



TOWN OF RIVER BEND

**45 Shoreline Drive
River Bend, NC 28562**

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

RIVER BEND TOWN COUNCIL AGENDA
Work Session Meeting
April 13, 2023
River Bend Town Hall – 45 Shoreline Drive
7:00 p.m.

1. **VOTE** – Approval of Agenda
2. **VOTE** – AIA Water Resolution - Jackson
3. **VOTE** – AIA Sewer Resolution - Jackson
4. **VOTE** – Audit Committee Recommendation – Leonard
5. **VOTE** – Parks & Recreation Special Assignment from Council - Weaver
6. **DISCUSSION** – Parks & Recreation July 4th Recommendation - Weaver
7. **DISCUSSION** – Parks & Recreation Red Caboose Library Recommendation - Weaver
8. **DISCUSSION** – Planning Board Rezoning Recommendation for Parcel 8-205-083 - Sheffield
9. **CLOSED SESSION** – NCGS § 143-318.11(a)(3)
10. **REVIEW AGENDA** – Nobles

Pledge: Sheffield

Town of River Bend Resolution
AMERICAN RESCUE PLAN WATER INFRASTRUCTURE

Whereas, the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund was established in S.L. 2021-180 to assist eligible units of government with meeting their water infrastructure needs, and

Whereas, the North Carolina Department of Environmental Quality has offered Rescue Plan (ARP) funding in the amount of \$150,000 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

Whereas, the Town of River Bend intends to perform said project in accordance with the agreed scope of work,

Now, therefore be it resolved, by the River Bend Town Council that the Town of River Bend does hereby accept the American Rescue Plan (ARP) offer of \$150,000.

That the Town of River Bend does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

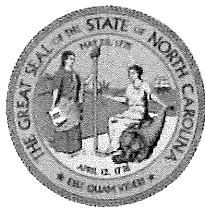
That Delane Jackson, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 13th day of April, 2023

John R. Kirkland, Mayor

ATTEST:

Kristie J. Nobles, Town Clerk, CMC



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

March 21, 2023

Mr. Delane Jackson
Town of River Bend
45 Shoreline Drive
River Bend, NC 28562

SUBJECT: Offer & Acceptance for American Rescue
Plan Funding
Town of River Bend
Water System AIA
Project No. AIA-D-ARP-0132
UEID No. QMRLTKVN7275

Dear Mr. Jackson:

The Town of River Bend has been approved for American Rescue Plan (ARP) funding from the State Fiscal Recovery Fund in the amount of **\$150,000** for an Asset Inventory and Assessment (AIA) study. Projects funded from the State Fiscal Recovery Funds established in S.L. 2021-180/S.L. 2022-74 must meet applicable federal law and guidance for the ARP funds.

Enclosed are two (2) copies of an offer-and-acceptance document, extending ARP funding in the amount of \$150,000. This offer is made by the Division of Water Infrastructure (DWI), subject to the assurances and conditions set forth in the enclosed offer-and-acceptance document. Funds will not be disbursed unless this offer is accepted.

Upon your acceptance, please submit the following items to Pam Whitley, Division of Water Infrastructure (DWI), 1633 Mail Service Center, Raleigh, North Carolina 27699-1633:

1. A resolution (sample copy attached), adopted by the governing body, accepting the offer, and making the applicable assurances contained therein;
2. One (1) copy of the original offer-and-acceptance document, executed by the Authorized Representative for the project, along with the signed "Standard Conditions and Assurances" for ARP Projects. **Please retain the second copy for your files.**
3. Sales Tax Certification, if applicable (attached)

All work associated with this project must be completed within 24 months of the date of this letter. Once the subject project has commenced, the enclosed "reimbursement request form"



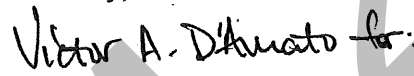
North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

must be completed and submitted with all reimbursement requests. You are free to reproduce this form should additional copies be needed.

In addition, a memorandum requesting your federal identification number was included with the Letter of Intent to Fund. You must complete and submit this form and all executed contracts or service agreements no later than the time when you choose to submit your first request for reimbursement. Reimbursement requests and executed contracts or agreements should be sent to Bob Taylor, your Viable Utility Unit Project Manager, at the address noted.

On behalf of the Department of Environmental Quality, I am pleased to extend this offer of ARP funds, made available by the North Carolina Fiscal Recovery Fund. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this letter, please contact Bob Taylor at bob.taylor@ncdenr.gov or 919-707-3717.

