
**TOWN OF WENTWORTH
TOWN COUNCIL MEETING
MINUTES
December 5, 2006
7:00 P.M.**

The Wentworth Town Council held their regular monthly meeting at the Town Hall meeting room in the National Guard Armory, on **Tuesday, December 5, 2006, at 7:00 p.m.**

Council members present: Mayor Dennis Paschal, Pro Tem Evelyn Conner, Councilman Nathan Hendren, Councilwoman Iris Powell, and Councilman Robert Aswell

Staff Present: Brenda Ward, Town Clerk / Franklie LeGaux, Assistant Director, Rockingham County Planning Department

A quorum was present.

Article I. Mayor Dennis Paschal called the meeting to order.

Article II. Councilman Nathan Hendren gave the **Invocation.**

Article III. Discussion / Revision and Adoption of Agenda

A. Requests and Petitions of Citizens

No one signed the Speaker Register to address Council.

Mayor Paschal requested an amendment to the Agenda, and made a motion to, *“Add Item F to New Business, for discussion of town property offered to the Postal Service for a new post office in Wentworth.”*

Councilman Hendren seconded the motion. All voted in favor and the motion carried.

Councilman Hendren made a motion to, *“Also add Item G to New business to consider amending the rules for Town Committees, to allow at least one non-resident to serve on committees.”*

Councilman Robert Aswell seconded the motion. All voted in favor and the motion carried.

Article IV. (1) Approval of Town Council Minutes for November 9, 2006

There were no changes or corrections to the minutes. **Councilman Robert Aswell** made a motion, *“The minutes be approved.”*

Councilwoman Powell seconded the motion. There was no discussion. All voted in favor and the motion carried.

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Article IV. (2) Approval of Joint Meeting /Workshop Session Minutes (Town Council and Planning Board) for November 14, 2006

Councilwoman Iris Powel made a motion, *“To accept the minutes as written.”* **Councilman Hendren** seconded the motion. All voted in favor and the motion carried.

Mayor Paschal noted that Council “...will now go into our Public Hearing,” and invited **Ms. Frankie LeGaux**, Rockingham County Planner, to present the ordinance amendment information.

Article V. Public Hearing(s)

A. Consideration of Revision of the Town of Wentworth Planning and Zoning Ordinances:

Chapter II-Article VII, Section 3

A request has been made to add “Agritourism Activities” to the Development Guidelines.

Ms. LeGaux explained to Council that adoption of the Voluntary Agricultural Development and Farmland Preservation Ordinance by the Town Council in July, led to discussion and recommendation by the Planning Board concerning the need for Development Guidelines for Agritourism Activities and Special Use Permits for Rural Tourism.

Ms. LeGaux said the Development Guidelines will allow farmers to incorporate *less* intense commercial activities on their farms without having to go through the Planning Board. She added, “The Special Use Permit will allow non-farmers to have a mildly intense commercial activity in rural areas without having to rezone to a commercial zoning district.

Ms. LeGaux asked if anyone had questions or comments about the amendment(s).

Mayor Paschal asked, “Does this supersede the State statutes that allow farmers to do certain things on their farms already?”

Ms. LeGaux said the State statutes always take precedence over any local ordinance, but added, “You *can* make laws or ordinances that are *more* restrictive than the State, but you cannot make them *less* restrictive.”

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In answering the Mayor's question, **Ms. LeGaux** referred to the State's definition of agriculture, saying in essence that agriculture is, "growing something for consumption." She said the farmer can still do what the statutes allow a bona-fide farm to do, but explained that some farmers may want to expand their "...commercial activities, and we feel they should be able to do so, but within these Development Guidelines. This is to protect them as well as the public and will allow them to do some commercial activities without having to go before the Planning Board to rezone."

She explained further, that the rural Special Use Permit allows non-farmers to have a "mildly intense commercial activity in a rural area without having to rezone to a commercial zoning district. The basic difference between the Agritourism activities and the Special Use Permit is that Agritourism activities take place on a working farm and provide supplemental income to the farmer. If the farmer invites someone to his farm and does not charge a fee, the development guidelines will not apply because we specifically state that the development guidelines apply when the farm activities '...provide supplemental income.'"

