
**TOWN OF WENTWORTH
TOWN COUNCIL MEETING
MINUTES
May 5, 2009
7:00 P.M.**

The Wentworth Town Council held their regular monthly meeting in the Town Hall meeting room at the National Guard Armory, on **Tuesday, May 5, 2009**, at **7:00 p.m.**

Council members present: Mayor Dennis Paschal, Councilwoman Iris Powell, Councilman James Belcher and Councilman Robert Aswell.

Council members absent: Mayor Pro Tem Evelyn Conner was on vacation.

A quorum was present.

Staff Present: Fred Baggett, Town Attorney / Brenda Ward, Town Clerk / and Deputy Clarence Cheshire

Article I. Mayor Paschal called the meeting to order.

Article II. Councilman James Belcher gave the **Invocation.**

Article III. Discussion / Revisions / Adoption of Agenda

A. Requests and Petitions of Citizens

Mayor Paschal noted that no one signed the Speaker Register and asked if there were any changes to the May Agenda.

Deputy Clarence Cheshire noted a change in the amount listed in Item C under New Business. He said the amount requested for the two vehicle unlock mechanisms should be \$250.00 rather than \$2,500.00.

Mayor Paschal thanked Deputy Cheshire and made a motion to, *“Approve the May, 2009 Agenda with the correction in the funding request from the Sheriff’s Department for \$250.00.”*

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

Article IV. Approval of Town Council Meeting Minutes

A. Town Council Meeting – April 7, 2009

Mayor Paschal noted, “Everybody has a copy...”

Councilwoman Powell made a motion, *“That we accept them as written.”*

Mayor Paschal seconded the motion. There was no discussion. All voted in favor and the motion carried.

Article V. Public Hearing

A. Consideration of Revisions to the Town of Wentworth Planning & Zoning Ordinances, Chapter 2 Zoning and Chapter 3 Subdivisions as follows:

- 1. Delete references to Conditional Use and add text for Conditional District;**
- 2. Add text to incorporate Notes 3 & 4 into the Dimensional Requirements chart and delete said notes from Section 2**
- 3. Add language to include specific penalties**
- 4. Delete and add text to permitted districts in Special Use Permit requirements to conform with the Table of Permitted Uses and other minor changes to correct typographical errors and references.**
- 5. Adopt revisions to Chapter 3 - Subdivision Ordinance to:**
 - (a) delete references to Town Council approval for subdivisions requiring rezoning;**
 - (b) combine Appendices A, B, and C, into a chart showing subdivision plat requirements;**
 - (c) add a new item, "Certificate of Evaluation for Sewer Facilities" to Appendix;**
 - (d) delete from Article VII, Section 3(g), reference to burying of debris.**

Mayor Paschal called the Public Hearing to order and asked Assistant Planning Director, **Frankie Legaux**, to address Council regarding the text amendment changes.

Ms. Legaux advised, "Tonight we are going to consider a number of ordinance changes. I guess we could break this down into four categories. The first one would be to change the wording in your Ordinance to be consistent with the practice that you use in rezoning. In the Ordinance, it states '*Conditional Use*,' and a Conditional Use is normally a quasi-judicial hearing. You, in fact, use a legislative hearing, so we want to remove the use part and make it a Conditional District or Conditional Rezoning. That way the practice of what you use will be consistent with what is in your Ordinance."

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Ms. Legaux mentioned that the Council previously made some changes and took out the word, *permit*. She said, however, “That didn’t quite do what we needed to do to make it consistent, and so you have a number of changes in regards to that.”

“The second thing which Dennis (Mayor Paschal) had asked about was removing the references in your subdivision ordinance so that for any secondary and minor subdivisions which had to go through a rezoning process, they would not need to come back to the Town Council for approval, because you had already seen those, so we took out that wording and substituted wording so that...”

Ms. Legaux explained further, “If it didn’t have to go through a rezoning, it would have to be approved by you, but if it does have to go through a rezoning, then you’ve already seen the subdivision.”

“The third thing we did,” **Ms. Legaux** continued, “...we made some changes in the Appendix section to your Subdivision Ordinance. What we tried to do is take Appendix 1, 2, and 3, (A,B,C) and combine them into one section (Appendix A), as far as what was needed. You will see the list of items that are needed, and now it’s like a chart and it’s checked if you need that and if you don’t need it, it’s blank.”

Ms. Legaux said she has corrected some North Carolina General Statute references as well as references to State departments that have changed names over the years, “...since the text was originally written back in 1988.”

She said that some of the State departments had different names then, and that, to be consistent, she has changed the names and letter acronyms accordingly.

After the overview, **Ms. Legaux** said she would go through each change individually, starting with Chapter 2, Article I—“that is where we changed Article I to read *Article 19*, as the correct reference.”

“In Chapter 2, Article V. Section 1, we deleted all the references to a Conditional Use Permit.”

“In Chapter 2, Article VII, Section 1, we now talk about General Use Zoning Districts and we have deleted all references to Conditional Use Districts.”

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“On Page II-8, we have added a section about Conditional Districts (Chapter 2, Article 7)—what type of district it is, how you go about applying for it, what you need for your site plan, and what might be weighed by the boards.”

“Section 2 that was Overlay Districts, now becomes Section 3 and that is on Page II-10. At the bottom of (Page) II-10, you will see that we have deleted the language that was about Conditional Use Districts.”

Ms. Legaux asked Council to turn to Page II-16 and continued, “Note 4 says, ‘as of the date of adoption of this Ordinance,’ and you didn’t actually adopt the Ordinance until 1998, so we deleted that and said ‘as of March 17th.’ That is actually when a zoning ordinance went into effect in the area of Wentworth. It is not the date you adopted an Ordinance, but it is the date zoning went into effect.”

“In Note #9 at the bottom of Page II-16, we have deleted the references to Conditional Use rezoning and permits and put Conditional District in, in it’s place.”

