laws.

Louise Thibodeaux, 280 Post Oak Road, Kernersville – stated that he has noticed more of these sweepstakes businesses around town. He asked that the Board look into this issue. He stated that it is good to have businesses but didn't want to see a saturation of these types of businesses.

Mr. Swisher explained that the Board has discussed this issue over the past couple of years and has adopted parking regulations on these types of business. He stated that they are operating legally under our regulations however; the General Assembly has made these businesses illegal. The State has not enforced this new legislation to close down these businesses and they are still operating all over the State. He stated that the business generating these concerns is the one that recently opened on the corner of S. Main and Old Winston Rd. He noted that it meets all the zoning requirements.

Pattie Curran, 1537 Country Lane, Kernersville, NC – stated that she is here to address her concern that the city had denied the permit to protest on public property. This is their right which is protected by the Constitution. She stated that her understanding is that under the law you don't need a permit if you have 25 or less people. She stated that she has been involved in a lot of protests and has never been denied a permit. You should uphold the Constitution and understand the oath that you all have taken. You should never be allowed to restrict our freedom of speech.

Eddie Morphe, 101 Chestnut Chase Trail, Kernersville, NC – stated that he was born and raised in this town. He supports Harvey and he should not have been taken off the bridge. He stated that we have signs posted on poles for the Spring Fest and the Honeybee Festival, we have preaching on street corners with signs and they are allowed. We need to have our rights back.

Carl Cox, 708 Carter St., Kernersville, NC – stated that he wants to bring up the yard waste cart situation one more time. He stated that it is time for the Board to take charge and it should be brought back up before next year's budget discussions. He stated that the Board asks for the opportunity every two years to make not only the easy decisions but also the hard decisions. Solid Waste service is one of the primary responsibilities of the Town and Kernersville is no different. He quoted again that NC law prohibits yard waste in the landfill and the Fire Department prohibits the burning of leaves and debris. The only reasonable alternative is to offer yard waste pick up and it should be handled the same manner at solid waste and without additional charges.

JoAnn Landry, 108 Kingsmill, Advance, NC – stated that no Town law should be enforced that supersedes or violates the Constitution regardless of the location. She stated that it was wrong to cite Harvey and the Town should reprimand those involved. She asked that the Board uphold the Constitution as the people have the right to freedom of speech and assembly.

Bev Lung, 7004 Discovery Lane, Forsyth County – stated that she used to be a resident of Kernersville but is now located in Forsyth County. She stated that she was a member the Winston-Salem/Forsyth County Tea Party Patriots and now comes in support of Harvey Pulliam. She presented a copy of the Constitution and stated that she appreciates what our founding fathers did. She has participated in these nationwide rallies which are being held all across North Carolina. She commended Harvey for standing there all by himself.

5. Consideration of an Appeal of a Denied Petition to Protest on the Salisbury Street Bridge.

Mayor Morgan reminded the audience of the procedures for Public Session items. She added that the Board will have another “Speakers from the Floor” session under agenda item #12.

Mayor Morgan then introduced Police Chief Scott Cunningham to update the Board on the process for this protest permit.

Police Chief Scott Cunningham thanked the Board for holding a hearing on this issue. He reported that on August 5th an individual applied for a permit through the Police Department for an event to be held on August 6th from 7:00 -9:00 AM and from 5:00-7:00 PM, basically during rush hours. He stated that the ordinance requires a 72 hour notice. However, the permit was not denied on those grounds. He stated that the ordinance clearly states that no conduct should interrupt the public health, safety or would hinder or prevent the orderly movement of pedestrians or vehicular traffic within the Town of Kernersville. The permit was denied due to safety factors regarding the location only. Directing driver’s attention off of US 421 would create safety issues. Chief Cunningham reported that the Petitioner was advised of this concern and advised of other locations more suitable. He explained that content was not a consideration. He stated that he did consult with the Town Attorney but ultimately this was the Police Department’s decision.

Chief Cunningham then stated that Communications received a call reporting a suspicious person on the bridge that morning and when officers arrived they did observe an individual; Mr. Pulliam on the bridge with a sign secured to the side of the bridge. The Officers informed Mr. Pulliam that this was not permitted due to safety concerns and asked him to leave. Mr. Pulliam then advised the Officers that he did not need a permit and refused to leave each time it was requested. The Officers then issued a citation for violating the Town ordinance and he was removed from the bridge. He explained that his personal items were left with Mr. Pulliam and were not seized by the Police Department.

