
**TOWN OF WENTWORTH
MINUTES FOR**

**THE TOWN COUNCIL MEETING
OCTOBER 4, 2011
7:00 P.M.**

The Wentworth Town Council held its regular monthly meeting on **Tuesday, October 4, 2011, at 7:00 p.m.** in the Town Hall Council Chambers.

Council members present were:

Mayor Robert Aswell, Councilwoman Iris Powell, Councilwoman Evelyn Conner, Mayor Pro Tem James Belcher, and Councilman Dennis Paschal.

A quorum was present.

Staff Present: Brenda Ward, Town Administrator & Town Clerk / Yvonne Russell, Finance Officer & Deputy Clerk / Fred Baggett, Town Attorney & Deputy Travis Loftis.

Article I. CALL TO ORDER: Mayor Robert Aswell

Article II. INVOCATION: Councilwoman Iris Powell

ARTICLE III. Approval of October 4, 2011, Town Council Agenda

A. Requests & Petitions of Citizens

Mayor Aswell advised that no one signed the Speaker Register, and made a motion, *“That the Agenda be approved as is.”*

Mayor Pro Tem Belcher seconded the motion. All voted in favor.

Article IV. Approval of Town Council Meeting Minutes for September 6, 2011

Councilwoman Evelyn Conner made a motion, *“That the Minutes stand as written.”*

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

Article V. Public Hearing – Ms. Stacy Tolbert, Rockingham County Planning Department.

A. Consideration of Revisions to the Town of Wentworth Planning & Zoning Ordinances, as Recommended by the Wentworth Planning Board

1. Chapter 1 – Definitions: To add definitions for “Video Lottery Games”, and “Video Lottery Terminal”

Article V. PUBLIC HEARING – Continued

2. Chapter 2 - Zoning / Article V. Establishment of Districts

Section 1. District Names

Chapter 2 - Article VII. District Regulations

Section 1. General Zoning Districts

Section 2. Conditional Districts

Section 3. Overlay Districts

Section 4. Table of Permitted Uses

To *delete* the Central Business District-Core and Central Business District-Secondary Zoning Districts & Associated Development Standards; and, to *create* a Central Business Overlay District with specific uses and development standards; to delete from the Table of Permitted Uses the two columns for CBD and CBD-S, as well as additions and deletions to the Notes to the Table of Permitted Uses, specifically Notes 9 and 10.

Chapter 2 - Article VIII. Dimensional Requirements

Section 1. Table of Area and Yard Requirements (Setbacks)

To replace CBD with *TND* (Traditional Neighborhood District) Overlay and to change CBD-S (secondary) to CBD Overlay.

Chapter 2 - Article IX. Off-Street Parking and Loading

To add information pertaining to Traditional Neighborhood Development area, all uses, and to add Central Business Overlay District other than the TND area, all uses.

Chapter 2 - Article XV. Landscape, Design & Site Standards

Section 2. Design Standards: Current wording deleted and replaced.

3. Chapter 1 - Definitions: To add the definition of bona fide farm.

Chapter 2 - Zoning / Article III. Jurisdiction

Delete description of bona fide farm.

4. Chapter 2 – Article VII. District Regulations

Section 4. Table of Permitted Uses / Amended to *include museum and art gallery* in the Public Library line item.

Mayor Aswell opened the Public Hearing, but advised that the Joint Meeting of the Town Council and the Wentworth Planning Board was not held in September due to conflicting schedules. **Mayor Aswell** said the joint meeting was rescheduled for Tuesday, October 18, at 7:00 p.m. and that a meeting notice was posted accordingly.

Article V. PUBLIC HEARING – Continued

Mayor Aswell explained that while most of the ordinance text amendments listed for the Public Hearing are to be discussed at the joint meeting, Council could consider at this meeting, the last two items listed. He noted that Items 3 and 4 have nothing to do with the Design Standards for discussion in the joint meeting.

He advised also, that the Rockingham County Historical Society will be moving their museum offices into the old courthouse, and that Council may want to go ahead and consider the recommendation to add “museum” to the Table of Permitted Uses.

Mayor Aswell asked **Ms. Stacy Tolbert** from the Planning Department to address Council concerning Items 3 and 4.

