

**River Bend Town Council
Regular Meeting Minutes
December 15, 2022
Town Hall
7:00 p.m.**

Present Council Members:

Mayor John Kirkland
Buddy Sheffield
Don Fogle
Barbara Maurer
Bud Van Slyke
Brian Leonard

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

Members of the Public Present: 25

CALL TO ORDER

Mayor Kirkland called the meeting to order at 7:00 p.m. on Thursday, December 15, 2022 at the River Bend Town Hall with a quorum present.

ADDITIONS/DELETIONS TO AGENDA

Vote – Addition to Agenda – Councilman Leonard moved to add Parks and Recreation Advisory Board appointment as item 11B and Councilman Sheffield moved to add an Announcement to item 6B. The motions carried unanimously.

VOTE – Approval of Agenda

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

ADDRESSES TO THE COUNCIL

Mr. James Castranova presented Councilman Fogle and Councilman Van Slyke with gifts baskets from the River Bend Community Action Group and expressed gratitude for their service to the Town of River Bend.

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 November 10, 2022 Work Session*
 - Minutes of the November 17, 2022 Regular Council Meeting*
 - Minutes of the December 8, 2022 Work Session*
 - Minutes of the May 10, 2018 Closed Session*
 - Minutes of the August 13, 2020 Closed Session*
 - Minutes of the October 8, 2020 Closed Session*
 - Minutes of the November 12, 2020 Closed Session*
 - Minutes of the February 18, 2021 Closed Session*
 - Minutes of the May 13, 2021 Closed Session*
 - Minutes of the June 17, 2021 Closed Session*

Minutes of the July 15, 2021 Closed Session
Minutes of the August 18, 2022 Closed Session
Minutes of the September 15, 2022 Closed Session
Minutes of the October 13, 2022 Closed Session

TOWN MANAGER'S REPORT

The Manager gave the following updates on Town projects:

- Construction on the Public Works Building is underway; the site has been graded and prepared for the concrete slab.
- The Water Meter Replacement Project has begun and as of today, 4 of the 6 zones have been completed and 594 meters have been replaced.
- Toys for Tots donations had decreased until this week with 8 bicycles and 6 boxes of toys donated.

Police Chief Joll presented his report and stated that there were numerous vehicles broken into and one vehicle was stolen. He expressed the importance of locking vehicles and not leaving packages on doorsteps.

ADMINISTRATIVE REPORTS

PUBLIC SAFETY – Councilman Fogle

Councilman Fogle presented the following reports.

CERT

The CERT meeting for November and December was cancelled. The next meeting is scheduled for January 2023. Check the Town calendar for updates. CERT is always looking for new members. Contact Chief Joll or Mary Holihan for more information.

COMMUNITY WATCH

Community Watch did not meet in November. The next meeting is scheduled for February 15, 2023 at 7:00 p.m. Community Watch is always looking for new members. Contact Chief Joll or Egon Lippert for more information.

Councilman Fogle stated that it has been an honor and a privilege to serve on the Town Council for the past 4 years and he is grateful for the support from the community. The Mayor stated that Councilman Fogle was also the assigned representative to The Coastal Environmental Partnership and was always present and active. The Mayor expressed gratitude and thankfulness to Councilman Fogle.

CAC – Councilwoman Maurer

Councilwoman Maurer presented the following report.

Community Appearance Commission (CAC)

The CAC did not meet in December. Two new advisory board members, Christine Soler and Claudia Christie-Ashmore are already active, helping with the Christmas Festive homes award. The recent resignation of Nancy Del'Aria left a vacancy. Applicant in waiting Maggie Bramwell was appointed by the Council at the Work Session on December 8. We thank Nancy for her years of service. Over one hundred twenty globe lights created by the CAC, members of Parks & Rec and community members were installed on both sides of the front entrance of town by employees of Public Works. Check out the colorful and festive holiday display. The Christmas/Hanukah Festive Award competition is taking place. Winners will be announced on December 21 and an award banner will be placed on the properties of the winners. Future competitions for yard beautification and holiday festive yards will be announced when they get closer to the dates. The next meeting is January 18, 2023. Best wishes for a Happy Holiday Season, Merry Christmas, Happy Hanukah and a healthy, Happy New Year.

