

(6)

River Bend Town Council
Work Session Minutes
January 9, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members:	Mayor John Kirkland
	Don Fogle
	Brian Leonard
	Bud McClard
	Buddy Sheffield
Absent Council Members:	Bud Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Police Chief:	Sean Joll
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis

BUDGET KICK-OFF

Manager Jackson presented a short PowerPoint presentation outlining the usual budget process. The Council reviewed their Priorities and Vision Statement and the proposed meeting schedule. With no objections or changes, this will be the schedule that is posted.

DISCUSSION – DOG PARK RULES

Mr. Jackson said that a recent incident in the Dog Park has caused him to review the Park rules. He suggested that we add additional language to the statement about aggressive dogs. The Town Manager also proposed that we advise users that they may receive a ticket if they fail to comply with Park rules. It was the consensus of the Council, that the Dog Park rules be amended as suggested. The item will come to the Council for formal approval at the Regular Meeting.

DISCUSSION OF NAMING TOWN BUILDINGS

The Council discussed this item briefly. It was the consensus of the Council that no building will be named after a person either alive or dead.

CLOSED SESSION

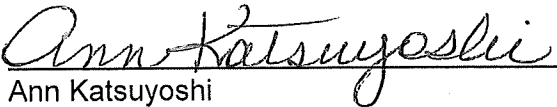
Councilman Van Slyke **moved to go into Closed Session under §143-318.11(a)(6) of the Open Meetings Law.** The motion carried unanimously. The Council entered Closed Session at 6:52 p.m.

OPEN SESSION

Councilman Sheffield **moved to return to Open Session.** The motion carried unanimously. The Council returned to Open Session at 7:10 p.m.

ADJOURNMENT

There being no further business, Councilman Sheffield **moved to adjourn**. The motion carried unanimously. The meeting adjourned at 7:12 p.m.


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
January 16, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Irving Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Town Attorney:	Dave Baxter
Police Chief:	Sean Joll
Finance Administrator:	Margaret Theis

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, January 16, 2020 in the Town Hall Meeting Room with a quorum present.

ADDITIONS/DELETIONS TO THE AGENDA

Town Manager Jackson asked for a brief closed session at the end of this meeting. Councilman Sheffield **moved to add a Closed Session to the Agenda under §143-318.11(a)(6) of the Open Meetings Law.** The motion carried unanimously.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman McClard **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 December 5, 2019 Work Session
Minutes of the December 12, 2019 Regular Meeting

ADMINISTRATIVE REPORTS

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The PWAB did not meet in January. The next meeting will be on February 4 at 3:00 p.m.

FINANCE – COUNCILMAN IRVING VAN SLYKE, JR.

Financial Report – Finance Administrator Theis told the Council that the total of the General Fund Cash Balances as of December 31, 2019 was \$5,021,441. Ad valorem tax collections were at \$327,341.

Vote – Approve FY 2019-2020 Audit Contract – Mr. Jackson told the Council that this is the annual letter we receive from our auditor. The last audit we paid was \$14,000. The new proposal for FY 2020 reflects a \$200 increase to \$14,200. This will be the last year of our current three-year contract with Petway, Mills and Pearson. However, due to hurricane-related expenses, we may cross the limit for requiring a single audit. The information provided includes a proposal of a \$2,500 fee if an additional single audit is required.

Councilman Van Slyke **moved to approve the FY 2019-2020 Audit Contract with Petway, Mills and Pearson, PA as presented and to authorize the Mayor to sign on behalf of the Town.**
The motion carried unanimously.

PLANNING BOARD – COUNCILMAN BUDDY SHEFFIELD

Planning Board – Councilman Sheffield said that the regular meeting of the River Bend Planning Board was held January 2nd at 7:00 pm in Town Hall. A quorum was present. There were no visitors. Chairman Lippert called the meeting to order. The usual reports were given. Building permits continue to show higher than normal activity due to rebuilding from Hurricane Florence. One very large building permit was issued to the Town by the Town for the construction of the new Police and Community building and remodeling of Town Hall.

The Board spent the bulk of the meeting discussing zoning ordinances and how they might need to be changed or clarified with respect to future development in the Northwest quadrant. No changes were proposed at this meeting. Chairman Lippert gave the Board homework for the study of areas to be considered at the next meeting.

The Board voted to hold future meetings at 6:00 p.m. instead of 7:00 p.m. Therefore, the next meeting will be February 6th at 6:00 p.m. All interested citizens are invited to attend.

ENVIRONMENT AND WATERWAYS – COUNCILMAN BRIAN LEONARD

EWAB – Councilman Leonard said that the Board voted to select Jim Stevens as Chairman, Mary Holihan as Vice Chair and Patty Leonard as secretary.

Under Old Business, the Board discussed No Wake signs for the entrances to River Bend from the Trent River and boat landing. Mary Holihan will follow up with the Manager. Members discussed stormwater drainage and an ongoing engineering survey being conducted. They also discussed information flyers in the water bills and articles submitted to the Sun Journal. There was an update on future dredging projects.

In New Business, the Members discussed this year's budget request. The Board will review the submissions for the past five years before finalizing its request. Members talked about better maps of the waterways and new FEMA maps.

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Organic Garden - The usual winter lull is setting in but some vegetables have been planted. The beehive is vacant since the healthy bee colony left River Bend for greener pastures.

Parks and Recreation - The Christmas Tree lighting and Fairfield Harbour Chorus were a great success. The group reviewed each and made recommendations for the next year to smooth any rough corners.

Leap into Spring Bunco will be the next event, scheduled for January 23. This is another event that requires an RSVP to reserve a seat. Other events were brought up and they are in the planning process. A new "Coming Events" posting has been created on the Parks and Recreation web page and it will include proposed events so that residents can plan in advance.

Library - The Red Caboose Library continues to function as a self-funding group. They are currently selling a coupon book for \$20 that can pay for itself in one or two coupon usages.

CAC - The CAC meeting was held yesterday. A report will be given at the February meeting.

Vote – Adopt Dog Park Rules – Councilman McClard reminded the Council that changes to the Dog Park rules were discussed at the Work Session. He **moved to adopt the amended Dog Park rules as presented.** The motion carried unanimously. The Park rules read as follows:

Town of River Bend
Dog Park Rules

1. Hours: The Dog Park is open from Sunrise to Sunset.
2. Users enter at their own risk.
3. Handlers are responsible for any injuries or damages caused by dogs they bring into the park.
4. Dogs must have a valid license and/or rabies tag.
5. Dogs must be leashed when entering and exiting the Dog Park.
6. Maximum of three dogs per handler.
7. Small dog area is reserved for dogs up to 25 pounds. (Small dogs are also allowed in large dog area, but large dogs are not allowed in small dog area).
8. For the safety of your dog(s) and other park visitors, choke, prong (pinch) and spike collars are strictly prohibited. If you use these types of collars, remove them before entering the dog park.
9. No children under the age of 16 are permitted unless accompanied by an adult. Children have a tendency to scream and run when excited, which can trigger a dog's prey drive or natural instinct to chase. For this reason and for the safety of your children, we do not recommend bringing small children and infants into the dog park.
10. Aggressive dogs are not permitted on the premises. Dogs must be removed at the first sign of aggression. If your dog does not interact well with other dogs or humans, you should not bring it to the Dog Park.
11. Female dogs in heat are prohibited from entering the park.
12. Sick dogs, or dogs with parasites (worms, ticks, fleas, etc.) are not allowed in the park.
13. Dog owners must be in the area of the park and within view of their dogs at all times.
14. All off-leash dogs must be under voice control of their owners. If you cannot control your dog off leash, keep your pet leashed at all times.
15. Dog owners must keep their leash in hand at all times.
16. Please do not bring dog food or human food into the park and please, no smoking in the park.
17. Owners must clean up dog feces. Seal waste in the provided plastic bags before disposing in designated receptacle.

18. Fill any holes your dog digs.
19. Proof of a current rabies vaccination and license is required upon request of a police or animal control officer. Tags may serve as proof.
20. As determined by the town manager or a police officer, any user's failure to abide by the park rules may result in the loss of privileges to use the Dog Park for the owner and/or the dog. Failure to abide by the park rules may also result in the owners being ticketed.

MAYOR'S REPORT

Mayor Kirkland said that the years pass quickly. The Christmas and New Year's Holidays are past and we have settled into the annual cycle of life both for our homes and for government at the Town level. At home all of us are reminded that the time for filing the annual income tax return is fast approaching. That always brings great joy.

The Town Council has been briefed by Manager Delane Jackson at the January Council Work Session about the schedule for development of the 2020-2021 Town budget. The department heads and advisory boards that have budget needs have been notified to make proposals and submissions to the Manager. The schedule for meetings of Council and Staff to develop the proposed budget have been scheduled and a "flier" giving those dates and items scheduled for discussion will be sent to all residents that receive utility bills from the Town as an enclosure to the mailed billing. That schedule is also available in the lobby at Town Hall and will be posted on the Town's web page.

The first meeting is scheduled for March 24. All meetings are scheduled to begin at 4:00 p.m. and will end by 7:00 p.m. The budget items to be discussed at each meeting are also listed on the flier. There will need to be adjustments made when review of some line items may take either more time than anticipated or perhaps less time.

During meetings residents attending can comment on line item discussions after the Council Members have finished their discussion. All need to respect that the Comment period is not a time of debate.

The Town budget process has worked well in past years and has been recognized by the Government Finance Officers Association for Distinguished Presentation during the last nine budget cycles. This is the most important document that the Council develops on an annual basis in that it provides the direction to the Manager for projects and work that will be accomplished during the entire fiscal year.

This budget development makes evident that the Town is fortunate to have a talented and dedicated Manager and Department heads who look at needs and project needed repair and replacement leading to timely acquisition for critical infrastructure and supplies. Thanks to the members of Town Council and the hours that they spend working with Staff and selecting the elements that will make up the 2020-2021 Town budget.

CLOSED SESSION

Councilman Sheffield **moved to go into Closed Session under §143-318.11(a)(6) of the Open Meetings Law**. The motion carried unanimously. The Council entered Closed Session at 7:45 p.m.

OPEN SESSION

Councilman Sheffield **moved to return to Open Session**. The motion carried unanimously. The Council returned to Open Session at 8:00 p.m.

ADJOURNMENT/RECESS

There being no further business, Sheffield **moved to adjourn**. The meeting adjourned at 8.05 p.m.


Ann H. Katsuyoshi
Town Clerk

River Bend Town Council
Work Session Minutes
February 13, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Police Chief:	Sean Joll
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis

BUDGET AMENDMENT B-19-07 FOR POLICE DEPARTMENT GRANT

Town Manager Delane Jackson told the Council that the Police Department has received a grant to purchase some equipment. This grant will be recognized in the Amendment along with recently recovered FEMA hurricane revenues.

DISCUSSION OF POLICE DEPARTMENT VEHICLE REPLACEMENT

Mr. Jackson said that a few years ago we had a police car issue where an old car with high mileage required expensive repairs. The Council determined that it would be more prudent to purchase a new car earlier than scheduled rather than spend money on an old car that would have to be replaced soon. Unfortunately, we find ourselves in the same position. We have an older squad car that requires \$2,500 in repairs.

The Council discussed this item briefly. It was the consensus of the Council that the Town should purchase a new squad car now instead of spending money on an old one.

CLOSED SESSION UNDER NORTH CAROLINA STATUTE 143-318.11 (A)(1)(3)

Councilman Sheffield **moved to go into Closed Session under North Carolina Statute 143-318.11 (A)(1)(3), the Attorney-Client Privilege exemption to the Open Meetings Law.** The motion carried unanimously. The Council entered Closed Session at 5:33 p.m.


Councilman Sheffield **moved to return to Open Session.** The motion carried unanimously. The Council returned to Open Session at 6:40 p.m.

DISCUSSION OF TOWN'S BUILDING USE POLICY

The Manager gave the Council members a copy of the current Building Use Policy. He said that he will be discussing some possible changes with the Town Attorney and will bring those changes to the Council for consideration.

ADJOURNMENT

There being no further business, Councilman Sheffield **moved to adjourn**. The motion carried unanimously. The meeting adjourned at 6:47 p.m.



Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
February 20, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Buddy Sheffield Irving Van Slyke
Absent Council Member:	Bud McClard
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Town Attorney:	Dave Baxter
Police Chief:	Sean Joll
Finance Administrator:	Margaret Theis

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, February 20, 2020 in the Town Hall Meeting Room with a quorum present.

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 January 9, 2020 Work Session
Minutes of the January 16, 2020 Regular Meeting*

ADMINISTRATIVE REPORTS

FINANCE – COUNCILMAN IRVING VAN SLYKE, JR.

Financial Report – Finance Administrator Theis told the Council that the total of the General Fund Cash Balances as of January 31, 2020 was \$4,943,558. Ad valorem tax collections were at \$76,138.

Vote – Approve Budget Amendment 19-B-07 – Councilman Van Slyke reminded the Council that this Budget Amendment was discussed at the Work Session. He **moved to approve Budget Amendment 19-B-07 as presented.** The motion carried unanimously.

Vote – Approve Resolution to Surplus Police Vehicle - At the Work Session, the Council agreed to purchase a new squad car early rather than make expensive repairs to an old one. In order to sell the retired vehicle, the Council must approve a Resolution to surplus this asset.

Councilman Van Slyke **moved to Approve the Resolution to Surplus Police Vehicle as presented.** The motion carried unanimously.

PLANNING BOARD – COUNCILMAN BUDDY SHEFFIELD

Planning Board – Councilman Sheffield said that the regular meeting of the Planning Board was held at 6:00pm, February 6th at Town Hall. A quorum was present. There were no visitors.

Chairman Lippert called the meeting to order. The usual reports were given. The Board continued its work in assuring that Town ordinances and zoning laws are up to date and ready for any future development of the Northwest quadrant. Topics of discussion included the site planning manual, sidewalk requirements, underground utilities, etc. Attention was given to make sure that development guidelines are up to date in light of recent revisions to “yard” definitions and illustrations, accessory building permits, etc.

The Board pointed out that the Schedule of Fees has not been amended since 2009 and suggested that the Council take a look at it. At the end of the discussions, Chairman Lippert said he would compile a list of possible changes and updates for the Board to vote on at the next meeting. That meeting will be held March 5th at 6:00 p.m. The public is invited to attend.

PUBLIC SAFETY – COUNCILMAN DON FOGLE

CERT – The CERT Team met on January 22, 2020 in the Town Hall Conference Room. The meeting began at 7:00 p.m. with 12 members in attendance. The October 2019 meeting minutes were reviewed and approved. No meetings were held in November or December 2019 due to holiday conflicts.

After a brief discussion about hurricane impacts, Mary Holihan presented the first in a series of FEMA Incident Command System lessons via Powerpoint. The title of the training was “Introduction to Incident Command System” or ICS 100. The meeting adjourned at 8:00 p.m. The next CERT meeting will be on February 26, 2020 and will start at 7:00 p.m.

Community Watch – The River Bend Community Watch met on February 18th. The minutes from the October, 2019 meeting were approved.

Chief Joll made a presentation about items for Community Watch submitted for consideration in the Town’s 2020/2021 budget. They include six new radios, new shirts and “Safe Community Information Packet” brochures. He also reviewed and explained the Monthly Police Report, as he does at each Council meeting.

Community Watch is in desperate need of new members. Ideas were shared about how to recruit new members. One idea involved printing up business cards that patrollers could distribute when they see residents while on patrol. The cards could include an explanation about what Community Watch involves and the date and time of future meetings.

Egon Lippert was unanimously selected as the President for the coming year and Jim Kelly was, likewise, selected as the Vice-President. The next meeting is scheduled for June 17, 2020 at 7:00 p.m.

ENVIRONMENT AND WATERWAYS – COUNCILMAN BRIAN LEONARD

EWAB – Councilman Leonard said that Chairmen Jim Stevens called the meeting to order at 7:00 p.m. All current members of EWAB were in attendance.

Old business:

No Wake signs for canal - A recommendation was voted on and approved to have the Manager provide proposals for three signs listing the entire canal system is a no wake zone.

Dredging status was discussed. We still haven't gotten the contractor to submit a bid. Other options were discussed about maintaining the canals.

New Business:

The EWAB 2020 budget has been submitted.

It was brought up that Mulberry Lane has stormwater drainage issues during heavy rains. More information is needed to determine what, if anything, needs to be done to fix it.

There is still one vacancy on EWAB. The public is welcome to attend all EWAB meetings. The next meeting will be on March 2, 2020 at 7:00 p.m. in Town Hall.

PARKS & RECREATION/CAC – COUNCILMAN BUDDY SHEFFIELD FOR COUNCILMAN BUD MCCLARD

CAC - The Community Appearance Commission (CAC) will meet next March 18 at 1:30 p.m.

Parks and Recreation - Bunco was a great success and there seemed to be interest in possibly holding more and possibly regular Bunco gatherings.

Quilling was also popular with all seats being taken within a few days. The participants all had a great time and made great craft projects.

Upcoming Projects:

March 14th – River Bend Showcase. This is a private function but Parks and Recreation will have a table and will provide information about parks and recreation benefits available in River Bend.

March 17th - St. Patrick's Day BINGO – Event will be held on the 3rd Tuesday of March. Flyers are currently being designed.

April 11th - Easter Egg Hunt. This is an annual event that is quite popular. Detailed information is coming soon.

May 10th – Mother's Day - Fairfield Harbour Chorus at River Bend Baptist Church.

May - Sunday in the Park. Exact date to be determined.

The next Meeting is March 4 at 7:00 p.m.

Red Caboose Library - Gloria Kelly has replaced Linda Kloph as liaison between Parks & Rec and the Red Caboose Library. Gloria will attend Parks & Rec meetings in that capacity. The Library is working on a new program to showcase authors. The current author will be met with a book signing and discussion about caring for caregivers.

A donation of 200 new books was made to the Library by Phil Bowie, a judge in the prestigious Edgar Awards for Mystery Writers of America. Mr. Bowie, a known local author, has mentioned he may donate some time to RCL.

The Library is receiving comments about the success of the Readers at the Holiday Tree Lighting party. They mentioned that perhaps something similar could happen at the Easter Egg Hunt for the youngest.

Organic Garden - January was busier in the garden. Planting plans were developed and crop rotation schedules were updated. Detailed records of vegetable and herb planting are available from the inception of the garden to the present.

Plans are in place for the Fifth Annual Roundtable for Gardeners. The workshop will be presented on Tuesday, February 18th at 6:30 p.m. in the Council meeting room. Three leaders will field gardening questions from the audience. Following the Workshop, winter-themed refreshments will be served. Contact Dee Smith to reserve your seat. Call 252-634-3192 or email howwwdeeee@embarqmail.com.

The Green Team met twice in January. Members planted three rows of mustard and sowed asclepias seeds in milk jugs that function as mini greenhouses. After a lesson on composting, team members worked on the compost bins at the garden. Garden volunteers attended the January 28th meeting of the Carolina Nature Coalition, where the Green Team offered a presentation on their activities including their work at the River Bend Community Organic Garden. Dick Mazziotti will restart the hives when he picks up two new packages of bees on March 27th.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

PWAB – Mayor Kirkland said that the PWAB met on February 4. The Public Works Superintendent was absent due to a sewer backup in the Quarterdeck area. Manager Jackson responded to a discussion that followed a review of an article from the February 4 Sun Journal presented by Board Chairman. That article discussed the possible negative aspects of chlorine for disinfecting potable water supplies. Manager Jackson stated that chlorine tests are performed on Town water daily, as required by N.C. regulations and that our operations are within the mandated limits.

The Manager presented a NC School of Government Water and Wastewater Rate Dashboard. This program was projected from the school's website to the conference room's large screen television. The dashboard shows water and sewer cost for most municipalities in the state. Manager Jackson pointed out that there are variables that create different rates for each municipality. In effect, there is truly no apples-to-apples comparison.

Mr. Jackson said that the new building is progressing nicely.

The need for River Bend signage at the appropriate exit from the newly opened express highway Pollocksville Bypass was discussed. Mayor Kirkland reported that Manager Jackson had emailed NCDOT of this need including pictures of the exit location. No answer has been received from the DOT as of this date. The Mayor also brought this to the attention of the DOT representative at the recent New Bern MPO meeting and furnished the representative a copy of the Manager's letter.

The next meeting of the Board will be April 7, 2020.

MAYOR'S REPORT

Mayor Kirkland said his March 2019 report titled "Light at the End of the Tunnel" documented that the Town Council at their March meeting unanimously authorized Manager Jackson to direct the architect working the development of the project called Building Utilization Strategy (BUS) to proceed with completing working drawings. Further that we should proceed to receive bids for construction of the new building that would house the Town Police Station and provide more meeting room space.

Those building plans were developed and bids received. The low bid was submitted by Bruin Builders and a contract awarded.

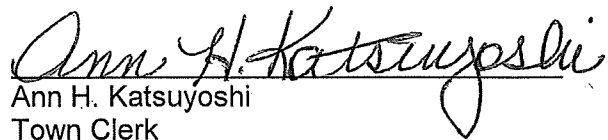
Construction began with site work started on November 28. From that date to present, work on the building has progressed at a rate that has resulted in the project moving toward completion. As of February 7, 2020 the building is closed in, windows are in place, the roof structure is complete, minus skylights, plumbing and HVAC systems are roughed in; clearly, the builder has managed the project efficiently.

The Council, in approving the project, also approved the relocation of the basketball court. That project element is complete except for the placing of new goals and backboards and, of course, the court painting. This much used recreational facility will be greatly appreciated by the population of young persons that spend many hours honing their basketball skills.

The completed Fiscal Year 2019-2020 budget commitment to these projects will serve the Town well for many years to come.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 7:35 p.m.


Ann H. Katsuyoshi
Town Clerk

River Bend Town Council
Work Session Minutes
March 12, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis

ACTION: 2019 CDBG-NR PROGRAM

- a. Grant Project Ordinance
- b. Code of Conduct
- c. Grievance Procedure
- e. Signature Resolution
- f. Equal Employment and Procurement Policy
- g. Section 3 Plan
- h. Citizen Participation Plan
- i. Program Policies
- j. Limited English Proficiency Plan
- k. Fair Housing Plan
- l. Residential Anti-displacement and Relocation Assistance Plan

Town Manager Delane Jackson said that all of these policies, resolutions and plans are required in order for us to proceed with the project. The consultant was present to answer any questions the Council may have. With no questions being raised, Councilman Van Slyke **moved to approve the Grant Project Ordinance, the Code of Conduct, the Grievance Procedure, the Excessive Force Policy, the Signatory Resolution, the Equal Employment and Procurement Policy, the Section 3 Plan, the Citizen Participation Plan, the Program Policies, the Limited English Proficiency Plan, the Fair Housing Plan, the Residential Anti-displacement & Relocation Assistance Plan and the Optional Coverage Relocation Plan as presented.** The motion carried unanimously.

The Grant Project Ordinance reads as follows:

GRANT PROJECT ORDINANCE
2019 CDBG-NR PROGRAM
TOWN OF RIVER BEND

Be it ordained by the River Bend Board of Councilmen that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the Community Development project described in the work statement contained in the grant agreement #18-C-3065 between this unit and the Department of Commerce. This project is more familiarly known as the River Bend 2019 Community Development Project.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the Department of Commerce and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Community Development Grant	\$750,000.00
TOTAL	\$750,000.00

Section 4. The following amounts are appropriated for the project:

C-1 Clearance	\$30,000.00
C-1 Temporary Relocation	\$15,000.00
C-1 Rehabilitation	\$210,000.00
C-1 Reconstruction	\$420,000.00
C-1 Administration	<u>\$75,000.00</u>
TOTAL	\$750,000.00

Section 5. The finance officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement and federal and state regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The finance officer is directed to report annually on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The budget officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Council.

