

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
May 9, 2024
6:00 p.m.

The Town Council of the Town of Wallace held its regularly scheduled monthly meeting on Thursday, May 19, 2024, at 6:00 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
Council Member Jason Davis
Council Member Tasha Herring
Council Member Penny Thorne

The following Governing Body members were absent:

None

Also present were:

| | |
|--|-------------------------------------|
| Rob Taylor, Town Manager | Anna H. Herring, Town Attorney |
| Jackie Nicholson, Town Clerk | Joseph Trollinger, Finance Director |
| Jimmy Crayton, Police Chief | Sandy Forehand (via Zoom) |
| Rod Fritz, Planning Director (via Zoon) | Ann Henderson |
| Taylor Johnson, Director of Fire Operations | Joseph Merritt |
| Ben Jones, Airport Manager | Jeraldine Rainey |
| Jennifer Raynor, Library Director (via Zoom) | Beverly Trobaugh |

Mayor Jason Wells called the regular meeting to order with a quorum of the governing body members present and Mayor Pro-Tem Francisco Rivas-Diaz gave the invocation.

The Pledge of Allegiance was recited.

Proclamation

Mayor Wells presented a Tourette Syndrome Awareness Day Proclamation.

Oath of Office

Police Captain David Morgan introduced new Police Officer Antonio Leon Toribino and the Oath of Office was administered by Mayor Wells.

Pender County Comprehensive Transportation Plan

Town Manager Rob Taylor presented the Pender County Comprehensive Plan since the Town has the Airport in Pender County and recently annexed 2 large parcels of property in the County. Pender County is experiencing above average growth, and the Town is helping to get citizen input and feedback.

Adoption of the Agenda

Mayor Jason Wells asked if there were any additions or changes to the agenda. Town Manager Taylor asked to add a Memorandum of Understanding with Pender County (#6a).

Council Member Frank Brinkley made a motion to adopt the agenda as amended, seconded by Council Member Penny Thorne and approved unanimously.

Public Comment Period

Beverly Trobaugh made some comments.

Consent Agenda

Mayor Wells called for discussion of the minutes from the April 11, 2024 meeting. There being no additions or corrections, Council Member Rivas-Diaz made a motion to approve the minutes as submitted. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Finance Director Joseph Trollinger presented the tax report as of March 30. The collection rate has risen to 96% and a downward trend of outstanding balances which are under \$100,000 for the first time. He presented the following tax for release:

| Account # | Name | Year | Reason | Amount |
|-----------|--------------------|------|-----------------|--------|
| 1549441 | Carolina Telephone | 2023 | Billed in error | 331.13 |

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

Old Business

Resolution and Agreement for Airport Safety Improvements

Airport Manager Ben Jones stated that the Town is required to maintain the facilities and comply with NCDOT (North Carolina Department of Transportation) overseeing maintenance and safety improvements. This agreement must be approved every 3 years.

Council Member Rivas-Diaz made a motion to adopt a Resolution Authorizing Town Manager To Enter Into Commitment And Release Of Liability With NCDOT (Resolution 23-24-19) and approve a Letter of Agreement for Airport Safety Maintenance Projects which was seconded by Council Member Thorne and unanimously approved.

Budget Amendment to Purchase Water Meters

Manager Taylor there is lots of development going on at River Landing. The cost of the meters will be offset by the meter fee that is paid by new customers.

Council Member Brinkley made a motion to adopt Budget Amendment 24-3, seconded by Council Member Herring and approved by unanimous vote.

Resolution of Tentative Award-Sewer Extension-830

Manager Taylor reported that 2 bids were received with Burnette Enterprises of Wilmington as the low bidder. Taylor added that two additional approvals are required; LGC (Local Government Commission) and NCDEQ (North Carolina Department of Environmental Quality).

Council Member Herring made a motion to adopt a Resolution of Tentative Award (23-24-20) that was seconded by Council Member Rivas Diaz and approved by unanimous vote.

Memorandum of Understanding

Manager Taylor said that this concerns the provision of utility, public safety and other services to the recently annexed property in Pender County. This MOU is a commitment to work together to address the needs related to this development and into the future.

Council Member Brinkley made a motion to approve the Memorandum of Understanding. Council Member Thorne seconded the motion, and it was approved by unanimous vote.

New Business

FY 2024-25 Budget Presentation/ Establish Public Hearing

Manager Taylor said that the draft budget was complete, and he thanked Council Members Brinkley and Thorne for their work on the committee and Finance Director Joseph Trollinger for his work. He also said he was impressed with Department Heads and their ability to distinguish between wants and needs. The proposed budget is \$10.72 million which is a 4.92% increase over last year. It includes an 8.5% increase in water/sewer rates, increases the stormwater fee to \$5.00, no tax increase, a \$15.00 municipal tag fee, new positions and 3.25% for COLA/performance.

