

**River Bend Town Council
Work Session Minutes
October 14, 2021
Town Hall
5:00 p.m.**

Present Council Members:

Mayor John Kirkland
Don Fogle
Brian Leonard (via telephone)
Barbara Maurer
Buddy Sheffield
Bud Van Slyke

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

CALL TO ORDER

Mayor Kirkland called the meeting to order at 5:00 p.m. on Thursday, October 14, 2021 at the River Bend Town Hall with a quorum present.

The Town Manager stated that Councilman Leonard is present tonight via telephone.

VOTE – Addition of Item 7C

Councilman Fogle motioned to add item 7C to agenda to allow a motion at that time. The motion carried unanimously.

VOTE – Approval of Agenda

Councilman Sheffield motioned to accept the agenda with addition of item 7C as presented. The motion carried unanimously.

DISCUSSION – Site Selection ARPA Project

The Manager stated that the next step for this project is to meet and review site selections. He stated that he suggests scheduling a Special Meeting to discuss the site selection. All of Council agreed to schedule a Special Meeting on Thursday, October 21, 2021 at 5:00 p.m. at Town Hall. Councilman Sheffield asked if the cleared property near the water tower was only as big as the cleared area. The Manager stated the property is larger than the cleared area.

VOTE – Approval of Discussion Procedure

Councilman Van Slyke motioned to approve the Discussion Procedure as presented.

Councilwoman Maurer motioned to amend the Discussion Procedure as presented to allow the citizens to speak and allow councilmembers to ask questions since they are the ones who wrote the letters presented. Councilman Fogle stated that he opposed the amendment. Councilman Sheffield stated that this whole situation is unfortunate and he feels the rules governing the procedure are clear and Council should abide by them. The amended motion failed. (4 ayes; Leonard, Fogle, Sheffield, Van Slyke and 1 aye; Maurer).

Councilman Van Slyke motioned to approve the Discussion Procedure as presented. The motion passed. (4 ayes; Fogle, Leonard, Sheffield, Van Slyke and 1 nay; Maurer)

DISCUSSION – Audit Committee Appointment

Councilman Van Slyke stated that recently the Finance Director, Margaret Theis retired. He stated that the new Finance Director Mandy Gilbert should be appointed to the Audit Committee and formally change the Audit Committee approach to define the positions as opposed to the name of individuals.

VOTE – Audit Committee Appointment

Councilman Van Slyke motioned to appoint Mandy Gilbert, Finance Director to the Audit Committee and to formally change the Audit Committee membership by positions with the committee consisting of the Finance Officer, Deputy Finance Officer, Finance Director, Town Manager and one citizen. The motion passed unanimously.

DISCUSSION – CAC Appointment

Councilwoman Maurer stated that Meg Williams has been serving as an alternate member to the CAC and serving as the secretary.

VOTE – CAC Appointment

Councilwoman Maurer motioned to appoint Meg Williams as a full member to the Community Appearance Commission for a term ending June 30, 2022. The motion passed unanimously.

DISCUSSION – Budget Amendment 21-B-03

The Manager presented Budget Amendment 21-B-03 to the Council.

VOTE – Budget Amendment 21-B-03

Councilwoman Maurer motioned to approve the Budget Amendment as presented. The motion passed unanimously. (see attached)

DISCUSSION – Blackboard Notification

The Manager stated that the town uses Blackboard Connect to communicate with residents regarding emergencies, utility billings, etc. He stated that residents register for this service and some do not update their contact information when numbers change and a majority of the messages are failing to be delivered. The Manager asked for permission to purge the whole system and start over which will require everyone to re-register. Councilman Leonard asked that we notify residents in utility billing that there will be a system purge and they will need to reregister for the service.

VOTE – Blackboard Notification

Councilman Sheffield motioned to approve the Blackboard Connect purge as presented with a message insert with the water bill. The motion passed unanimously.

The Mayor called for a 2-minute recess.

DISCUSSION – Parks and Recreation Advisory Board

The Mayor stated that the Discussion Procedure had been approved previously tonight and that procedure would be followed.

Councilwoman Maurer read her letter that was included in the agenda package.

