



TOWN OF RIVER BEND

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

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

RIVER BEND TOWN COUNCIL AGENDA

Work Session Meeting

March 10, 2022

River Bend Town Hall

5:00 p.m.

1. **VOTE – Approval of Agenda**
2. **VOTE – Resolution for Water Meter Replacement Project**
3. **DISCUSSION - Eastern Carolina Council Resolution**
4. **VOTE – Budget Amendment #21-B-05**
5. **DISCUSSION – Arbor Day Proclamation**
6. **DISCUSSION - Surplus Property Resolution**
7. **DISCUSSION - Sign Ordinance and Short-term Rental Updates**
8. **DISCUSSION - City Vision Conference Update**
9. **DISCUSSION - Advisory Board Ordinance Amendments**
10. **REVIEW AGENDA – Nobles**

Pledge: Maurer

RESOLUTION BY THE TOWN OF RIVER BEND

- WHEREAS,** the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking-water system owners in financing the cost of construction for eligible, drinking-water infrastructure; and
- WHEREAS,** the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund (DWSRF) Loan in 2021 in the amount of \$602,500 for the construction of Water Meter Replacement hereafter referred to as the "Project"; and
- WHEREAS,** the North Carolina Department of Environmental Quality has offered another Drinking Water State Revolving Fund (DWSRF) Loan in 2022 in the amount of \$130,310 for the construction of Water Meter Replacement hereafter referred to as the "Project"; and
- WHEREAS,** the Town of River Bend intends to construct said Project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section.

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

That the Town of River Bend does hereby accept the DWSRF Loans offered in the total amount of \$732,810; and

That the Town of River Bend does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard "Conditions" and "Assurances" of the Department's funding offer, awarded in the form of DWSRF Loan; and

That the Town Manager, Delane Jackson, and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the Project; to make the Assurances as contained above; and to execute such other documents as may be required in connection with the application; and

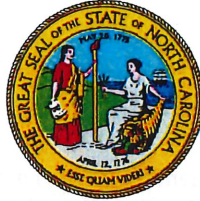
That the Town of River Bend has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

Adopted and Effective this the 10th day of March, 2022 at River Bend, North Carolina.

John Kirkland, Mayor

Attest:

Kristie J. Nobles



NORTH CAROLINA
Environmental Quality

February 10, 2022

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

Mr. Delane Jackson, Manager
Town of River Bend
45 Shoreline Drive
River Bend, North Carolina 28562

Subject: **AMENDED Offer & Acceptance Documents for a Federal DWSRF Loan**
DWI Project No.: **WIF-2008**
Project Scope: **Water-Meter Replacement (ASADRA)**

Dear Mr. Jackson:

The **Town of River Bend** (Town) have been approved for additional **federal loan assistance** from the North Carolina *Drinking Water State Revolving Fund (DWSRF)* in addition to the previously awarded, federally sourced assistance vis-à-vis the *Additional Supplemental Appropriation for Disaster Relief Act (ASADRA)*. Accordingly, enclosed are two (2) copies of an amended "Offer-and-Acceptance" document extending the Town an amended, total **funding award** in the amount of **\$732,810**. This amended offer is made subject to the Assurances and Conditions set forth in the amended Offer-and-Acceptance document.

Please submit the following items to the Division of Water Infrastructure (DWI), 1633 Mail Service Center, Raleigh, North Carolina 27699-1633, as soon as they are prepared:

1. A resolution adopted by the governing body accepting the loan offer and making the applicable assurances contained therein (see sample copy, attached);
2. One (1) copy of the original "Offer-and-Acceptance" document, executed by the designated Authorized Representative for the Project, along with the signed "Acknowledgement of Standard Conditions and Assurances" for federal SRF loans. **Retain the other executed, original copy for your files;**
3. The Federal Identification Number and DUNS Number of the Applicant (Memo attached); and
4. A Sales-Tax Certification Form (sample copy attached).

The **Site Certification** and a **Capital Project Ordinance** (or a budget ordinance covering the subject project) must be provided to DWI before disbursements can begin. For further assistance, please see the enclosed *Guidance Document* for a complete list of those items due no later than the project's first reimbursement request.

Reimbursement requests (printed sample form enclosed with this transmittal) for **drinking-water projects** should be forwarded to **Teresa Tripp** with DWI at the address noted below (see the footer on the first page of this transmittal letter). A reference copy of this request form has been enclosed for your convenience.

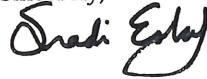
Once construction of the Project has commenced, an updated, fully-completed, current and signed/dated copy of our Reimbursement Request Form must be submitted with all reimbursement requests. You are free to reproduce this form should additional copies be needed.



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

On behalf of the Department of Environmental Quality, I am pleased to make this amended offer of DWSRF and ASADRA funds, made available by the North Carolina Water Infrastructure Fund.

