



RIVER BEND TOWN COUNCIL AGENDA

Regular Meeting

August 18, 2022

River Bend Town Hall

7:00 p.m.

Pledge: Maurer

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 July 14, 2022 Work Session

Minutes of the July 21, 2022 Regular Council Meeting

Minutes of the July 28, 2022 Public Hearing

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. Finance – Councilman Irving Van Slyke, Jr.
 - A. Financial Report - Finance Director
 - B. **VOTE** – Budget Amendment 22-B-02
9. Environment and Waterways – Councilman Brian Leonard
 - A. **VOTE**- Fishing Dock Contract
10. Parks & Recreation/CAC – Councilwoman Barbara Maurer
 - A. Parks and Rec Report
 - B. CAC Report
 - C. Organic Garden Report
 - D. Library Report

11. MAYOR'S REPORT – Mayor Kirkland

12. 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.

13. CLOSED SESSION - NCGS§143-318.11(a)(3)(6)

14. ADJOURNMENT

**River Bend Town Council
Work Session Minutes
July 14, 2022
Town Hall
6:00 p.m.**

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

Town Manager: Delane Jackson
Town Clerk: Kristie Nobles
Police Chief: Sean Joll
Town Attorney: Dave Baxter

Members of the Public Present: 37

CALL TO ORDER

Mayor Kirkland called the meeting to order at 6:00 p.m. on Thursday, July 14, 2022 at the River Bend Town Hall with a quorum present.

VOTE – Approval of Agenda

Councilwoman Maurer motioned to accept the agenda as presented. The motion carried unanimously.

Discussion– Proposed Development with Ellis Development

The Mayor stated that this meeting has been widely advertised and is not a public hearing. He stated that this meeting is a discussion between the Town Council and Ellis Development and the public hearing is scheduled for July 28, 2022 at 6:00 p.m. at Town Hall.

The Manager stated that this is the first time in the Town's history that their meeting has been televised live on CTV-10. He thanked CTV-10 for providing those services to make it possible. The Manager introduced Mr. Matt Hook and Mr. Zack Anderson from Ellis Development.

Mr. Matt Hook presented a PowerPoint on the purposed rezoning request. He stated that Ellis Development is a land acquisition and development company and they have submitted a rezoning request for 103.32 acres on Old Pollocksville Road. He stated that the acreage is currently zoned R20A and the rezoning request is to rezone the property to PDR-SF (Planned Developmental Residential – Single Family) and PDR-MF (Planned Developmental Residential – Multi Family). He stated that they have provided a couple of sketch options of the housing layout possibilities that are displayed on the walls around the room. He also stated these are just possible options. Mr. Hook concluded his presentation. At this time, the Town Manager presented a PowerPoint presentation that included the sketch options and the zoning that is currently throughout the Town. He also presented information regarding sewer and water flow calculations based on the state's formula and as compared to the Town's current usage. He stated both amounts would be under the permitted usage for gallons per day. The Public Works Superintendent, Brandon Mills, stated that he felt the systems would be able to accommodate the estimated gallons per day usage. He also stated that he felt they would need to increase backwashing the filters in the water system. The Manager provided zoning information from Craven County GIS that states within the Town of River Bend there are currently 1,675 residential lots and 429 (25.6%) of those lots are zoned PDR-MF lots. He stated that if the rezoning passes and you combine the proposed homes in

option #3, which is 305 homes maximum, to the current PDR-MF lots, the percentage actually decreases to 25.1%. He stated that there has been many conversations about density. He stated that the Town's ordinances state, "The maximum number of dwelling units in a single building in zoning PDR-MF is 4. The maximum density for PDR-MF is 6.5 dwellings units per acre. The minimum distance between buildings in PDR-MF is 20 foot. The maximum density for PDR-SF is 4 dwellings per acre." He stated that any developer could not come in and build as many homes as they wish on this site. The Town has minimum setbacks that have been in place for years that require minimum front yard, back yard and side yard setbacks and density rules in place that restrict how many homes can be built on the lot. He stated there are currently 2,923 vehicles registered in the Town of River Bend and 1,578 homes in River Bend, which is less than two vehicles registered per home. Statistically speaking, if there are 305 homes built in the proposed development that would be approximately 610 additional vehicles in River Bend that would utilize Plantation, Shoreline and the entrance and exit off Old Pollocksville that the developer has proposed. He also stated that of those 1,578 homes in River Bend, 1,012 are beyond the bridge on Shoreline and he felt some would utilize the Old Pollocksville Road entrance and exit. He presented the Town's Thoroughfare Plan that was approved in 2008 and indicated where the Town has anticipated roads through the proposed development. At this time, the Manager asked the Council for any questions for him or Ellis Development. Mr. Zack Anderson with Ellis Development addressed the traffic information that the Manager presented. Mr. Anderson stated that Ellis Development would contract with NCDOT consultant to conduct a traffic impact study. He stated this study would monitor the traffic and complete trip counts. He also stated that they would be responsible for the fees, water tap fees, sewer fees, etc. associated with developing the property.

Councilman Leonard asked if the traffic impact study recommends a change to the traffic pattern and with the developers experiences with similar infrastructure, what kind of changes would that facilitate. Mr. Anderson stated that it could be adding a turning lane on Old Pollocksville Road, change the timing of the stoplight at Shoreline and Hwy 17, or adding a turning lane on Hwy 17 but it is all based on what the NCDOT engineers recommend and they must follow their recommendation.

Councilman Fogle asked the Manager how the current zoning ordinances relates to this proposal, specifically to roadway and right of way widths and what can they expect with any new developments. The Manager stated that the current Town ordinances require 60' right of way with 22' of pavement and some minor roads, for example cul-de-sacs, we allow 50' of right of way and 20' of pavement. Councilman Fogle stated that he did not feel 18' or 22' of pavement is adequate for a new development. He asked the Manager if sidewalks are required in this zoning district and the Manager stated that sidewalks are required in PDR-MF and not required in PDR-SF. He also stated that if the property was developed as it is zoned currently, R-20A, sidewalks would be required. He stated that in the Town ordinance it states that sidewalks are required in any district that has 15,000 or 20,000 square foot minimum lot size or zoned PDR-MF. Councilman Fogle asked the Manager what is the requirement for park space for a development of this size. The Manager stated that the Town ordinance addresses this in a couple of areas. He stated that there is a requirement for common area and Mr. Matt Hook stated there would be HOA's in this area, and there will be a common space requirement for the HOA's. The Manager stated there is also a requirement for recreational area, there would be 4.25 acres of recreational area based on 305 homes. Councilman Fogle asked if the Town wanted a park with a swing set, would that be for the Town to provide. The Manager stated that is correct, the developer is just responsible for the land, but they could install that infrastructure if they choose to but the ordinance does not require that. Councilman Fogle asked if there is an ordinance that requires trees to be planted along the roadway and on the lots. The Manager stated there is no requirement for trees to be planted along the roadway, but there is a Tree Preservation Ordinance that is site specific. He stated that it states that desirable trees have to be maintained to a level of 30 trees per acre. He stated that the property currently is a tree farm that is mainly pine trees according to the owner Robert Davis (who is in attendance and verbally agrees). He stated that if the developer clears the lot they

would have to replant 30 trees per acre per the Town's ordinance. Councilman Fogle asked about parking spaces for the multi-family housing. The Manager stated that in the Town's ordinance, there is a parking space section that requires two paved parking spaces per dwelling. Councilman Fogle asked if the proposed zoning request would allow any commercial activity, such as restaurants, convenience stores, etc. The Manager stated that businesses are not permitted in residential areas with one exception for home occupations.