Sincerely,



Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures: Offer-and-Acceptance Document (2 copies)
Resolution by Applicant's Governing Body to Accept an Offer of Funding
Sales-Tax Certification Form
Reimbursement Request Form

CC: Gary Flowers, Municipal Engineering (Garner)
Jennifer House (via email)
Victor D'Amato, PE (via email)
Mark Hubbard (via email)
Pam Whitley (via email)
Corey Basinger (via email)
Bob Taylor (via email)
FILE: ARP Project File (**COM_LOX**)



Town of River Bend Resolution
AMERICAN RESCUE PLAN WASTEWATER INFRASTRUCTURE

Whereas, the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund was established in S.L. 2021-180 to assist eligible units of government with meeting their wastewater infrastructure needs, and

Whereas, the North Carolina Department of Environmental Quality has offered Rescue Plan (ARP) funding in the amount of \$150,000 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

Whereas, the Town of River Bend intends to perform said project in accordance with the agreed scope of work,

Now, therefore be it resolved, by the River Bend Town Council that the Town of River Bend does hereby accept the American Rescue Plan (ARP) offer of \$150,000.

That the Town of River Bend does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Delane Jackson, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 13th day of April, 2023

John R. Kirkland, Mayor

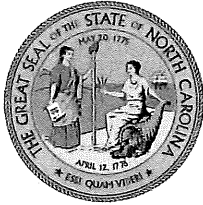
ATTEST:

Kristie J. Nobles, Town Clerk, CMC

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

SHADI ESRAF
Director



NORTH CAROLINA
Environmental Quality

March 21, 2023

Mr. Delane Jackson
Town of River Bend
45 Shoreline Drive
River Bend, NC 28562

SUBJECT: Offer & Acceptance for American Rescue
Plan Funding
Town of River Bend
Wastewater System AIA
Project No. AIA-W-ARP-0131
UEID No. QMRLTKVN7275

Dear Mr. Jackson:

The Town of River Bend has been approved for American Rescue Plan (ARP) funding from the State Fiscal Recovery Fund in the amount of **\$150,000** for an Asset Inventory and Assessment (AIA) study. Projects funded from the State Fiscal Recovery Funds established in S.L. 2021-180/S.L. 2022-74 must meet applicable federal law and guidance for the ARP funds.

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3. Sales Tax Certification, if applicable (attached)

All work associated with this project must be completed within 24 months of the date of this letter. Once the subject project has commenced, the enclosed "reimbursement request form"



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In addition, a memorandum requesting your federal identification number was included with the Letter of Intent to Fund. You must complete and submit this form and all executed contracts or service agreements no later than the time when you choose to submit your first request for reimbursement. Reimbursement requests and executed contracts or agreements should be sent to Bob Taylor, your Viable Utility Unit Project Manager, at the address noted.

On behalf of the Department of Environmental Quality, I am pleased to extend this offer of ARP funds, made available by the North Carolina Fiscal Recovery Fund. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this letter, please contact Bob Taylor at bob.taylor@ncdenr.gov or 919-707-3717.

Sincerely,

Victor A. D'Amato for:

Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures: Offer-and-Acceptance Document (2 copies)
Resolution by Applicant's Governing Body to Accept an Offer of Funding
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Jennifer House (via email)
Victor D'Amato, PE (via email)
Mark Hubbard (via email)
Pam Whitley (via email)
Corey Basinger (via email)
Bob Taylor (via email)
FILE: ARP Project File (**COM_LOX**)



Town of River Bend
Audit Committee Meeting
April 3, 2023

Members Present: Delane Jackson, Janice Westgate, Mandy Gilbert and Brian Leonard

Members Absent: None

The meeting was called to order at 2:00 p.m. in Town Hall.

Delane announced that Bud Van Slyke was no longer a member of the Audit Committee and he stated that the first order of business was to elect a new Chair.

Many Gilbert motioned to appoint Brian Leonard as Chairman, seconded by Janice Westgate. The motion was unanimously approved.

Brian's appointment as Chair, created a vacancy in the office of Vice-Chair.

Brian Leonard motioned to appoint Mandy Gilbert at Vice-Chair, seconded by Delane Jackson. The motion was unanimously approved.

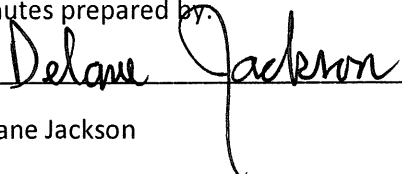
Delane then explained that the town has advertised a Request For Proposal (RFP) for audit services. Two firms had submitted responses to the RFP. They are Martin Starnes & Associates, CPA, P.A. and Thompson, Price, Scott, Adams & Co., P.A. . The committee discussed both proposals and all agreed that both firms are highly qualified, professional and reputable and both are capable of performing audit services for the town. Delane mentioned that Thompson, Price, Scott, Adams & Co. are currently providing audit services for the City of New Bern and Craven County. He stated that he had reached out to New Bern and Craven for a reference and that both gave Thompson, Price, Scott, Adams & Co. a very good reference.

