

**River Bend Town Council  
Regular Meeting Minutes  
July 21, 2022  
Town Hall  
7:00 p.m.**

Present Council Members: Mayor John Kirkland  
Buddy Sheffield  
Don Fogle  
Barbara Maurer  
Brian Leonard  
Bud Van Slyke

Town Manager: Delane Jackson  
Finance Director: Mandy Gilbert  
Police Chief: Sean Joll  
Town Clerk: Kristie Nobles

Members of the Public Present: 6

**CALL TO ORDER**

Mayor Kirkland called the meeting to order at 7:00 p.m. on Thursday, July 21, 2022 in the River Bend Town Hall with a quorum present.

**ADDITIONS/DELETIONS TO AGENDA**

**Vote – Addition to Agenda** – Councilman Leonard moved to add item 12B dock proposal to the agenda. The motion carried unanimously.

**VOTE – Approval of Agenda**

Councilman Sheffield motioned to accept the agenda as amended. The motion carried unanimously.

**CONSENT AGENDA**

The Mayor presented the Council with the Consent Agenda. Councilman Sheffield **moved to approve the Consent Agenda as presented.** The motion carried unanimously. Within this motion the following items were approved:

- A. Approve:
  - Minutes of the June 9, 2022 Work Session*
  - Minutes of the June 16, 2022 Regular Council Meeting*
  - Minutes of the June 9, 2022 Closed Session*
  - Minutes of the July 14, 2022 Closed Session*

**TOWN MANAGER'S REPORT**

The Manager stated that there would be a Public Hearing for the rezoning request from Ellis Development on Thursday, July 28, 2022 at 6:00 p.m. at Town Hall. He stated that the Town of River Bend's Public Hearing Policy is posted on the Town's website for anyone interested in attending or speaking.

The Manager stated that both of the Town's AIA grant applications were approved in the second round of funding for the amount of \$150,000 for the water system and \$150,000 for the sewer system.

The Manager announced that the town has received a \$9,108,500 grant to fund improvements to the town's wastewater treatment plant. The Council expressed gratitude and thanked the Manager for his tenacity in pursuing this grant.

Councilman Sheffield stated I have a question. After the July 14<sup>th</sup> meeting a lot of citizens, or some at least, were left with the impression that if we approve the rezoning the Council would have control over a lot of things about the actual development and we have since learned that is not the case. Would it be correct to say that if the rezoning passes essentially the only thing we would be able to hold the developer to is the lot size? The Manager stated that he would not agree with that statement. The Manager stated that the Council could only hold Ellis Development responsible for the minimum requirements in the Town's ordinance but lot size is one of only many things we would have control over. Councilman Van Slyke asked if there is a chance that the town could update our documents relative to this process. The Manager stated that updating to allow conditional zoning could be accomplished by the same process as other zoning ordinance amendments. He then explained the process. Councilman Van Slyke and Councilman Leonard agreed that this would be helpful to the process. Councilman Leonard stated that he feels the Town should amend our ordinance to protect the Town moving forward.

## **ADMINISTRATIVE REPORTS**

### **BOARD OF ADJUSTMENT REPORT – COUNCILMAN SHEFFIELD**

Councilman Sheffield presented the following report:

A special meeting of the River Bend Board of Adjustment was held on June 22<sup>nd</sup> at 6:00 pm at Town Hall. A quorum was present. Chairman Ackiss called the meeting to order and explained that its purpose was to rule on a special use permit requested by the town for property at 1504 Plantation Drive for construction of a public works building. Mr. Ackiss called for those presenting evidence before the board to be sworn in.

Town Manager Delane Jackson and Assistant Zoning Administrator Allison McCollum were to speak for the town. Nobody chose to speak against the permit. Ms. McCollum introduced evidence showing that the town had met all of the legal criteria in advance of the meeting and that granting the permit had been recommended by the Planning Board.