FINANCE – Councilman Van Slyke

Financial Report – Finance Director, Mandy Gilbert presented to the Council the financial statement for the month of November. She stated the total of the Town's Cash and Investments as of November 30, 2022 are \$4,203,937 and Ad valorem tax collections for FY22-23 were \$118,274 and Vehicle Ad valorem tax collections were \$34,465.

VOTE – WWTP Capital Project Fund Ordinance #1

Councilman Van Slyke motioned to approve the Wastewater Treatment Plant Capital Project Fund Ordinance #1 as presented. The motion carried unanimously. (see attached)

Councilman Van Slyke stated that it has been an honor to serve the people of the Town of River Bend over the past 20 years. He stated that 17.5 of those years were in finance and he is looking forward to retirement.

ENVIRONMENTAL AND WATERWAYS ADVISORY BOARD – Councilman Leonard

Councilman Leonard stated there was not an EWAB meeting in December but EWAB will meet on January 2, 2023.

Parks & Recreation

Councilman Leonard stated that he did not attend the December 7th Parks and Recreation meeting, but Councilwoman Maurer provided some notes. The regular meeting of the Parks & Recreation Advisory Board was held on December 7. Both members were present as were four guests. A review of the Christmas tree lighting event was very positive, particularly considering the brief preparation time and short staff. Some recommendations were made for next year's event. Invitations to attend the December meeting were sent to the five applicants from last month. One person withdrew their application. The other four did not attend. David Ross, passed "*to recommend to the Town Council that David Ross be appointed to the Parks & Recreation Advisory Board.*" Following discussion, a motion was made and passed to continue to research playground equipment and to look for possible grant opportunities. When information has been compiled it will be presented to the Town Manager and the Council. Activity ideas were decided and voted on for the next four months.

VOTE – Advisory Board Appointment – Parks and Recreation – David Ross

Councilman Leonard motioned to appoint David Ross to the Parks and Recreation Advisory Board for the appropriate term. The motion carried unanimously.

River Bend Community Organic Garden (RBCOG)

The regular meeting took place on December 5 with eight members present. A garden workday with a large turnout of volunteers accomplished a lot of tasks. Twelve to fifteen students from the NB high School Green Team participate in two sessions a month where they learn about aspects of growing crops organically. The bees are doing well. Plans are in progressing for the spring garden. As assistant dean from Craven Community College requested information and assistance in developing a community garden at the college. Workshops will resume on February 21 with Garden Roundtable #7. Refreshments will be offered at the conclusion of the session. The next meeting is scheduled for January 2, 2023 at 1:30 pm. The members of the River Bend Community Organic Garden send their best wishes for a happy, healthy holiday season to the Council, town staff and residents of River Bend.

Red Caboose Library (RCL)

The board met on December 1, 2022. The library is providing wrapped children's books for Mrs. Santa to give out after the Christmas tree lighting on December 2. Plans are being made for the Volunteer Appreciation luncheon on Wednesday, January 11 or 18 at 12:30 pm. The date will be confirmed after checking room availability in the Municipal Building. The board voted to change

their meeting day to the second Thursday of the month at 2pm. Room availability was checked before the vote. The next meeting is scheduled for January 12, 2023 at 2 pm.

MAYOR'S REPORT

The Mayor presented the following report.

The November month calls us to be thankful as a nation and a people for the blessings that we enjoy day by day. We accept these gifts pretty much without consideration that we have so much that we considered the norm while much of the world would look on our norm as a luxury. In River Bend some of those gifts for most homes are:

1. Warm and comfortable homes
2. Monetary incomes that allow providing for basic needs
3. A Town well maintained street system and utilities
4. A professional Town staff that maintains these systems in good repair
5. That Staff also files reports to N C State Agencies that are required. Submittal of these reports avoids penalties that would be levied if these reports were not filed in a timely fashion.

Giving

December quickly follows and this month places emphasis on sharing and providing support for less fortunate persons and families in the broad Craven County community. I have witnessed the Town Hall support of the Marine Corps Reserve "Toys for Tots" collection and the collection of food in support of the RCS mission for a number of years. It is always impressive how generous our citizens are in support of these non-profit agencies whose mission is to assist families with basic needs.

