
**TOWN OF WENTWORTH
TOWN COUNCIL MEETING
MINUTES
January 2, 2007
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, January 2, 2007, at 7:00 p.m.**

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

Council member(s) absent: Mayor Dennis Paschal

A quorum was present.

Staff Present: Brenda Ward, Town Clerk / Fred Baggett, Town Attorney

Article I. Mayor Pro Tem Evelyn Conner called the meeting to order.

Article II. Councilwoman Iris Powell 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 Pro Tem Conner asked if there were any revisions to the Agenda or a motion to adopt.

Councilwoman Powell made a motion, *“That we accept the Agenda as is.”* **Councilman Nathan Hendren** seconded the motion. All voted in favor and the motion carried.

Article IV. Approval of Town Council Meeting Minutes for December 5, 2006

Mayor Pro Tem Conner asked for corrections to or approval of the December Town Council Minutes.

The **Town Clerk** advised Council that she has some corrections to the Minutes, explaining, “The recorder, for some strange reason, did not work last month and there was nothing on the tape when I tried to transcribe the minutes.” **Mrs. Ward** said she used her laptop notes to transcribe the Minutes.

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 2

“However,” **Mrs. Ward** said, “I asked Frankie LeGaux (Rockingham County Planning Staff) to proofread the information on the Public Hearing for the Ordinance amendment (Development Guidelines for Agritourism Activities), since there was quite a bit of discussion and some changes to the text during the meeting. I wanted to be sure that my notes were interpreted correctly.”

Mrs. Ward referred Council to the corrections made, and asked them to follow along on the revised pages she provided them. The changes to the December 5, 2006, Town Council Minutes are as follows, and *a copy of the deletions/additions are attached hereto*:

Page 2 under Article V. Public Hearing – (Paragraphs 2 and 3)
Mrs. Ward read the wording to be deleted from the minutes that were included in Council’s packets.

Page 3, Second Paragraph – **Mrs. Ward** noted the deleted text in the first sentence, and the additional wording at the end of this paragraph. **Mrs. Ward** said the addition pertains to Council’s request to include an explanation of Agritourism activities versus a Special Use Permit.”

Mrs. Ward asked Council and the Town Attorney if they understood the changes or had any questions. **Mr. Baggett** said it looked fine to him, and **Councilwoman Powell** made a motion, “*That we accept the minutes with the corrections made as presented.*” **Councilman Nathan Hendren** seconded the motion. There was no additional discussion. All voted in favor and the motion carried.

Article V. New Business

A. Consideration of Subdivision Plat for Jimmy R. & Cheryl C. Nidiffer / 1.5 Acre Tract / PIN 7986-01-26-2840 (NC 87 Near Ashley Loop and Maggie Valley Road)

Mayor Pro Tem Conner asked the Town Administrator to present the information. **Mrs. Ward** explained that she is presenting the survey plat for this property because the Planning Department, “...has advised that this (attending meeting) is one of the things they will not continue for us since they are short one employee, and really, it should be self-explanatory...there is nothing to approve or not approve. The Council had asked to review all subdivision plats as a matter of information only.”

Councilwoman Powell asked for clarification on exactly where the property is located. **Mrs. Ward** called her attention to the vicinity map in the corner of the survey plat and replied that it is on NC 87, between Ashley Loop Road and Maggie Valley Road.

Mrs. Ward also commented, “Most of the property shown on this plat is actually in Rockingham County, but part of it—the road frontage—is in Wentworth.”

Mrs. Ward said also, that in the future, if Council has any specific questions about a subdivision plat they, “may want to call Frankie LeGaux or Lucas Carter at the County Planning Office, prior to the Council meetings, since they probably won’t be here for these type things.”

Councilwoman Powell made a motion, “*That we accept the subdivision plat as presented.*” **Councilman Hendren** seconded the motion. There was no further discussion. All voted in favor and the motion carried.

Article V. New Business – Continued

B. Consideration of Proposal from the Piedmont Triad Council of Government, to Provide Continuing Support for Implementation of the Town Land Use Plan

Mayor Pro Tem Conner recognized the Town Administrator. **Mrs. Ward** reminded Council that Hanna Cockburn with the Council of Governments had advised that their Contract with the Town would expire at the end of December.

She said Mrs. Cockburn has been working with Council to begin implementation of the Land Use Plan adopted last year, and most recently has been working on the Central Business District and related ordinances. She advised Council that the proposal before them is the result of their request for a new contract so Mrs. Cockburn could continue her work.

Mrs. Ward mentioned that **Councilman Hendren** questioned the increase in the COG’s monthly fee. She explained that **Mrs. Cockburn** said they anticipate working more hours as they finalize the plans and ordinances for the Central Business District.

Mayor Pro Tem Conner asked, “And this contract runs through the end of this year, December 31, 2007, right?” “That is correct.” **Mrs. Ward** replied.