Section 9. Copies of this grant project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor
Name, Title

The Code of Conduct reads as follows:

CODE OF CONDUCT

**2019 CDBG NR PROGRAM
TOWN OF RIVER BEND**

- A. This Code shall govern the performance of officers, employees, and agents engaged in the award and administration of contracts supported by Federal funds.
- B. No employee, officer or agent of Town shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
 - 1. The employee, officer or agent;
 - 2. Any member of his immediate family;
 - 3. His or her partner; or
 - 4. Any organization which employs or is about to employ any of the above,has a financial or other interest in the firm selected for award.
- C. Town officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.
- D. Town at its discretion may make determinations of minimum rules where financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.
- E. All violations of these standards deemed by the Council to be in excess of minimum levels determined in No. 4, will result in penalties, sanctions or disciplinary action as required by State and Local laws and regulations or as deemed appropriate by the Town Board of Councilmen.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor
Name, Title

The Grievance Procedure reads as follows:

**TOWN OF RIVER BEND
45 Shoreline Drive
River Bend, NC 28562**

**SECTION 504 COMPLIANCE OFFICER/GRIEVANCE PROCEDURE
COMMUNITY DEVELOPMENT BLOCK GRANT**

The Governing Body of the Town of River Bend, hereby designates the Town Manager to serve as Section 504 Compliance Officer throughout the implementation of the Town of River Bend Community Development Block Grant Program.

Citizens with Section 504 grievance may do so at any point in the program. The Locality will respond in writing to written citizen grievances. Citizen grievances should be mailed to: Town Manager, 45 Shoreline Drive, River Bend, NC 28562, 252-638-3870. The Town of River Bend will respond to all written citizen grievances within ten (10) days of receipt of the comments.

Should any individual, family, or entity have a grievance concerning any actions prohibited under Section 504, a meeting with the Compliance Officer to discuss the grievance will be scheduled. The meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the grievance, a reply will be made, in writing, within five (5) calendar days.

If citizen is dissatisfied with the local response, they may write to the North Carolina Department of Environmental Quality (NCDEQ), Division of Water Infrastructure CDBG-I Unit:

Mailing Address - 1633 Mail Service Center, Raleigh, North Carolina, 27699-1633

NCDEQ will respond only to written comment within ten (10) calendar days of the receipt of the comment.

This information is available in Spanish or any other language upon request. Please contact Delane Jackson at 252-638-3870 ext. 213 or at 45 Shoreline Drive, River Bend, NC 28562 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Delane Jackson al 252-638-3870 ext. 213 o en 45 Shoreline Drive, River Bend, NC 28562 de alojamiento para esta solicitud.



Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST: _____
Ann Katsuyoshi, Clerk

The Excessive Force Policy reads as follows:

Excessive Force Policy

TOWN OF RIVER BEND

3 Year Plan

The Town of River Bend, hereby adopts an Excessive Force Policy that is in accordance with the applicable State of North Carolina and Federal Regulations, i.e., Section 519 of Public Law 101-144, (1990 HUD Appropriations Act) requiring units of government receiving CDBG funds to adopt and enforce Excessive Force Provision. The Town, as the recipient of Federal and/or State CDBG-I Grant Funds, acknowledges its responsibility to and will adhere to the aforesaid NC State and Federal Excessive Force Regulations. More particularly, the Town adopts and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any and all individuals engaged in non-violent civil rights demonstrations, and is adopting and will enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within the Town of River Bend.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk

The Signatory Resolution reads as follows:

SIGNATORY FORM AND CERTIFICATION

Grant No.

18-C-3065

Recipient Name: Town of River Bend

Address: 45 Shoreline Drive

River Bend, NC 28562

Signatures of individuals authorized to sign Requisition for Funds forms.

(Signature)

John Kirkland, Mayor

(Typed Name) (Typed Title)

_____	<u>Delane Jackson, Town Manager</u>
(Signature)	(Typed Name) (Typed Title)
_____	<u>Margaret Theis Finance Administrator</u>
(Signature)	(Typed Name) (Typed Title)
_____	<u>Mandy Gilbert Finance Assistant</u>
(Signature)	(Typed Name) (Typed Title)

CERTIFICATION

() I certify that the signatures above are of the individuals authorized to sign Requisition for Funds form for the above recipient.

Certifying Official: _____
Title: _____

(X) The governing board has passed a resolution authorizing the persons above to sign Requisition for Funds form for the above recipient. A copy of the resolution is attached. I certify that the signatures above are those of the individuals authorized by resolution of the governing board of the recipient to sign Requisition for Funds forms.

Certifying Official:

Title: _____

SIGNATORY FORM AND CERTIFICATION

1. Indicate name and address of the recipient.
2. Two authorized signature shall be required on all Reimbursement Request for Funds forms. The Division of Water Infrastructure will check the signature on each requisition form to see that it does match the authorized signature on the Signatory Form and Certification. Only the signatures of persons shown on the Signatory Forms and Certification will be accepted.
3. To allow for flexibility in making requisition requests, it is recommended that four authorized signatures appear on the Signatory Form and Certification. Local governments may choose one of two options in completing the Certification. If the local government chooses to use the first option, the chief elected official or the chief finance officer must sign the form as the certifying official. In signing as the certifying official, the chief elected official or chief finance officer certifies that: 1) the signatures are authentic and 2) that the persons designated as signatories are authorized to sign requisitions for payment. If the chief elected official or the chief finance officer is the certifying official, that person may not also be an authorized signature. If the community wishes to have both the chief elected official and the chief finance officer sign requisitions for payment, the community should select the second option for certification. In this case, the governing board must pass a resolution authorizing sufficient persons to act as signatories. In addition, an individual who is not designated as a signatory must certify the authenticity of the authorized signatures. Anyone who knows all of the persons authorized to sign requisitions may sign as the certifying official. Another local government staff person or member of the governing body is recommended.
4. If the recipient wishes to change the persons authorized to sign the requisition for funds form a new Signatory Form and Certification must be submitted to the Division of Water Infrastructure.
5. No erasures or corrections may appear on the Signatory Form and Certification.

6. Copy of detail invoices as a supporting document must be submitted for all CDBG eligible work done and purchases made to corroborate the amount requested.

The Equal Employment and Procurement Policy reads as follows:

Town of River Bend
(City/County/Town)

18-C-3065
(Grant number)

Equal Employment and Procurement Plan

The *Town* of _____ River Bend _____ maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, the *Town* prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The *Town* shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the *Town Manager* to assist in the implementation of this policy statement.

The *Town* shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the *Chief Elected Official*.

The *Town* is committed to this policy and is aware that with its implementation, the *Town* will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 12 day of March 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk
The Section 3 Plan reads as follows:

**Local Jobs Initiative
Section 3 Plan
Local Economic Benefit for Low- and Very Low-Income Persons**

TOWN OF RIVER BEND

3-YEAR PLAN

I. APPLICATION AND COVERAGE OF POLICY

NC Commerce and any of its sub-recipients are committed to the policy that, to the greatest extent possible, opportunities for training and employment be given to lower income residents of the community development project area and contracts for work in connection with federally assisted community development project be awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968, **NC Commerce and any of its sub-recipients** of the Town of River Bend has developed and hereby adopts the following Plan:

NC Commerce and any of its sub-recipients will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 CFR Part 135), all regulations issued pursuant thereto by the Secretary of Housing and Urban Development, and all applicable rules and orders of the Department issued thereunder

This Section 3 covered project area for the purposes of this grant program shall include **NC Commerce and any of its sub-recipients** and portions of the immediately adjacent area.

NC Commerce and any of its sub-recipients will be responsible for implementation and administration of the Section 3 plan. In order to implement the **NC Commerce and any of its sub-recipients** policy of encouraging local residents and businesses participation in undertaking community development activities, the **NC Commerce and any of its sub-recipients** will follow this Section 3 plan which describes the steps to be taken to provide increased opportunities for local residents and businesses

This Section 3 Plan shall apply to services needed in connection with the grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

When in need of a service, **NC Commerce and any of its sub-recipients** will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.

The **State of North Carolina and any of its sub-recipients** will include the Section 3 clause and this plan in all contracts executed under this Community Development Block Grant (CDBG) Program. Where necessary, listings from any agency noted above deemed shall be included as well as sources of subcontractors and suppliers. The Section 3 Plan shall be mentioned in the pre-bid meetings and preconstruction meetings.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Craven County Employment Security Commission shall be notified and referred to the contractor.

Each contract for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in our project, prior to any contracting, major purchases or hiring, we will develop a listing of jobs, supplies and contracts likely to be utilized during the project. We will then advertise the pertinent information regarding the project including all Section 3 required information. Community Investment and Assistance (CI) should be contacted with the Bid Materials to distribute the information throughout their list serve to reach out the communities.

II. AFFIRMATIVE ACTIONS FOR RESIDENT AND BUSINESS PARTICIPATION

NC Commerce and any of its sub-recipients will take the following steps to assure that low income residents and businesses within the community development project area and within the ***Town*** are used whenever possible: (Describe below)

The Town will keep a record of interested residents and businesses within the community development project area and within the town to use upon the need for solicitation of need for services. The Town will advertise the local distributed newspaper encouraging all low income persons and Section 3 businesses to participate in activities related to the project.

(Example: Place qualified residents and businesses on solicitation lists, assure that residents and businesses are solicited whenever they are potential sources of contracts, services or supplies; divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by residents and businesses; establish delivery schedule, where the requirements permits, which encourages participation by area for residents and businesses)

Please check the methods to be used for the Section 3 program in your community:

☒ ***NC Commerce and any of its sub-recipients*** will place a display advertisement in the local newspaper containing the following information:

- i. A brief description of the project
- ii. A listing of jobs, contracts and supplies likely to be utilized in carrying out the project.
- iii. An acknowledgement that under Section 3 of Housing and Community Development Act, local residents and businesses will be utilized for jobs, contract and supplies in carrying out the project to the greatest extent feasible.
- iv. A location where individuals interested in jobs or contracts can register for consideration
- v. A statement that all jobs will be listed through and hiring will be done through the local office of the North Carolina Employment Security Commission; a statement that all contracts will be listed with the North Carolina Division of Purchase and Contracts; and a statement that potential employees and businesses may seek development and training

assistance through various state and local agencies, or which the **Town** will maintain a list for individuals and business concerns inquiring information

☐ Training and technical assistance will be provided by the local community college for low income residents requiring skills to participate in community development project activities. Referrals will be made to the community college, local Private Industry Councils, Job Training Partnership Act (29 U.S.C. 1579 (a)) (JTPA) Programs, and job training programs provided by local community action agencies as appropriate. Residents and businesses will be encouraged to participate in state and/or federal job training programs that may be offered in the area.

☒ Low income residents and businesses will be informed and educated regarding employment and procurement opportunities in the following ways:

- i. Advertisement in the local newspaper
- ii. Posting of Section 3 Plan at the Town Hall
- iii. Town Council meeting when project activities and schedules are discussed
- iv. Open meetings of Project Advisory Committee when everyone in neighborhood is invited
- v. Notification to other agencies that provide services to low-income people.

☐ Other (describe):

NC Commerce and any of its sub-recipients will, to the greatest extent feasible, utilize lower income area residents as trainees and employees:

1. Encourage rehabilitation contractors to hire local area residents
2. Encourage public works contractors to hire local area residents

NC Commerce and any of its sub-recipients will, to the greatest extent feasible, utilize businesses located in or owned in substantial part by persons residing in the area

1. Contract with local contractors to perform demolition activities, and housing rehabilitation activities.
2. Encourage public improvement contractors to hire local residents for site clearance work, hauling materials, and performing other site improvements.
3. Encourage all contractors to purchase supplies and materials from the local hardware and supply stores

III. RECORDS AND REPORTS

NC Commerce and any of its sub-recipients will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations, and permit authorized representatives of State CDBG, and federal agencies access to books, records, and premises for purposes of investigation in connection with a grievance or to ascertain compliance with this Section 3 Plan.

NC Commerce and any of its sub-recipients shall report annually the Section 3 numbers using the form HUD 60002 to State CDBG at the end of the calendar year as part of the Annual Performance Report (APR).

IV. MONITORING COMPLIANCE

NC Commerce and any of its sub-recipients may require each applicable contractor to provide a copy of the Section 3 Plan and will monitor compliance during the performance of the contract. Copies of all advertisements, notice, and published information will be kept to document the implementation of the plan.

V. COMPLAINTS CONTACT

Please provide the main contact in case that any complaint is received from the general public on Section 3 compliance (including name, phone number, address, and email):

Mr. Delane Jackson
45 Shoreline Drive
River Bend, NC 28562
252-638-3870 ext 213
manager@riverbend.org

Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST: _____
Ann Katsuyoshi, Clerk

The Citizen Participation Plan reads as follow

CITIZEN PARTICIPATION PLAN
DIVISION OF WATER INFRASTRUCTURE
NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY
COMMUNITY DEVELOPMENT BLOCK GRANT- INFRASTRUCTURE PROGRAM

Grantee: _____ Town of River Bend

Recipient's Address: _____ 45 Shoreline Dr., River Bend, NC 28562

Contact Person: _____ Delane Jackson

Contact Email: _____ manager@riverbendnc.org

Contact Phone: _____ 252-638-3870 ext. 213

TDD#: _____ 800-735-2962

The primary goal of the Citizen Participation Plan is to provide citizens, especially low and moderate income citizens of the community where CDBG-funded activities will take place, an

opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects.

The Citizen Participation Plan is required by Section 104(a) (2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a) (6)

The plan is vitally important to the success of CDBG-funded activities undertaken by local governments. Compliance with the plan reduces the number of legal challenges and citizen complaints against the local government recipient.

1. INTRODUCTION

The Town has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program. This Plan is an essential element of the Town's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the North Carolina Department of Environmental Quality – Division of Water Infrastructure (NCDEQ-DWI) and the Department of Housing and Urban Development (HUD).

The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the Town's CDBG program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

Citizens are encouraged to participate in all phases of the CDBG program(s) and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program(s) will lie with the Town.

2. SCOPE OF PARTICIPATION

The Town will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG program(s) undertaken by the Town. Local officials will make every effort to involve citizens in all phases of the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG application(s);
- b. changes and/or amendments to approved CDBG projects; and,
- c. assessment of CDBG program performance.

All phases of the community development process will be conducted by local officials in an open manner. Citizens of the Town are encouraged to participate at all levels and will be given access to program information during each phase of any CDBG program as outlined herein.

3. CITIZEN PARTICIPATION CONTACT PERSON

Delane Jackson has been designated Citizen Participation Coordinator by the Mayor and will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Citizen Participation Coordinator shall include, but not necessarily be limited to: disseminating information concerning proposed projects and the status of current project activities; coordinating various groups which may be participating in the community development process; receiving written comments; serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and, monitoring the citizen participation process and proposing such amendments to the Citizen Participation Plan as may be necessary.

The Citizen Participation Coordinator may be contacted at Town Hall at 252-638-3870 during regular business hours. All questions concerning citizen participation in the community development process should be addressed to the Citizen Participation Coordinator.

4. TECHNICAL ASSISTANCE

The staff of the Town shall provide technical assistance to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG program requirements.

Technical assistance shall be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and/or requirements; providing information and/or materials concerning the CDBG program; and, assisting low and moderate income citizens, and residents of blighted neighborhoods to develop statements of views, identify their needs, and to develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the Mayor of the Town or the Citizen Participation Coordinator.

5. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, especially low and moderate income persons and residents of areas where CDBG activities are proposed or on-going.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG programs. Local officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG project to the governing body at any regularly scheduled meeting.

5.1 Public Hearing Times and Locations

All public hearings will be held at times and locations which will be accessible to all citizens, especially persons of low and moderate incomes, and residents of blighted neighborhoods and CDBG project areas.

Public hearings will be scheduled for convenient times as determined by the Town. Public hearings may be held at any site which, in the opinion of the Town, provides adequate access for citizen participation.

Hearings will normally be held at the River Bend Town Hall. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the Town, be held at an alternate location to be specified in the public hearing notice(s).

5.2 **Application** Public Hearing

One public hearing shall be held during any CDBG program fiscal year prior to the submission of an application to the NCDEQ-DWI for CDBG assistance. The primary purposes of the public hearing shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG program; and also to present for public comment and review the program activities which have been selected by the Town to resolve the identified needs.

An application public hearing will be held during the initial stage of program development to discuss items regarding community development and housing needs, the CDBG program, and the application process. The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities and options associated with the development and submission of a CDBG application. Local officials will also entertain proposals and comments from citizens concerning community development activities at this hearing.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted by the Town during any fiscal year. Additional changes in community development or housing needs in the community as determined by local officials can be addressed by a community meeting where citizens can share their comments prior to the submission of other CDBG applications late in the fiscal year.

Citizens will be provided with information concerning the CDBG program at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives

of the CDBG program; the total amount of CDBG funds available for the fiscal year and for the funding round; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing a CDBG application; a statement that 100 percent of the CDBG funds will be used to benefit low-to-moderate income people; the schedule of meetings and hearings; location where the application can be reviewed; activities previously funded in the Town through the CDBG program; and, an identification of projects which could result in the relocation of area residences or businesses; and the actions that would be undertaken if such relocation were necessary; provide citizens with contact information such as address, telephone number, and dates for submitting complaints or grievances. Furthermore, the effectiveness of the Citizen Participation Plan in allowing citizen participation in the community development process and potential changes and/or amendments to the Plan shall also be discussed at this meeting.

The Town may, at the option of local officials, review multiple CDBG project applications at one hearing when more than one application is to be submitted during the same fiscal year. Each such hearing shall be held prior to, and in preparation for, the application's approval by the Town.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in a CDBG application(s) and to solicit comments from citizens concerning these activities.

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the approximate cost estimate for the proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and, the approximate application submittal date.

5.3 **Amendment** Public Hearings

The Town will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to the project are under consideration by the Town. Citizen participation shall be obtained and considered in any amendments to a CDBG program which involves changes in dollar amount spent on any activity, changes in program beneficiaries, changes in the location of approved activities, addition to or deletion of project activities, and major budget shifts between approved activities.

To ensure adequate opportunity for citizen participation during CDBG programs, the Town shall hold a public hearing on all formal amendments which require the NCDEQ-DWI approval. For "local" amendments and changes for which the NCDEQ-DWI approval is not required, input from citizens concerning changes or amendments will be received at regularly scheduled Town meetings where such changes or amendments are considered.

5.4 **Assessment of Performance** Public Hearings

Citizens of the Town will be provided with the opportunity to comment on the performance of local officials, the Town staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to

assess the performance of the Town in resolving identified community development and housing needs, and in achieving its community development goals and objectives. On-going community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG program.

At the conclusion of each CDBG project, a public hearing will be held to review program activities and to assess program performance. This hearing shall be held prior to the submission of the Performance Assessment Report and any other required closeout documents to the NCDEQ-DWI for a CDBG project. This hearing will be used to ensure community-wide participation in the evaluation of the CDBG program.

5.5 Additional Hearings

Other public hearings may be held as deemed necessary by the Town in order to inform citizens of community development project(s) and activities, and to solicit citizen opinions and comments. All additional hearings shall comply with the requirements set forth in this Plan.

5.6 Limited English Proficiency Residents

The Town has followed the guidance provided in the Language Access Plan to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

5.7 Public Hearing Notice

Notice of public hearings must be published in a local newspaper of general circulation, in a non-legal section of the paper at least ten (10) days prior to the hearing date, but no more than 25 days prior to the meeting date. Each notice of a hearing shall include the time, date, place, and topics and procedures to be discussed.

5.8 Accessibility to Low and Moderate Income Persons

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens, as well as residents of blighted neighborhoods and CDBG project areas in any public hearing(s). **Local officials may take additional steps to further promote participation by such groups, or to target program information to these persons should officials feel that such persons may otherwise be excluded or should additional action be deemed necessary. Activities to promote additional participation may include: posting of notices in blighted neighborhoods and in places frequented by low and moderate income persons, and holding public hearings in low and moderate income neighborhoods or areas of existing or proposed CDBG project activities.**

5.9 Accessibility to Persons with Disabilities

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The Town shall provide a sign language interpreter whenever the Citizen

Participation Coordinator is notified in advance that one or more deaf persons will be in attendance. The Town shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance. Additionally, the Town shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

6. PROGRAM INFORMATION

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. Local officials of the Town shall make reasonable effort to assure that CDBG program information is available to all citizens, especially those of low and moderate incomes and those residing in blighted or Limited English Proficiency neighborhoods and/or CDBG project areas.

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the Town Hall. Information from the project files shall be made available for examination and duplication, on request, during regular business hours. CDBG program information and materials, concerning specific CDBG projects will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Furthermore, information concerning any CDBG project will be available at regularly scheduled council meetings where the program is discussed.

Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearing; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and construction specifications; labor standards materials; performance and evaluation reports; other reports required by the NCDEQ-DWI and/or HUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received concerning the community development program, and written responses from the Town; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the Town disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the Town shall not disclose any information which may, in the opinion of the Mayor, be deemed of a confidential nature.

7. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The public hearings scheduled, as described in this Citizen Participation Plan, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of a community development program at the public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the Town.

Any citizen or citizen's group desiring to comment or object to any phase of the planning, development or approval of the application for CDBG funds, or to the implementation of any

CDBG program, should submit such comments or objections in writing to the Mayor. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Mayor, then the aggrieved may appeal his/her case to the Town.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the Town be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to the NCDEQ-DWI.

Citizens may, at any time, contact the NCDEQ-DWI and/or HUD directly to register comments, objections or complaints concerning the Town's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting the NCDEQ-DWI or HUD.

All comments or complaints submitted to the NCDEQ-DWI or the HUD shall be addressed in writing to:

NC Department of Environmental Quality
Division of Water Infrastructure CDBG-I
1633 Mail Service Center
Raleigh, North Carolina 27699-1633

Or:

U.S. Department of Housing and Urban Development
Community Planning and Development Division
Greensboro Field Office
1500 Pinecroft Road
Greensboro, NC 27407

Records of all comments, objections and/or complaints by citizens concerning the Town's CDBG program and subsequent action taken in response to those comments shall be maintained on file at Town and shall be made available for public inspection upon request.

8. AMENDMENTS

The Town may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the Town to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the community development process and in helping to meet the community development needs and goals identified by the citizens of the Town. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed herein, and potential amendments to the Plan will be reviewed at this time.

Amendments to the Plan will be made as necessary. All amendments shall be approved by resolution of the Town and shall be incorporated into this Plan.

9. AUTHORITY

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of the Town in the development, implementation and execution of any Community Development Block Grant program.

ADOPTED this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk

The Program Policies read as follows:

**PROGRAM POLICIES
2019 CDBG PROGRAM**

TOWN OF RIVER BEND
March 12, 2020
ADOPTED BY THE TOWN COUNCIL OF RIVER BEND:

John Kirkland, Mayor

March 12, 2020
Date

PROGRAM POLICIES

The policies contained in this document will serve as administrative guidelines for the River Bend 2019 Community Development Block Grant Program. In the case of unforeseen hardship or inconvenience, these standards may be varied with the written permission of the Mayor. However, any variations made will not result in actions contrary to the River Bend 2019 CDBG Application and DOC Regulations.

I. **PROJECT AREA COMMITTEE**

The CD Project Area Committee (PAC) will be composed of three members (2 council members, and the Town Manager). These members will be appointed by the Town Council of River Bend, and any vacancy shall be immediately filled by the Town Council. The PAC shall at a minimum hold quarterly meetings and make diligent efforts to provide a liaison between the area citizens and the program administration. Responsibilities of the PAC will include:

- A. Review and comment on the program guidelines.

- B. Provide coordination and contact between the project area residents and the administrative personnel.
- C. Conduct quarterly meetings to review the progress of the program.
- D. Recommend program revisions to the administrative personnel as the project develops.
- E. Review recommended action to be taken on grievances.
- F. Conduct a public hearing prior to the close-out of the programs to obtain comment on the success of the project.
- G. Review and make recommendations on all community development programs and/or budget amendments.