Chief Cunningham explained the unsafe conditions that this activity creates when drivers move their attention from the roadway to look at people or signs on bridges up over the roadway. He reminded the Board of the multicar crash that had occurred just days prior to this request not far from this bridge. Approximately 38 vehicles were involved with three agencies responding. He noted that 89 crashes on 421 have been reported however, not all of them were under a bridge but were within our jurisdiction. He also reported that NCDOT does not allow signage to be affixed to the bridges. The NC Highway Patrol is asking protestors to leave and they have deemed this as unsafe as well. He stated that Mr. Pulliam could have left when it was requested

of him and no charges would have been filed. He added that law enforcement is charged with protecting those rights to free speech and also charged with protecting the public from safety issues. Alternative locations were offered and it is the Police Department's opinion that signs on bridges to draw the attention of the driver is dangerous and unsafe.

Mayor Morgan asked if a permit would have been issued for other roads in Kernersville with bridges. Chief Cunningham stated that the Police Department would have taken similar action on any bridge in Kernersville with limited access and that pose the same safety hazards. Chief Cunningham further explained that the Police Department is not opposed to people being out on the bridge but it becomes a safety factor when you get people to take their eyes off the road traveling at 60 mph.

Mayor Pro Tem Dana Caudill Jones noted that it's not the safety of those on the bridge but those traveling under the bridge. The Chief stated that yes for those under the bridge are the ones in danger of diverting their attention off the road or things falling from the bridge.

Mayor Morgan announced that Mr. Pulliam has requested that his time be extended past 10 minutes allowed for public session items. She asked the Town Attorney to explain the Board's policy. Mr. Wolfe stated that the Board has adopted a resolution establishing 10 minutes for a public session item. A request should be made to extend that time limit. He stated that in the past when this has been discussed, he advised that the Board not extend the time however, the Board does have a right to do so if so desired.

Alderman Neal Stockton made a **Motion** to uphold the time of 10 minutes per public session item. Alderman Tracey Shifflette seconded the motion and the vote was all for and motion carried.

Mayor Morgan called a Recess at 8:08 PM to allow for those wishing to speak to divide their time amongst the group. The Mayor reconvened the meeting at 8:22 PM.

Mr. Curtis Swisher, Town Manager referred to the agenda packet information displayed on the screen. He highlighted the location of the event, the appeal process and the written appeal submitted.

Mr. Swisher then noted the additional information submitted by Mr. Harvey Pulliam.

Mayor Morgan stated that this is not a public hearing but a public session item on the appeal of this permit to protest on the Salisbury Street bridge. The Town Attorney stated that the Mayor is correct this is an appeal on the denial of this permit and has nothing to do with Mr. Pulliam's citation.

Mayor Morgan then recognized Mr. Harvey Pulliam.

Harvey Pulliam, 415 Holt Street, Kernersville, NC – stated that Ms. Janice Carroll is not able to attend this meeting and asked me to address this item. He again asked for an extension of time.

Mr. Pulliam stated that he was surrounded by the Police and was told to quit this. He showed the Officer a copy of the Constitution as his permit and right to protest. He explained his conversation with the Police Officers and felt he was being intimidated. He was told that he was blocking the sidewalk and that if he didn't leave he would be taken to jail. He presented pictures he took while on the bridge.

Mr. Pulliam stated that the Officer went to his car and wrote him a citation. When he returned he proceeded to remove Mr. Pulliam's signs from the bridge and then began to carry his belongings to his car. He stated that what these Officers did to him was not right and they should be reprimanded.

Mr. Pulliam then asked the Board to amend the Town's ordinance by removing all restrictions that would prohibit anybody for exercising their rights. He stated that this group plans to take back one town at a time and to impeach Obama. Mr. Pulliam then introduced Michelle Taylor who is coordinating the local protests.

Michelle Taylor, 4011-H Whirlaway Ct., Clemmons, NC – stated that she is the State Administrator for the Overpasses for Obama's Impeachment and this is a nationwide movement, and that Kernersville is the only town/city/village that has denied a permit with those excuses. She stated that people participating in this movement are exercising our rights. The Police Department had no right to come and remove Mr. Pulliam from this bridge. She stated that Mr. Pulliam was mistreated. She again stated that Kernersville is the only location to deny a permit and we want that changed.

Mayor Morgan stated that Mr. Pulliam has protested at Town Hall, in front of the Chamber and the Catholic Church over the years. She asked him to identify the other locations he has protested before in Kernersville. Mr. Pulliam stated that he has protested in many places around town and that he went door to door protesting 4 year terms and this is the first time he has ever received a citation.

Alderman Keith Hooker asked about the size of the sign that Ms. Carroll planned to have at the protest. Mr. Pulliam stated that he did not know what size sign she had. He further explained that he was exercising his rights and did not require a permit.

