

**River Bend Town Council
Regular Meeting Minutes
July 20, 2023
Town Hall
7:00 p.m.**

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

Absent Council Member: James Castranova

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

Members of the Public Present: 24

CALL TO ORDER

Mayor Kirkland called the meeting to order at 7:00 p.m. on Thursday, July 20, 2023, at the River Bend Town Hall with a quorum present.

VOTE – Additions / Deletions of the Agenda

Vote – Addition to Agenda – Councilwoman Maurer motioned to amend the agenda by adding Closed Session under NCGS§ 143-318.11(a)(3)(6) at the end of the meeting. The motion carried unanimously.

At this time the Mayor stated that Councilman Castranova submitted his resignation today.

Vote – Addition to Agenda – Councilwoman Maurer motioned to amend the agenda by adding Filling of Vacancy as item 9B. The motion carried unanimously.

Councilman Sheffield stated that this would initiate the Town's process of filling the vacancy and that the vacancy would not be filled at this meeting.

VOTE – Approval of Agenda

Councilwoman Maurer motioned to adopt the agenda as amended. The motion carried unanimously.

ADDRESSES THE COUNCIL

Art Seaman – presented a petition against the rezoning of property identified as Craven County Property Identification Number 8-206-083.

Jay Ammon – stated he is the contractor requesting the rezoning and has previously built homes in River Bend. He stated that he would build smaller homes / duplexes which he felt there is a need for in the town.

CONSENT AGENDA

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

A. Approve:

Minutes of the June 8, 2023 Work Council Meeting

Minutes of the June 15, 2023 Regular Council Meeting

TOWN MANAGER'S REPORT

The Manager gave the following updates:

- The Town Clerk has obtained her North Carolina Certified Municipal Clerk certification.
- There has been a rezoning application submitted by Robert Davis and Kim Dow for the 100 acre lot on Old Pollocksville Road.
- The Town has entered into a contract for debris removal following an emergency event through a Cooperative Purchasing Agreement with Craven County.

ADMINISTRATIVE REPORTS

PLANNING BOARD – COUNCILMAN SHEFFIELD

Councilman Sheffield stated that the Planning Board did not meet in July, but the next meeting is scheduled for August 3, 2023.

VOTE – Jay Ammon Rezoning Request for Craven County PIN 8-206-083

Councilman Sheffield motioned to table the rezoning request vote until the September 14 Council Work Session meeting. The motion carried unanimously.

PUBLIC SAFETY – COUNCILMAN WEAVER

Community Watch – Councilman Weaver stated that Community Watch met on June 21 and elected officers with Egon Lippert serving as chairperson, and Jim Kelly serving as vice chairperson.

PARKS & RECREATION – COUNCILMAN WEAVER

Parks & Recreation

Councilman Weaver stated that the Parks and Recreation Advisory Board met on July 12 and elected officers. He stated that Laurie LaMotte will serve as chairperson, Krysten Howard as vice chairperson and Kathy Noonan as the secretary.

Organic Garden

Councilman Weaver stated that the Organic Garden has had a busy summer with a lot of vegetables being produced. He also stated that there are now two beehives.

Red Caboose Library (RCL)

Councilman Weaver stated that the Book / Tech Mobile would be at the Municipal Building on Friday July 21, at 2:00 p.m. through 5:00 p.m. He also stated that the library has started the process to become a corporate entity which includes a name change.

DISCUSSION– Filling of Vacancy

The Mayor stated that the Town Manager would give a presentation on the town's current ordinance, which governs how the Council fills a vacancy. The Town Manager reviewed a PowerPoint presentation which outlined the process and a proposed timeline for filling the vacancy.

VOTE– Filling of Vacancy - Councilman Weaver motioned to recognize and accept Councilman Castranova resignation effective on July 21, 2023, at 12:01 a.m. and to provide instructions to fill the vacancy as presented in the Town Managers presentation. The motion carried unanimously.

CAC – COUNCILWOMAN MAURER

Councilwoman Maurer presented the following report.

