

TOWN OF WALLACE
Continued Meeting
June 24, 2021
6:00 p.m.

The Town Council of the Town of Wallace continued its monthly meeting on Thursday, June 24, 2021 at 6 pm in the Council Chambers.

The following Governing Body members were present:

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

The following Governing Body members were absent:

NONE

Also present were:

| | |
|------------------------------|---------------------------|
| Larry Bergman, Town Manager | Anna Heath, Town Attorney |
| Jackie Nicholson, Town Clerk | |

Approval of the Agenda

Mayor Charley Farrior reconvened the meeting with a quorum of the governing body members present and asked that a tax release be added. This item was added to the agenda by a consensus of the members.

Consideration of a Capital Project Budget Ordinance for Fire Trucks

Town Manager Larry Bergman said that last year the Council approved the purchase of two (2) fire trucks with loan/grant financing through USDA anticipating delivery in FY 20-21. No budget amendment or capital project ordinance was created. The rescue unit is complete, but the tanker unit failed a pump test which has delayed delivery. The loan can't be closed until both units are complete and the Town can't take delivery until they are paid for. Manager Bergman asked the Council to approve a Capital Project Ordinance to budget for the items that will carry over to next fiscal year and remain open until the trucks are delivered and financing is accepted.

Council Member Jason Wells made a motion to approve Capital Project Ordinance 21-06. The motion was seconded by Council Member Wannetta Carlton and approved by unanimous vote.

Budget Amendment for COVID 19 Relief Grant Funds

Manager Bergman stated that COVID 19 Relief Grant Funds received through Duplin County could be used for public safety payroll. The budget amendment is to reimburse \$164,849.41 in Police Department payroll.

Council Member Francisco Rivas-Diaz made a motion to approve budget amendment #35 for public safety payroll that was seconded by Council Member Frank Brinkley and approved unanimously.

Potential Well Site Discussion

Manager Bergman said that a parcel of property on Quail Road in Teachey that is unsuitable for residential development is a potential location of a Town well site as it is near one of the Town's water tanks and other infrastructure. Manger Berman asked the Council if he should gather additional information. The consensus of the Council is to proceed. Council Member Jeff Carter said if this site doesn't work to seek another one.

Discussion of COLA/ Merit Pay

Manager Bergman said that over the past year emphasis was made to get Performance Evaluations done for all employees in order to create a basis for moving forward with merit pay. He added that 2% was budgeted for pay increases based on the Consumer Price Index (CPI) which could be used for an across-the-board COLA or implementation of merit pay or a combination of both. However, the budget is tight and the 2% is probably not enough for a performance-based incentive and more training for evaluations is needed. Council discussed the matter and indicated that merit pay needs to be implemented as we have been working toward it for a number of years. Manager Bergman and Town Clerk Jackie Nicholson indicated that waiting another year would be best. The Council concurred.

Public Services Property Sale Resolution

Manager Bergman said that previously the consensus of the Council was to accept a negotiated bid for the Public Services property on E. Murphy St. and to dispose of it through the upset bid process. To proceed with this the Council was asked to adopt a Resolution Authorizing The Advertisement For Upset Bids For The Sale Of 311 E. Murphy Street, Wallace, NC 28466.

Council Member Carter made a motion to approve the proposed Resolution which was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Smoking Policies for Town Parks

Manager Bergman stated that he has received requests that a no smoking policy be considered for Town parks. Currently there are regulations prohibiting throwing lit cigarettes or matches down or leaving "ashes", etc. The Council discussed both banning smoking and allowing smoking only in designated areas but did not take action on this item.

Tax Release

Manager Bergman presented a tax release and refund for Council consideration.:

| Account # | Name | Reason | Amount |
|-----------|-----------------------------|---------------|-----------------|
| 216 | Earl Franklin Brinkley, Jr. | Property sold | \$207.37 |

Bold denotes refund

Council Member Brinkley asked to be recused from voting as it was his personal tax release.

Council Member Wells made a motion to recuse Council Member Brinley from voting that was seconded by Council Member Carter and approved unanimously.

Council Member Wells made a motion to approve the proposed tax release and refund. Council Member Carlton seconded the motion and it was approved by unanimous vote.

There being no further business to discuss Council Member Wells made a motion to adjourn the meeting. The motion was seconded by Council Member Brinkley 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



CAPITAL PROJECT ORDINANCE

21-06

WHEREAS, the Town of Wallace approved the purchase of two vehicles for the fire department at its June 29, 2020 meeting; and

WHEREAS, the Town also approved a resolution accepting funding from USDA in the form of a loan and grant to pay for the new vehicles at the same meeting; and

WHEREAS, the Town desires to account for the vehicle purchases and loan and grant proceeds as a capital project;

NOW, THEREFORE BE IT ORDAINED by the Town Council of Wallace that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance 21-06 is hereby established and adopted:

Section 1: The Project authorized is the purchase of two custom built fire trucks.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, loan and grant documents and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Capital Outlay \$ 1,082,698

Section 4: The following revenues are anticipated to be available to complete this project:

Loan & Grant Proceeds - USDA \$ 1,082,698

Section 5: The finance officer is hereby directed to maintain within the capital project fund enough specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

BE IT FURTHER ORDAINED by the Town Council of Wallace that this ordinance shall become in full force and effective upon adoption.

