



MINUTES
WENTWORTH TOWN COUNCIL
January 4, 2022
7:00 pm
Wentworth Town Hall
124 Peach Tree Road, Wentworth NC

The Wentworth Town Council held their regularly scheduled monthly meeting at the Wentworth Town Hall, on Tuesday, January 4, 2022 at 7:00pm.

Council Members Present: Mayor Dennis Paschal Jr., Mayor Pro Tem Evelyn Conner, Daryl Crowder, Cheryl Moore, Dennis Paschal III

Council Members Absent:
A quorum was met.

Staff Present: George Murphy Sr., Town Administrator
Yvonne Russell, Town Clerk & Finance Officer

Others Present: Ellis Martin, Attorney, Fox Rothschild LLP – Town of Wentworth
Hiram J. Marziano, II, MPA CFM, Community Development Director
La-Deidre Matthews, Associate, Fox Rothschild LLP – Strata Solar

Article I. CALL TO ORDER
Mayor Dennis Paschal Jr. called the meeting to order.

Article II. INVOCATION
Mayor Paschal gave the invocation.

Article III. APPROVAL OF TOWN COUNCIL AGENDA
A. Requests and Petitions of Citizens
B. Approve/ Amend Agenda

Mayor Paschal made a **MOTION**, “To add ‘Consideration for Budget Amendment No. 1 for FY2021-2022’ under New Business E”.

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

Mayor Paschal made a **MOTION**, “To approve the amended agenda”.

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

Article IV. APPROVAL OF MINUTES

A. Town Council Meeting – November 4, 2021
B. Town Council Meeting – December 7, 2021

Mayor Paschal made a **MOTION**, “We approve both sets of minutes”.

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

Article V. OLD BUSINESS

Article VI. NEW BUSINESS

A. Consideration of Resolution Providing an Extension of Developmental Approval for Case #WW2018-001 (Solar Farm) until July 1, 2022

George Murphy explained the need for a Resolution to extend the Developmental Approval for a Solar Farm Special Use request from 2018. (Note: Mr. Murphy's presentation is herein incorporated and made a part of these minutes.)

**Administrator's Notes Regarding the Resolution and Case # WW-2018-001
To Town Council, Tuesday, January 4, 2022**

The process of developing the Resolution under consideration at the January 4, 2022, regularly scheduled Town Council meeting involved the following individuals:

- Employed Staff (Yvonne Russell and George Murphy);
- Mayor R. Dennis Paschal, Jr.;
- Contracted Staff (Hiram Marziano, Director of Rockingham County Community Development, with whom the Town of Wentworth contracts for planning, zoning, and central permitting services and Lynn Cochran, Wentworth-designated planner;
- La-Deidre Matthews, Associate Counsel from Fox Rothschild, LLP, who, along with Tom Terrell, is representing Strata Solar, the applicant in Case # WW-2018-001, for the establishment of a large-scale solar energy system on property located in the corporate limits of the Town of Wentworth.

This project has the approval of the North Carolina Utilities Commission.

Fox Rothschild's opinion is that the permit is vested in common law based upon a decision in the Morris Communications v. Town of Bessemer City case; however, Case # WW-2018-001 differs from Morris Communications in that the Special Use Permit (SUP) was agreed upon by both the applicant and the Town and was included in condition # 5 of the SUP (see ¶ 4 of the Resolution).

Tom Terrell provided a waiver at the time of the original application since both he and the Town's attorney, Ellis Martin, are employed by Fox Rothschild LLP; however, in this particular instance, Ellis is unable to provide an opinion regarding this matter, and it was left to staff, both employed and contracted, to devise a viable solution.

After his review, Hiram Marziano identified three (3) options for the Town to consider:

1. At the direction of the Town, he and his staff should deny the permit application and force the applicant to appeal to the Board of Adjustment;
2. At the direction of the Town, he and his staff should require the applicant to repeat the entire application process with the Town, both the Planning Board and Town Council; or
3. He and his staff should perform a due diligence review of the circumstances and work with staff in drafting a Resolution that recognized the unique qualities of this particular case.