Sincerely,



Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures: AMENDED Loan/Grant Offer-and-Acceptance Document (two copies)
 Resolution to Accept Loan Offer (suggested format)
 Federal ID & DUNS Number Request Memo
 Sales-Tax Certification Form
 Reimbursement Request Form
 Guidance Document
 Site Certification
 Capital Project Ordinance (sample)

cc: Bobby Blowe, P.E., Municipal Engineering Services Co., P.A., Consulting Engineer
 Jennifer House / DWI (w/o attachments)
 David Giachini, P.E. / DWI (w/o attachments)
 DWSRF Project File/Scan: **(COM - LOX)**



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

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient (Applicant):

Town of River Bend
45 Shoreline Drive
River Bend NC 28562

Project Number:

H-SRF-F-21-2008

Project Number:

N/A

CFDA Number:

66.468

Funding Program:

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Wastewater	<input type="checkbox"/>			
State Revolving Fund (SRF)	<input type="checkbox"/>	\$130,310	--	\$130,310
State Revolving Fund (SRF) - ASADRA*	<input checked="" type="checkbox"/>	--	\$602,500	\$602,500
State Reserve Program (SRP) Grant	<input type="checkbox"/>			
State Reserve Program (SRP) Loan	<input type="checkbox"/>			
State Emergency Loan (SEL)	<input type="checkbox"/>			
Asset Inventory & Assessment Grant (AIA)	<input type="checkbox"/>			
Merger/Regionalization Feasibility Grant (MRF)	<input type="checkbox"/>			

Project Description:

*Water-Meter Replacement: Replace Town's existing inventory of approximately 1,450 manual-read water meters with AMR-type water meters; Relocate the billing server to new location outside of the 1% Annual Chance Floodplain. Funding will be in the form of a SRF loan featuring the special *ASADRA (Additional Supplemental Appropriation for Disaster Relief Act) funding allocation.*

Total Financial Assistance Offer:

\$732,810

Total Project Cost:

\$732,810

Estimated Closing Fee*:

\$14,656

For Loans

Principal Forgiveness:

\$602,500

Interest Rate (Percent Per Annum):

0.0

Maximum Loan Term (Years):

20

**"Estimated closing-fee" calculation based on grant and/or loan amount(s) and applicable closing-fee percentage(s).*

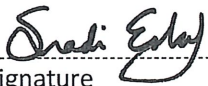
Pursuant to North Carolina General Statute 159G:

- The Applicant is eligible under Federal and State law;
- The Project is eligible under Federal and State law, and;
- The Project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

 Signature	2/9/2022 Date
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On Behalf of:

Town of River Bend

Name of Representative in Resolution:

Mr. Delane Jackson

Title (Type or Print):

Town Manager

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

_____ Signature	_____ Date
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SAMPLE

COUNTY LOGO

A RESOLUTION BY THE COUNTY OF _____
IN SUPPORT OF THE EASTERN CAROLINA COUNCIL OF GOVERNMENTS

WHEREAS, the Eastern Carolina Council of Governments is one (1) of sixteen (16) multi-county planning and development regions in North Carolina which serve a population of approximately 645,000 residents living in Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne counties; and

WHEREAS, the stated mission of the Eastern Carolina Council of Governments is to improve the region's quality of life by providing planning, economic development and senior services to local governments and area residents by maximizing resources and collaborating regionally; and

WHEREAS, the Eastern Carolina Council of Governments can serve an invaluable role in being the neutral platform where local governments can come together and shape planning area-wide, be a champion for the entire region and work to strengthen our region's competitive advantage on the national and international stage; and

WHEREAS, the Eastern Carolina Council of Governments recognizes the weakness of the organization currently and are conducting a thorough reassessment of its core principles and strategic purpose; and

WHEREAS, the Eastern Carolina Council of Governments will make any and all efforts to re-engage their local governments, expand services available to members and make institutional changes needed to recruit the talent and leadership that will build a regional council on par with what is available to other communities across North Carolina; and

WHEREAS, true regionalism cannot exist without strong participation and collaboration among local governments, the Eastern Carolina Council of Governments is requesting input, guidance and commitment from its member governments. This level of engagement will ensure that we all have available to us a regional council that can serve the unique needs of each community, while still addressing our shared challenges.

NOW THEREFORE BE IT RESOLVED; that the _____ Board of Commissioners, do hereby support the efforts of the Eastern Carolina Council of Governments to preserve the regional partnership and implement necessary changes to build an organization that can more effectively address the needs of the local governments they serve.

Adopted this the 18th day of January, 2022



Eastern Carolina Council

Eastern Carolina Council

233 Middle Street, Ste 300

Phone: 252.638.3185

PO Box 1717

Fax: 252.638.3187

New Bern, NC 28560

www.eccog.org

Dear ECC Member Governments:

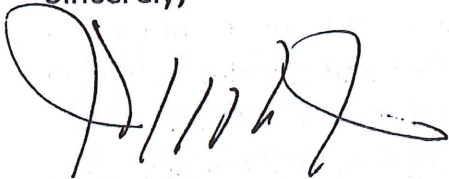
. There have been a number of concerns expressed recently that ECC has failed to engage with or to actively provide a wide range of services to the communities within the region. Under the leadership of the officers and Interim Executive Director Tim Ware, the Executive Board of the Eastern Carolina Council (ECC) recently engaged an outside firm to do an assessment on our Council. The assessment included interviews with County and City/Town elected officials and Mangers from throughout the region. The final evaluation concluded that the Council is failing to meet the needs of our member governments in a variety of areas. A study group of ECC members and county managers, headed by 1st Vice President Ed Riggs, reviewed the report and other materials, and formulated a list of recommendations based on the assessment. For your review, enclosed is the Assessment of the Council done by the Southeast Regional Directors Institute (SERDI) and the Study group recommendations.