Ms. Tolbert advised, “I am here tonight to present to you the changes for your Wentworth Town Planning and Zoning Ordinance. The first thing the mayor mentioned was to amend the Table of Permitted Uses to include museum and art gallery in the Public Library line item. The only thing this does is to allow museums and art galleries in the same zoning districts that public libraries are already allowed in—Office and Institutional, Central Business District, Central Business District-Secondary, Community Shopping, and Highway Commercial-1...”

Ms. Tolbert said this change would allow the Rockingham County Historical Society to move into the museum space at the old county courthouse. She asked Council if they had any specific questions for her about the addition of museum and art gallery to the Public Library line item.

There were no questions and **Ms. Tolbert** moved on to Item 4, about the change in definition for bona fide farm.

She explained, “The State recently changed this definition in the General Statutes. What it does, mostly, is take out where it says, ‘having a domestic and foreign market’. What this does also, under Jurisdiction, is mimic the language of the State so that your ordinance is coherent with the North Carolina General Statutes definition of Bona Fide Farm.”

Ms. Tolbert asked if Council had any questions regarding changes to the definition for Bona Fide Farm. There were no questions from Council.

Article V. PUBLIC HEARING – Continued

Mayor Pro Tem Belcher made a motion, *“To approve the ordinance text amendments to Chapter 1. Definitions for Bona Fide Farm, and that we approve the text amendments to Chapter 2, Article III. Jurisdiction, and also, in Chapter 2, Article III. Section 4. Table of Permitted Uses to include museum and art gallery in the public library line item, and that we adopt the supporting Statements of Consistency as required by North Carolina General Statute 160A-382b and 160A-383, and as outlined in the Town Council’s Analysis and Statement.”*

Councilwoman Powell seconded the motion.

Town Attorney, Fred Baggett, advised, “Mayor, the motion is fine, but you should ask if anyone else would like to speak at this Public Hearing, for the Minutes.”

There were no signatures on the Public Hearing “Speaker Register”, but **Mayor Aswell** asked if anyone else would like to speak. No one came forward.

Mayor Aswell noted a motion and a second on the floor and asked for discussion. There was no discussion. All voted in favor and the motion carried.

Mayor Pro Tem Belcher made a motion, *“That we table consideration of the remaining revisions to the Town of Wentworth Planning and Zoning Ordinance for Chapter I. Definitions for Video Lottery Games, Lottery Terminal, and Chapter 2, Article V. Establishment of Districts, and Article VII. District Regulations, Article VIII. Dimensional Requirements, Article IX. Off-Street Parking and Loading Requirements, and Article XV. Landscape, Design, and Site Standards, and that we continue the Public Hearing at our November 1st Town Council Meeting, at 7:00 p.m.”*

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

Mayor Aswell made a motion, *“To close the Public Hearing, as to the last two items approved (definition for Bona Fide Farm & Jurisdiction text, and adding Museum and Art Gallery to the Public Library line item on the Table of Permitted Uses), and continue the rest of the items until the next meeting.”*

Mayor Pro Tem Belcher seconded the motion. All voted in favor.

Article VI. OLD BUSINESS

There was no Old Business on the Agenda and none added for discussion.

Article VII. NEW BUSINESS

A. Presentation of Audit Report for Fiscal Year 2010-2011

- Mr. Rex Rouse / Rouse, Rouse, Penn & Rouse, LLP / Eden NC

Mayor Aswell acknowledged the Town Auditor, Rex Rouse, who presented the audit report.

Mr. Rouse began his review by referring Council to Page 1 for the Independent Auditor's Report, and noted: "I state in the first paragraph that we have audited the financial statements of the Town of Wentworth, and in the second paragraph, that we conducted our audit in accordance with generally accepted auditing standards."

"In the third paragraph, 'In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the financial position...of the Town of Wentworth'. So, it is a clean opinion again this year."

Mr. Rouse asked Council to turn to *Page 29* for the Comparative Balance Sheets for the General Fund.

He explained, "The Cash and Investments are down from \$955,000 to \$754,000 and that is primarily a result of buying the house and land over here. **Accounts Receivable** was up from \$103,000 to \$105,800; Accounts Payable was down from \$21,451 to \$1,226. You had an invoice that was outstanding on the building last year, and that's why that was so high."