Alderman Hooker asked for the width of the sidewalk. Mr. Hatling stated that it should be five feet wide. Mr. Swisher stated that it is the same width as the bridge on South Main, Hwy. 66 I-40 and Business 40.

Mayor Pro Tem Dana Caudill Jones stated that she whole heartedly believes our Police Department was focused on safety. She also pointed out that the Town allows people on the side of the road flashing signs for pizza, a dancer, and the Statue of Liberty and they are out there every day. She believes this is a distraction to drivers as well. This is another expression of their freedom of speech. She stated that she too has a huge problem with us shutting down speech. She noted that there is probably a problem with our ordinance and until we can fix that we have to allow freedom of speech.

Mayor Pro Tem Jones stated that there is still a safety element here that needs to be enforced. She did not believe that in Mr. Pulliam's situation we used a stiff arm by the Police Department. She stated that we need to correct this situation and allow freedom of speech whether it's on a bridge or not.

Alderman Irving Neal thanked Mr. Pulliam for taking a position and standing up for what he thinks is right. He added that he believes the Police Department did their job and enforced our ordinance. Let's take a look at all our ordinances that pertain to "people signage."

Alderman Neal stated that he has been in the trucking business for years. He cited an incident where a husband was killed because a driver got distracted and caused an accident. He believes we should have a right to speak or to walk down Main Street or wherever they want until it creates a safety concern. He stated that he would be upset if his grandchild was killed because someone was standing on a bridge and a driver was distracted and caused an accident. Priority should be on safety and all the experts tell me this is unsafe and therefore he can't go against them on this issue.

Alderman Tracey Shifflette stated that Ms. Taylor noted that Kernersville was the only town that denied a permit using these excuses. She asked her to please explain what she means and if others have been denied for other reasons. Ms. Taylor stated that no other communities have denied permits however, the Highway Patrol in California and Missouri have arrested protestors for having signs on the bridge after the Department of Transportation Department issued a statement that signs were not allowed on bridges.

Ms. Taylor stated that she has a problem with the Town calling this a parade permit. This is not a parade but a protest. We are standing there holding a sign. She stated that she has the support of the Forsyth County Sheriff's Department and was told that the only time they would be asked to move would be if the traffic backs up on the interstate. She stated that you can't predict what's going to happen and we can't be held responsible for the way someone is driving.

Alderman Hooker asked for examples of where in the State other protestors have been given a permit. Ms. Taylor stated that the group will notify the local Police Department of a rally. They have found that most counties do not require a permit. Only the municipalities have required permits. They have held rallies in Charlotte, Salisbury, New Bern, Greensboro, and King. We had rallies in large and small cities and no permits have been denied.

Mayor Morgan stated that the permit by Ms. Carroll was for a location on the bridge. Have the other permit requests been for a bridge. Ms. Taylor stated that they received DOT's guidelines for their bridges and while we don't agree with this ruling that nothing be tied to the bridge we abide by that and don't tie anything to a bridge. We hold the signs and usually leave the areas cleaner than it was when got there.

Alderman Stockton thanked the group for being here tonight. He stated that Harvey does things with the right heart. He stated that we have guidelines for what we do and that we set a precedent with the things we do. He stated that Mr. Pulliam has always been respectful and done

things with the best intentions. He stated that if the Town lets one go then we have to let them all go. Other groups may not be organized and that's when the problems start.

Alderman Stockton stated that we have to think about any precedent we set. We have to respect the job of the Police Department and sometimes it's not a pleasant thing. There is nothing wrong with holding a demonstration but it all comes down to the time and place for everything. Safety is a concern and things can go wrong and a bridge is not the place for that.

The Board continued to discuss the differences between these protests and those individuals standing on the side of the road holding a pizza sign. They talked about political speech versus advertising. They discussed signage regulations in Town. It was noted that there are locations all over town suitable for a protest and that a permit would not have been denied for many of these locations.

The Board discussed amendments to our current ordinances and Mr. Wolfe noted that the Parade section of the Code of Ordinance book is one of the few left to complete in our revision process. He explained that they were looking at Parade permits for other locations and once Legal has finished with their amendments it will be reviewed by the Police Chief and then brought to the Board. He assured the Board that there would be changes as this section has not been amended since 1980. He could not say whether or not these amendments would have allowed approval of this request.

Mr. Wolfe noted a previous situation on Hwy. 66 where the Police Department had to respond when trucks were blocking an entrance to a business during a protest. The Police Department was not trying to prevent free speech but didn't want trucks running over people and did not want vehicles distracted. The Protestors moved away from the street and gates and were then allowed to carry on with their protest.