At our February 11, 2022 General Membership meeting, the Board unanimously approved moving forward with the proposals to restructure, restore, and rebuild the Council to relevancy to the member governments in the region. These recommendations included immediately advertising for a new Executive Director and Finance Officer, requesting an EDA grant to aid in the immediate cost associated with the rebuild, seeking outside consultants to facilitate the process, asking the County Managers in our region to form an advisory Board to support these efforts, and reviewing our bylaws to aid in the governance of our council.

ECC leadership needs to hear from you regarding the accuracy of the assessment, and if a major rebuilding of the Council is the right path forward. We have enclosed a sample resolution of support for the changes the Council has started to undertake. We ask that the governing boards adopt this resolution in show of support for the Council and return it to us at your earliest convenience.

The Executive Committee of the Council is scheduled to meet again on Thursday, March 10, 2022 to continue this work. If you have any questions, please call Tim Ware at 252-638-3185 x3005 or by email at executivedirector@eccog.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jay Bender', with a stylized flourish at the end.

Jay Bender

President



Eastern Carolina Council

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE EASTERN CAROLINA COUNCIL OF GOVERNMENTS

IN SUPPORT OF THE EASTERN CAROLINA COUNCIL OF
GOVERNMENTS EFFORTS TO PRESERVE THE REGIONAL PARTNERSHIP AND
IMPLEMENT NECESSARY CHANGES TO BUILD AN ORGANIZATION THAT CAN
MORE EFFECTIVELY ADDRESS THE NEEDS OF THE LOCAL GOVERNMENTS THEY
SERVE

WHEREAS, the Eastern Carolina Council of Governments is one (1) of sixteen (16) multi-county planning and development regions in North Carolina which serve a population of approximately 645,000 residents living in Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne counties; and

WHEREAS, the stated mission of the Eastern Carolina Council of Governments is to improve the region's quality of life by providing planning, economic development and senior services to local governments and area residents by maximizing resources and collaborating regionally; and

WHEREAS, the Eastern Carolina Council of Governments can serve an invaluable role in being the neutral platform where local governments can come together and shape planning area-wide, be a champion for the entire region and work to strengthen our region's competitive advantage on the national and international stage; and

WHEREAS, the Eastern Carolina Council of Governments recognizes the weakness of the organization currently and are conducting a thorough reassessment of its core principles and strategic purpose; and

WHEREAS, the Eastern Carolina Council of Governments will make any and all efforts to re-engage their local governments, expand services available to members and make institutional changes needed to recruit the talent and leadership that will build a regional council on par with what is available to other communities across North Carolina; and

WHEREAS, true regionalism cannot exist without strong participation and collaboration among local governments, the Eastern Carolina Council of Governments is requesting input, guidance and commitment from its member governments. This level of engagement will ensure that we all have available to us a regional council that can serve the unique needs of each community, while still addressing our shared challenges.

NOW THEREFORE BE IT RESOLVED; that the Eastern Carolina Council of Governments Board of directors, do hereby support the efforts of the Eastern Carolina Council of Governments to preserve the regional partnership and implement necessary changes to build an organization that can more effectively address the needs of the local governments they serve.

Adopted this 10TH Day of February, 2022



EasternCarolinaCouncil

EasternCarolinaCouncil

233 Middle Street, Ste 300
PO Box 1717
New Bern, NC 28560

Phone: 252.638.3185
Fax: 252.638.3187
www.eccog.org

Date : February 7, 2022
From : Edward Riggs, Jr.
Subject : ECC Study Group

A committee formed by the Executive Committee of the Eastern Carolina Council (ECC) was tasked to review the Assessment of the Council by the South East Regional Directors Institute (SERDI). This assessment included meetings with elected officials and managers from member counties and towns. Additionally, a letter signed by 8 of 9 county managers which reinforced several of the SERDI recommendations was presented to the Executive Committee. The Assessment outlined several areas of concern that representatives from member governments would like to see addressed, including services, governance structure, and general operations.

With the approval of the ECC Board the following recommendations to begin this process are as follows:

1. There is a need for strong leadership to restructure ECC. A new Executive Director, preferable with COG experience, should be hired with a comparable salary. The Executive Director salary should not be required to raise funds to sustain their salary. The new Executive Director will need guidance as to which direction to take ECC. With this guidance the new Executive Director will be able to rebuild ECC, by meeting with member governments, by hiring key personnel, and by ensuring services are provided to meet the needs of the member governments.

2. The recruiting process for the Executive Director will include a nationwide search and a hiring committee made up of 8 individuals. These individuals will include 2 county managers, 2 city or town managers, and 4 members of the executive committee. This approach will allow the best opportunity to find the right candidate for the job. It is important to allow a cross section of managers and elected officials in this process. The four members from the executive committee should be made up with two county commissioners and two city/town board members or mayors. All 8 individuals should be from different counties if possible.

3. The advertising and hiring of a new finance officer for ECC should continue. The finance officer should be under the direct supervision of the Executive Director. Currently, this position is also vacant. It is important to find the right candidate and

hire that person as soon as possible. Under the current structure, the Finance Officer is hired and fired by the Board. It is recommended that the Executive Director have the authority to hire and fire all staff, including the finance officer.

4. There are seven services the ECC should provide, in addition to the Area Agency on Aging, RPO, and EDA. These services are:

1. Grant writing and Administration
2. Planning Service
3. Mapping and GIS service
4. Training and workshops
5. Local Government Administration and support
6. HR Services
7. Disaster Recovery

There will be a need to hire staff in key positions to jump start services. These could be department heads. Services, particularly to begin with, may be contracted services from the private sector or neighboring COG's. These are the services most requested by member governments. While some services may be provided free of charge to member governments, it is expected that most services will be available for a fee.