II. HOUSING REHABILITATION

A. General

- 1. All homeowners and landlords are responsible for the correction of housing code violations of their housing facilities in the 2019 CDBG Target Area. The Program Administrator in conjunction with the local Code Enforcement Officer will inspect each dwelling unit to determine what must be done to bring affected structures up to a minimum standard. Owners will be notified of all deficiencies.
- 2. Financial and counseling assistance will be provided by the 2019 CDBG program through grants and loans to homeowners and landlords for the correction of housing code deficiencies. Receipt of CDBG financial assistance will not be mandatory. The homeowner or landlord may correct all housing deficiencies through means other than the CDBG Program.
- 3. CDBG rehabilitation assistance will be provided for the correction of housing code deficiencies only.
- 4. Homeowners and landlords may, at their discretion, receive CDBG rehabilitation assistance for materials only and provide labor through other sources.
- 5. The Town will act as the property owner's agent with respect to CDBG housing rehabilitation activities. Upon completion of rehabilitation activities, the property owner will be notified that code violations in the structure have been corrected.

B. Program Application Budget Amounts and Limits

- 1. Per unit amounts budgeted within the 2019 CDBG Application for various sets of proposed activities are as follows:
 - a. Frame Built Reconstruction \$ 130,000.00
 - b. Frame Built Rehabilitation \$ 60,000.00
 - c. Mobile Homes \$ N/A

2. The maximum allowable financial participation amount is the lesser of \$42.00 per square foot or \$44,000.00 per unit. The Town anticipates rehabilitation costs between major and minor units will average out to the respective amounts budgeted. The Town recognizes that some additional deficiencies may exist or be uncovered during the rehabilitation work. In order to correct these deficiencies, the bid amount may be amended by up to 15% by the Program Administrator.

3. Any expenditure over the bid amount plus 15% may be initially authorized by the Mayor for two reasons: One, to remove imminent threats to health and safety, and two, if the market value of the unit after rehabilitation work is completed will be more than the contract amount.

4. Any unit with a proposed rehabilitation cost exceeding the maximum allowable amount will be reviewed by the Town Mayor and C.D. Administrator. These units will be either referred for demolition or held until the end of housing activities to see if sufficient funds are available for rehabilitation. If sufficient funds are available, the Town Mayor and C.D. Administrator will review whether to proceed with a request for substantial reconstruction or relocation.

C. Rehabilitation Priorities and Contract Procedures

1. In general, the priority for selecting housing for assistance shall follow the following priorities:
 - a. Owner occupied grant financing
 - b. Tenant occupied grant financing
 - c. Owner occupied loan financing – N/A
 - d. Tenant occupied loan financing – N/A
 - e. Vacant units – N/A

Within each of the above categories, the elderly, handicapped or most underprivileged shall receive priority. However, the C.D. Administrator may deviate from these priorities if it is in the best interest of the Program.

2. All procurement and contract procedures will be completed in accordance with 2 CFR 200. An advertisement for bids will be sent to rehabilitation contractors and write-ups made available. Sealed bids will be received and read aloud. The C.D. Administrator will review the bids and recommend award. The Town Mayor may award the bids and execute grant and loan contracts or applicable Deeds of Trust. Upon approval of the Town Mayor, the C.D. Administrator will issue the Notice to Proceed. The C.D. Administrator may approve and execute all contract change orders as necessary within the limits set forth in Section I.B.2. Above.
3. The Town of River Bend will have no responsibility for the execution of private agreements nor will it allow any such agreements to hinder or interfere with contracted rehabilitation activities.

D. Coordination with Property Owners

At a minimum, the following items will be reviewed with property owners except in the case of unforeseen circumstances:

1. All housing code deficiencies.
2. The proposed financing arrangement, grant or loan.
3. Decisions on rehabilitation, delay or demolition of the unit.
4. Procedures concerning bidding, contracts and construction.
5. Contract completion and closeout.
6. If the property owner disagrees with any of the information and decisions presented, appeal of the decision can be processed through the complaint procedure.

E. Income Requirements

Income guidelines for determining grant and loan financing are those provided by HUD as meeting low-moderate income limits. These figures are revised yearly, and the most current figures will apply. Income will be based on total household income of all people over 18 years of age. The eighteen-year-old exclusion does not apply for determining beneficiaries.

F. Grant/Loan Program

The type of assistance which will be made available for the correction of code deficiencies depends on the factors listed below:

1. Owner Occupied or Rental
2. Household Income - Owner
3. Household Income - Tenant
4. Household Income - Landlord
5. Amount of Monthly Rent

The specific design of the Loan Program can be found as an attachment at the end of these policies. See ATTACHMENT I.

G. Rent Freeze and Recapture Provisions

Whenever CDBG funds are used to rehabilitate a structure, rent freeze and recapture provisions shall apply. These provisions can also be found as an attachment at the end of these policies. See ATTACHMENT I. All recapture provisions shall be secured by a promissory note and deed of trust held on the property. Therefore, each property must have a clear title sufficient for execution of the deed of trust. It shall be the responsibility of the owner to insure the clear title.

H. Housing Code

1. All rehabable houses in the 2019 CDBG area must be brought up to minimum housing code during this program. Reproduced and found at the end of these policies is the N.C. Small Cities CDBG Housing Rehabilitation Standards which is the minimum accepted by N.C. DOC.
2. When conducting the rehabilitation investigation and construction, the

following priorities will apply:

- a. Provisions of a safe, sanitary water supply and adequate sewage disposal to include provisions of indoor plumbing and hot water service.
- b. Elimination of major structural defects which are creating hazardous conditions due to unsafe electrical systems, etc.
- c. Weatherization of the unit.
- d. Control of insects, rodents and infestations.
- e. Elimination of minor structural defects.
- f. Landscaping to eliminate health hazards.

I. Substantial Rehabilitation

For the purposes of the CDBG program, substantial rehabilitation is defined as the lesser of the two following standards: total CDBG rehabilitation costs for the unit exceed \$44,000.00; or total CDBG rehabilitation costs exceed \$42 per square foot of heated, occupiable space. DOC approval must be obtained where substantial reconstruction is proposed as part of a neighborhood rehabilitation effort. In order to receive DOC approval, justification for substantial rehabilitation must be based on the following two circumstances:

- (1) The estimated cost of reconstruction is at least 20 percent less than the estimated cost of purchasing comparable newly constructed housing (including land) in the locality's jurisdiction; and
- (2) The estimated cost of the reconstruction (excluding demolition, site preparation and temporary relocation) is less than the fair market value of the reconstructed housing and land.

III. **FORMS AND AGREEMENTS**

In applying the previously discussed rehabilitation activities, incomes must be verified, construction work let, agreements executed and construction completed. Provided in the Master Rehab Casefile are the forms to be used for these activities. The Future Deed of Trust forms and Loan Agreements are not included because these forms will be approved by the Program Attorney prior to use.

IV. **ACQUISITION**

- A. Acquisition of land is necessary in the following situations under the CDBG program:
 1. Acquisition of lots to remove dilapidated structures: Code Enforcement.
 2. Acquisition of Right-of-Way necessary for parks, streets, drainage or other public facilities improvements: Eminent Domain.
 3. Acquisition of a permanent easement for items in No. IV.A.2.
- B. General guidelines which will apply to code enforcement acquisition (structures) are listed below. These guidelines may be varied by the Board of River Bend due to the broad nature of acquisition activities.
 1. A structure must be acquired and demolished when it is determined to be economically "beyond repair".

2. A structure must be acquired and demolished if it is an imminent threat to health and safety.
 3. A structure must be acquired and demolished if the proposed rehabilitation cost is clearly more than the after rehabilitation market value. To salvage an existing structure, property owners may contribute directly to the rehabilitation cost in order for the structure to be eligible for rehabilitation assistance.
- C. When it has been determined by the Program Administration that a structure must be acquired and demolished, one of the following two methods may be used:
1. The property owner may execute a voluntary demolition agreement and temporary demolition easement. With this agreement, the CDBG Program will demolish the structure, clear all debris, and reseed the lot. The property owner will retain ownership of the lot.
 2. If the property owner does not wish to execute a voluntary demolition agreement, the acquisition procedure listed in IV.D. below will be followed to purchase the structure and the parcel of land. The CDBG Program will demolish the structure and resell the property in accordance with municipal disposition procedures.
 3. When acquired property is offered for sale, it must be advertised and offered for sale to low-and-moderate income individuals and construction of a residential unit must start within 12 months. If there is no interest from LMI persons, the property must be re-advertised with only the 12-month restriction remaining.
- D. The steps necessary for acquisition of any property in the CDBG Program are as follows:
1. Title certification.
 2. Land survey.
 3. Appraisal of the property if expected value is over \$2,500.00 - property owner must be invited to accompany the appraiser.
 4. Second Appraisal of the property if it is a complex appraisal - property owners must be invited to accompany the appraiser.
 5. Appraisal Review by the Town Mayor, C.D. Administrator and Town Board.
 6. Establishment of Just Compensation by the Board.
 7. Written offer to purchase to the property owner.
 8. Negotiation with the property owner.
 9. Upon agreement, the property is purchased.
 10. If agreement cannot be reached, the matter is referred to the attorney for condemnation through code enforcement.

V. **RELOCATION**

Whenever a dilapidated structure is occupied, these people must be relocated to "standard housing" which is safe, sanitary, and decent. Relocation shall be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646). During the program execution, the Board of River Bend may adopt an "Optional Coverage Relocation Plan" if circumstances deem treatment through other than Uniform

Act procedures will be appropriate. All efforts will be made during the 2019 CDBG program to minimize displacement.

VI. **COMPLAINT PROCEDURE**

Whenever conflict arises during the program, target area residents will have the following procedure for dealing with complaints. All complaints must be made in writing and will be responded to within 10 working days from the date of receipt.

- A. Submit complaint to the Program Administrator at the Town Hall, and the Program Administrator will issue a written response to the complaint.
- B. If resolution is not obtained, the complaint will be forwarded to the Town Manager by the complainant. A meeting with the complainant, Program Administrator and Town Manager will be held, and the Town Manager shall issue a written response to the complainant.
- C. If resolution is not obtained, the PAC shall conduct a hearing with the complainant, Program Administrator and the Town Manager to hear all sides of the complaint. The PAC shall issue a written opinion to the complainant and to the Board of River Bend.
- D. If resolution is still not obtained through the PAC, the Board of River Bend shall review the complainant's statement, previous written statements by the Program Administrator and the Town Manager, and the written opinion of the PAC. The Board shall make a decision which will be final.
- E. The Board's decision will be given to the complainant along with the name and address of DOC and project representative for the 2019 CDBG program.

VII. **CODE OF CONDUCT**

- A. This Code shall govern the performance of officers, employees, and agents engaged in the award and administration of contracts supported by Federal funds.
- B. No employee, officer or agent of the Town shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
 - 1. The employee, officer or agent;
 - 2. Any member of his immediate family;
 - 3. His or her partner; or
 - 4. Any organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.
- C. Town officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements.

- D. The Town, at its discretion may make determinations of minimum rules where financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.
- E. All violations of these standards deemed by the Board to be in excess of minimum levels determined in Item VII. D. will result in penalties, sanctions or disciplinary action as required by State and Local laws and regulations or as deemed appropriate by the Town Board Councilmen.

VIII. CITIZEN PARTICIPATION

- A. Citizen participation shall be consistent with all requirements of the CDBG Regulations. All said regulations shall be strictly adhered to. This citizen participation plan shall include the following actions by the CDBG recipient:
 - 1. Solicit and respond to citizen views and proposals. Respond to written comments within 10 calendar days.
 - 2. Provide technical assistance to groups so requesting to facilitate participation and proposals.
 - 3. Provide notices of public hearings in a timely manner. Notice to be given 10-25 days before public hearings.
 - 4. Schedule public hearings to permit broad citizen participation.
 - 5. Hold the following public hearings at a minimum:
 - a. Prior to formulation of CDBG Application
 - b. After Application formulation but prior to submission
 - c. Prior to submission of every program amendment
 - d. Prior to submission of closeout documents
 - 6. Provide for needs of non-English speaking citizens where a significant number of non-English speaking participants are anticipated.

Any other requirements of T15:13L.1002 shall be herein incorporated by reference.

IX. PROCUREMENT POLICY

- A. All procurement shall be conducted in accordance with 2 CFR 200.

The Limited English Proficiency Plan reads as follows:

**Providing Meaningful Communication with Persons with Limited English Proficiency
Town of River Bend
5-Year Plan**

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

POLICY:

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the Town of River Bend will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

DEFINITIONS:

Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

Title VI Compliance Officer. The person or persons responsible for administering compliance with the Title VI LEP policies.

Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The Town of River Bend will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or "I speak cards," provided by the Rural Economic Development Division (REDD) and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTEPRETER

List the current name, office telephone number, office address and email address of the Title VI compliance officers:

Delane Jackson
Town of River Bend
45 Shoreline Drive
River Bend, NC 28562
252-638-3870 ext. 213
manager@riverbendnc.org

(Note: The agency must notify the REDD Compliance Office immediately of changes in name or contact information for the Title VI compliance officer.)

Check all methods that will be used:

☐ Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff (**provide the list**):

☒ Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

☒ Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

(Identify the agency(s) name(s) with whom you have contracted or made arrangements)

Craven County Department of Social Services

Have/has agreed to provide qualified interpreter services. The agency's (or agencies') telephone number(s) is/are (**insert number (s)**), and the hours of availability are (**insert hours**).

252-636-4900

Monday – Friday 8:00 – 5:00

☐ Other (**describe**):

Telelanguage

800-514-9237

888-884-7734

All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest should be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other residents will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS

- i. The Town of River Bend will set benchmarks for translation of vital documents into additional languages. (**please ensure to keep records of those documents that apply to your agency**)
- ii. When translation of vital documents is needed, the Town of River Bend will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.
- iv.

4. PROVIDING NOTICE TO LEP PERSONS

The Town of River Bend will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language:

IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.

All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the main lobbies, waiting rooms, etc.

Town Hall Lobby

Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations.

The Town will provide LED outreach through advertisements.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, The Town of River Bend will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, The Town of River Bend will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, complaints filed by LEP persons, feedback from residents and community organizations, etc.

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The agency will complete an annual compliance report and send this report to REDD. (Format will be supplied by REDD)

B. Monitoring

The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the REDD upon request.

The agency will cooperate, when requested, with special review by the REDD.

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.

The form can be found at <https://www.nccommerce.com/documents/cdbg-compliance-plans>.

The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.

The agency will notify the appropriate section within REDD of complaints filed, the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Resolution of Matter

If the matter cannot be resolved by informal means, the individual will be informed of his or her right to appeal further to REDD. This notice will be provided in the primary language of the individual with Limited English Proficiency.

The REDD Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency.

If not resolved by REDD, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY: THE GOVERNING BOARD OF RIVER BEND

John Kirkland, Mayor
Name of Mayor or Chairman of Board

Signature of Mayor or Chairman of Board

March 12, 2020
Date

The Fair Housing Plan reads as follows:

Requirements for Completing the Fair Housing Plan

I. Indicate whether this is the first Fair Housing Plan submitted by the recipient or if one has been previously submitted.

II. List the **major** obstacles and impediments to affirmatively furthering fair housing in the recipient's community, e.g. lack of knowledge among citizens of fair housing laws, lack of affordable housing stock, etc. These will be specific to the recipient community.

III. Indicate whether the activities apply to part or all of the recipient's community. If some of the activities apply to only part, include an explanation.

IV. List the activities the recipient will undertake to affirmatively further fair housing in the recipient's community. *The activities should address the obstacles identified in Section II.* Activities should be planned for the life of the grant beginning with the quarter in which the grant agreement was signed and should be listed by quarter with at least one activity per quarter. (For example, Quarter 1, Jan–Mar 2009: Distribute fair housing brochures to public library and local banks). The first activity **must** be establishing and/or publishing the grantee's fair housing complaint procedure and TDD number in the local newspaper. In addition, the grantee **must** have at least one activity for community outreach for fair housing in the form of a workshop or designated fair housing fair within an identified quarter. Many recipients have chosen to do this particular activity in the quarter containing April to celebrate National Fair Housing Month.

V. Describe recipient's method of receiving and resolving housing discrimination complaints. The *four key elements* to include in complaint procedures are given in the example below. The recipient may add additional information as appropriate.

Note: Municipalities may elect to adopt the fair housing plan and activities in the county Analysis to Impediments to Fair Housing Choice, of the county in which they are located, but CI needs this in writing, signed and dated by the local chief elected officer *with* the local complaint procedure. The local activities **must** also adopt the county's Analysis of Impediments to Fair Housing Choice and the local activities **must** coincide with the county activities.

Fair Housing Links

For more information on promoting fair housing, please visit:

<http://www.hud.gov/offices/fheo/promotingfh.cfm>
<http://www.hud.gov/local/index.cfm?state=nc>
<http://www.hud.gov/offices/fheo/FHLaws/index.cfm>
<http://www.doa.state.nc.us/hrc/fairhousing.aspx>
<http://www.hud.gov/offices/fheo/images/fhpg.pdf>

VI. To have the plan approved, please do the following:

1. It is recommended to submit an electronic copy in Word format to the Compliance Office at compliance@nccommerce.com. After review, a Compliance staff person will notify the contact person of any required changes.
2. For approval, please submit an original hardcopy with signature of the local Certifying Officer to the Compliance Office.
3. Upon receipt of the plan, the Compliance Office will issue an official letter notifying the grantee that the Fair Housing Plan is approved.

VII. Compliance Reviews

Please note that the Compliance Office will conduct random desktop and on-site reviews of fair housing plans in conjunction with Grant Representatives to ensure that applicants are conducting fair housing activities as certified in the approved Fair Housing Plan. Please ensure to maintain comprehensive documentation of fair housing activities for reporting and monitoring.

Recipient's Plan to Further Fair Housing

Grantee: Town of River Bend

Recipient's Address:

45 Shoreline Drive
River Bend, NC 28562

Contact Person: Delane Jackson

Contact Phone: 252-638-3870 ext.
213

Contact Email: manager@riverbendnc.org

TDD #: 1-800-735-2962

I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past.

First Time X

Past Activities

II. Identify and analyze obstacles to affirmatively furthering fair housing in recipient's community. (Use additional pages as necessary)

Discussions with local public officials indicate that housing related industries (contractors, lenders, realtors, appraisers) are aware of the need for fair housing; however, they lack information regarding Federal and State fair housing legislation. Public-assisted housing providers appear to be more knowledgeable of legislation. There seems to be a lack of knowledge among citizens of fair housing laws and a lack of affordable dwellings for handicapped and large families within public housing. All activities undertaken will have provisions of reaching the visually impaired and ensure equal opportunity for housing in the community for all persons regardless of income status.

III. Will the above activities apply to the total municipality or county?

Yes X

No

If no, provide an explanation.

(Use additional pages as necessary)

IV. Briefly describe the quarterly activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule and estimated cost for implementation of these activities must be included. *Activities must be scheduled for implementation at least on a quarterly basis.* (Use attached table)

The Town of River Bend has developed a fair housing program that includes activities that have provisions for reaching the visually impaired and ensuring equal opportunity for

housing in the community for all persons regardless of income status. Activities scheduled for the River Bend CDBG DR Program are to:

Grantee Name:

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
Prepare a fair housing complaint procedure. Publish in the Sun Journal	January-March	2020	\$500	
Place the fair housing message on the website of River Bend	April-June	2020	\$100	
Advertise and hold public fair housing meeting with all interested persons to discuss and assist with development of the Assessment of Fair Housing and Plan for the Town of River Bend	July-September	2020	500	
Develop a mailing list of housing related industries (contractors, lenders, realtors, appraisers) and disseminate the fair housing discrimination complaint procedures.	October-December	2020	300	
Prepare and publish a newspaper article regarding Fair Housing laws and the complaint procedure. The article will summarize fair housing requirements under Title VIII of the Civil Rights Act of 1968, as amended. The article will also inform citizens of the housing discrimination complaint procedures.	January-March	2021	500	
Make sure the Fair Housing message continues to be shown on the River Bend website.	April-June	2021	100	
Develop a fair housing brochure that summarizes the fair housing requirements under Title VIII of the Civil Rights Act of 1968, as amended.	July-September	2021	100	
Place Fair Housing Literature in the Lobby of the Administration Building of the Town.	October-December	2021	100	
Publish the fair housing discrimination complaint procedure in Error! Not a valid link..	January-March	2022	500	
Update the existing mailing list of housing related industries (contractors, lenders, realtors and appraisers) to include those not reached by past fair housing activities and disseminate the fair housing discrimination complaint procedures.	April- May	2022	200	
Post Fair Housing Complaint Procedure in all Town Operated Offices in the Town of River Bend	June-August	2022	200	
Make sure the Fair Housing message continues to be shown on the River Bend website.	September-December	2022	100	

V. Describe recipient's method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. (Use additional pages as necessary)

- 1) Any person or persons wishing to file a complaint of housing discrimination in the town may do so by **informing the town** of the facts and circumstance of the alleged discriminatory acts or practice.
- 2) Upon receiving a housing discrimination complaint, the town shall acknowledge the complaint within 10 days in writing and inform the Division of Community Assistance and the North Carolina Human Relations Commission about the complaint.
- 3) *The town shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the town.*
- 4) *The town shall publicize in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.*

Approved By:

March 12, 2020

John Kirkland
Mayor of River Bend

Signature

Date

The Residential Anti-Displacement and Relocation Assistance Plan reads as follows:

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

TOWN OF RIVER BEND

3-Year Plan

This Residential Antidisplacement and Relocation Assistance Plan is prepared by the Town of River Bend in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹ projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the Town of River Bend will take the following steps to minimize the direct and indirect displacement of persons from their homes: (The steps provided below are examples only, each jurisdiction must determine the actions it will take based on local needs and priorities, select one or multiple steps or describe others steps below)

☐ ☒ Coordinate code enforcement with rehabilitation and housing assistance programs.

☐ ☒ Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.

☐ ☐ Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.

☐ ☒ Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.

☐ ☐ Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.

☐ ☐ Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.

☐ ☐ Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.

☐ ☐ Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

☐ ☒ Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.

1. CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

☐ ☒ If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are "lower-income dwelling units" (as defined in 24 CFR 42.305).

☐ ☒ Target only those properties deemed essential to the need or success of the project.

☐ ☐ Other: (Describe)

A. Relocation Assistance to Displaced Persons

The Town of River Bend will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

B. One-for-One Replacement of Lower-Income Dwelling Units

The Town of River Bend will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program[s] in accordance with 24 CFR 42.375.

Before entering into a contract committing Town of River Bend to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the Town of River Bend will make public by publication in a newspaper of general circulation and submit to State CDBG Program(s) North Carolina Department of Environmental Quality (NC DEQ) the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 42.375(d).
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the Town of River Bend will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

C. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the Town of River Bend may submit a request to the State (NC DEQ) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

D. Contacts

The office of the Town Clerk at 252-638-3870 is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The office of the Town Clerk at 252-638-3870 is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Adopted this 12th day of March, 2020.

John Kirkland, Mayor

ATTEST:

Ann Katsuyoshi, Clerk

The Optional Coverage Relocation Plan reads as follows:

TOWN OF RIVER BEND
OPTIONAL COVERAGE RELOCATION PLAN

2019 CDBG NR PROGRAM

Organization and Administration

The Town of River Bend (hereinafter called "Town") will administer and coordinate all relocation activities (temporary or permanent) resulting from Community Development activities. Citizens displaced by Community Development Program activities are eligible to receive relocation assistance. The financial assistance is in a form as permitted under implementing regulations at 49 CFR part 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies act of 1970, as amended.

Definition of a "Displaced Person"

A displaced individual is someone whose home, which is located within the Community Development Activity Area, is determined to be in a condition too dilapidated to be economically feasible to rehabilitate and will be demolished. This can also include a person temporarily displaced as a result of program activities such as housing rehabilitation or reconstruction.