The Board continued to discuss the need to amend our ordinances and to provide clarity with the safety of the public in mind. It was noted that the Town could be liable if a permit was granted and an accident were to occur in a situation like this.

Alderman Hooker agreed that political speech should be the highest form of protected speech. He stated that the Police Department did what they were supposed to do to enforce our current ordinances. He stated that he doesn't like the idea of standing on a bridge which is distracting to the drivers down below. He hoped the Board would have an amendment to consider in October or November. Mr. Wolfe stated that Staff is working on it and would bring it to the Board as soon as possible.

Alderman Shifflette stated that she supports our Police Department and that they were acting in the best interest of community. However, she believed our ordinances should be amended as well.

Alderman Tracey Shifflette made a **Motion** to grant the appeal for a protest permit as requested by Janice Carroll with the condition that nothing be tied to any bridge as required by NCDOT. Mayor Pro Tem Dana Caudill Jones seconded the motion.

Alderman Neal stated that the permit was denied by the Police Department based on safety concerns and he could not support this appeal.

Mayor Pro Tem Jones stated that she understands the safety concerns; however, she could not see the difference in others around town displaying signs etc. If we allow that then we must allow this request. She believes this is restricting the right to freedom of speech.

Mayor Morgan noted the many discussions between Staff and the Board of Aldermen regarding signage. She stated that this is an important decision and appreciated everyone in attendance.

The vote in favor – Aldermen Shifflette, Hooker and Mayor Pro Tem Jones.
The vote in opposition – Aldermen Neal and Stockton.

The Board held a brief discussion regarding the display of the signage on the bridge. It was clarified that nothing: signs, banners, etc could be tied or fastened to the bridge.

Mayor Morgan called for a recess at 9:52 PM. The meeting was reconvened at 10:02 PM.

6. Consideration of a Request to hold Arts d’Vine downtown on October 11, 2013.

Mr. Swisher presented this request to hold the Arts d’Vine event again on October 11, 2013. The group is requesting that the streets be closed from 5:00 to 9:00 PM. They will hire two police officers to be on duty during the event. Trash and recycling containers will be placed appropriately around downtown. He stated that as in the past, a fee of \$10 will be charged for the wine tasting.

Harvey Pulliam stated that he noticed this application was filed with Town of Kernersville and their permit for the protest was filed through the Police Dept. He stated that he noticed the application for this event didn’t ask if everyone was 18 years old. He stated that their request for the protest doesn’t require trash pickup or recycling service. He expressed a concern that the road will be closed which will block traffic. This was one of the reasons their permit was denied. He stated that this is a double standard and is wrong.

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

7. Consideration of an Ordinance Amending the Town Ordinance regarding Concealed Carry Weapons.

Town Attorney John Wolfe explained that our Legislators have changed the law in regard to carrying concealed weapons. The proposed amendment before the Board tonight is an amendment to our current ordinance regarding concealed weapons. He explained the changes to the current law that now allows individuals to carry concealed weapons in our parks. He noted that our current ordinance eliminated the carrying of concealed weapons on walking trails, cross country tracks and/or adjacent areas. Those restrictions are now not allowed to be included and

so concealed weapons can now be carried in those areas. Also we are not allowed to include athletic fields if events have been scheduled by the Town. He explained that if KSA has an event, they can set their own restrictions. He stated that the proposed amendment will bring our ordinance into conformance with current State law. He made himself available for questions.

Mayor Pro Tem Dana Caudill Jones expressed her concern about carrying weapons in these areas as these are the areas we specifically targeted and asked if there are any areas left protected. Mr. Wolfe stated that the General Assembly essentially took away everything that we tried to protect.

Bob McClellan, 352 Post Oak Road, Kernersville, NC – commend the Legislation that restores our 2nd amendment rights. He added that we have the right to bear arms according to the Constitution. He stated that we have a misunderstanding of many local laws placed on concealed carry permits. State and Federal agencies have granted approval for these individuals to carry weapons. Our rights have now been restored.

Mr. McClellan asked for a clarification of Section 2 of the Kernersville Code, can I carry a weapon at the Fourth of July Park. Is the Fourth of July Park considered a playground? Mr. Wolfe stated that that question would need to be addressed by the State Legislature. He explained that the entire Fourth of July Park is not a playground however; there is a playground within the park. Mr. Wolfe stated that we have some parks that do not have a playground. Mr. McClellan asked then why this Section 2 was not changed.

Mr. Wolfe stated that he can look at this section further and come back next month with a recommendation.

There was a brief discussion regarding the Section 2 referred to by Mr. McClellan as Alderman Shifflette read something different from the Town's website.

