



**TOWN OF WENTWORTH
MINUTES
OF
THE TOWN COUNCIL MEETING
WENTWORTH, NORTH CAROLINA
OCTOBER 7, 2014
7:00 p.m.**

The regular monthly meeting of the Wentworth Town Council was held on Tuesday, October 7, 2014, at the Wentworth Town Hall at 7:00 p.m.

Council Members Present: Mayor Pro Tem Evelyn Conner, Cheryl Moore, Dennis Paschal III, Iris Powell

Council Members Absent: Mayor Dennis Paschal, Jr.

A quorum was present.

Staff Present: George Murphy, Town Administrator
Yvonne Russell, Clerk/Finance Officer

Others Present: Patrick Kane, Attorney – Smith Moore Leatherwood
Stacy Tolbert, Planner – Rockingham County
Gayle Carter, Realtor – Real Estate Solutions, Inc.
Boy Scout Troop 701

Article I. Call to Order

Mayor Pro Tem Evelyn Conner called the meeting to order.

Article II. Invocation

Councilwoman Iris Powell gave the invocation.

Before moving on to the approval of the Town Council Agenda, **Mayor Pro Tem Conner** welcomed **Boy Scout Troop 701** to the Wentworth Town Council meeting. Troop 701 attended the meeting as part of a requirement for learning more about local government through direct experience. Troop 701 also received several flags (US and NC) from the Town for formal retirement.

Article III. APPROVAL OF TOWN COUNCIL AGENDA –

A. Requests and Petitions of Citizens

Mayor Pro Tem Conner acknowledged that **Gayle Carter** signed the speaker register for the public hearing for consideration of Case #W2014-003, a request to rezone from Office and Institutional to Residential Protected.

B. Approve/ Amend Agenda

Councilman Dennis Paschal, III made a MOTION, *“To add Gayle Carter to the agenda”*.

Councilwoman Powell seconded the motion. All voted in favor and the motion carried.

Mayor Pro Tem Conner made a MOTION, *“To accept the agenda with the addition”*.

Councilman Paschal III seconded the motion. All voted in favor and the motion carried.

Article IV. Approval of Minutes for September 2, 2014

Councilwoman Powell made a MOTION, *“To accept them as written”*.

Councilman Paschal III seconded the motion. All voted in favor and the motion carried.

Article V. Public Hearing

A. Case #W2014-003: A Request for Rezoning from Office and Institutional to Residential Protected. Property Identified as Tax PIN 7976-01-35-1115 (NC 65, across from Tyre Dodson Rd)

Owner: Melissa Seiler, represented by Gayle Carter

Presented by: Stacy Tolbert, Rockingham County Planner

Mayor Pro Tem Conner called the public hearing to order and read the case description. She then asked Stacy Tolbert, Planner for the Rockingham County Planning Department, to present the request. Ms. Tolbert represents the Town of Wentworth in this rezoning request, per the contract between the Town of Wentworth and Rockingham County for planning and zoning services.

Ms. Tolbert read the Criteria for Board Consideration for Case# W2014-003: A request for rezoning from Office and Institutional to Residential Protected. (Note: The Staff Report is herein incorporated and made a part of these minutes.)

**TOWN OF WENTWORTH
CRITERIA FOR BOARD CONSIDERATION**

Applicant: Melissa Seiler
Request: Case #W2014-003: A request for Rezoning from Office and Institutional to Residential Protected.
Identification: The property is identified as Tax PIN 7976-01-35-1115.