The CAC met on July 19. Two guests were present, Carina Wordham and Dennis Shay. Officers were elected: Chair – Brenda Hall, Vice-Chair – Donna Perry, Secretary – Pat Lineback. The yard awards program was reviewed at the end of its first year. It has been well received and will continue for another year. Next year two workshops will be offered to help residents create festive décor for doors and mailboxes for the Fourth of July. Members have been working on the Plantation median project for over a year. Their first stage was research and seeking a tree and shrub assessment from an expert, Craven County Extension Director Dr. Tom Glasgow. They have developed three different plans to present to the Council at the Work Session on August 10. A committee was formed to plan an Arbor Day program for March 22, 2024. Two Christmas globe light workshops will be offered in October. A maximum of eighteen participants can sign up for each session. There will be a small charge for materials. A workshop preparation meeting and a globe repair session are scheduled for the end of September. At the conclusion of the meeting, Carina Wordham expressed interest in joining CAC. Her application had been submitted. CAC members voted unanimously to submit a favorable recommendation to the Town Council. The next meeting is scheduled for September 20, 2023 at 4 pm in the Municipal Building.

FINANCE – COUNCILMAN LEONARD

Financial Report – Finance Director, Mandy Gilbert, presented to the Council the financial statement for the month of June. She stated the total of the Town’s Cash and Investments as of June 30, 2023, were \$3,652,035 and Ad valorem tax collections for FY22-23 were \$728,005 and Vehicle Ad valorem tax collections were \$96,393.

VOTE – FY2023-2024 Budget Ordinance

Councilman Leonard motioned to approved Budget Amendment 23-B-01 as presented. The motion carried unanimously. (see attached)

VOTE – Street Paving Award

Councilman Leonard motioned to award the street paving bid to Barnhill Contracting for \$213,750.

ENVIRONMENTAL AND WATERWAYS – COUNCILMAN LEONARD

Councilman Leonard stated that EWAB did not meet in July, but the next meeting is scheduled for August 7, 2023, at 7:00 p.m. at the Municipal Building.

VOTE – Wastewater Treatment Plant Grant Resolution

Councilman Leonard motioned to approve the Wastewater Treatment Plant Grant Resolution as presented. The motion carried unanimously. (see attached)

VOTE – Water Supply Study Project Award

Councilman Leonard motioned to award the Water Supply Study Project Award to Rivers and Associates as presented. The motion carried unanimously.

MAYOR’S REPORT

The Mayor presented the following report.

The less than factual discussions placed on the various “social media” pages do damage to our Town. Many “media” posts are not fact based and the originator should be aware of this shortcoming. I am frequently approached by friends in the New Bern area with comments about the “media” context originating in River Bend. These non-River Bend residents likely do not have the background to determine the validity of the post. It is only fair to say that the less than factual

exchange that is taking place is damaging to our Town. My plea to all is PLEASE seek facts and make certain that what you post is true. The product of government at the Federal, State, and Local level is certainly not instantaneous. Sometimes slow character of output can be frustrating. Many times, the slowness is related to the need to produce a record of decision that will be a legal contract. In the fashion of Churchill, what I state above is stated without prejudice.

PUBLIC COMMENT

No Public Comments.

CLOSED SESSION

Councilman Sheffield moved to go into a Closed Session under NCSG §143-318.11(a)(3)(6). The motion carried unanimously. The Council entered Closed Session at 8:13 p.m.

OPEN SESSION

Councilman Sheffield moved to return to Open Session at 8:44 p.m. The motion carried unanimously.

VOTE – Addition to Agenda

Councilman Leonard motioned to add Human Resources Policy Manual Amendment to the agenda. The motion carried unanimously.

VOTE – Human Resources Policy Manual Amendment


Councilman Leonard motioned to approve the Amendment to Article X – Grievance Procedure and Adverse Action Appeal as presented. The motion carried unanimously.

VOTE – Town Manager Merit Pay

Councilman Sheffield motioned to award the Town Manager merit pay in the amount of \$4,318. The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn**. The meeting adjourned at 8:46 p.m.



