

**River Bend Town Council
Regular Meeting Minutes
April 15, 2021
Town Hall
7:00 p.m.**

Present Council Members:

Mayor John Kirkland
Don Fogle
Brian Leonard
Buddy Sheffield
Bud Van Slyke
Barbara Maurer

Town Manager: Delane Jackson
Town Clerk: Kristie Nobles
Town Attorney: Dave Baxter
Finance Administrator: Margaret Theis

CALL TO ORDER

Mayor Kirkland called the meeting to order at 7:00 p.m. on Thursday, April 15, 2021 at the River Bend Town Hall with a quorum present.

ADDITIONS OR DELETIONS TO AGENDA

Councilman Van Slyke made a motion to remove item 15 – Closed Session § NCGS 143-318.11(a)(6) – Personnel from the agenda. The motion carried unanimously.

CONSENT AGENDA

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

- A. Approve
Minutes of the March 11, 2021 Work Session
Minutes of the March 19, 2021 Regular Meeting

TOWN MANAGER'S REPORT

The Manager stated that over the past year the Planning Board has been working with the Town Staff and Town Attorney on the chapter 160D legislatively mandated changes to the Town's zoning ordinance. These changes need to be implemented by July 1, 2021. The Manager stated that a public hearing is scheduled for June 10, 2021 for FY21-22 Budget and the public hearing for the changes to the zoning ordinances could be scheduled for the same date.

The Manager stated he had requested extensions for ongoing grant projects around Town. The Channel Run project was delayed due to weather. The Public Works building project is 99% completed and the drainage improvement project should be completed within 60-90 days and those extensions have been approved.

The Manager stated that landscaping around Town Hall is expected to start within a week. Staff will be removing vegetation around the Town Hall Building and the Veteran's monument will be returned near its original location but near the new night light. The Manager stated that there is an issue with elevation around the Town Hall building and every year mulch has been added

around the building, which is causing complications with the exterior siding and drainage. Beginning next week the staff will begin removing vegetation and some of the mulch to improve drainage. Councilman Fogle asked the Manager if staff would be removing vegetation now or at a later date. The Manager stated that vegetation would be removed now and small vegetation would be installed. Councilman Fogle asked if the new vegetation would cause a problem when the times comes to update the exterior of Town Hall to match the exterior at Municipal Building as discussed at previous council meetings. The Manager stated that the new vegetation will be very small and the exterior walls would be easily accessed.

The Manager stated that at the April 8, 2021 work session the Council approved to fund the Independence Day celebration. He stated that the band, the fireworks display and the tent have been secured. The Manager has also contacted the owner of the Country Club and he has agreed to host the event at the Country Club. The café and concessions will be open and there is plenty of parking for the event at that location. Councilman Fogle asked if the Manager could participate in the upcoming meetings with the Parks and Recreation Advisory Board regarding this event. The Manager stated that he would be happy to attend the meetings and has been meeting with Janet Nawojski regarding this event. Councilman Fogle asked the Manager about supplemental restrooms for the event. The Manager stated he is contacting a vendor regarding rental restrooms.

ADMINISTRATIVE REPORTS

FINANCE –Councilman Van Syke

Financial Report – Finance Administrator Margaret Theis told the Council that the total of the General Fund Cash Balances as of March 31, 2021 was \$3,915,810 and Ad valorem tax collections for FY20-21 were at \$695,006 and Vehicle Ad valorem tax collections is \$65,608.

Discussion – Budget Amendment 20-B-06

Councilman Van Slyke stated that the presented budget amendment would transfer \$12,000 within the General Fund balance from Contingency funds to Recreation and Special Events funds for the July 4th activities.

Vote – Budget Amendment 20-B-06

Councilman Van Slyke motioned to approve budget amendment 20-B-06 as presented. The motion carried unanimously. (see attached)

Planning Board – Councilman Sheffield

Councilman Sheffield stated that the Planning Board met on April 1st at 6:00 pm at the Municipal Building. A quorum was present. There were no visitors. Chairman Lippert called the meeting to order. The usual reports were given. There was only one item on the agenda. The NC General Assembly has issued a list of requirements that municipalities either “may” or “must” include in their article 9 ordinances. River Bend already includes many of the items on the list. The board was given the homework assignment of reading over the requirements and making suggestions for those to be included in a draft being compiled by assistant Zoning Administrator McCollum at the next scheduled meeting on May 6th. The meeting was adjourned at 6:20 p.m.