After much discussion and **Mayor Paschal's** stated concerns about the amendment being too restrictive, **Ms. LeGaux** reminded Council, "If you get complaints, we can change it or amend as needed."

She reiterated that in the long run, "...it is supposed to help the farmer supplement his income to a greater degree without rezoning, but at the same time provide some controls to protect him as well as other citizens where safety issues and liability come into play."

In further discussion, **Councilman Aswell** and **Mayor Paschal** said that they would like to see a definition of Agritourism spelled out in the ordinance, and agreed that the definition used in the Rockingham County ordinance would suffice.

There was discussion about having "Sporting Clays" on the farm, and **Mayor Paschal** noted, "Someone could have this on their farm now, without this amendment, right?" **Ms. LeGaux** said the current County ordinance says you have to have a Special Use Permit. It was noted that the Town also adopted the same ordinance the County has.

Mayor Paschal also called attention to "Item 6", under Other Requirements, saying he was uncomfortable with limiting the size of the retail sales space. Further discussion suggested omitting this altogether.

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Councilman Aswell made a motion, *“That we adopt the (Development) Guidelines for Agritourism, amended to add the County’s definition for Agritourism activities, and that we remove Item 6 under Other Requirements.”*

The **Town Clerk** reminded **Councilman Aswell** of the Statement of Consistency, and **Councilman Aswell** added to the stated motion the following: *“I also move that we adopt the Statement of Consistency as required by NCGS 160A-382 and 383, because the amendment is reasonable and in the public interest and is consistent with our Comprehensive Land Use Plan as explained in the statement.”*

Councilman Nathan Hendren seconded the motion. In further discussion, **Mayor Paschal** stated, “I still feel squirrely about the amendments, and I intend to look at it more closely and will probably want to bring it up again.”

All voted in favor and the motion carried.

Article V. Public Hearing(s)

B. Consideration of Revision to the Town of Wentworth Planning and Zoning Ordinances:

Chapter II—Article VII, Section 4.6

A request has been made to add Special Use Permit for “Rural Tourism.”

Ms. Frankie LeGaux explained to Council that the Special Use Permit amendment before them is designed for very low-key, commercial operations. She read the “purpose” from the text amendment:

“To allow rural tourism activities without overnight accommodations and/or public restaurant (food service) facilities. Examples of rural tourism activities include, but are not limited to: Ecological Centers, Cycling Tours/Rentals, Canoe/Kayak Rentals, Guide or Outfitter Tours, Archery, Boating, Kids’ Day Camps, Artisan Studios, Rock Climbing, Meeting and Conference Facilities.”

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Ms. LeGaux reminded everyone that *not all* commercial activities that a farm can do, is allowed without rezoning to a commercial zoning district. She gave some examples, such as, “Engine repair shops, amusements that are not agriculturally oriented, sales of items that aren’t produced on the premises, large scale manufacturing of items that are produced on the premises, and permanent sawmills.”

Without further discussion, **Mayor Paschal** made a motion, *“To approve the addition of Special Use Permit for Rural Tourism to Chapter II, Article VII, Section 4.6, and to adopt the Statement of Consistency as required by NCGS 160A-382 and 383, because the amendment is reasonable and in the public interest and is consistent with our Comprehensive Land Use Plan as explained in the statement.”*

Councilman Aswell seconded the motion. There was no discussion. All voted in favor and the motion carried.

Mayor Paschal noted that the Public Hearing is now closed.

Article VI. New Business

A. Consideration of Extension of Contract Between the Town of Wentworth and the Piedmont Triad Council of Governments:

- (1) To proceed with development criteria for a Central Business District in the Town of Wentworth; and,**
- (2) To develop revisions/additions to existing ordinances as related to the Central Business District.**

Mayor Paschal asked the Town Administrator to comment regarding the contract. **Mrs. Ward** explained that the Town’s contract with PTCOG expires on December 31st. She reminded Council, **“Hanna Cockburn** reviewed the Town’s Planning and Zoning Ordinance and provided suggested changes to insure compliance with the new Land Use Plan.” **Mrs. Ward** noted that these changes will be presented to the Planning Board in January and to the Town Council in February.