“On Page II-31, several of the Special Use Permits did not have their districts changed when you added Highway Commercial 1, 2, and 3, and when you redid your Permitted Use Table. So, what I have done is change the ones that were incorrect to make your Permitted Use Table and the section on Special Use Permits consistent, so that the same districts are shown as permissible on your Permitted Use Table as under the requirements for the Special Use Permit.”

Ms. Legaux noted the Special Use for Airfield/General Aviation on Page II-31, where HC-3 was added, and on Page II-59 under Race Tracks, HC-3; under Adult Uses, HC-3 was added, and under Planned Business Development, CBD, CBD-S, CS and HC-1, HC-2 and HC-3.”

Ms. Legaux continued, “Under Public Utility Facilities, the Special Use Districts that were added, were RP, RM, CBD, CBD-S, and under Schools (Page II-84), both academic and building, under Academic Schools, we had to list—they are not allowed in all districts, so we had to list those individually. They are now allowed in RA, RP, RM, OI, CBD, CBD-S, CS, and HC-1.”

“Business and Trade Schools, we had to add in, RM, CBD, CBD-S, CS, delete HC and put in HC-1, 2, and 3.”

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“On Page II-95, at the bottom of the page, the Zoning Districts listed for *cell towers*, we had to put in Highway Commercial 3 and Light Industrial.”

Moving to Page II-108, **Ms. Legaux** referred Council to (Article VIII) Dimensional Requirements (Table of Area and Yard Requirements (Setbacks). She explained, “We deleted the references to Notes 3 and 4 and included that (information) in the little box. Also, under rear yard Depth, we have eliminated 20% mean lot depth or 15' maximum, and that was changed to just 15'. If you will look on Page II-111, that was originally indicated as Note 3 and Note 4, so we put that information into the chart, deleting Notes 3 and 4, and Note 5 bumps up to become Note 3.”

“On Page II-127, because of the change from Conditional Use to a Conditional District, we had to modify Section 7 on Non-conformances, because we know we may have some non-conformances created by the change to this district, so we wanted to include that.”

“On Page II-128, we have changed the wording of Section 6 (Appeal Stays All Proceedings) at the bottom of the page and top of the next page. We are deleting and rewording that section.”

“On Page II-131, we are deleting Section 9, but it is being moved to Article VIII, Section 7. We'll get to that later on.”

“On Page II-134, under (c) and under (g), we eliminated the word *use* and substituted the word, *district*. Also, under (g), if you look at the last paragraph, we are deleting the reference to Conditional Use again.”

“Under (h), we want to state that Conditional District zoning decisions are a *legislative* process, not quasi-judicial. We also changed some of the wording in the next paragraph and there are minor changes at the bottom of the page (II-135).”

Ms. Legaux explained, “Often people will come in and maybe want to put an oil tank in or something like that which doesn't really warrant a site plan amendment. If they were going to do a building addition, that would be different, but for something minor we don't feel it is necessary to come back through for a site plan amendment.”

“We deleted the last paragraph (h) because it is included in another section—that Town Council may change or amend any conditions—that is included in another section.”

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In the third paragraph under (j), we simply changed the way the text is presented to you. We utilize the same text, but it is just in a different format.”

“Under Section 6 (Page II-137), we have changed the word *separability* to *severability*, because it is much clearer as far as legal context.”

“Under Section 7, we define what the appeal process is for a Quasi-Judicial final decision, and that is for the Planning Board or Board of Adjustment, and Town Council, because each of you have different final Quasi-Judicial decisions that you make. Some of the Special Use Permits are approved by the Town Council and some are approved by the Planning Board.”

“We have deleted all of Section 7 and Section 8 and added a new article (XIV), called Penalties, which starts on Page II-141. Before this, the penalties were scattered throughout the Ordinance. Section 1 brings anything that is a violation in the zoning and subdivision ordinance and qualifies what a violation of the ordinance is.”

“In Section 2, we talk about Enforcement Procedures. The only difference in this section is that, previously, if you had a violation and corrected that violation and then sometime down the road you have the same problem again, we would have to start that notification process all over again as if it is a fresh violation—as if it never happened before. But, now, what this change is going to allow code enforcement to do is: any violation that occurs within a five-year period can be considered a continued violation. So, if we go (to same location) four, five, six months or a year later, we don’t have to go back through the lengthy notification process. It is treated as a continuing violation, allows the code enforcement officer to get corrections to these problems at a faster pace.”

“Section 3 indicates what the Remedies would be. There could be civil penalties, an injunction, denial of a permit. We don’t jump to do any one of these. We try to see what fits in a given situation. The whole point is to get someone to come into compliance. Our goal is not to put them in jail or fine anybody, or deny them a permit. But we do have these remedies in place for those who are very stubborn and don’t seem to want to cooperate. And again, we don’t have to do all of these, we can choose whatever we think is appropriate.”

“Section 4 is about Civil Penalties—Assessment and Procedures.”

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Noting that everything discussed thus far was from Chapter 2-Zoning, **Ms. Legaux** moved on to Chapter 3 - Subdivisions, reviewing the following changes:

“In Article IV, Page III-1, we have had a change in wording. In (b) we have taken out some wording in regards to approval by the Town.”

“In Section 2, we are changing the word *where* to *if*.”

“On Page III-4, again that is a change in words—from separability to severability.”

“On Page III-5 (Section 1. Technical Review Committee), we are taking out the word *and*, third line from the bottom in the first paragraph—two ands in that sentence—just a grammatical correction. And then, we are deleting the reference to Town Council approval in the last paragraph of Section 1.”

“In Section 3 (Page III-6), we are deleting ‘Town Council approval’.”

“On Page III-6, we have deleted where it says, ‘no response required,’ (NCDOT) (Land Quality Section, etc.) (Municipality or Private Utility Company, etc.). We have only included the two listed—County Health Department Approval and Licensed Soil Scientist Evaluation. The Licensed Soil Scientist Evaluation is new wording that is now allowed by the Environmental Health Department at the preliminary plat stage only. At the final approval plat stage, they must have County Environmental Health Department Approval. But they can proceed with a major subdivision by having a certificate of evaluation from a licensed soil scientist. That was a State change, and the County has changed it and we are changing it in your Ordinance as well.”

