

**TOWN OF WALLACE  
MONTHLY TOWN COUNCIL MEETING  
February 8, 2024  
6:00 p.m.**

The Town Council of the Town of Wallace held its regularly scheduled monthly meeting on Thursday, February 8, 2024 at 6:00 pm at the Wallace Women's Club.

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	Warren Hepler
Jackie Nicholson, Town Clerk	Darlene Leysath
Brent Dean, Public Services Director	Joseph Merritt
Jimmy Crayton, Police Chief	Geraldine Rainey
Rod Fritz, Planning Director	Gilda Stallings
Ben Jones, Airport Manager	Gail Teachey
Joseph Trollinger, Finance Director	Adrian Walker
Lisa Cottle, WWTP ORC	Joanna Whitfield
Michael Blackburn	Abby Cavenaugh, <i>Duplin Times</i>
Charley Farrior	

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

The Pledge of Allegiance was recited.

Presentations

Michael Blackburn, Depot Commission Chair, expressed his thanks to the Council for supporting the Depot Commission. He mentioned the upcoming Annual Fundraiser in March and their ongoing projects. He added that the building needs painting, inside and out, and requested new thermostats.

Black History Month Proclamation

Mayor Wells presented a Proclamation In Honor Of Black History Month (February 2024).

Adoption of the Agenda

Mayor Wells called for discussion of the agenda. Town Manager Rob Taylor asked that a closed session be added at the end of the meeting for his evaluation.

Council Member Penny Thorne made a motion to adopt the agenda as amended, seconded by Council Member Francisco Rivas-Diaz and approved unanimously.

Public Comment Period

Ms. Darlene Leysath spoke of her sister, former Council Member and Mayor Pro-tem Wannetta Carlton and asked the Council to consider a way to recognize her.

Joanna Whitfield told the Council about that a dog, that runs loose in her neighborhood, killed her daughter’s cat. Both she and her daughter were very upset about it and Ms. Whitfield asked for more aggressive animal control.

Consent Agenda

Mayor Wells called for discussion of the minutes from the January 11, 2024 meeting and January 25, 2024 continued meeting. There being no additions or corrections Council Member Frank Brinkley made a motion to approve the minutes as submitted. The motion was seconded by Council Member Thorne and approved by unanimous vote.

Finance Director Joseph Trollinger reported that the current tax collection rate stands at 76.2% which is lower than last year and has questioned the Duplin County Tax Office regarding this. He presented the following tax for release:

Account #	Name	Year	Reason	Amount
715947	R&B Investments	2023	Sold Ice House 2022	162.75
2442002	Duplin Christian Outreach Ministries	2023	Wrong Remodel	278.38
4771557	Keene, Wayne Maxton	2023	Multi Year Tag Error	27.72
7163222	Racarno, Javier	2023	Never Owned Home	13.64
7163222	Racarno, Javier	2022	Never Owned Home	13.64
7163222	Racarno, Javier	2021	Never Owned Home	13.64
10002976	Sokol, Nicholas Trustee	2023	Property Vacant	155.92
				665.69

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

PUBLIC HEARINGS

Petition for Voluntary Annexation (ANX2023-02 Hwy 11)

Council Member Thorne made a motion to open the public hearing, seconded by Council Member Rivas-Diaz and approved unanimously. Planning Director Rod Fritz said that this property, 33 acres, is adjacent to the Town limits, serviced with municipal water and wastewater and consistent with the Land Use Plan.

Council Member Rivas-Diaz made a motion to close the public hearing. The motion was seconded by Council Member Tasha Herring and approved by unanimous vote.

Council Member Jason Davis made a motion to adopt Annexation Ordinance ANX2023-02 which was seconded by Council Member Brinkley and unanimously approved.

#### Request for Rezoning RZ2023-02 Hwy 11

Council Member Brinkley made a motion to open the public hearing, seconded by Council Member Davis and approved unanimously. Planning Director Fritz stated that the property is located north of the John Deere dealership and this rezoning request would actually bring the property into compliance with land use as it is currently a storage facility.

Council Member Rivas-Diaz made a motion to close the public hearing that was seconded by Council Member Thorne and was approved by unanimous vote.

Council Member Davis made a motion to adopt Rezoning Ordinance (RZ2023-02) and Statement of Reasonableness. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

#### Request for Rezoning RZ2023-04 Old NC 41 Hwy

Council Member Brinkley made a motion to open the public hearing which was seconded by Council Member thorne and approved unanimously. Planning Director Fritz said that this parcel behind McDonalds and Walgreens is only 0.42 acres which limits its use.

Council Member Rivas-Diaz made a motion to close the public hearing, seconded by Council Member Thorne and approved by unanimous vote.

Council Member Brinkley made a motion to adopt Rezoning Ordinance RZ2023-04 and the Statement of Reasonableness that was seconded by Council Member Davis and unanimously approved.

### **Old Business**

#### Award Bid for Community Center Project

Manager Taylor stated that three (3) bids were received for the community center project and recommended awarding the bid to the lowest responsible bidder which was Hatcher Builders in the amount of \$808,000.

Council Member Davis made a motion to award the bid (Resolution 23-24-16) to Hatcher Builders in the amount of \$808,000 which was seconded by Council Member Thorne and approved unanimously.

#### Engineering Contract for WWTP Dike Design

Manager Taylor said that the dike project at the WWTP had been scaled down to isolate and protect the more vulnerable areas of the plant and that the Grant Funding Agency had approved the Scope of Work. He asked the Council to approve an engineering contract with Highfill.