5. ECC will prepare a Technical Assistance Grant Proposal to EDA for assistance to Restructure, Restore, and Rebuild the Council to Relevancy to the member governments in the region. If awarded, this grant assistance will help absorb initial cost in restarting and rebuilding services.

6. It should be recognized that the ECC Board may need to revisit the membership dues structure during this rebuilding process. At this point, there is no way to predict future needs or cost, but it should be noted that the way the current dues structure is set up, it may not sustain the organization long term. To explain, the dues for each member government is based on population. Counties are charged matches for Aging, RPO, and the remainder of their dues goes toward the EDA match. When a county only pays matches for Aging and RPO and not the remainder in order to "not be a member", they are really not paying their portion of the EDA match, which puts the burden on other member governments. Most of the dues charged to the cities and towns currently go toward the EDA match. ECC does have a fund

balance in which a portion could be allocated toward this restructure of the Council.

7. The General membership Board of the ECC should meet on a quarterly basis, and the Executive Board should continue to meet on a regular basis. Currently, the general membership normally meets twice a year. General membership and Executive Committee meetings should be held, from time to time, in different locations in the region. This will give a more active role to the member governments in the decision-making process.

8. An Advisory Board of County Managers from member counties should be formed. This advisory board would meet and advise staff and the board from time to time to address issues and to aid and give council in the policy making decisions. In addition, it is recommended that the ECC Board meet, from time to time, with the aging advisory board and the RPO boards for information and input on operations.

9. The following changes to the Executive Board should be made

a. Each member city/town with a population of 18,000 or more shall appoint a member. Currently, the population threshold is 20,000.

b. The County managers from member counties will caucus and appoint one member to the Executive Committee. This will increase the maximum number of members from 23 to 24.

c. Whenever possible, when electing the 4 officers of the Executive Committee, 2 should be county commissioners and 2 should be city/town appointees. The four officers are the President, First Vice-President, Second Vice-President, and Treasurer. This will aid in preventing the perception that the governance of the council leans one way or the other.

10. Explore the option of hiring a consultant to spearhead the reorganization of the ECC. There is history with a neighboring Council of Governments using an outside consultant to help their restructuring process, which was very successful. An Outside firm could assist the Board (and new Executive Director when hired) in continuing the study SERDI started, by looking at current procedures of the governance of the council, the projected cost in providing these services to the member governments, and to help relay information and help answer questions member governments and elected officials may have.

This process will require considerable time and hard work to be successful. It is important to know that there is still an interest in the ECC and that there is a desire for this Council to grow and rebuild. Elected officials and managers from our region

participated in the SERDI study and provided this feedback. A Resolution of Support from governments in our region is requested to confirm the needs identified in the SERDI study.



**TOWN OF RIVER BEND
BUDGET ORDINANCE AMENDMENT 21-B-05
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 January 20, 2022, be amended as follows:

Summary

General Fund		2,123,854
General Capital Reserve Fund		107,187
Law Enforcement Separation Allowance Fund		13,545
Water Fund		673,545
Water Capital Reserve Fund		489
Sewer Fund		733,583
Sewer Capital Reserve Fund		22
Total		3,652,225

Section 1.

General Fund

**21-B-05
PROPOSED
CHANGES**

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	92,539	
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	
Federal Grant (Byrne Justice Assistance Grant)	22,170	22,170
Recovery Grant NCORR-FDLG-004	76,445	
Federal Disaster Assistance	35,434	
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 (funding for land purchase for PW building)	351,272	60,000
Total	2,123,854	82,170

Section 1. General Fund (continued)

21-B-05
**PROPOSED
CHANGES**

Authorized Expenditures

Governing Body	32,000	
Administration	271,575	
Finance	192,018	
Tax Listing	11,200	
Legal Services	24,000	
Elections	3,500	
Police (Expend related to Byrne Justice Assistance Grant)	640,114	22,170
Public Buildings (land for PW building)	184,439	60,000
Emergency Services	4,000	
Animal Control	11,056	
Street Maintenance (tractor)	186,141	5,000
Public Works	161,197	
Leaf & Limb and Solid Waste	44,000	
Stormwater Management (transfer for tractor purchase)	37,084	-5,000
Wetlands and Waterways	3,000	
Planning & Zoning	50,563	
Recovery Grant NCORR-FDLG-004	77,602	
Recreation & Special Events	7,500	
Parks & Community Appearance	44,699	
Contingency	17,666	
Transfer To General Capital Reserve Fund	107,000	
Transfer To L.E.S.A. Fund	13,500	
Total	2,123,854	82,170

Section 2. General Capital Reserve Fund

Anticipated Revenues

Contributions from General Fund	107,000
Interest Revenue	187
Total	107,187

Authorized Expenditures

Transfer to General Fund	65,342
Future Procurement	41,845
Total	107,187

Section 3. Law Enforcement Separation Allowance Fund

Anticipated Revenues:

Contributions from General Fund	13,500
Interest Revenue	45
Total	13,545

Authorized Expenditures:

Separation Allowance	1,517
Future LEOSSA Payments	12,028
Total	13,545

Section 4. Water Fund

**21-B-05
PROPOSED
CHANGES**

Anticipated Revenues			
Utility Usage Charges, Classes 1 & 2	199,710		
Utility Usage Charges, Classes 3 & 4	8,949		
Utility Usage Charges, Class 5	12,209		
Utility Usage Charges, Class 8	3,586		
Utility Customer Base Charges	231,472		
Hydrant Availability Fee	20,496		
Taps & Connections Fees	1,250		
Nonpayment Fees	10,500		
Late payment Fees	6,839		
Interest Revenue	1,275		
Sale of Capital Asset	0		
Appropriated Fund Balance	177,259		
Total	673,545		0
Authorized Expenditures			
<i>Administration & Finance [1] (tractor)</i>	520,645		5,000
<i>Operations and Maintenance (transfer for tractor purchase)</i>	149,400		-5,000
Transfer To Fund Balance for Capital Outlay	3,500		
Transfer To Water Capital Reserve Fund	0		
Total	673,545		0
<i>[1] Portion of department for bond debt service:</i>	148,991		

Section 5. Water Capital Reserve Fund

Anticipated Revenues			
Contributions From Water Operations Fund	0		
Interest Revenue	489		
Total	489		
Authorized Expenditures			
Future Expansion & Debt Service	489		
	489		

Section 6. Sewer Fund

**21-B-05
PROPOSED
CHANGES**

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	114,627	
Total	<u>733,583</u>	<u>0</u>

Authorized Expenditures:

Administration & Finance [2] (tractor)	514,483	5,000
Operations and Maintenance (transfer for tractor purchase)	215,600	-5,000
Transfer to Fund Balance for Capital Outlay	3,500	
Transfer to Sewer Capital Reserve Fund	0	
Total	<u>733,583</u>	<u>0</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 10th day of March, 2022.

John R. Kirkland, Mayor

Attest:

Kristie J. Nobles, Town Clerk



PROCLAMATION FOR ARBOR DAY

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, John Kirkland, Mayor of the Town of River Bend, do hereby proclaim April 29, 2022 as Arbor Day in the Town of River Bend, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

HEREUNTO, I set my hand and cause the Seal of the Town of River Bend to be affixed this 14th day of April, 2022.

John R. Kirkland
Mayor

Attest:

Kristie J. Nobles
Town Clerk

Resolution Declaring Surplus Property and Authorizing Sale of Real Property

WHEREAS, the Town of River Bend desires to dispose of certain surplus real property of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of River Bend that:

1. The following described property is hereby declared to be surplus to the needs of the Town:

**.351 acre of land located at 111 Starboard Drive
described by Craven County PIN 8-073-D-162**

2. The Town Manager is authorized and directed to receive, on behalf of the Town Council, sealed bids for the purchase of the property described above and shall conduct the sealed bid process in accordance with NCGS 160A-268.
3. The Town shall retain the right to reject any and all bids.

Adopted this 17th day of March, 2022

John R. Kirkland
Mayor

Attest:

Kristie Nobles

§ 160A-263. Repealed by Session Laws 1981, c. 919, s. 28, effective January 1, 1982.

§ 160A-264. Reserved for future codification purposes.

Article 12.

Sale and Disposition of Property.

§ 160A-265. Use and disposal of property.

In the discretion of the council, a city may: (i) hold, use, change the use thereof to other uses, or (ii) sell or dispose of real and personal property, without regard to the method or purpose of its acquisition or to its intended or actual governmental or other prior use. (1981 (Reg. Sess., 1982), c. 1236.)

§ 160A-266. Methods of sale; limitation.

(a) Subject to the limitations prescribed in subsection (b) of this section, and according to the procedures prescribed in this Article, a city may dispose of real or personal property belonging to the city by:

- (1) Private negotiation and sale;
- (2) Advertisement for sealed bids;
- (3) Negotiated offer, advertisement, and upset bid;
- (4) Public auction; or
- (5) Exchange.

(b) Private negotiation and sale may be used only with respect to personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of similar items. Real property, of any value, and personal property valued at thirty thousand dollars (\$30,000) or more for any one item or group of similar items may be exchanged as permitted by G.S. 160A-271, or may be sold by any method permitted in this Article other than private negotiation and sale, except as permitted in G.S. 160A-277 and G.S. 160A-279.

Provided, however, a city may dispose of real property of any value and personal property valued at thirty thousand dollars (\$30,000) or more for any one item or group of similar items by private negotiation and sale where (i) said real or personal property is significant for its architectural, archaeological, artistic, cultural or historical associations, or significant for its relationship to other property significant for architectural, archaeological, artistic, cultural or historical associations, or significant for its natural, scenic or open condition; and (ii) said real or personal property is to be sold to a nonprofit corporation or trust whose purposes include the preservation or conservation of real or personal properties of architectural, archaeological, artistic, cultural, historical, natural or scenic significance; and (iii) where a preservation agreement or conservation agreement as defined in G.S. 121-35 is placed in the deed conveying said property from the city to the nonprofit corporation or trust. Said nonprofit corporation or trust shall only dispose of or use said real or personal property subject to covenants or other legally binding restrictions which will promote the preservation or conservation of the property, and, where appropriate, secure rights of public access.

(c) A city council may adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items in substitution for the requirements of this Article. The regulations shall be designed to secure for

the city fair market value for all property disposed of and to accomplish the disposal efficiently and economically. The regulations may, but need not, require published notice, and may provide for either public or private exchanges and sales. The council may authorize one or more city officials to declare surplus any personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the city in accord with the regulations. A city official authorized under this section to dispose of property shall keep a record of all property sold under this section and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

(d) A city may discard any personal property that: (i) is determined to have no value; (ii) remains unsold or unclaimed after the city has exhausted efforts to sell the property using any applicable procedure under this Article; or (iii) poses a potential threat to the public health or safety. (1971, c. 698, s. 1; 1973, c. 426, s. 42.1; 1983, c. 130, s. 1; c. 456; 1987, c. 692, s. 2; 1987 (Reg. Sess., 1988), c. 1108, s. 9; 1997-174, s. 6; 2001-328, s. 4; 2005-227, s. 3.)