The following characteristics were taken into consideration: the review determined that the COVID-19 pandemic has functioned as an impediment to timely action with regard to this case (see ¶ 5 of the Resolution); this condition has already been recognized by the State of North Carolina (see ¶ 6 of the Resolution); after gaining approval from the North Carolina Utilities Commission, Case # WW-2018-001 was reviewed and recommended by the Wentworth Planning Board, and, in its own hearing, the case was approved by the Wentworth Town Council; and during those hearings, the concerns of residential citizens were addressed to their satisfaction.

The Mayor stated that he would contact those interested citizens to ensure that moving forward was still agreeable.

After discussions with staff and after review and input from contracted staff, the Mayor agreed that a Resolution for consideration by Town Council was appropriate.

The essential effect of this Resolution will be to extend the timeline as defined in condition # 5 of the SUP to the date of July 1, 2022.

If the Resolution is approved, I am uncertain if it will be necessary for the Resolution be recorded with the Rockingham County Register of Deeds as the results of Case # WW-2018-001 were recorded, but I will seek a response to that inquiry if Town Council approves the Resolution.

It is my understanding that Fox Rothschild, LLP and its client, Wentworth Farm, LLC, Strata Solar, are willing and able to meet this new deadline if the Resolution is adopted this evening.

Does Town Council direct me to read the text of the Resolution?

If any member of Town Council has any questions of me, I will entertain those now. Additionally, I remind Town Council that La-Deidre Matthews is also present and is willing to respond to any questions as well.

Respectfully,
George T. Murphy, Sr., Administrator

Mr. Murphy read the proposed resolution.

(Note: The Resolution Providing an Extension of Developmental Approval for Case #WW2018-001 is herein incorporated and made a part of these minutes.)



**TOWN OF WENTWORTH
RESOLUTION
PROVIDING AN EXTENSION OF DEVELOPMENTAL APPROVAL
FOR CASE # WW2018-001 UNTIL JULY 1, 2022**

WHEREAS, on October 2, 2018, after deliberation that included a favorable recommendation by the Town of Wentworth Planning Board, the Wentworth Town Council (Town) did approve a Special Use Permit (SUP) for the establishment of a large-scale, solar energy system to be located at the property represented by Tax PIN 7976-02-76-6846; and

WHEREAS, this approval was given in writing to Wentworth Farm LLC, Strata Solar (Applicant); and

WHEREAS, the approval included conditions agreed to by Town and Applicant that are recorded with the Rockingham County Register of Deeds, Book 1554, Page 1290; and

WHEREAS, condition # 5 reads as follows: "Local permits for this project must be obtained by the applicant within 2 years from the date of approval of the Special Use Permit. Otherwise, the SUP shall become null and void;" and

WHEREAS, due to complications resulting from the recognized COVID-19 pandemic, application and receipt of local permitting has been delayed; and

WHEREAS, the State of North Carolina has recognized a need to extend permit expirations to compensate for labor, supply, and other resource scarcity; and

WHEREAS, the Town recognizes that this need may also apply to the conditions specified in the approval of Special Use Permits in general.

NOW, THEREFORE, BE IT RESOLVED, the Town recognizes the extenuating circumstances of the COVID-19 pandemic and the effects it has had on development; and

BE IT FURTHER RESOLVED, the Town recognizes that the SUP granted to Wentworth Farm LLC, Strata Solar is impacted by the pandemic; and

BE IT FURTHER RESOLVED, the Town recognizes that condition # 5 contained in the SUP of Case # WW2018-001 shall be interpreted as having a deadline for compliance of July 1, 2022.

ADOPTED, this the 4th day of January, 2022.

R. Dennis Paschal, Jr., Mayor

Attest:

Yvonne Russell, Town Clerk

Mayor Paschal asked if the applicant was firm on the proposed July 1, 2022 date.

LaDeidra Matthews, Associate at Fox Rothschild LLP, representing Solar Strata, explained they are awaiting word from Duke Energy to obtain the permits they need to proceed and feel certain they will have them by July 1, 2022.

Councilmember Paschal III asked if all the conditions placed on the original approval would still stand.

Mr. Murphy explained the original approval and conditions therein will be the same, and the only change will be the deadline to obtain permits and start construction.