"I am speaking to you as a fellow Council member and as the liaison to the Parks and Recreation Advisory Board. This agenda item asks you to address the concerns contained in the letters written by all seven board members. The River Bend Parks & Advisory Board is a group of seven volunteers who are appointed by a vote of the Town Council. They serve two year terms and many are reappointed several times. Each year these dedicated volunteers are responsible for offering close to twenty programs, events and activities for adults, children and families of River

Bend. Major events include the Fourth of July celebration, the children's Easter Egg Hunt, and Trunk or Treat. In partnership with the CAC and the Rhems Fire Department, they have a Christmas Tree lighting with a visit from Santa and Mrs. Claus who arrive by fire truck. They present Concert in the Park and two seasonal concerts by the Fairfield Harbour Chorus. They try to offer two monthly activities that include craft workshops (which are always different) and games or social activities such as Bunco and BINGO which are repeated or changed as defined by their popularity or by requests from participants. This year they added Community Yard Sale Day to their list of annual events and at the last minute's notice, provided refreshments for National Night Out in River Bend. If you exclude the cost of Fourth of July, they produce all the programs for around \$2,000 per year. In addition, they sponsor the River Bend Community Organic Garden, the Red Caboose Library, Yoga, and previously, Zumba and Ryland's karate program. I would be surprised if larger towns with paid staff could say they offer as much. All seven VOLUNTEERS who staff the Parks and Recreation Advisory Board have written letters to ask this Council for help. The letters were written individually and without any direction following their September 1st board meeting. Please take these dedicated VOLUNTEERS seriously and consider their requests."

Councilman Fogle read his letter that was included in the agenda package.

"Dear Mayor Kirkland,

I am writing this letter in response to the 6 complaint letters you received about me regarding the September 1, 2021 Parks and Recreation Advisory Board (PRAB) Meeting. I have included Attachment A which gives a narrative description of what occurred during that meeting. I recommend that you read Attachment A thoroughly to see who established the adversarial tone mentioned in the letters.

I have attempted to respond point by general point below based on what I gathered the specific complaint was in each letter. As you know, I have been a proponent of increasing the number of recreational activities available to our residents since the day I was appointed. That is no secret. I have tried making general, then specific suggestions in Council meetings with the hope that a "nudge" might get the creative juices flowing. I have spoken directly to the liaison and asked about having some new activities sponsored by the PRAB. I even applied to serve on the PRAB to make sure new activities were considered, and encouraged a young man to apply to the PRAB when a vacancy occurred, only to see an "outsider" not be given an opportunity to join the PRAB. I am frustrated since I have tried every available option from "planting the seed" to asking specific questions of the PRAB with absolutely no recognition from the PRAB that they should at least consider and discuss these issues.

Complaint

1. Speaking as a Councilman: It was never my intent to "speak as a Councilman", but after the Chair "misrepresented" the Town mask policy, and the liaison did not correct it, I felt I had an ethical obligation to represent the Town and clarify the policy.
2. Behavior: My behavior was no better and no worse than that of the Chair. When her volume went up, my volume went up.
3. Come to future meetings: Yes, I will be at future meetings as is my right as a resident of River Bend. May I remind you that at the Joint Advisory Board/Council meeting, the PRAB Chair told me I could come, and that the meetings allowed visitor participation in an open dialogue format.
4. We (PRAB) are the problem: Regarding the mask policy, in response to the Chair loudly stating "I don't care what Delane said, the PRAB decides!" and then "The Town Council is the problem!", I responded with "You should care what Delane says!" followed by "That is the problem with you leading this committee!" The problem comment was clearly directed at the Chair, no one else and certainly not the PRAB as a whole.

5. Personal Agenda: I do not recall being asked if I had an agenda and I did not say I had an agenda, but my purpose in attending this meeting was to ask two questions: 1) Is the PRAB interested in doing more of what it already does (such as Bunco) and 2) Is the PRAB willing to try a new activity (such as Scrabble).

6. Unimpressive: I told the PRAB that I had read their event calendar to the councilmembers and I felt that the councilmembers were unimpressed with the calendar. In hindsight, I should have said that differently.

7. Demanded to know right now: I got an immediate answer from the Chair when I asked if the PRAB would be rescheduling the coming Bunco event if there was insufficient interest. "No" was the answer. I also asked if they would be interested in starting a Scrabble activity to encourage discussion, which I thought was the purpose of the meeting. It was not a demand.

8. Interrupted frequently: The Chair had previously told the Council that the PRAB used an open dialogue format for visitors to comment. I asked questions after others had spoken and do not recall interrupting any other speaker. Early in the meeting, I actually asked for permission to ask a question.

9. Criticism: After stating that I felt the PRAB was the most important board for most residents, I said that I thought they could do better. This seems to be when everyone felt insulted, so some people may consider that a criticism. It was meant to encourage self-review of their operations and to acknowledge that they are important. I didn't say they were bad, not needed, should be eliminated, etc. I have expressed in many Council meetings that they do a good job overall, but I do believe they rely too much on what activities they have done in the past without experimenting with new ideas. I don't know how to say that without it being perceived as a criticism as opposed to an opportunity.