“Again,” said **Ms. Legaux**, “at this point we don’t always require eight copies. It depends on what they are going to do, so we have just put in there, ‘required number of copies.’ When we talk to people, we will tell them what we need.”

“On Page III-7, after c) under Sedimentation and Erosion Control Plan, NRCDD has now become the North Carolina Department of Environmental and Natural Resources (NCDENR), so that was changed.”

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Ms. Legaux directed Council's attention to Page III-9, under Section 5, advising, "We no longer have Class C roads, so we are deleting that, and again, we are deleting Town Council approval there."

"Under Sedimentation and Erosion Control, we are again substituting NCDENR, North Carolina Department of Environmental and Natural Resources."

"Under b) we have noted that, 'the staff may approve, disapprove, or approve conditionally a proposed minor subdivision that was required to be rezoned as part of the approval process, within fourteen (14) days of submission.'"

"And then, new wording at the top of Page III-10, 'The Planning Staff shall forward copies of the minor plats that meet the requirements of the Ordinance but did not require rezoning to the Town Council for review and approval at its next regularly scheduled meeting.'"

"And again in c), deletion of 'approved by the Town Council, because we have covered that.'"

"By the way," said **Ms. Legaux**, "in all of this Section 3, we have deleted references to Appendix D and made that Appendix B. It is not showing on your copy but we have done that, and anything that refers to Appendix B or C, now becomes Appendix A."

"On Page III-13, e)—third line says 'may be posted as,' but this should read '*at*', so we have made that change."

"On Page III-18 (a), again, we are talking about approval from Environmental Health—it is not before the preliminary plat any more, but now it is 'before approval of the *final* plat'."

"In that same paragraph, the reference to Article V, we have deleted the note to see Section 2, and Appendix D, Certificate 6."

On Page III-20, Section 12 c), we have deleted the words, 'not less (than)' and we say 'equal to or greater' than the minimum lot size."

"On Page III-21, Section 13 (Buffer Strips – Streams, Lakes and Ponds), we have deleted the third paragraph—the last paragraph—and moved it into the first paragraph that talks about buffers. The second paragraph talks about streets and roads, so this puts everything where it makes more sense."

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Continuing, **Ms. Legaux** moved on to Page III-24, f), commenting, “We just deleted the reference to ‘County’ and say ‘Planning Department will advise the developer,’ and again we change the reference to North Carolina Department of Environmental and Natural Resources. It used to have the word *Health* in it.”

“Under g), we have deleted the last part of that last sentence that talks about burying debris within a hundred feet of the house. Our Solid Waste people do not want to get into the problem of waste being buried in subdivisions. They asked us to change that.”

“III-26 is Appendix A, B, and C. You can see where they have been deleted and replaced with a new Appendix A in table format (III-31), which shows you what a minor subdivision plat requires, what a major preliminary plat requires, and what a major final plat requires.”

Ms. Leguax said the new format incorporates everything that was shown previously in Appendix A, B, and C. Also, at the bottom of Page III-32, there is information about other documentation that is required and the time it must be submitted.

She explained that Appendix D becomes Appendix B—Suggested Certification Forms, and at the bottom of Page III-36, the Certificate of Evaluation for Sewer Facilities (Item 12) has been added.

Ms. Legaux advised that the Certificate of Evaluation for Sewer Facilities can go on plats for preliminary approval, but not for final approval.

Ms. Legaux said she would be happy to answer any questions.

Mayor Paschal asked if there were any questions for Ms. Legaux.

There were no questions and **Mayor Paschal** made a motion, “*That we approve the revisions to the Wentworth Planning and Zoning Ordinance and to show that our action in approving these revisions is consistent with the adopted comprehensive plan, I move that we adopt the Statements of Consistency as required by North Carolina General Statutes 160A-382(B) and 160A-383, and as outlined in the Town Council’s Analysis and Statement.*”

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

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Article VI. OLD BUSINESS

A. Consideration of Interlocal Agreement Draft between Rockingham County and the Town of Wentworth for use of the Old Wentworth School ball Field and Gymnasium

- Richard Capps, Chairman, Recreation Committee

Mayor Paschal asked Recreation Committee Chairman, Richard Capps, to address Council.

Mr. Capps thanked the Mayor and Council and acknowledged James & Dottie Talley, members of the Recreation Committee, who were also present.

He passed out a summary of his comments and findings to the Town Council. He said he would read the opening paragraph and noted that he would, "...skip Task 1, because that is basically old business. We have already covered that." (Note: The referenced information is attached hereto as part of these Minutes—Attachment 1.)

In reading from the summary of information provided to Council, **Mr. Capps** concluded with the following: "Therefore, the Wentworth Recreation Committee respectfully recommends...

(1) that the Town of Wentworth request that Rockingham County sell the old Wentworth School ball fields, gymnasium, and old agriculture building to the Town of Wentworth for a nominal cost, preferably one dollar; and,

(2) if the County will not sell the facilities, that the Town request that the County lease the old Wentworth School ball fields, gymnasium, and agriculture building to the Town for the required minimum of 25 years, preferably longer, and at the amount of \$1.00 per year, including first refusal at a specified price that is predetermined, if the County ever decides to sell; and,

(3) That the Town of Wentworth obtain an estimate of the costs of renovations and then apply for the grant from the Parks and Recreation Trust Fund to pay for these renovations."

"In summary" **Mr. Capps** said, "the Wentworth Recreation Committee unanimously agrees that renting the facilities is unacceptable."

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Mr. Capps referenced his conversation with Ms. Vonda Martin, DENR Recreation Resources Services consultant for Rockingham County, who advised the committee to meet with a contractor to determine the immediate needs. Ms. Martin said that the appraised value of the facility could be used as a match for a grant up to \$500,000 from the Parks and Recreation Trust Fund. He said the grant Ms. Martin talked about is conditional upon a lease term of 25 years.

Mr. Capps said the committee would determine the requirements for the grant application and work diligently to complete it. He said the Committee would also work to secure a bid from local contractors on the estimated costs for renovations, and would report this to the Town Council.