Council Member Thorne made a motion to establish a public hearing for the FY 2024-25 Budget after 6:00 pm on Thursday, June 13, 2024 that was seconded by Council Member Brinkley and approved unanimously.

Auditor Contract Award

Finance Director Trollinger stated that informal RFQs (Request for Qualifications) were sent as Thompson Price Scott and Adams is asking \$10,000 just to prepare the financial statements and fewer firms are doing municipal audits. RH CPAs submitted a proposal in the amount of \$25,300 and was recommended by Chelsey Lanier, Duplin County Finance Director.

Council Member Brinkley made a motion to accept the proposal from RH CPAs. The motion was seconded by Council Member Herring and approved unanimously.

Approval of Debris Management Contract (Storms & Natural Disasters)

Manager Taylor said the contract needs to be renewed every 2 years. The consultant, Johnson Environmental sent RFPs (Request for Proposals) and 3 bids were received. They have been reviewed and the consultant recommends State Tree Services Inc.

Council Member Herring made a motion to adopt a Resolution of Intent (23-24-21) to engage the services of State Tree Services, Inc. for vegetative and C&D debris management, seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Financing for Police Cars

Finance Director Trollinger reported that in the 2023-24 budget 3 police cars were to be financed through a grant program administered by Four County EMC (Electric Membership Corporation) but the process changed and the Town was unable to leverage those funds. Proposals from local banks were requested. Trollinger asked the Council to approve the proposal from United Bank.

Council Member Herring made a motion to finance the cars with United Bank in the amount of \$120,000 at 6.35% with annual payments in the amount of \$24,387.67. The motion was seconded by Council Member Thorne and unanimously approved.

System Development Fees

Manager Taylor stated that he sent this out via email earlier this week. He said he anticipated the fees would calculate much higher. The Waster System Development Fee is \$553 and Sewer System Development Fee is \$2,069 increasing with the size of the connection. This is available for comment for 45 days and is similar to standards adopted by the City of Goldsboro and Pender County.

Pender County Fire Contract

Manager Taylor said the contract addresses fire tax levy, and levels of service expected of each party.

Council Member Brinkley made a motion to approve that was seconded by Council Member Herring and approved unanimously.

Financial Reports

Finance Director Trollinger presented the finance report. He reported that with the new financial software package one payroll was successfully run. There is still more training to be done for staff and Department Heads but the new system will provide a much better means of bank reconciliation. He thanked the Budget Committee and Staff for their work on the FY 2024-25 budget and remarked that in this year's budget there are no critical line items over budget.

Council Reports

Council Member Rivas-Diaz asked about the soccer fields. They will be located at Farrior Park back near the dog park. Manager Taylor said a contractor would be too expensive so it will be done in-house.

Council Member Brinkley asked about the Fire Department radios. (ship May 31; second order in July). How is the overgrown lot at Walgreen's going to be dealt with? (Donnie Stiles, Code Enforcement Officer, has contacted them, if they don't clean it up the Town will and send them a bill).

Council Member Thorne said she enjoyed the Strawberry Festival and spoke to some first-time attendees. She thanked Wallace PD for what they have done the last few weeks.

Council Member Herring asked if the fountain in front of Town Hall will be ready for Memorial Day (yes). Herring complimented Public Services on how quickly things were cleaned up after the Strawberry Festival. The ditch on the corner of Teachey Road and Dobbins Street is overgrown and needs some cleaning up.

Police Chief Jimmy Crayton said he would be happy to answer any questions about the 2 incidents last week. One individual was assaulted twice, and another was shot 7 times. Both are hospitalized.

Town Manager's Report

Manager Taylor reported that there have been a couple of changes on the Clement Park building project, May 24 at 10 am will be the re-dedication of the fountain, Town offices are closed on May 27 for Memorial Day.

Closed Session (G.S.143-318.11(a)(3))

Council Member Brinkley made a motion to go into closed session to consult with the attorney. The motion was seconded by Council Member Thorne and approved unanimously.

Manager Taylor relayed what happened at mediation last Friday regarding the property at the Airport that was condemned by the Town which resulted in an agreement. The property owner agreed to accept \$650,000 which will be paid to him with NCDOT (North Carolina Department of Transportation) funds.

Council Member Brinkley made a motion end the closed session, seconded by Council Member Thorne and unanimously approved.

Council Member Council Member Brinkley made a motion to accept the mediation settlement in the amount of \$650,000. The motion was seconded by Council Member Rivas-Diaz and approved unanimously approved.