1. **Acres / Square Footage of Proposal:**
+/- approx. 0.56 acres
2. **Zoning Classification of Adjacent and Surrounding Parcels:**
The adjacent parcels are zoned Office and Institutional and Residential Protected.
3. **Conformity with the Wentworth Land Use Plan:**
The intended use of this area is residential and this property is located in the Village Activity Center according to the Town of Wentworth Future Land Use Map. Generally, Residential growth describes low to medium density, single family homes in neighborhoods, and uses which support of complement residences. Generally, the Village Activity Center area should focus on the historical center of the community, and should be designated to allow for a variety of medium intensity uses that are compatible in scale and design with a pedestrian friendly 'village' concept.
4. **Character and Land Uses of Neighborhood and Surrounding Community:**
The neighborhood is being used mainly for institutional and residential purposes.
5. **Topographical Features / Problems of the Surrounding Area:**
Soils - The *Soil Survey of Rockingham County, North Carolina* indicates the soils in the area are steep, deep, well drained soils that have a loamy surface layer.
Watershed - The property is in the Dan River-Eden Watershed WS-IV Overlay District.
Wetlands - The US Department of the Interior National Wetlands Inventory map for Reidsville indicates that there are no wetlands on the property.
Flood Plain - The property is not in a flood plain area as indicated by the Federal Emergency Management Agency's flood insurance rate map #3710796600J.
6. **Utilities / Services:**
Dan River Water and a septic system serve the lot.
7. **Planning Staff Recommendation:**

The following factors were considered by the staff before making a recommendation:

1. *The size and nature of the tract in question.* The tract for rezoning is approximately 0.56 acres which is a grandfathered lot.
2. *The compatibility of the zoning action with the comprehensive plan.* This request is for a straight rezoning to Residential Protected and generally supports the intent and descriptions of the Residential Growth Category and the Village Activity Center in the Wentworth Land Use Plan.
3. *The benefits and detriments resulting from the zoning action for the landowner of the Rezoning, the neighbors, and the surrounding community.* This request would allow land uses complimentary to the land uses of those existing in that area and would not put any undue hardships on the neighbors.
4. *The relationship between the uses envisioned under the zoning classification and the uses currently present in adjacent tracts.* This request would allow the same uses that are present in adjoining tracts which are zoned Residential Protected.

After reviewing the application, Staff concludes that the necessary materials have been submitted for the application to be processed for consideration by the Planning Board and Town Council. It is the opinion of Staff that, as a whole, this zoning amendment supports the intent and descriptions of the Wentworth Land Use Plan. Staff notes that there are 23 allowed uses in the Residential Protected zoning district. Of those 23 uses, 11 are allowed by right, 4 are allowed with design standards, and 8 are allowed with a special use permit. When making the decision for a straight rezoning to a Residential Protected zoning district, the Council must consider all 23 allowed uses and disregard any specific testimony referencing current or future use. Staff also notes that this rezoning is a straight rezoning and, therefore, will have no conditions imposed upon it.

Based on Staff's analysis, Staff recommends approval of Case #W2014-003, a request for a Rezoning from Office and Institutional to Residential Protected.

**TOWN OF WENTWORTH
USES IN RESIDENTIAL PROTECTED ZONING DISTRICT**

Uses Permitted by right. Zoning Permit may be required.

1. Accessory uses
2. Agricultural uses (not regulated)
3. Auction Sales, temporary one-time use
4. Churches and their customary uses including child care on premises
5. Clubs and lodges, private, non-profit
6. Day care—5 or fewer persons
7. Golf courses
8. Home occupations
9. Residence, single family detached
10. Sign, on premises
11. Temporary building, incidental to development

Uses Permitted with Design Standards or other standards. Zoning Permit may be required.

1. Agritourism Activities - Design Guidelines
2. Athletic Fields, recreation buildings, playgrounds, swim and racquet clubs (for no commercial gain) – not lighted
3. Family care homes (must be at least ½ mile from any other family care home)
4. Temporary Storage Units

Uses requiring Special Use Permit

1. Fire, sheriff, and emergency services
2. Manufactured housing, Class AA
3. Mobile home, temporary use – for residence
4. Planned unit development
5. Public utility substations and public works (water/sewer) facilities
6. Schools, academic
7. Temporary manufactured home (2nd principal building per lot)
8. Tourist Home(including bed and breakfast)

Types of Subdivisions

1. Major subdivisions—7 or more lots; or involves development or extension of new public or private streets
2. Minor subdivisions—6 or less lots and no development or extension of new public or private streets with all lots having access to an existing state maintained road; or 3 or less lots served by a private road
3. Secondary subdivisions—Division of property among heirs; or 1 less than 10 acre lot with the residual being greater than 10 acres remaining in the parent tract