Adopted this the 24th day of June 2021

Charley Farrior, Mayor

Attest:

Jackie Nicholson, Town Clerk

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT #35
FOR BUDGET 2020-2021**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the budget for the fiscal year ending June 30, 2021:

| General Fund | | | |
|-----------------------|-----------------------------|--------------------|--------------------|
| Section I: | | | |
| Account Number | Account Description | Increase | Decrease |
| 10-5100-020 | Salaries- Police Department | \$164,850.00 | |
| 10-3450-080 | Federal and State Grants | | \$164,850.00 |
| Grand Total | | \$45,000.00 | \$45,000.00 |

The Town participated in the COVID 19 Relief Grant administered by Duplin County. Grant proceeds could be used to reimburse the Town the costs of public safety payroll, The Town submitted \$164,849.41, the maximum amount available to the Town in police payroll. Entry is so budget for the grant and offset to police salaries.

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 June 24, 2021

Attest: _____
Jacqueline Nicholson, Town Clerk

Charles C. Farrior, Jr., Mayor

**RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR UPSET BIDS FOR THE SALE
OF 311 E Murphy Street, Wallace, NC 28466**

WHEREAS, the Town of Wallace owns certain property located at 311 E Murphy Street, Wallace, NC 28466 which currently houses the Town's Public Services; and

WHEREAS, the Town's Public Service is moving to a different location, thus making 311 E Murphy Street surplus property; and

WHEREAS, the Town Council for the Town of Wallace desires to dispose of said surplus real property of the Town of Wallace; and

WHEREAS, North Carolina General Statute § 160A-269 permits the Town to sell real property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town has received an offer to purchase the property described above, in the amount of \$150,000.00, submitted by Derek and Sumer Sandt representing an as yet unnamed and unformed LLC; and

WHEREAS, Derek and Sumer Sandt representing an as yet unnamed and unformed LLC has paid the required five percent (5%) deposit on the offer;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Wallace that:

1. The following described property is hereby declared to be surplus to the needs of the Town of Wallace:

Located in the Town of Wallace, Island Creek Township, North Carolina and beginning at a point in the northern right of way line of East Murphy Street (50 foot right of way, formerly known as Westbrook Street, see Town of Wallace tax map recorded in Map Book 3, Page 71 for name changes) that is North 76 degrees 10 minutes East – 141.00 feet from the point of intersection of the northern line of East Murphy Street and the eastern line of North Norwood Street (US Hwy 117, now 88 foot right of way). The point of beginning is also located at the southeastern corner of Lot 20 as shown on a map of the Graham and Marcellus Pope subdivision recorded in Map Book 216, Page 269, Duplin County Registry. Running thence from the point of beginning and with the eastern line of Lots 20, 19, 18, and 17 of the Graham and Marcellus Pope subdivision, North 13 degrees 50 minutes West – 202.00 feet to a point; thence, with the southern line of that property conveyed to Jeffrey Scott Ramsey in Deed Book 1929, Page 48, Duplin County Registry, North 76 degrees 10 minutes East – 250.00 feet to a point in the western right of way line of North Graham Street (50 foot public right of way); thence with the western right of way line of North Graham Street, South 13 degrees 50 minutes East – 202.00 feet to a point at the intersection of the western right of way line of North Graham Street and the northern right of way line of East Murphy Street; thence, with the northern right of way line of East Murphy Street, South 76 degrees 10 minutes West – 250.00 feet to the point of beginning, containing 1.16 acres more or less and being a part of that property conveyed to the Town of Wallace in Deed Book 560, Page 270, Duplin County Registry. This property is a part of the lot known as the NC

National Guard lot shown on the Town of Wallace tax map.

Parcel Identification Number: 09-E109

Property Address: 311 E Murphy Street, Wallace, NC 28466

2. The Town Council authorizes sale of the real property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
3. The Town clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
5. If a qualifying higher bid is received, the Town clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.
6. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
7. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.
8. The terms of the final sale are that
 - the Town Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - the buyer must pay with cash, cashier's check, or certified check at the time of closing.
9. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
10. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate Town officials are authorized to execute the instruments necessary to convey the property to Derek and Sumer Sandt representing an as yet unnamed and

unformed LLC.

Adopted this the 24th day of June, 2021.

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, Town Clerk