Chairman Leonard opened the floor for motions for a recommendation. Delane motion to recommend hiring Thompson, Price, Scott, Adams & Co. to perform audit services for the town in accordance with the town's RFP. Mandy seconded the motion. The motion passed unanimously.

With no further business, Chairman Leonard called for a motion to adjourn. Mandy motioned to adjourn, seconded by Delane. The motion passed unanimously.

Brian Leonard, Chairman

Minutes prepared by.



Delane Jackson

Delane Jackson

The	Governing Board
of	Primary Government Unit
and	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name
	Auditor Address

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
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Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.
2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards (GAGAS)* if the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

Effective for audits of fiscal years beginning after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee based upon federal criteria in the Uniform Guidance §200.520(a), and (b) through (e) as it applies to State awards. In addition to the federal criteria in the Uniform Guidance, audits must have been submitted timely to the LGC. If in the reporting year, or in either of the two previous years, the unit reported a Financial Performance Indicator of Concern that the audit was late, then

the report was not submitted timely for State low-risk auditee status. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.
15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.
16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.
17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.
18. Special provisions should be limited. Please list any special provisions in an attachment.
19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.
20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.
21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.
22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

ITEM 17

FEEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: Auditor Governmental Unit Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:	Title and Unit / Company:	Email Address:

OR Not Applicable (Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$

DPCU FEES (if applicable)

Discretely Presented Component Unit	
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Authorized Firm Representative (typed or printed)*	Signature*
Date*	Email Address*

GOVERNMENTAL UNIT

Governmental Unit*	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)*	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed)	Signature*
Date of Pre-Audit Certificate*	Email Address*

**SIGNATURE PAGE – DPCU
(complete only if applicable)**

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.

PRINT

The Council recently approved a motion to direct the P&R Advisory Board to work on a special project. Councilman Weaver presented that motion. In an effort to make sure that Council understands the assignment and is in agreement with it, he has presented the following language. If approved by Council, Councilman Weaver, acting as the P&R Liaison, will deliver the directive to the P&R Advisory Board.

Members of the P&R Advisory Board,

It is the goal of the Mayor, Town Council, and Town Manager, to provide recreational amenities that accommodate the widely ranging demographics of our citizens.

The Town of River Bend currently has a paved walking track (unlit), fenced in dog park, small pavilion, fishing/water view dock, basketball court, toddler playground/area, and a large field area that can be used for many activities.

The demographics of our town have been changing for quite some time and we now have more families with children of varying age ranges than ever before.

Simply put, It's time to reevaluate our recreational areas for potential improvements so that we are providing everyone with safe and engaging recreational amenities.

The council is tasking the P&R Advisory Board with providing a recommendation and comprehensive list of potential additions to our growing recreational areas that would be an enhancement and benefit to our entire community.

Do not burden yourselves with ascertaining the specific costs of these amenities (as in actual quotes), this can be done at a later time. We are currently seeking input on what our citizens need and would like their leaders to provide.

1. It is requested that the P&R Advisory board provide a comprehensive recommendation of needed enhancements to the recreational spaces within town limits.
2. It is requested that this recommendation be submitted to the members of town council no later than December 1, 2023.

Respectfully,

River Bend Town Council

Official Memo

To: River Bend Town Council

From: Parks & Recreation Advisory Board

Re: Amended Recommendation for Funding for July 4th Celebration

Date: April 6, 2023

The Parks & Recreation Advisory Board has amended their recommendation for July 4th funding.

The board has reduced its initial request of \$20,000 to \$10,000 to provide the necessary funding for a parade, fireworks, and live music.

Detailed itemization to follow shortly.



Keenan Castranova, Chair
Parks & Recreation Advisory Board

Parks
&
Rec

51 Shoreline., New Bern, NC 28562 252-638-3870

riverbendpnr@gmail.com

www.riverbendnc.org


Official Memo

To: River Bend Town Council
From: Parks & Recreation Advisory Board
Re: Recommendations for Red Caboose Library
Date: March 7, 2023

The Parks & Recreation Advisory Board held a general meeting on March 7, 2023. A quorum of three (3) board members were present and two motions were made regarding the Red Caboose Library.