Melissa Seiler

WREZ # 2014-003 Tax PIN 7976-01-35-1115



| | | |
|-----------------------|----------------------------|----------------------------|
| ▲ Fire Department | ■ 1,000 Foot Buffer | ■ Residential Agricultural |
| ■ Mobile Home | ■ Subject Property | ■ Residential Mixed |
| ● Residential | — Creeks | ■ Residential Protected |
| ▲ School Building | ■ Ponds & Rivers | ■ Office & Institutional |
| ■ Business | Zoning Districts | ■ Rural Commercial |
| ■ Church | ■ Residential Agricultural | ■ Neighborhood Commercial |
| ■ Government Building | ■ Residential Mixed | ■ Highway Commercial |
| | ■ Residential Protected | ■ Light Industrial |
| | ■ Office & Institutional | ■ Heavy Industrial |
| | ■ Rural Commercial | |
| | ■ Neighborhood Commercial | |
| | ■ Highway Commercial | |
| | ■ Light Industrial | |
| | ■ Heavy Industrial | |



1. Rockingham County Planning and Building Inspections Department Map Intended for Presentation Purposes Only.
2. Planning Staff only verifies structure types on properties within 1,000 feet of the request property. Red dots are vacant or unverified structures.

1 inch = 400 feet

Prepared By: Stacy Tolbert

Councilwoman Powell asked if the property owner plans to live in the house if it is rezoned.

Ms. Tolbert said she did not think so.

Ms. Tolbert explained that the structure on the property was originally built as a residence; however, the zoning was changed to Office and Institutional before Wentworth was incorporated. She also mentioned that an adjoining property is currently zoned Residential Protected.

Mayor Pro Tem Conner invited Gayle Carter to address Council.

Ms. Carter introduced herself and said she works for Total Real Estate Solutions located in High Point, NC. She stated that she is representing the property owner, Melissa Seiler, because Ms. Seiler is in Raleigh and unable to attend the public hearing.

Ms. Carter explained that Ms. Seiler's property has been for sale for approximately nine months, under the current zoning, with no real leads. Ms. Carter said that Ms. Seiler and she believe the current zoning is a handicap in selling the property, and rezoning to Residential Protected would be of great benefit in marketing the property.

Ms. Carter stated, "Because there is so much identical property around her that is already zoned Residential Protected, we feel like it is not asking for anything out of the ordinary".

Ms. Carter thanked Council for their consideration.

There were no further questions from Council.

Mayor Pro Tem Conner made a MOTION, *"To close the public hearing and move into regular session"*.

Councilman Paschal III seconded the motion. All voted in favor and the motion carried.

Mayor Pro Tem Conner made a MOTION, *"To approve the request for rezoning from Office and Institutional to Residential Protected for property identified as Tax PIN 7976-01-35-1115, and to adopt the Town Council Analysis and Statement"*.

Councilwoman Powell seconded the motion. All voted in favor and the motion carried.

(Note: The Town Council's Analysis and Statement is herein incorporated and made a part of these minutes.)

APPROVAL

MELISSA SEILER – RESIDENTIAL PROTECTED REZONING

TOWN COUNCIL'S ANALYSIS AND STATEMENT

The Wentworth Town Council approves the Residential Protected (RP) zoning amendment and adopts the following statements as required by NCGS § 160A-382(b) and § 160A-383:

1. The Council's action in adopting this zoning amendment is consistent with the adopted comprehensive plan because:

A. The comprehensive plan shows the area is appropriate for residential uses;

B. The Wentworth Planning Board adopted this statement:

"The Board has determined that the zoning amendment is consistent with the Wentworth Land Use Plan because the area is appropriate for the proposed land use; and the proposed land use is consistent with all other relevant maps or plans officially adopted by the Town Council. The Wentworth Land Use Plan recommends that the area be mixed use. This property is also located in the Village Activity Center. Generally, Mixed Use Growth Categories include medium density housing, community scale office or commercial properties, and "cottage" style industries. Generally, the Village Activity Center area should focus on the historical center of the community and should be designed to allow for a variety of medium intensity uses that are compatible in scale and design with a pedestrian friendly 'village' concept."