Kristie J. Nobles, CMC, NCCMC
Town Clerk



**TOWN OF RIVER BEND
 BUDGET ORDINANCE AMENDMENT 23-B-01
 FISCAL YEAR 2023 - 2024**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina that the 2023-2024 Budget Ordinance be amended as follows:

Summary

General Fund	2,209,051
General Capital Reserve Fund	56,900
Law Enforcement Separation Allowance Fund	12,685
Water Fund	655,804
Water Capital Reserve Fund	10
Sewer Fund	679,504
Sewer Capital Reserve Fund	1
Total	<u>3,613,955</u>

Section 1. General Fund

Anticipated Revenues

AD VALOREM Taxes 2023-2024	935,566
AD VALOREM Tax-Motor Vehicle	90,000
Animal Licenses	1,500
Sales Tax 1% Article 39	195,868
Sales Tax 1/2% Article 40	114,635
Sales Tax 1/2% Article 42	97,901
Sales Tax Article 44	13,090
Sales Tax Hold Harmless Distribution	108,195
Solid Waste Disposal Tax	2,200
Powell Bill Allocation	91,000
Beer and Wine Tax	13,225
Video Programming Sales Tax	49,621
Utilities Franchise Tax	112,169
Telecommunications Sales Tax	6,725
Court Refunds	500
Zoning Permits	7,000
Miscellaneous	15,000
Interest- Powell Bill Investments	50
Interest-General Fund Investments	20,000
Contributions	901
Wildwood Storage Rents	18,144
Rents & Concessions	18,000
Sale of Fixed Assets	3,000
Transfer From Capital Reserve Fund	43,504
Appropriated Fund Balance	<u>251,257</u>
Total	2,209,051

Section 1. General Fund (continued)

Authorized Expenditures

Governing Body	65,000
Administration	304,500
Finance	138,625
Tax Listing	13,700
Legal Services	24,000
Elections	0
Police	753,735
Public Buildings	104,500
Emergency Services	5,700
Animal Control	17,100
Street Maintenance	272,950
Public Works	189,000
Leaf & Limb and Solid Waste	52,384
Stormwater Management	47,000
Wetlands and Waterways	2,900
Planning & Zoning	57,000
Recreation & Special Events	10,500
Parks & Community Appearance	62,450
Contingency	20,807
Transfer To General Capital Reserve Fund	55,000
Transfer To L.E.S.A. Fund	12,200
Total	<u>2,209,051</u>

Section 2. General Capital Reserve Fund

Anticipated Revenues

Contributions from General Fund	55,000
Interest Revenue	1,900
Total	<u>56,900</u>

Authorized Expenditures

Transfer to General Fund	43,504
Future Procurement	13,396
Total	<u>56,900</u>

Section 3. Law Enforcement Separation Allowance Fund

Anticipated Revenues:

Contributions from General Fund	12,200
Interest Revenue	485
Total	<u>12,685</u>

Authorized Expenditures:

Separation Allowance	0
Future LEOSSA Payments	12,685
Total	<u>12,685</u>

Section 4. Water Fund

Anticipated Revenues

Utility Usage Charges, Classes 1 & 2	210,591
Utility Usage Charges, Classes 3 & 4	12,428
Utility Usage Charges, Class 5	15,002
Utility Usage Charges, Class 8	4,644
Utility Customer Base Charges	278,811
Hydrant Availability Fee	19,764
Taps & Connections Fees	1,250
Nonpayment Fees	10,500
Late payment Fees	7,822
Interest Revenue	3,488
Sale of Capital Asset	0
Appropriated Fund Balance	91,504
Total	<hr/> 655,804

Authorized Expenditures

Administration & Finance [1]	491,804
Operations and Maintenance	140,500
Transfer To Fund Balance for Capital Outlay	23,500
Transfer To Water Capital Reserve Fund	0
Total	<hr/> 655,804

[1] Portion of department for bond debt service: 141,157

Section 5. Water Capital Reserve Fund

Anticipated Revenues

Contributions From Water Operations Fund	0
Interest Revenue	10
Total	<hr/> 10

Authorized Expenditures

Future Expansion & Debt Service	10
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Section 6. Sewer Fund