Mr. Capps related that it has also been determined through Mrs. T. Butler's connections with the Dan River Basin Association, that Rockingham County has already applied for a grant to create a master plan for recreational possibilities in the County. He noted that the Town and the Recreation Committee could work with the County, the Tourism Authority, Dan River Basin Association, and similar groups to create a broader plan that would benefit all parties.

Mr. Capps said that Task 3 of his summary outlines what the money would go for if the Town were to obtain the \$500,000 grant.

He said the Recreation Committee is not *completely* opposed to leasing the facility, "...but if that's the case," he added, "the good news is that if the Town was awarded the grant, you aren't really having to use any of your money (for the renovations)."

Mr. Capps explained, "We don't want someone to come back later on and take it from us when we are the ones who pioneered everything. That's why we are really sticking to our guns about wanting to own the property rather than lease the property...or if there is something like a 99-year lease...you may have heard of that...just so we know that we secure this property for the future of the community rather than having someone come in and take it from us."

"You're speaking specifically to the 25-year lease period, right?" asked **Mayor Paschal**. "Yes sir" replied **Mr. Capps**.

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Councilman Belcher asked, “Richard, you mentioned this matching grant based on the value of the property. What are we roughly estimating the value of the property to be?”

“We would obviously have to get it appraised,” **Mr. Capps** said, “but I am in the banking business and I also know several contractors. One contractor has offered to come out with me on Saturday and we are going to look at it again to determine the immediate needs. But, as it is, based on fair market value, I would estimate anywhere from \$375,000 - \$500,000. It just depends on exactly what we fine out once we get in there.”

“But you do believe it is enough for the matching funds?” **Councilman Belcher** asked. “Yes, we do...I believe, and Mr. and Mrs. Talley believe, that there is enough money in the value of the property if we obtain it, to do what has to be done.”

Mr. Capps referenced the three proposals he presented to Council several months ago, commenting, “The roof is the major concern in my mind in order to make sure that the facility is sound. That is one of the requirements of this grant is that the building has to be sturdy enough to last at least the 25 years.”

“Of course,” he continued, “we get into the ADA (American Disabilities Act) and all those things we have to follow, but we do believe the value of the property is substantially enough to do all the things that need to be done.”

“As for what the grant will pay for and what it won’t pay for,” said **Mr. Capps**, “It will pay for the heating and air conditioning system that we definitely know it needs. It will pay for the windows, bringing it up to code for ADA, and lights for the ball field. It basically will pay for itself. The things that it *won’t* pay for—weight equipment for the weight room, football and basketball equipment, for example. The grant pays to get the facility up and running and then it is up to us to maintain it. It has to be self-sustaining, and I do not believe that will be a problem.”

Mr. Capps mentioned corporate sponsorships, concession stand revenue, team registration fees, fees for usage, “...membership fees for the weight room or fitness center if we want to go in that direction,” he added.

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Mr. Capps added, "I realize that you have been hearing about this for a long time, now, but the delay in making a decision may have been for the best. You have almost finished the Town Hall, and too many big tasks at one time can be a bit much anyway. But, it's time now that we can move on to something else that can also benefit the town *and* help pay for itself."

Mayor Paschal commented, "The problem is going to be getting the County to sell it for a reasonable price. If we can work with them on their (Master) plan and mesh ours with theirs, then they may see where they are not only doing the Town, but also the County, some good, using the buildings as a recreational facility. Maybe then, you could get it at a good deal."

The **Mayor** added, "You could ask about a 99-year lease for a dollar a year, but I don't think they are going to do that. There were some estimates for renovations done, back when the County was in the process of purchasing the building, but some of the values were pretty high, so I'm not sure they will let it go for a nominal cost. The only way to find out is to ask them, I guess."

"To start the process," **Mayor Paschal** continued, "we can ask about purchasing the facility but at the same time, do it with the suggestion of working with the County to provide recreation not just for Wentworth, but for the County too, and they would be more likely to do it."

"We can ask for either/or," said the **Mayor**, "purchase of the building or a 99-year lease."

Mr. Capps replied, "That is great that Mrs. Butler found out about this. The very fact that the County has applied for a grant to come up with a Master Plan to facilitate a county-wide recreational program tells me they are more interested in doing it than not. If we can let it be known that we are willing to tie our plans for the facility into their plan in some way, then it may be a win-win partnership."

Mr. Capps concluded, "I think the bottom line now, is that we can actually take the next step, ask these questions, go before them and see what we can do, test the waters."

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“At the end of the day,” **Mr. Capps** said, “if we are able to apply for the grant and get the money, it’s not out of our pockets. Now we know we can cover the cost. That was the biggest fear going into this whole thing, was what the building was going to require in the way of renovations; and, with the discovery of Ms. Martin telling us about the grant money, we’ve now crossed that hurdle and we’re ready for the next step. We can say, ‘Will you sell us this building or consider a lease?’ and we let them know that either way, it is all contingent upon us getting the grant money.”

Councilman Belcher commented, “I think one important thing to emphasize when we do go to the County, is the seriousness of what we plan, as far as bringing the building up to a nice standard. We can emphasize the diligence that our Recreation Committee has put into it, and being able to show them that we have a plan to obtain the money, hopefully, to be able to do the renovations, might possibly put us in a more favorable position as far as them agreeing to work with us.”

“I do have one other question about that grant,” said **Councilman Belcher**. “Is the grant you are speaking of a hundred percent...if we put up 20% they will put up the rest...is it the case where whatever they put up, we have to be able to match by some means.”

“That is exactly the way I understand it,” **Mr. Capps** replied. “Let me elaborate on a couple of things—number one, I have in my possession the consultant’s estimate of the renovations Mayor Paschal spoke of that was done several years ago. I believe they were talking about two million dollars in renovations, but that was the entire facility and it was done many years ago. Many of those things have been done already. Mr. (Tom) Wagoner (Rockingham County Engineer) shared some information with me about the school. It seems that the County has only allotted \$10,000 per year in their budget, for that facility. That money gets spent very quickly by the tenants who are using the facility. Mr. Wagoner said the building is a problem for them...that they would like to get out from under the responsibility.”