Mr. Jackson gave a Power Point presentation showing the design of the proposed building and outlining setbacks, etc. Board members asked questions and received answers.

The board took the special use permit request under advisement. Ten separate criteria items had to be met. A motion was made and seconded for each one and a vote was taken. All ten criteria were deemed to have been met. A vote was then taken on the request for the special permit. It was approved unanimously.

Mr. Jackson stated that the meeting was to be the last for Helmut Weisser and thanked him for his years of service to the town.

The meeting was adjourned. There are no future meetings scheduled at this time.

Councilman Sheffield stated that the Board of Adjustment has a vacancy for the town alternate on the Board of Adjustment and Mr. David Zinni has applied.

### **VOTE – Advisory Board Appointment – Board of Adjustment – David Zinni**

Councilman Sheffield motioned to appoint David Zinni as a Town alternate to the Board of Adjustment for a term beginning July 21, 2022 and expiring June 30, 2023. The motion carried unanimously.

### **PUBLIC SAFETY – COUNCILMAN FOGLE**

Councilman Fogle presented the following reports on Community Watch and CERT.

#### **CERT**

The June CERT meeting was cancelled. I will defer to Councilwoman Maurer to report on the Bad Weather Fair CERT held in partnership with the Parks and Recreation Advisory Board. I did not attend.

The CERT meeting is scheduled for Wednesday, July 27, 2022 has also been cancelled. Check the Town calendar for schedule updates. CERT is always looking for new members. Be a part of the solution. Contact Chief Joll or Mary Holihan for more information.

#### **COMMUNITY WATCH**

Community Watch will meet again on Wednesday, October 19, 2022. Community Watch is always looking for new members. Be a part of the solution. Contact Chief Joll or Egon Lippert for more information.

### **PARKS & RECREATION/CAC – COUNCILWOMAN MAURER**

Councilwoman Maurer presented the following reports.

#### **Parks & Recreation**

Parks and Recreation called a special meeting on June 29. As we all know, the Fourth of July celebration was a big success. Thanks go to all the people who worked together to make it happen. Parks and Rec. and CERT presented the annual severe weather workshop on July 9. The turnout was disappointing but Kristy Kuhlberg was happy to offer a lot of valuable information about preparing for a major hurricane and for navigating the many bureaucracies to get assistance afterward. *Get to Know Your Neighbors* meet & is scheduled for July 16. A report will be presented at the Council meeting. No programs are scheduled for August. Some exciting events and programs are planned for the fall. Meetings for July and August were cancelled. The next meeting is scheduled for September 7. Parks and Recreation currently has one application pending and one vacancy. Anyone who would like to participate in planning and presenting activities is invited to file an application.

#### **VOTE – Advisory Board Appointment – Parks and Recreation – Jessica Repenning**

Councilwoman Maurer motioned to appoint Jessica Repenning to the Parks and Recreation Advisory Board for a term beginning July 21, 2022 and expiring June 30, 2024. The motion carried unanimously.

#### **Community Appearance Commission (CAC)**

CAC met on July 20. A report will be provided at the Council meeting. The next meeting is scheduled for September at 4 pm.

#### **River Bend Community Organic Garden (RBCOG)**

No meeting was held in July. Despite heat and humidity, the gardeners work almost daily irrigating, harvesting and maintaining the garden. Vegetables and herbs are donated frequently to Interfaith Refugee Ministries. The next meeting is scheduled for August 1 at 1:30 pm.

#### **Red Caboose Library (RCL)**

The board called a special meeting on June 23. The July meeting was cancelled. The second children's reading adventure was cancelled due to the presenter's illness. *Once Upon a Time in River Bend* was presented to an audience of approximately 20. Kay Dentico shared her memories of residing in the red caboose and about the early days of River Bend. She truly is part of the history of River Bend. Children's and adult programs are in the planning stages and will be announced at a later date.

All meetings are open to the public and anyone is welcome to attend.

