

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
May 13, 2021
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:

- Charles C. Farrior, Jr., Mayor
- Council Member/Mayor Pro-Tem Wannetta Carlton
- Council Member Jeff Carter
- Council Member Francisco Rivas-Diaz
- Council Member Jason Wells

The following member of the Governing Body was absent:

- Council Member Frank Brinkley

Also Present were:

Larry Bergman, Town Manager	Anna Heath, Town Attorney
Jackie Nicholson, Town Clerk	Paula Brinkley, Greater Carolinas Tourette's Association
Jimmy Crayton, Police Chief	June Bell
Brent Dean, Public Services Director (via Zoom)	Victoria Brinkley
Rod Fritz, Planning Director	Wyatt Brinkley
Gage King, Airport Manager	Marlane Carcopo (via Zoom) WallaceNcWeekly.com
Sharon Robison, Library Director (via Zoom)	Jason Davis
Rob Taylor, Finance Director	Sandy Forehand (via Zoom)
Alberto Ramirez, Wallace PD	Joseph Merritt
Jerry Wood, Wallace PD	Curt Simpson, Duplin Times (via Zoom)

Mayor Charley Farrior called the regular meeting to order with a quorum of the governing body members present and Council Member Francisco Rivas-Diaz gave the invocation.

The Pledge of Allegiance was recited.

Presentations and Proclamations

Mayor Farior said a request was received from Paula Brinkley, Greater Carolinas Tourette's Association, for a proclamation recognizing Tourette Syndrome Awareness Day on June 4, 2021. Council approved and Mayor Farior presented the proclamation to Wyatt Brinkley who has Tourette Syndrome.

Oath of Office

Police Chief Jimmy Crayton introduced newly hired Police Officer Alberto Ramirez and Mayor Farior administered the Oath of Office. Officer Ramirez's wife pinned on his badge.

Chief Crayton recognized Sergeant Jerry Wood for having earned a Master's Degree in Criminal Justice.

Adoption of the Agenda

Mayor Farior called for discussion of the agenda and asked that a closed session be added at the end of the meeting. Town Attorney Anna Heath asked that establishing public hearings for ordinance amendments for attached dwellings in the CB (central business) district, Chapter 9 Enforcement of the UDO (Unified Development Ordinance) and discussion of the sunset provision for billboards also be added. There being no other changes or additions Council Member Rivas-Diaz made a motion to adopt the agenda as amended. The motion was seconded by Council Member Wannetta Carlton and approved by unanimous vote.

Public Comment Period

Ms. June Bell said she found out that the Town of Wallace was incorporated on March 4, 1899 and suggested that an annual Town birthday party be planned.

Consent agenda

Minutes from the April 22, 2021 continued meeting

Mayor Farior called for discussion of the minutes. There being no corrections or additions Council Member Rivas-Diaz made a motion to approve the minutes as submitted. The motion was seconded by Council Member Jason Wells and approved by unanimous vote.

Tax Releases

Finance Director Rob Taylor presented the following taxes for release and refund:

Account #	Name	Reason	Amount
325	James & Carrie Carr	Correct in-town value \$10,000	\$555.95
325	James & Carrie Carr	Correct in-town value \$10,000	\$555.95
			\$1,111.90
2917	Eddie Nelson Herring	2020 – Personal property	\$6.22
		2019- Personal property	\$6.77
		2018- Personal property	\$7.36
		Interest and penalty	\$21.51
		Property sold 2017 out-of-town, no tax due	\$41.86

Bold denotes refund

Council Member Wells made a motion to approve the tax release and refund for Eddie Herring in the amount of \$41.86 which was seconded by Council Member Carlton and approved unanimously.

Council Member Carlton made a motion to approve the tax release and refund for James & Carrie Carr in the amount of \$1,111.90. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Tax Report

Mr. Taylor reported that the current collection rate is 91.84% with \$343,922.87 in past due accounts, demand letters were sent to thirty-seven (37) taxpayers owing \$46,342.41. There are ten (10) accounts in the foreclosure process, six (6) in the final demand stage and four (4) in the filed/personal service stage. Mr. Taylor added that seventeen (17) accounts have payment plans and some are in Debt Setoff. Council requested an updated report on the foreclosures be sent.

Old Business

Adopt Resolution Approving Financing Terms for Mini Excavator

Finance Director Taylor said that a mini excavator was purchased previously with the intention to finance it, but that was overlooked. He requested bids for financing and received four (4) responses with BB&T (Truist) offering the lowest rate at 1.53%. Mr. Taylor asked the Council to adopt a resolution accepting these terms.

