

**River Bend Town Council  
Regular Meeting Minutes  
March 17, 2022  
Town Hall  
7:00 p.m.**

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

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

Members of the Public Present: 3

**CALL TO ORDER**

Mayor Kirkland called the meeting to order at 7:00 p.m. on Thursday, March 17, 2022 in the River Bend Town Hall with a quorum present.

**ADDITIONS/DELETIONS TO AGENDA**

**Vote – Deletion to Agenda** – Councilwoman Maurer moved to delete item 9B Advisory Board Ordinance Amendments from the agenda. The motion carried unanimously.

**Vote – Addition to Agenda** – Councilman Sheffield moved to add Design Fee Proposal to the agenda as item 12B. The motion carried unanimously.

**Vote – Addition to Agenda** – Councilman Fogle moved to add Applicants for Advisory Boards Discussion and Resolution. The motion carried unanimously.

**Vote – Modified Agenda** – Councilman Sheffield moved to approve the Modified Agenda as discussed. The motion carried unanimously.

**CONSENT AGENDA**

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

A. Approve

*Minutes of the February 10, 2022 Work Session*

*Minutes of the February 17, 2022 Regular Council Meeting*

**TOWN MANAGER'S REPORT**

The Manager stated that he had received the revised Design Fee Proposal from the Walker Group for the construction of a Water / Sewer Administration Building at the Shoreline Drive site. He stated that the Council had instructed the architect and engineer to do more in-depth studies and this revised fee proposal includes those. He stated that the revised proposal includes an additional

cost for a high-density stormwater design versus a low-density stormwater design on the previous proposal.

The Manager stated that he has submitted the Golden Leaf grant application for Phase II of the Channel Run Drainage Project and has since responded to additional questions from the funding agency. He stated that the committee will not meet until June to review applications.

The Manager also stated he has met with the new owners of the restaurant and they are hoping to open very soon. They applied for the ABC permit today and expect it back soon.

## **ADMINISTRATIVE REPORTS**

### **ENVIRONMENTAL AND WATERWAYS ADVISORY BOARD– COUNCILMAN LEONARD**

Councilman Leonard presented the following report.

Chairman Stevens called the meeting to order at 7 PM in the large conference room in the municipal building. There was a quorum. The minutes from the January 2022 meeting were read and approved. Councilman Leonard gave an update of council and town activities.

#### **Old business:**

Bulkhead survey. The board is concerned that the survey will not be done and/or enforced once the ordinance change occurs. The board also had questions about the possibility of having to produce an annual report under the proposed EWAB ordinance.

#### **New business:**

Zoning and code enforcement is not being done in a consistent manner even when brought to the attention of proper authorities. Councilman Leonard will address this issue with the town manager. The issue of flooding behind the cul-de-sac on Masters Court was brought up, Councilman Leonard will check to see who owns that property. The flooding was reported to only occur after heavy rain.

#### **Next meeting:**

April 4<sup>th</sup>, 2022 at 7 PM in the large conference room in the municipal building. The public is welcome to attend.

Councilman Leonard presented a resolution in support of the Eastern Carolina Council of Government.

**Vote – ECCOG Resolution** – Councilman Leonard moved to approve the Eastern Carolina Council of Government resolution as presented. The motion carried unanimously. (see attached)

### **PLANNING BOARD REPORT – COUNCILMAN SHEFFIELD**

Councilman Sheffield presented the following report.

The regular meeting of the Planning board was held on March 3rd at 6:00pm in the Municipal Building. A quorum was present. Manager/zoning admin. Jackson and town attorney Baxter were also present. Chairman Lippert called the meeting to order.

The first order of business was consideration of a zoning change for a property on Highway 17 adjacent to Guy C. Lee. The request was to rezone the 4 acre property from Agricultural to business. The property is owned by the Hoffman family, several of whom were present to support their request.

Zoning administrator Jackson briefed the board on the request. The board voted unanimously to recommend that the town council grant the request. The Hoffman family was excused and the board continued its agenda.

The usual reports were given, including the permit report by Ms. McCollum that included a permit issued for the 3 million dollar SunBelt rentals project.

The board then took up the matter of changes to the town's sign ordinance. Manager Jackson and Attorney Baxter briefed the council on recent rulings by The Supreme Court which impact the sign ordinance as it now stands. At the request of the manager, Mr. Baxter had prepared new language that he felt would comply with the court rulings. The new language relaxes limits on political signs during the election period but limits the number to 2 signs during the rest of the year. The board voted to adopt the changes. The matter now goes to the Town Council.

The next item on the agenda was whether or not to allow temporary rentals such as Air BnB and VRBO in River Bend. There was lengthy discussion. The board decided not to change the current ordinance at this time. Temporary rentals are not currently allowed.