Definition of "Standard Housing"

A dwelling unit is in standard condition if it is decent, safe, and sanitary. A dwelling unit is considered decent, safe, and sanitary if (a) it is in good repair and is weathertight, with no leakage nor dampness; (b) it has no health, fire nor safety hazards within the structure or in the immediate vicinity; (c) it has running water, a private sewer-connected to a flush toilet, and a bathroom for exclusive use of the occupant, with tub or shower with hot and cold running water, all within the dwelling unit; (d) it has permanent, reasonably efficient kitchen facilities for exclusive use of the occupant, including sink with hot and cold running water, cooking stove connections, shelves and

storage space for food and utensils; (e) it has facilities or connections for washing and drying clothes; (f) it is large enough to accommodate the occupants without overcrowding; (g) it is equipped with adequate heating facilities; (h) it is adequately ventilated by at least one operable window in every room and is screened, or screens are available; (i) it is wired for electricity; and (j) it is located in a neighborhood which is free from industrial and other nuisances, is supplied with the community facilities of a standard neighborhood, and is reasonably accessible to transportation, school, churches and stores.

It is intended that all dwellings into which displaced families relocate will be inspected by the Town. If the dwellings are not found to be decent, safe and sanitary, the move will be considered temporary relocation.

Optional Coverage for the Town of River Bend, North Carolina

The Town's Community Development Program shall undertake relocation that may not be covered automatically under the URA such as would be the case with voluntary demolition. The Town intends for these persons to be served at the same levels as those described under the URA and will use this Optional Coverage Relocation Plan to establish this coverage. Under this Plan, the Town of River Bend shall provide relocation payments and assistance to the following:

1. Homeowners and their families who are displaced by rehabilitation activity of a dwelling located within the Community Development Area by the Town. This will be effective only when the Town makes the request for the occupant to move.
2. Homeowners and their families who are displaced by the voluntary demolition of a dwelling occupied by the families and located within the Community Development Area.

Relocation Assistance to Families and Individuals

The Town shall provide relocation planning, advisory and coordination services consistent with those described in Section 24.205 of the URA. These shall include, but not be limited to, the provision of transportation as deemed necessary and reasonable to support the relocation, assistance in submitting claims for payment, counseling and education on relocation regulations and coordinating these activities with existing social service and economic assistance programs as they are available.

Temporary Relocation

Rehabilitation shall be conducted without relocation of the affected occupants to the greatest extent feasible. Should relocation be necessary and should available temporary housing be substandard by the above definition, the minimum standards set forth shall not apply. Such relocation shall be accomplished at the minimum feasible cost. The Town will only pay for the cost of the lodging during the temporary relocation time period. A maximum allowable per night charge shall be established prior to the move. Relocates are required to submit receipts to the Town documenting the expenses for which they are requesting reimbursement.

Moving Expense Payment

A permanently displaced individual or family covered under this Plan shall be eligible to receive a moving expense payment in accordance with the following sections of the Uniform Relocation

Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced is the following section of the URA:

1. Section 24.302 – Fixed payment for moving expenses – residential moves.

The relocatee will receive payment on the basis of the moving expense schedule (Fixed Rate Method) which is prepared by the U.S. Department of Transportation and shown below for the State of North Carolina.

Occupant Owns Furniture								Occupant Does Not Own Furniture		
Number of Rooms of Furniture										
1	2	3	4	5	6	7	8	Each Add. Room	First Room	Each Add. Room
550	750	1050	1200	1350	1600	1700	1900	150	350	50

Under the Fixed Rate method, it should be noted that certain rooms are excluded from the calculations. These include unfurnished or unused rooms, halls, bathrooms, attics, porches, garages, dressing rooms and utility rooms. However, should the relocatee have sufficient storage room in the above stated rooms, the Town may count one additional room for the sum of these, but this is not to exceed one additional room for the calculation of the number of eligible rooms in the dwelling.

Replacement Housing Payment

A permanently displaced individual or family covered under this Plan shall be eligible to receive replacement housing payments in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended (URA). Specifically referenced are the following sections of the URA:

1. Section 24.401 – 180 Day Homeowners
2. Section 24.403 – Additional Rules
3. Section 24.404 – Replacement Housing of Last Resort

Complaint Procedure

The Town conforms to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, the Town solicits the cooperation of all owners and requests an opportunity to discuss them in an effort to satisfy all parties concerned. The Town has adopted the following Complaint Procedure:

Should any individual, family or entity have a complaint concerning the Town of River Bend Community Development Program, the complaint should first be discussed with the Project Manager. **ALL EFFORTS SHOULD BE EXHAUSTED TO RESOLVE THE COMPLAINT AT THIS LEVEL.**

If the complaint cannot be resolved in this manner, a meeting with the Town Manager, to discuss the complaint should be requested. The request should be in writing and should briefly outline the complaint. A meeting date and time will be established within ten (10) calendar days of receipt of the request. Upon meeting and discussing the complaint, a reply will be made, in writing, within ten (10) calendar days.

If the citizen is dissatisfied with local response, they may **write** to the North Carolina Department of Commerce, Division of Community Assistance (DCA), 4313 Mail Service Center, Raleigh, North Carolina 27699-4313. DCA will respond **only to written comments** within ten (10) calendar days of the receipt of the comments.

John Kirkland, Mayor

DATE

QUARTERDECKS CLUSTER III HOA STREET DEDICATION

The Town Manager said that the HOA has been working on and discussing this project for many years. Representatives of the HOA will attend the Regular Meeting to ask the Council to consider accepting their roads. Mr. Jackson said that they have been informed that acceptance will be contingent upon them meeting the requirements of the Town's engineer.

Discussion of Town's Building Use Policy

BUILDING USE POLICY

Mr. Jackson told the Council that he has made some proposed changes to the current Building Use Policy including a deposit fee and a policy that would make most groups subject to a user fee. This would include most HOA's. He asked the Council to consider these changes for the Regular meeting.

ASADRA GRANT/LOAN APPLICATION FOR HURRICANE FLORENCE

The Manager said that, if we apply, we can do so by agree to take the risk of paying the engineer \$7,500 to submit the application. If the grant is awarded, the Town can then hire the engineer to manage the project, at which point the engineer will forego the application submission fee. If the Town should choose another engineer to manage the project, it would still owe the \$7,500 submission fee to the first engineer. The maximum award would be \$150,000.

Councilman Fogle **moved to approve the Agreement for Grant and/or Loan Application Services with Municipal Engineering Services Company, P.A. as presented.** The motion carried unanimously.

HURRICANE RECOVERY MAP

Mr. Jackson told the Council that Assistant Zoning Administrator Allison McCollum is planning to attend the Regular meeting to make a presentation on this item.


WEBSITE PARTNERSHIP AGREEMENT

The Manager said that this agreement will allow the Town to update our webpage and migrate to VC3 support. If this Plan is approved, the Town will pay \$620 per month for the 4-year term of the Agreement.

Councilman McClard **moved to approve the Website Partnership Plan with VC3 as presented.** The motion carried unanimously.

ADJOURNMENT

There being no further business, Councilman Sheffield **moved to adjourn.** The motion carried unanimously. The meeting adjourned at 7:00 p.m.



Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
March 19, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Bud McClard Buddy Sheffield Irving Van Slyke
Absent Council Member:	Brian Leonard
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, March 19, 2020 in the Town Hall Meeting Room with a quorum present.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman McClard **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 13, 2020 Work Session*
 - Minutes of the February 13, 2020 Closed Session*
 - Minutes of the February 20, 2020 Regular Meeting*

ADMINISTRATIVE REPORTS

PUBLIC SAFETY – COUNCILMAN DON FOGLE

Councilman Fogle reported that the River Bend CERT group met on February 26, 2020 in Town Hall. The discussion focused on a recent Search and Rescue Training session held on February 16, 2020 at the Township 9 Fire Station. Four RB CERT members participated in classroom and field exercises. All participants felt it was a very positive, worthwhile experience.

Shelia McNeil told the group about a North Carolina CERT Council meeting that she attended, and detailed upcoming training opportunities. The next CERT meeting was planned for March 25, 2020, but that has been cancelled due to the COVID-19 virus precautions.

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Parks and Recreation - All events have been cancelled until further notice.

Library - The library is closed until further notice.

Organic Garden - Limited work only for necessary maintenance, individuals.

CAC - All meetings and activities cancelled until further notice.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor said that the Public Works Advisory Board did not meet in March and their next scheduled meeting will be on April 7.

There is a vacancy on this Advisory Board. Any River Bend resident interested in serving on the Board should contact the Town Clerk for an application form. When the form is completed, the Clerk will forward it to the members of the Town Council for their action.

This Board considers the maintenance and construction involving Town infrastructure. The Town Manager and the Public Works Director normally attend the Board meetings and give construction and maintenance updates.

Vote – Designation of Applicant's Authorized Official Resolution – Manager Jackson told the Council that, since they approved applying for the water meter grant/loan last week, they needed to adopt this Resolution. It designates the Manager as the authorized agent to supply information and file the application on behalf of River Bend. He presented the following:

RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina 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 WATER METER REPLACEMENT and RELOCATING the BILLING SERVERS, and
- WHEREAS, The TOWN OF RIVER BEND has need for and intends to REPLACE WATER METERS AND RELOCATE THE BILLING SERVER OUT OF THE FLOODPLAIN, and
- WHEREAS, The TOWN OF RIVER BEND intends to request state loan and grant assistance for the project,

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

That the TOWN OF RIVER BEND, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan 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 or grant to aid in the 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 March 19TH day of March, 2020 at the Town Hall at River Bend, North Carolina.

_____, Mayor
(Signature of Chief Executive Officer)

Councilman Fogle **moved to approve the Designation of Applicant's Authorized Official Resolution as presented.** The motion carried unanimously.

FINANCE – COUNCILMAN IRVING VAN SLYKE, JR.

Financial Report – Town Manager Delane Jackson told the Council that the total of the General Fund Cash Balances as of February 29, 2020 was \$4,885,283. Ad valorem tax collections were at \$105,596.

Vote – Building Use Policy – Council members still had a number of questions regarding this proposed policy. Mr. Jackson pointed out that, because of the COVID-19 emergency, none of the rooms are being used by any group except the Council, so there is still time to consider this item. Councilman Van Slyke **moved to table the Building Use Policy to a later date.** The motion carried unanimously.

MAYOR'S REPORT

The Mayor said that his February report discussed the torturous route that the construction of the new Police Department offices and meeting room building had traveled to get to the point of construction. Last month the report also discussed the building site necessitated the relocation of the basketball court.


This project has gone well to date and we expect that the completion will result in a building that will serve River Bend well for many years to come. The building is attractive and its location has allowed the contractor a site where he can operate without significant impact on Town operations. The Mayor asked that all citizens complete their Census 2020 form.

Before next month's meeting the Council and staff will be involved in drafting the budget for fiscal year 2020-2021. It is a fact that even at the local government level issues involving budget are of

prime importance and occupy a considerable amount of the time of Council members and staff involved in the conduct of government business.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 7:13 p.m.


Ann Katsuyoshi
Town Clerk

River Bend Town Council
Work Session Minutes
April 9, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members: Mayor John Kirkland
Don Fogle
Brian Leonard
Bud McClard
Buddy Sheffield
Bud Van Slyke
Town Manager: Delane Jackson
Police Chief: Sean Joll
Finance Administrator: Margaret Theis

BUDGET AMENDMENT B-19-08

The Manager presented budget amendment B-19-08 to the Council. He explained that it transfers existing funds in the General Fund, which are anticipated to be unspent this fiscal year, to the BUS Capital Project Fund to pay for the installation of IT services by VC3. Councilman Van Slyke **moved to approve Budget Amendment B-19-08 as presented.** The motion carried unanimously.

ASADRA GRANT APPLICATION POINT SYSTEM

The manager presented the following proposed Water System Capital Improvement Plan.

TOWN OF RIVER BEND- CAPITAL IMPROVEMENT PLAN								As of April 9, 2020	
Water Fund		2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2026-2030	
Appropriation: Annual				600,000		0	40,000	100,000	
Appropriation: Well pump		0	0	0	0	0			
Appropriation: Vehicles (50/50 W/S)		3,500	3,500	3,500	3,500	3,500	3,500	17,500	
FY Appropriation:		\$ 3,500	\$ 3,500	\$ 603,500	\$ 3,500	\$ 3,500	\$ 43,500	\$ 117,500	
Capital Projects	Project Completed								
Administration:									
Vehicle Replacement (split Water/Sewer)	Per schedule		11,000					15,000	
Treatment									
Well #1 Filter Media Rehab	09-10			13,000				17,000	
Well #2 Filter Media Rehab						15,000			
Treatment House interior filter painting									
Well #3 Filter Media Rehab	10-11							17,000	
Well #1 Pump Replacement	13-14		21,000					20,000	
Well Meter Replacement									
AMR/AMI Meter Replacement				600,000					
Distribution									
Line Replacement	12-13							25,000	
Howell Center and Riverstone Backflow	11-12								
Harbourwalk Line Replacement	13-14								
New Bern Interconnection							40,000	40,000	
Industrial Meter Replacement						5,000			
Lines & Tanks									
	FY Expenditures:	0	32,000	613,000	0	20,000	40,000	134,000	
		2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2026-2030	
	Net Capital Cash:	\$ 3,500	\$ (28,500)	\$ (9,500)	\$ 3,500	\$ (16,500)	\$ 3,500	\$ (16,500)	

The Manager reminded the Council that the town was preparing an application for the State's Clean Water Revolving Fund. The application process assigned points to applicants that have certain programs or policies in place upon submission of the application. The manager submitted a resolution relative to the town's 10-year capital improvement plan for its water system. The manager presented the following resolution:

**RESOLUTION TO ADOPT
THE TOWN OF RIVER BEND
CAPITAL IMPROVEMENT PLAN
For the Years
2020-2030**

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

The document entitled "Town of River Bend Capital Improvements Plan for the Water System for the Years 2020-2030", dated April 9, 2020 was presented and adopted by the Town Council for the Town of River Bend, North Carolina at its regular meeting held on this 9th day of April, 2020.

Adopted this 9th day of April, 2020

John Kirkland, Mayor

Councilman McClard **moved to approve the Water System Capital Improvement plan, dated April 9, 2020, and adopt the resolution as presented.** The motion carried unanimously.

The Manager also discussed a possible revision to the town's residential water rate structure. He informed the Council that during the application process it was discovered that the operating ratio for the water system had fallen below 1.0. He explained that in order to have an operating ratio of at least 1.0, the system had to generate enough revenue to cover all of the expenses. He pointed out that for fiscal year ending, 2018-19, the ration was only 0.82. This was directly attributable to the Council action that year to cut the customer base fee by \$5.00. After much discussion, the Council decided to increase the current base fee by \$3.00 from \$10.24 to \$13.24. This would be achieved by increasing the demand component of the base rate from \$5.44 to \$8.44. The demand component is what had been cut by \$5.00 in the FY18-19 budget. The manager stated that the average bill was for around 3,000 per month. The new rate structure will generate a bill of \$25.30 per month for 3,000 gallons of water, as compared to \$22.30 per month with the current rates. The new rate will generate a bill of \$33.34 for 5,000 gallons of water. Councilman McClard asked the Manager if the new rates would generate enough revenue to produce an operating ratio of 1.0. The Manager said he believed they would. Councilman Fogle said he would only support the increase at this point in the fiscal year if the Council agreed not to

increase the water rates during the upcoming budget workshops. The manager stated that the proposed increase was for residential accounts only. Buddy Sheffield said that he did not want to do anything that would increase costs for our businesses. The Manager presented the following rate schedule for consideration:

**TOWN OF RIVER BEND
Schedule of Water Rates**

Water and Sewer - Rates and Fees

	Water
Class 1 and 2 – Residential	
Customer Base Charge per month	13.24
Usage Per 1,000 gallons	4.02
Initial Connection (Tap) charge	1,250.00
Nonpayment Fee	70.00
Class 3 and 4 - Commercial	
Customer Base Charge per month	48.32
Usage per 1,000 gallons	4.02
Initial Connection (Tap) charge	3,500.00
Nonpayment Fee	100.00
Class 5 - Industrial	
Customer Base Charge per month	146.24
Usage per 1,000 gallons	4.02
Initial Connection (Tap) charge	5,000.00
Nonpayment Fee	200.00
Class 6 - Early Bird (No longer available)	
Class 7 - Fire Hydrant Charge	
Availability Charge per year	183.00
Class 8 - 1" Water Service	
Customer Base Charge per month	18.40
Usage per 1,000 gallons	4.02
Initial Connection (Tap) charge	1,500.00
Nonpayment Fee	100.00
Class 9 - Vacant /Out of Use Non-residential Property	
Customer Base Charge per month	10.24
Usage per 1,000 gallons	4.02
Nonpayment Fee	70.00
Class 10 - Vacant Residences	
Customer Base Charge per month	13.24
Nonpayment Fee	70.00

Councilman Sheffield moved to increase the customer base rate for residential water accounts only by \$3.00 per month from \$5.44 to 8.44, which will create a base charge of \$13.24. The motion carried unanimously.

COVID-19 HUMAN RESOURCE POLICY AMENDMENT

The Manager lead a discussion about the recently adopted Families First Coronavirus Response Act and how it may impact the town's personnel. He presented the following proposed amendment:

Section 26. Families First Coronavirus Response Act (FFCRA)

For the purposes of compliance with the Families First Coronavirus Response Act (FFCRA), the following positions are hereby defined as emergency responders essential to the town's response to COVID-19 and therefore are excluded from coverage under the FFCRA:

- 1. Town Manager*
- 2. Police Chief*
- 3. Public Works Director*
- 4. Finance Administrator*
- 5. Town Clerk*
- 6. Deputy Town Clerk*
- 7. Finance Assistant*
- 8. Assistant Zoning Administrator*
- 9. Police Sergeant*
- 10. Police Officer*
- 11. Public Works Technician*
- 12. Water Operator*

Section 27. Emergency Paid Sick Leave Provisions

Upon approval by the Town Manager, any employee in a position listed in Section 26 may be granted up to 80 additional hours of paid sick leave when the employee is unavailable to work because: the employee is subject to a Federal, State or local quarantine or isolation order related to COVID-19, has been advised by a health care provider to self-quarantine related to COVID-19 or is experiencing COVID-19 symptoms and is seeking a medical diagnosis.

After a lengthy discussion, Councilman Sheffield motioned to approve the amendment to Article VII, Section 26 and 27 of the Town's Human Resources Policy as presented. The motion carried unanimously.

GOVERNOR'S EXECUTIVE ORDER 124 REQUIREMENTS

The Manager presented the Council with a copy of the town's proposed language relative to the Governor's Executive Order in regards to utility billing during the Coronavirus pandemic as follows:

COVID-19 Related Utility Billing Update

During the COVID-19 emergency, the Town of River Bend is working to support residents and our utility customers. To help ensure residents can remain at home and slow the spread of the coronavirus, effective March 31, 2020 and consistent with the Governor's Executive Order 124 (EO), the Town of River Bend will not disconnect residential water and/or sewer service due to late or non-payment during the term of the Executive Order. In addition, the Town is waiving all penalties and fees associated with late and nonpayment of residential utility accounts during the current term or any extension of the EO. Currently, the EO will expire on May 29, 2020. If the EO is extended, the Town will extend the terms of these conditions.

Please keep in mind that customers are still responsible for paying all other billing associated with water and/or sewer service. Your normal fees (base + usage) will not be waived. **Only late fees and nonpayment fees will be waived during the term of the EO.** The Town of River Bend only sends utility bills bi-monthly (every other month). In order to avoid accumulating large balances, customers are encouraged to continue to make payments, even if you cannot pay in full. Even though the town only sends utility bills bi-monthly, customers can make a partial payment anytime.

For those customers who have an outstanding balance as of May 30, 2020, the Town of River Bend will offer a payment plan, but the plan will only be for the bills that accrued during the time of the Executive Order. The payment plan will consist of the outstanding balance being divided equally by 6 and being due in 6 equal installments over a 6 month period. For example: A customer who has a \$300.00 outstanding balance on May 30, 2020 will have the option to make 6 equal payments of \$50.00 over the next 6 months. The \$50.00 payment will be due in addition to what your utility bill is for that billing cycle. Remember, the Town only bills bi-monthly. Therefore, in this example, your bi-monthly statement would show a payment plan balance of \$100.00 (\$50.00 x 2 months). If you choose to do so, you can pay the outstanding amount in full at any time or you can pay more than the minimum amount due. Upon expiration of the EO, all late and nonpayment fees will return to being effective as they were before the EO. Customers must contact the Town to enroll in the payment plan.

Also, any occupied residential unit that was disconnected due to nonpayment prior to March 31, 2020 will be reconnected and the terms of the EO will be applied to those accounts.

These temporary regulations ONLY apply to RESIDENTIAL accounts.

NON-RESIDENTIAL accounts will be subject to all of the normal fees/policies.

The Manager stated that this language would appear on our web page and be sent via e-news and Blackboard. Councilman McClard **motioned to approve utility billing language as presented.** The motion carried unanimously.

PROPOSED BUDGET WORKSHOP CALENDAR

The Manager presented a proposed budget workshop calendar to the Council for consideration. The calendar proposed conducting workshops on May 5, 7, 12 and 14 and on May 19 if necessary. It also proposes release of the proposed budget message on May 28, with a public hearing on June 11 and final adoption on June 18. The Manager stressed that this was all subject to change based on what happens with the Coronavirus. Councilman Van Slyke **motioned to approve the calendar as presented.** The motion carried unanimously.

RESOLUTION RECOGNIZING STAFF PERFORMANCE

The Mayor presented a resolution to recognize the performance of the staff during the Coronavirus as follows:

Town of River Bend Resolution
Recognizing the Town Staff's Service
During the Coronavirus Pandemic

Whereas, a worldwide pandemic exists related to the threat of the coronavirus, and
Whereas, in an attempt to slow the spread of the virus, many businesses have closed and many others have made modifications to their schedule, and
Whereas, social distancing and other measures have been ordered by the Governor and recommended by the Center for Disease Control, and
Whereas, the operations of the Town of River Bend are recognized as essential to the public health, safety and welfare of the town, and
Whereas, during the entirety of this pandemic, the town staff has continued to perform their duties and provide said services to the residents with very little disruption for the residents;
Now therefore be it resolved, that the Town Council of River Bend does hereby recognize the dedicated work of the entire staff and we wish to express our thanks to the staff for their performance during this critical time for our town.

Adopted this 9th day of April, 2020

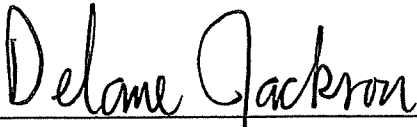
Councilman Sheffield **motioned to approve the resolution as presented.** The motion carried unanimously.

FINANCIAL REPORT

The Manager presented the finance report for month ending March, 2020, and stated that the total of cash and investments is \$4,640,070 and that the tax collection rate thus far is 101.1% of the budgeted amount.

ADJOURNMENT

There being no further business, Councilman Sheffield **moved to adjourn.** The motion carried unanimously. The meeting adjourned at 6:45 p.m.



Delane Jackson
Town Manager

**River Bend Town Council
Budget Workshop Minutes
May 14, 2020
River Bend Town Hall
4:00 P.M.**

Present Council Members: Mayor John Kirkland
Don Fogle
Brian Leonard
Bud McClard
Buddy Sheffield
Bud Van Slyke
Town Manager: Delane Jackson

The Mayor called the budget workshop back to order at 4 p.m. The manager announced that the meeting was also being made available for the public to participate through ZOOM via audio. The manager also announced that the PowerPoint presentation that was being presented at the meeting was available to the public via ZOOM. Each Council member introduced themselves so that any remotely participating citizens could be assured that each Council member was present. There were a few seats available in the room for the public and one member of the public was present.