The first motion was made to remove the conditions for the Red Caboose Library that currently prevent them from requesting funding from the Town Council. The motion passed unanimously.

A second motion was made for the Red Caboose Library to have their own budget separate from the Parks & Recreation Advisory Board budget. The motion passed unanimously.



Keenan Castranova, Chair
Parks & Recreation Advisory Board

Parks
&
Rec

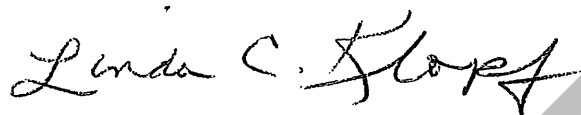
51 Shoreline., New Bern, NC 28562 252-638-3870

riverbendpnr@gmail.com

www.riverbendnc.org

Red Caboose Library Request
October 2, 2019

The Red Caboose Library requests River Bend Parks and Recreation to sponsor the Library as an activity under the auspice of Parks and Recreation. Red Caboose Library Volunteers will continue to partner with Parks and Recreation activities. The Red Caboose Library will not request funding under Parks and Recreation's budget.



Linda C. Klopf, Red Caboose Library Coordinator

§ 160A-20.1. Contracts with private entities; contractors must use E-Verify.

(a) Authority. – A city may contract with and appropriate money to any person, association, or corporation, in order to carry out any public purpose that the city is authorized by law to engage in. A city may not require a private contractor under this section to abide by any restriction that the city could not impose on all employers in the city, such as paying minimum wage or providing paid sick leave to its employees, as a condition of bidding on a contract.

(b) Repealed by Session Laws 2015-294, s. 1(b), effective October 1, 2015, and applicable to contracts entered into on or after that date. (1985, c. 271, s. 1; 2013-413, s. 5(d); 2013-418, s. 2(b); 2014-119, s. 13(a); 2015-294, s. 1(b); 2016-3, 2nd Ex. Sess., s. 2.3; 2017-4, s. 1.)

HEM



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

Date: 3-10-23

To: Town of River Bend
45 Shoreline Drive
River Bend, NC 28562-8970

From: Spectrum Building + Remodeling
P.O. Box 15475 New Bern
NC 28561 Phone: _____

The undersigned owner of real property respectfully requests that the area described in the metes and bounds description attached hereto and further described in plot plan survey attached hereto be rezoned from ID to PDR-ME Zoning Classification.

The names and addresses of all owners of parcels of land within the property to be rezoned are as follows:

\$ 200.00 payment of filing fee is enclosed.

[Signature]
Signature

Craven County Geographic Information System



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PARCEL ID : 8-206 -083

Owner :	NEIL REALTY CO INC		
Mailing Address :	PO BOX 6159 KINSTON, NC 28501		
Address of Property :			
Subdivision :			
Property Description :	ODD FELLOWS LD		
Assessed Acreage :	19.59	Calculated Acreage :	19.58
Deed Book Page :	0997 0243	Deed Recording Date :	1 1 1982
Land Value :	\$979,490	Recorded Survey :	
Total Improvement(s) Value :	\$0	Life Estate Deed :	
Total Assessed Value :	\$979,490	Estate File Year-E-Folder :	
Number of Improvements:	0	Tax Exempt :	No
City Name :	RIVER BEND	Fire Tax District :	
Drainage District :		Lot Dimension :	
Special District :		Land Use :	VACANT - TRACT SUITABLE FOR COMMERCIAL DEVELOPMENT

Sales where not found for this parcel.

Buildings or improvements where not found on this parcel.

Beginning at a point in the eastern R/W intersection of Efird Blvd. and Pirates Road., the point or place of beginning. Thence from said point or place of beginning, N30°31'44"W a distance of 1552.50 feet to a point, thence N59°29'00"E a distance of 750.76 feet to a point, thence S48°00'00"E a distance of 988.76 feet to a point on the western R/W line of Pirates Road, thence along the western R/W line S11°47'03"W a distance of 69.43 feet to a point, thence leaving the R/W line N48°00'00"W a distance of 247.01 feet to a point, thence S42°12'12"W a distance of 750.54 feet to a point, thence S30°31'44"E a distance of 157.57 feet to a point, thence S59°28'16"W a distance of 150.00 feet to a point, thence S30°31'44"E a distance of 413.10 feet to a point, thence S59°28'16"W a distance of 60.00 feet back to the point or place of beginning, containing 19.7 acres.