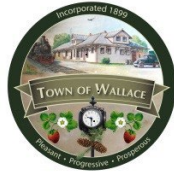
There being no further business to discuss Council Member Herring made a motion to adjourn. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Respectfully submitted,

Jason Wells, Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

STATE OF NORTH CAROLINA
TOWN OF WALLACE



23-24-19
RESOLUTION AUTHORIZING TOWN MANAGER TO ENTER INTO
COMMITMENT AND RELEASE OF LIABILITY WITH NCDOT

WHEREAS, the North Carolina Department of Transportation requires a Commitment and Release of Liability statement to be on file in order to provide and oversee maintenance and safety improvements on the operational surfaces of the Wallace-Pender Airport in accordance with the provisions of North Carolina General Statute 63; and

WHEREAS, the Town of Wallace as owner of the Wallace-Pender Airport is responsible for maintaining the facilities of the airport to protect and preserve the safety of flight operations at, from and to the airport and is agreeable to the North Carolina Department of Transportation request;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Wallace, North Carolina, that the Town Manager is hereby authorized and empowered to enter into a Commitment and Release of Liability with the North Carolina Department of Transportation, thereby binding the Town to fulfillment of its obligations as incurred under this resolution and its commitment to the Department.

Adopted this 9th day of May, 2024

Jason Wells, Mayor

ATTEST:

Jacqueline Nicholson, Town Clerk

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT
GENERAL FUND
Fiscal Year 23-3**

| | | | |
|--|----------------------------|-----------------|-----------------|
| BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the General Fund | | | |
| Section I: | General Fund | | |
| Account Number | Account Description | Increase | Decrease |
| 30-8100-150 | Water System Maintenance | \$13,000.00 | - |
| 30-3650-100 | New Meter Fee | \$13,000.00 | - |
| | TOTALS | | - |

Section II: Copy to Finance Director

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this May 9, 2024

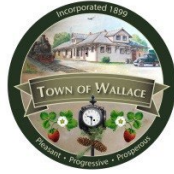
Attest:

Jackie Nicholson
Town Clerk

Jason Wells
Mayor

STATE OF NORTH CAROLINA

TOWN OF WALLACE



RESOLUTION OF TENTATIVE AWARD
Resolution 23-24-20

WHEREAS, the Town of Wallace, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the sewer infrastructure improvements (830 project), and

WHEREAS, the Town consulting with its Engineer, Stroud Engineering, PA has reviewed the bids; and

WHEREAS, Burnette Enterprises of Wilmington, Inc. was the low bidder with a total bid amount of \$3,475,828.24, and

WHEREAS, the consulting engineer recommends **TENTATIVE AWARD** to the lowest bidder(s).

NOW, THEREFORE, BE IT RESOLVED that **TENTATIVE AWARD** is made to the lowest bidder(s) in the Total Bid Amount of \$3,475,828.24.

| Name of Contractor | Amount |
|--|-----------------------|
| 1. <u>Burnette Enterprises of Wilmington, Inc.</u> | <u>\$3,475,828.24</u> |

BE IT FURTHER RESOLVED that such **TENTATIVE AWARD** be contingent upon the approval of the North Carolina Department of Environmental Quality.

This resolution is effective upon its adoption this 9th day of May 2024.

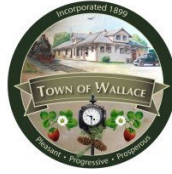
Jason Wells, Mayor

Attest:

{SEAL}

Jackie Nicholson, Town Clerk

STATE OF NORTH CAROLINA
TOWN OF WALLACE



RESOLUTION OF TENTATIVE AWARD

Resolution 23-24-21

WHEREAS, the Town of Wallace, North Carolina has received bids, pursuant to duly advertisement notice therefore, for vegetative and C&D debris management for tropical, winter and nor' eastern storm seasons thru June 2026, and

WHEREAS, the Town's consultant, Johnson Environmental & Disaster Consulting Services has reviewed the bids; and

WHEREAS, State Tree Services Inc. was the low bidder with a total unit bid amount of \$44.75 per ton of vegetative debris and \$67.75 for C&D debris, and

WHEREAS, the consultant recommends **TENTATIVE AWARD** to the lowest bidder(s).

NOW, THEREFORE, BE IT RESOLVED THAT TENTATIVE AWARD is made to the lowest bidder(s) in State Tree Services, Inc.

| Name of Contractor | Amount |
|-------------------------------|-----------------------------------|
| 1. <u>State Tree Services</u> | <u>\$44.75 per Vegetative ton</u> |
| | <u>\$67.75 per C & D ton</u> |

This resolution is effective upon its adoption this 9th day of May 2024.

Jason Wells, Mayor

Attest:

{SEAL}

Jackie Nicholson, Town Clerk

**STATE OF NORTH CAROLINA
TOWN OF WALLACE**



Resolution Approving Financing Terms
PD Vehicles
23-24-22

WHEREAS: The Town of Wallace ("Town") has previously determined to undertake a project for the financing three (3) vehicles for the Police Department, 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 April 18, 2024. The amount financed shall not exceed \$120,000 the annual interest rate (in the absence of default or change in tax status) shall not exceed 6.35%, 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 United 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 9th day of May 2024

Jason Wells, Mayor

{SEAL}

Attest:

Jackie Nicholson, Town Clerk