The meeting was adjourned. The next meeting is scheduled for April 7 at 6:00 pm. The public is invited.

#### **PUBLIC SAFETY – COUNCILMAN FOGLE**

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

##### **CERT**

CERT did not meet in February. The next meeting is scheduled for March 23, 2022 in the Municipal Building, Large Conference Room. CERT is looking for new members. If you are interested, please contact Chief Joll or Mary Holihan.

##### **Community Watch**

Community Watch meets quarterly and did not meet in February. The next meeting is scheduled for June 15, 2022 in the Municipal Building, Large Conference Room. Community Watch is looking for new members. If you are interested, please contact Chief Joll or Egon Lippert

Councilman Fogle presented the resolution to declare 111 Starboard Drive surplus property and authorize the sale of the property.

**Vote – Surplus Property Resolution** – Councilman Fogle moved to approve the Surplus Property Resolution as presented. The motion carried unanimously. (see attached)

#### **PARKS & RECREATION/CAC – COUNCILWOMAN MAURER**

Councilwoman Maurer presented the following reports.

##### **Parks & Recreation**

The February activity, a craft workshop called Repurpose Books, was well received and very successful. The March activity, St Patrick's Day bingo, was held earlier today. The annual Easter Egg Hunt is scheduled for Saturday, April 16 starting at 10:30 am. Volunteers will fill 1,000 eggs for three age groups and special needs children. Next month we'll tell you about the May Sunday in the Park concert. The traditional annual Fourth of July celebration will resume this year. Plans are under way to the and community assistance is needed to engage groups for the parade, to help in the food tent and to supervise some activities. If you are want to help, please contact Gloria Kelly to sign up. She can be reached at 252-876-3267 or [gloriakelly@gmail.com](mailto:gloriakelly@gmail.com) or me at [bmaurer@riverbendnc.org](mailto:bmaurer@riverbendnc.org) or 252-670-0757. The next scheduled meeting is April 6 at 7pm. Parks and Rec has two vacancies. Anyone who would like to participate in planning and presenting activities is invited to file an application.

##### **Community Appearance Commission (CAC)**

The CAC met on Wednesday, March 16 at 4pm. There are two vacancies on this board. If you would like to be a part of the planning process for the town's appearance, come to a meeting or file an application to become a member of the board.

#### River Bend Community Organic Garden (RBCOG)

The regular meeting was held on March 7. Spring planting began with lettuce and onions. The Green Team is scheduled to plant potatoes at their next session. Additional bees will arrive on March 25 to start a second hive. Volunteers filled three pickup truck loads with aged horse manure and obtained 35 bales of hay from a horse owner who is moving from the area. A work day is scheduled for Saturday, March 19. The next meeting is scheduled for April 4 at 1:30 pm.

#### Red Caboose Library (RCL)

The board met on March 3. The agenda included discussion of a young people's reading group with the first session scheduled for Saturday, April 2<sup>nd</sup> from 1-2 pm. Two groups will be offered concurrently, one for pre-school age children and one for ages up to 12 years. Stories will be read to each group, followed by story related activities. An author speaking series is also in the planning stage. The next board meeting is scheduled for Thursday, April 7 at 2 pm. All meetings are open to the public and anyone is welcome to attend.

The Manager stated that the Town had a study and a complete analysis of upgrades to the Waste Water Treatment Plant completed years ago. He stated that the Town had received an authorization to construct for that project and now there is a grant the Town can apply for to fund the project. He stated this resolution is needed to apply for the grant to complete the scope of work included in the agenda package.

**Vote – Grant Application Resolution** – Councilwoman Maurer moved to approve the support of grant application resolution as presented. The motion carried unanimously. (see attached)

Councilwoman Maurer stated that Lawrence Fischer had previously applied for the Parks and Recreation Advisory Board and has since revised his application with more information.

**Vote – Parks & Recreation Advisory Board Appointment** – Councilwoman Maurer moved to appoint Lawrence Fischer to the Parks and Recreation Advisory Board for the appropriate term. The motion carried unanimously.

#### **FINANCE – COUNCILMAN VAN SLYKE, JR.**

**Financial Report** – Finance Director, Mandy Gilbert presented to the Council the financial statement for the month of February. She stated the total of the Town's Cash and Investments as of February 28, 2022 are \$4,226,119 and Ad valorem tax collections for FY21-22 were \$679,367.05 and Vehicle Ad valorem tax collections were \$53,177.96.

Councilman Van Slyke stated that the Revised Walker Group Design Fee Proposal was received earlier today and discussed earlier and added to the agenda.