ITEM 8

Riverstone Assisted Living, LLC

DB 3302 PG 96
PC D Slide 482
| 8-208-124 |

N59°29'00"E 750.76'

Town of
River Bend
DB 1531 PG 619
| 8-208-148 |

S48°00'00"E

(35)

(37)

(35)

Norbury Estates
PC F
Slide 38

(34)

(33)

(32)

988.76'

N48°00'00"W
247.01'

S17°47'03"W
69.43'

19.7 AC.
DB 997 PG 243
| 8-206-083 |

NC Pace RE, LLC
DB 3403 PG 135
PC G Slide 19-B
| 8-206-1000 |

1552.50'

N30°31'44"W

60' Right-of-Way

S30°31'44"E
157.57'

150.00'
S59°28'16"W

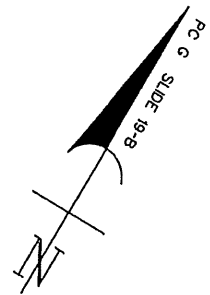
S30°31'44"E

413.10'

M.91,826.55'
0.00'

60' R/W - (Public)

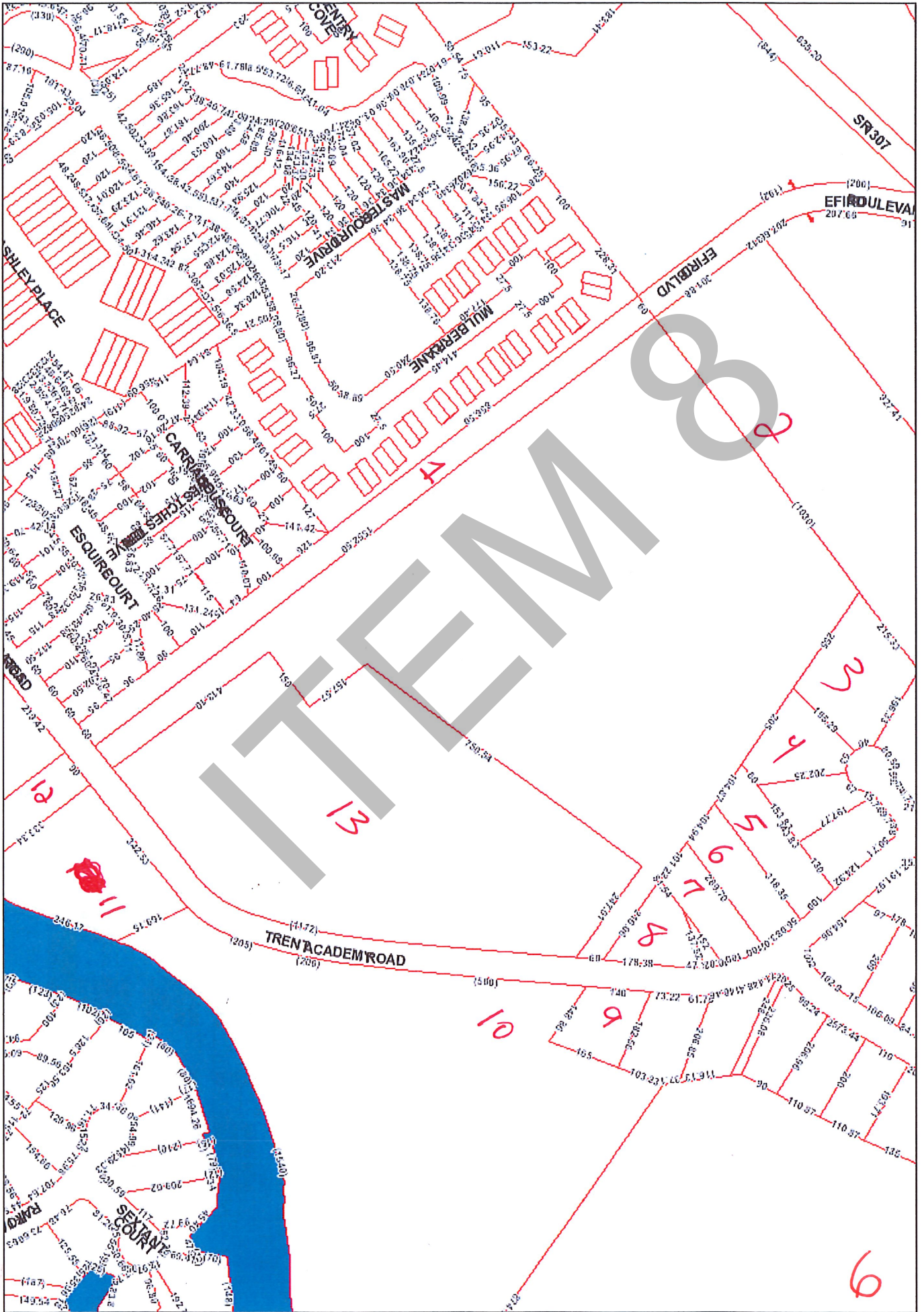
P1R417BS
ROAD



LN

PID	PANAME	TMADDR	CITYNM	TAXSTE	ZIP	PASTNU	PASTNA	PASTAB	PACITY
8-206 -083	NEIL REALTY CO INC	PO BOX 6159	KINSTON	NC	28501				RIVER BEND
8-206-4A-029	MATULEWICZ, LORI A	PO BOX 152	VOORHEESVILLE	NY	12186	251	PIRATES	RD	RIVER BEND
8-206-4A-038	PARNELL, CATHERINE	204 WAKEFIELD DR	NEW BERN	NC	28562	204	WAKEFIELD	DR	RIVER BEND
8-206-4A-11000	GAVALIS, MIRANDA	250 PIRATES RD	NEW BERN	NC	28562	250	PIRATES	RD	RIVER BEND
8-206-4A-033	MOORE, PATRICK & JOSEPHS, MELISSA	252 PIRATES RD	NEW BERN	NC	28562	252	PIRATES	RD	RIVER BEND
8-206 -094	RIVER BEND - TOWN OF	45 SHORELINE DR	NEW BERN	NC	28562				RIVER BEND
8-206 -115	NEIL REALTY CO INC	PO BOX 6159	KINSTON	NC	28501		PIRATES	DR	RIVER BEND
8-206 -124	RIVERSTONE ASSISTED LIVING LLC	201 S MCPHERSON CHURCH RD STE 226	FAYETTEVILLE	NC	28303	104	EFIRD	BLVD	RIVER BEND
8-206-4A-035	SEAMAN, ARTHUR R & MARIANN	302 PIRATES RD	NEW BERN	NC	28562	302	PIRATES	RD	RIVER BEND
8-206-4A-034	BROADHURST, FRANKLIN D & SHERRY T	300 PIRATES RD	NEW BERN	NC	28562	300	PIRATES	RD	RIVER BEND
8-206 -143	RIVER BEND - TOWN OF	45 SHORELINE DR	NEW BERN	NC	28562				RIVER BEND
8-201 -059	HUMPHREY, JOHN A & PHYLLIS A	137 PIRATES RD	NEW BERN	NC	28562	137	PIRATES	RD	RIVER BEND
8-201 -060	ADAMS, DAVID KRIS & SUSAN	135 PIRATES RD	NEW BERN	NC	28562	135	PIRATES	RD	RIVER BEND