Alderman Tracey Shifflette made a **Motion** to approve an ordinance amending the Town Code of Ordinance book regarding Concealed Carry Weapons. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

8. Consideration of Budget Amendment No. 1 for FY 2013-14.

Mr. Swisher presented budget amendment No. 1 for fiscal year 2013-14.

General Fund – Expenditures

1. To increase the Governing Body Department expenditures in the amount of \$10,377 to cover Community Appearance Commission funds received last fiscal year and to reflect expenditures that were budgeted yet unspent at fiscal year-end (FY12-13).

2. To increase the Administration Department expenditures in the amount of \$144 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 whenever healthcare providers do not spend a certain amount of insurance premiums received on health care services.

3. To increase the Inspection Department expenditures in the amount of \$210 to cover MLR rebate costs.
4. To increase the Finance Department expenditures in the amount of \$9,145 to cover the following: MLR rebate costs, supplies ordered but not received at year-end and audit services performed in the prior year.
5. To increase the Planning and Zoning expenditures in the amount of \$4,065 to cover MLR rebate costs and professional/contracted services budgeted yet unspent at fiscal year-end (FY12-13) for the following: Seven Hills analysis project and wayfinding signage along Salisbury Street/Shields Road.
6. To increase the Information Technology Department expenditures in the amount of \$136 to cover MLR rebate costs.
7. To increase the Human Resources Department expenditures in the amount of \$632 to cover expenditures associated MLR rebate costs.
8. To increase the Police Department expenditures in the amount of \$33,932 to cover MLR expenditures and the following items budgeted yet unspent at fiscal year-end (FY12-13): workout facility and blue light equipment.
9. To increase the Fire Department expenditures in the amount of \$49,210 to cover MLR rebate costs and the following items budgeted yet unspent at fiscal year-end (FY12-13): fire helmets and ladder truck equipment.
10. To increase the Engineering Department expenditures in the amount of \$576,105 to cover MLR rebate costs and the following items budgeted yet unspent at fiscal year-end (FY12-13): Brookford Road sanitary sewer construction and a comprehensive town-wide sanitary sewer study.
11. To increase the Street Department expenditures in the amount of \$75,553 to cover MLR rebate costs and the following items budgeted yet unspent at fiscal year-end (FY12-13): a one-ton dump truck and trailer and a new mower for maintaining the interchanges.
12. To increase the Solid Waste Department expenditures in the net amount of \$40,699 to cover MLR rebate costs and the design and installation of landfill gas vents.
13. To increase the Transportation Department expenditures in the net amount of \$1,256,146 to cover the following projects budgeted yet unspent at fiscal year-end (FY12-13): Piney Grove Road and North Cherry Street general and sidewalk improvements, respectively.

14. To increase the Recreation Department expenditures in the amount of \$265 to cover MLR rebate costs and stop loss premiums.
15. To increase the Library expenditures in the amount of \$2,122 to cover an energy project budgeted yet unspent at fiscal year-end (FY12-13).
16. To increase Special Appropriation expenditures in the amount of \$20,560 to increase to reserve the Medical Loss Ratio Rebate for Future Group Insurance.
17. To increase the General Services Department expenditures in the amount of \$27,282 to cover MLR rebate costs and the following items budgeted yet unspent at fiscal year-end (FY12-13): car wash maintenance and Town Hall HVAC project costs.
18. To increase the Public Services Administration Department expenditures in the amount of \$177 to cover MLR rebate costs.
19. To increase the Central Maintenance Department expenditures in the amount of \$2,070 to cover MLR rebate costs and oil/lubricants costs.

General Fund – Revenues

1. To increase the Restricted Intergovernmental Revenues in the amount of \$1,500,000 to reflect revenues anticipated to be received from the following: the NCDOT for the Piney Grove Road Project (\$924,000), the CCUC for the Brookford Road Sanitary Sewer Construction Project (\$428,000), and the CCUC for the comprehensive town-wide Sanitary Sewer Study (\$148,000). To decrease the Restricted Intergovernmental Revenues in the net amount of \$20,000 to reflect the Town not accepting a grant for the construction of sidewalk on North Cherry Street.
 2. To increase the Operating Grants and Contributions Revenues in the amount of \$25,656 to reflect the Medical Loss Ratio (MLR) Rebate.
 3. To increase the Interfund Transfers Revenues in the net amount of \$282,567 to reflect a transfer from the Capital Reserve Fund (\$351,900) to the General Fund for the Piney Grove Road Project and a decrease of \$69,333 to reflect a budget correction for the Kerners Mill Creek Greenway Fund.
 4. To increase the fund balance appropriated in the amount of \$320,607 to balance the General Fund revenues with expenditures.
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Capital Reserve Fund – Expenditures

To increase the expenditures in the net amount of \$1,120,576 to cover costs associated with the transfer to the General Fund for the Piney Grove Road Project and to reflect the reserves for the following future expenses: Group Insurance, Development Fee projects, Fire Department projects, and Transportation Department projects.