We are truly blessed and need to think of others who are not so fortunate. Then consider how we may act to relieve in a small way some other persons who will not be able to enjoy holiday celebrations that we can take for granted. Thanks to all of you in River Bend who will have once again provided generously for these needs.

The passing of Carmen Weisser prompted me to recall some of the many pleasant contacts that I had enjoyed with the Weissers over the years. It has been an honor to have driven the July Fourth Grand Marshals over several years and when driving down Shoreline Drive you could count on seeing Carmen and Helmut waving small US flags, this even before they became US citizens. It was a special pleasure when in 2015, the Town Council selected the Weissers as Grand Marshals and I was pleased to be their driver. The following document is the speech that Helmut delivered to the crowd assembled at Town Hall on that date:

Honored Guests, Dear River Benders,

It's my pleasure and privilege to address you on this important day of our nation. First of all I would like to thank all the volunteers who did spend so many hours to make this celebration a success. My wife Carmen -everybody knows Carmen-and myself, we did live in so many countries and places around the world and made River Bend our home. That means something! But let me start from beginning. More than 30 years ago, we just finished an assignment in Taiwan and got the offer to work in USA for 3 years - in a small city called New Bern. We were excited to get the opportunity to live in this great nation. As the assignment was limited to 3 years only and the following assignment in China was already outlined we did go out to rent a place for that short time. We found a nice place here in River Bend and Carmen and I liked it here from the first day on. River Bend was at that time a small Town of 600 citizen only. Everybody was friendly. When cars were passing by the driver waved and greeted. And we did so too. Three years passed by and our new assignment in China got pushed out due to political turmoil's and unrest. The 3 years expanded to 10. But there was another problem what we faced -a good problem. We still liked it here so much and we had so many friends in the area. Should we give up that all again? During one of our Sunday walks with the dogs I did feel that Carmen was for the first time not excited to move again. So we came to the common agreement to hold our living space in River Bend and commute between China and River Bend.

It was a long trip that lasted from house to house more than 40 hours. But we could handle that burden. After another 7 years in China, the next assignments were in Utah, Tennessee and Minnesota. That was already a big relief and so much closer to home. A few years ago I got retired and we had to ask ourselves again, where should we live after retirement. Going back to Germany, to another place in Europe or staying here in the great state of North Carolina? River Bend did win this election with 100%. Coming back to River Bend I had to reset my life. And just to give you an example how the difference was between Carmen and myself. At my first 4th of July celebration after a long time away we walked down Shoreline Drive. And so many people called, "Hi Carmen, Hi Carmen!". After listening to it for a while I just made the comment, "and I am the husband and pay all the bills!". But I caught up fast. Volunteering and supporting USO, being a boardmember of Carolina East Foundation and Craven Community College Foundation and a few more organizations brought me back in contact with many old and new friends. Five years ago we decided in living here we should also be citizens of this great nation. Going thru all the application and approval steps there was one of the final questions: "Are you willing to defend the United States against all enemies"? Now I have to add on that Carmen is still an active fencer, and she told clear and loud, "Yes, my foil is always located at the backdoor and I will use it to defend my Country whenever needed". That was so convincing that the immigration officer said with a big smile: "Welcome, we need people like you"! Now in meantime, we -or at least Carmen- are living here in River Bend for more than 30 years already...and still counting! River Bend is a very good place-it is a great place and we have to do everything to preserve it.

With my final remarks I want to thank:

- All the volunteers here and around this great nation for all the service they are giving to our country.*
- A special thanks to our Rhems Fire Department and first responders who are on duty whenever needed.*
- To our elected Town Leaders: Mayor, Councilwomen and Councilmen; to our County Commissioner's and State Delegates who spend so many hours in their capacity to represent us.*
- To our Police Department who holds River Bend safe and sound*
- And as a sparkling end to honor our armed forces who are represented here by the Marine Corps, Color Guard and the many Veterans.*

Have fun and enjoy the rest of the day.

"God bless you all and the United States of America". Thank You!

ADJOURNMENT SINE DIE

There being no further business, Councilman Sheffield moved to adjourn sine die. The meeting adjourned at 7:35 p.m.