§ 160A-267. Private sale.

When the council proposes to dispose of property by private sale, it shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property by private sale at a negotiated price. The resolution or order shall identify the property to be sold and may, but need not, specify a minimum price. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereunder until 10 days after its publication. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 24.)

§ 160A-268. Advertisement for sealed bids.

The sale of property by advertisement for sealed bids shall be done in the manner prescribed by law for the purchase of property, except that in the case of real property the advertisement for bids shall be begun not less than 30 days before the date fixed for opening bids. (1971, c. 698, s. 1.)

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

§ 160A-270. Public auction.

(a) Real Property. – When it is proposed to sell real property at public auction, the council shall first adopt a resolution authorizing the sale, describing the property to be sold, specifying the date, time, place, and terms of sale, and stating that any offer or bid must be accepted and

confirmed by the council before the sale will be effective. The resolution may, but need not, require the highest bidder at the sale to make a bid deposit in a specified amount. The council shall then publish a notice of the sale at least once and not less than 30 days before the sale. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to the authorizing resolution. After bids have been received, the highest bid shall be reported to the council, and the council shall accept or reject it within 30 days thereafter. If the bid is rejected, the council may readvertise the property for sale.

(b) Personal Property. – When it is proposed to sell personal property at public auction, the council shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property at public auction. The resolution or order shall identify the property to be sold and set out the date, time, place, and terms of the sale. The resolution or order (or a notice summarizing its contents) shall be published at least once and not less than 10 days before the date of the auction.

(c) The council may conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services. Notice of an electronic auction of property shall identify, in addition to the information required in subsections (a) and (b) of this section, the electronic address where information about the property to be sold can be found and the electronic address where electronic bids may be posted. Notice may be published in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to publish notice solely by electronic means for a particular auction or for all auctions under this subsection shall be approved by the governing board of the political subdivision. Except as provided in this subsection, all requirements of subsections (a) and (b) of this section apply to electronic auctions. (1971, c. 698, s. 1; 1973, c. 426, s. 43; 2001-328, s. 5; 2005-227, s. 4; 2006-264, s. 74.)

§ 160A-271. Exchange of property.

A city may exchange any real or personal property belonging to the city for other real or personal property by private negotiation if the city receives a full and fair consideration in exchange for its property. A city may also exchange facilities of a city-owned enterprise for like facilities located within or outside the corporate limits. Property shall be exchanged only pursuant to a resolution authorizing the exchange adopted at a regular meeting of the council upon 10 days' public notice. Notice shall be given by publication describing the properties to be exchanged, stating the value of the properties and other consideration changing hands, and announcing the council's intent to authorize the exchange at its next regular meeting. (1971, c. 698, s. 1; 1973, c. 426, s. 42.1.)

§ 160A-272. Lease or rental of property.

(a) Any property owned by a city may be leased or rented for such terms and upon such conditions as the council may determine, but not for longer than 10 years (except as otherwise provided in subsection (b1) of this section) and only if the council determines that the property will not be needed by the city for the term of the lease. In determining the term of a proposed lease, periods that may be added to the original term by options to renew or extend shall be included.

(a1) Property may be rented or leased only pursuant to a resolution of the council authorizing the execution of the lease or rental agreement adopted at a regular council

DRAFT VERSION II- with changes incorporated

CHAPTER 3.05: BOARDS AND COMMISSIONS

Parks and Recreation Advisory Board

DRAFT DOUCMENT KEY

- 3.05.001 Establishment **Yellow**= Changes as discussed at work session
- 3.05.002 Purpose **Grey** = New language in lieu of elimination
- 3.05.003 Powers and duties of all agenda requirements language
- 3.05.004 Composition and terms of office *Italics* = New language from attorney
- 3.05.005 Organization and procedures

Waterways/Environmental Advisory Board

- 3.05.015 Establishment
- 3.05.016 Purpose
- 3.05.017 Powers and duties
- 3.05.018 Composition and terms of office
- 3.05.019 Organization and procedures

Planning Board

- 3.05.035 Establishment
- 3.05.036 Purpose
- 3.05.037 Powers and duties
- 3.05.038 Composition and terms of office
- 3.05.039 Organization and procedures

Community Appearance Commission

- 3.05.055 Establishment
- 3.05.056 Purpose
- 3.05.057 Powers and duties
- 3.05.058 Composition and terms of office
- 3.05.059 Organization and procedures

Appointments

4.05.001

Advisory Board Liaison

5.05.001

PARKS AND RECREATION ADVISORY BOARD

§ 3.05.001 ESTABLISHMENT.

A Parks and Recreation Advisory Board (the Board) is hereby created and established.

§ 3.05.002 PURPOSE.

The purpose of the Board is to advise the Town Council (Council) and Manager on parks and recreation issues to include, but not be limited to, town parks and recreation areas, safety matters in town parks and recreation areas, and recreational activities in town parks and recreation areas. The Board shall work on other issues assigned by the Council or Manager

§ 3.05.003 POWERS AND DUTIES.