8-206 -1000	NC PACE RE LLC	17 CHURCH ST	ASHEVILLE	NC	28801	140	PIRATES	RD	RIVER BEND

ITEM



Craven County GIS

Craven County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on March 31, 2023 at 10:26:06 AM

1 inch = 273 feet



§ 15.02.036 RESIDENTIAL DISTRICTS.

<i>Use District</i>	<i>Permitted Uses</i>	<i>Dimensional Requirements</i>
R-20	Single Family Residential	20,000 square feet minimum lot area
R-20A		
R-15	Single Family Residential	15,000 square feet minimum lot area
PDR-SF	Planned Development Residential	Single family district is intended to provide for the unified development of permanent residential neighborhoods containing only single family detached dwellings. No tract shall be considered for PDR-SF zoning unless it contains at least 10 acres. The total density in a PDR-SF district shall not exceed 4 dwellings per acre of land.
PDR-MF	Planned Development Residential	Multi-family district is intended to provide for unified development of permanent residential neighborhoods with 1 and 2 story attached condominiums, apartments, and townhouses with no more than 4 dwelling units in a single building. No tract shall be considered for PDR-MF zoning unless it contains at least 5 acres. The total density in a PDR-MF district shall not exceed 6-1/2 dwellings per acre of land. Minimum distance between MF residential buildings is 20 feet.

§ 15.02.037 INSTITUTIONAL DISTRICTS.

<i>Use District</i>	<i>Designation</i>
ID	Established to allow churches, private clubs, academic day schools or preparatory schools, and health related facilities, provided they are located on adequate sites and have provision for parking for times of maximum attendance or use of the premises, with landscaping and controls over lighting and signs so as not to affect adversely adjoining properties.

§ 15.02.038 BUSINESS DISTRICTS.