**Vote – Walker Group Proposal** – Councilman Van Slyke moved to approve the Revised Walker Group Design Fee Proposal as presented. The motion carried unanimously.

#### **MAYOR'S REPORT**

The Mayor presented the following report.

We watch the news broadcast and read the news printed in newspapers and think that the world has never experienced times such as we witness now. Some are old enough to remember the lead-up to WWII. The transmission of news was very much slower than the instant reports being

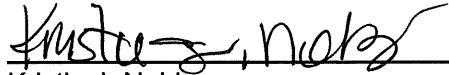
received today. It is fair to say that our nations reaction to the WWII early days was very much more divided than what we experience today. Certainly, the Ukrainian people have demonstrated exceptional resolve while facing a clearly superior and aggressive attacking national force along a long common border and a long beach on the Black Sea where the aggressor has a much superior naval presence. The armed forces of the Ukrainian military have shown extraordinary resolve in the defense of their homeland. There can be no doubt that the civilian population of the Ukraine have suffered greatly and anything resembling normal family activity has been shattered. The flow of millions of refugees across Europe has impacted all the nations receiving the refugees and the disrupted normal commerce throughout the continent. We all need to pray for God's intervention on behalf of Ukraine and the restoration of peace in Europe.

**PUBLIC COMMENT**

Ms. ET Mitchell of New Bern expressed the importance of voting at the Primary Election on May 17<sup>th</sup>.

**ADJOURNMENT/RECESS**

There being no further business, Councilman Sheffield moved to adjourn, the motion carried unanimously. The meeting adjourned at 7:49 p.m.

  
\_\_\_\_\_  
Kristie J. Nobles  
Town Clerk

TOWN OF RIVER BEND RESOLUTION  
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

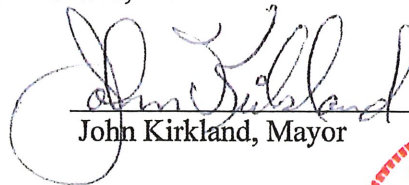
**WHEREAS**, the Eastern Carolina Council of Governments recognizes the weakness of the organization currently and are conducting a thorough reassessment of its core principles and strategic purpose; and

**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.

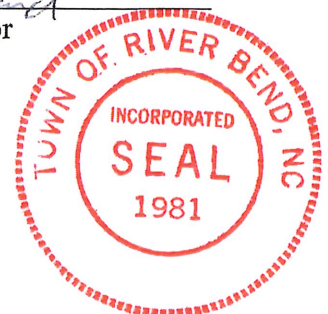
**NOW THEREFORE BE IT RESOLVED**; that the River Bend Town Council does hereby support the efforts of the Eastern Carolina Council of Governments to preserve the regional partnership and implement necessary changes to build an organization that can more effectively address the needs of the local governments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

Adopted this the 17<sup>th</sup> day of March, 2022

  
John Kirkland, Mayor

ATTEST:

  
Kristie J. Nobles, 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:

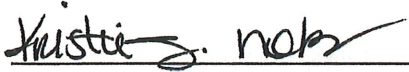
**.351 acre of land located at 111 Starboard Drive  
described by Craven County PIN 8-073-D-162**

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 17<sup>th</sup> day of March, 2022**

  
\_\_\_\_\_  
John R. Kirkland  
Mayor

Attest:

  
\_\_\_\_\_  
Kristie J. Nobles  
Town Clerk





## RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction and studies of wastewater treatment works, and
- WHEREAS, The Town of River Bend has need for and intends to construct or conduct a study on a wastewater treatment works project described as the River Bend Wastewater Treatment Plant Enhancements Project, and
- WHEREAS, The Town of River Bend intends to request State loan and/or grant assistance for the project,

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

That Town of River Bend, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of River Bend to make scheduled repayment of the loan, to withhold from the Town of River Bend any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

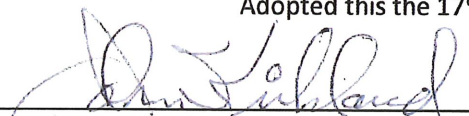
That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Delane Jackson, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

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

Adopted this the 17<sup>th</sup> day of March, 2022 at River Bend, North Carolina.

  
(Signature of Chief Executive Officer)

Mayor

(Title)





**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting Town Clerk of the Town of River Bend does hereby certify:  
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of  
an application with the State of North Carolina, as regularly adopted at a legally convened meeting of  
the River Bend Town Council duly held on the 17 day of March, 2022; and,  
further, that such resolution has been fully recorded in the journal of proceedings and records in my  
office. IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of March,  
2022.

Kristi S. Nemy  
(Signature of Recording Officer)

Town Clerk  
(Title of Recording Officer)