Mr. Capps continued, “We can look at this in a number of different ways. The County could partner with us if they wanted to, so that it is a hundred percent matching grant. I really believe the gymnasium alone is enough to meet the \$500,000—the maximum amount of the grant. The key is that we have to have ownership of it...it has to be an asset of the town in order to get the hundred percent. Or, where the 25 years comes in, we have to show that we can carry it for 25 years...that we can handle it.”

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“But, if we have to secure a lease,” **Mr. Capps** said, “we know right off the bat that there are several things we have to consider. We have to cover the rent every month, whether that be a dollar or twenty-five hundred dollars, and then we get into the issue, now that it’s our responsibility, we’ve got to start heating it, cooling it, turning the lights on, so we need to have our ducks in a row...and the grant recommends that we have a three-year budget.”

“The bottom line is, more or less, there is a blank check laying on the table, we’ve got to write that application and apply for the grant, and make sure that we know what the immediate needs are and how the money is going to be spent. Then we need to decide the infrastructure of the (recreation) department—how are we going to fund it, how can it be self-sustained, what kind of activities will we have.”

Mayor Paschal commented, “In the long run, not only is the Town going to have to commit to purchase or lease the property, we are going to have to commit to the committee or the Recreation Department, however it works out, we will have to include something in our budget each year to bear some of the costs involved. It may pay for itself to some extent, but it may take ten to fifteen thousand dollars from the Town.”

Councilman Belcher added, “We may have to tighten our bootstraps for a while and help out...”

Mayor Paschal said, “If at some point in time it is carrying it’s own weight, we could possibly do something else with the money (budgeted), maybe renovate some more, but I think the Town is going to have to be willing to commit to budgetary funds also.”

Mr. Capps replied, “That may be true, but there are other grants available and that is an area of research that we want to explore. There are youth obesity health grants for programs that address weight problems. Brenda (Town Administrator) and I both have learned about the Responsible Community grant, where you put money back into the community for youth.”

Mr. Capps commented, “I said I wasn’t going to say this, but here I go anyway. I have a real problem with ‘that thing’ going up in Reidsville, because the funds being used for that should be going for our youth—for a ball field, concession facility and bath rooms at the Jaycee Park. I say that for this reason, where there is a will there is a way.”

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He explained, “We put on a Fellowship of Christian Athletes Youth Football Camp during the Easter weekend. Coach Stadler and myself wanted to do this, and we had 60 kids from ages 7 to 12 come out to Rockingham County High School. Bill (Ward) came out and witnessed this. We had 14 kids give their hearts to Christ and we had 35 more kids tell us they want to be involved in anything like that going on in the community. That is just seven to twelve-year-old kids from this community. That doesn’t count the T-ball and baseball and all the other things kids like to do.”

Mr. Capps continued, “Surely there will be some growing pains to get out of the gate. My biggest fear is the initial overhead—the utilities and those things—the budgetary things we will have to deal with. But the main thing is, that if we secure the facility, get the grant, then we can put some of these concerns to rest and begin working toward making it self-sustaining.”

“No,” **Mr. Capps** concluded, “a Parks and Recreation program is probably never going to make you a dime, but if the bank breaks even, then it has done its job.”

Mayor Paschal said, “Probably, what everything hinges on is negotiations with the County. So, I make a motion that, *“We contact the County through Eugene Russell and talk to him about the potential of selling the ball field, gymnasium, and agricultural building or a 99-year lease or some type of partnership with the County and see how we move forward from there.”*

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

The **Town Attorney, Fred Baggett**, mentioned to Council that State law requires the School System to indicate that the property no longer has any value to them, in order to dispose of it or lease it long-term.”

Mayor Paschal explained that this has already been done and that Rockingham County now owns the property.

“In that case,” **Mr. Baggett** replied, “one scenario you may want to keep in the back of your mind is to leave ownership of the property with the County and let them apply for the grant and contract with the Town to run a recreational program. It may not come to that...the idea of a long-term lease or a purchase by the Town may work, but you could still have your recreational program, if the County balks at giving up ownership.”

Mayor Paschal agreed, adding, “But I guess the first step is to just talk to them and see what they say.”

Article VII. NEW BUSINESS

A. Submission of Budget Message / Budget Summary / Estimated Revenues and Expenditures for Fiscal Year 2009-2010

Mayor Paschal asked Mrs. Ward if she was going to present the information on the budget.

Mrs. Ward said she was doing so in Mrs. Russell’s absence since she “wasn’t feeling well today.”

Mrs. Ward directed Council to the Budget Message, commenting, “I’m sure you all read it word for word.” **Mrs. Ward** said she thought it was interesting that last year’s budget was the Town’s first ‘million-dollar budget,’ and that this year’s budget is less than half a million.

She noted, “A copy of the budget has been placed on file in our office. If anyone wants to look at the budget or has any questions, it will be in the Clerk’s office until the public hearing in June, assuming Council sets the date tonight.”

“We have increased our revenues just a little since the last budget work session because of the League of Municipalities’ brighter predictions. However, Yvonne (Finance Officer) did not budget quite as optimistically as they did, but you will note there is an increase.”

“Fund Balance Appropriation—you will see that we have not appropriated any fund balance in this budget. It is possible that we may have to do so during the year, but at this time, we don’t need to in order to balance the budget.”

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“Regarding our funding for Public Safety,” **Mrs. Ward** explained, “we are, of course, including everything you noted in the budget work session, but I wanted to explain to the public that because of the anticipated reduction in sales tax revenue, we have budgeted less for ReDirections this year than in the past. That is why I made special note in the Budget Message, explaining that in previous years we have budgeted funds according to the amount requested by ReDirections, but we have had to decrease the amount in this year’s budget. I noted that this in no way reflects our dissatisfaction with ReDirections or the services they provide. Hopefully, next year we can do better in that respect.”