Mayor Pro Tem Conner then made a motion, *“That we approve the contract with the Piedmont Triad Council of Governments.”*

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

Article V. New Business – Continued

C. Consideration of Proposal for Services to be Provided by Alley Williams Carmen and King, Inc. (Preparation of Information for Solicitation of Competitive Bids for Removal of Contaminants and Buildings on Town Property)

Mayor Pro Tem Conner asked **Mr. Jorge Rodriquez** with Alley, Williams, Carmen, & King, to address Council concerning their proposal.

Mr. Rodriquez thanked the council for their time and wished them a “Happy New Year.” He introduced a colleague, **Mr. Jeff Johnson**, “...to help me with any questions you may have on the issue of the building demolition and materials disposal on the property located at 8294 and 8322 NC Highway 87.”

Mr. Rodriquez referenced the letter of proposal in Council’s packets from **Ken Stafford**, in which Mr. Stafford reviewed some background information from an environmental hazards survey and asbestos survey of the property and buildings. Engineering Consulting Services, LTD, of Greensboro, did the survey.

Mr. Rodriquez noted that there is a copy of the report in the Town office, and that he has a copy with him. He said the report gives the requirements of EPA and OSHA for disposal of the asbestos found in both buildings and the lead paint.

Mr. Rodriquez asked Mr. Johnson to, “...please feel free to jump in and help me clarify if I skip anything.”

Mayor Pro Tem Conner asked, “What procedures would be used to remove the lead based paint? **Mr. Rodriquez** replied, “It would depend on the amount and the concentration, the content of what they find.”

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 5

Mr. Johnson added, “It would depend on whether it is flaking off or dusty and that kind of thing. If it is still adhering to the wood, or plaster or drywall or whatever, then it possibly could be removed...the entire door jam, for instance, could just be removed.”

Mr. Johnson advised that the Federal Government, in the last 30 days, has determined, “...that those type materials can go to a regular construction landfill, not a sanitary landfill where your garbage goes, but to a construction landfill.”

Councilwoman Powell asked about the reference to ‘issuance of a public advertisement to bid is not required’. “Then it says in the next sentence that the solicitation of competitive bids from at least three qualified bidders is required.” **Mrs. Powell** asked, “If you don’t advertise, how are you going to get your bidders?”

Mr. Johnson replied, “We would issue informal invitations (to bid). We actually make phone calls or send invitations to select contractors. This is a very select type of contractor anyway. Just anybody can’t do this.”

Mayor Pro Tem Conner asked, “Like D. H. Griffin?” **Mr. Johnson** said, “Yes, and to be honest with you, they will probably be the ones to do it. They do a good job and within their company, they have an asbestos and lead paint person as well.”

The **Town Clerk** suggested the Town Attorney explain for Council’s benefit, the requirements for bidding and the difference in formal and informal bids.

Mr. Baggett explained, “There is a threshold above which formal bidding is required (\$30,000). You would have to advertise for those and follow the specifications set out by the General Statutes, with a formal bid opening, a performance bond, and a payment bond. It is a much more elaborate process. But the law allows you, as he said, to use an informal process when you are below that threshold (\$30,000). But it does require some effort and documentation that you made an effort to contact people...”

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 6

Mr. Baggett asked Mr. Johnson and Mr. Rodriguez, “Assuming that they want to do this, will this (letter) be followed up with an agreement, an AIA document, or is this it...I’m not that uncomfortable with this...”

“I’m not either,” replied **Mr. Johnson**. “We have some clients, to be honest with you, that we would want a full fledged contract, but we’re very comfortable working with the Town of Wentworth, just based on this.”

Mr. Baggett remarked, “You have a ‘not to exceed’ price...what will it be based on, time...?”

“Yes, time,” replied **Mr. Johnson**, “I know it appears...when you look at \$5,000 for our services and the \$25,000 construction costs, it appears to be heavy, but this is going to be heavy documentation for the size of the project, so that’s the reason.”

Mr. Baggett commented to Council, “They are taking the legal requirements off of us—documenting the informal bid process, and through the oversight of compliance with Federal and State regulations for removal of the hazardous materials, so it’s a very conservative...”

Councilman Hendren asked, “What happens when a house or building (with asbestos/lead paint) catches fire and burns and then a crew comes in and loads everything up and takes it to the landfill?”

“Most of those hazardous fibers have gone downwind to somebody else,” **Mr. Johnson** responded. “If it is totally destroyed, there is really not much you can do, other than haul it to a construction landfill.”

Councilwoman Powell asked, “We couldn’t offer our buildings to the Fire Department to practice on, could we?”

Mr. Johnson said, “To do it that way, you would have to remove the hazardous materials first.”

“Because we are already aware of the contamination,” said **Mayor Pro Tem Conner**.

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 7

Councilman Hendren asked another question about the \$5,000 quoted for Alley, Williams, Carmen, and King's services, noting, "\$5,000 is twenty percent of the project. What type things would you anticipate that would bring it close to \$5,000?"