The manager stated that since the last meeting, Councilman Fogle has contacted him and requested that the Council revisit the medical insurance issue that had been decided at the last meeting. The manager opened the meeting with a single slide (shown below) that showed some options, including the proposal Councilman Fogle had sent to him. He also pointed out that the cost to stay with the current plan had been reduced to 24.5% instead of the expected 29%.

Cost		Current	Budget-Estimate (7%)	Actual (24.5%)	3500 (5.5%)
1	Medical Premium Cost/mth	524.29	561.00	651.61	553.30
2	HRA Cost/mth	83.33	125.00	83.33	125.00
3	Premium + HRA/mth	607.62	686.00	734.94	678.30
4	HRA Benefit Amount /yr	1,000.00	1,500.00	1,000.00	1,500.00
5	Total Yearly Cost/yr	\$138,537.36	\$156,408.00	\$167,566.32	\$154,652.40
6	Difference vs. Budgeted	-\$17,870.64	\$0.00	\$11,158.32	-\$1,755.60
7	Difference vs. Current (\$)	\$0.00	\$17,870.64	\$29,028.96	\$16,115.04
8	Difference vs. Current (%)	0	12.90%	20.95%	11.63%

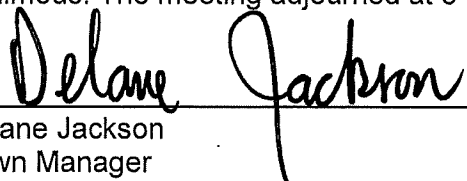
Councilman Fogle discussed his reason for requesting reconsideration of the issue and discussed the difference in costs. Councilman Fogle wanted to keep the current medical plan in place for next year and asked the Council to consider using an \$11,000 allocation of fund balance to pay for the increased medical costs and keep the current plan. A lively debate on the topic ensued with comments and questions from all Council members. Councilman McClard stated that he has spent a few hours researching this issue and he found that our proposed plan was as least as good as most towns and better than some others. He said this issue was about a lot more than a spread sheet. He said that he thought we should stay with the 3500 plan for a lot of reasons. Councilman Van Slyke stated that he was concerned about the overall big picture and did not look at it as a single line-item issue. Councilman Leonard said that he was concerned with the 5-year trend and had originally hoped to increase employee's salaries to an above average rate. He said that he was disappointed that it looked like we could not do that now. The difference in costs between the Transitional 3500 plan and the current plan were discussed. The manager stated that \$8,000 of the \$11,000 could be paid for by shifting money from the capital outlay line in the Stormwater Department because that money was not earmarked for a particular project. Councilman Leonard said that he liked that idea.

Councilman Sheffield stated that this is a complicated issue that affects employees differently. He stated that most employees are healthy and did not even use all of their current HRA benefit. He said he thinks the difference in the plans were not much and in a normal year, without a major medical event, it would not make much difference to an employees. He said that he thought the employees would appreciate it more if that \$11,000 was used to fund a raise for all employees. The manager stated that each additional 1% increase in COLA would cost about \$11,000, which is about what the additional cost of staying with the current plan is. He also informed Council that 10 of the current 19 employees have not used all of their HRA this year.

After much discussion but no consensus, the manager reminded the Council that the issue needed to be decided and suggested that someone put forth a motion. Buddy Sheffield motioned to change to the Transitional 3500 plan as presented and to include an additional 1% increase to COLA, bringing it to 3.1% for FY21. The motion passed with a vote of 3 yeas and 2 nays. Councilmen Van Slyke and Fogle voted against the motion.

The manager made a presentation covering the 5-year forecast for the general fund departments, general fund revenues and the fund balance for general fund. The manger recommended forgoing the May 19 budget workshop. He stated that it had originally been scheduled just in case it was needed. He informed the Council that all he had left to do was to present the draft budget message and draft budget ordinance and that he could do that at the May 21 regular Council meeting. The Council agreed with that recommendation.

Buddy Sheffield motioned to adjourn the meeting. Unanimous. The meeting adjourned at 5 p.m.



Delane Jackson
Town Manager

**River Bend Town Council
Work Session Minutes
May 14, 2020
River Bend Town Hall
5:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Police Chief:	Sean Joll
Finance Administrator:	Margaret Theis (by phone)
Town Clerk	Ann Katsuyoshi (by phone)
Town Attorney	Dave Baxter (by phone)

Because of the COVID 19 restrictions limiting gatherings to 10 people or fewer, it was necessary for the Town Attorney, Town Finance Administrator and Town Clerk to attend the meeting via telephone (ZOOM). The meeting room could accommodate three residents attending.

VOTE - DESIGNATE FEMA AGENT FOR COVID-19

The Town has passed the minimum limit for expenses related to COVID-19. In order to be reimbursed we are required to designate a FEMA Agent. Assistant Finance Administrator Mandy Gilbert has served as the Town's agent for other FEMA-related events and has done an excellent job.

Councilman Sheffield **moved to approve the FEMA Agent Resolution for COVID-19 as presented.** The motion carried unanimously.

DISCUSSION - BUDGET AMENDMENT 19-B-09

Manager Jackson told the Council this Budget Amendment is to recognize the \$363,000 grant that we received from the North Carolina Office of Recovery and Resiliency for water and sewer debt service and expenses in the General Fund.

DISCUSSION - RENEW CONTRACTS (3) WITH KA JONES DESIGN AND MANAGEMENT: LANDSCAPING, MOWING AND LEAF AND LIMB

Mr. Jackson said that Kevin Jones has offered to renew his current contracts for another two years. Mr. Jones has provided these services to the Town for a number of years and done good work.

DISCUSSION - PAMLICO SOUND REGIONAL HAZARD MITIGATION PLAN

The Town Manager said that the current plan expires on June 3rd. The Town needs to adopt the updated Plan this month. These plans are 5-year plans and covers the whole four county region. The document is provided on our website for those who are interested in reading it.

VOTE - SET DATE/PROCESS FOR PUBLIC HEARING FOR BUDGET

Councilman Van Slyke **moved to set the date for the Public Hearing on the Proposed Fiscal Year 2020-2021 Budget for Thursday, June 11, 2020 beginning at 5:00 p.m., or as soon thereafter as the matter can be reached.** The motion carried unanimously.

CLOSED SESSION


Councilman Sheffield **moved to go into a Closed Session under NCSG 143-328.11(a)(6), the Personnel exemption to the Open Meetings Law.** The motion carried unanimously. The Council entered Closed Session at 5:40 p.m.

OPEN SESSION

Councilman Sheffield **moved to return to Open Session** at 5:58 p.m. The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 6:00 p.m.


Ann Katsuyoshi
Town Clerk

River Bend Town Council
Work Session Minutes
May 14, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Police Chief:	Sean Joll
Finance Administrator:	Margaret Theis (by phone)
Town Clerk	Ann Katsuyoshi (by phone)
Town Attorney	Dave Baxter (by phone)

Because of the COVID 19 restrictions limiting gatherings to 10 people or fewer, it was necessary for the Town Attorney, Town Finance Administrator and Town Clerk to attend the meeting via telephone (ZOOM). The meeting room could accommodate three residents attending.

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The Town has passed the minimum limit for expenses related to COVID-19. In order to be reimbursed we are required to designate a FEMA Agent. Assistant Finance Administrator Mandy Gilbert has served as the Town's agent for other FEMA-related events and has done an excellent job.

Councilman Sheffield **moved to approve the FEMA Agent Resolution for COVID-19 as presented.** The motion carried unanimously.

DISCUSSION - BUDGET AMENDMENT 19-B-09

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Mr. Jackson said that Kevin Jones has offered to renew his current contracts for another two years. Mr. Jones has provided these services to the Town for a number of years and done good work.

DISCUSSION - PAMLICO SOUND REGIONAL HAZARD MITIGATION PLAN

The Town Manager said that the current plan expires on June 3rd. The Town needs to adopt the updated Plan this month. These plans are 5-year plans and covers the whole four county region. The document is provided on our website for those who are interested in reading it.

VOTE - SET DATE/PROCESS FOR PUBLIC HEARING FOR BUDGET

Councilman Van Slyke **moved to set the date for the Public Hearing on the Proposed Fiscal Year 2020-2021 Budget for Thursday, June 11, 2020 beginning at 5:00 p.m., or as soon thereafter as the matter can be reached.** The motion carried unanimously.

CLOSED SESSION


Councilman Sheffield **moved to go into a Closed Session under NCSG 143-328.11(a)(6), the Personnel exemption to the Open Meetings Law.** The motion carried unanimously. The Council entered Closed Session at 5:40 p.m.

OPEN SESSION

Councilman Sheffield **moved to return to Open Session** at 5:58 p.m. The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 6:00 p.m.

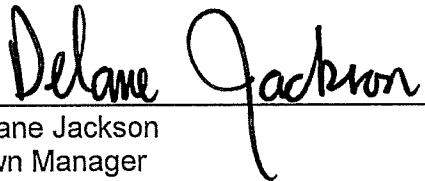

Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Budget Workshop Minutes
May 5, 2020
River Bend Town Hall
4:00 P.M.**

Present Council Members: Mayor John Kirkland
Don Fogle
Brian Leonard
Bud McClard
Buddy Sheffield
Bud Van Slyke
Town Manager: Delane Jackson

The Mayor called the budget workshop to order at 4 p.m. The manager announced that the meeting was also being made available for the public to participate through ZOOM via audio. The manager also announced that the PowerPoint presentations that was being presented at the meeting was available to the public via ZOOM. Each Council member introduced themselves so that any remotely participating citizens could be assured that each Council member was present. There were a few seats available in the room for the public but no member of the public attended.

The manager made a presentation for the proposed FY21 budget, which covered 10 of the 19 departments in the general fund. There was general discussion about budget items throughout the meeting. Councilman Fogle and Councilman Leonard said they that would like to take steps to increase employee salaries to above the state average for our peer group because they believed that our staff was better than average. The manager explained that the proposal included a COLA of 2.1% and a 1% increase due to merit pay for each eligible employee. Buddy Sheffield motioned to recess the meeting until 4 p.m. on May 7th. Unanimous. The meeting recessed at 6 p.m.



Delane Jackson
Town Manager

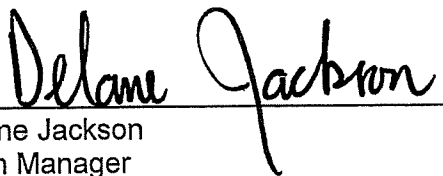
**River Bend Town Council
Budget Workshop Minutes
May 7, 2020
River Bend Town Hall
4:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson

The Mayor called the budget workshop back to order at 4 p.m. The manager announced that the meeting was also being made available for the public to participate through ZOOM via audio. The manager also announced that the PowerPoint presentation that was being presented at the meeting was available to the public via ZOOM. Each Council member introduced themselves so that any remotely participating citizens could be assured that each Council member was present. There were a few seats available in the room for the public and one member of the public was present.

The manager updated the Council on a change that had taken place since the last workshop. He informed Council that the current budget contained a 7% increase for medical insurance. He reported that the actual figure he had received was a 29% increase and staying with the current plan would cost about \$30,000 more than is in the current budget proposal. He stated that he was meeting with the insurance agent tomorrow to discuss changes to the plan which would allow us to stay within the current budget proposal. Stating that some of those changes may include a change in benefits. He stated it was a work in progress and he would report back to Council later.

The next item was a presentation from Police Chief Joll concerning the Police Department budget. The manager made a presentation covering the final 9 general fund departments, general fund revenues and the fund balance for general fund. The manager stated that his recommendation was to keep the tax rate the same for next fiscal year. The Council agreed. Councilman Buddy Sheffield motioned to recess the meeting until 4 p.m. on May 12th. Unanimous. The meeting recessed at 6 p.m.



Delane Jackson
Town Manager

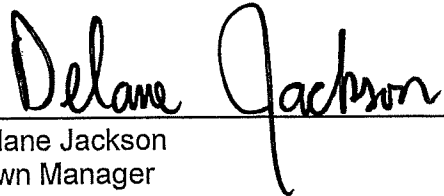
**River Bend Town Council
Budget Workshop Minutes
May 12, 2020
River Bend Town Hall
4:00 P.M.**

Present Council Members: Mayor John Kirkland
Don Fogle
Brian Leonard
Bud McClard
Buddy Sheffield
Bud Van Slyke
Town Manager: Delane Jackson

The Mayor called the budget workshop back to order at 4 p.m. The manager announced that the meeting was also being made available for the public to participate through ZOOM via audio. The manager also announced that the PowerPoint presentation that was being presented at the meeting was available to the public via ZOOM. Each Council member introduced themselves so that any remotely participating citizens could be assured that each Council member was present. There were a few seats available in the room for the public and one member of the public was present.

The meeting began with a presentation from Public Works Director Mills concerning the water and sewer budgets. The manager made a presentation covering all enterprise funds, water and sewer cash funds, water and sewer revenues and the town's utility rate model was presented and various rates were discussed. There was general discussion about budget items throughout the meeting. The manager stated that his recommendation was to keep the utility rates the same for next fiscal year, noting that the base fee for water had just increased in April. The Council agreed. The manager presented a medical plan option that would lower benefits for employees but the cost would be within the current budget proposal and raise the employee HRA benefit from \$1,000 to \$1,500. The Council unanimously agreed to support the "Transitional 3500" medical insurance plan as presented.

Buddy Sheffield motioned to recess the meeting until 4 p.m. on May 14th. Unanimous. The meeting recessed at 6:30 p.m.


Delane Jackson
Town Manager

**River Bend Town Council
Regular Meeting Minutes
May 21, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Irving Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi (by phone)
Town Attorney:	Dave Baxter (by phone)
Finance Administrator:	Margaret Theis (by phone)
Police Chief:	Sean Joll

Because of the COVID 19 restrictions limiting gatherings to 10 people or fewer, it was necessary for the Town Attorney, Town Finance Administrator and Town Clerk to attend the meeting via telephone (ZOOM). The meeting room could accommodate three residents attending.

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, May 21, 2020 in the Town Hall Meeting Room with a quorum present.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman McClard **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 12, 2020 Work Session*
 - Minutes of the March 19, 2020 Regular Meeting*
 - Minutes of the April 9, 2020 Work Session*

PRESENTATION OF DRAFT BUDGET MESSAGE AND ORDINANCE

The Manager provided the Council with copies of the draft Budget Message and Ordinance. He said that it will be available to the public on May 28 and will be posted on the Town's website.

ADMINISTRATIVE REPORTS

ENVIRONMENT AND WATERWAYS ADVISORY BOARD – COUNCILMAN BRIAN LEONARD

The Environment and Waterways Advisory Board did not meet this month because of COVID-19 restrictions on meetings. However, there is still a vacancy on this Board and Councilman Leonard encouraged interested residents to apply.

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Again, all Advisory Board meetings were canceled. However, Councilman McClard said that the Organic Gardening is continuing its work.

Vote – Approve Contracts with KA Jones Management: Landscaping, Mowing, Leaf and Limb - Mr. McClard reminded the Council that this item was discussed at the Work Session. Each of these is a separate contract and will be voted on individually.

Councilman McClard **moved to award the contract for landscaping services to K.A. Jones Design Services for the period of July 1, 2020 to June 30, 2022, and authorize the Mayor to sign on behalf of the Town.** The motion carried unanimously.

He then **moved to award the contract for mowing services to K.A. Jones Design Services for the period of July 1, 2020 to June 30, 2022, and authorize the Mayor to sign on behalf of the Town.** The motion carried unanimously.

Mr. McClard **moved to award the contract for leaf and limb pick up services to K.A. Jones Design Services for the period of July 1, 2020 to June 30, 2022, and authorize the Mayor to sign on behalf of the Town.** The motion carried unanimously.

Vote – Appoint Dave Moazed to the Parks & Recreation Board for a term beginning May 21, 2020 and expiring June 30, 2021 – Councilman McClard said that Dave Moazed has requested to join the Parks and Recreation Advisory Board. He **moved to appoint Dave Moazed to the Parks & Recreation Board for a term beginning May 21, 2020 and expiring June 30, 2021.** The motion carried unanimously.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor said there was no PWAB meeting this month and a very important issue facing the Board is the retirement of several Board Members. The Board now needs as many as four new members. If there are persons interested in serving on this Board, the Mayor would be pleased to talk with them to answer questions as to the function of the Board.

Vote – Adopt Pamlico Sound Regional Hazard Mitigation Plan – The Manager said that the current Plan expires of June 3. These are 5-year plans. The document is 653 pages long and is available on the Town's website.

Councilman Van Slyke **moved to adopt the Pamlico Sound Regional Hazard Mitigation Plan as presented.** The motion carried unanimously.

FINANCE – COUNCILMAN IRVING VAN SLYKE, JR.

Financial Report – Town Manager Delane Jackson told the Council that the total of the General Fund Cash Balances as of April 30, 2020 was \$4,834,841. Ad valorem tax collections were at \$652,368.

Vote – Approve Budget Amendment 19-B-09 – Councilman Van Slyke **moved to approve Budget Amendment 19-B-09 as presented.** The motion carried unanimously.

PLANNING BOARD – COUNCILMAN BUDDY SHEFFIELD

Councilman Sheffield reported that the Planning Board met on May 7 to discuss the changes to the Flood Damage Prevention Ordinance.

PUBLIC SAFETY – COUNCILMAN DON FOGLE

Councilman Fogle said that the CERT and Community Watch did not meet this month.

Vote – Approved Alternate Egress Resolution - The Manager said that this is the Resolution discussed in the Budget Workshops about the need to find an alternative egress route for residents in case of an emergency. Councilman Fogle moved to approve the Alternative Egress Resolution as presented. The motion carried unanimously.

MAYOR'S REPORT

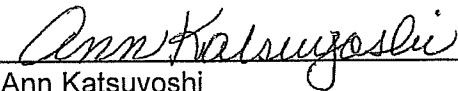
The Mayor said that the development of the Town's 2020-2021 Budget has already been discussed. This was a compressed development schedule that the Council, Manager and Staff worked through in producing the document in time to meet the State mandated completion of municipal budgets. The Town is fortunate that the Council, Manager and staff are dedicated individuals and accept their responsibility for working up the budget documents.

The conduct of Town governing business has continued during this pandemic while complying with the Governor's "social distancing" rules. We are fortunate that the entire staff has continued to work a normal schedule and the residents have not experienced any interruption of service from the Town-owned utilities.

Most certainly, everyone looks forward to the day when the nation will arrive at what will be the new normal for our lives. We in River Bend need to accept that how we adapt will be at the speed and under the format that State agencies direct. To move faster or without consideration of mandated restrictions would be wasteful.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn**. The meeting adjourned at 7:45 p.m.


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Work Session Minutes
June 11, 2020
River Bend Town Hall
5:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Police Chief:	Sean Joll
Finance Administrator:	Margaret Theis
Town Clerk	Ann Katsuyoshi
Town Attorney	Dave Baxter

PUBLIC HEARING – FLOOD DAMAGE PREVENTION ORDINANCE AMENDMENT

Town Manager Delane Jackson told the Council that he has not received any public comments on this item. The Town advertised this Public Hearing on our website and in our e-news. As required by law, we have also run two half-page ads in the newspaper. The Planning Board has taken action on the Flood Damage Prevention Ordinance Amendment and the State of North Carolina has reviewed and approved our proposal. The language used in the Amendment was dictated by FEMA. The Town Attorney has also reviewed the proposed Amendment. Mayor Kirkland pointed out that the Council has discussed the necessity of making these changes over several meetings.

Councilman Sheffield **moved to go into Public Hearing to discuss the Flood Damage Prevention Ordinance Amendment.** The motion carried unanimously.

He then invited anyone who wished to address this proposed Amendment to step to the podium and be heard.

With no one stepping forward, Councilman Sheffield **moved to close the Public Hearing.** The motion carried unanimously.

The Council will vote on the Amendment at its Regular Meeting on June 18th.

PUBLIC HEARING – FY 2020-2021 TOWN BUDGET

Councilman Van Slyke noted that, because of COVID-19, we are on a compressed schedule this year. However, despite the delays, the Council and staff have been able to

construct a balanced budget without the need for reducing services or a property tax increase.

He moved **to go into Public Hearing to discuss the proposed Fiscal Year 2020-2021 Budget.** The motion carried unanimously.

He then invited anyone who wished to address this proposed Budget to step to the podium and be heard.

With no one stepping forward, Councilman Van Slyke **moved to close the Public Hearing.** The motion carried unanimously.

The Council will vote on the Budget at its Regular Meeting on June 18th.

FY 2020-2021 LEAF AND LIMB PICKUP SCHEDULE

The Manager pointed out the proposed Leaf and Limb Schedule for the upcoming fiscal year. He said that it follows the same schedule that the Town has used for several years.

ADVISORY BOARD REAPPOINTMENTS

Mr. Jackson reminded the Council that Advisory Board reappointments will be made at the Regular Meeting.

STATEWIDE MUTUAL AID AGREEMENT REVISION

The Manager said that the Town has participated in this Agreement for many years. He, therefore, recommended that the Town approve the minor modifications made to the Agreement.

VOTE - HAZARD MITIGATION PLAN RESOLUTION

Manager Jackson told the Council that the Town has participated in the Pamlico Sound Regional Hazard Mitigation Plan for several years. It includes the county and the other municipalities within the county. It was our participation in this plan that allowed us to begin the clean-up process so quickly after Hurricane Florence.

Councilman Fogle **moved to approve the Hazard Mitigation Plan Resolution as presented.** The motion carried unanimously.

DEDICATION OF ROADS INTO TOWN STREET SYSTEM: VIRGINIA COURT AND QUARTERDECK III

Mr. Jackson said that we need to accept these two streets into our system before July 1 so that we can include them in our Powell Bill report. The Town's engineer has inspected both and has deemed them ready to accept.

VOTE – FY 2019-2020 YEAR-END BUDGET AMENDMENT

Manager Jackson said that this is our usual year-end clean up Amendment. It does not involve any new funds; just reallocating already appropriated funds to the departments where they are needed such as the funds to purchase furniture for the new Municipal Building.

Councilman Van Slyke moved to approve the Fiscal year 2019-2020 Budget Amendment as presented. The motion carried unanimously.

DISCUSSION – JULY 4TH EVENT

Councilman Sheffield proposed that he and one other vehicle do a Takeout Parade on July 4. The Town has cancelled its normal July 4th activities because of COVID-19 and the ongoing construction on Town Hall building. So, Councilman Sheffield proposed driving through the Town playing patriotic music and handing out small American flags. He would also like the Town to advertise this event.

The Council members discussed this item at some length. It was determined that, in order to advertise this event, it needed to be sanctioned by the Town. Councilman Sheffield moved that the proposed Take-out Parade be designated an official Town event. The motion carried unanimously.

DISCUSSION – SUBDIVISION ORDINANCE

Councilman Leonard asked why sidewalks were not being required in new subdivisions. He said that he thought they would add property value and would provide a safer place for residents to walk. After some discussion, it was decided to return this item to the Planning Board for consideration.

APPOINT JON HALL TO THE ENVIRONMENT AND WATERWAYS ADVISORY BOARD

Mr. Leonard said that Mr. Hall will be appointed to the Environment and Waterways Advisory Board to fill an unexpired term.

FINANCIAL AND BUDGETARY POLICY AMENDMENT

Town Manager Jackson said that, until recently, state law mandated that the Town make a bank deposit every day, regardless of the amount of money collected that day. Recently, the state law has changed and now we are only required to make a deposit on the days that we collect at least \$500, or when our total amount collected over more than one day is \$500. We need to update our policy to reflect this change.

CLOSED SESSION

Councilman Sheffield moved to go into a Closed Session under NCSG 143-328.11(a)(6), the Personnel exemption to the Open Meetings Law. The motion carried unanimously. The Council entered Closed Session at 6:20 p.m.

