

TOWN OF WALLACE
Special Called Meeting
March 20, 2023
5:30 p.m.

The Town Council of the Town of Wallace held a special called meeting on Monday, March 20, 2023 at 5:30 pm in the Council Chambers at the Town Hall.

The following Governing Body members were present:

Mayor Jason Wells
Council Member/ Mayor Pro-tem Francisco Rivas-Diaz
Council Member Frank Brinkley (via Zoom)
Council Member Jeffrey Carter
Council Member Jason Davis
Council Member Tasha Herring-Redd

The following Governing Body members were absent:

None

Also present were:

Rob Taylor, Town Manager	Gage King, Airport Manager (via Zoom)
Jackie Nicholson, Town Clerk	Michael Crook, Parker Poe (via Zoom)

Mayor Jason Wells called the meeting to order with a quorum of the governing body members present.

Approval of Letter of Engagement

Airport Manager Gage King summarized the situation with one of the land owners at the airport. The property owner has not accepted the latest offer and will not negotiate so the property will have to go through the condemnation process. To start the process a letter of engagement with Parker Poe was presented for approval along with a Resolution To Acquire Right Of Way and Easements Necessary For The Construction Of The Adopted And Funded Airport Expansion Road Relocation Project (22.23.13). The cost of this is a grant expense.

Council Member Jeff Carter made a motion authorize the Town Manager to execute the letter of engagement. The motion was seconded by Council Member Francisco Rivas-Diaz and approved unanimously (roll call) vote.

Council Member Tasha Herring-Redd made a motion to adopt Resolution 22.23.13 that was seconded by Council Member Rivas-Diaz and approved by unanimous (roll call) vote.

Adoption of Resolution to Accept a Revolving Loan

Town Manager Rob Taylor said the Town was awarded a revolving loan to reline sewer lines in 2021 and final plans and capital project ordinance have been approved. He asked for approval of a Resolution Accepting State Revolving Loan (22.23.12). The next step is to bid and construct the project.

Council Member Carter made a motion to adopt the proposed resolution. The motion was seconded by Council Member Brinkley and approved by unanimous (roll call) vote.

There being no further business to discuss Council Member Redd made a motion to adjourn. The motion was seconded by Council Member Rivas-Diaz and unanimously approved (roll call vote).

Respectfully submitted,

Jason Wells, Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

STATE OF NORTH CAROLINA TOWN OF WALLACE

Resolution 22.23.13

RESOLUTION TO ACQUIRE RIGHT OF WAY AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE ADOPTED AND FUNDED AIRPORT EXPANSION ROAD RELOCATION PROJECT

WHEREAS, the Town of Wallace has determined that the acquisition of fee title right of way, and easements is necessary to the delivery of the Airport Expansion Road Relocation Project; and

WHEREAS, the Town of Wallace finds that such title, right of way and easements, including the existing public right of way and easements, are for a public use and necessary for the construction of the Airport Expansion Road Relocation; and

WHEREAS the statutory powers of the Town of Wallace include the power to acquire real property (N.C.G.S. §160A-11 and §160A-240.1), including the power of eminent domain (N.C.G.S. Chapter 40); and

WHEREAS, the Town of Wallace's proposed property acquisition process for the Airport Expansion Road Relocation Project will comply with applicable federal and state requirements; and

WHEREAS, the Town of Wallace has certified that the parcels ("the Property"), represented on Exhibit A, are needed for the Airport Expansion Road Relocation Project;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Wallace North Carolina, That the Wallace Town Council approves and authorizes the acquisition of the necessary fee title, right-of-way and easements affecting the parcels described on Exhibit A at a price not to exceed that determined by the property appraisals and permitted Administrative Adjustments for Right-of-Way Acquisition.

That in the event any of the parcels or interest therein cannot be acquired by negotiations at the price authorized above, the Town Manager may institute and pursue acquisition by the process of Eminent Domain according to the procedures contained in Chapter 40A, including (but not limited to) giving notice of intent to the property owner, executing and filing a compliant and declaration of taking and depositing the necessary appraised value amount with the Clerk of Superior Court of Pender County.

That the Wallace Town Council hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to effect the provisions of the Resolution.

This resolution is effective upon its adoption this 20th day of March 2023

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}

**STATE OF NORTH CAROLINA
TOWN OF WALLACE**

RESOLUTION ACCEPTING STATE REVOLVING LOAN

Resolution 22-23-12

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the costs of construction of wastewater treatment works, wastewater collection systems and water supply systems, water conservation projects; and

WHEREAS, the North Carolina Department of Environmental and Natural Resources has offered a State Revolving Loan in the amount of \$1,520,720 for the rehabilitation and repair of gravity sewer lines in an area west of NW Railroad Street and W Main Street; and

WHEREAS, the Town of Wallace intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Wallace North Carolina,

That the Town does hereby accept the State Revolving Loan offer of \$1,520,720

That the Town does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the Funding Offer, Section II – Assurances will be adhered to.

That the Town Manager and successors is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

This resolution is effective upon its adoption this 20th day of March 2023.

Attest:

Jackie Nicholson, Town Clerk

Date _____

Jason Wells, Mayor

{SEAL}