Councilman Sheffield stated he would like to point out a couple of things regarding the traffic. Specifically, when talking about the new road being a way around the bridge at Town Hall, he said for the people in zone 3 the only time it was out of commission was when it flooded in Hurricane Florence. He said the people in zone 3 would not benefit from this new road because their section along Plantation Drive floods well before that bridge does. The other thing is we got the total number of vehicles shown on the slide but I own three vehicles and I cannot drive them all at once. Also the median age for people in River Bend is 55 and old people don't drive that much. There are days when I do not go anywhere and I am not the only one. I think the numbers are skewed that way. If you lower that median age, there are factors that will go up, traffic, noise and crime. Those are the three things that older people don't do a lot of. Even the ones in the multi-family housing in River Bend as it is are largely older people.

Councilman Van Slyke asked the Manager if there is an option of dictating the location of the trees that are to be retained and removed in the proposed new development. The Manager stated that the ordinance only states the minimum number of trees, not the location. Councilman Van Slyke stated that was a concern presented to him, that residents would want a border in the backyard backing up to that property. The Manager stated that the Town's ordinance is a little odd, however in the Tree Preservation Ordinance requires a certain amount of trees to be retrained, but as soon as the lot is sold to an individual, they can remove all the trees after ownership. Mr. Zack Anderson stated that the Town's Tree ordinance is a lot more stringent than most municipalities. He asked if there is a landscape buffer requirement in the ordinance. The Manager stated that it depends on what you are doing on the adjacent property.

Councilman Leonard asked if the developer would complete an enforceable agreement if the Council has additional requests. He also asked if the developer plans to have curbs. Mr. Anderson stated that they plan to have curbs, but again a lot of this information is discussed at the site-planning phase when we have actual plans to present. He also stated they want to have a project that the builder can sale and their buyers can afford. He also stated that at the site plan approval, they could offer certain conditions and commitments. Councilman Leonard asked if the infrastructure that would be installed would have a warranty period and the Manager stated that the Town requires a one-year guarantee.

Councilwoman Maurer asked if the developer would consider instead building larger homes on a more upscale level rather than building small homes and multi-family units. Mr. Anderson stated that there is nothing that could prevent a large-scale home, but right now infrastructure is more expensive than it has ever been in the history of development, from constructing roads to buying land to framing a house. He stated that modern trends and planning theory push smaller lots with shared amenities. He stated that within the current zoning category, the cost of development would far exceed what is marketable at the end of the day. Councilwoman Maurer asked what is the price point are they targeting for this project. Mr. Anderson stated this is another issue that may get difficult to answer. He stated they do not want to answer that question with any certainty because someone could sue the Town because you denied the project because of that. If the homes were built today, we would sale to homebuilders that market towards \$300,000 to \$400,000 range. Councilwoman Maurer asked about the multi-family pricing. Mr. Anderson stated in the \$275,000 to \$325,000 range. Councilwoman Maurer asked how many acres are buildable in the parcel and how much acreage cannot be developed because it is wetlands and is there a plan for mitigation to develop those wetlands. He stated there is a buffered stream that cannot be impacted except for the road and there is currently a wetland study being completed that has to

be approved by the State of North Carolina and the Army Corp of Engineers. He stated he anticipates quite a bit of this land being unusable for development, which makes a density based zoning better for the development.

Councilman Sheffield asked if the developer would consider developing the property as it is currently zoned and he had already answered that, secondly are all the reasons for developing this property as requested strictly financial. Mr. Anderson stated that largely what they believe in is a healthy, modern community, small lots with shared amenities with parks and environmental for protections stormwater streams. Councilman Sheffield stated that in an email, Mr. Anderson referred to R-20 zoning as 'a thing of the past' and "suburban sprawl". He asked if he feels River Bend is presently a thing of the past? Mr. Anderson stated that if R-20 lots were to be built the city would have a larger infrastructure per taxpayer and larger amount of maintenance per taxpayer that is what he refers to as suburban sprawl. Large lots that spread the town out instead of more compact with shared amenities with lower infrastructure cost. Councilman Sheffield asked if there is federal program or tax incentive to make the population so dense. Mr. Anderson stated there is no tax incentives.

Councilman Leonard asked the Manager to view option 3 with the multiple buffers; he asked if this was the first time, the developer has seen this option with the buffers. Mr. Anderson stated it is. Councilman Leonard asked if the multi-family could be relocated closer to the Old Pollocksville Road side of the property. Mr. Anderson stated that the idea is to have the multi-family closer to downtown, so they could utilize the Town's amenities. Councilman Leonard asked if there would be buffers between the PDF-MF and PDF-SF and the Manager stated that there is a section of the ordinance that applies to businesses buffering, but not residential, but in option 3 there are streets around the PDF-MF which would be a buffer around it.

Councilman Fogle asked how does the Town of River Bend and its current residents benefit from the requested zoning change? Mr. Anderson stated that it would bring more safety, bring businesses, volunteers, and bring tax money that is being spent elsewhere. Councilman Fogle asked if sidewalks are not required, do they plan to include them and Mr. Anderson stated, yes, they really look for open space, walkability, a sense of community and a sense of place, among other things. Councilman Fogle asked if they propose to have any gated communities in this proposed development and Mr. Anderson stated no. Councilman Fogle asked if they expect to meet the minimum requirement or exceed the minimum requirement, such as open space, parks, etc. Mr. Anderson stated that every project that do they exceed the open space requirement; they want to be proud of the project. Councilman Fogle asked if the rezoning proposal is rejected would they consider incorporating Town comments and suggestions into a new proposal or would they abandon the project completely. Mr. Anderson stated that he feels that is what they are doing now. They have held this question and answer meeting, incorporated feedback that has been provided already and they continue to work and listen to the Town.

Councilwoman Maurer asked when they refer to parks, are they referring to the ones currently in Town or are they planning on building new ones? Mr. Anderson stated that there would be park space in the site plan; potentially a dog park and what would make sense for the buyer. Councilwoman Maurer asked if it would be feasible to relocate the multi-family over to Old Pollocksville Road and make those amenities available for that side of project. Mr. Anderson stated that the landowners who would also be landowners in River Bend would want the best access to the existing parks. Councilwoman Maurer asked if they would be model homes and Mr. Anderson stated that they do not build homes but they would work with a builder and that decision is up to them.

Councilman Sheffield asked if the developers were planning to buy all of the 100 acres, and Mr. Anderson stated yes, except what the Town owns. Councilman Sheffield stated that he did not understand option 2 and 3, except he feels the developer would make it crowded now and make it really crowded later on.

Councilman Leonard said if based on what we talked about earlier, the maximum amount of homes that could be built on that property is 305. The Manager stated that is the number he has talked with the developer about, but the Council could allocate more flow, but currently the maximum is 305.

The Manager stated that there are 80 people watching online. He also stated that this is the zoning request at this time and there is a much more site-specific part of the process, if it is approved, with the subdivision plat that would show all the details that have to be approved.

CLOSED SESSION

Councilman Leonard moved to go into a Closed Session under NCSG §143-318.11(a)(3)(6). The Council entered Closed Session at 7:36 p.m.

OPEN SESSION

Councilman Leonard moved to return to Open Session at 7:57 p.m. The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The motion carried unanimously. The meeting adjourned at 7:58 p.m.

Kristie J. Nobles
Town Clerk

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

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

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

Members of the Public Present: 6

CALL TO ORDER

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

ADDITIONS/DELETIONS TO AGENDA

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

VOTE – Approval of Agenda

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

CONSENT AGENDA

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

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

TOWN MANAGER'S REPORT

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

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

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

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

ADMINISTRATIVE REPORTS

BOARD OF ADJUSTMENT REPORT – COUNCILMAN SHEFFIELD

Councilman Sheffield presented the following report:

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

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

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

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

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

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

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

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

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

PUBLIC SAFETY – COUNCILMAN FOGLE

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

CERT

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

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

COMMUNITY WATCH

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

PARKS & RECREATION/CAC – COUNCILWOMAN MAURER

Councilwoman Maurer presented the following reports.