Mr. Johnson answered, "A lot of things that you are required to do—obviously, we have to provide a written description of the work for the contract, and we have to get the contract. We have to be sure of the specifications for the demolition procedures and all the State and Federal requirements that we have to abide by. We are required, in this type of work, to pick up the pre-bid, meeting at the site with the contractors, receiving the bids, and following up with that, and then we must have a pre-demolition meeting with the successful contractor; and we will certify at the end, that he has completed his contract.

Mr. Johnson added, "We say 'less than \$5,000' and hopefully it will be a lot less, but to be honest with you, with the size of the job, it is very heavy what we have to produce, documentation-wise, because of State and Federal guidelines."

Mr. Johnson also mentioned the building that will be sold, explaining that the buyer, before he can move a structure, still has to notify the State, as if it is being demolished. "There is no permit involved, just some additional paperwork they need to be aware of."

Councilman Hendren remarked, "That just got my attention when I saw the figure. I don't know if there is any type of percentage that is given on a demolition contract, but I saw that (\$5,000) as twenty percent, if it got to that point, and I hope it won't..."

Mr. Baggett commented, "There is just a certain minimum amount of work that is required, no matter how much the demolition is. The demolition might be a hundred thousand (dollars), and their fee might still be \$5,000. It's just a base level that is required because of all these hazardous materials..."

Councilwoman Powell said she hoped that someone, "...takes note of the beautiful trees...there's a big holly tree and our (Town Hall) committee has already discussed this with Ken (Stafford)."

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 8

Mr. Johnson said he was not aware of the decision on the trees, but added, “We will put tree protection as a requirement in the bids.”

Mr. Rodriquez said he, “believes the trees are labeled in the survey that was done.”

Councilman Hendren asked, “Is there any particular means of demolition that you know of, or is that left up to the contractor? What do you think would happen—remove the hazardous materials and then knock everything down with a loader and haul it off?”

Mr. Johnson answered, “I think that is pretty much what would happen. It is wood frame construction for the most part, and the footings and foundation are not going to be a major obstacle for us.”

Councilwoman Powell commented, “If we get the lot cleaned up, maybe we can talk Dennis into voting for the bigger building that the Committee voted on.”

Mr. Rodriquez asked if there were any additional questions. There were none.

Councilman Hendren made a motion, “*That we approve the proposal for services to be provided by Alley, Williams, Carmen, and King.*”

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

Article V. New Business – Continued

D. Approval of Contract with Consultant, Lee Templeton for Completion of Work Related to the Voluntary Agricultural Development and Farmland Preservation Ordinance

Mayor Pro Tem Conner asked Mrs. Ward to address Council concerning this item of business.

Mrs. Ward said, “I asked Mayor Paschal about contracting Lee (Templeton) to help finish the work on setting up the Agricultural Review Board that was created as part of our Voluntary Agricultural and Farmland Preservation Ordinance. We had some people to sign up to serve on the Board, and Lee was in the process of talking with the Soil and Water folks and the County Ag office about this.”

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 9

She continued, "I can, and have, called Lee and asked her several questions because no one else in the Planning Department really worked on this and probably will say they don't have time to work on it now."

Mrs. Ward continued, "I feel guilty asking Lee for help when she is under no obligation to do so. I asked the Mayor if I could have Council consider a temporary contract with Lee on an hourly basis, maybe for a few weeks, depending on her schedule, because she has taken a teaching job and will be working."

Mrs. Ward asked the Town Attorney if he thought the wording in the contract was sufficient. **Mr. Baggett** agreed that the contract is okay as worded.

Mayor Pro Tem Conner and **Councilman Hendren** commented that they thought it would be a good idea.

Mayor Pro Tem Conner made a motion, "*That we approve the contract with Lee Templeton as a Consultant to help Brenda with this.*"

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

Article VI. Public Comments

No one signed the Speaker Register to address Council

Article VII. Announcements

Mayor Pro Tem Conner welcomed, "...our new Deputy (Sheriff), **Clarence Cheshire**, who was appointed as Tony's replacement for the Town of Wentworth. We're glad to have you."

Deputy Cheshire thanked Council and said he is looking forward to working with everyone.

Mayor Pro Tem Conner also welcomed **Jon Barbour**, a reporter with the Reidsville and Eden papers.

**Town of Wentworth
Town Council Meeting Minutes
January 2, 2007**

Page 10

Other announcements were made as follows:

- ⇒ The next regular meeting of the **Wentworth Planning Board** will be on **Tuesday, January 16, 2007, at 7:00 p.m.** in the Town Hall Meeting Room at the National Guard Armory.
- ⇒ The Town Clerk and Deputy Clerk will be attending the **2007 Annual City and County Clerk's School** in Chapel Hill on **January 24-26.**
- ⇒ The next regular meeting of the **Wentworth Town Council** will be held on **Tuesday, February 6, 2007, at 7:00 p.m.** in the **Town Hall Meeting Room** at the **National Guard Armory.**

Article VIII. A D J O U R N

Mayor Pro Tem Conner 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