Kristie J. Nobles, CMC
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
December 15, 2022
Town Hall
7:00 p.m.**

Present Council Members: Mayor John Kirkland
Buddy Sheffield
Barbara Maurer
Brian Leonard
Jeff Weaver
James Castranova

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

Members of the Public Present: 25

CALL TO ORDER

Mayor Kirkland called the meeting to order at 7:40 p.m. on Thursday, December 15, 2022 at the Town Hall Meeting Room with a quorum present.

ADMINISTRATION OF OATHS OF OFFICE TO COUNCIL MEMBERS

At 7:40 p.m., Mayor Kirkland told the audience that the Town Clerk would administer the oaths. The Clerk proceeded to swear in Council members Buddy Sheffield, Barbara Maurer, Jeff Weaver and James Castranova.

APPOINTMENT OF MAYOR PRO TEM

Councilman Leonard moved to appoint Councilman Morris "Buddy" Sheffield to be the Mayor Pro Tem. The motion carried unanimously.

Councilman Leonard stated that he would like the Work Session meetings time to be changed to 6:00 p.m. He stated he felt 6:00 p.m. could accommodate the residents of River Bend that are not able to attend with the meetings currently at 5:00 p.m. With a consensus of the Council, it was agreed to change the Work Session to 6:00 p.m.

ADOPTION OF 2023 TOWN MEETING SCHEDULE

Councilman Leonard motioned to change the time of the Work Session to 6:00 p.m. and adopt the 2023 River Bend Town Council Meeting Schedule as modified. The motion carried unanimously.

ADOPTION OF 2023 EMPLOYEE HOLIDAY SCHEDULE

Councilwoman Maurer moved to adopt the 2023 River Bend Employee Holiday Schedule as presented. The motion carried unanimously.

ADOPTION OF MAYOR/COUNCIL RESPONSIBILITIES CHART

Councilman Weaver moved to adopt the Mayor-Council Responsibilities Chart as presented. The motion carried unanimously. (see attached)

ADOPTION OF COUNCIL CODE OF ETHICS POLICY

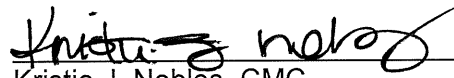
Councilman Castranova moved to adopt the Council Code of Ethics Policy as presented. The motion carried unanimously. (see attached)

PUBLIC COMMENT

Linda Klopf – 103 Randomwood – expressed gratitude to the Councilmembers who spoke in support of locating the Red Caboose Library a permanent location at the work session meeting.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 7:56 p.m.



Kristie J. Nobles, CMC
Town Clerk



**TOWN OF RIVER BEND
WASTEWATER TREATMENT PLANT CAPITAL PROJECTS FUND ORDINANCE
AMENDMENT #1**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina, that the Wastewater Treatment Plant Capital Projects Fund Ordinance be amended as follows:

Section 1. The following amounts are hereby appropriated for the operation of a Town Capital Projects Fund for the enhancement of the Wastewater Treatment Plant:

CAPITAL PROJECTS FUND

Revenues:

State Fiscal Recovery Fund Grant	9,108,500
----------------------------------	-----------

Expenditures:

Wetlands Mitigation	54,000
Engineering/Administration	651,000
Construction	8,403,500
	<hr/>
	9,108,500

Section 2. It is estimated that revenues in the amounts indicated in the foregoing schedule will be available to support the foregoing appropriations.

Section 3. The Finance Officer is hereby authorized to maintain an appropriate Fund Chart of Accounts.

Section 4. Copies of this 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.

Section 5. The capital projects funds are appropriated pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina; therefore, appropriations do not lapse at the end of the fiscal year and are available for the duration of the project, estimated to be eighteen months, unless subsequently amended by Council action.

Adopted this 15th day of December, 2022.