Capital Reserve Fund – Revenues

To increase the revenues in the amount of \$1,120,576 to offset the expenditures.

Worker's Compensation Self-Insurance Fund – Expenditures

To increase the charge for services expenditures in the amount of \$6,108 to cover an estimated cost for Stop Loss insurance and to cover the professional services expenses from the prior fiscal year.

Worker's Compensation Self-Insurance Fund – Revenues

To increase the revenues in the amount of \$6,108 to offset the expenditures.

Stormwater Fund – Expenditures

To increase the expenditures in the amount of \$315,256 to account for the following, some of which are carryover expenses from the prior fiscal year: MLR costs, Jordan Lake Retrofit BMP design/construction, an intern employee, stormwater professional services and the Delmont Street improvement project.

Stormwater Fund – Revenues

To increase the revenues in the amount of \$315,256 to offset the expenditures.

Alderman Irving Neal made a **Motion** to approve the following budget amendment as presented. Alderman Neal Stockton seconded the motion and the vote was all for and motion carried.

ORDINANCE NO. O-2013-20 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 25th day of June, 2013 as follows:

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

General Fund – Expenditures	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Governing Body		10,377	482,701
Administration Department		144	827,022

Inspections Department	210	308,229
Finance Department	9,145	775,883
Information Technology Department	136	478,465
Planning and Zoning	4,065	347,516
Human Resources Department	632	616,674
Police Department	33,932	6,546,753
Fire Department	49,210	6,056,738
Engineering Department	576,105	897,019
Street Department	75,553	1,597,434
Solid Waste	40,699	1,826,823
Transportation Department	1,256,146	1,983,179
Recreation Department	265	1,240,002
Library Expenditures	2,122	60,840
Reserve for Future Group Insurance Expenses	20,560	20,560
General Services Department	27,282	473,021
Public Services Administration Department	177	336,018
Central Maintenance (Division of Public Works)	2,070	1,462,448
Total	0	2,108,830

This will result in a net increase of \$2,108,830 in the expenditures of the General Fund. The above changes in expenditures will require an adjustment to revenues as follows:

General Fund – Revenues	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
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Due fr NCDOT-Piney Grove Widening		924,000	1,120,800
Due/fr NCDOT-North Cherry St Sidewalks	20,000		0
Due/Fr CCUC-Sanitary Sewer Study-SS001		148,000	148,000
Due/Fr CCUC-Brookford Rd Sanitary Sewer Study -SS002		428,000	541,000
Medical Loss Ratio Rebate		25,656	25,656
Transfer fr Kerner Mill Greenway CPO Fund	69,333		34,667
Trans fr Capital Reserve Fund-Piney Grove Rd Project		351,900	351,900
Fund Balance Approp.		320,607	718,261
Total	89,333	2,198,163	

Section 2. To amend the Capital Reserve Fund, the expenditures are to be changed as follows:

Capital Reserve Fund- Expenditures	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Reserve for Future Transportation Projects		563,501	563,501
Reserve for Future Community Development Projects		84,795	84,795
Reserve for Future Group Insurance Expenses		55,380	55,380
Reserve for Future Fire Dept Projects		65,000	65,000
Trans to General Fund-Piney Grove Rd. Project		351,900	351,900
Total	0	1,120,576	

This will result in a net increase of \$1,120,576. in the reserves for the Capital Reserve Fund. The above changes in expenditures will require an adjustment to revenues as follows:

Capital Reserve Fund- Revenues	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Fund Balance Approp.		1,120,576	1,120,576
Total	0	1,120,576	

Section 3. To amend the Worker's Compensation Self-Insurance Fund, the expenditures are to be changed as follows:

Worker's Compensation S.I.F.-Expenditures	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Worker's Compensation S.I.F.-Expenditures		6,108	197,762
Total	0	6,108	

This will result in a net increase of \$6,108 in the expenditures of the Worker's Compensation Self-Insurance Fund. The above changes in expenditures will require an adjustment to revenues as follows:

Worker's Compensation S.I.F.-Revenues	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Charges for Services		6,108	197,662
Total	0	6,108	

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

Stormwater Fund- Expenditures	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Reserve Future Group Insurance Expense		524	524
Stormwater Fund Expenditures		314,732	1,847,275
Total	0	315,256	

This will result in a net decrease of \$315,256. in the expenditures of the Stormwater Enterprise Fund. The above changes in expenditures will require an adjustment to revenues as follows:

Stormwater Enterprise Fund- Revenues	<u>Decrease</u>	<u>Increase</u>	<u>New Approp.</u>
Medical Loss Ratio Rebate		401	401
Fund Balance Approp.		314,855	629,177
Total	0	315,256	

Section 5. 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 3rd day of September , 2013.