The Board shall report to the Town Council and shall have the following powers and duties:

- (A) At the direction of the Council and/or Manager, conduct studies and make recommendations on matters relating to parks and recreation issues.
- (B) At their request, assist the Council and/or Manager in the resolution of complaints and concerns registered by the town's citizens, governmental agencies, or other entities.
- (C) All Board reports, recommendations, or requests for actions shall be coordinated, when appropriate, with other town boards working through the Manager and Council.
- (D) Because the Board is advisory in purpose, no Board member shall make, or have the authority to make, any contractual or financial obligations or arrangements on behalf of, or for, the town.
- (E) The Board, at its discretion and operating within its budget, may organize and administer Council and/or Manager approved parks and recreational activities and events to serve the residents of River Bend. The Board may be asked to organize special events or activities by the Council and/or Manager.
- (F) By April 1st of each year, on a form provided by the town, the Board shall prepare and submit to the Town Manager a written Annual Report. The report shall be forwarded to the Town Council.

§ 3.05.004 COMPOSITION AND TERMS OF OFFICE.

- (A) There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.
- (B) All members shall be residents of the town.
- (C) The Council may remove a Board member only by vote in an open meeting. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled as soon as practicable by the Council.

§ 3.05.005 ORGANIZATION AND PROCEDURES.

- (A) At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- (B) The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- (C) The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at all meetings. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 5 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 5 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- (D) A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- (E) The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.
- (F) Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- (G) Any official recommendation, arising out of the Board, shall be submitted in writing to the Town Council through the Board's liaison or the Town Manager.

ENVIRONMENT AND WATERWAYS ADVISORY BOARD

§ 3.05.015 ESTABLISHMENT.

An Environment and Waterways Advisory Board (the Board) is hereby created and established.

§ 3.05.016 PURPOSE.

The purpose of the Board is to advise the Town Council (Council) and Manager on environmental and waterways issues and to provide recommendations on waterways and environmental issues or concerns relating to use, preservation, conservation and protection of such resources within the town. The Board shall work on other issues assigned by the Council or Manager.

§ 3.05.017 POWERS AND DUTIES.

The Board shall report to the Town Council and shall have the following powers and duties:

- (A) At the direction of the Council and/or Manager, conduct studies and make recommendations on matters relating to environmental and waterway issues.
- (B) At their request, assist the Council and/or Manager in the resolution of complaints and concerns registered by the town's citizens, governmental agencies, or other entities.
- (C) All Board reports, recommendations, or requests for actions shall be coordinated, when appropriate, with other town boards working through the Manager and Council.
- (D) Because the Board is advisory in purpose, no Board member shall make, or have the authority to make, any contractual or financial obligations or arrangements on behalf of, or for, the town.
- (E) The Board, at its discretion and operating within its budget, may organize and administer Council and/or Manager approved projects related to environmental and waterway activities and events to serve the residents of River Bend. The Board may be asked to organize special events or activities by the Council and/or Manager.
- (F) By April 1st of each year, on a form provided by the town, the Board shall prepare and submit to the Town Manager a written Annual Report. The report shall be forwarded to the Town Council.
- (G) To engage in activities to further public education and understanding of the importance of waterways and the environment to the community, and voluntary means by which these resources may be protected.

§ 3.05.018 COMPOSITION AND TERMS OF OFFICE.

- (A) There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.
- (B) All members shall be residents of the town.
- (C) The Council may remove a Board member only by vote in an open meeting. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled as soon as practicable by the Council.

§ 3.05.019 ORGANIZATION AND PROCEDURES.

- (A) At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- (B) The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- (C) The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at all meetings. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 5 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 5 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- (D) A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- (E) The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.
- (F) Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- (G) Any official recommendation, arising out of the Board, shall be submitted in writing to the Town Council through the Board's liaison or the Town Manager.

PLANNING BOARD

§ 3.05.035 ESTABLISHMENT.

A Planning Board (the Board) is hereby created and established.

§ 3.05.036 PURPOSE.

The purpose of the Board is to advise the Town Council (Council) and Manager on planning and zoning issues to include, but not be limited to, establishment or revision of districts, regulation and restriction of the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in accordance with G.S. § 160D-109. The Board shall work on other issues assigned by the Council or Manager.

§ 3.05.037 POWERS AND DUTIES.

Pursuant to G.S. § 160D-109, the Board shall report to the Town Council and shall have the following powers and duties:

- (A) At the direction of the Council and/or Manager, conduct studies and make recommendations on matters relating to planning and zoning issues.
- (B) At their request, assist the Council and/or Manager in the resolution of complaints and concerns registered by the town's citizens, governmental agencies, or other entities.
- (C) All Board reports, recommendations, or requests for actions shall be coordinated, when appropriate, with other town boards working through the Manager and Council.
- (D) Because the Board is advisory in purpose, no Board member shall make, or have the authority to make, any contractual or financial obligations or arrangements on behalf of, or for, the town.
- (E) By April 1st of each year, on a form provided by the town, the Board shall prepare and submit to the Town Manager a written Annual Report. The report shall be forwarded to the Town Council.

§ 3.05.038 COMPOSITION AND TERMS OF OFFICE.

- (A) There shall be seven (7) members of the Board, six (6) being appointed by the Council for 2-year staggered terms. The seventh member shall be a citizen living in the town's extraterritorial jurisdiction (ETJ) and shall be appointed by the Craven County Commissioners in accordance with G.S. § 160D-109. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.
- (B) All town-appointed members shall be residents of the town.