**FINANCE – COUNCILMAN VAN SLYKE**

**Financial Report** – Finance Director, Mandy Gilbert presented to the Council the financial statement for the month of June and she stated this is also the end of the fiscal year. She stated the total of the Town's Cash and Investments as of June 30, 2022 are \$3,849,261 and Ad valorem tax collections for FY21-22 were \$729,343 and Vehicle Ad valorem tax collections were \$87,783.

**Vote – Accept 2021 Craven County Tax Settlement** – Councilman Van Slyke motioned to accept the 2021 Craven County Tax Settlement as presented. The motion carried unanimously.

**Vote – Budget Amendment 22-B-01**

Councilman Van Slyke motioned to approve Budget Amendment 22-B-01 as presented. The motion carried unanimously. (see attached)

**ENVIRONMENTAL AND WATERWAYS ADVISORY BOARD– COUNCILMAN LEONARD**

Councilman Leonard did not have a EWAB report.

**Vote – Scheduling of Council Vote on Rezoning Request**

Councilman Leonard motioned to schedule the Council vote on the Ellis Development rezoning request to August 11, 2022. The motion carried unanimously.

The Manager stated that he received three proposals for the park dock replacement located at the pond at Town Hall. He stated one of those proposals was in 2021 and was no longer valid and the other two proposals are for two different dock sizes. The Manager stated that the current dock is approximately 31' by 31' and the proposals are for a 16' by 20' and a 20' by 20' size dock. Councilman Leonard asked if the Manager received a proposal for the current size and the Manager stated he has not. Councilman Fogle stated that a 20' by 20' dock is approximately half the square footage as the current dock and he request the Manager get a quote for a dock relatively the same square footage as the current dock.

**Vote – Dock Proposal**

Councilman Fogle motioned to direct the Manager to contact Bobby Cahoon Construction to get an estimate for a 24' by 32' dock to replace the 30' by 30' dock. The motion carried unanimously.

**MAYOR'S REPORT**

The Mayor presented the following report.

The Town's first July fourth celebration in three years was a great success as evaluated by people in attendance. The weather certainly cooperated in that a hard rain fell during the night but skies cleared and the sun shown during the entire celebration period. The elements of the celebration included a parade, the assembly for picnic lunch in the Town Hall parking lot, remarks by Craven County Commissioner Mitchell, County Sheriff Hughes and Grand Marshall George Halyak, respect to the U S flag was rendered by the Pledge of Allegiance and Allison McCollum sung the National Anthem. This year the Color Guard was the West Craven High School Air Force Junior ROTC team. The Color Guard remained for the entire program and enjoyed the picnic lunch with us. During lunch and for a period after lunch music was provided by the "THE BEARS." This music was enjoyed by all present. The entire day's program was made possible by the planning and participation of many citizen volunteers. The Town's Parks and Recreation Committee plays an integral role in the planning and execution of the event. The work of the Town Staff led by Town Manager Jackson was a strong contributor to the day's success both lead up preparation and support on July Fourth. We entered the planning and execution of the celebration uncertain what the outcome would be after a two year break caused by the COVID-19 pandemic. All

involved were appreciative of the positive response of Town and area residents. Please take time to thank those who contributed to the success of this event celebrating the 246<sup>th</sup> Anniversary of U.S. Independence in River Bend.

**PUBLIC COMMENT**

No public comments at this time.

**ADJOURNMENT/RECESS**

There being no further business, Councilman Sheffield moved to adjourn. The motion carried unanimously. The meeting adjourned at 8:14 p.m.