9. Consideration of awarding of Bid to replace HVAC at Town Hall.

Mr. Swisher stated that the Town received bids on the new HVAC system with low bidder being American Industrial in the amount of \$597,000.00. He added that Alternative One was to move the tower however; staff felt this was not needed nor was any additional wiring needed as noted in Alternative #2 and #3.

Alderman Neal Stockton made a **Motion** to award the Bid to American Industrial as recommended to replace the HVAC system at Town Hall. Alderman Keith Hooker seconded the motion and the vote was all for and motion carried.

10. **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 July 31, 2013 Briefing Session

C-2 Consideration of a Resolution Authorizing the Financing of Various Equipment Purchases and the associated Notice of Intent to Reimburse

**RESOLUTION NO. R-2013-21
DECLARATION OF THE BOARD OF ALDERMEN
OF THE TOWN OF KERNERSVILLE OF OFFICIAL INTENT
TO REIMBURSE**

WHEREAS, this declaration (the "Declaration") is made pursuant to the requirements of United States Treasury regulations Section 1.103-18 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

WHEREAS, the undersigned is authorized to declare the official intent of the Town of Kernersville (the "Town") with respect to the matters contained herein.

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

1. Expenditures to be incurred. The Town anticipates incurring expenditures (the "Expenditures") for the purchase of Equipment for use solely by the Town of Kernersville (the "Project").

2. Plan of Finance. The Town intends to finance the cost of the Project described above with the proceeds of debt to be incurred by the Town in accordance with the contract method of financing under the authority of North Carolina General Statutes Section 160A-20 as amended by Chapter 708 of the 1989 Session Laws.

3. Maximum amount to be financed. The maximum amount to be financed by the Town to complete the Project is \$364,750.00.

4. Declaration of Official Intent to Reimburse. The Town hereby declares its official intent to reimburse itself with the proceeds of the debt for any of the Expenditures incurred by it prior to financing of the Project.

Adopted this the 3rd day of September, 2013.

RESOLUTION NO. R-2013-22
RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE
NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM
TO CONTINUE OPERATION OF A FORSYTH COUNTY DRIVING WHILE
INFLUENCED (DWI) JOINT TASK FORCE AND AUTHORIZING EXECUTION OF AN
INTERLOCAL AGREEMENT BETWEEN THE TOWN OF KERNERSVILLE, NORTH
CAROLINA, THE CITY OF WINSTON-SALEM, NORTH CAROLINA AND THE COUNTY
OF FORSYTH, NORTH CAROLINA TO ACCEPT GRANT FUNDING AND
EXECUTION OF A MUTUAL ASSISTANCE AGREEMENT BETWEEN THE SAME
PARTIES FOR CONTINUANCE OF THE DWI JOINT TASK FORCE

WHEREAS, the Town of Kernersville (Town), City of Winston-Salem (City) and Forsyth County (County) are eligible to share \$512,800 in grant funds available under the North Carolina Governor's Highway Safety Program Traffic Safety Project Program in order to continue fourth year operation of a Forsyth County DWI Joint Task Force (hereinafter sometimes referred to as the "Task Force") program; and

WHEREAS, the receipt of the abovementioned grant funding is conditioned on a total matching contribution of 50% from the CITY, COUNTY and TOWN in the amount of \$256,400.

WHEREAS, the Task Force will continue operating within the entire geographic area of Forsyth County such that the Town and City Police Departments will be required to operate outside of their municipal territorial jurisdiction, the parties will execute a Mutual Assistance Agreement to address the particular operations of the Task Force and the requirements for requesting, granting, receiving and providing assistance; and

WHEREAS, the basic terms of the Interlocal Agreement and Mutual Assistance Agreement will include the following:

- (a) The City will continue to serve as the administrator for the Task Force grant;
- (b) The Town, City and County will continue to designate personnel to serve on the Task Force. Grant funds provided for the Task Force will be utilized solely for the payment of Task Force officer salaries, fringe benefits, training and travel and other items necessary for maintenance of the Task Force. Specific budgets for costs of the Town, City and County will be utilized and no payments in excess of those budgets will be allowed;
- (c)
 - i. The City will receive the grant funds and will reimburse the Town for invoices submitted, provided the documentation is for allowable expenses. The Town agrees to submit an official invoice along with required documentation for reimbursement within 30 days after payment has been made by the Town.
 - ii. The City will make payments of the total matching contribution required on behalf of the Town and the Town will reimburse the City 50% of eligible expenses, which represents the Town's individual share of the total matching contributions required by the grant. Said reimbursements will be made within 30 days of the CITY's request.
 - iii. Failure to comply with all terms, conditions and requirements of the Task Force grant may result in the withholding of reimbursement of grant funds.