Parks & Recreation

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

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

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

Community Appearance Commission (CAC)

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

River Bend Community Organic Garden (RBCOG)

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

Red Caboose Library (RCL)

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

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

FINANCE – COUNCILMAN VAN SLYKE

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

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

Vote – Budget Amendment 22-B-01

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

ENVIRONMENTAL AND WATERWAYS ADVISORY BOARD– COUNCILMAN LEONARD

Councilman Leonard did not have a EWAB report.

Vote – Scheduling of Council Vote on Rezoning Request

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

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

Vote – Dock Proposal

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

MAYOR'S REPORT

The Mayor presented the following report.

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

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

PUBLIC COMMENT

No public comments at this time.

ADJOURNMENT/RECESS

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

Kristie J. Nobles
Town Clerk



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

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

Summary

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

Section 1. **General Fund**

Anticipated Revenues

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

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

Authorized Expenditures

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

Section 2. **General Capital Reserve Fund**

Anticipated Revenues

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

Authorized Expenditures

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

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

Anticipated Revenues:

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

Authorized Expenditures:

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

Section 6. **Sewer Fund**

Anticipated Revenues:

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

Authorized Expenditures:

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

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

Section 7. **Sewer Capital Reserve**

Anticipated Revenues:

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

Authorized Expenditures:

Future Expansion & Debt Service	8
---------------------------------	---

Section 8. **Levy of Taxes**

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

Section 9. **Fees and Charges**

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

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

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

Section 11. **Classification and Pay Plan**

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

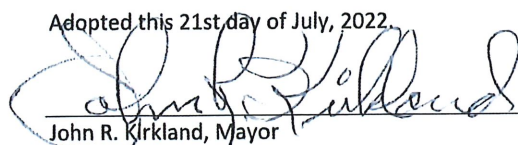
Section 12. **Utilization of the Budget Ordinance**

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

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

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

Adopted this 21st day of July, 2022.



John R. Kirkland, Mayor

Attest:


Kristie J. Nobles, Town Clerk



**River Bend Town Council
Special Meeting Minutes
July 28, 2022
Town Hall
6:00 p.m.**

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

Town Manager: Delane Jackson
Town Clerk: Kristie Nobles
Police Chief: Sean Joll

Members of the Public Present: 88

CALL TO ORDER

Mayor Kirkland called the meeting to order at 6:00 p.m. on Thursday, July 28, 2022 at the River Bend Town Hall with a quorum present.

VOTE – Approval of Agenda

Councilman Fogle motioned to accept the agenda as presented. The motion carried unanimously.

PUBLIC HEARING – Proposed Rezoning of 403 Old Pollocksville Road

Councilman Sheffield moved to open the Public Hearing to discuss the proposed rezoning of 403 Old Pollocksville Road. The motion carried unanimously.

At this time the Mayor indicated that those who signed up to speak would be called in the order in which they signed up. There were 17 people who addressed the Council. The majority of those who spoke opposed the proposed rezoning of 403 Old Pollocksville Road.

Councilman Sheffield moved to close the Public Hearing. The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The motion carried unanimously. The meeting adjourned at 6:53 p.m.

Kristie J. Nobles
Town Clerk



RIVER BEND POLICE DEPARTMENT



MONTHLY ACTIVITY REPORT

2022

	ACTIVITIES	2022	2022	2022	% of Total Calls	% Change Last 2 Mos.
		May	June	July		
1	ALARMS / 911 UNKNOWN / DISTURBANCE / SHOTS FIRED	5	9	22	1.94%	144.00%
2	ANIMAL COMPLAINTS	1	5	5	0.44%	0.00%
3	ARRESTS	0	0	1	0.09%	0.00%
4	ASSAULTS / ALL OTHER VIOLENT CRIME	0	1	0	0.00%	-100.00%
5	ASSIST CITIZENS / LOCK OUT / QUALITY OF LIFE ISSUES	17	6	9	0.80%	50.00%
6	ASSIST EMS / FD / FIRST RESPONDERS / MED ASSIST	30	17	23	2.03%	35.00%
7	ASSIST MOTORISTS / FOOT PATROLS / ALL OTHER	137	75	55	4.86%	-27.00%
8	ASSIST OTHER AGENCIES	2	1	0	0.00%	-100.00%
9	B & E BUSINESS / RESIDENCE / VEHICLE	1	0	0	0.00%	0.00%
10	CRIM. SUMM. / SUBPOENAS / WARRANTS / CIVIL COMPLAINT	1	0	2	0.18%	0.00%
11	DOMESTICS	1	2	5	0.44%	150.00%
12	FIRES / ALARM	2	1	2	0.18%	100.00%
13	IDENTITY THEFT / FRAUD	1	1	0	0.00%	-100.00%
14	INVOLUNTARY COMMITMENTS	1	1	1	0.09%	0.00%
15	JUVENILE COMPLAINTS	1	0	0	0.00%	0.00%
16	LARCENIES	0	1	1	0.09%	0.00%
17	LITTERING	1	0	2	0.18%	0.00%
18	LOUD MUSIC / NOISE COMPLAINTS	0	0	1	0.09%	0.00%
19	DEATH / MISSING PERSON / RUNAWAY / SUICIDE(A)	0	1	1	0.09%	0.00%
20	PROPERTY DAMAGE / VANDALISM	1	4	2	0.18%	-50.00%
21	RESIDENTIAL / BUSINESS CHECKS / COMMUNITY WATCH	983	820	854	75.44%	4.00%
22	ROADWAY DEBRIS / OBSTRUCTIONS	0	0	0	0.00%	0.00%
23	ROBBERIES	0	0	0	0.00%	0.00%
24	SOLICITING VIOLATIONS	1	1	0	0.00%	-100.00%
25	SUSPICIOUS PERSONS / VEHICLES / FIELD INTERVIEW	16	8	19	1.68%	138.00%
26	TOWN ORDINANCE CITATIONS	0	1	1	0.09%	0.00%
27	TOWN ORDINANCE VIOLATIONS	1	1	5	0.44%	400.00%
28	TRAFFIC ACCIDENTS	2	2	2	0.18%	0.00%
29	TRAFFIC STOPS	37	78	92	8.13%	18.00%
30	TRAFFIC COMPLAINTS-RADAR	2	9	4	0.35%	-56.00%
31	DWI	0	0	1	0.09%	0.00%
32	CHECKPOINTS	1	1	1	0.09%	0.00%
33	DRUG VIOLATIONS	0	1	1	0.09%	0.00%
34	WELFARE CHECKS	1	4	8	0.71%	100.00%
35	CASE ASSIST / PW / VEHICLE MAINTENANCE / MEETING	3	4	5	0.44%	25.00%
36	CASE FOLLOW UPS / SPECIAL OPERATION / TRAINING	4	8	5	0.44%	-38.00%
37	TRESPASSING	0	0	1	0.09%	0.00%
38	OVERDOSE	3	0	1	0.09%	0.00%
39	TOTAL	1245	1063	1132	100.00%	6.00%

Traffic Violations

25 State Citations
25 Total State Charges
2 State Warnings
1 Town Citations
Town Warnings

Community Watch Checks

100 Pirates
100 Plantation
200 Lakemere
200 Rockledge

Phone Calls Answered (638-1108)

224 Incoming Calls



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

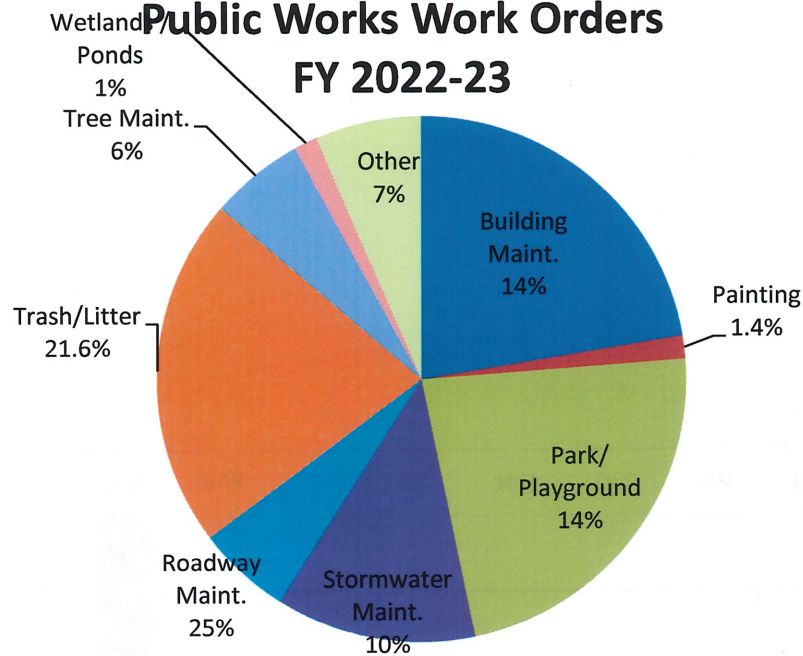
July 2022 Monthly Report Brandon Mills, Director of Public Works