Mayor Paschal made a **MOTION**, *“We approve the Resolution Providing an Extension of Developmental Approval for Case #WW2018-001 (Solar Farm) until July 1, 2022”*.

Councilmember Daryl Crowder seconded the motion. All voted in favor and the motion carried.

Article VI.

NEW BUSINESS

B. Consideration of Bank Proposals for Town of Wentworth Accounts

Yvonne Russell, Town Clerk & Finance Officer reviewed a spreadsheet of the proposals received from three local banking institutions. She explained that each proposal was fairly lengthy and she only included the services the Town uses or would use in the spreadsheet.

Ms. Russell’s recommendation listed in the spreadsheet reads, ‘HomeTrust Bank, in my opinion, is the preferable option because even though they do not offer interest on their Business Advanced Checking Account, they include two services that the other banks charge an additional fee for’.

Mayor Paschal made a **MOTION**, *“We have Yvonne contact HomeTrust Bank and see if we can get our accounts switched over to them”*.

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

(Note: Ms. Russell’s summary of bank proposals is herein incorporated and made a part of these minutes.)

	Interest on Checking	Monthly Fee	Remote Deposit	Merchant Services	ACH	Direct Deposit	SEP IRA	References
HOME TRUST	no	waived w/ balance of \$50,000 (with their Business Advanced Account)	yes (with their Business Advanced Account you get 2 free services)	yes	yes (with their Business Advanced Account you get 2 free services)	yes (included with account via ACH services)	yes	City of Eden, Cleveland Co, City of Shelby, (Town of Wentworth Park loan)

FIRST CITIZENS	yes. Compound daily and credited monthly	waived w/ balance of \$15,000	yes	yes	yes \$15/month	yes	?	Didn't offer any
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FIRST NATIONAL BANK	yes. 0.11%	none for checking	yes \$30/month with First Desktop Banker Service	yes	yes \$20/month	yes (part of ACH which is \$20/mo)	yes	City of Thomasville, Town of Holly Springs, City of Southport
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Summary: All three banking institutions offer comparable services and are well established in the community.

HomeTrust Bank, in my opinion, is the preferable option because even though they do not offer interest on their Business Advanced Checking Account, they include two services that the other banks charge an additional fee for such as Remote Deposit, and ACH (Automated Clearing House) services that we use for Direct Deposit to employees and direct payments from the State. Also, we already have a relationship with HomeTrust via the loan for construction of the Wentworth Park. Jonathan Jobe is the Regional President of HomeTrust Bank. The Town has worked with Mr. Jobe in the past and he has been very responsive to my questions during this process.

First Citizens bank offers a checking account that earns interest and the monthly fee is waived if you keep a balance of \$15,000. However, they do charge a \$15.00/mo fee for ACH services which would, in my opinion, negate the earning of interest on the checking account. **WAITING TO HEAR IF THEY OFFER A SEP IRA FOR RETIREMENT AND WHAT THE COST IS FOR REMOTE DEPOSIT.**

First National Bank offers an interest bearing checking account with no monthly fee; however, they charge a \$20.00/mo fee for ACH services and \$30/mo for Remote Deposit.

Article VI. NEW BUSINESS

C. Discussion of Digital Sign for Wentworth Town Hall

Mayor Paschal said he had mentioned a digital sign for the Town Hall to Ms. Russell and asked her to get some information together for Council.

Ms. Russell showed Council some examples of digital sign designs and gave Council an estimate that the Town received in August 2021 from Graphic Solutions. The estimate from Graphic Solutions is \$15,996.50 for installation of a 3'x6' full color programmable LED Sign with base structure, laptop for WIFI communication and programming, a 5 year warranty, and temperature and light sensor for weather display and auto dimming at dusk.

Councilmember Paschal III asked if the Central Business District Guidelines would come into play with a digital sign. He referenced the digital sign at Rockingham County Community College and said he seemed to remember some issues in getting their sign approved.

Mayor Paschal said the issue there was with the size of the proposed sign.

Ms. Russell explained that the Town property and the Community College's property are not zoned Central Business District but are within the NC 87-65 Highway Overlay District.

Mayor Paschal asked Ms. Russell to continue looking into a digital sign and get more estimates and information for the February meeting.