Mutual assistance will be requested, granted, received and provided in accordance with the Mutual Assistance Agreement between the parties for purposes of Task Force operations;

- (d) All parties will provide reports, statistics and documents required in order to ensure compliance with grant terms and conditions;
- (e) The parties will agree on the mutually acceptable: crime reporting criteria and coding for Task Force activity; vehicle markings and/or identification, common uniforms, handling of evidence collected and stored by Task Force officers; policies regarding pursuit of DWI offenders; and distribution of any proceeds from forfeitures or other seizures of property or monies; and

WHEREAS, the Town, City and County will have the opportunity to apply for continued funding from the GHSP for four years, with GHSP funding available at 50% in the fourth and final year; and

WHEREAS, the Town, City and County would be required to assume funding of the Task Force at the conclusion of the fourth year; and

WHEREAS, it is in the best interest of the Town to accept the grant funds and to authorize the continued operation of the Task Force within the Town and Forsyth County.

NOW, THEREFORE, BE IT RESOLVED, that the Kernersville Board of Aldermen authorizes the execution of an Interlocal Agreement and a Mutual Assistance Agreement, as outlined above, by the appropriate Town officials, upon approval as to form and legality by the Town Attorney's Office.

Adopted the 3rd day of September, 2013

- C-3 Consideration of an Intergovernmental Agreement between Forsyth County, Guilford County, City of Greensboro, City of Winston-Salem and Town of Kernersville to undertake a feasibility study to construct the proposed Piedmont Greenway

Alderman Neal Stockton 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.

11. ITEMS REMOVED FROM CONSENT AGENDA.

None presented.

12. SPEAKERS FROM THE FLOOR.

John Hopkins, Pfafftown, NC – stated that it has been pointed out to him that the Town has a Honeybee Festival, and a Spring Folly and that in years past the Town has placed banners on the overpasses. Mayor Morgan stated that the Town has never placed a banner on an overpass. Mr. Hopkins apologized for this misinformation.

Mr. Hopkins addressed the Board regarding the difference between political speech and commercial speech. The first amendment was designed specifically to protect political speech. He stated that Chief Cunningham's argument regarding safety of these banners implies that any billboard is an safety issue and could be a distraction. He stated that individual drivers should be responsible enough to conduct themselves in a safe manner. He expressed his concern that enough safety concerns can restrict our freedom of speech.

13. TOWN MANAGER'S REPORT AND MISCELLANEOUS.

Mr. Swisher presented a request for consideration by the Kernersville Police Department for the fourth and final year of the Forsyth County Joint DWI Task Force grant. The grant provides personnel and training funding in the amount of \$76,800 and requires a Town match of \$38,400.

Alderman Neal Stockton made a **Motion** to enter into an updated Interlocal Agreement and approve the corresponding Resolution for the Forsyth County Joint DWI Task Force. Mayor Pro Tem Dana Caudill Jones seconded the motion and the vote was all for and motion carried.

Resolution No. R-2013-23

North Carolina Governor's Highway Safety Program

LOCAL GOVERNMENT RESOLUTION

Form GHSP-02-A

(To be completed, attached to and become part of Form GHSP-02, Traffic Safety Project Contract.)

WHEREAS, the Town of Kernersville (herein called the "Agency") has completed an application contract for traffic safety funding; and that the Kernersville Board of Aldermen (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract:

THEREFORE, NOW BE IT RESOLVED BY THE KERNERSVILLE BOARD OF ALDERMEN IN OPEN MEETING ASSEMBLED IN THE TOWN OF KERNERSVILLE, NORTH CAROLINA, THIS 3RD DAY OF SEPTEMBER, 2012, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Chief of Police Scott A. Cunningham is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety program for federal funding in the amount of \$76,800 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$38,400 as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangements for other appropriate person to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

14. MATTERS TO BE PRESENTED BY THE TOWN ATTORNEY.

None presented.

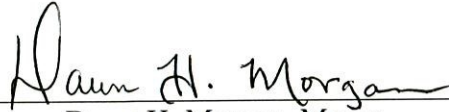
15. MATTERS TO BE PRESENTED BY THE MAYOR AND BOARD OF ALDERMEN.

None presented.

16. 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 10:36 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 September 3, 2013.

This the 18 day of November, 2013.


Dale F. Martin, MMC, Town Clerk