John R. Kirkland, Mayor



Attest:



Kristie J. Nobles, Town Clerk

Mayor and Town Council Responsibilities

Last Updated 12/15/22

MAYOR	FINANCE & HUMAN RESOURCES	PUBLIC SAFETY	PARKS & RECREATION	ENVIRONMENT	PLANNING	CAC
Mayor: John R. Kirkland	Liaison: Brian Leonard	Liaison: Jeff Weaver	Liaison: James Castranova	Liaison: Brian Leonard	Liaison: Buddy Sheffield	Liaison Barbara Maurer
Pro Tem: Buddy Sheffield	Backup: Barbara Maurer	Backup: Buddy Sheffield	Backup: Barbara Maurer	Backup: Jeff Weaver	Backup: Barbara Maurer	Backup: James Castranova
<p>Serves as official head of Town for purpose of serving civil process and receiving all Town correspondence. Signs official documents approved by Council. Liaison with municipal, county, state governments & private sector.</p> <p>Presides over Town meetings.</p> <p>Town spokesman and media representative.</p> <p>Represents Town for ceremonial purposes.</p> <p>Representative to New Bern Metropolitan Planning Organization</p>	<p>Liaison for financial operations of the Town.</p> <p>Serves as Chair of Town's Audit Committee.</p> <p>Works with staff concerning technology and Human Resource Policy issues.</p>	<p>Liaison with the Community Watch group.</p> <p>Liaison with the Community Emergency Response Team (CERT).</p> <p>Liaison with Coastal Environmental Partnership.</p>	<p>Liaison with Parks & Recreation Advisory Board.</p> <p>Works with volunteers on Fourth of July and other special events.</p>	<p>Liaison with Environment and Waterways Advisory Board (EWAB) .</p> <p>Works with staff concerning environmental issues.</p> <p>Liaison with ABC Board</p>	<p>Liaison with Planning Board.</p> <p>Liaison with Board of Adjustment.</p> <p>Alternate to New Bern Metropolitan Planning Organization.</p>	<p>Liaison with Community Appearance Commission (CAC)</p>

Code of Ethics for the
Town Council of
The Town of River Bend, North Carolina

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article 1, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards and councils to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this town, and with obeying the law, and

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of River Bend, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Town Council do hereby adopt the following General Principles of Code of Ethics to guide the Town Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Council members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Council members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens.
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions.

- As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Council members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Council members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of the constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Town Council and to help to determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a council member's best judgment.

Section 1. Council members should obey all laws applicable to their official actions as members of the Council. Council members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, council members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a council member is behaving unethically because of disagreeing with that council member on a question of policy (and not because of the council member's behavior) is unfair, irresponsible, and itself unethical.

Council members should endeavor to keep up to date, through the council's attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the council may receive concerning specific situations that arise.

Section 2. Council members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values.
- Behaving consistently and with respect toward everyone with whom they interact.
- Exhibiting trustworthiness.
- Living as if they are on duty as elected officials regardless of where they are or what they are doing.
- Using their best independent judgment to pursue the common good as they see it, presenting their opinion to all in a reasonable, forthright, consistent manner.
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others.

- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves.
- Treating other council members and the public with respect and honoring the opinions of others even while the council members disagree with those opinions.
- Not reaching conclusions on issues until all sides have been heard.
- Showing respect for their offices and not behaving in ways that reflect poorly on those offices.
- Recognizing that they are a part of a larger group and acting accordingly.
- Recognizing that individual council members are not generally allowed to act on behalf of the council but may only do so if the council specifically authorizes it, and that the council must take official action as a body.
- Avoiding conflicts of interest.

Section 3.a. Council members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this council will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the council member's action would conclude that the action was inappropriate.

Section 3.b. If a council member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the council's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it.

Section 4. Council members should faithfully perform the duties of their offices. They should act as especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Council members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the council has authority.

Council members should be willing to bear their fair share of the council's workload. To the extent appropriate, they should be willing to put the council's interests ahead of their own.

Section 5. Council members should conduct the affairs of the council in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should also remember that local government records belong to the public and not to council members or their employees.

In order to ensure strict compliance with the laws concerning openness, council members should make clear that an environment of transparency and candor is to be maintained at all times in the government unit. They should prohibit unjustified delay in fulfilling public record requests. They should take deliberate steps to make certain that any closed sessions held by the council are lawfully conducted and that such sessions do not stray from the purpose for which they are called.

The Mayor and members of this Council do hereby accept and pledge to conduct themselves in accordance with this Code.

This document is to be reviewed by and presented to the Council for adoption following any change in the membership of the Council.

Adopted this 15th day of December, 2022 by the River Bend Town Council.


John R. Kirkland, Mayor

ATTEST:


Kristie J. Nobles, Town Clerk



Originally adopted 8-12-2010
Re-adopted 12-15-2022