OPEN SESSION


Councilman Sheffield moved to return to Open Session at 7:05 p.m. The motion carried unanimously.

Bud Van Slyke motioned to award a bonus to the Town Manager in the amount of \$4,500. The motion carried with four ayes and one nay (Fogle).

Brian Leonard motioned to award an additional bonus to the Finance Assistant in the amount of \$900. The motion carried with four ayes and one nay (Fogle).

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 7:18 p.m.


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
June 18, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Irving Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis
Police Chief:	Sean Joll

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, May 21, 2020 in the Town Hall Meeting Room with a quorum present.

ADDRESSES TO COUNCIL

Phyllis Hoffman, 105 Lantern Lane, commended the parade held in honor of the Town's 2020 graduates and recommended that we have a parade every year.

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 May 5, 2020 Budget Workshop
Minutes of the May 7, 2020 Budget Workshop
Minutes of the May 12, 2020 Budget Workshop
Minutes of the May 14, 2020 Budget Workshop
Minutes of the May 14, 2020 Work Session
Minutes of the May 14, 2020 Closed Session
Minutes of the May 21, 2020 Regular Meeting*

B. Advisory Board Reappointments

*PLANNING BOARD: Reappoint Egon Lippert and John Payne to a term beginning July 1, 2020 and expiring on June 30, 2022;
PARKS AND RECREATION: Reappoint Mary Dwyer, Meg Williams and Nancy Fogle to a term beginning July 1, 2020 and expiring on June 30, 2022;
ENVIRONMENT AND WATERWAYS ADVISORY BOARD: Reappoint Patty Leonard, Marry Holihan, Raymond Jaklitsch and Jim Stevens to a term beginning July 1, 2020 and expiring on June 30, 2022;
COMMUNITY APPEARANCE COMMISSION: Appoint Nancy Del'Aria as a full-time member to a term beginning July 1, 2020 and expiring on June 30, 2021, appoint John Meehan as a full-time member to a term beginning July 1, 2020 and expiring on June 30, 2022, and appoint Meg Williams as an Alternate to a term beginning July 1, 2020 and expiring on Jun 30. 2022;*

PUBLIC WORKS ADVISORY BOARD: Reappoint Rick Seeger, Buck Irvin and Steve Dentico to a term beginning July 1, 2020 and expiring on June 30, 2022; and
AUDIT COMMITTEE: Reappoint Councilman Irving Van Slyke, Councilman Harry McClard, the Finance Administrator, the Town Manager and L.J. Danehy to terms beginning July 1, 2020 and expiring on June 30, 2021.

ADMINISTRATIVE REPORTS

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Vote – Adopt FY 2020-2021 Leaf and Limb Pickup Schedule – Town Manager Jackson reminded the Council that this proposed Schedule follows the same pattern as has been used for several years. Councilman McClard **moved to adopt the fiscal year 2020-2021 Leaf and Limb Pickup Schedule as presented**. The motion carried unanimously.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor said that the PWAB met on June 2 for their scheduled meeting. A very important issue facing the Board is the retirement of several Board Members. Chairman Frank Bruno announced that he would not seek to be reappointed, Buck Irvin was nominated and elected to serve as Chairman. He also agreed to serve as the interim secretary until full membership is achieved. Mr. Lou Colombo and Mr. Jim Hoffman also resigned following years of service to the Town. We now need as many as four new members. If there are persons interested in serving on this Board Mr. Bruno or myself would be pleased to talk with any candidate to answer questions as to the function of the Board. I expressed appreciation to members Bruno, Hoffman and Colombo for their years of faithful service to this Board and the Town.

Manager Jackson briefed the Board on ongoing projects involving both Public Works staff and contract work being performed by vendors.

The meeting adjourned with the next scheduled meeting on August 4..

Vote – Accept Streets into Town System - Mr. Jackson said that we need to accept these two streets into our system before July 1 so that we can include them in our Powell Bill report. The Town's engineer has inspected both and has deemed them ready to accept. Councilman Fogle **moved to accept the streets in Quarterdeck III and the street of Virginia Court, as described in the deed prepared by the Town Attorney's Office, into the Town of River Bend street system**. The motion carried unanimously.

FINANCE – COUNCILMAN IRVING VAN SLYKE, JR.

Financial Report – Finance Administrator Margaret Theis told the Council that the total of the General Fund Cash Balances as of May 31, 2020 was \$4,337,035. Ad valorem tax collections were at \$652,404.

Vote – FY 2020-2021 Budget – Councilman Van Slyke reminded the Council that the Public Hearing for this Budget was held at the Work Session. He **moved to adopt the Fiscal Year 2020-2021 Budget Ordinance as presented**. The motion carried unanimously.

Vote – Financial and Budgetary Policy Amendment – Again, Councilman Van Slyke said that this item was discussed at the Work Session. He **moved to approve the Financial and Budgetary Policy Amendment as presented**. The motion carried unanimously.

PLANNING BOARD – COUNCILMAN BUDDY SHEFFIELD

Vote – Adopt Flood Damage Prevention Ordinance Amendment – Councilman Sheffield said that these changes are mandated by FEMA. He **moved to adopt the Flood Damage Prevention Ordinance Amendment as presented**. The motion carried unanimously.

PUBLIC SAFETY – COUNCILMAN DON FOGLE

Vote – Statewide Mutual Aid Agreement Revision – Councilman Fogle said that the Town has participated in the Statewide Mutual Aid Agreement for many years and it has proved to be beneficial in times of emergency. He **moved to adopt the Statewide Mutual Aid Agreement Revision as presented**. The motion carried unanimously.

ENVIRONMENT AND WATERWAYS ADVISORY BOARD – COUNCILMAN BRIAN LEONARD

Vote – Appoint John Hall to the Environment and Waterways Advisory Board – Councilman Leonard **moved to appoint Jon Hall to the Environment and Waterways Advisory Board for a Term Beginning June 18, 2020 and Expiring on June 30, 2021**. The motion carried unanimously.

MAYOR'S REPORT

The Mayor said that the development of the Town's 2020-2021 Budget has been discussed. This year it was a compressed development schedule that the Council, Manager and staff worked through in producing the document in time to meet the State-mandated completion of municipal budgets. The Town is fortunate that the Council, Manager and staff are dedicated individuals and accept their responsibility for developing the budget documents.

The conduct of Town governing business has continued during this pandemic while complying with the Governor's social distancing rules. We are fortunate that the entire staff has continued to work a normal work schedule and the residents have not experienced any interruption of service from the Town owned utilities.

Most certainly everyone looks forward to the day when the nation will arrive at what will be the new normal for our lives. We in River Bend need to accept that how we adapt will be at the speed and under the format that State agencies direct. To move faster or without consideration of mandated restrictions would be wasteful.
Everyone stay safe and stay well.

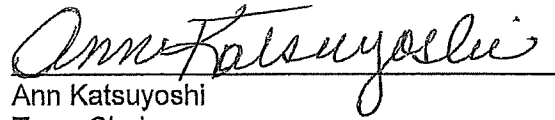
The Manager will shortly post the Town's plans for the dedication of the new Town Police Station and Community Building. Again, this event needs to be conducted with everyone respecting the "social distancing" restrictions. We all need to pray for the day that the global pandemic has been contained and the new normal can be achieved.

PUBLIC COMMENT

Abby Yagoda, 225 Pinewood Drive, said that she had spoken with Zoning Office about building a brick mailbox and was told she did not need a permit. Her father built the mailbox according to Postal Service regulations and now she has received a notice that it is on Town right-of-way and she cannot build there. Ms. Yagoda said that the letters threaten her with fines if she does not remove the mailbox.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 8:05 p.m.


Ann Katsuyoshi
Town Clerk

River Bend Town Council
Work Session Minutes
July 9, 2020
River Bend Town Hall
5:00 P.M.

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke Delane Jackson
Town Manager:	Sean Joll
Police Chief:	Margaret Theis
Finance Administrator:	Ann Katsuyoshi
Town Clerk	Dave Baxter
Town Attorney	

**DISCUSSION – REQUEST FROM BRIAN SWICEGOOD TO AMEND CHAPTER 9:
ANIMALS, IN THE TOWN ORDINANCE**

This item was tabled until August because Mr. Swicegood was unable to attend the Work Session due to a death in the family.

DISCUSSION – USE OF MASKS FOR COVID

Councilman Leonard said that he believed it would show good leadership on the part of the Council if Council members wore faces masks during meetings. Councilman Sheffield objected strongly, saying that he chose not to wear a mask. And, since the Town Manager had arranged the room so that all of the participants are six feet apart, Mr. Sheffield believed we complied with the Governor's Order. After further discussion, it was determined that no such requirement would be made at this time.

DISCUSSION – RE-OPENING LIBRARY

Councilman McClard told the Council that Linda Klopf has asked to address them at the Regular Meeting to discuss re-opening the Red Caboose Library on a limited basis. He said that Ms. Klopf, who was previously a nurse, has written a comprehensive plan that would allow residents to access the Library, while protecting both them and the Library volunteers. The Town Manager stated that the Library re-opening may compel other groups to want to return to normal and request using the Town's buildings for meeting.

DISCUSSION – DETAILS OF RIBBON CUTTING FOR MUNICIPAL BUILDING

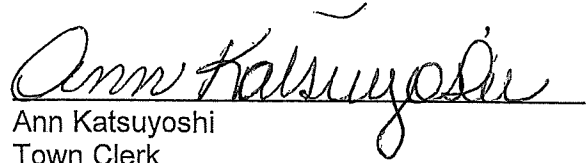
Town Manager Delane Jackson reminded the Council that the July 16th Regular Council Meeting will be held at the new Municipal building. The meeting will include the Ribbon Cutting and official opening. The ceremony will begin at 6:30 p.m.

VOTE SURPLUS PROPERTY RESOLUTION

The Manager asked the Council to approve the surplusing of a 2008 Chevrolet van in Public Works. Councilman Van Slyke moved to approve the Surplus Resolution as presented. The motion carried unanimously.

ADJOURNMENT/RECESS

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


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
July 16, 2020
River Bend Municipal Building
6:30 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Irving Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Ann Katsuyoshi
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis
Police Chief:	Sean Joll

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 6:30 p.m. on Thursday, July 16, 2020 at the River Bend Municipal Building with a quorum present.

RIBBON CUTTING CEREMONY

Mayor Kirkland addressed the audience saying that this new building will serve the community well and add to the beauty of the Town. He commended both the current and past Council members for their work and foresight in constructing the facility to meet the Town's current and future needs.

The current Council members cut the ribbon to officially open the Municipal Building.

The Council then recessed to reconvene in the meeting room.

ADDRESSES TO COUNCIL

Mayor Kirkland reconvened the Council in the Municipal Building meeting room.

Linda Klopff, Red Caboose Library Coordinator, addressed the Council on a plan to reopen the Library. Ms. Klopff said that she had developed a plan to minimize the possibility of infection. Under this plan, only one patron would be allowed in the library at a time. There would one volunteer in the library. All participants would be required to comply with sanitary measures.

The Council discussed this item briefly. They agreed that the plan Ms. Klopff offered was workable and compliant with state requirements

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 June 11, 2020 Work Session
Minutes of the June 11, 2020 Closed Session
Minutes of the June 18, 2020 Regular Meeting

ADMINISTRATIVE REPORTS

FINANCE – COUNCILMAN IRVING VAN SLYKE, JR.

Financial Report – Finance Administrator Margaret Theis told the Council that the total of the General Fund Cash Balances as of June 30, 2020 was \$4,327,848. Ad valorem tax collections were at \$655,542.

Vote – Craven County Tax Settlement for FY 2019-2020 – Councilman Van Slyke directed the Council's attention to a statement from the Craven County Tax Collector. Collection for the previous fiscal year was at 98.39%. He **moved to accept the Settlement as presented.** The motion carried unanimously.

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Organic Garden – Councilman McClard said that the Garden continues its work. The bee hives have been re-established after being lost last year and the spring crops are coming in.

Vote – Reopening Library - Councilman McClard **moved to approve the Red Caboose Library reopening plan as presented.** Councilman Fogle asked the Town Manager what he thought about the Library's reopening plan. The Town Manager said he thought the plan was thorough, but was still concerned that other groups would also want to re-open. He stated it would be difficult for groups like yoga and The Garden Club to maintain social distance. Councilman Sheffield stated that if those groups wanted to re-open they could submit a plan, for the Council to consider, like the Library did. The motion carried unanimously.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor said that the next meeting of the Public Works Advisory Board will be August 4. The Board has several openings and solicits volunteers to serve on this Board. If interested please contact Mr. Irvin, Town Clerk or myself. Applying is as easy as filing a form with the Town Clerk then it will be presented to the Council for action.

MAYOR'S REPORT

The Mayor said that the July Fourth date has come and our nation living with the new COVID-19 virus is forced to adjust to a health threat never before experienced. The River Bend July Fourth celebration with parade, picnic, and entertainment for children and adults had to be cancelled. The Town has followed the Governor's direction, which is aimed at protecting citizen health and

safety. We thank Councilman Sheffield for his "social distancing compliant" one man drive through parade transporting John Philip Sousa's Band to the Town's streets. I am certain that the event left a positive impression on all of us. Our petition to the Almighty is that this pandemic will pass and July Fourth 2021 will return to our norm.

May we all remember and embrace Thomas Jefferson's words from the Declaration of Independence. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights that among these are life, liberty, and the pursuit of happiness."

All of us owe the Town staff a most sincere expression of thanks for their dedicated and loyal service during this several months long emergency. They have been loyal in attendance and delivered all the normal utility and administrative services for the Town.

Tonight we conducted the Ribbon Cutting opening the new Municipal Building for use. This represents a project that was in planning for a number of years. It provides modern and functional office/administrative space for the Police Department and meeting room space that is flexible and will allow civic meetings to meet here without impacting the limited Town Hall meeting room space.

We all pray that the day will come soon that North Carolina and the Nation will see the COVID-19 virus fade into oblivion and we resume a normal life.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn**. The meeting adjourned at 7:40 p.m.


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Special Meeting Minutes
July 28, 2020
River Bend Town Hall
3:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Irving Van Slyke
Town Manager:	Delane Jackson
Director of Public Works:	Brandon Mills
Town Engineer:	Kevin Avolis

CALL TO ORDER

Mayor Kirkland called the meeting to order at 3:00 p.m. with a quorum present.

DISCUSSION OF CHANNEL RUN DRAINAGE

The Town Manager, Delane Jackson, gave background information on why this special meeting was needed. He stated that the drainage system in the Channel Run area was damaged following Hurricane Florence by debris being placed in the Right-of-Way and equipment working in that area. Mr. Jackson stated that FEMA had awarded the Town \$122,707 to repair that area. The Town hired Avolis Engineering to survey, inspect and evaluate the area and make recommendations to repair the drainage in the project area. Mr. Jackson stated that the Town had \$92,307 remaining to do the work. Mr. Jackson stated that Mr. Avolis was present to discuss his findings.

Mayor Kirkland added that Mr. Avolis was very familiar with the Town's drainage system and issues because he had been working with the Town for 20 years on that system.

Mr. Avolis presented a PowerPoint presentation with maps and photos of the area. There was a general discussion of the drainage in the area. Mr. Avolis noted that residents installing plants, headwalls and other items over the years have blocked many of the Town's Right-of-Ways and drainage areas.

MOTION

Councilman Sheffield **moved to direct Avolis Engineering to develop a set of plans and proceed with bidding for the area delineated as "Project Area 1" on the map.** The motion carried unanimously.

DISCUSSION OF FLOOD GATES

There was a general discussion of the floodgates in the ponds at Mulberry and Lakemere. Removing to remove the adjustable gates and replacing them with a fixed weir, like the one in the

pond at Town Hall was discussed. Brandon Mills stated that he preferred a weir. No action was taken.

APPOINTMENT OF ABC AGENT


There was discussion concerning the appointment of Brian Leonard as the Town's ABC designated agent for the ABC permits.

MOTION

Councilman Sheffield **moved to approve the resolution appointing Brian Leonard as the ABC designated agent.** The motion carried unanimously. (see attached)

ADJOURNMENT

There being no further business, Councilman Sheffield **moved to adjourn.** The motion carried unanimously. The meeting adjourned at 5:00 p.m.



Delane Jackson
Town Manager

**River Bend Town Council
Work Session Minutes
August 13, 2020
River Bend Town Hall
5:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Finance Administrator:	Margaret Theis
Town Clerk	Ann Katsuyoshi
Town Attorney	David Baxter

**DISCUSSION – REQUEST FROM BRIAN SWICEGOOD TO AMEND CHAPTER 9:
ANIMALS, IN THE TOWN ORDINANCE**

This item had been tabled from the July work session because Mr. Swicegood was unable to attend. Again, Mr. Swicegood was unable to attend tonight's meeting. The Town Manager reminded the Council that Mr. Swicegood has requested that the Town amend Chapter 9 of the Town's ordinance, which prohibits the keeping of livestock in Town. Mr. Swicegood wants to purchase 18 acres on Old Pollocksville Road, build a home, and keep a few animals. The Town Manager explained that Chapter 9 applied to all of Town and if it were amended to remove the prohibition on farm animals it would allow animals in all areas of Town, not just Mr. Swicegood's proposed lot. Councilman Sheffield stated that he thinks the Northwest Quadrant would be a good location for mini-farms and possibly farm animals and should be considered to be rezoned to allow such. The Town Manager stated that the zoning ordinances were not what prohibited keeping animals. He explained that zoning regulations were in Chapter 15 and any amendments of them required Planning Board action, a public hearing and then action by the Council. He stated that even if you changed the zoning, that Chapter 9 would still apply to the area and prohibit animals. He explained that an amendment to Chapter 9 does not require Planning Board action or a public hearing. The Attorney stated that approving Mr. Swicegood's request would require amendments to both ordinances. Councilman Leonard asked about how this possible amendment would impact the property values of the surrounding properties. The Town Manager stated there was no way to predict with certainty what impact it would have. Councilman Leonard reminded everyone that Mr. Swicegood was not a town resident.

MOTION

Councilman McClard **moved to direct the Planning Board to look into possible changes to the Town's zoning ordinance to allow the keeping of livestock in certain zoning districts.**
The motion carried unanimously.

DISCUSSION – PARKS AND RECREATION APPOINTMENT

Councilman McClard stated that he has invited the volunteer applicant Pat Lineback to the August 20th Regular Meeting to be introduced and voted on for appointment to the Parks and Recreation Board.

DISCUSSION – CHANGE ORDER FOR METAL ROOF

The Town Manager stated with the construction on the Town Hall addition, that new shingles would be installed on that new addition and the front elevation of the roof only. He stated that the roof on the remainder of Town Hall would keep the current shingles which were about 20 years old and nearing the end of their life. He proposed that now would be a good time to consider replacing the entire roof at Town Hall with a metal roof to match the municipal building. The builder had proposed a change order for \$73,475 to do the work.

MOTION

Councilman Van Syke **moved to authorize the Town Manager to proceed with the change order to have a metal roof installed on all of Town Hall.** The motion carried unanimously

DISCUSSION – ACCESS ROAD STUDY

The Town Manager presented a proposal from Avolis Engineering in the amount of \$4,260 to conduct a study for an access road through the Northwest Quadrant. The access road would be from The Colonies area connecting to Old Pollocksville Road through the Robert Davis Property.

MOTION

Councilman Leonard **moved to authorize the Town Manager to proceed with the Access Road Study Proposal with Avolis Engineering.** The motion carried unanimously

DISCUSSION – TOWN OF POLLOCKSVILLE (SEWER REGIONALISM)

The Town of Pollocksville has requested the Town of River Bend consider accepting Pollocksville's wastewater in the amount of 102,000 gpd on average with peak days of 300,000 gpd. The Town Manager stated the he and Brandon Mills, Public Works Director, discussed this and agreed the Town of River Bend does not have the capacity to accommodate their request and thus should deny their request. The council agreed.

MOTION

Councilman McClard **moved to authorize the Town Manager to notify the Town of Pollocksville that we could not accept their wastewater.** The motion carried unanimously

BUDGET AMENDMENTS

The Town Manager explained the items in the proposed Budget amendments and added that changes would be made to reflect the cost of the metal roof and the updated amendments would be ready for Council action next week.

CLOSED SESSION

Councilman Sheffield **moved to go into a Closed Session under NCSG 143-318.11(a)(6), the Attorney Client exemption to the Open Meetings Law.** The motion carried unanimously. The Council entered Closed Session at 6:15 p.m.

OPEN SESSION

Councilman Sheffield **moved to return to Open Session** at 6:50 p.m. The motion carried unanimously.

DISCUSSION – OPEN SESSION

The Mayor stated that the Council had agreed to direct the Town Manager to develop new standards, regulations and a permit process to govern the location of mailboxes and other obstructions within the Town's streets and right-of-ways.

The Mayor asked if all Council members agreed with that summation of the directive. They all agreed. The Town Manager stated the he would develop a recommendation for a new policy and present it to the Council for consideration.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 6:55 p.m.


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Regular Meeting Minutes
August 20, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members: Mayor John Kirkland
Don Fogle
Brian Leonard
Bud McClard

Absent Council Members: Buddy Sheffield
Bud Van Slyke

Town Manager: Delane Jackson
Town Clerk: Ann Katsuyoshi
Town Attorney: Dave Baxter
Finance Administrator: Margaret Theis
Police Chief: Sean Joll

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, August 20, 2020 at the River Bend Town Hall with a quorum present.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman McClard **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 July 9, 2020 Work Session
Minutes of the July 16, 2020 Closed Session
Minutes of the July 28, 2020 Special Meeting*

ADMINISTRATIVE REPORTS

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Organic Garden – Councilman McClard said that the Organic Garden continues its work. The bee hives have been re-established after being lost last year and the spring crops are coming in. Councilman McClard stated that the board still has not met since Covid arrived.

Councilman McClard introduced Pat Lineback to the Council. Ms. Lineback is a citizen of River Bend who had requested to be appointed to the Parks and Recreation Board. The Council all welcomed Ms. Lineback and stated they were pleased to have her interested in serving on the Parks and Recreation Board.

Vote – Appoint Pat Lineback to the Parks and Recreation Board

Councilman McClard motioned to appoint Pat Lineback to the Parks and Recreation Board for a term beginning August 20, 2020 and expiring June 30, 2022. The motion carried unanimously.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor stated that the Board has several openings and solicits volunteers to serve on this Board. If interested please contact PWAB Chairman Mr. Buck Irvin, Town Clerk or myself. Applying is as easy as filing a form with the Town Clerk then it will be presented to the Council for action.

FINANCE – Councilman Harry McClard (for Councilman Van Syke)

Financial Report – Finance Administrator Margaret Theis told the Council that the total of the General Fund Cash Balances as of July 31, 2020 was \$3,916,367. Ad valorem tax collections for FY20-21 were at \$30, and Vehicle Ad valorem tax collections were at \$6,125.

Vote – Budget Amendment 20-B-01

Councilman McClard motioned to approve Budget Amendment 20-B-01 as presented. The motion carried unanimously.

Vote – Capital Project Fund Ordinance Amendment #2

Councilman McClard motioned to approve Capital Project Fund Ordinance Amendment #2 as presented. The motion carried unanimously.

PUBLIC SAFETY – CONCILMAN DON FOGLE

Councilman Fogle stated the CERT team has not been able to meet in person since Covid arrived, but Councilman McClard and a few CERT members went to Edenton to help with the clean up after Hurricane Isaias. He stated how the area was demolished as an EF-3 tornado touched down in the area.

Councilman Fogle presented a proposal to the Council to permanently fly the POW/MIA Flag at the Municipal Building beginning on September 18, 2020. He stated this flag is now accepted nationally and internationally as the symbol of vigilance and remembrance of all POWs and MIAs. He also suggested that the Veteran's Monument, which was located at Town Hall, but was moved for construction, should be relocated to nearby the flagpole at the Municipal Building. Councilman Brian Leonard stated that he supported flying the POW/MIA flag and relocating the monument. Councilman Fogle stated that the two items would fit well in River Bend because recent data states that over 17% of River Bend residents are military veterans.