(Note: Since the meeting, Ms. Russell has checked the Zoning Ordinance and found the guidelines for signs in the NC 87-65 Highway Overlay District. The guidelines state, "Other than the exceptions listed below, signs shall be in conformance with Chapter 2, Article X." The guidelines address 'Ground sign' as such, "Any Ground sign braced to a post(s) shall be no greater than 36 square feet, shall measure at least 12 feet from ground level to the bottom of the sign face and shall be no taller than 18 feet. Any Ground sign attached to a contiguous structural base or planter box that is the same width or greater than the message portion of the sign shall be no greater than 24 square feet and no taller than six feet.")

Article VI. NEW BUSINESS

D. Consideration of Appointments to Wentworth Boards/Committees

1. Wentworth Planning Board and Board of Adjustment

- a) **Kyle Ambrose, 155 Rama Ln.**, current Alternate Member, to fill Daryl Crowder's term

Mayor Paschal made a **MOTION**, "*We appoint Kyle Ambrose to fill Daryl Crowder's term on the Wentworth Planning Board and Board of Adjustment*".

Councilmember Crowder seconded the motion. All voted in favor and the motion carried.

Ms. Russell reminded Council that Brian Benfield and Aaron Bailey's terms on the Planning Board have expired and replacements need to be appointed at the February Council meeting.

Article VI.

NEW BUSINESS

D. Consideration of Appointments to Wentworth Boards/Committees

2. Wentworth Minimum Housing Appeals Board Reappointments

a) Howard Steed, 8660 NC 87 – 1 year term

b) Wayne Seymour, 115 Cove Rd – 2 year term

Mayor Paschal made a **MOTION**, *“We approve Howard Steed for a 1 year term and Wayne Seymour for a 2 year term”*.

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

Ms. Russell reminded Council that Daryl Crowder’s seat on the Minimum Housing Appeals Board needs to be filled since he is now on the Town Council.

Article VI.

NEW BUSINESS

E. Consideration of Budget Amendment No. 1 for Fiscal Year 2021-2022

Ms. Russell reviewed the Budget Amendment.

Mayor Paschal made a **MOTION**, *“We approve Budget Amendment No. 1 for Fiscal Year 2021-2022”*.

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

(Note: Budget Amendment No. 1 for FY 2021-22 is herein incorporated and made a part of these minutes.)

**TOWN OF WENTWORTH
WENTWORTH, NORTH CAROLINA
BUDGET AMENDMENT NO. 1
FISCAL YEAR JULY 1, 2021 – JUNE 30, 2022**

1/4/22

MEMORANDUM

To: Mayor and Town Council
From: Yvonne Russell, Town Clerk & Budget-Finance Officer
Date: January 4, 2022
RE: Budget Amendment No. 1

The first Budget Amendment for the year reflects the transfer of funds in General Fund Expenditures from Miscellaneous Other Operating Costs to Capital Outlay/Property Improvements, Special Events, Board of Elections, and Property Maintenance/Service.

The attached Budget Amendment shows an *increase* in the following Expenditures:

- *Capital Outlay: Property Improvements* in the amount of \$27,000.00 for costs associated with improving the office space at 202 County Home Road (beside the Post Office).
- *Cultural & Recreational: Special Events* in the amount of \$3,006.00 for costs associated with the Wentworth Christmas in the Park celebration.
- *Professional Services: Board of Elections* in the amount of \$205.00 for the 2021 Election.
- *Town Property: Maintenance/Service* in the amount of \$17,500.00 for additional costs associated with the Wentworth Park and Wentworth Consolidated School Site.

The attached Budget Amendment shows a *decrease* in *Miscellaneous Other Operating Costs* in the amount of \$47,711.00 for the purpose of transferring funds to the aforementioned expenditures.

General Fund Total Budget Dollars — \$787,949.00 Remains unchanged.