Mrs. Ward continued, “By the end of this fiscal year (June 30th), we will be closing out the Capital Project Fund. We will have paid for half the cost of the Town Hall, and as you know, we have financed the remaining half of the construction costs. Our estimated annual payment toward that loan, is reflected in the new budget under Capital Outlay, in the Debt Service line item.”

Regarding Travel for Schools and Conferences, **Mrs. Ward** said that while many municipalities and counties have cut their travel budgets, “We have remained at the same level of funding, and that is because we have only two employees who wear many different hats. I believe the schools and conferences offered are very beneficial, and as stated in the Budget Message, we will be selective in determining which ones to attend.”

Mrs. Ward referred Council to the “Updates” section of the Budget Message and reviewed as follows:

“As for the **Post Office**, the packet is in the mail to Congressman Brad Miller’s office—the information that he requested us to obtain—letters of support from various individuals in the Town.”

“The **Emergency Operations Center** is completed but the building could not be occupied due to some water problems still to be resolved. I spoke with County Engineer, Tom Wagoner today. He said the employees are moving in the new building and that the water pressure is okay. However, the County is still having other engineering consultants come in and do their own testing and evaluation of whether or not the situation is going to be adequate, not only for the EOC building but also for the three-story court house. Mr. Wagoner also mentioned that he still thinks a 12” line may be needed, at least from the water tank down to the new court house.”

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“As for the plans for an Animal Shelter,” **Mrs. Ward** said, “I mentioned to you that the County Manager has presented to each of the municipal managers, a proposal and request for us to ‘utilize and share in the shelter’. The managers have presented several questions to Mr. Robinson about the proposal—one thing in particular in the proposal was that we, the towns, would also be sharing in their debt service cost to build the facility. Some of the managers commented about the fairness of this, saying their citizens are already paying county taxes which are applicable to the shelter. We are waiting for the County manager to answer some of those questions. As I understand it, though, this would not be a part of this year’s budget but would be something the towns would need to consider in the next budget year.”

Mrs. Ward said her question to Mr. Robinson was that since the Town contracts with the County for law enforcement protection, which has always included, for instance, the deputy picking up stray dogs, she wanted to know, “...where does this leave us in his proposal and/or how will it affect the other Towns? I feel like we are already paying for this.”

“As for Solid Waste Disposal,” **Mrs. Ward** said, “this is something new that came up as I was writing the Budget Message. **Mayor Paschal**, as you know, serves on the Solid Waste Management Committee, and they are in the process of updating the County’s Ten-Year Solid Waste Management Plan. The information they have indicates that we may need to draft our own Solid Waste Disposal Ordinance.”

“One of the things Dennis (Mayor Paschal) mentioned is that we may want to consider a recycling program to show that the Town is doing something to help in the problem of solid waste disposal.”

“Refusing to recycle is not a practical solution, because it will leave future generations with overflowing landfills and possible toxic waste problems,” **Mrs. Ward** said. “So that is something Council may want to consider at some point in time.”

Mrs. Ward, having concluded her comments on the Budget Message, asked Council to look at the first sheet of the new budget under General Fund Revenues. She said Mrs. Russell attached a note about some incorrect figures in the columns that reflect the current year’s figures. The actual amount as of April 24, 2009, should be \$335,984.00. **Mrs. Ward** said the revised sheet Mrs. Russell provided reflects the changes and that, “These figures do not affect the 2009-2010 budget figures proposed tonight.”

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Mrs. Ward noted again that the only change made since the Budget Work Session was that the Revenues were increased slightly and expenditures (Other Operating Costs) changed accordingly to offset revenues. She asked if anyone had any questions about the new budget, and suggested Council set the public hearing date for the budget.

Mayor Paschal made a motion, *“That a Public Hearing for the Town Budget be set for June 2, 2009, and that’s the date of our next Council Meeting.”*

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

Mayor Paschal noted, “The Budget is on the table.”

Article VII. NEW BUSINESS – Continued

B. Recognition of Recipients of Wentworth’s “Community Pride Award”

- **Dessa Scheffer and Sue Aswell (Appearance Committee)**

Mayor Paschal invited Ms. Scheffer and Ms. Aswell to come forward.

Ms. Scheffer said she would like to thank the Town Administrator for her support of the Appearance Committee and their efforts. She said the committee would like to recognize the recipients of the Spring, 2009, Community Pride Award, and asked the winners to come forward as she called their names, “...so we can present you with a gift in addition to the sign that has already been placed on your beautifully maintained property.”

The following were recognized:

- **Ernest and Thelma Dickens - 838 NC 65.**
- **William and Jean Harris - 407 Clifton Drive in University Estates**
- **Tim and Susan Hall - 149 Hall Farm Road**

Ms. Aswell took photos of each recipient and **Mayor Paschal** said, “We appreciate the hard work you folks do to make Wentworth more beautiful.” **Council** applauded.

The gifts were donated by Rockingham Opportunities Corporation, T & G Greenhouse and the Wentworth Appearance Committee.

Article VII. NEW BUSINESS – Continued

**C. Consideration of Funding Request (\$250.00) from the
Rockingham County Sheriff's Department for Purchase of
Two Vehicle Unlock Mechanisms**

- Deputy Clarence Cheshire

Mayor Paschal asked Deputy Cheshire to address Council.

Deputy Cheshire advised, "Currently, we have one Vehicle Unlock Mechanism at the Sheriff's Office. Here lately, and it will get worse as the summer comes along, people will mistakenly leave their children in unattended vehicles that end up being locked, for one reason or another."

"It has happened just recently," **Deputy Cheshire** related, "that I had to go to Eden to help get a child out of a vehicle. At the time, it required me to go back to the Sheriff's office to get the mechanism, taking me about 30 minutes. It wasn't hot that day, but still on a hot day, 30 minutes could be dangerous for a child to be locked up in a car. The request to have two of these is so that I can keep one in the Wentworth car at all times, and one can remain in the supervisor's vehicle at the Sheriff's office. That way we have better access from all over the county. I can go whenever one is needed instead of someone having to come all the way to Wentworth and then back to the locked car."

After explaining how the mechanism works, **Deputy Cheshire** added, "It keeps you from having to break out a window." He thanked Council for considering the request.