I hope that everyone enjoyed the July 4 parade. Every year it amazes me of the turnout of citizens, and the amount of joy these festivities bring to all. I would like to thank the Town employees and the volunteers that plan and organize this event. Everyone always had a great time. In July, we have continued trimming limbs that are overhanging in the roadways. These limbs were hitting the top of larger vehicles such as RV's. There are still some areas we have not trimmed yet but it is on our schedule. We will get these areas cut as time allows.

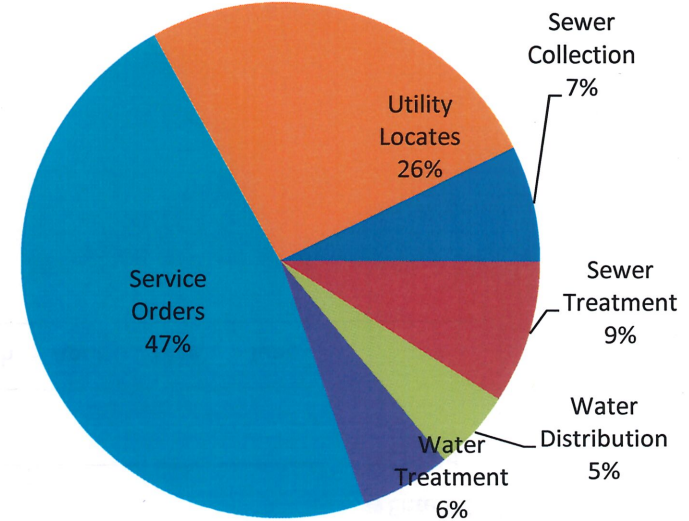
Water Resources have continued to do a good job with routine maintenance of both the water/wastewater systems. This maintenance consists of weekly checking of all emergency generators, and lift station operation. By checking the emergency generators weekly, we can insure that they will be operational in the event of a power outage. We check amperage draws on all lift station pumps, float control operation, and for grease build up weekly in all of the towns lift stations. I check daily runtimes on all pumps to look for abnormalities. By completing this maintenance we minimize downtime of all equipment by identifying problems quickly.

If you have any questions concerning the Water Resources/Public Works Department, please call us at 638-3540, Monday-Friday, 8am-4pm. After hour's water and sewer, emergencies can be reported by dialing the Town Hall at 638-3870. You will be instructed to the dial "9" and follow the directions to contact the on call duty operator. You will then be asked to enter your phone number at the sound of the tone. After entering your phone number, the automated system will inform you that your page has been sent. Please, be patient and our utility systems operator will return your call. If you do not receive a call back within ten minutes, please notify the Police Department at 638-1108, and they will get in contact with the on-call utility systems operator.

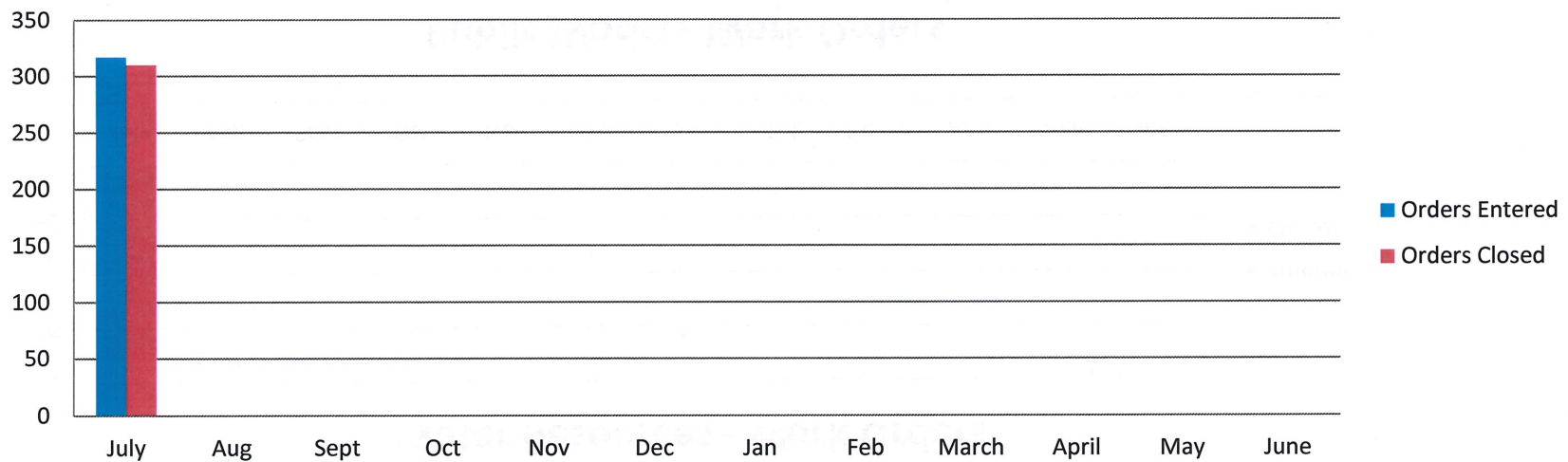
Public Works Work Orders FY 2022-23



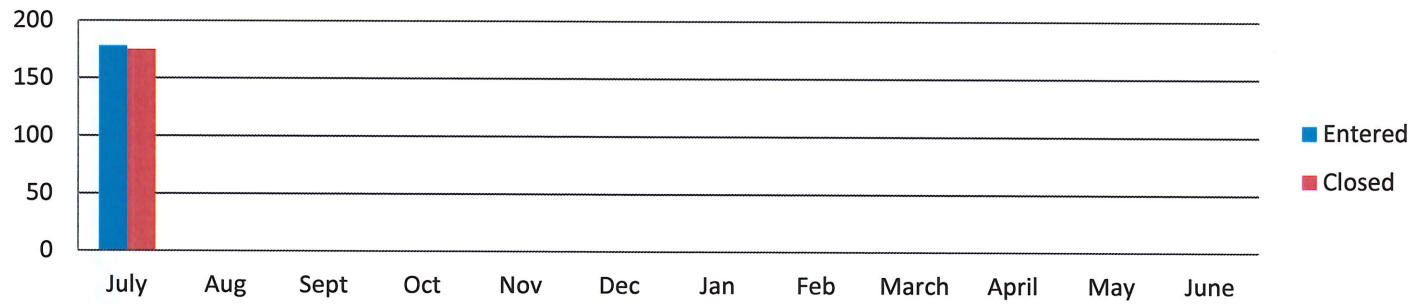
Water Resources Work Orders FY 2022-23



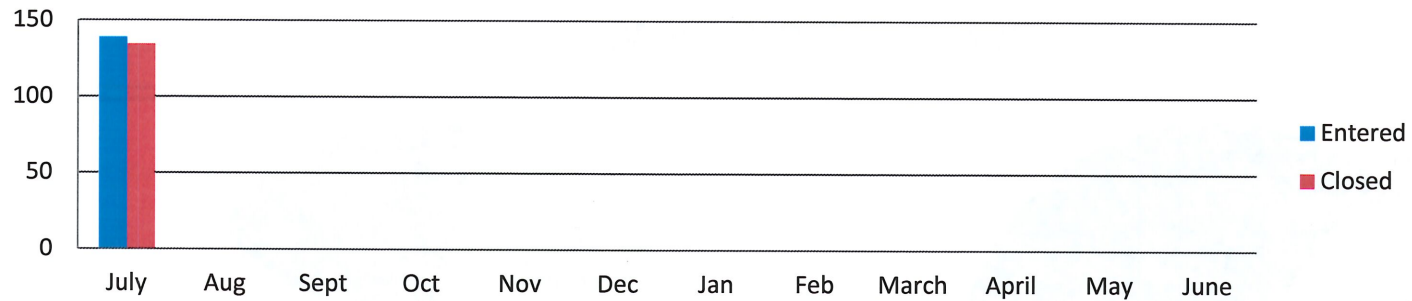
Total Work Orders - FY 2022-23



Water Resources - Work Orders



Public Works - Work Orders



[illegible][illegible][illegible]