Vote – POW/MIA Flag at Municipal Building

Councilman Fogle motioned to fly the POW/MIA under the American flag on the Municipal Building flagpole daily beginning on Friday September 18, 2020. The motion carried unanimously.

MAYOR'S REPORT

The Town of River Bend owns and operates the water and wastewater utilities for the Town. In 1995, the Town held a referendum and decided to purchase the water and sewer utility from Carolina Water Service (CWS). The utilities have been constructed by the original developer of the Town. That developer then sold the utilities to CWS.

The Town Council decided to expand the water service to every street on the east side of Highway 17 shortly after acquiring the system. This project also involved building the 300,000 gallon elevated tank on Plantation Drive. The original service area for water service did not include the Barbara Drive and the Piner Estates subdivisions, which was served by the City of New Bern water utility. The Council later negotiated the purchase of the New Bern assets and converted the subscribers in those areas to River Bend customers. Those customers had been paying twice what a New Bern resident would pay for water service. This practice is authorized by act of the North Carolina General Assembly That authorization extends to all municipalities. On average, this change in ownership saved most of the involved customers about \$500 per year. More than ten years ago, the Council engaged a consultant to develop a "rate model" that could be used by the Council each year for setting the rates for the utilities. This study has been very useful in providing sound management of financing for the ongoing utility operations. With the input data to populate the model, the rate recommended can be justified to customers who may question the validity of utility rate.

The bonds issued for the purchase of the utilities and expansion of the water service will be paid off in the 2027 fiscal year. The North Carolina State University publishes an annual "Dash Board" that displays the cost of utility operations for municipalities in similar size population peer groups. River Bend is consistently in the mid-range of all elements being evaluated in our peer group.

The day-to-day operation of the utility system is directed by Public Works Director Mr. Brandon Mills. Brandon and his staff hold a number of State issued licenses required for personnel operating public utilities. The following is a list of these Town employees and the licenses that they hold.

The state Division of Water Resources also performs periodic unannounced site inspections of our facilities. The records of the daily operations and testing results of the output are examined for both in house and contract laboratory testing. The staff has been diligent in the operation of the utilities. These state inspections have not resulted in any notice of violations over the years that the Town Staff have been responsible for utility operations.

During the present COVID-19 emergency and the recent hurricane preparations the Staff has faithfully performed their duties and we have had no interruption of utility service. Not every municipal or privately operated utility can make such a claim. We all need to express appreciation to Brandon and members of his staff.

That staff and their qualifications:

{Brandon Mills}

Grade III Wastewater

Grade III Collections

Grade I

Physical/Chemical

B – Well

A – Distribution

Cross Connection Control

{Thomas Harper}

Grade II Wastewater

Grade II Collections

Grade I Physical

Chemical

B - Well

B - Distribution

{James Jones}

Grade II Wastewater

Spray Irrigation

C – Well

B - Distribution

Cross Connection Control

PUBLIC COMMENT

Susanna Elliott, 209 Shoreline Drive, said that she supported Councilman Buddy Sheffield's opinion of not requiring people to wear masks at public meetings.

ADJOURNMENT/RECESS

There being no further business, Councilman Fogle **moved to adjourn**. The meeting adjourned at 7:35 p.m.


Ann Katsuyoshi
Town Clerk

**River Bend Town Council
Work Session Minutes
September 10, 2020
River Bend Town Hall
5:00 P.M.**

Present Council Members	Mayor John Kirkland
	Don Fogle
	Brian Leonard
	Bud McClard
	Bud Van Slyke
Town Manager	Delane Jackson
Finance Administrator	Margaret Theis
Town Clerk	Kristie Nobles
Police Chief	Sean Joll
Town Attorney	David Baxter

VOTE – CONSTITUTION WEEK PROCLAMATION

Mayor Kirkland said that, each year, the Daughters of the American Revolution request that municipalities in North Carolina adopt a Proclamation recognizing Constitution Week.

MOTION

Councilman McClard **moved to adopt the Proclamation for Constitution Week as presented.** The motion carried unanimously. *(see attached)*

VOTE – CORONAVIRUS RELIEF FUND PLAN

Town Manager Jackson presented the Town of River Bend Coronavirus Relief Fund. He stated that the fund would allocate \$49,650 to the Town of River Bend for payroll expenses impacted by the Coronavirus.

MOTION

Councilman Van Syke **moved to approve the Town of River Bend Coronavirus Relief Fund Plan in the amount of \$49,650 as presented.** The motion carried unanimously. *(see attached)*

DISCUSSION – IRS SOCIAL SECURITY TAX DEFERRAL

The Town Manager presented information on employee social security tax deferment. He stated that this program is voluntary and employers can elect to defer social security taxes for wages paid between September 1, 2020 to December 31, 2020. Town Manager Jackson also stated that it is the employer's responsibility to collect the taxes and if collection is not possible, the employer is still responsible for the taxes to be paid to Social Security. The Council agreed that the Town of River Bend would not participate in this IRS Social Security Tax Deferral and no action was taken at this time.

DISCUSSION – CHAPTER 15.02.069 STORMWATER DRAINAGE

The Manager stated that Councilman Leonard recently asked about the maintenance of stormwater drainage pipes and ditches. Manager Jackson stated that this subject had been discussed many times but no action has ever been taken. He suggested that section 15.02.069 be removed from Chapter 15 and added to Chapter 9 (Streets and Sidewalks – Section 9.03). He stated that any amendments to zoning ordinances need to go to the Planning Board for action. Councilman Leonard stated that maintenance of stormwater drainage pipes and ditches has been the topic at many Environmental and Waterways Advisory Board (EWAB) meetings. Councilman Leonard stated that EWAB recommends changing the responsibility of maintenance of drainage ditches and pipes installed in the Town's right-of-way from the property owner to the Town. Town Manager Jackson stated that Councilman Leonard could make a motion to send the revision to Chapter 9 to the Planning Board at the regular session meeting on September 17, 2020.

Manager Jackson stated that today was the bid opening for the Channel Run Drainage Project. He stated that there were only 2 bids received and he believes that they will meet the FEMA minimum requirements for bids, but he has a call into the FEMA contact. Town Manager Jackson stated that Hardy Construction, Inc. was the low bidder at \$156,000 and came highly recommended by the Town's engineering firm, Avolis Engineering. Manager Jackson stated that this amount is more than the FEMA money that we have received, but we have approximately \$75,000 available in the stormwater Capital Improvement Plan (CIP). That will leave approximately \$10,000 in the stormwater CIP. Councilman Leonard asked if this was for the whole project or just the Phase 1 area. Manager Jackson stated it would be for the Phase 1 area only. Manager Jackson stated that the Finance Administrator would have a budget amendment ready for next week, during the regular session. Mayor Kirkland asked for the Council's consensus on this. The Council agreed for the Town Manager to present a Budget Amendment at the regular session meeting on September 17, 2020.

Councilman Fogle asked the Town Manager about the encroachment permit process that the Council had been discussing, which would create a permit system for anything located within the encroachment area of Town streets. The Manager stated that he originally had this on the agenda for tonight but due to the absence of a Council member, he would address it at the next meeting when all are present. He stated that he and the attorney had already developed a proposal.

DISCUSSION – DREDGE PROJECT

The Manager presented a proposal from King Dredging in the amount of \$65,000 and stated that the proposal was about \$15,000 more than he expected. He reminded the Council of the difficulty he has had in locating a dredging contractor and of the upcoming expiration of the Town's dredging permit. The Manager stated there was \$58,000 in the Canal Maintenance CIP that could be used for this project. He stated that \$7,000 more would need to come out of Fund Balance to fully fund the cost. The Manager suggested that due to time restraints, the Council could proceed with the project and approve funding not to exceed \$65,000 and authorize the Town Manager to negotiate and execute a contract for the work. Councilman McClard asked if this contractor would complete private property dredging while he was here also. The Manager stated that he has not discussed that with the contractor. Councilman Van Syke stated that he wishes to proceed with the project and have it completed as soon as possible. Councilman Fogle stated the location of the spoils have been changed and that could have caused an increase in cost. He asked how the cubic yards would be measured? The Manager stated that the solids

for the amount of cubic yards removed. The proposal is a lump price of \$65,000 for up to 1,000 cubic yards, even if less are removed. Councilman Fogle stated that the contractor needs to remove as many yards as he can get up to the 1,000 cubic yards limit. He also stated that he would like the contractor to remove any stumps and tree limbs that are not still attached to the channel floor. Councilman Leonard suggested that the contractor use a marker of some sort to mark the larger stumps and limbs that could not be removed. He also stated that at the last Environmental Waterways Advisory Board (EWAB) meeting that it was suggested that some of the signage in the channel was incorrect and needs to be adjusted. The Town Manager stated that Public Works has been able to do some of those small adjustments in the past.

DISCUSSION - BUDGET AMENDMENTS

The Town Manager presented Budget Amendment 20-B-02 to approve funding for the Dredging Project.

MOTION

Councilman Van Syke **moved to approved Budget Amendment 20-B-02 as presented.** The motion carried unanimously. (*see attached*)

MOTION

Councilman Van Syke **moved to accept the Island Lake dredging proposal as presented from King Dredging Company and to authorize the Town Manager to negotiate and execute a contract in an amount not to exceed \$65,000.** The motion carried unanimously. (*see attached*)

ADJOURNMENT/RECESS

There being no further business, Councilman McClard **moved to adjourn.** The meeting adjourned at 5:54 p.m.



Kristie Nobles
Town Clerk

FILE COPY

Town of River Bend

CONSTITUTION WEEK PROCLAMATION

WHEREAS, September 17, 2020, marks the two-hundred and thirty-third anniversary of the signing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and

WHEREAS, to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;


NOW, THEREFORE I, John R. Kirkland by virtue of the authority vested in me as Mayor of the Town of River Bend in the State of North Carolina, do hereby proclaim the week of September 17 through 23 as CONSTITUTION WEEK in River Bend and urge our citizens to reaffirm the ideals of the framers of the constitution in 1787.

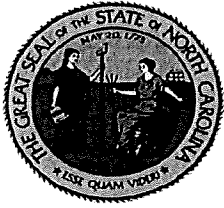
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of River Bend to be affixed this 10th day of September of the year of our Lord two thousand and twenty.




John R Kirkland, Mayor

Town of River Bend


Kristie J. Nobles



North Carolina Pandemic Recovery Office Coronavirus Relief Fund (CRF) County Plan

Instructions

1. This document is to be used by counties to document the planned use of the CRF monies allotted in Session Law 2020-4.
2. Please add the name of your Municipality in front of the existing name as follows: "City of New Bern-CravenCounty CRF plan"
3. Submit your plan to cwarren@cravencountync.gov on or before September 1, 2020.
4. Under Categories. Please aggregate the amount of all expenses for that specific category. Example amounts should be removed and you can enter the county amounts. The total must agree with your allotment.

The County is responsible for maintaining adequate documentation to support expenditures. If estimates are being used the methodology must be documented and defensible. The County is responsible for following the Federal *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* promulgated by the United States Office of Management and Budget unless the US Treasury publishes guidance stating otherwise.

County Information

Name of Municipality: River Bend
Person Submitting: Delane Jackson
Title: Town Manager
Email: manager@riverbendnc.org
Phone Number: 252-638-3870 x213

Planned Expenditures	
Categories	Amount
1. Medical expenses such as: <ul style="list-style-type: none"> • COVID-19-related expenses of public hospitals, clinics, and similar facilities. • Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs. • Costs of providing COVID-19 testing, including serological testing. • Emergency medical response expenses, including emergency medical transportation, related to COVID-19. • Expenses for establishing and operating public telemedicine capabilities for COVID-19 related treatment. 	
2. Public health expenses such as: <ul style="list-style-type: none"> • Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19. • Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency. • Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency. • Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety. • Expenses for public safety measures undertaken in response to COVID-19. • Expenses for quarantining individuals. 	
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.	\$ 49,650.00
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as: <ul style="list-style-type: none"> • Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions. • Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions. • Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions. • Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions. • COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions. • Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions. 	

5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as: <ul style="list-style-type: none"> • Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. • Expenditures related to a State, territorial, local, or Tribal government payroll support program. • Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise. 	\$ -
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.	\$ -
7. Grants to municipalities and nonprofits. List each planned subaward. (add more rows if necessary)	
a. Town of ABC	
b. City of 123	
c.	
d.	
e.	
f.	
g.	
h.	
i.	
j.	
k.	
l.	
m.	
n.	
o.	
Grand Total	\$ 49,650.00

Signature Delane Jackson
 Title Town Manager
 Date 8-24-2020



**TOWN OF RIVER BEND
BUDGET ORDINANCE AMENDMENT 20-B-02
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 August 20, 2020, be amended as follows:

Summary

General Fund	2,233,310
General Capital Reserve Fund	61,248
Law Enforcement Separation Allowance Fund	7,888
Water Fund	572,234
Water Capital Reserve Fund	2,800
Sewer Fund	681,884
Sewer Capital Reserve Fund	129
	<hr/>
Total	3,559,493

Section 1.

General Fund

Anticipated Revenues

**20-B-02
CHANGES**

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	
State Grant - Police	22,653	
State Grant - CARES Act CRF funding	49,650	49,650
Recovery Grant NCORR-FDLG-004	99,568	
Miscellaneous	8,000	
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 (Island Lake dredging project)	100,970	58,000
Appropriated Fund Balance (CARES Act CRF funding)	435,840	-49,650
(Island Lake dredging project)		7,000
	<hr/>	
Total	2,233,310	65,000

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

Authorized Expenditures

		20-B-02 CHANGES
Governing Body	28,700	
Administration	268,691	
Finance	120,181	
Tax Listing	10,880	
Legal Services	24,000	
Elections	0	
Police	590,548	
Public Buildings	149,000	
Emergency Services	4,000	
Animal Control	14,366	
Street Maintenance	221,686	
Public Works	167,240	
Leaf & Limb and Solid Waste	43,500	
Stormwater Management	157,678	
<i>Wetlands and Waterways (Island Lake dredging project)</i>	68,000	65,000
Planning & Zoning	48,363	
Recovery Grant NCORR-FDLG-004	100,780	
Recreation & Special Events	7,500	
Parks & Community Appearance	50,370	
Contingency	17,968	
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	2,233,310	65,000

Section 2. **General Capital Reserve Fund**

Anticipated Revenues

Contributions from General Fund	60,000
Interest Revenue	1,248
Total	61,248

Authorized Expenditures

Transfer to General Fund	100,970
Future Procurement	-39,722
	61,248

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	75,867
Total	<hr/> 572,234

Authorized Expenditures

Administration & Finance [1]	447,734
Operations and Maintenance	121,000
Transfer To Fund Balance for Capital Outlay	3,500
Transfer To Water Capital Reserve Fund	0
Total	<hr/> 572,234

[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 6. **Sewer Fund**

Anticipated Revenues:

Utility Usage Charges, Classes 1 & 2	249,338
Utility Usage Charges, Classes 3 & 4	17,688
Utility Usage Charges, Class 5	29,873
Utility Usage Charges, Class 8	6,202
Utility Customer Base Charges	292,304
Taps & Connection Fees	1,250
Late payment Fees	7,740
Interest Revenue	9,372
Sale of Capital Asset	1,500
Appropriated Fund Balance	66,617
Total	<u>681,884</u>

Authorized Expenditures:

Administration & Finance [2]	442,884
Operations and Maintenance	176,000
Transfer to Fund Balance for Capital Outlay	63,000
Transfer to Sewer Capital Reserve Fund	0
Total	<u>681,884</u>

[2] Portion of department for bond debt service: 128,520

Section 7. **Sewer Capital Reserve**

Anticipated Revenues:

Contributions From Sewer Operations Fund	0
Interest Revenue	129
Total	<u>129</u>

Authorized Expenditures:

Future Expansion & Debt Service	<u>129</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, 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.

Adopted this 10th day of September, 2020.

John R. Kirkland, Mayor

Attest:

Ann Katsuyoshi, Town Clerk



408 Island Drive
Beaufort, NC 28516
(252) 732-6547
www.kingdredging.com

September 8, 2020

Town of River Bend Dredging Project Proposal

The Town of River Bend will be responsible for the following, all permits required and approval of the use of Geotextile tubes from CAMA. Provide a site where tubes can be placed with water access nearby. Once the material is placed in the tubes it is the property of River Bend.

For compensation below King Dredging Company Inc. will be responsible for the removal of 1000 cubic yards or less from channel entrance and place material in Geotextile bags on site provided by the Town of River Bend. Because of the size of the project and the amount of material the price is for a complete project and not by the cubic yard.

<i>Mobilization</i>	<i>\$10,000</i>
<i>Dredging</i>	<i>\$30,000</i>
<i>Geotextile Tubes</i>	<i>\$10,000</i>
<i>Site Setup</i>	<i>\$5,000</i>
<i>Demobilization</i>	<i>\$10,000</i>

<i>Total Project Cost</i>	<i>\$65,000</i>
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**River Bend Town Council
Regular Meeting Minutes
September 17, 2020
River Bend Town Hall
7:00 P.M.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Kristie Nobles
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis
Police Chief:	Sean Joll

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, September 17, 2020 at the River Bend Town Hall with a quorum present.

During his opening remarks, the Mayor encouraged all Americans to pray for healing of our bent towards bias and hate. He stated that racial discrimination is a sickness that is still evident in our national policy. He said that we are either part of the solution or part of the problem and that each of us needs to decide which camp we are in. He continued to say that we have not reached the goal as stated in Dr. Martin Luther King, Jr.'s "I have a dream speech." He closed by asking everyone to be a part of the healing solution. A moment of silence was observed and the Pledge of Allegiance was recited by all. Councilman Buddy Sheffield asked to be recognized. He said that for four months in a row, during his opening remarks, the Mayor has implied that America is a racist country and that we all needed to do something about that. He said that if he sat by silently, he feels like he is tacitly agreeing with the Mayor. He stated that he does not agree with the Mayor on this issue. He went on to say that he supports our police, they have a difficult job to do and that we should all be grateful that they are there. The Mayor agreed that the police have a difficult job to do. Councilman Brian Leonard said that he supported what the Mayor has been saying for the past four meetings. He said that there is clearly something wrong going on in our country, however, we in River Bend need to concentrate on what we can do right here, regardless of the national politics. Councilman Harry McClard said that he agreed with some of what was said from both sides. He said that he thought the Council was supposed to be non-partisan and that he was disappointed in the political nature of the comments. Councilman Brian Leonard said there was a difference between non-partisan and political. The Mayor said he did not intend for his comments to be partisan.

CONSENT AGENDA

The Mayor presented with the Consent Agenda. Councilman McClard **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 August 13, 2020 Work Session

Minutes of the August 20, 2020 Regular Meeting

TOWN MANAGER'S REPORT

The Town Manager stated that construction at Town Hall is moving along smoothly and on schedule. He stated that soon construction will begin on the interior of the building and he would propose that the upcoming Council Meetings (working and regular session) be moved to the new Municipal Building through December of this year. The Council agreed to move the location of the Council Meetings.

Manager Jackson announced that this is the last official Council meeting for Ms. Ann Katsuyoshi, current Town Clerk because she will be retiring at the end of this month. He stated she has been with the Town of River Bend for over 17 years and by his estimate, today's meeting marks her 505th Town meeting. The Council thanked the Town Clerk for her service.

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 August 31, 2020 was \$3,819,514. Ad valorem tax collections for FY20-21 were at \$1,027, and Vehicle Ad valorem tax collections were at \$8,612. Councilman Leonard asked at this time if the Town is still enforcing the late fees and disconnection moratorium on utility accounts. Finance Administrator Margaret Theis stated that the last moratorium expired July 29, 2020, but residents who applied for, accepted a payment agreement and made monthly installment payments as directed could not have services disconnected.

Discussion– Budget Amendment 20-B-03

Manager Jackson stated that the Channel Run Drainage Project and Water Meter contract are both funded by grant money. The Budget Amendment 20-B-03 will allow the Town to award the Channel Run Drainage Project and proceed with the project.

Vote – Budget Amendment 20-B-03

Councilman Van Syke motioned to approve Budget Amendment 20-B-03 as presented. The motion carried unanimously. (*see attached*)

Discussion – IRS Deferral

Manager Jackson reviewed the information on the IRS Social Security Deferral again and the Council agreed to forgo participating in the IRS Social Security Deferment.

Vote – IRS Deferral

Councilman Van Syke motioned that The Town of River Bend forgo participation in the IRS Tax Deferment Program. The motion carried unanimously.

Discussion – Debt Setoff Program

Manager Jackson reviewed the information on the NC League of Municipalities 2021 Debt Setoff Program. The Town of River Bend participates in this program every year. Finance Administrator Margaret Thesis stated that the program allows the Town to collect any monies owed to the Town by residents who receive North Carolina state income tax returns. Manager Jackson stated that the Town is also allowed to collect owed monies from any NC Lottery winners.

Vote – Participation of Debt Setoff Program

Councilman Van Syke motioned to authorize the Mayor to sign the reenrollment documents for the 2021 North Carolina Local Government Debt Setoff Program. The motion carried unanimously. (*see attached*)

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor stated that there was not a PWAB this month. The Mayor stated that the Board has several openings and solicits volunteers to serve on this Board. If interested please contact the PWAB Chairman Mr. Buck Irvin, Town Clerk or himself. Applying is as easy as filing a form with the Town Clerk. Then it will be presented to the Council for action. He stated that the Board has received a request for appointment to the PWAB board from Lloyd "Tripp" Carroll III. He also stated that Mr. Carroll's skills and experience would make him a good fit for the board.

Vote – Appoint Lloyd "Tripp" Carroll III to the Public Works Advisory Board

Councilman Fogle motioned to appoint Lloyd "Tripp" Carroll III to the Public Works Advisory Board for a term beginning September 17, 2020 and expiring June 30, 2021. The motion carried unanimously.

Discussion – Water Meter Contract

The Town Manager presented the contract from Municipal Engineering Services Company, P.A. for water meter replacement in the amount of \$69,000. He stated that the Town would eventually be reimbursed through ASADRA grant. He stated that the Town would not be reimbursed for any costs until the contract for construction had been approved. Councilman Sheffield applauded the Town's staff for the work well done in applying for recent grants.

Vote – Water Meter Contract

Councilman Fogle motioned to award the engineering contract for water meter replacement to Municipal Engineering Services Company, PA in the amount of \$69,000 as presented. The motion carried unanimously. (*see attached*)

PUBLIC SAFETY – CONCILMAN DON FOGLE

Councilman Fogle stated the CERT team has not been able to meet in person since Covid arrived. He also stated that he would like to thank the Town's staff as he has noticed that many new traffic signs have been installed.

PARKS & RECREATION/CAC – COUNCILMAN BUD MCCLARD

Organic Garden – Councilman McClard said that the Organic Garden continues its work. He stated the bee hives and butterflies were still going strong and that some elementary aged children have visited the garden and a lesson plan was presented. Councilman McClard stated that the board still has not met since Covid arrived.

Red Caboose Library – Councilman McClard said that the library had reopened on September 8, 2020 with a “Grab and Go” procedure and this seems to be working well for the library.

Parks and Recreation – Councilman McClard stated that the Parks and Recreation advisory board will be meeting on September 30, 2020.

CAC – Councilman McClard stated that that board has not had a meeting yet since Covid arrived, but a meeting is scheduled to be held on October 21, 2020. He stated there is also a new board applicant that will be discussed.

At this time, Councilman Leonard addressed the Town Manager regarding the POW/MIA flag that will be raised at the Municipal Building on Friday September 18, 2020 as approved at the August 20th Council meeting. Councilman Leonard asked if there was a particular time that the flag would be raised. Town Manager Jackson stated that the POW/MIA flag would be raised around 7:00 am on Friday September 18, 2020.