Council Member Wells made a motion to adopt a Resolution Approving Financing Terms through Truist Bank in the amount of \$38,911 at an interest rate of 1.53% for a term of four (4) years. The motion was seconded by Council Member Jeff Carter and approved unanimously.

Architect Fee Proposal for Public Safety Facility

Town Manager Larry Bergman presented a proposed fee schedule from Stewart-Cooper-Newell Architects for services related to the new public safety facility and renovations to Town Hall. The proposal contained a flat fee of \$63,965 plus reimbursable expenses. Manager Bergman indicated that he believes the proposal contains both fair fees and unit prices. Council discussed and directed Mr. Bergman to have the firm submit a contract for approval.

Adoption of AWOS (Automated Weather Observing System) Design and Construction of Site Pad

Airport Manager Gage King said a Work Authorization had been received from Talbert & Bright to design and construct the site pad, including driveway access, electrical design, coordination with FCC (Federal Communications Commission), FAA (Federal Aviation Administration) and assistance with the bidding process for construction.

Council Member Rivas-Diaz made a motion approve to Work Authorization No. 20-03 in the amount of \$24,000 which was seconded by Council Member Carter and approved unanimously.

Adoption of Resolution Appointing Deputy Tax Collector

Manager Bergman indicate that the Interlocal Agreement with Duplin County for tax collection would necessitate a Deputy Tax Collector to be appointed for collection of delinquent taxes prior to June 30, 2021 and to bill and collect Airport taxes.

Council Member Wells made a motion to adopt a Resolution Appointing Deputy Tax Collector. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Discussion of "Sunset Provision" for Billboards

Manager Bergman said that the Planning Board had discussed adding a "Sunset Provision" for existing billboards, or off-premise signs, located outside the permitted Billboard Overlay District. The Planning Board recommended allowing six (6) months to a year before removal. The Council discussed the matter and decided that eighteen (18) months would be sufficient. They directed an ordinance to be drafted and reviewed by the Planning Board.

Establish Public Hearing for FY 2021-2022 Budget

Manager Bergman stated he would have the Manager's recommended budget by the second meeting of the month and asked the Council to establish a public hearing for the June monthly meeting.

Council Member Wells made a motion to establish a public hearing after 6 pm on Thursday, June 10, 2021 for the FY 2021-2022 Budget which was seconded by Council Member Rivas-Diaz and approved unanimously.

Establish Public Hearing for Revision to the UDO (Unified Development Ordinance) to Clarify Attached Dwellings in the Central Business (CB) Zoning District

Council Member Wells made a motion to establish a public hearing after 6 pm on Thursday, June 10, 2021 for attached dwellings in the CB Zoning district. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Establish Public Hearing to Amend Chapter 9. Enforcement of the UDO

Council Member Wells made a motion to establish a public hearing after 6 pm on Thursday, June 10, 2021 to consider amending Chapter 9. Enforcement of the UDO which was seconded by Council Member Rivas-Diaz and approved unanimously.

Approve Contract for 2020-2021 Audit

Finance Director Rob Taylor said the Town has a three (3) year contract with Thompson, Price, Scott, Adams & Co., PA to audit the Town's finances. Each year the Governing Body must approve the Audit Contract. Mr. Taylor added that he would like to change the due date from October 31, 2021 to December 1, 2021. The contract is in the amount of \$14,000 with \$1,000 for financial statement preparation, although he plans to complete the financial statements in-house. Mayor and Council asked that a penalty for late submittal be included.

Council Member Wells made a motion to approve the contract for the 2020-2021 audit subject to the addition of a late provision and a due date of December 1, 2021. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Financial Reports

Finance Director Rob Taylor presented the financial reports including collections data, accounts payable, revenues, personnel costs, purchase orders and work orders and a Director's report.

Council Reports

Council Member Wells said that Tons of Trash missed a lot on Big Trash Day, seems they picked up on one side of some streets and not the other.

Council Member Carter commented that the recycling dumpster behind the Town Hall is full of garbage. He recommend it be moved somewhere where it can be monitored or have it removed. Public Services Director Brent Dean said when it contains mixed debris and not properly separated recyclables, the Town is charged \$150.00/dump.

Council Member Wells made a motion to have DuplinCounty remove the recycling dumpster behind Town Hall and near the Parks & Recreation office which was seconded by Council Member Carter and approved unanimously.