MONTHLY ZONING REPORT

MONTH July YEAR 2022

Activity	Monthly	YTD Total
Permit Applications Received	11	11
Permits Issued	11	11
Fees Collected	468.80	468.80
Violations Noted During Weekly Patrol	17	17
Complaints Received From Citizens	0	0
Notice Of Violations Initiated *see details below	17	17
Remedial Actions Taken By Town	0	0

Detail Summary		
Address	Violation	Date Cited
804 Plantation Drive	RV; car in grass	5-Jul
109 Anchor Way	Grass	20-Jul
314 Lochbridge Drive	Junk vehicle	26-Jul
204 Esquire Court	Grass	27-Jul
130 Pirates Road	Grass	27-Jul
104 Norbury Drive	Car in grass	27-Jul
307 Barbara Drive	Car in grass	27-Jul
111 Stillwater Court	Trailer in front	27-Jul
203 Margo Court	Car in grass	27-Jul
1A Mulberry Lane	Car in grass	27-Jul
2A Mulberry Lane	Car in grass	27-Jul
101 Ketch Court	Trailer in front	27-Jul
109 Randomwood Drive	Boat	27-Jul
403 Rockledge Road	Car in grass	27-Jul
411 Rockledge Road	Car in grass	27-Jul
310 Rockledge Road	Car in grass	27-Jul

Town of River Bend



Monthly Financial Report

Printed 8/15/2022

This monthly report is provided as an oversight/management tool for the Town Council of the Town of River Bend. For ease of reporting, and in order to be consistent with the categories used in the annual budget process, this report summarizes the revenue and expenses in each of the three operational areas of the Town. Anyone interested in more detail, or further explanation of the contents of this report, is encouraged to contact Finance Officer Irving J. "Bud" Van Slyke, Jr. or Finance Director Mandy Gilbert.

Notes

The cash balances shown on page one are the amount of cash in each specific accounting fund. These funds are deposited in separate investment accounts. Pooled cash accounts used for operating funds but accounted for, in our internal systems, as individual accounts. Interest attributable to each account is allocated based upon the total rate of return of the account(s).

The FY Budget columns represents the original and current budget. As the fiscal year goes on and unforeseen expenses or revenues occur, we need to adjust the budget. The Council does this by formal amendment during a Council meeting. *Asterisked lines represent those budget items that have been amended since adoption.

The acronym CIF used in this report is our Capital Improvement Fund(s) for water and wastewater. These funds are, by resolution of the Town Council, reserved for expenses related to expansion of these systems, or retirement of debt. The Water CIF receives revenue in the form of annual Hydrant Fee payments.

Because this is an annual budget, it is important to note that many lines shown in this report will vary, some significantly, from month to month, and in different times of the year. In many instances, capital payments for current fiscal year projects are made early in the fiscal year and the majority of our ad valorem tax receipts occur in the middle of the fiscal year. This is another reason to maintain an adequate fund balance.

Town of River Bend Financial Dashboard



Visit our web site <http://www.riverbendnc.org/finance.html> to view the Financial Dashboard. These dashboards are designed to give the user a quick overview of the status of revenues and expenditures in each of the Town's three major funds as reported in the Monthly Financial Report.

Printed 8/15/2022

[illegible]



General Fund

Revenue	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Budget
1 Ad Valorem Taxes	721,710	721,710	-												-	0.0%
2 Ad Valorem Taxes - Vehicle	92,300	92,300	-												-	0.0%
3 Animal Licenses	2,000	2,000	100												100.00	5.0%
4 Local Gov't Sales Tax	380,222	380,222	37,988												37,987.52	10.0%
5 Hold Harmless Distribution	99,000	99,000	9,266												9,266.43	9.4%
6 Solid Waste Disposal Tax	2,200	2,200	-												-	0.0%
7 Powell Bill Fund Appropriation	-	-	-												-	0.0%
8 Powell Bill Allocation	91,000	91,000	-												-	0.0%
9 Beer & Wine Tax	13,225	13,225	-												-	0.0%
10 Video Programming Tax	50,743	50,743	-												-	0.0%
11 Utilities Franchise Tax	108,963	108,963	-												-	0.0%
12 Telecommunications Tax	8,140	8,140	-												-	0.0%
13 Court Cost Fees	500	500	23												22.50	4.5%
14 Zoning Permits	5,000	5,000	343												342.80	6.9%
15 Federal Grants*	-	22,170	-												-	0.0%
16 State Grants*	-	250,000	-												-	0.0%
17 Federal Disaster Assistance	-	-	-												-	0.0%
18 State Disaster Assistance	-	-	-												-	0.0%
19 Miscellaneous	10,000	10,000	1,010												1,009.78	10.1%
20 Insurance Settlements	-	-	-												-	0.0%
21 Interest - Powell Bill	50	50	0												-	0.0%
22 Interest - Investments	500	500	1,336												1,335.60	267.1%
23 Contributions	421	421	1,035												1,035.02	245.8%
24 Wildwood Storage Rents	18,144	18,144	1,577												1,577.35	8.7%
25 Rents & Concessions	18,000	18,000	1,860												1,860.00	10.3%
26 Sale of Capital Assets	15,000	15,000	-												-	0.0%
27 Sales Tax Refund Revenue	-	-	-												-	0.0%
28 Trans. from Capital Reserve*	33,000	72,787	33,000												33,000.00	45.3%
29 Trans. from ARPA Fund	-	-	-												-	0.0%
30 Trans. from L.E.S.A. Fund	-	-	-												-	0.0%
31 Appropriated Fund Balance*	200,813	239,494	-												-	0.0%
Total	1,870,931	2,221,569	87,537	-	-	-	-	-	-	-	-	-	-	-	87,537.00	3.9%

*Astericked lines represent those budget items that have been amended since Original Budget adoption.

#DIV/0! indicates revenue was received, but not budgeted for this line item.

Town of River Bend
Financial Report
Fiscal Year 2022 - 2023



General Fund

Expenditures	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
1 Governing Body	30,400	30,400	7,666												7,666	25.2%
2 Administration	279,600	279,600	36,086												36,086	12.9%
3 Finance*	119,000	124,100	8,893												8,893	7.2%
4 Tax Listing	11,600	11,600	-												-	0.0%
5 Legal Services	24,000	24,000	-												-	0.0%
6 Elections	1,000	1,000	-												-	0.0%
7 Public Buildings	102,300	102,300	7,882												7,882	7.7%
8 Police*	587,200	664,443	66,367												66,367	10.0%
9 Emergency Management	3,700	3,700	365												365	9.9%
10 Animal Control	14,600	14,600	1,734												1,734	11.9%
11 Street Maintenance	193,000	193,000	4,380												4,380	2.3%
12 Public Works	177,500	177,500	13,990												13,990	7.9%
13 Leaf & Limb, Solid Waste	51,000	51,000	3,539												3,539	6.9%
14 Stormwater Management*	43,100	311,395	2,551												2,551	0.8%
15 Waterways & Wetlands	2,900	2,900	-												-	0.0%
16 Planning & Zoning	51,300	51,300	5,933												5,933	11.6%
17 Recreation & Special Events	7,600	7,600	1,121												1,121	14.7%
18 Parks	79,700	79,700	3,037												3,037	3.8%
19 Transfers	73,500	73,500	73,500												73,500	100.0%
20 Contingency	17,931	17,931	-												-	0.0%
Total	1,870,931	2,221,569	237,044	-	-	-	-	-	-	-	-	-	-	-	237,044	10.7%

Capital / Debt (included above)	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
1 Capital Outlay*	172,500	228,035	-												-	0.0%
2 Debt Service - Principle	-	-	-												-	0.0%
3 Debt Service - Interest	-	-	-												-	0.0%

*Astericked lines represent those budget departments that have been amended since Original Budget adoption.