Recommended by:

George T. Murphy Sr, Town Administrator

Yvonne Russell, Clerk & Budget-Finance Officer

TOWN OF WENTWORTH
 ANNUAL BUDGET ESTIMATES:
 REVENUES - EXPENDITURES
 FISCAL YEAR 2020-2021
 GENERAL FUND

REVENUE		
	Budget 2021 - 2022	Amendment No 1 2021 - 2022
INCOME ACCOUNT		
Sales and Use Tax	\$650,000.00	\$650,000.00
Utility Franchise Tax	\$110,000.00	\$110,000.00
Alcoholic Beverage Tax	\$11,000.00	\$11,000.00
Sale of Promotional Items	\$0.00	\$0.00
Interest on Investments	\$350.00	\$350.00
Sale of Town Property	\$0.00	\$0.00
Other Revenues	\$0.00	\$0.00
Rent	\$16,599.00	\$16,599.00
Transfer from Capital Reserve Fund for Recreation Grounds/Facilities	\$0.00	\$0.00
Revenue Subtotal:	\$787,949.00	\$787,949.00
Fund Balance Appropriation	\$0.00	\$0.00
Total Estimated General Fund Revenues	\$787,949.00	\$787,949.00
Total Estimated General Fund Expenditures	\$787,949.00	\$787,949.00

TOWN OF WENTWORTH
ANNUAL BUDGET ESTIMATES:
REVENUES - EXPENDITURES
FISCAL YEAR 2020-2021
GENERAL FUND

Object of Expenditures	Budget	Amendment No. 1
	2021 - 2022	2021 - 2022
GENERAL GOVERNMENT:		
Capital Outlay		
Office Furniture/Equipment	\$0.00	\$0.00
Property Acquisition	\$0.00	\$0.00
Property Improvements	\$30,000.00	\$57,000.00
Debt Service	\$93,531.00	\$93,531.00
Transfer to Capital Proj Fund	\$0.00	\$0.00
Subtotal:	\$123,531.00	\$150,531.00
Personnel Costs		
Bond Insurance	\$600.00	\$600.00
Disability Insurance	\$2,400.00	\$2,400.00
Medical Insurance	\$13,500.00	\$13,500.00
Workman's Comp Insurance	\$2,000.00	\$2,000.00
Gross Salaries	\$116,100.00	\$116,100.00
Employer Taxes (FICA)	\$16,100.00	\$16,100.00
Unemployment Insurance	\$0.00	\$0.00
Payroll Services	\$3,100.00	\$3,100.00
Retirement	\$5,727.00	\$5,727.00
Longevity	\$1,715.00	\$1,715.00
Subtotal:	\$161,242.00	\$161,242.00
Travel		
Lodging/Meals/Mileage	\$5,000.00	\$5,000.00
Schools/Conference Fees	\$5,000.00	\$5,000.00
Subtotal:	\$10,000.00	\$10,000.00
PAGE 2 -- SUBTOTAL:	\$294,773.00	\$321,773.00

TOWN OF WENTWORTH
ANNUAL BUDGET ESTIMATES:
REVENUES - EXPENDITURES
FISCAL YEAR 2020-2021
GENERAL FUND

Object of Expenditures	Budget	Amendment No. 1
	2021-2022	2021-2022
GENERAL GOVERNMENT:		
Other Operating Costs		
Administration:		
Mayor / Council	\$12,000.00	\$12,000.00
Miscellaneous	\$2,300.00	\$2,300.00
Advertising	\$1,700.00	\$1,700.00
Bank Charges	\$50.00	\$50.00
Dues/Membership Fees	\$2,000.00	\$2,000.00
Equipment Leases/Service	\$3,600.00	\$3,600.00
Miscellaneous OOC	\$102,339.00	\$54,628.00
Office:		
Office Supplies	\$3,000.00	\$3,000.00
Postage	\$1,400.00	\$1,400.00
Professional Services:		
Attorney Fees	\$30,000.00	\$30,000.00
Accounting Audit Fees	\$11,200.00	\$11,200.00
Board of Elections	\$5,000.00	\$5,205.00
Other Professional Services	\$250.00	\$250.00
Planning & Zoning	\$55,950.00	\$55,950.00
Publications	\$400.00	\$400.00
Technology Services:		
Computer/ Software Support	\$1,000.00	\$1,000.00
Internet Service	\$2,620.00	\$2,620.00
Phone & TV Service	\$2,600.00	\$2,600.00
Website Hosting	\$3,500.00	\$3,500.00
Town Property		
Insurance	\$22,000.00	\$22,000.00
Maintenance	\$40,720.00	\$58,220.00
Utilities	\$36,400.00	\$36,400.00
O.O.C. Subtotal:	\$340,029.00	\$310,023.00
PAGE 3 -- SUBTOTAL:	\$340,029.00	\$310,023.00