C. The tract for rezoning is approximately 0.56 acres which is a grandfathered lot;

D. The proposed rezoning is consistent with all other relevant maps or plans officially adopted by the Council, including the Town of Wentworth Land Use Plan and small area plans; and,

E. Additional comments concerning consistency with comprehensive plan:

2. The Council (in addressing spot zoning concerns) considers its action in adopting the proposed conditional use zoning amendment to be reasonable because:

A. The proposed zoning district allows appropriate uses for the land, considering its effect upon the entire community as a social, economic and political unit because

this zoning district would allow land uses complimentary to the land uses of those existing in that area and would not put any undue hardships on the neighbors;

- B. The size of the parcels is appropriate for the requested zoning district;
- C. The effects of the rezoning within the larger community context are positive because it would allow uses that are compatible with the adjoining properties and their allowed uses;
- D. On balance the following factors: (1) the size of the tract in question, (2) the compatibility of the zoning action with the comprehensive plan, (3) the benefits and detriments resulting from the zoning action for the owner of the newly permitted property, the neighbors, and the surrounding community, and (4) the relationship between the envisioned permitted use and the uses currently present in adjacent tracts weigh in favor of approving the proposed zoning amendment; and,
- E. Additional comments: _____

3. The Council considers its action in adopting this zoning amendment to be in the public interest because:

- A. The request would allow the same uses that are present in adjacent tracts which are zoned Residential Protected;
- B. Any future use of the property would have to meet or exceed all requirements and goals of the existing Planning and Zoning Ordinances and the comprehensive plan; and,
- C. Additional comments: _____

Article VI. Old Business

A. Post Office Project Update

Presented by: George Murphy, Town Administrator

Mr. Murphy reviewed his report on the Post Office construction project at 200 County Home Road. (Note: Mr. Murphy's report is herein incorporated and made a part of these minutes.)

Change Orders and Unanticipated Expenses

| | |
|--|--------------------------------------|
| Roof: Additional Materials (allowance cost): | \$4,705.00 |
| Retaining Wall (allowance cost): | \$1,872.00 |
| 200-B Light Fixtures | \$ 500.00 (Estimate) |
| 200-B, Side Exterior Light | \$ 500.00 (Estimate) |
| Add two (2), 2inch Conduit Lines | \$1,800.00 (TBA) (may be \$1,769.00) |
| Remove four (4) Maple Trees Instead of only two (2) at \$850.00 | \$1,400.00 |
| Replace Septic Tank and New Drain Field Line Instead of the guesstimate of \$2,500.00 | \$3,000.00 (TBA) |
| Add Additional Concrete to Chimney Side | \$ 500.00 (Estimate) |

*Note the reasoning behind the installation of the Data and Telephone Conduit from the street to the building as an example.

It appears to Yvonne and me that any and all of these expenses, whether attributed to a change order, or an anticipated change order, or work directed by the Town of Wentworth in addition to that specified in the contract with S&S Construction is within current budget parameters.

Yvonne and I have a meeting next week with Architect Jeff Johnson for greater clarity and more specificity to confirm that our calculations are accurate.

We are waiting for the remaining wood from the trees to be removed from the property before Billingsley will remove the existing septic tank, install the new septic tank, and install the new drain field line (approximately 280 feet in length).

Most of the interior electrical conduit work has been completed and passed inspection.

The interior heating and air conditioning duct work has been completed and passed inspection.

The rough plumbing work has been completed and passed inspection.

Insulation under the flooring under the post office half in the basement has been installed, and, once the insulation has been installed in the attic space on the 200-A side, the work will be inspected.

The two front awnings and the one side awning are in place and papered. Shingles will be added once the initial concrete pour has been completed and the concrete has set and been treated.

The base for the sidewalks has been placed, and forms have been added for the sidewalks. When the sidewalks have been poured, the way is cleared for installation of the exterior wall coverings.

The concrete pour scheduled for today was postponed until tomorrow due to concerns about possible rain today. At this time, the plan is to pour the sidewalk, loading dock, and the ramp and landing at the side entry door.