The **Town Administrator** advised Council, "The funds would come out this year's budget—the Public Safety line item."

Councilman Belcher made a motion, "*That we approve the request for \$250.00 in funds for the Rockingham County Sheriff's Department to purchase a Vehicle Unlock Mechanism.*"

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

Article VII. NEW BUSINESS - Continued

D. Consideration of Municipal Ordinance Declaring Speed Limit Modifications and Request for Concurring Ordinance by N.C. Department of Transportation

- **Declare 45 mph speed limit on SR 2009 (Camp Dan Valley Road) from a point 0.20 mile north of SR 2010 (Talley Road) northward to SR 2203 (Ashley Loop Road) in Wentworth**

Mayor Paschal asked if anyone had any questions. There were none, and the Mayor made a motion, *“That we approve the Ordinance declaring speed limit modifications and request for Concurring Ordinance by N.C. Department of Transportation for the aforementioned section of Camp Dan Valley Road.”*

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

E. Consideration of Formulating Policies / RFP’s (Request for Proposal) Pertaining to New Town Hall

Mayor Paschal read the list provided by the Town Administrator, of policies the Town Council may need to consider.

Mrs. Ward explained to Council, “I think we need to be thinking about this, because you will want to have some of these in place pretty soon after our move to the Town Hall.”

“At your direction, I can work on creating the policies and bring them back to you at another meeting for your consideration, and you can change, delete or add to, as you see fit.”

“The first thing I have listed is a Smoking/Non-Smoking Policy. Do you want to allow smoking around the building, in designated places, for instance? I think we would want the interior to be non-smoking. Some towns and government buildings have totally tobacco-free work place policies. What do you think you would like to do?”

Councilman Belcher asked about some of the new legislation that has passed or under consideration, regarding smoking in certain places—“Will that have a bearing on what we might do?”

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Mr. Baggett (Town Attorney) advised, “Just some parameters, but there is still some flexibility for local jurisdictions.”

Councilwoman Powell said she didn’t think Council should allow smoking inside the building, but allow it outside, “...because some people have just got to have that nicotine.”

Mayor Paschal said, “I still feel, but of course, I grew up around tobacco and I think if someone wants to smoke outside, it won’t cause anymore pollution than what’s already in the air. Maybe you ought to do a draft and give us several options.”

Councilman Belcher suggested designated smoking areas. **Mayor Paschal** advised Mrs. Ward to find some “(cigarette) butt collectors” for outside.”

Mrs. Ward said the next policy has to do with renting or leasing out the Town Hall, “...as far as the empty offices we will have on the back hallway, and the conference room, council chambers, perhaps the patio, as we have already had people asking us if we plan to allow folks to use the facility. Yvonne and I really need to know what to tell people.”

“Some have suggested that perhaps an attorney, for instance, would be interested in renting one of the four offices that are available. Someone has asked, ‘If my club or board wanted to have a meeting in your conference room, could we do that?’”

Councilwoman Powell asked, “What do they do in other towns?”

Mrs. Ward replied, “A lot of towns do rent their facilities. Some of them have a “community room” for the public to use, some rent their conference room and council chambers at an hourly rate. As far as office space, I’m not really sure if any of the towns around here have extra space, but the Town Hall in Morganton, for instance, is in an old bank building and they do lease office space.”

“There is usually a policy that sets out who can use it and what the rental rates are,” **Mr. Baggett** advised.

Mayor Paschal asked the Town Administrator to find out what other Towns are doing. **Mrs. Ward** said she has already done some research, and, “...I just need you to tell me whether or not you want to rent it.”

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Mayor Paschal said, “Yes, as far as the conference room and stuff like that, but when we started talking about the Town Hall initially, we talked about having one end cut off so that people could come in and out with their own keys without being in the other part of the building, but it didn’t end up like that. It is wide open back there.”

“No,” replied **Mrs. Ward**, “there are doors on both ends that isolate those offices, and a bathroom, from the rest of the building.”

The **Mayor** said he did not realize there were doors. “They may not have been up the last time you went through, but the plan is to have a door at each end,” **Mrs. Ward** advised.”

Councilman Aswell asked Mrs. Ward, “Has anybody called you about renting?” **Mrs. Ward** said no one had called about renting the offices, but that people have been asking about using the building for meetings.

Councilman Aswell said a bonding agent had asked him about renting office space. **Mayor Paschal** said, “We will really have to be careful. People who may have criminal records, who would be in and out of there with Brenda and them in there, it could be a problem for them.”

Mrs. Ward asked for direction from the Town Attorney, “Are we at liberty to choose or be selective about possible tenants?”

Mr. Baggett replied, “I can help you in determining your policy—you can be selective for certain reasons. Brenda and I can work on it.”

“Write up some recommendations,” said **Councilman Belcher**.

Mrs. Ward asked Council, “So, you want to look at something for renting the offices and also the other space?” Council agreed.

Moving to the next policy on her list, **Mrs. Ward** asked if Council was expecting Mrs. Russell and herself to clean the building and maintain the lawn—“...do the mowing and pull weeds?”

Councilman Aswell said, “Of course, and when it snows, you’ll need to scrape the parking lot.”

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Council enjoyed the laugh as **Councilwoman Powell** interjected, “I would like to say something—I think we need to cut down those two cedar trees that have the ivy growing in them, right beside the Town Hall sign.”

Mrs. Ward said that **Mayor Paschal** would want the wood if the trees were ever cut down.

Councilman Aswell said, “I think it would look better.”

Mayor Paschal said, “It might look better with them down, but those are historical trees...it’s up to Council, though. It’s not my decision.”

Councilwoman Powell asked if she could make a motion to give the two trees to the Mayor if he would cut them down.

Mayor Paschal told Councilwoman Powell that the Magnolia tree is also in the way of the sign. “You can just trim the limbs up on that,” replied **Councilwoman Powell.** **Mayor Paschal** said, “I say if we’re going to clear it out, lets just clear out all the trees up there in the front.”

