

**TOWN OF WALLACE**  
**MONTHLY TOWN COUNCIL MEETING**  
**September 14, 2023**  
**6:00 pm**

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:

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

The following members of the Governing Body were absent:  
none

Also Present were:

Rob Taylor, Town Manager	Anna H. Herring, Town Attorney (via Zoom)
Jackie Nicholson, Town Clerk	Marlane Carcopo (via zoom)
Jimmy Crayton, Police Chief	David Carter
Rod Fritz, Planning Director	Leon Farrior
Jennifer Raynor, Librarian	Joseph Merritt
Joseph Trollinger, Finance Director	Jeraldine Rainey

Mayor Jason Wells called the regular meeting to order with a quorum of the governing body members present and Council Member Frank Brinkley gave the invocation.

The Pledge of Allegiance was recited.

Presentations

A brief video explaining Hispanic Heritage Month was viewed before Mayor Wells issued a proclamation. He called for the observance of Hispanic Heritage Month from September 15 through October 15, 2023.

Librarian Jennifer Raynor spoke to the Council about activities at the Library. Ms. Raynor said that Saturday hours have begun along with the start of the school year, a new E-Books platform called Overdrive using the Libby app has been launched, NewsBank provides access to newspapers from across the Country and Passport Applications are being processed again.

Town Manager Rob Taylor talked about the new branding campaign that was first discussed at the Budget Retreat in February. The intent was to refresh and simplify a logo that is easy to reproduce. The Committee created and posted online a short survey and asked for tag line. About

47 legitimate responses were received and with some tweaking by the Committee the new logo is black and red “Wallace, North Carolina, Est. 1873, Honoring Our Roots, Growing for Tomorrow” Manager Taylor added that the Town Seal will still be used on official documents.

Adoption of the Agenda

Mayor Wells called for discussion of the Agenda. Council Member Brinkley made a motion to adopt the agenda as submitted, seconded by Council Member Tasha Herring-Redd and approved by unanimous vote.

Public Comment Period

Leon Farrior, 338 S. Orange Street spoke to the Council about water damage to his house that occurred in April and David Carter said the property owner across the street from his house has put up a fence that looks worse than what the fence is supposed to be concealing.

Consent Agenda

Mayor Wells called for discussion of the minutes from the August 10, 2023 meeting. There being no additions or corrections Council Member Brinkley made a motion to approve the minutes as submitted. The motion was seconded by Council Member Jeff Carter and unanimously approved.

Finance Director Joseph Trollinger said there was not much to report on tax collections being that it is so early in the fiscal year. The following tax releases were presented for approval:

Account #	Name	Year	Reason	Amount
24418987	Duplin County	2023	Flooded/Buyout	74.40
2437560	Duplin County	2023	Flooded/Buyout	89.90
2437568	Duplin County	2023	Flooded/Buyout	109.12
2438231	Duplin County	2023	Flooded/Buyout	24.80
2438232	Duplin County	2023	Flooded/Buyout	81.84
2033845	Duplin County	2023	Flooded/Buyout	59.52
9008351	Town of Wallace	2023	Billed in error	14.26
6747309	Peterson, Janice	2023	Exemption not applied	279.00
285	US Bank National Association	2023	Billing error	458.50
146306	Art of Hope	2023	Listing not late	7.11
2447976	Duplin General Hospital	2023	Property exempt	2242.34
5762447	McQueen, Daniel Jerome & WF Annie	2023	Exemption not applied	279.00
45006	Ben's Tobacco Inc	2023	Business closed	4.92
1347	ABC Phones	2023	Billing error	490.14
2538833	Encore Recycling	2023	Billing error	18754.54
3062833	Galiano, Betty	2023	Exemption not applied	262.57
1000931	Kenan, Ronald & Analicia Kenan	2023	Keyed on wrong parcel	529.65
8167858	Stallings Tire & Battery Service	2023	Business closed	155.57
8167858	Stallings Tire & Battery Service	2022	Business closed	155.57
8167858	Stallings Tire & Battery Service	2021	Business closed	155.57
10002743	TTP Logistics LLC	2023	Trailer sold in 2019	105.03
10002743	TTP Logistics LLC	2023	Trailer sold in 2019	105.03
10002743	TTP Logistics LLC	2022	Trailer sold in 2019	105.03
			Total	24,543.41

Council Member Francisco Rivas-Diaz made a motion to approve the tax releases that was seconded by Council Member Brinkley and approved unanimously.

## **Old Business**

### **Calico Bay Road Sewer Discussion**

Town Manager Taylor followed up on the presentation and discussion at the July meeting regarding sewer services on Calico Bay Road. Taylor and Public Services Director Brent Dean participated in a meeting to discuss options and future plans. The Council did not want to install grinder pumps and favors the project provided it is grant funded and the Town will not assume any more debt.

## **New Business**

### **Approve Alcohol Sales for Downtown Get Down**

Manager Taylor said the *Downtown Get Down* scheduled for October 28 at the Depot is going to have beer and wine available for purchase and since it is a Town owned facility the Council should approve the sale of alcohol.

Council Member Rivas-Diaz made a motion to approve the sale of alcohol at this event which was seconded by Council Member Carter and approved unanimously.