Windows, doors, and trim have been ordered.

There are still some questions about the repair of the finished flooring in the 200-A, post office side work room area. I will consult with Jeff Johnson about that finish next week.

The Rockingham County Building Inspector's approved Monday of the electrical conduit work, the plumbing work, and the heating and air conditioning work paved the way for the installation of insulation and drywall in the 200-A side. That installation began today.

I recommend a motion to approve the expenses presented here tonight, whether attributed to a change order, or an anticipated change order, or work directed by the Town of Wentworth in addition to that specified in the contract with S&S Construction.

Councilwoman Powell asked Mr. Murphy for the total cost of all the items in his report.

Mr. Murphy answered, "A flat figure, if you added all of that together, would be \$14,277, but at the last meeting we approved already spending \$2,500 on the septic system, and we knew that was speculative. We have increased that figure by \$500 because we think that's closer to what it is actually going to cost. There is some variation that is going to take place, for instance the lighting on the exterior, on the side, \$500 is a rough estimate. We think it's a liberal rough estimate."

Councilman Paschal III asked if there is an estimated completion date.

Mr. Murphy said they are hoping to complete construction by mid-November.

Councilman Paschal III said he was asking because the MARC is currently receiving rental payments from the USPS for space occupied by the Wentworth Post Office in the Wright Tavern. He suggested that the Town should communicate, with the MARC, a date that they can expect to lose the USPS as a tenant in the Wright Tavern.

Mr. Murphy noted that just because the construction is complete does not mean that the USPS will move in at that time. He said they are going to be on their own schedule.

Councilman Paschal III made a MOTION, “*That we approve the change orders which have been suggested by the Town Administrator*”.

Mayor Pro Tem Conner seconded the motion. All voted in favor and the motion carried.

Article VII. New Business

A. Amended Interlocal Agreement to Provide Consolidated 911 Service Within Rockingham County

Presented by: George Murphy, Town Administrator

Mr. Murphy discussed the primary differences between the original Interlocal Agreement adopted December 6, 2011 and the amended version which Council is considering at this time.

1. **FUNDING:** The amended agreement reads “Rockingham County Emergency Communications is intended to be a self-sufficient entity financed by 911 fees, grants, and local funds. Starting with the operational date, any 911 fees collected by the State of North Carolina and sent separately to the MUNICIPALITIES and the COUNTY will be combined and deposited in a special revenue fund established by the Rockingham County Finance Office for Rockingham County Emergency Communications operations. The Operational Date shall be the date that the combined communication center is open for operations. It is agreed that the COUNTY shall appropriate an amount it deems necessary to carry out the annual costs of personnel, maintenance, operation, repair and capital costs of the Rockingham County Emergency Communications.”

Mr. Murphy explained that the City of Eden and the City of Reidsville receive 911 funds from the State and operate their own communications systems. He said their intention is to turn those funds over to the County so that we have a single 911 center operating for the entire county. Rockingham County will be responsible for financing the center.

2. **GOVERNANCE BOARD:** The amended agreement lists the Governance Board as The Rockingham County Emergency Communications Governance Advisory Board.

Mr. Murphy remarked that this distinction is to emphasize that it is an **advisory** board.

Mr. Murphy informed Council that the County Commissioners and all of the municipalities, except Stoneville and Wentworth, have already approved the amended agreement.

Referring to the members of the Advisory Board, **Councilman Paschal III** noted that the agreement states “Two Police Chief representatives elected by majority vote from among a group consisting of one Police Chief from each municipality participating in this interlocal agreement (or his or her designee) and a representative appointed by the governing board of any participating municipality not served by a Police Chief”. He asked who would represent Wentworth since we do not have a Police Chief.

Mayor Pro Tem Conner and **Town Clerk, Yvonne Russell** both said that at a previous meeting Sheriff Sam Page said he would be the representative for Wentworth.

Town Attorney Pat Kane said, “The way I read this, under number 1 of the Governance Advisory Board, is that two Police Chief representatives will be elected from the municipalities that are serviced by Police Departments and a representative appointed by the governing board of any participating municipality not served by a Police Chief, which would be Wentworth.” He asked, “So are you saying that Sam Page has already been appointed as that representative?”