Public Safety – Councilman Fogle

Councilman Fogle stated that at the work session the previous week, the Town Attorney was asked to research the most recent Governors Executive Order regarding masks and social distancing for exercise activities. The Attorney stated that with the most recent order it states that there is a general requirement that face coverings be worn indoors if anyone else in that space is not a member of the same household and in public spaces outdoors if social distancing is not

obtainable. The Attorney states that the question regarding the Governor's Executive Order and facial coverings worn during exercising states that face coverings are required during exercising indoors with a few exceptions (eating or drinking, medical conditions, children under the age of 5, hearing impaired). Councilman Fogle stated that on page 7 section 1.5 general recommendations face coverings are strongly encouraged, and in section 2 it states that masks are required. The Attorney stated section 1.5 is the general recommendations and best practices, and section 2 is the requirements of the latest Executive Order. Councilman Leonard stated that if the Municipal Building opens for activities outside of Town sponsored activities that facial coverings should be required and he asked who would enforce those requirements. He also stated he would suggest keeping the Town Hall closed and the Municipal Building open for Town sponsored activities only. Councilman Fogle asked if the Municipal Building could be used as long as masks are worn and social distancing is practiced. The Manager stated that under the Town's current rules the Municipal Building can be used for Town sponsored activities only and not for private functions or meetings. Councilman Fogle asked if yoga was a Town sponsored activity. The Manager stated yes it is and Councilman Fogle asked if yoga could use the room. The Manager stated that he has not given yoga permission to use the Municipal Building yet. He stated he would need the council to approve for yoga to use the room. Councilman Fogle stated he would like to see the Municipal Building opened for yoga with the understanding that masks and social distancing are required. Councilman Fogle asked the Attorney if yoga would be allowed if they followed the Executive Order. The Attorney said that would be allowed. Councilman Leonard stated he thinks allowing yoga would allow exceptions for certain groups and may cause issues with those activities not sponsored by the Town. Councilman Van Slyke asked if this would allow outside groups that are not Town sponsored to meet. The Manager stated that only Town sponsored activities would be permitted to meet.

VOTE- Reopen Town Facilities

Councilman Fogle motioned to continue the existing restrictions regarding the closure of the Town Hall and the Municipal Building use for Town sponsored activities consistent with the Governor's most recent Executive Order. The motion passed with 4 ayes (Sheffield, Leonard, Fogle, Maurer) and 1 nay (Van Slyke).

PARKS & RECREATION – Councilwoman Maurer

Councilwoman Maurer stated that the Parks and Recreation Advisory Board has met twice in the past month to discuss the July 4th activities. She stated that Gloria Kelly had submitted an application and that she feels Ms. Kelly's skills and experience would make her a good fit for the board.

Vote – Appoint Gloria Kelly to the Parks and Recreation Advisory Board

Councilwoman Maurer motioned to appoint Gloria Kelly to the Parks and Recreation Advisory Board for a term beginning April 15, 2021 and expiring June 30, 2021. The motion carried unanimously.

CAC

Councilwoman Maurer stated that the CAC is scheduled to meet on April 28, 2021 at 1:30 p.m. at the picnic area.

Organic Garden

Councilwoman Maurer stated that the Garden Club has been busy with spring planting and have been meeting with the Green Team from NBHS bi-weekly.

Red Caboose Library

Councilwoman Maurer stated that the Library had joined with Craft Benders to have a craft fair and the Library is currently pursuing a permanent space for the Library to occupy.

PUBLIC WORKS – Mayor Kirkland

The Mayor stated that there was no report this month. He also stated that PWAB is in need of members, and anyone interested should contact the Town Clerk for an application.

MAYOR'S REPORT – Mayor Kirkland

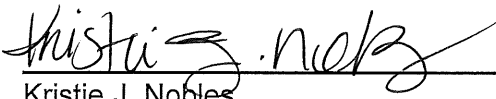
It is wonderful that the traveling version of the Vietnam War Memorial was able to visit New Bern. If you were honored to have visited the Memorial displayed at Lawson Creek Park I am certain that you were impressed and were in some way changed in how you look at the United States involvement in the Vietnam War. Having seen the traveling version, I would recommend that if travel takes you to Washington D C please visit the Wall located on the National Mall. The site location there adds a very important dimension to the presentation of the Memorial. This visit to our area comes at a time when the nation struggles with how we treat persons who have oriental ancestry. It is interesting that the memorial designer was Maya Lin a young lady and a student at Yale University when she submitted the design for consideration. Her's was one of 1,400+ submitted designs. Maya Lin was born in Ohio of Chinese parents who were both professors. Ms. Lin is one of so many of our citizens that come from national backgrounds and cultures very different from the Anglo-Saxon background accepted as the norm in the nation. Yet, like Ms. Lin, all these individuals, which are seen as different, contribute to what our nation has become. Anyone who has visited the Vietnam War Memorial will forever remember how much they were changed by that visit. Please research Ms. Maya Lin's background and find for yourself what a remarkable woman from a Chinese heritage she is and what she has contributed to our nation.

PUBLIC COMMENT

No public comments were made.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 7:55 p.m.



Kristie J. Nobles
Town Clerk



TOWN OF RIVER BEND
PROPOSED BUDGET ORDINANCE AMENDMENT 20-B-06
FISCAL YEAR 2020-2021

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina that the 2020-2021 Budget Ordinance as last amended on February 18, 2021, be amended as follows:

Summary

General Fund	2,332,210
General Capital Reserve Fund	164,663
Law Enforcement Separation Allowance Fund	7,888
Water Fund	613,634
Water Capital Reserve Fund	2,800
Sewer Fund	709,484
Sewer Capital Reserve Fund	129
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	3,830,808
Total	

Section 1.