Water Fund

Revenue		Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
		Original	Current													Total	% Col
1	Base Charge	277,253	277,253	45,982												45,982	16.6%
2	Consumption	236,560	236,560	47,061												47,061	19.9%
3	Other, incl. transfers	19,892	19,892	849												849	4.3%
4	Hydrant Fee	20,130	20,130	20,130												20,130	100.0%
5	Appropriated Fund Bal.*	40,665	44,490	-												-	0.0%
Total		594,500	598,325	114,022	-	-	-	-	-	-	-	-	-	-	-	114,022	19.1%

Expenses		Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
		Original	Current													Total	% Exp
1	Admin & Finance*	467,000	470,825	44,808												44,808	9.5%
2	Supply & Treatment	75,000	75,000	423												423	0.6%
3	Distribution	49,000	49,000	30,702												30,702	62.7%
4	Transfers / Contingency	3,500	3,500	-												-	0.0%
Total		594,500	598,325	75,932	-	-	-	-	-	-	-	-	-	-	-	75,932	12.7%

Capital (included above)		Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
		Original	Current													Total	% Exp
1	Capital Outlay*	13,000	16,825	-												-	0.0%

Cash Balances

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
1 Water Fund	711,452											
2 Water Capital Reserve Fund (CIF)	245,404											

Water Produced		FY20-21	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
		Limit														
1	Total Gallons		8,488,000												8,488,000	
2	Average daily gallons		925,000*	273,806											273,806	

* This is the permitted daily limit.



Sewer Fund

Revenue	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Col
1 Base Charge	294,601	294,601	48,732												48,732	16.5%
2 Consumption	316,810	316,810	61,798												61,798	19.5%
3 Other, incl. transfers	9,901	9,901	1,314												1,314	13.3%
4 Appropriated Fund Bal.*	48,188	52,013	-												0	0.0%
Total	669,500	673,325	111,844	-	-	-	-	-	-	-	-	-	-	-	111,844	16.6%

Expenses	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
1 Admin & Finance*	455,000	458,825	42,597												42,597	9.3%
2 Collection	75,000	75,000	5,399												5,399	7.2%
3 Treatment	136,000	136,000	10,112												10,112	7.4%
4 Transfers / Contingency	3,500	3,500	-												0	0.0%
Total	669,500	673,325	58,108	-	-	-	-	-	-	-	-	-	-	-	58,108	8.6%

Capital (included above)	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
1 Capital Outlay*	42,000	45,825	-												0	0.0%

Cash Balances			July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
1 Sewer Fund			1,092,813											
2 Sewer Capital Reserve Fund (CIF)			11,280											

Wastewater Treated			July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Limit															
1 Total Gallons			3,694,000												3,694,000	
2 Average daily gallons		330,000*	119,161												119,161	

* This is the permitted daily limit.



**TOWN OF RIVER BEND
BUDGET ORDINANCE AMENDMENT 22-B-02
FISCAL YEAR 2022 - 2023**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina that the 2022-2023 Budget Ordinance as last amended on July 21, 2022, be amended as follows:

Summary

General Fund	2,243,069
General Capital Reserve Fund	99,847
Law Enforcement Separation Allowance Fund	13,525
Water Fund	598,325
Water Capital Reserve Fund	172
Sewer Fund	673,325
Sewer Capital Reserve Fund	8
Total	<u>3,628,271</u>

Section 1.

General Fund

**22-B-02
PROPOSED
CHANGES**

Anticipated Revenues

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

Appropriated Fund Balance (additional for fishing dock)

Total

<u>260,994</u>	<u>21,500</u>
2,243,069	21,500

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

Authorized Expenditures

		22-B-02 PROPOSED CHANGES
Governing Body	30,400	
Administration	279,600	
Finance	124,100	
Tax Listing	11,600	
Legal Services	24,000	
Elections	1,000	
Police	664,443	
Public Buildings	102,300	
Emergency Services	3,700	
Animal Control	14,600	
Street Maintenance	193,000	
Public Works	177,500	
Leaf & Limb and Solid Waste	51,000	
Stormwater Management	311,395	
Wetlands and Waterways	2,900	
Planning & Zoning	51,300	
Recreation & Special Events	7,600	
<i>Parks & Community Appearance (additional for fishing dock)</i>	101,200	21,500
Contingency	17,931	
Transfer To General Capital Reserve Fund	60,000	
Transfer To L.E.S.A. Fund	13,500	
Total	2,243,069	21,500

Section 2. **General Capital Reserve Fund**

Anticipated Revenues

Contributions from General Fund	60,000	
Interest Revenue	60	
Appropriated Fund Balance	39,787	
Total	99,847	0

Authorized Expenditures

Transfer to General Fund	72,787	
Future Procurement	27,060	
	99,847	0

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

Anticipated Revenues:

Contributions from General Fund	13,500	
Interest Revenue	25	
Total	13,525	

Authorized Expenditures:

Separation Allowance	0	
Future LEOSSA Payments	13,525	
Total	13,525	

Section 4. **Water Fund**

22-B-02
PROPOSED
CHANGES

Anticipated Revenues

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

0

Authorized Expenditures

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

0

[1] Portion of department for bond debt service:

146,416

Section 5. **Water Capital Reserve Fund**

Anticipated Revenues

Contributions From Water Operations Fund	0
Interest Revenue	172
Total	172

Authorized Expenditures

Future Expansion & Debt Service	172
---------------------------------	-----

Section 6. **Sewer Fund**

**22-B-02
PROPOSED
CHANGES**

Anticipated Revenues:

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

0

Authorized Expenditures:

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

0

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

Section 7. **Sewer Capital Reserve**

Anticipated Revenues:

Contributions From Sewer Operations Fund	0
Interest Revenue	8
Total	8

Authorized Expenditures:

Future Expansion & Debt Service	8
---------------------------------	---

Section 8. **Levy of Taxes**

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

Section 9. **Fees and Charges**

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

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

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

Section 11. **Classification and Pay Plan**

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

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

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

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

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

Adopted this 18th day of August, 2022.

John R. Kirkland, Mayor

Attest:

Kristie J. Nobles, Town Clerk

BOBBY CAHOON CONSTRUCTION, INC.

6003 Neuse Road
Grantsboro, NC 28529
Phone 252-249-1617*Fax 252-249-9884
Licensed and Fully Insured
NCGC License #62120

CONTRACT PROPOSAL – REVISION #5
Park Dock

August 16, 2022

Property Owner:

Town of River Bend
c/o Delane Jackson
45 Shoreline Drive
New Bern, NC 28562
252-638-3870
manager@riverbendnc.org

Project Site:

River Bend Town Park
Park Dock

The following contract is entered into between the listed and deeded Property Owner shown above referred to herein as Owner, and Bobby Cahoon Construction, Inc. also referred to as Contractor.

We propose to furnish the labor, equipment and materials necessary to install: A new wooden 24' wide x 32' long dock patio.

Construction shall be as follows:

Pilings will be 8" diameter ranging in length from 12' – 20' long marine grade pilings. Pilings will be driven 10' into the ground with a vibratory hammer. In the event of an extremely soft bottom and longer pilings are needed, it will be discussed with the customer and a change order issued.