  
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Kristie J. Nobles  
Town Clerk



**TOWN OF RIVER BEND**  
**BUDGET ORDINANCE AMENDMENT 22-B-01**  
**FISCAL YEAR 2022 - 2023**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina that the 2022-2023 Budget Ordinance be amended as follows:

**Summary**

General Fund	2,221,569
General Capital Reserve Fund	99,847
Law Enforcement Separation Allowance Fund	13,525
Water Fund	598,325
Water Capital Reserve Fund	172
Sewer Fund	673,325
Sewer Capital Reserve Fund	8
<b>Total</b>	<b>3,606,771</b>

**Section 1.**

**General Fund**

**Anticipated Revenues**

AD VALOREM Taxes 2022-2023	721,710
AD VALOREM Tax-Motor Vehicle	92,300
Animal Licenses	2,000
Sales Tax 1% Article 39	177,124
Sales Tax 1/2% Article 40	102,899
Sales Tax 1/2% Article 42	88,586
Sales Tax Article 44	11,613
Sales Tax Hold Harmless Distribution	99,000
Solid Waste Disposal Tax	2,200
Powell Bill Allocation	91,000
Beer and Wine Tax	13,225
Video Programming Sales Tax	50,743
Utilities Franchise Tax	108,963
Telecommunications Sales Tax	8,140
Court Refunds	500
Zoning Permits	5,000
Federal Grant	22,170
State Grant	250,000
Miscellaneous	10,000
Interest- Powell Bill Investments	50
Interest-General Fund Investments	500
Contributions	421
Wildwood Storage Rents	18,144
Rents & Concessions	18,000
Sale of Fixed Assets	15,000
Transfer From Capital Reserve Fund	72,787
Appropriated Fund Balance	239,494
<b>Total</b>	<b>2,221,569</b>

**Section 1.**            **General Fund (continued)**

Authorized Expenditures

Governing Body	30,400
Administration	279,600
Finance	124,100
Tax Listing	11,600
Legal Services	24,000
Elections	1,000
Police	664,443
Public Buildings	102,300
Emergency Services	3,700
Animal Control	14,600
Street Maintenance	193,000
Public Works	177,500
Leaf & Limb and Solid Waste	51,000
Stormwater Management	311,395
Wetlands and Waterways	2,900
Planning & Zoning	51,300
Recreation & Special Events	7,600
Parks & Community Appearance	79,700
Contingency	17,931
Transfer To General Capital Reserve Fund	60,000
Transfer To L.E.S.A. Fund	13,500
Total	<u>2,221,569</u>

**Section 2.**            **General Capital Reserve Fund**

Anticipated Revenues

Contributions from General Fund	60,000
Interest Revenue	60
Appropriated Fund Balance	<u>39,787</u>
Total	<u>99,847</u>

Authorized Expenditures

Transfer to General Fund	72,787
Future Procurement	<u>27,060</u>
	<u>99,847</u>

**Section 3.**            **Law Enforcement Separation Allowance Fund**

Anticipated Revenues:

Contributions from General Fund	13,500
Interest Revenue	25
Total	<u>13,525</u>

Authorized Expenditures:

Separation Allowance	0
Future LEOSSA Payments	<u>13,525</u>
Total	<u>13,525</u>

**Section 4.**            **Water Fund**

**Anticipated Revenues**

Utility Usage Charges, Classes 1 & 2	209,332
Utility Usage Charges, Classes 3 & 4	10,525
Utility Usage Charges, Class 5	13,183
Utility Usage Charges, Class 8	3,519
Utility Customer Base Charges	277,253
Hydrant Availability Fee	20,130
Taps & Connections Fees	1,250
Nonpayment Fees	10,500
Late payment Fees	7,707
Interest Revenue	435
Sale of Capital Asset	0
Appropriated Fund Balance	44,490
<b>Total</b>	<b>598,325</b>

**Authorized Expenditures**

Administration & Finance [1]	470,825
Operations and Maintenance	124,000
Transfer To Fund Balance for Capital Outlay	3,500
Transfer To Water Capital Reserve Fund	0
<b>Total</b>	<b>598,325</b>

*[1] Portion of department for bond debt service: 146,416*

**Section 5.**            **Water Capital Reserve Fund**

**Anticipated Revenues**

Contributions From Water Operations Fund	0
Interest Revenue	172
<b>Total</b>	<b>172</b>