General Fund

Anticipated Revenues

AD VALOREM Taxes 2020-2021	713,246
AD VALOREM Tax-Motor Vehicle	83,200
Animal Licenses	2,400
Sales Tax 1% Article 39	136,448
Sales Tax 1/2% Article 40	81,430
Sales Tax 1/2% Article 42	68,324
Sales Tax Article 44 105-524	9,549
Sales Tax Hold Harmless Distribution	90,202
Solid Waste Disposal Tax	2,500
Powell Bill Allocation	84,500
Beer and Wine Tax	13,500
Video Programming Sales Tax	53,680
Utilities Franchise Tax	114,261
Telecommunications Sales Tax	10,330
Court Refunds	500
Zoning Permits	5,000
Federal Disaster Assistance	14,624
State Disaster Assistance	4,875
State Grant - Police	22,653
State Grant - CARES Act CRF funding	49,650
Recovery Grant NCORR-FDLG-004	99,568
Miscellaneous	13,500
Interest-NCORR-FDLG-004 Investments	1,212
Interest- Powell Bill Investments	50
Interest-Gen Investments	9,755
Contributions	421
Wildwood Storage Rents	18,120
Rents & Concessions	18,000
Transfer From Capital Reserve Fund	164,663
Appropriated Fund Balance	446,048
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Total	2,332,210

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

20-B-06
PROPOSED
CHANGES

Authorized Expenditures

Governing Body	28,700	
Administration	268,691	
Finance	120,181	
Tax Listing	10,880	
Legal Services	24,000	
Elections	0	
Police	596,048	
Public Buildings	169,208	
Emergency Services	4,000	
Animal Control	14,366	
Street Maintenance	218,686	
Public Works	160,240	
Leaf & Limb and Solid Waste	62,999	
Stormwater Management	221,371	
Wetlands and Waterways	72,000	
Planning & Zoning	48,363	
Recovery Grant NCORR-FDLG-004	100,780	
<i>Recreation & Special Events (July 4th pre-audited contracts)</i>	15,500	12,000
Parks & Community Appearance	50,370	
<i>Contingency (July 4th pre-audited contracts)</i>	5,968	-12,000
Transfer To General Capital Reserve Fund	60,000	
Transfer To L.E.S.A. Fund	6,359	
Transfer To BUS Capital Projects Fund	73,500	
Total	2,332,210	

Section 2. **General Capital Reserve Fund**

Anticipated Revenues

Contributions from General Fund	60,000
Interest Revenue	1,248
Appropriated Fund Balance	103,415
Total	164,663

Authorized Expenditures

Transfer to General Fund	164,663
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Section 3. **Law Enforcement Separation Allowance Fund**

Anticipated Revenues:

Contributions from General Fund	6,359
Interest Revenue	100
Appropriated Fund Balance	1,429
Total	7,888

Authorized Expenditures:

Separation Allowance	7,888
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Section 4. **Water Fund**

Anticipated Revenues

Utility Usage Charges, Classes 1 & 2	188,595
Utility Usage Charges, Classes 3 & 4	8,534
Utility Usage Charges, Class 5	13,226
Utility Usage Charges, Class 8	2,971
Utility Customer Base Charges	234,862
Hydrant Availability Fee	21,411
Taps & Connections Fees	1,250
Nonpayment Fees	10,500
Late payment Fees	6,723
Interest Revenue	6,794
Sale of Capital Asset	1,501
Appropriated Fund Balance	117,267
Total	<hr/> 613,634

Authorized Expenditures

Administration & Finance [1]	450,840
Operations and Maintenance	162,400
Transfer To Fund Balance for Capital Outlay	3,500
Transfer To Water Capital Reserve Fund	0
Total	<hr/> 616,740

[1] Portion of department for bond debt service: 148,830

Section 5. **Water Capital Reserve Fund**

Anticipated Revenues

Contributions From Water Operations Fund	0
Interest Revenue	2,800
Total	<hr/> 2,800

Authorized Expenditures

Future Expansion & Debt Service	<hr/> 2,800
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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, 2020, for the purpose of raising the revenue listed as "Ad Valorem Taxes 2020-2021" in the General Fund Section 1 of this ordinance. This rate is based on a valuation of \$275,400,000 for purposes of taxation of real and personal property with an estimated rate of collection of 99.61%. The estimated collection rate is based on the fiscal year 2018-2019 collection rate of 99.61% 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 \$32,000,000 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 2021, 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 3.1% 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.

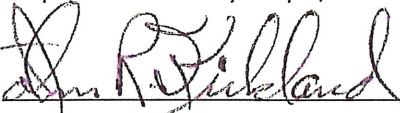
Section 12. **Utilization of the Budget Ordinance**

This ordinance shall be the basis of the financial plan for the Town of River Bend municipal government during the 2020-2021 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.

Proposed this 15th day of April, 2021.



John R. Kirkland, Mayor

Attest:



Kristie J. Nobles, Town Clerk