<i>Use District</i>	<i>Designation</i>
---------------------	--------------------

BD	Established to allow commercial development for retailing of goods and services and to provide offices and personal services. All these businesses shall provide a pleasing appearance, ample parking, controlled traffic movement and suitable landscaping and controls over lighting and signs so as not to affect adversely any adjoining properties.
PD-BD	Planned Development- Business District Land to be developed with an intent to either sell or rent 2 or more completed buildings or separated portions of the same building. All provisions of §§ 15.02.135 et seq. shall apply.
The area of a Business District development not covered by building shall be illuminated after dark and until the last of the business close for the day. Direct illumination on non-business district property, including public highways, by business district area lighting is prohibited. Reduced intensity illumination for security purposes during non-business hours may be used and is encouraged. All provisions of §§ 15.02.135 et seq. shall apply.	

§ 15.02.039 WILDLIFE PRESERVE DISTRICTS.

<i>Use District</i>	<i>Designation</i>
WP	Established to assure the continuing existence of the fragile wetland habitat for perpetuation of plants and wildlife essential to the preservation of the present and unique quality of the River Bend Community. County soil surveys have identified the wildlife preserve as lying within soil areas classified as muck, subject to flooding, and basically suitable only as habitat for wetlands, plants and wildlife. Muck lands as described by County Soil Conservation Specialists are unsuitable for sanitary facilities and for building site development.
The Wildlife Preserve may include coastal wetlands and public trust areas, which are areas of environmental concerns as identified by NCAC Title 15, Subchapter 7H .0205 and .0207.	
Also included may be Wetlands or other areas that may be subject to the regulatory jurisdiction of the U.S. Army Corps of Engineers.	

§ 15.02.040 AGRICULTURAL DISTRICTS.

<i>Use District</i>	<i>Designation</i>
AGR	As noted on the River Bend land use plan, nearly all lands north and east of the Plantation Canal within the River Bend planning area are designated as prime farmland (about 80%) or important farmland (about 20%). In the interest of protecting and preserving this agricultural land and preserving River Bend's unique rural flavor, and agricultural district is hereby established.

§ 15.02.124 DISTRICT USE REGULATIONS.

For convenience in the administration of this chapter, there hereby is established and made a part of this chapter the following schedule of district use regulations.

SCHEDULE OF DISTRICT USE REGULATIONS									
KEY:									
P – Use permitted by right									
SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board									
Blank/Unlisted – Prohibited use									
Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Accessory Building	P	P	P	P	SU	SU	SU	P	
Adult Day Care					P	P	P		G
Bakery, Retail						P	P		G
Financial Services						P	P		G
Barber Shop/Beauty Shop						P	P		G
Boats and Trailer Sales						SU	SU		G
Cabinet, Woodworking or Upholstery Shops						P	P		G
Child Day Care						SU			
Churches	SU	SU	SU	SU	P	SU	SU		E
Clubs and Lounges, Private					P	SU	SU		F
Clothing Store						P	P		G
Computer Sales and Service						P	P		G

SCHEDULE OF DISTRICT USE REGULATIONS

KEY:

P – Use permitted by right

SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board

Blank/Unlisted – Prohibited use

Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Dairy Bar and Ice Cream Parlors						P	P		G
Drug Store						P	P		F
Dry Cleaners/Drop Off/Pick Up Only						P	P		G
Dwellings, Single-Family	P	P	P	P		SU			A
Dwellings, 2-Family				P		SU			A
Dwellings, Multi-Family				P		SU			A
Fire Department Buildings	SU	SU	SU	SU	SU	SU	SU		F
Fitness Center						P	P		G
Florists/Gift Shop						P	P		G
Furniture Store						P	P		G
Golf Course	SU	SU	SU	SU	P	SU	SU		F
Grocery Store						P	P		G
Hardware Sales						P	P		G
Home Occupations	P	P	P		P				G

SCHEDULE OF DISTRICT USE REGULATIONS

KEY:

P – Use permitted by right

SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board

Blank/Unlisted – Prohibited use

Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Tourist Home***	P	P			P	P	P		D
Jewelry and Watch Repair						P	P		G
Libraries	SU	SU	SU	SU		P	P		G
Marina						P			G
Nursing Home and Rest Home					P				G
Office for Business, Professional and Personal Services						P	P		G
Pet Shops (excluding Veterinary Services)						P	P		G
Pharmacy						P	P		G
Photo Shop/Supply						P	P		G
Police Station	SU	SU	SU	SU	SU	SU	SU		F
Public Enterprise**	SU	SU	SU	SU		SU	SU		F
Public Utility	SU	SU	SU	SU	SU	SU	SU		F
Restaurants					P	P	P		F
Schools	SU	SU	SU	SU	SU				F