Mrs. Ward reminded Council that Ms. Cockburn has worked with the Planning Board and Town Council to develop a Central Business District, attending several meetings and facilitating a Planning Charette for area property owners/developers and members of the Town boards.

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“Before proceeding further,” **Mrs. Ward** said, “**Ms. Cockburn** wanted to be sure of Council approval for continuation of the Central Business District project, and to know if you would like them to submit a new or amended proposal for their services.”

Mrs. Ward advised that the costs would probably be around \$1,500 per month, with travel included in that amount.

Councilman Hendren asked Mrs. Ward if she knew why the proposed amount is more than the current contract. **Mrs. Ward** said she recalled **Ms. Cockburn** saying they would plan to dedicate more hours per month to the project, but that she would be glad to have this clarified for Council or have it explained in the new proposal.

Councilwoman Powell and **Councilman Aswell** commented that with the time and money invested already, they would like to see the project to completion.

Mayor Paschal made a motion, “*That we let COG know that we want to proceed and would like for them to present a proposal at our next meeting.*”

The motion was seconded by **Councilwoman Powell** and **Mayor Pro Tem Conner**. There was no further discussion. All voted in favor and the motion carried.

B. Adoption of Town of Wentworth 2007 Holiday Schedule

Councilman Hendren made a motion, “*That the 2007 Holiday Schedule be approved.*” **Councilwoman Powell**, **Mayor Pro Tem Conner**, and **Councilman Aswell** seconded the motion. There was no discussion. All voted in favor and the motion carried.

C. Adoption of Town of Wentworth Town Council Meeting Schedule for 2007

The Town Clerk asked Council to note the July 3rd meeting date, asking if this is correct, “...or should it be the following Tuesday, July 10th?” She said she could not remember if the Council members affected by Lorillard’s vacation shut-down had said it would be the week of July 4th or the following week.

Councilman Hendren and **Mayor Pro Tem Conner** advised that Lorillard is closed the week of July 4th, and said the meeting should be held the following week.

Mayor Pro Tem Conner made a motion, *“To approve the 2007 Town Council Meeting Schedule, amended to show the July meeting on the 10th.”* **Councilman Aswell** seconded the motion. There was no further discussion. All voted in favor and the motion carried.

D. Adoption of Town of Wentworth Planning Board Meeting Schedule

Councilman Aswell made a motion, *“That we accept it.”* **Councilwoman Powell** seconded the motion. There was no discussion. All voted in favor and the motion carried.

E. Recommendation From Personnel Committee—Employee Evaluation for Yvonne Russell, Finance Officer / Deputy Clerk

Mayor Paschal advised that he, **Mayor Pro Tem Conner** and the **Town Administrator**, “...met to review Yvonne’s (Performance) evaluation that Brenda did. Yvonne exceeded Brenda’s expectations in most everything...she has done an exemplary job and has been attending the necessary schools. Her current salary is \$29,478.60 per year and the Personnel Committee is recommending an eight percent (8%) increase, which would bring her salary to \$31,836.89 or an increase of \$2,358.29 per year, or \$196.52/month. This would go into effect as of December 1, 2006.”

Councilman Hendren commented, “I know she is doing a great job, but I assume there may be some additional responsibilities added...that’s a pretty hefty increase.”

Mayor Paschal advised, “She will, in fact, be taking over the Planning Board meetings as far as getting their packets out and taking the minutes, and she will be attending schools on planning. She has some planning experience and that is one reason I wanted to hire her, thinking that it may be useful in the future.” He asked **Mrs. Ward** if she wanted to comment on the additional responsibilities.

Mrs. Ward replied, “I am really trying to lighten my workload some, so that I can devote more time to administrative matters, and perhaps get home at a decent hour every night. My files are stacked on the floor in boxes right now, and there are more meetings to attend than you would believe. I try to pick and choose what is important, but there are some meetings and schools and conferences that I let slide because I don’t feel like I have time to take advantage of them.”

**E. Recommendation From Personnel Committee—Employee
Evaluation for Yvonne Russell, Finance Officer / Deputy Clerk**

Continued...