Anticipated Revenues:

Utility Usage Charges, Classes 1 & 2	267,170
Utility Usage Charges, Classes 3 & 4	36,679
Utility Usage Charges, Class 5	28,142
Utility Usage Charges, Class 8	16,833
Utility Customer Base Charges	296,108
Taps & Connection Fees	1,250
Late payment Fees	8,384
Interest Revenue	5,836
Sale of Capital Asset	0
Appropriated Fund Balance	19,102
Total	<u>679,504</u>

Authorized Expenditures:

Administration & Finance [2]	483,204
Operations and Maintenance	192,800
Transfer to Fund Balance for Capital Outlay	3,500
Transfer to Sewer Capital Reserve Fund	0
Total	<u>679,504</u>

[2] Portion of department for bond debt service: 121,893

Section 7. Sewer Capital Reserve

Anticipated Revenues:

Contributions From Sewer Operations Fund	0
Interest Revenue	1
Total	<u>1</u>

Authorized Expenditures:

Future Expansion & Debt Service	1
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Section 8. Levy of Taxes

There is hereby levied a tax at the rate of twenty-four cents (\$0.24) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2023, for the purpose of raising the revenue listed as "Ad Valorem Taxes 2023-2024" in the General Fund Section 1 of this ordinance. This rate is based on a valuation of \$393,280,000 for purposes of taxation of real and personal property with an estimated rate of collection of 99.12%. The estimated collection rate is based on the fiscal year 2021-2022 collection rate of 99.12% by Craven County who has been contracted to collect real and personal property taxes for the Town of River Bend. Also included is a valuation of \$37,500,000 for purposes of taxation of motor vehicles with a collection rate of 100% by the North Carolina Vehicle Tax System.

Section 9. Fees and Charges

There is hereby established, for Fiscal Year 2023-2024, various fees and charges as contained in Attachment A of this document.

Section 10. Special Authorization of the Budget Officer

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

Section 11. Classification and Pay Plan

Cost of Living Adjustment (COLA) for all Town employees shall be 4.4% and shall begin the first payroll in the new fiscal year. The Town Manager is hereby authorized to grant merit increases to Town employees, when earned, per the approved Pay Plan.

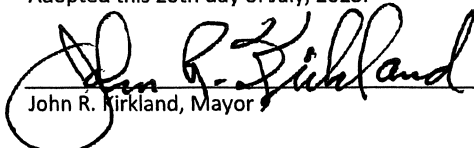
Section 12. Utilization of the Budget Ordinance

This ordinance shall be the basis of the financial plan for the Town of River Bend municipal government during the 2023-2024 fiscal year. The Budget Officer shall administer the Annual Operating Budget and shall ensure the operating staff and officials are provided with guidance and sufficient details to implement their appropriate portion of the budget.

Section 13. Copies of this Budget Ordinance

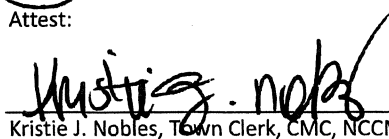
Copies of this Budget Ordinance shall be furnished to the Clerk, Town Council, Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Adopted this 20th day of July, 2023.



John R. Kirkland, Mayor

Attest:



Kristie J. Nobles, Town Clerk, CMC, NCCMC

Town of River Bend Resolution

Whereas, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

Whereas, the North Carolina Department of Environmental Quality has offered a State Grant in the amount of \$9,108,500 for the construction of the Wastewater Treatment Plant Enhancements Project, and

Whereas, the Town of River Bend intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF RIVER BEND:

That the Town of River Bend does hereby accept the State Grant offer of \$9,108,500.

That the Town of River Bend does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the grant offer, Section II - Assurances 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 in connection with the application.

That the Town of River Bend has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 20th day of July, 2023 at River Bend, North Carolina.




John R. Kirkland, Mayor

ATTEST:



Kristie J. Nobles, Town Clerk, CMC