SCHEDULE OF DISTRICT USE REGULATIONS

KEY:

P – Use permitted by right

SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board

Blank/Unlisted – Prohibited use

Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Service Station						SU	SU		J
Shoe Sales and Repair						P	P		G
Sporting Goods Sales						P	P		G
Storage Rental Units/Areas						P	P		G
Travel Agency						P	P		G
Utility Tanks, Pumps, Electrical Substations & Related Services	SU	SU	SU	SU	SU	SU	SU	SU	
Wholesale and/or Retail Janitorial Sales & Services						SU	SU		F
Youth Center					P	P	P		G

*Parking code described in §15.02.080

** As defined by G.S. § 160A-311

*** Non-conforming uses of tourist home at the time of its addition to this ordinance shall be amortized for a period of 12 months from November 17,2022. After that date, the use must terminate if not permitted in the corresponding zone or a special use permit has not been obtained, as applicable.

Penalty, see § 1.01.999

Amended 11/17/22

North Carolina law allows public bodies, such as the River Bend Town Council, to meet in closed session to discuss certain topics. However, prior to going into closed session, the Council must announce the closed session and the topic for which the closed session is being called and that must be done while the Council is in open session. This requirement allows the public to know in general what the closed session is concerning. The closed session must also be adjourned in open session. For the purpose of this guide, open session simply means in view of the public and closed session simply means it private. The topics that may be discussed in closed session are listed below and are numbered 1 through 10. Most of the time, the Council knows in advance that a closed session is needed and the General Statute citation which identifies the purpose of the closed session is included on the agenda. However, that is not always the case. The need for a closed session may arise without enough warning to publish the citation on the agenda. The law does not require advanced notice of a closed session. In any case, planned or not, the Council will state the appropriate citation. The citation will always begin with 143-318.11(a). The numbers that follow in parenthesis will identify the particular closed session topic. For example: The citation 143-318.11(a)(3)(5) will allow the Council to consult with an attorney (#3) and to discuss the acquisition of real property (#5).

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents

concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.
- (9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
- (10) To view a recording released pursuant to G.S. 132-1.4A.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2; 2013-360, s. 8.41(b); 2014-79, s. 9(a); 2016-88, s. 3.)



**RIVER BEND TOWN COUNCIL
DRAFT AGENDA
Regular Meeting
April 20, 2023
River Bend Town Hall – 45 Shoreline Drive
7:00 p.m.**

Pledge: Sheffield

1. Call to Order (Mayor Kirkland Presiding)
2. Recognition of New Residents
3. Additions/Deletions to Agenda
4. Addresses to the Council
5. Public Hearings
6. Consent Agenda

All items listed under this section are considered routine by the Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Approve:

*Minutes of the March 9, 2023 Work Council Meeting
Minutes of the March 16, 2023 Regular Council Meeting*

7. Town Manager's Report – Delane Jackson

Activity Reports

- A. *Monthly Police Report* by Chief Joll
- B. *Monthly Water Resources Report* by Director of Public Works Mills
- C. *Monthly Work Order Report* by Director of Public Works Mills
- D. *Monthly Zoning Report* by Assistant Zoning Administrator McCollum

Administrative Reports:

8. CAC – Councilwoman Maurer
 - A. CAC Report
9. Finance – Councilman Leonard
 - A. Financial Report - Finance Director
10. Environment And Waterways – Councilman Leonard
 - A. EWAB Report
11. Planning Board – Councilman Sheffield
 - A. Planning Board Report
 - B. Board of Adjustment Report

12. Public Safety – Councilman Weaver
 - A. Community Watch
 - B. CERT

13. Parks & Recreation – Councilman Weaver
 - A. Parks and Rec Report
 - B. Organic Garden Report
 - C. Library Report

14. Mayor’s Report – Mayor Kirkland

15. Public Comment

The public comment period is set aside for members of the public to offer comments to the Council. It is the time for the Council to listen to the public. It is not a Question & Answer session between the public and the Council or Staff. All comments will be directed to the Council. Each speaker may speak for up to 3 minutes. A member of staff will serve as timekeeper. A sign-up sheet is posted by the meeting room door and will be collected prior to the start of the Public Comment Period. Speakers will be called on by the Mayor in the order that they signed up. In order to provide for the maintenance of order and decorum, the Council has adopted a policy for this section of the meeting. A copy of the policy is posted by the door for your review. Please follow the policy. If you have a specific question for staff, you are encouraged to contact the Town Manager or the appropriate Department Head at another time.

16. Adjournment