Mr. Murphy answered, “I know that he is on the Advisory Board at the present time”.

Mr. Kane said, “Isn’t he already on there as number 2?” (Note: Number 2 states “The Rockingham County Sheriff, or his designee”) He continued, “It strikes me that under this, Wentworth should be able to appoint a representative to this Advisory Board”.

There was more discussion about how to interpret number 1 under “The Governance Advisory Board shall include the following voting members:”

Mr. Kane explained, “The way I interpret number 1 is the other municipalities will choose two Police Chief representatives, and there will also be a representative appointed by the governing board of any municipality not serviced by a Police Chief, and that’s Wentworth. That’s the way I read this. I suppose it could be interpreted some other way, but I think the interpretation that I would see here is that Wentworth gets to appoint somebody to serve on this board.”

Councilman Paschal III said, “I don’t think that, either way, it affects whether we would approve the interlocal agreement...but that it would be a point of clarification that we would want to get”. **Mr. Kane** agreed.

Councilman Paschal III asked Mr. Murphy, “Does adopting the interlocal agreement mean that we’re going to see a change in the Governance Advisory Board...are they starting from scratch here?”

Mr. Murphy replied, “The way that I read the language is there is just a real emphasis on stating that this board functions as an advisory function”. He added, “I think part of it too came from...with the original agreement, it was something that was rushed pretty hard, and they were trying to think on the fly to get it going. I think that there was a lot of input from the different municipal governments and with the County on trying to work together to come up with the amended version.”

Councilman Paschal III made a MOTION, “*That we adopt the Amended Interlocal Agreement to Provide Consolidated 911 Service within Rockingham County*”.

Mayor Pro Tem Conner seconded the motion. All voted in favor and the motion carried.

Article VII. New Business

B. RCHS Winter Sports Posters

Presented by: George Murphy, Town Administrator

Mr. Murphy informed Council that he was contacted by someone from Scholastic Sports regarding purchasing ad space in the Rockingham County High School Winter Sports Schedule Poster. He explained that he was asked to present this information to Council and that he has no recommendation on purchasing an ad.

After discussing how the funds might be distributed to the school and whether this would be an appropriate expenditure for the Town, Council decided not to purchase an ad.

Article VIII. Public Comments

No one signed the speaker register for public comments.

Article IX. ANNOUNCEMENTS

Mayor Pro Tem Conner made the following announcements:

- The next regular meeting of the Wentworth Planning Board is October 21, 2014, at 7pm in the Town Hall Council Chambers.
- The next regular meeting of the Wentworth Town Council is November 4, 2014, at 7pm in the Town Hall Council Chambers.
- Election Day is November 4, 2014. Sample ballots are available on the agenda table at the entrance to the Council Chambers.

Mr. Murphy read the following email from Cycle NC Ride Director, Randy Billings.

Sent: Sunday, October 5, 2014, 12:00 p.m.

George,

“The stop in Wentworth was wonderful and our riders enjoyed it very much. Our staff commented several times how much we hated that it rained at your stop. While the riders fully enjoyed the stop, they would have gotten the full benefit of what you had to offer had the weather been better. Oh well, such is our business of moving 1,000 people across the state on bicycles. With weather aside, the safety provisions in Wentworth were the best we had anywhere. You were well covered with law enforcement and very impressive placement of message boards. Our executive director was most pleased with the presence of the message boards. One might not think they are that important, but they make a huge difference for us.”

“Again, thank you so much for your hospitality and your concern for our safety. You can be assured that as CNC comes to your neck of the woods in the future, Wentworth will be prominently on the radar screen.”

Randy

Article X. A D J O U R N

Mayor Pro Tem Conner made a MOTION, “*We adjourn*”.

Councilman Paschal III seconded the motion. All voted in favor and the meeting adjourned.

Respectfully Submitted by: _____
Yvonne Russell, NCCMC
Town Clerk

Approved by: _____
Robert Dennis Paschal, Jr.
Mayor