Mr. Rouse said the Retirement Payable, "was about the same—\$4,346 last year and \$4,455 this year."

The report showed Total Fund Balances of \$1,033,000 last year, down to \$834,637 this year. **Mr. Rouse** commented, "That is primarily because you used the money to buy the land and the house..."

Moving to the Income Statement of the General Fund, beginning on *Page 30*, **Mr. Rouse** noted, "Local Option Sales Tax—last year you collected \$456,000 and this year it is up to \$468,000. The Inter-Governmental Transfers—Beer and Wine, and Franchise Tax were up from \$112,000 to \$124,000."

Mr. Rouse continued, “Interest on Investments was down, primarily the result of even lower interest rates. You received rental income of \$4,164 from the house you bought, and had Other Unrestricted Revenue of \$2,527 compared with \$471.00 last year. So, your **Total Revenue** was up from \$570,758 to \$599,884—up about \$30,000.”

“Going on to the Expenditures on *Page 31*, the General Government Expenditures last year were \$225,000 and this year they were down to \$215,000. The Legal Expense was down from \$14,830 to \$8,817; Miscellaneous Other Operating Costs were down from \$8,132 to \$1,742. I think those were the main two items that were down.”

“At the top of *Page 32*, you had the Home and Land Acquisition of \$222,195 and that had significant impact on the Financial Statements. Economic Development was the same as last year, the Cultural and Recreational total was up from \$5,180 to \$7,622; Public Safety was up significantly—you paid \$86,350 for Water Improvements that you didn’t have last year, and you bought a patrol car and equipment which cost \$33,854. So, your Total Public Safety was up from \$88,332 to \$201,939.”

Mr. Rouse said that Planning and Zoning costs were close to last year and that Debt Service, “...interest and principle on the debt on the building now, was \$63,403 last year and \$65,796 this year. So, your Total Expenditures were up from \$457,000 to \$777,000. Last year your Revenues exceeded Expenditures by \$114,000 but this year the Expenditures exceeded the Revenues by \$177,000.00:

“On *Page 33*,” said **Mr. Rouse**, “Last year you transferred \$100,065... from the Capital Project Fund back to the General Fund because there was unspent money in the Capital Project Fund, and the building was complete. This year, you transferred \$25,000 to the Capital Project fund for planned Recreational Grounds and Facilities.”

Mr. Rouse continued, “If you will turn to *Page 7*, the General Fund is presented on a *Modified Accrual Method* and doesn’t reflect the Capital Assets or the Long-Term Debt of the Town, but the statement on *Page 7* is the *Government-Wide Financial Analysis*, prepared on the *Full-Accrual Method*. The biggest differences you see are that the Capital Assets are reflected in here. At the beginning of the year you had Capital Assets valued at cost, less accumulated depreciation of \$1,631,000 and at the end of the year, your Capital Assets were \$1,816,000. That increase was a result of the land and building and also reflects the long-term debt—the notes payable for the building purchase.”

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“At the beginning of the year, you owed \$395,800 and at the end of the year, you owed \$346,000 because you paid off some on the principle on that. Overall, your Total Net Assets were *increased* from \$2,268,000 to \$2,330,000.”

Mr. Rouse advised, “These were the highlights of the Financial Statements, unless someone has a question.” There were no questions from Council.

Mr. Rouse referenced two letters—“A SAS-114 Statement on Auditing Standards—the one that states our responsibilities under the Generally Accepted Auditing Standards and the significant audit findings. I think the most import thing in this letter is in the middle of the second page—Difficulties Encountered in Performing the Audit.”

Mr. Rouse said, “We stated, ‘We encountered no significant difficulties in dealing with management in performing and completing our audit.’”

“The other letter,” said **Mr. Rouse**, “is a SAS-115 letter, a statement on Auditing Standards 115, what used to be called a Management Letter, and we have the same item here that we always have—lack of segregation of duties. We have this as an inherent weakness in internal control for all small units of governments and all not-for-profits. You just can’t have the division of duties that you want to have...like in a bank or...”