### **Approve Financing for Tractor and Mower**

Manager Taylor stated that financing proposals were received to purchase a new tractor and mower for the street/stormwater department and recommended accepting the bid from United Bank for up to \$87,485 for 5 years at 5.92% interest.

Council Member Brinkley made a motion to adopt the Resolution Approving Financing Terms Tractor and Mower, seconded by Council Member Rivas-Diaz and unanimously approved.

### **Adopt Resolution for Water Shortage Response Plan**

Manager Taylor asked the Council to approve a Resolution For Approving Water Shortage Response Plan establishing the authority to declare a water shortage by defining different stages of water shortage severity and responses for each stage. This is done every 5 years.

Council Member Brinkley made a motion to adopt the Resolution that was seconded by Council Member Carter and approved unanimously.

### **Update Utility Rate Schedule for Sewer Tap Fees**

Manager Taylor said that the Town currently charges a flat tap fee for both water and sewer, occasionally connections deeper than 6 feet are necessary and a contractor has to be hired. He recommended adding: "The above sewer tap fees are based on typical installations of less than 6 foot in depth. Sewer lateral installations that are greater than 6 feet or not typical in length or complexity may require a specific cost estimate for the installation fee. The Town will charge the actual costs of the installation plus 15%" to the fee schedule.

Council Member Carter made a motion to adopt the proposed change to the fee schedule. The motion was seconded by Council Member Brinkley and unanimously approved.

#### Appointment to Recreation Commission

Manager Taylor reported that the Recreation Commission has 2 vacancies. The term of Latarsha Kelly has expired and Ms. Kelly has agreed to be reappointed. Greg Carter has agreed to be fill the other vacancy. The Council declined to appoint Mr. Carter.

Council Member Rivas-Diaz made a motion to appoint Latarsha Kelly to the Recreation Board for a term to expire in 2026 which was seconded by Council Member Brinkley and approved by unanimous vote.

#### Financial Reports

Finance Director Trollinger presented the financial reports for the period ending July 31 and said that budget numbers are about as expected.

#### Council Reports

Council Member Herring-Redd asked where some yard debris has been dumped and a stop sign at the intersection of SE Railroad Street and Boney Street.

Council Member Carter said the Council still hasn't discussed stormwater fees, the storm drains on Hwy 117 are caved in and asked when the fountain in front of Town Hall is going to be fixed?

Council Member Rivas-Diaz asked for a date for paving on Raleigh/Clement Street?

#### Mayor's Report

Mayor Wells mentioned the Currie Street project and asked if the Town should ask Goldenleaf for more money? Mayor indicated that he had been asked by Jimmy Johnson if the Town would reconsider paving Stokes Street?

#### Town Manager's Report

Manager Taylor reported on the various ongoing projects. He said that the Farrior Park PARTF Grant project is over budget and the disc golf course would not be included until next budget year. The generator for the Public Services Operations Center has been approved but the site has to be approved. NCDPS will be visiting on September 26.

#### Closed Session

Council Member Carter made a motion to go into closed session to consult with the Town Attorney and to discuss property acquisiton (G.S.143-318.11(a)(3)(5). The motion was seconded by Council Member Brinkley and approved by unanimous vote.

The Council discussed a settlement agreement with a resident for water damage to his home and the next potential steps for the acquisition of property.

Council Member Carter made a motion to end the closed session that was seconded by Council Member Brinkley and unanimously approved.

Council Member Carter made a motion to engage the services of Parker Poe for the condemnation of property in order to obtain an easement. The motion was seconded by Council Member Brinkley and approved unanimously.

With there being no other business to discuss at this time, Council Member Carter made a motion to adjourn which was seconded by Council Member Brinkley and approved by unanimous vote.

Respectfully submitted,

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Jason Wells, Mayor

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Jacqueline Nicholson, MMC, NCCMC  
Town Clerk

STATE OF NORTH CAROLINA  
TOWN OF WALLACE

Resolution Approving Financing Terms  
Tractor and Mower

**WHEREAS:** The Town of Wallace (“Town”) has previously determined to undertake a project for the financing of a tractor and mower, and the Finance Director has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED,** as follows:

1. The Town hereby determines to finance the Project through United Bank (“United”), in accordance with the proposal dated September 1, 2023. The amount financed shall not exceed \$87,485 the annual interest rate (in the absence of default or change in tax status) shall not exceed 5.92%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document’s final form.
4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the UCBI financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town’s general fund or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this

resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 14th day of September 2023

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Jason Wells, Mayor

{SEAL}

Attest:

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Jackie Nicholson, Town Clerk

**RESOLUTION FOR APPROVING WATER SHORTAGE RESPONSE PLAN**

**WHEREAS**, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service and each large community water system shall develop and implement water conservation measures to respond to drought or other water shortage conditions as set out in a Water Shortage Response Plan and submitted to the Department for review and approval; and

**WHEREAS**, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the Town of Wallace, has been developed and submitted to the Town Council for approval; and

**WHEREAS**, the Town Council finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Town of Wallace, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Wallace that the Water Shortage Response Plan entitled, Town of Wallace WSRP dated 08/31/2023, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

**BE IT FURTHER RESOLVED** that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 14<sup>th</sup> day of September , 2023 .

Name: Jason Wells

Title: Mayor

Signature: \_\_\_\_\_

ATTEST:

Name: Jacqueline Nicholson

Title: Town Clerk

Signature: \_\_\_\_\_