**Authorized Expenditures**

Future Expansion & Debt Service	172
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**Section 6.**            **Sewer Fund**

Anticipated Revenues:

Utility Usage Charges, Classes 1 & 2	257,727
Utility Usage Charges, Classes 3 & 4	23,194
Utility Usage Charges, Class 5	29,053
Utility Usage Charges, Class 8	6,836
Utility Customer Base Charges	294,601
Taps & Connection Fees	1,250
Late payment Fees	7,948
Interest Revenue	703
Sale of Capital Asset	0
Appropriated Fund Balance	52,013
Total	<hr/> 673,325

Authorized Expenditures:

Administration & Finance [2]	458,825
Operations and Maintenance	211,000
Transfer to Fund Balance for Capital Outlay	3,500
Transfer to Sewer Capital Reserve Fund	0
Total	<hr/> 673,325

*[2] Portion of department for bond debt service: 126,434*

**Section 7.**            **Sewer Capital Reserve**

Anticipated Revenues:

Contributions From Sewer Operations Fund	0
Interest Revenue	8
Total	<hr/> 8

Authorized Expenditures:

Future Expansion & Debt Service	8
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**Section 8.**                    **Levy of Taxes**

There is hereby levied a tax at the rate of twenty-six cents (\$0.26) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2022, for the purpose of raising the revenue listed as "Ad Valorem Taxes 2022-2023" in the General Fund Section 1 of this ordinance. This rate is based on a valuation of \$278,500,000 for purposes of taxation of real and personal property with an estimated rate of collection of 99.67%. The estimated collection rate is based on the fiscal year 2020-2021 collection rate of 99.67% by Craven County who has been contracted to collect real and personal property taxes for the Town of River Bend. Also included is a valuation of \$35,500,000 for purposes of taxation of motor vehicles with a collection rate of 100% by the North Carolina Vehicle Tax System.

**Section 9.**                    **Fees and Charges**

There is hereby established, for Fiscal Year 2022-2023, various fees and charges as contained in Attachment A of this document.

**Section 10.**                    **Special Authorization of the Budget Officer**

- A. The Budget Officer shall be authorized to reallocate any appropriations within departments.
- B. The Budget Officer shall be authorized to execute interfund and interdepartmental transfers in emergency situations. Notification of all such transfers shall be made to the Town Council at its next meeting following the transfer.
- C. The Budget Officer shall be authorized to execute interdepartmental transfers in the same fund, including contingency appropriations, not to exceed \$5,000. Notification of all such transfers shall be made to the Town Council at its next meeting following the transfer.

**Section 11.**                    **Classification and Pay Plan**

Cost of Living Adjustment (COLA) for all Town employees shall be 5.0% and shall begin the first payroll in the new fiscal year. The Town Manager is hereby authorized to grant merit increases to Town employees, when earned, per the approved Pay Plan.

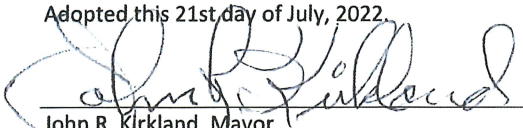
**Section 12.**                    **Utilization of the Budget Ordinance**

This ordinance shall be the basis of the financial plan for the Town of River Bend municipal government during the 2022-2023 fiscal year. The Budget Officer shall administer the Annual Operating Budget and shall ensure the operating staff and officials are provided with guidance and sufficient details to implement their appropriate portion of the budget.

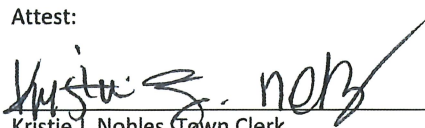
**Section 13.**                    **Copies of this Budget Ordinance**

Copies of this Budget Ordinance shall be furnished to the Clerk, Town Council, Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Adopted this 21st day of July, 2022.

  
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John R. Kirkland, Mayor

Attest:

  
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Kristie J. Nobles, Town Clerk