Council Member Brinkley made a motion to approve the proposed contract (Task Order No. 3). Council Member Rivas-Diaz seconded the motion, and it was approved by unanimous vote.

#### Investment of Airport Grant Funds

Finance Director Trollinger presented options for investment of grant funds received for the Airport that we will not be spending for a while. The discussion resulted in agreeing to invest the funds in a 2-year CD at United Bank with a 4.10% interest rate.

### **New Business**

#### Establish Public Hearing for Rezoning on East Boney Street

Council Member Davis made a motion to establish a public hearing on March 14 after 6 o'clock pm for the rezoning of property on E. Boney St. The motion was seconded by Council Member Herring and unanimously approved.

#### Establish Public Hearing for Rezoning on S NC Hwy 11

Council Member Brinkley made a motion to establish a public hearing on March 14 after 6 o'clock pm for the rezoning of property on Hwy 11 that was seconded by Council Member Rivas-Diaz and approved unanimously.

#### Establish Public Hearing for Rezoning of Recently Annexed Property in Willard

Council Member Brinkley made a motion to establish a public hearing for the rezoning of property recently annexed in Willard. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

#### Financial Reports

Finance Director Trollinger pointed out the 100% efficiency of the work orders for the month and said the financial reports represent 50% of the fiscal year. He added that reimbursements are coming in which makes the cash account look good.

#### Town Manager's Report

Manager Taylor reported that the engineering plan for the 830 Project has been approved, the water wells project is on schedule, work should begin soon at Boney Mill and there have been meetings regarding the Calico Bay Sewer Project. The County Commissioners approved the street re-naming to Jordan Street and a dedication will be planned.

Manager Taylor asked for a second meeting in February to hopefully approve the contract for the public safety building and a joint meeting with the Planning Board.

Council Member Rivas-Diaz made a motion to go into a closed session to evaluate the Town Manager. The motion was seconded by Council Member Thorne and unanimously approved. (G.S. 143-318.11(a)(6)).

There being no further business to discuss Council Member Rivas-Diaz made a motion to continue the meeting on Thursday, February 22, 2024 at 7:00 pm. The motion was seconded by Council Member Davis and approved by unanimous vote.

Respectfully submitted,

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Jason Wells, Mayor

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Jacqueline Nicholson, MMC, NCCMC  
Town Clerk

**TOWN OF WALLACE**  
**ORDINANCE ANX 2023-02**  
**TO EXTEND THE CORPORATE LIMITS OF**  
**THE TOWN OF WALLACE, NORTH CAROLINA**

**WHEREAS**, the Town Council of the Town of Wallace has been petitioned under N.C.G.S. § 160A-31 to annex the area described below; and

**WHEREAS**, the Town Council for the Town of Wallace has directed the Town Clerk to investigate the sufficiency of the petition, and;

**WHEREAS**, the Wallace Town Clerk has investigated and certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Wallace Women’s Club, 216 NE Railroad St., Wallace, NC after 6:00 p.m. on Thursday, February 08, 2024, after due notice of the public hearing by publication and mailing notices to adjacent property owners; and

**WHEREAS**, the Town Council for the Town of Wallace finds that the petition meets the requirements of N.C.G.S. § 160A-31;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Wallace, North Carolina that:

**Section 1.** By virtue of the authority granted by N.C.G.S. § 160A-31, the following described territory is hereby annexed and made part of the Town of Wallace as of **January 11, 2024**:

**Point of Beginning, 5/8” IRF (.3’ AG)**

**NCSPCS (NSRS2011)**

**N=364,748.01’ E=2,307,874.76’**

From the Point of Beginning; Thence, N 88 degrees 36’ 31.2” E for a distance of 1180.43 feet to a point on a line.

Thence, S 14 degrees 57’ 53.2 E for a distance of 1050.34 feet to a point on a line.

Thence, N 82 degrees 25’ 31.4” W for a distance of 745.99 feet to a point on a line.

Thence, N 72 degrees 55’ 17.6” W for a distance of 187.12 feet to a point on a line.

Thence, S 06 degrees 53’ 09.1” W for a distance of 252.99 feet to a point on a line.

Thence, S 83 degrees 05’ 05.3” E for a distance of 184.10 feet to a point on a line.

Thence, S 06 degrees 52’ 00.1” W for a distance of 126.93 feet to a point on a line.

Thence, S 88 degrees 58’ 58.3” W for a distance of 420.90 feet to a point on a line.

Thence, N 02 degrees 04’ 00.0” E for a distance of 386.03 feet to a point on a line.

Thence, N 89 degrees 12' 07.9" W for a distance of 519.20 feet to a point on a line.

Thence, N 16 degrees 48' 56.8" W for a distance of 884.40 to the Point of Beginning.

AREA SURVEYED: 1,419,034.91 SF / 32.577 ACRES

**Section 2.** Upon and after February 08, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Wallace and shall be entitled to the same privileges and benefits as other parts of the Town of Wallace. Said territory subject to municipal taxes according to N.C.G.S. § 160A-58.10.

**Section 3.** The Mayor of the Town of Wallace shall cause to be recorded in the office of the Register of Deeds of Duplin County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Duplin County Board of Elections, as required by N.C.G.S. § 163-288.1.

**Adopted this 8th day of February, 2024 by the Town Council for the Town of Wallace.**

**ATTEST**

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Jacqueline Nicholson, MMC, NCCMC, Town  
Clerk

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Jason Wells, Mayor

Mayor

I certify that this is a true and accurate copy of the annexation ordinance that was adopted by the Wallace Town Council at their February 8, 2024 meeting.

Jacqueline Nicholson