Mr. Rouse read directly from the letter, as follows:

“Because of the limited number of personnel employed by the Town, it is not practical to have an adequate separation of duties. The same employee makes the deposits, posts cash receipts and disbursements to the general ledger, and reconciles the bank accounts. Although this is a material weakness in internal control, the internal controls for the disbursements are somewhat stronger because of budgetary controls and the independent dual signature check-signing requirement. Also, a council member reviews the bank statements and bank reconciliations. The weakness in internal control relative to receipts is greatly mitigated by the fact that nearly all of the receipts of the town are directly deposited by the NC Department of Revenue.”

He added, “You don’t have a Water and Sewer Fund where you have a lot of individuals making payments for deposits and you don’t have the separate tax levy, so you just don’t have a lot of the problems the other towns have.”

Mr. Rouse said this completed his report and asked Council if they had any questions concerning the audit. He stated, "It was very enjoyable doing this audit, working with Brenda and Yvonne. They are always very cooperative and 'Johnny on the spot' with my questions, and in getting everything ready for the audit."

There were no questions from Council, but they thanked Mr. Rouse for the report.

Article VII. NEW BUSINESS

B. Consideration of Recommendation by Town Attorney to Unseal Closed Session Minutes of June 1, 2010 and Closed Session Minutes of June 14, 2010

- Fred Baggett, Town Attorney

Mr. Baggett advised, "Mayor, the State law...Open Meetings Law, requires that when the reason for confidentiality in having a closed meeting is over, there is no purpose still served by keeping the Minutes private, that they must be released and made public. Brenda (Town Clerk) has done a good job during the time I've been with you, in identifying sets of minutes that are old and need to be released, and these are two sets that she and I both have reviewed, and we recommend that you authorize them to be declared public."

Mayor Aswell made a motion, "*That we unseal the Closed Session Minutes of June 1, 2010, and Closed Session Minutes of June 14, 2010.*"

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

C. Approval for the Record: Proclamation in Recognition of the 175th Anniversary of Wentworth United Methodist Church, Wentworth, North Carolina

- Town Administrator, Brenda Ward

Mrs. Ward explained, "I presented the Proclamation to the church on Sunday (10/2/11), and read it on behalf of the Town Council. They were very appreciative.

"So you did read it for them?" **Councilwoman Conner** asked.

"Yes, nobody else could do it," **Mrs. Ward** replied.

Mayor Pro Tem Belcher made a motion, *“That we approve the Proclamation in Recognition of the 175th Anniversary of Wentworth United Methodist Church.”*

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

Article VII. NEW BUSINESS – Continued

D. UPDATE on the Town of Wentworth 2011 Christmas Parade

- Yvonne Russell, Parade Coordinator

- * Parade “In Memory of Deputy Clarence Cheshire” (No Grand Marshal?)**
- * Usual & New Attractions: Bag Pipers / Merchants Float / Pink Heals / Miss North Carolina & Mr. & Mrs. Santa Claus!**
- * Council’s “Ride”**
- * Need everyone’s help!**

Mayor Aswell asked **Mrs. Russell** to update Council.

Mrs. Russell said, I just wanted to give you an update and go over what we have started on, but of course we still have a lot to do. One thing we have talked about, is that in lieu of a Grand Marshall, we want the parade to be in memory of Clarence (Deputy Cheshire), of course, and someone suggested that the 911 Staff and some of the Sheriff’s deputies carry a banner in memory of Clarence, at the beginning of the parade. Possibly, we could have his sister, Mildred, ride with Travis (Deputy Loftis) in the lead car...if y’all are okay with that.”

Mrs. Russell advised that the parade will include the usual attractions—bag pipers, Pink Heals (Pink Fire Truck Promoting Breast Cancer Awareness), and two professional floats, one for the local merchants and one for Santa Claus.

Mrs. Russell said that Miss North Carolina is a new attraction for this year’s parade. She mentioned that a vehicle will need to be secured for Miss North Carolina to ride in.

Mrs. Russell asked Council if they would like to ride in cars, a truck, or the tractor/trailer like they did last year.

She noted that parade entry forms are available on the Town website, ads are running in the local papers, and that entry forms and letters have been mailed to those who were in previous parades.