Mrs. Ward commented, “It will be up to one of you to put that on the Agenda, but let’s get back to the lawn and building maintenance. I am thinking that we will just run a notice in the paper requesting a proposal if anyone is interested in either of these jobs. We would ask them to contact the Town Hall for a detailed description of what the jobs entail, so they can submit a proposal.”

Mayor Paschal suggested, “We should be sure that the person doing housekeeping is bonded.”

Councilman Belcher said that Council, in the beginning, may want to consider a short term contract.

Mrs. Ward asked, “So, is it okay with you if we do this through the newspaper to see if there is any interest?”

Mayor Paschal said, “Yes, ask for bids on it.”

Mrs. Ward replied, “Well, it won’t be handled like a formal bid.”

Mr. Baggett said, “Just call it a Request for Proposal, like you were talking about in the beginning.”

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“One other thing I wanted to show you,” said **Mrs. Ward**, “is this bronze replica of the Rural Hall Town Seal. It hangs behind the Council Dias in their council chambers.” (A photo of the town seal replica was shown to Council.)

Mrs. Ward said, “I would like to have your permission to contact the gentleman who did the Rural Hall seal, just to see how much he charges. It has been several years since he did theirs and he may or may not be interested in quoting. I’m not saying that this is something we would do right away, certainly not in this budget, but it could be something we want to plan for.”

Councilman Belcher said, “It would be good to have an idea of what it costs.”

Mrs. Ward said she would check into it and let Council know what she finds out.

“Last but not least,” **Mrs. Ward** concluded, “when the Mayor came back from the Solid Waste Committee Meeting, as I mentioned in the Budget Message, he talked about the fact that he would like to see the Town come up with or at least look into a recycling program, because we are not currently doing anything...”

Mayor Paschal added, “Of courses, we partner with the County and sign on with them, but all the other towns have drop-off areas where the residents can go by, but right now you have to go all the way over to the County landfill. We’ve got all this land up here and we could have a boxed-in area and have someone like Waste Management to manage it and carry it in and out.”

Councilman Belcher said, “Waste Management has curb-side pick up now. My mother and father signed up for that, but I don’t know what the frequency is. They do recycling and you do not have to do sorting. They do pay a little extra but it’s not an obscene amount.”

Mayor Paschal said, “But some people don’t want to have to pay for it, and if we had a drop-off up here, there are some who would ride up there and sort it out, and we would just pay Waste Management to pick it up.”

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Mrs. Ward commented, “What I wanted to ask you about this is...I talked to who I consider to be the recycling guru in Rockingham County, Hazel Puckett, who worked for the County to promote recycling. She was very interested in helping us, free of charge, to investigate the cost involved, and what we need to do to get started, but I told her I would need to talk to Council to see how you feel about it.”

Councilman Belcher said, “Maybe we ought to appoint her to the Waste Committee.”

Mrs. Ward said the Mayor asked her to look into a Solid Waste Disposal Ordinance. She said she spoke with the Assistant Director of Planning, Frankie Legaux, about such an ordinance. “**Ms. Legaux** said this is not a planning and zoning ordinance...that it would be considered a local ordinance.”

Mrs. Ward suggested the Town Attorney take a look at the current Solid Waste Management Contract the Town has with the County.

She added, “Mr. Jack Brinkley, Superintendent over the County landfill, said we probably don’t need a separate ordinance since we piggyback on the County’s Ordinance. He said if we decide to do some type of recycling program we may want to adopt an ordinance describing the plan.”

Town Attorney Fred Baggett commented, “Wentworth is part of the County’s Solid Waste Management Plan. The State requires the County to do that. We signed on in 2000 and again in 2003. If we come up with a recycling program, we would just notify the County and they would then incorporate that into their plan that they report to the State.”

“That’s what the other Towns have done,” said **Mr. Baggett**. “In the County’s Solid Waste Management Plan, the ten-year plan, it describes how each town has dealt with recycling.”

“They are all incorporated in there under each town,” said **Mayor Paschal**.

“And ours would be too,” said **Mr. Baggett**, “but it doesn’t take any kind of document...”

Mayor Paschal said, “what we need to do is decide what we want to do, cost-wise—do we want to get Waste Management to drop the containers off and then pick them up...”

“Right, said **Mr. Baggett**, “just come up with the program, describe it and send it to the County.”

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“As far as the Solid Waste Management Proposal,” said **Mayor Paschal**, “we’ll just do like we have done in the past. When it’s done, we’ll adopt a Resolution approving the ten-year plan.”

There was no additional discussion and **Mrs. Ward** thanked Council for going over the items with her and said she would “get busy.”

Article VIII. PUBLIC COMMENTS

Mayor Paschal noted that no one signed up to address Council.

Article IX. ANNOUNCEMENTS

- The IIMC (International Institute of Municipal Clerks) has proclaimed **May 3 – May 9, 2009 as Municipal Clerks Week.**
- The Town Clerk and Deputy Clerk will be out of the office on **Thursday, May 7**, attending the **North Carolina Association of Municipal Clerks School in Chapel Hill, North Carolina.**
- The next meeting of the **Town of Wentworth Planning Board** is scheduled for **Tuesday, May 19, 2009, at 7:00 p.m.** in the Town Hall Meeting Room at the National Guard Armory.
- The **Wentworth Town Council** will hold its next regular meeting on **Tuesday, June 2, 2009, at 7:00 p.m.** in the Town Hall Meeting Room.

Note: A Public Hearing will be held at this meeting regarding the Town of Wentworth’s Budget for FY 2009-2010.

The **Town Clerk** noted that she did not say whether or not the June Council Meeting would be held in the National Guard Armory.

“That’s right,” said **Mayor Paschal**. “This may or may not be our last meeting here, but we appreciate the Armory working with us for many years at a very reasonable price.”

Article X. A D J O U R N

Mayor Paschal made a motion, “*The meeting be adjourned.*” Everyone seconded the motion and voted in favor. The meeting adjourned.

Respectfully Submitted By: _____
Brenda Ward, Town Clerk

Approved By: _____
Dennis Paschal, Mayor