TOWN OF WENTWORTH
ANNUAL BUDGET ESTIMATES:
REVENUES - EXPENDITURES
FISCAL YEAR 2020-2021
GENERAL FUND

Object of Expenditure	Budget	Amendment No. 1
	2021-2022	2021-2022
General Government Total:	\$634,802.00	\$631,796.00
PUBLIC SAFETY		
Animal Control	\$10,000.00	\$10,000.00
Law Enforcement	\$63,916.00	\$63,916.00
Law Enforcement Equipment	\$9,718.00	\$9,718.00
Miscellaneous	\$13,913.00	\$13,913.00
<i>ReDirections</i>	\$4,000.00	\$4,000.00
<i>SADD</i>	\$0.00	\$0.00
<i>Fire Department</i>	\$0.00	\$0.00
<i>NC Highway Patrol</i>	\$0.00	\$0.00
<i>Code Red</i>	\$630.00	\$630.00
<i>Committee of 100 (Food Drive)</i>	\$500.00	\$500.00
<i>CrimeStoppers</i>	\$0.00	\$0.00
<i>Project SAFE Rockingham Co</i>	\$783.00	\$783.00
<i>Help Inc: Center Against Violence</i>	\$5,000.00	\$5,000.00
<i>Rockingham United</i>	\$3,000.00	\$3,000.00
<i>World Changers</i>	\$0.00	\$0.00
Subtotal:	\$97,547.00	\$97,547.00
CULTURAL & RECREATIONAL		
Special Events	\$8,000.00	\$11,006.00
Appearance Committee	\$500.00	\$500.00
Historical Committee	\$500.00	\$500.00
Recreation Committee	\$500.00	\$500.00
Fine Arts Festival Assoc. (FAFA)	\$2,500.00	\$2,500.00
Friends of Chinqua Penn Trail	\$1,000.00	\$1,000.00
MARC	\$10,000.00	\$10,000.00
RCHS Band Boosters	\$2,800.00	\$2,800.00
RCMS Band	\$2,800.00	\$2,800.00
RCHS Boosters	\$0.00	\$0.00
Rockingham Co Arts Council	\$1,000.00	\$1,000.00
Wentworth PTA Ball Program	\$5,000.00	\$5,000.00
Other	\$0.00	\$0.00
Subtotal:	\$34,600.00	\$37,606.00

TOWN OF WENTWORTH
ANNUAL BUDGET ESTIMATES:
REVENUES - EXPENDITURES
FISCAL YEAR 2020-2021

Object of Expenditure	Budget 2021 - 2022	Amendment No. 1 2021 - 2022
CONTINGENCY RESERVE		
Subtotal:	\$20,000.00	\$20,000.00
ECONOMIC DEVELOPMENT		
Subtotal:	\$1,000.00	\$1,000.00
Transfer - CRF for Recreation Grounds/Facilities		
Subtotal:	\$21,000.00	\$21,000.00
TOTAL EXPENDITURES:	\$787,949.00	\$787,949.00

Article VII. PUBLIC COMMENTS

There were no comments.

Article VIII. ANNOUNCEMENTS

Mayor Paschal made the following announcements:

- The next regular meeting of the **Wentworth Planning Board** is scheduled for **Tuesday, January 18, 2022, at 7:00 pm** at the Wentworth Town Hall.
- The next regular meeting of the **Wentworth Town Council** is scheduled for **Tuesday, February 1, 2022, at 7:00 pm** at the Wentworth Town Hall.
- The **Wentworth Town Hall** will be closed **Monday, January 17, 2022** in observance of **Martin Luther King Jr. Day**.

Article IX. ADJOURN

Mayor Paschal made a **MOTION**, "*We adjourn*".

Mayor Pro Tem Conner seconded the motion, and the meeting adjourned.

Respectfully Submitted By:

Approved By:

Yvonne Russell, NCCMC
Town Clerk

Dennis Paschal, Jr.
Mayor