Council Member Carter said that screening around dumpsters should be required for Town beautification.

Mayor's Report

Mayor Farris asked the Council about scheduling a second meeting this month. They agreed to meet on May 26 at 6 pm.

Department Head Reports

Rod Fritz, Planning Director, reported that the PARTF Grant application had been submitted he and recommended making phone calls to encourage support of the project. He said all Mobile Home Park owners have been notified regarding compliance with the Town's ordinance and hearings for demolition by neglect are scheduled for two (2) downtown buildings later this month. It was a successful month for Code Enforcement.

Anna Heath, Town Attorney, said the Yates lawsuit against the Town has been dismissed and if nothing else is filed she will file a motion for summary judgement.

Jimmy Crayton , Police Chief, reported that there were 1,300 call for service this month. He said two (2) conditional offers of employment have been accepted, two (2) surplus vehicles are being sold and an incentive based Wellness Program is being established.

Gage King, Airport Manager, said the next project would be for design of a runway overlay using surplus NPE (Non-primay Entitlement) funds and safety related projects such as a partial parallel taxiway. Mr. King reported that he's working on the Land Use Zoning and Height Ordinance. He

added that the farm lease expires at the end of 2021 and asked about putting it out for bid. The Council was in favor of it and will take action at the second meeting this month.

Rob Taylor, Finance Director, said that Lillie Winston would be staying so there is no need to fill her position. Carrie Gurganious will be moving into the office vacated by Tax Administrator Chris Martin.

Jackie Nicholson, Town Clerk, reported a successful safety walk through and provided the Council with copies of the NCLM (North Carolina League of Municipalities) report from the Task Force on the Impact of City Leaders on Racial Equity.

Sharon Robison, Library Director, stated the traffic and circulation are increasing as more people are out and about. She added that character appearances have been scheduled for the Summer Program and there are volunteers for reading during an online story time.

Brent Dean, Public Services Director, said Hall St. has been paved and posted as not a truck route, he updated the Council on the Well #15 project which stalled because a worker dropped a pipe wrench in it. He added that the Inmate worker program is almost ready to restart.

Town Manager's Report

Manager Bergman reported that US Treasury Guidance on ARP (American Recovery Plan) came out and he is in the process of reading through it. Manager Bergman added that he would have a recommended budget to present to the Council at the May 26 meeting.

Closed Session

Council Member Wells made a motion to go into closed session (NCGS) 143-318.11(a)(4)(6) to discuss expansion of industry and to discuss a personnel matter which was seconded by Council Member Carlton and approved unanimously.

The Council was informed of criminal charges being brought against a former employee. Mayor Farris informed the Council regarding discussion of an easement for the 830 project where the property owner wants to be paid and discussed the latest update on the Valley Protein project.

Council Member Carter made a motion to end the closed session. The motion was seconded by Council Member Wells and approved by unanimous vote.

With there being no other business to discuss at this time, Council Member Carter made a motion to continue the meeting on Wednesday, May 26, 2021 at 6:00 pm. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Respectfully submitted,

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

STATE OF NORTH CAROLINA

TOWN OF WALLACE



Resolution Approving Financing Terms

WHEREAS: The Town of Wallace (“Town”) has previously determined to undertake a project for the financing of a mini excavator, 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 BB&T (“BB&T”), in accordance with the proposal dated May 3, 2021. The amount financed shall not exceed \$38,911 the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.53%, and the financing term shall not exceed four (4) 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 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 BB&T 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.

5. 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 _____ day of _____, 2021

Charley Farrior, Mayor

{SEAL}

Attest:

Jackie Nicholson, Town Clerk

RESOLUTION APPOINTING DEPUTY TAX COLLECTOR

WHEREAS, the Town Council of the Town of Wallace (“Town”) has entered into an interlocal agreement with Duplin County to collect real estate taxes and personal property taxes levied by the Town beginning July 1, 2021, and

WHEREAS, the Town of Wallace is responsible for collecting delinquent taxes prior to July 1, 2021 and for billing and collection of personal property taxes at the Airport;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Wallace that Finance Director Robert C. Taylor, Jr. shall be appointed Deputy Tax Collector and authorized to collect delinquent taxes due prior to July 1, 2021 and personal property taxes at the Airport.

Adopted this 13th day of May, 2021.

By: _____

Charles C. Farrior, Jr., Mayor

Attest:

Jacqueline Nicholson, Town Clerk