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Mrs. Russell advised Council and the audience that they could pick up parade entry forms in the back of Council Chambers, and asked that they hand them out in their churches and to others.

“As far as help needed,” **Ms. Russell** said, “We could use a lot of help this year *before* the parade—filling up candy bags, posting line-up numbers on Wilson Way before the parade, putting out Performance Stop signs, the Judging Area signs, and parking signs. If Council decided to use some sort of float rather than a vehicle, we will need help decorating that before the parade.”

“On the day of the parade, we will need someone to pick up vehicles for the parade, one for Miss North Carolina and any others we will need. Clarence always worked it out with one of the local car dealerships to supply cars, so we would need someone to go pick those up.”

“We need someone to work at the Judges’ Station—setting that area up, getting them coffee, helping them after the parade to get the votes tallied. Someone needs to get Santa on the float and pick him up at the end of the parade, to bring him back to the Town Hall for his visit with the kids. We would also like to have someone here at the Town Hall to serve cookies and cocoa to the kids.”

Councilwoman Conner asked **Ms. Russell**, “Who will be the judges this year?”

Mrs. Russell said the decision on judges had not been made yet.

The **Town Administrator** added, “We are open to suggestions if you have any. I’ve been tossing around some names in my head.”

Councilwoman Conner said, “I thought it was done really fair last year...having real judges.” **Mayor Aswell** agreed and said it would be nice to get the same ones as last year.”

Mrs. Ward said, “I’m not sure if maybe we should change the judges from year to year, or try to get the same ones.”

Mayor Aswell said, “As far as our ride, I would like to get the tractor again, like we did last year.”

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Mayor Aswell asked, "How many vehicles will be needed?"

Mrs. Russell replied, "One for Miss North Carolina and maybe for the Commissioners..."

Deputy Loftis said he could ask at Tri-City Ford (Eden) about a Mustang convertible for Miss North Carolina.

Mrs. Russell said she believed the County Commissioners all rode in the back of a truck last year, except for Commissioner Kallam who rode with Sheriff Page.

Mrs. Russell said she would get with Deputy Loftis later after she determines the number of vehicles needed.

Mayor Aswell said he will check with Smith-Stokes dealership as well.

Councilwoman Conner asked if Council should set aside some time, or have a planning session on the parade.

Mrs. Russell said, "That might not be a bad idea."

Mayor Pro Tem Belcher said, "Perhaps a parade committee would work."

Mrs. Russell said, "We can assign duties to people, even if it's something small. It all adds up...there are a lot of small things everyone could chip in and do."

Mrs. Russell asked, "Do you want us to contact John Deere Tractor Supply about the tractor and trailer?" There was no opposition.

Mrs. Russell asked, "When do you want to schedule a planning session?"

Mrs. Ward cautioned that everyone getting together would constitute a public meeting that should be advertised. She suggested only a couple of council members at a time, along with anyone else who volunteers.

The **Town Attorney** agreed, saying, "Right. Keep it at two (council members)."

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Mrs. Russell concluded, "That's all I have unless you have some more questions or suggestions."

There were no additional questions or discussion on the parade.

Article VIII. PUBLIC COMMENTS

Mayor Aswell advised that no one signed the Speaker Register for public comments.

Article IX. ANNOUNCEMENTS

- The next regularly scheduled meeting of the **Wentworth Planning Board** is **Tuesday, October 18, 2011**, in Town Hall Council Chambers at **7:00 p.m.**

NOTE: This will be a **joint meeting with the Town Council** to discuss possible Ordinance Text Amendments pertaining to the Central Business District and Proposed Overlays.

- The next regular meeting of the **Wentworth Town Council** will be in the Town Hall Council Chambers on **Tuesday, November 1st, 2011, at 7:00 P.M.**
- **Election Day is Tuesday, November 8th
DON'T FORGET TO VOTE!**

Article X. A D J O U R N

Mayor Aswell made a *motion to adjourn*. **Mayor Pro Tem Belcher** seconded the motion. All voted in favor and the motion carried.

Respectfully Submitted By: _____
Brenda Ward, Town Clerk

Approved: _____
Robert Aswell, Mayor