Headers will be 2" x 8" treated lumber. This lumber will be attached to the pilings using 5/8" galvanized timber bolts.

Stringers will be 2" x 8" treated lumber. Outside stringers will be attached to pilings using 5/8" galvanized timber bolts. Center stringers will be attached to headers using vertical blocking.

Decking will be 2" x 6" select lumber. This lumber will be attached to stringers using 3" stainless steel screws and will have a 2" x 10" band board around perimeter.

This dock will have a 12' x 12' L-shaped bench in one corner and a double back-to-back 10' long bench in the middle. Both will have back rests and will be constructed using 2" x 6" treated lumber and stainless-steel screws.

This will also include approximately 94' of wooden handrails around the perimeter. Handrails will consist of four (4) 2" x 6" rails along with a 2" x 8" cap attached to 6" x 6" treated posts.

We propose to furnish and install the above in accordance with the specifications for the sum of:
FORTY-FIVE THOUSAND NINE HUNDRED FIFTY AND XX/100'S.....\$45,950.00

NOTE: This price includes reattaching connecting sidewalk into the new dock.

NOTE: This job can be done from the water side to minimize ground damage. This price does not include any repair to damaged sidewalks or grounds. Adequate access should be provided.

All materials are guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for the above work. All work to be completed in a workmanlike manner. Any alteration or deviation from the above specifications involving extra cost will be executed only upon written order from the owner or his authorized agent and will become an extra charge over the agreed amount. We are not responsible for any damages that could occur to culverts, utility lines, drain fields or concrete and paved driveways. All necessary precautions will be done to avoid any damages. Any vegetation that is required by D.W.Q. to be replaced will be the responsibility of the homeowner. In the event that a dispute arises between the parties to this contract, both parties to this contract hereby agree to accept the mediation decision by a certified arbitrator recognized by the State Bar of North Carolina in lieu of going to a court of competent jurisdiction. No statement, arrangement or understanding, expressed or implied not contained herein will be recognized. All agreements herein are contingent upon strikes, accidents, weather, or unforeseen circumstances beyond our control. This contract can be canceled at any time prior to the onset of construction by written notification only. At that time, any expenses that Bobby Cahoon Construction, Inc., may have incurred will be deducted from the deposit amount and will be refunded to you.

This contract does not include any electrical work.

Permits, backfill and administrative fees are not included in the quoted contract proposal price. Administrative fees of \$215.00 +/- cover the expense of meeting CAMA and permitting. Permit fees vary according to the job type and will be added as an additional charge upon determination of cost requirements.

Some counties require an engineered drawing for any seawall 4' or over. Any drawings, flood zone letters/certifications or pier/dock certifications by an engineer, that are required by municipalities, will be an additional fee.

Backfill is an unknown quantity and if needed will be charged at \$210.00 - \$235.00 per tandem truck load, installed.

Payment schedule is as follows: 50% upon signing of contract (to secure materials prices) and balance within 48 hours upon completion of project.

ACCEPTANCE OF PROPOSAL: As owners of the property to be improved, I/we promise to pay for all costs associated with the improvements to be made. Payment shall be made according to the payment schedule as quoted above. Final payment is to be paid to Bobby Cahoon Construction, Inc. in full upon completion of the construction. A late penalty of ten (10) percent will be paid by the owner if not received within ten (10) days of the invoice date unless other arrangements have been made. Any outstanding balance over thirty (30) days will be subject to a finance charge of eighteen (18) percent per annum or one point five (1.5) percent per month. If placed in the hands of an attorney for collection, I/we promise

to pay all costs associated with attorney fees. I/we agree to pay all court costs and all other legal fees that may be incurred, plus interest, in order to force collection, including the costs associated with the placement of a lien on the improved property if it becomes necessary. All accounts over sixty (60) days will be referred to the Credit Bureau. The above prices, specifications and conditions are satisfactory and are hereby accepted. I/we certify that we are the legal deeded owners of this property and therefore the Contractor is authorized to complete the work as specified. Payment will be made as specified above.

PLEASE NOTE:

Due to fluctuating material cost, which includes boat lifts, we reserve the right to pass any significant material price increases along to the customer. This will be discussed prior to the start of construction.

Due to constantly increasing fuel prices, all contracts are subject to an additional fuel surcharge. This will be discussed prior to the start of construction.

Acceptance of Proposal Dereen Cahoon date 8/16/22
Contractor's signature

Customer's signature date _____

Drawing by Bobby Cahoon Construction for:

Town of River Bend

Town Park



This drawing is the sole property of Bobby Cahoon Construction Inc. and is not intended for use by any other entity.

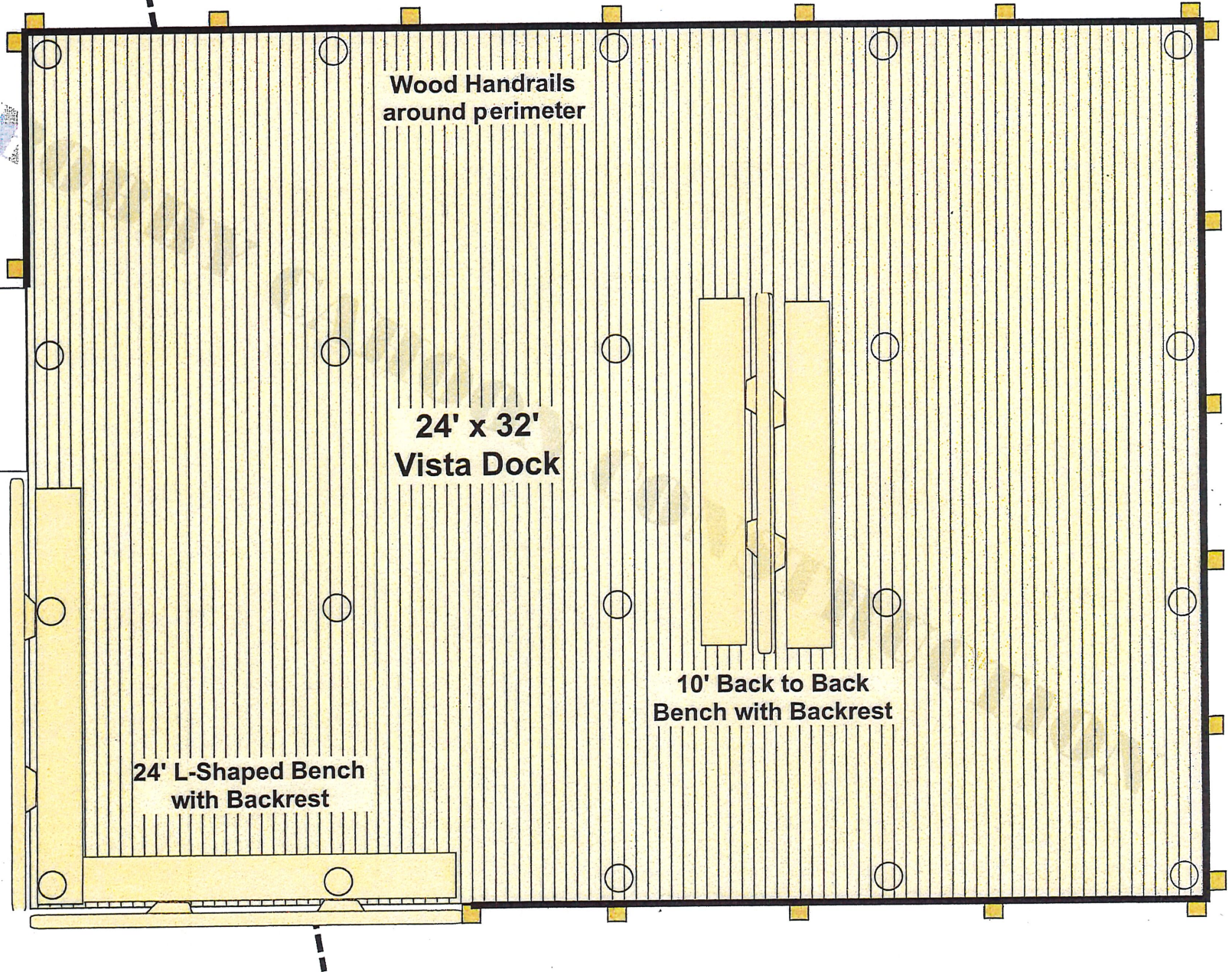
Existing Concrete
Sidewalk section
to be removed
and replaced