10. Personal agenda: I have raised the issue of new activities, including Scrabble, at many Council sessions. Yes, I did expect that it had been discussed by the PRAB by now. Overall, none of the issues I had brought up should have come as a surprise to anyone if the liaison had passed along my many questions about more and different activities sponsored by PRAB. The liaison told me after the meeting that she had never passed along my many suggestions about Scrabble. She thought I meant Bunco.

I am not perfect. I make mistakes as everyone does. Thank you for giving me the opportunity to explain my side of the story as well as what occurred in the PRAB meeting."

Councilman Leonard stated that he had no questions for Councilwoman Maurer or Councilman Fogle but stated he appreciated all the work the advisory board volunteers do.

Councilman Leonard lost connection and the meeting was paused momentarily while the connection was restored.

Councilman Sheffield stated that the Council oversees all of the advisory boards and every member is reappointed every 2 years if there are no problems with the reappointment. He stated that the volunteers do a lot of work with no monetary pay. He stated he feels that the Council should not micromanage the advisory boards. He suggested that Councilman Fogle sponsor his own "scrabble" game night at the Municipal Building.

Councilman Fogle stated that he has asked previously and was told he would have to pay a fee to sponsor activities at the Municipal Building.

The Manager stated that discussion took place when the old Building Use Policy was in effect. Since that time, the policy has been amended to allow him to sponsor a game night at no charge at the Municipal Building.

Councilman Fogle stated he was not aware that he could sponsor activities at the Municipal Building at no charge. He stated he felt that the Council sets expectations of the volunteers within the advisory boards to encourage and embrace new activities in the town.

Councilman Van Slyke suggested that Council have a review session of the liaisons role for communications between the advisory boards and the Council. He thanked all the volunteers in attendance.

The Mayor stated that the Council, Town Manager and Advisory Board Chairperson are in the process of reviewing the town's ordinance that governs the Advisory Boards.

Councilwoman Maurer stated that in her past experience she has not heard the Parks and Recreation Advisory Board tell anyone "no" to any activity. She stated that when the request was made for a Scrabble game night it was considered and discussed to be added to the game night scheduled in January and that was unacceptable. She stated that she is concerned that this group that puts on a lot of the activities at a low price will be scrutinized more than any department and she is concerned how long that will go on. She does not feel anything is wrong and nothing needs to be fixed. She stated that all the Parks and Recreation Advisory Board wants is to be treated with respect.

Councilman Fogle distributed the Parks and Recreation Advisory Board September 1, 2021 minutes to the Council and the Agenda to the Town Attorney Dave Baxter. Councilman Fogle asked the Town Attorney if Scrabble was on the agenda and the attorney responded that the word Scrabble does not appear on the agenda. Councilman Fogle stated that he thought that it would be a great idea if the Parks and Recreation Advisory Board could adopt a group of volunteers similar to the Red Caboose Library so the Parks and Recreation Advisory Board members do not feel overwhelmed.

VOTE – Parks and Recreation Advisory Board Host Scrabble

Councilman Fogle motioned to direct the Parks and Recreation Advisory Board to plan, advertise and host a Scrabble game activity no later than January 31, 2022. The motion failed. (1 aye; Fogle, and 4 nays; Leonard, Sheffield, Van Slyke, Maurer).

Councilman Sheffield asked if there was a process to take a poll to see what activities the community would be interested in participating in. The Manager stated that the town could use our web page and E-news to survey the community.

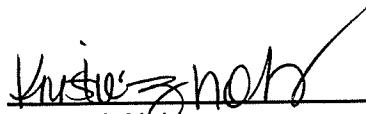
The Manager stated that all the items that would be discussed at the Regular Session were discussed tonight and voted on and there is nothing for the October 21st agenda other than regular monthly reports.

VOTE – CANCEL REGULAR SESSION MEETING

Councilman Sheffield motioned to move the meeting from 7:00 p.m. to 5:00 p.m. as a Special Meeting to discuss the ARPA Project. The motion passed unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn, the motion carried unanimously. The meeting adjourned at 6:08 p.m.



Kristie J. Nobles
Town Clerk



**TOWN OF RIVER BEND
BUDGET ORDINANCE AMENDMENT 21-B-03
FISCAL YEAR 2021-2022**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina that the 2021-2022 Budget Ordinance as last amended on September 23, 2021, be amended as follows:

Summary

General Fund	2,009,705
General Capital Reserve Fund	107,187
Law Enforcement Separation Allowance Fund	13,545
Water Fund	668,930
Water Capital Reserve Fund	489
Sewer Fund	729,130
Sewer Capital Reserve Fund	22
Total	3,529,008