She added, “Yvonne has done an excellent job indexing the Town Council Minutes and she will begin indexing the Planning Board Minutes. In doing so, she will also do a comparison of what is in the Minutes with what is in our Ordinance Book, to be sure everything has been included and that we haven’t overlooked anything. Yvonne was very instrumental in pulling our website together, and is very willing to do whatever she can to help. Now that she seems to have a good understanding of the financial responsibilities, I plan to use her more as a Deputy Clerk.

Councilman Hendren made a motion, *“To approve the Personnel Committee’s recommendation, effective December 1, 2006.”*

Councilwoman Powell seconded the motion. There was no further discussion. All voted in favor and the motion carried.

**F. Discussion of Town Property Offered to U.S. Postal Service for a
New Post Office in Wentworth**

Mayor Paschal brought Council up-to-date on the issue of a new Post Office, explaining, “After our attorney wrote a letter to Ms. Opal Elder regarding an appeal of their decision to put the Wentworth Post Office on hold, she advised that the hold has been released and that she just needed us to write a letter saying that we are still interested and that we are still offering the land.”

Mayor Paschal said that Mrs. Ward had a conversation with Ms. Elder, who said that the Postal Service will put the project out for bids and that whoever gets the bid, would also own the building. Ms. Elder advised that the Postal Service will not own it, but will lease it.

Mayor Paschal advised, “She wanted to be sure that we still want to give the land, knowing that we won’t own the building unless we are willing to bid on the construction project. So that’s what I need to know from you—do we still want to verify that we are giving them the land, and just ask them to let us know when the bids go out, at which time we can decide if we want to bid on the project.”

Council agreed to confirm that the Town is still offering the land.

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Councilman Aswell made a motion, *“That we leave the offer as is and give them the land for the Post Office.”*

Councilman Hendren seconded the motion. There was no further discussion. All voted in favor and the motion carried.

G. Consideration of Amending the Rules for Town Committees to Allow at Least One Non-Resident to Serve on Committees.

Mayor Paschal asked **Councilman Hendren** if he wanted to comment on this item of business.

Councilman Hendren said, “Based on the request of Richard Capps at the last Council meeting, I would like for us to consider amending the residency rules for Town Committees to allow someone outside the Town limits to serve.” He noted that Mr. Capps was offering his services and that in light of the fact that no one else has responded to the ad, he thinks “Council should allow at least one non-resident to serve.”

Councilman Aswell agreed and made a motion, *“To amend Town Committee rules to allow a non-resident to serve on any of the three (Land Use Plan) committees.”*

Councilman Hendren seconded the motion. In discussion, **Mrs. Ward** advised that she will need to change the advertisement to remove, “If you are a resident of the Town of Wentworth...” There was no further discussion. All voted in favor and the motion carried.

Mayor Paschal moved on to the announcements, but **Councilman Aswell** asked the Mayor what he has heard from the Commissioners regarding the Town’s contract for Planning and Zoning Services.

Mayor Paschal said he called and spoke with all the County Commissioners including the new ones. He said he explained to them that, “We were not properly notified of the County’s desire to terminate our contract. Brenda and I have also met with Tom Wiggins and Tom Robinson and have put forth some options for them to consider. In the meantime, we have been told that the contract is still in force and that they will give it some thought.”

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Article VII. ANNOUNCEMENTS

- ⇒ The next regular meeting of the **Wentworth Town Council** will be on **Tuesday, January 2, 2007, at 7:00 p.m.** in the Town Hall Meeting Room at the National Guard Armory.
- ⇒ The next regular meeting of the **Wentworth Planning Board** is scheduled for **Tuesday, December 19, 2006, at 7:00 p.m.** in the Town Hall Meeting Room at the National Guard Armory.

Deputy Tony Walker announced to the Council that he has been transferred to the Civil Division in the Sheriff's Department and would not be patrolling for the Town of Wentworth any more. He expressed his appreciation for Council's support and said he has enjoyed working with everyone. He advised that **Deputy Clarence Cheshire** will be replacing him in Wentworth.

The **Mayor** and **Council** also expressed their appreciation to Deputy Walker.

Article VIII. A D J O U R N

Councilman Aswell made a motion, "*The meeting be adjourned.*" **Councilman Hendren** seconded the motion. The meeting adjourned.

Respectfully Submitted By: _____
Brenda Ward, Town Clerk

Approved By: _____
Dennis Paschal, Mayor