Wood Handrails
around perimeter

24' x 32'
Vista Dock

10' Back to Back
Bench with Backrest

24' L-Shaped Bench
with Backrest



OPTION	DATE	SIZE	PRICE
A	6/25/2021	20 x 20	\$25,600
B	7/5/2022	16 x 20	\$25,900
C	7/20/2022	20 x 20	\$32,550
D	8/10/2022	24 x 32	\$45,950

Budgeted	FY22-23	\$25,000
----------	---------	----------

Liaison Report for Council Meeting – 8/18/22

Parks & Recreation

Parks and Recreation did not meet in August but they have been busy.

Fall activities begin with a workshop presented by the Tea Lady on September 10. Three events are scheduled for October. P&R will provide water and popcorn for the River Bend Police Department's National Night Out on Tuesday, October 4. Community Yard Sale Day is scheduled for Saturday, October 22nd. Trunk or Treat will be held on Saturday, October 29. More information will be available on River Bend's weekly e-news and on the town website.

The next meeting is scheduled for September 7. Parks and Recreation currently has one vacancy. If you would like to participate in planning and presenting activities, please submit an application or just attend a meeting.

Community Appearance Commission (CAC)

CAC met on July 20. A verbal report was provided at the Council meeting but is repeated here for the listening audience. Officers for 2022-23 are Brenda Hall, Chairperson; Donna Perry, Vice-Chair and Meg Williams, Secretary. Two more crab pot Christmas globe are scheduled for November. Plans are progressing for festive homes (holidays) awards and beautification awards. Craven County Cooperative Extension Director Tom Glasgow visited River Bend three times to assess trees and shrubs along Plantation median. He identified many issues and some serious safety concerns. He is preparing a report and will schedule a date to discuss his findings.

The next meeting is scheduled for September at 4 pm. Attend the meeting if you are interested in the activities of the CAC.

River Bend Community Organic Garden (RBCOG)

The monthly meeting took place on August 1. There was one visitor.

Despite heat and humidity, the gardeners work daily. As of July 31st, garden volunteers have worked over 1100 hours to produce approximately the same number of pounds of vegetables and herbs. Interfaith Refugee Ministries receives regular donations.

The September meeting, scheduled for Labor Day, was cancelled. The next meeting will be held on October 3 at 1:30 pm. All are welcome.

Red Caboose Library (RCL)

The board met on August 4. Councilman Leonard attended in Councilwoman Maurer's place.

Well known mystery author Phil Bowie spoke about his life and career to a group of about thirty residents on August 1. A children's program, "a Uke Group," is scheduled for August 20.

More children's and adult programs are in the planning stages and will be announced as they are scheduled.

The next meeting is scheduled for September 1.

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

THOUGHTS ON WORLD LEADERSHIP AND OTHER WORLD ISSUES

The population of the world has changed significantly since the end of WWII. The high speed of travel, speed of communication, and transmittal of live picture broadcast have all come into ordinary use. These advances were hardly dreamed of in 1946. Also the majority of the population has been born since the end of the war and have always lived in the changing conditions that are listed.

At the same time improved manufacturing techniques have made all products more reliable and have made such applications as ship propulsion reliable for “just in time” delivery of cargo. The result is modern vessels are larger and can accommodate large volume cargo from distant manufacturing ports for assembly into a finished automobile or major appliances. All of this change makes the manufactured product less expensive, which is a value that is understood in and by every nation in the world.

Another major shift continues to advance world connection; race relations have improved. That shift comes more slowly than many would wish. But in our nation, looking back over 70 years, it has yielded to pressure to accommodate needed race relations change. In my opinion the global goal needs to be for every race to accept worldwide that we are all human and respect each other as members of the “human family.” The achievement of individuals of minority races that were formerly discriminated against certainly demonstrates that race is no indicator of talent. Looking in the rearview mirror it seems ridiculous that in our lifetime large numbers of the population were active in discriminatory activities that were restricting the ability of minorities to participate in the American Dream. Such discrimination is Un-American and Un-Christian. May we all look to a future that does not discriminate.

The earlier mention of change in technology and racial equality have changed forever how every culture relates to living day by day life. I believe that many in the world see this change as positive and irreversible. These changes make it less likely that there will be international misunderstandings that might lead to armed conflict. We all need to work together to resolve misunderstandings when they occur. The resolutions can be achieved only when the negotiating parties treat each other as equals that may have separate interests. Travel time and distance were the factors that separated nations and races in past centuries. We no longer have these barriers as excuses and need to resolve as individuals to work for the “human race” solution.

Town of River Bend

Public Comment Policy

Overview- In 2005, the North Carolina General Assembly, through the passage of NCGS 160A-81.1, required that each municipality in North Carolina provide a period for public comment at least once per month at a regular meeting of the council. The General Assembly gave councils the authority to adopt rules governing the conduct of the public comment period. The Town of River Bend recognizes the importance of receiving comments from the public. The purpose of the public comment period is to give the public an opportunity to express their views, comments or opinions to the council. It is a time for the council to listen to the public. The following rules have been established to maintain order and decorum during the public comment period. Furthermore, these rules are designed to ensure fairness to each speaker by establishing rules in advance that will be applied equally to each speaker.

I. Public Comment Period

The public comment period shall be reserved as an item of business on the agenda for the council's regular session, which is currently held on the 3rd Thursday of each month. All comments to the council during the public comment period shall be subject to the following guidelines:

1. Prior to the start of the public comment period, persons wishing to address the council will register on a sign-up sheet stationed by the meeting room door. Prior to beginning the public comment period, the Mayor will collect the sign-up sheet and recognize speakers in the order that they registered. Speakers will address the council from the lectern and will be asked to provide their name and address for the record.
2. Each speaker shall be limited to a maximum time of three (3) minutes. Each speaker will only be allowed to speak once during the public comment period. A staff member shall serve as time keeper and will promptly announce when the speakers time has expired.
3. No time may be yielded or transferred from one speaker to another. In order to avoid repetition and delay, groups of people supporting the same position are encouraged to designate a spokesperson for the group.
4. The public comment period is not intended to require the council and/or any staff to answer any impromptu questions. The council will not take action on an item presented during the public comment session. Upon completion of the public comment session and when appropriate, the council may refer inquiries made during the public comment session to the Town Manager or an appropriate staff member. If necessary, the item may be added to the agenda of a future meeting, thereby providing the staff an opportunity to research the item and provide data to the council for consideration and review.
5. Speakers will address comments to the entire council as a whole and not one individual member. Discussions between speakers and members of the audience will not be permitted during the public comment period.

6. Speakers who have prepared written remarks are encouraged to leave a copy of such remarks with the Town Clerk. Speakers who have materials that they want distributed to the council related to the item they plan to discuss during the public comment period, shall provide eight (8) copies of those documents to the Town Clerk prior to the start of the meeting. The Clerk shall distribute the copies to the Council, Attorney, and Town Manager and retain one copy for the record.

7. Speakers shall be courteous in their language and presentation. Profanity or other inappropriate language or gestures will not be tolerated.

8. In order to provide for the maintenance of order and decorum in the conduct of the meeting, the Mayor may declare "out-of-order" any person who fails to comply with this policy. The Mayor shall caution any such person to abide by the provisions of this policy. Refusal to do so shall be grounds for removal of the speaker from the meeting.

- Adopted June 18, 2015

§ 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.)