Section 1. General Fund

Anticipated Revenues

AD VALOREM Taxes 2021-2022	711,163
AD VALOREM Tax-Motor Vehicle	85,800
Animal Licenses	2,000
Sales Tax 1% Article 39	149,718
Sales Tax 1/2% Article 40	87,158
Sales Tax 1/2% Article 42	74,932
Sales Tax Article 44 105-524	10,235
Sales Tax Hold Harmless Distribution	86,068
Solid Waste Disposal Tax	2,200
Powell Bill Allocation	76,800
Beer and Wine Tax	13,225
Video Programming Sales Tax	53,600
Utilities Franchise Tax	111,000
Telecommunications Sales Tax	9,900
Court Refunds	500
Zoning Permits	5,000
Recovery Grant NCORR-FDLG-004	76,445
Miscellaneous	10,000
Interest-NCORR-FDLG-004 Investments	30
Interest- Powell Bill Investments	50
Interest-Gen Investments	500
Contributions	421
Wildwood Storage Rents	18,144
Rents & Concessions	18,000
Sale of Capital Assets	31,008
Transfer From Capital Reserve Fund	65,342
Appropriated Fund Balance	310,466
Total	2,009,705

Section 1. General Fund (continued)

Authorized Expenditures	
Governing Body	32,000
Administration	262,000
Finance	185,040
Tax Listing	11,200
Legal Services	24,000
Elections	3,500
Police	610,509
Public Buildings	118,700
Emergency Services	4,000
Animal Control	11,000
Street Maintenance	181,000
Public Works	161,000
Leaf & Limb and Solid Waste	44,000
Stormwater Management	42,000
Wetlands and Waterways	3,000
Planning & Zoning	50,000
Recovery Grant NCORR-FDLG-004	76,475
Recreation & Special Events	7,500
Parks & Community Appearance	44,615
Contingency	17,666
Transfer To General Capital Reserve Fund	107,000
Transfer To L.E.S.A. Fund	13,500
Total	<u>2,009,705</u>

Section 2. General Capital Reserve Fund

Anticipated Revenues	
Contributions from General Fund	107,000
Interest Revenue	187
Total	<u>107,187</u>
Authorized Expenditures	
Transfer to General Fund	65,342
Future Procurement	41,845
	<u>107,187</u>

Section 3. Law Enforcement Separation Allowance Fund

Anticipated Revenues:	
Contributions from General Fund	13,500
Interest Revenue	45
Total	<u>13,545</u>
Authorized Expenditures:	
Separation Allowance	1,517
Future LEOSSA Payments	12,028
Total	<u>13,545</u>

Anticipated Revenues

Authorized Expenditures

[1] Portion of department for bond debt service: 148,991

Anticipated Revenues

Authorized Expenditures

Page 3 of 5

Section 6.

Sewer Fund

Anticipated Revenues:

Utility Usage Charges, Classes 1 & 2	258,181
Utility Usage Charges, Classes 3 & 4	20,212
Utility Usage Charges, Class 5	27,576
Utility Usage Charges, Class 8	7,264
Utility Customer Base Charges	294,652
Taps & Connection Fees	1,250
Late payment Fees	7,902
Interest Revenue	1,919
Sale of Capital Asset	0
Appropriated Fund Balance	110,174
Total	<u>729,130</u>

Authorized Expenditures:

Administration & Finance [2]	505,030
Operations and Maintenance	220,600
Transfer to Fund Balance for Capital Outlay	3,500
Transfer to Sewer Capital Reserve Fund	0
Total	<u>729,130</u>

[2] Portion of department for bond debt service: 128,659

Section 7.

Sewer Capital Reserve

Anticipated Revenues:

Contributions From Sewer Operations Fund	0
Interest Revenue	22
Total	<u>22</u>

Authorized Expenditures:

Future Expansion & Debt Service	<u>22</u>
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Section 8. Levy of Taxes

There is hereby levied a tax at the rate of twenty-six cents (\$0.26) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2021, for the purpose of raising the revenue listed as "Ad Valorem Taxes 2021-2022" in the General Fund Section 1 of this ordinance. This rate is based on a valuation of \$278,000,000 for purposes of taxation of real and personal property with an estimated rate of collection of 98.39%. The estimated collection rate is based on the fiscal year 2019-2020 collection rate of 98.39% 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 \$33,000,000 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, 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 1.4% 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.

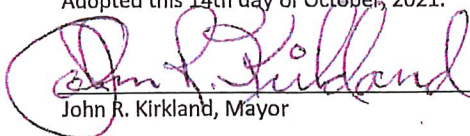
Section 12. Utilization of the Budget Ordinance

This ordinance shall be the basis of the financial plan for the Town of River Bend municipal government during the 2021-2022 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 14th day of October, 2021.


John R. Kirkland, Mayor

Attest:


Kristie J. Nobles, Town Clerk