- (C) The Council may remove a town-appointed Board member only by vote in an open meeting. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled by the Council as soon as practicable.
- (D) Only the Craven County Commissioners have the authority to remove the ETJ member from the Board. Any ETJ vacancy shall be filled by the Commissioners.
- (E) All members of the Board shall have equal rights, privileges and duties with regards to all matters within the town's planning and zoning jurisdiction.

§ 3.05.039 ORGANIZATION AND PROCEDURES.

- (A) At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- (B) The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- (C) The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at all meetings. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 5 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 5 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- (D) A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- (E) The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.
- (F) Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment

where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

- (G) Any official recommendation, arising out of the Board, shall be submitted in writing to the Town Council through the Board's liaison or the Town Manager.

COMMUNITY APPEARANCE COMMISSION

§ 3.05.055 ESTABLISHMENT.

A Community Appearance Commission (herein after, the Board) is hereby created and established.

§ 3.05.056 PURPOSE.

The purpose of the Board is to advise the Town Council (Council) and Manager on community appearance issues to include, but not be limited to, enhancing the appearance of the town, making recommendations for planting of trees, shrubs or other planting materials on town owned property including town right-of-ways, and any other matter that affects the overall appearance of the town. The Board shall work on other issues assigned by the Council or Manager.

§ 3.05.057 POWERS AND DUTIES.

The Board shall report to the Town Council and shall have the following powers and duties:

- (A) At the direction of the Council and/or Manager, conduct studies and make recommendations on matters relating to community appearance issues.
- (B) At the request of the Council and Manager, assist in the resolution of complaints and concerns registered by the town's citizens, governmental agencies, or other entities.
- (C) All Board reports, recommendations, or requests for actions shall be coordinated, when appropriate, with other town boards working through the Manager and Council.
- (D) Because the Board is advisory in purpose, no Board member shall make, or have the authority to make, any contractual or financial obligations or arrangements on behalf of, or for, the town.
- (E) The Board, at its discretion and operating within its budget, may organize and implement Council and/or Manager approved projects related to community appearance. The Board may be asked to conduct special projects or activities by the Council and/or Manager.
- (F) By April 1st of each year, on a form provided by the town, the Board shall prepare and submit to the Town Manager a written Annual Report. The report shall be forwarded to the Town Council.

§ 3.05.038 COMPOSITION AND TERMS OF OFFICE.

- (A) There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.
- (B) All members shall be residents of the town.
- (C) The Council may remove a Board member only by vote in an open meeting. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled as soon as practicable by the Council.

§ 3.05.059 ORGANIZATION AND PROCEDURES.

- (A) At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- (B) The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- (C) The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to a meetings. Copies of the agenda shall be available to the public at the meeting. A written record of minutes of each meeting shall be kept by the Secretary or, in their absentee, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 5 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 5 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- (D) A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- (E) The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.

- (F) Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- (G) Any official recommendation, arising out of the Board, shall be submitted in writing to the Town Council through the Board's liaison or the Town Manager.

§ 4.05.001 APPOINTMENT TO BOARD

(A) No appointment to fill a vacancy on an Advisory Board shall be made until the vacancy has been advertised for at least 2 weeks. Applicants are encouraged to attend the Council meeting where their consideration of appointment is scheduled, whereby they will be introduced to the Council.



(B) *The Town Council may give preference to minority applicants in order to promote diversity when selecting the membership of the committee*

(C) The following application procedure shall be followed by all applicants:

(1) Any person interested in appointment to an Advisory Board shall complete and submit an Advisory Board Application.

(2) Before being considered for appointment, an applicant must have attended at least 1 meeting of the Advisory Board they request to be appointed to.

(3) All applications for appointment will be reviewed by the Advisory Board. The Advisory Board shall consider all applicants and submit a recommendation for appointment to the Town Council.

(4) The Advisory Board Liaison shall submit the appointment recommendation to the Town Council.

(D) Advisory Board members may resign at any time for any reason. All resignations must be immediately reported in writing or via email to the Town Manager by the Chair, or Liaison. Once a member's resignation becomes effective, that member may only be considered for reappointment following the procedure described herein.

§ 5.05.001 ADVISORY BOARD LIAISON

(A) To be determined at a later date by Council



RIVER BEND TOWN COUNCIL AGENDA
Regular Meeting
March 17, 2022
River Bend Town Hall
7:00 p.m.

Pledge: Councilwoman 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 February 10, 2022 Regular Council Meeting
Minutes of the February 17, 2022 Special Council Meeting*

7. TOWN MANAGER'S REPORT – Delane Jackson

Activity Reports

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

ADMINISTRATIVE REPORTS:

- 8. Environment and Waterways – Councilman Brian Leonard**
 - A. EWAB Report**
- 9. Planning Board – Councilman Buddy Sheffield**
 - A. Planning Board Report**
 - B. Board of Adjustment Report**
- 10. Public Safety – Councilman Don Fogle**
 - A. Community Watch**
 - B. CERT**

11. Parks & Recreation/CAC – Councilwoman Barbara Maurer
 - A. Parks and Rec Report
 - B. CAC Report
 - C. Organic Garden Report
 - D. Library Report

12. Finance – Councilman Irving Van Slyke, Jr.
 - A. Financial Report - Finance Director

13. MAYOR'S REPORT – Mayor Kirkland

14. 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.

15. ADJOURNMENT