ENVIRONMENT AND WATERWAYS – COUNCILMAN BRIAN LEONARD

Councilman Leonard gave the following report of the last EWAB meeting:

Chairman Stevens opened the meeting at 7:01 PM in the large meeting room in the municipal building. There was a quorum of members, there were no visitors. Social distancing was observed, most members wore face masks. The minutes for the last meeting on February 2, 2020 were read and approved. Councilman Leonard gave an update on the ongoing renovations to town hall and completion of the new municipal building.

Old business. The board voted on the design, numbers and placement of No Wake Signs in the canal system.

Canal ownership: Councilman Leonard gave an update from the town attorney which was that he has not been able to determine ownership and has not received any replies from the companies he reached out to.

Canal sounding survey: The board voted to have the town manager investigate hiring a contractor to conduct a baseline survey of the current canal system.

Drainage: Councilman Leonard gave an update on the ongoing projects in town. The board voted to have to town takeover responsibility for the Stormwater Drainage System.

Dredging: Councilman Leonard provided an updated on the status of the Island lake project. It was noted that one or more of the channel markers leading into Island lake were damaged and need repair. The board recommended that repair be added to the dredging work if possible.

New business. There was no new business.

Volunteer hours. Several members reported one or more hours each.

Next EWAB meeting. October 5, 2020 at 7 PM in the municipal building.
The meeting adjourned at 8 PM.

MAYOR'S REPORT

The Mayor presented the following report:

Hurricane Florence visited Eastern North Carolina and River Bend on 18 September 2018. As has been said that was truly a "night to remember." The removal of debris that piled up alongside Town streets post hurricane took a month. The Town was immediately busy with contractors removing damaged material from the flooded homes and from the police/public works Town building. The Federal Emergency Management Administration assigned a team to work with Town Staff in the interface with impacted citizens. This team remained with us for several weeks. The Town Council demonstrated great flexibility in attending called a number of meetings necessary to authorize documents necessary for state and federal grants and associated reports. These meetings provided a forum where all members of the Town's Governing Body were advised of physical conditions in Town and also continuing activity of the Town's workforce and contractors.

A sincere thanks is offered for the Town Manager, the Police Department, and the Public Works staff. Also for the Rhems Fire Department who had members available for this period providing assistance. The Fire Department housed and fed our staff members already mentioned for three days. They also welcomed persons from Baltimore and New York City who came on the day after the hurricane to assist in water rescue of person stranded in flooded homes. All these people deserve recognition for their 100% involvement during the period that the hurricane came ashore and hovered over the area for two days.

The weeks that followed, the entire Town Staff worked long hours day-after-day to interface with citizens involved in addressing their flooding losses. Town Manager and Public Works/Water Resources Superintendent Brandon Mills were involved with the contractors working under Town contracts for remedial action associated with recovery. Brandon Mills led the Public Works/Water Resources Staff in maintaining the Town's utility systems in service and providing uncompromised water to all customers. Allison McCollum, Town's assistant zoning administrator, provided advice to all the Town's flood impacted homeowners for several weeks as she worked with the members of the FEMA team that were in residence. Town Manager Jackson was in constant contact with FEMA, State and Craven County Emergency Management staff to follow what grant funding would be available for Town recovery assistance. The entire Staff contributed to the extra workload and at the same time continued the demanding routine necessary for normal operations. The Town's Finance Department composed of Margaret Theis and Mandy Gilbert professionally managed the small mountain of paperwork and records associated with the FEMA declared disaster. Their diligent and thorough efforts helped the Town secure the maximum reimbursement from FEMA totaling nearly \$1,000,000. That effort was a yearlong process and is still not totally closed out. With the recovery demands, it is also worthy to note that the Manager and Staff were able to continue projects that the Town Council had authorized. Specifically the annual street maintenance paving, the planned utility maintenance projects, the contract award and construction of the new Municipal Building.

Now, two years later, there is still some recovery work in progress but we all owe thanks for the dedicated service of the individual organizations and persons mentioned here. Please say thanks for their commitment to the Town and for the personal contribution, each has made.

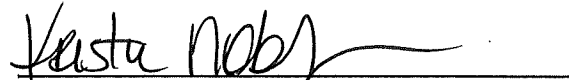
PUBLIC COMMENT

Linda Klopf, 103 Randomwood Lane, thanked the Council for allowing The Red Caboose Library to re-open with new procedures to adapt to Covid-19 guidelines. Ms. Klopf also stated that she would like the Council to consider making face masks mandatory in Town Hall and the Municipal Building.

Hazel Campesi, 219 Pinewood Drive, stated that five library volunteers cleaned and sanitized all of the library books and furniture before reopening. She also stated that books are sanitized upon returning. Ms. Campesi stated that she supports Ms. Klopf's request for mandating face masks and hopes the Council would consider it. She stated that the board would be meeting at her home, even though she knows it is against the Town of River Bend's policy.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 7:52 p.m.

A handwritten signature in dark ink, appearing to read "Kristie Nobles", written over a horizontal line.

Kristie Nobles
Town Clerk



TOWN OF RIVER BEND
BUDGET ORDINANCE AMENDMENT 20-B-03
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 September 10, 2020, be amended as follows:

Summary

General Fund	2,297,003
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
	<hr/>
	3,795,601

Total

Section 1.

General Fund

20-B-03
CHANGES

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	
State Grant - Police	22,653	
State Grant - CARES Act CRF funding	49,650	
Recovery Grant NCORR-FDLG-004	99,568	
Miscellaneous	8,000	
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	
<i>Transfer From Capital Reserve Fund (Channel Run Drainage Project)</i>	<i>164,663</i>	<i>63,693</i>
Appropriated Fund Balance	435,840	
	<hr/>	
Total	2,297,003	63,693

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

		20-B-03
		<u>CHANGES</u>
Authorized Expenditures		
Governing Body	28,700	
Administration	268,691	
Finance	120,181	
Tax Listing	10,880	
Legal Services	24,000	
Elections	0	
Police	590,548	
Public Buildings	149,000	
Emergency Services	4,000	
Animal Control	14,366	
Street Maintenance	221,686	
Public Works	167,240	
Leaf & Limb and Solid Waste	43,500	
<i>Stormwater Management (Channel Run Drainage Project)</i>	221,371	63,693
Wetlands and Waterways	68,000	
Planning & Zoning	48,363	
Recovery Grant NCORR-FDLG-004	100,780	
Recreation & Special Events	7,500	
Parks & Community Appearance	50,370	
Contingency	17,968	
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	<u>2,297,003</u>	<u>63,693</u>

Section 2. **General Capital Reserve Fund**

Anticipated Revenues	
Contributions from General Fund	60,000
Interest Revenue	1,248
Appropriated Fund Balance	<u>103,415</u>
Total	<u>164,663</u>

Authorized Expenditures	
Transfer to General Fund	164,663

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

Anticipated Revenues:	
Contributions from General Fund	6,359
Interest Revenue	100
Appropriated Fund Balance	<u>1,429</u>
Total	<u>7,888</u>

Authorized Expenditures:	
Separation Allowance	<u>7,888</u>

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	
<i>Appropriated Fund Balance (Meter project engineering)</i>	<u>117,267</u>	41,400
Total	613,634	

Authorized Expenditures

Administration & Finance [1]	447,734	
<i>Operations and Maintenance (Meter project engineering)</i>	162,400	41,400
Transfer To Fund Balance for Capital Outlay	3,500	
Transfer To Water Capital Reserve Fund	0	
Total	<u>613,634</u>	

[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	<u>2,800</u>	

Authorized Expenditures

Future Expansion & Debt Service	<u>2,800</u>	
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Section 6. **Sewer Fund**

Anticipated Revenues:

		20-B-03
		CHANGES
Utility Usage Charges, Classes 1 & 2	249,338	
Utility Usage Charges, Classes 3 & 4	17,688	
Utility Usage Charges, Class 5	29,873	
Utility Usage Charges, Class 8	6,202	
Utility Customer Base Charges	292,304	
Taps & Connection Fees	1,250	
Late payment Fees	7,740	
Interest Revenue	9,372	
Sale of Capital Asset	1,500	
<i>Appropriated Fund Balance (Meter project engineering)</i>	<u>94,217</u>	27,600
Total	709,484	

Authorized Expenditures:

Administration & Finance [2]	442,884	
<i>Operations and Maintenance (Meter project engineering)</i>	203,600	27,600
Transfer to Fund Balance for Capital Outlay	63,000	
Transfer to Sewer Capital Reserve Fund	<u>0</u>	
Total	709,484	
 <i>[2] Portion of department for bond debt service:</i>	 128,520	

Section 7. **Sewer Capital Reserve**

Anticipated Revenues:

Contributions From Sewer Operations Fund	0	
Interest Revenue	<u>129</u>	
Total	129	

Authorized Expenditures:

Future Expansion & Debt Service	<u>129</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, 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.

Adopted this 17th day of September, 2020.

John R. Kirkland, Mayor

Attest:

Ann Katsuyoshi, Town Clerk



NORTH CAROLINA LOCAL GOVERNMENT

DEBT SETOFF CLEARINGHOUSE



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[Participants](#)

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2021 Annual Participation Form

- 2021 PARTICIPATION FORM IS NOW AVAILABLE - AS OF AUGUST 17, 2020
- 2021 PARTICIPATION FORM ALSO REQUIRES COMPLETION OF AN ELECTRONIC SIGNATURE FORM - AN EMAIL WILL BE SENT WITHIN DAYS OF COMPLETION OF THE FORM BELOW
- ALLOWS FOR DEBT SUBMISSION FROM DATE OF ELECTRONIC SIGNATURE COMPLETION THROUGH DECEMBER 31, 2021.
- ONLY ONE FORM NEEDED FOR A LOCAL GOVERNMENT ENTITY - COVERS ALL DEPARTMENTS
- THE COORDINATOR AND CONTACT CAN BE THE SAME PERSON
- [CLICK HERE TO ENTER UP TO 10 NAMES AND EMAIL ADDRESSES - IF ANY CHANGES](#)
- [CLICK HERE TO VIEW THE 2021 PARTICIPATION FORM INSTRUCTION GUIDE](#)

1) Date

09/10/2020

2) Local Government Name

TOWN OF RIVER BEND

3) Type of Participant

- ☒ City/Town/Village
☐ County
☐ Water & Sewer (162A Art. 1)*
☐ Joint Regional Agency (160A Art. 20)
☐ Public Health Authority (130A - Art. 2, Part 1B)
☐ Metropolitan Sewerage District (162A Art. 5)
☐ Sanitary District (130A Art. 2, Part 2)
☐ Housing Authority (157)
☐ Reg. Solid Waste Auth. (153A Art. 22)

* if a municipality providing Utilities - select City/Town/Village, not Water & Sewer (162A Art. 1)

4) Coordinator Name

Margaret Theis

Main contact for the Clearinghouse

5) Coordinator Phone Number

252-638-3870

6) Coordinator Email address

finance@riverbendnc.org

7) Coordinator Email address (re-enter for verification)

finance@riverbendnc.org

8) Coordinator Mailing Address

Town of River Bend
45 Shoreline Drive
River Bend, NC 28562

9) Contact Name

Margaret Theis

Contact for debtors. May be the same person as Coordinator

10) Contact Phone Number

252-638-3870

11) Contact Email Address

finance@riverbendnc.org

12) Contact email address (re-enter for verification)

finance@riverbendnc.org

13) Hearing Officer and Title/Position

Margaret Theis
Finance Administrator

14) Name and/or Department for Debtors to be referred to when calling the Interactive Voice Response (IVR)

Margaret Theis, Finance Department

15) Telephone Number for Debtors to be referred to when calling the Interactive Voice Response (IVR)

252-638-3870 ext 5

16) Would you like different contacts and phone numbers for different departments/types of debt?

- ☒ No - just 1 needed
☐ Yes- please contact Coordinator to discuss
☐ Already Set-up-No changes needed at this time
☐ Already Set-up-Have changes, please contact Coordinator

17) Current Method for Transmitting Debts (if already participating) or Choice (if not yet participating)

- ☒ Client Software: Encrypted Data and Encrypted File Transfer (No Cost)
☐ Secure Web Access: Encrypted File Transfers: ASCII ONLY (No Cost)
☐ Hardcopy Forms by Secure Fax (No cost for 50 debtors or less)

18) Type of Debt(s) currently being submitted (for information only)

- ☒ Taxes - Property
☐ Taxes - Vehicle
☒ Utilities
☐ EMS
☐ Health
☐ Alarms
☒ Animal violations
☒ Assessments
☒ Civil citations
☒ Code enforcement
☐ Demolitions
☒ Employees
☐ Environmental
☒ Fines (library/other)
☐ Housing
☐ Inspections
☐ Landfill
☐ Loans
☒ Maintenance (lawn,trees)
☒ Nuisance
☒ Ordinance violations
☒ Parking tickets
☐ Privilege license (debts prior to 6/30/2015)
☐ Recreation
☒ Returned checks
☐ Sewer tap
☐ Solid Waste
☒ Storage rental
☐ Storm water
☒ Traffic citations
☐ None (a new participant)

19) Other types of debts not listed above

20) Name of Person completing this form

Margaret Theis

21) Title of Person completing this form

Finance Administrator

22) Email Address of person completing this form

finance@riverbendnc.org

Instructions for Completion and Submission:

- a) Complete Items 1 - 22 above
- b) Click "Print this Form" (OPTIONAL)
- c) Click "Submit Form" (REQUIRED) which will submit and clear all entries. Clicking SUBMIT prior to PRINT requires a re-start.
- d) An official 2021 Participation form will be electronically mailed to the email in #22. The form must be electronically signed by a local government official. A signed original NO LONGER needs to be mailed.

[Print This Form \(optional\)](#)

[Submit Form](#)

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SHORT FORM OF AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES

THIS IS AN AGREEMENT effective as of September 2, 2020 ("Effective Date")
between

The Town of River Bend, NC ("Owner")

and

Municipal Engineering Services Company, P.A. ("Engineer").

Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as follows:

Water Meter Replacement and Billing Server Relocation ("Project").

Engineer's Services under this Agreement are generally identified as follows:

Preparation of an Engineering Report and Environmental Document in accordance with the NC Division of Water Infrastructure requirements for Project No. 2008, Grant and Construction Administration, Engineering Design Specifications, Bidding Services, and Construction Observation for the replacement of approximately 1,460 water meters within the Town of River Bend and the Relocation of the Billing Server from its current location within the Town's Administrative Offices to the newly constructed Town of River Bend's Police Station.

Owner and Engineer further agree as follows:

1.01 *Basic Agreement and Period of Service*

- A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above. Owner shall pay Engineer for its services as set forth in Paragraphs 7.01 and 7.02.
- B. Engineer shall complete its services within a reasonable time, or within the following specific time period as mandated by the North Carolina Division of Water Infrastructure: Submittal of an Engineering Report by December 1, 2020, Bid and Design Package Submittal by November 1, 2021, Advertise and Receive Bids by July 1, 2022, and Execute Construction Contracts by August 1, 2022.

- C. If the Project includes construction-related professional services, then Engineer's time for completion of services is conditioned on the time for Owner and its contractors to complete construction not exceeding six (6) months. If the actual time to complete construction exceeds the number of months indicated, then Engineer's period of service and its total compensation shall be appropriately adjusted.

2.01 *Payment Procedures*

- A. *Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice, then the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension. Payments will be credited first to interest and then to principal.

3.01 *Termination*

- A. The obligation to continue performance under this Agreement may be terminated:

1. For cause,

- a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay Engineer for its services is a substantial failure to perform and a basis for termination.

b. By Engineer:

- 1) upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or
- 2) upon seven days written notice if the Engineer's services for the Project are delayed for more than 90 days for reasons beyond Engineer's control.

Engineer shall have no liability to Owner on account of a termination by Engineer under Paragraph 3.01.A.1.b.

- c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period

provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.

- B. The terminating party under Paragraph 3.01.A may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.
- C. In the event of any termination under Paragraph 3.01, Engineer will be entitled to invoice Owner and to receive full payment for all services performed or furnished in accordance with this Agreement and all reimbursable expenses incurred through the effective date of termination.

4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 4.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any contractor, subcontractor, supplier, other individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

5.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Subject to the foregoing standard of care, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.

- B. Engineer shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.
- C. This Agreement is to be governed by the law of the state or jurisdiction in which the Project is located.
- D. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor. Engineer is not responsible for variations between actual construction bids or costs and Engineer's opinions or estimates regarding construction costs.
- E. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any construction work; or for any decision made regarding the construction contract requirements, or any application, interpretation, or clarification of the construction contract other than those made by Engineer.
- F. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the Engineers Joint Contract Documents Committee (EJCDC C-700, 2007 Edition) unless the parties agree otherwise.
- G. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment for all services relating to preparation of the documents and subject to the following limitations: (1) Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer; (2) any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and consultants; (3) Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and (4) such limited license to Owner shall not create any rights in third parties.
- H. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting

from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.

- I. The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste as defined by the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq., or radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (1) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (2) warrants that the Site is in full compliance with applicable Laws and Regulations.
- J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.

6.01 *Total Agreement*

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

7.01 *Basis of Payment—Lump Sum*

- A. Using the procedures set forth in Paragraph 2.01, Owner shall pay Engineer as follows:
 1. A Lump Sum amount of \$54,000.00 for the Preparation of the Engineering Report, Environmental Document, Grant and Construction Administration, Engineering Design Specifications, and Bidding Services.
- B. The portion of the compensation amount billed monthly for Engineer's services will be based upon Engineer's estimate of the percentage of the total services actually completed during the billing period. These services shall be described as follows:

Engineering Report/Environmental Document	\$ 14,000.00
Grant Administration	\$ 5,000.00
Construction Administration	\$ 12,000.00
Engineering Design	\$ 18,000.00
Bidding Services	\$ 5,000.00

PLUS

7.01 *Basis of Payment—Hourly Rates Plus Reimbursable Expenses*

A. Using the procedures set forth in Paragraph 2.01, Owner shall pay Engineer as follows:

1. An amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class for all services performed on the Project, plus reimbursable expenses and Engineer's consultants' charges, if any.
2. Engineer's Standard Hourly Rates are attached as Appendix 1.
3. The total compensation for services and reimbursable expenses is estimated to be \$15,000.00 for Construction Observation.

7.02 *Additional Services:* For additional services of Engineer's employees engaged directly on the Project, Owner shall pay Engineer an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Engineer's consultants' charges, if any. Engineer's standard hourly rates are attached as Appendix 1.

Attachments: Appendix 1, Engineer's Standard Hourly Rates

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

OWNER:

By: _____

John Kirkland

Title: Mayor, Town of River Bend, NC

Date Signed: _____

Address for giving notices:

Town of River Bend

45 Shoreline Dr.

River Bend, NC 28562

ENGINEER:

By: 

John R. Blowe, PE

Title: Compliance Manager, Municipal Engineering Services Company, P.A.

Date Signed: September 2, 2020

Engineer License or Firm's Certificate
Number: C-0281

State of: North Carolina

Address for giving notices:

Municipal Engineering Services Company, P.A.

68 Shipwash Dr.

Garner, NC 27529

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer



ENGINEERS JOINT CONTRACT
DOCUMENTS COMMITTEE

This is **Appendix 1, Engineer's Standard Hourly Rates**, referred to in and part of the Short Form of Agreement between Owner and Engineer for Professional Services date, September 2, 2020.

Engineer's Standard Hourly Rates

A. *Standard Hourly Rates:*

1. Standard Hourly Rates are set forth in this Appendix 1 and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. The Standard Hourly Rates apply only as specified in Paragraphs 7.01 and 7.02, and are subject to annual review and adjustment.

B. *Schedule of Hourly Rates:*

Hourly rates for services performed on or after the Effective Date are:

Sr. Principal Engineer	\$185.00 per hour
Sr. Project Engineer	150.00 per hour
Principal Project Manager	150.00 per hour
Senior Project Manager	140.00 per hour
Senior Engineer I	140.00 per hour
Funding Director	90.00 per hour
Funding Administrator	80.00 per hour
Expert Witness	200.00 per hour
Environmental Specialist II	85.00 per hour
Environmental Specialist	75.00 per hour
Lead Senior Designer	90.00 per hour
Senior Designer	85.00 per hour
Design Technician	75.00 per hour
Professional Land Surveyor	125.00 per hour
Survey - Robotics	120.00 per hour
Survey - GPS	150.00 per hour
Survey Technician	77.00 per hour
Senior Construction Observer	77.00 per hour
QA/QC Field Supervisor	80.00 per hour
Secretary	55.00 per hour
Consultants	Cost plus 15%
Direct Costs	Cost plus 15%

Note: There is no charge for mileage.

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

AFFIDAVIT
E-VERIFY COMPLIANCE

1. North Carolina General Statute 160A-20.1(a) authorizes counties, cities, and towns to contract with a private entity to carry out any public purpose that the county, city, or town is authorized to engage in by law; and
2. North Carolina General Statute 160A-20.1(b) prohibits counties, cities, and towns from entering into a contract with a private entity unless said entity and its subcontractors comply with the requirements of Article 2 of Chapter 64-26(a) of the General Statutes, which requires an employer that transacts business in the State of North Carolina and employs 25 or more employees in the State of North Carolina to verify the work authorization of its employees through the Federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees.
3. In accordance with North Carolina General Statute 160A-20.1(b) and as a condition of bidding on potential contracts, the Town of River Bend, North Carolina, requires contractors to comply with the E-Verify requirements in Article 2 of Chapter 64 of the North Carolina General Statutes as evidenced by submission of this Affidavit.
4. Therefore, I, Carol R. Woodie, have submitted a proposal for a contract or desire to enter into a contract with the Town of River Bend; as part of my duties and responsibilities pursuant to said bid and/or contract, I attest that I am aware of and in compliance with the requirements of E-Verify, Article 2 of Chapter 64 of the North Carolina General Statutes, to include (a mark which applies):

X After hiring an employee to work in the United States, I verify the work authorization of a said employee through E-Verify and retain the record of the verification of work authorization while the employee is employed and for one year thereafter; or

_____ I employ less than twenty-five (25) employees in the State of North Carolina.

5. As part of my duties and responsibilities pursuant to said bid and/or contract, I attest that to the best of my knowledge, any subcontractors employed as a part of this bid and/or contract are in compliance with the requirements of E-Verify, Article 2 of Chapter 64 of the North Carolina General Statutes, to include (mark which one applies):

X After hiring an employee to work in the United States, the subcontractor verifies the work authorization of a said employee through E-Verify and retain the record of the verification of work authorization while the employee is employed and for one year thereafter; or

_____ Employ less than twenty-five (25) employees in the State of North Carolina.
Specify subcontractor: _____

This the 2nd day of September 2020.

Signature of Affiant: _____

Print or Type Name: _____

Title: _____

Company or Contractor's Name: Municipal Engineering Services Co., PA

NOTARY:

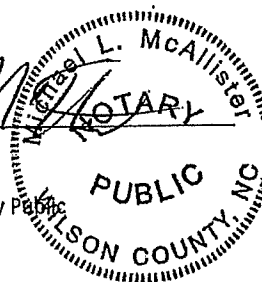
Sworn to and subscribed before me, this the 2nd day of September 2020.

[OFFICIAL SEAL]

Signature

Michael L. McAllister, Notary Public
Printed Name

My Commission Expires: September 23, 2020.



**River Bend Town Council
Work Session Minutes
October 8, 2020
River Bend Municipal Building
5:00 p.m.**

Present Council Members	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Bud Van Slyke Buddy Sheffield
Town Manager	Delane Jackson
Town Clerk	Kristie Nobles
Town Attorney	David Baxter

Councilman McClard asked if he could address the council. He stated that he has decided to place his home on the market and he is not sure where he will move. He asked if it would be a conflict of interest with his home on the market while he serves on the Council. The Council agreed that it was no conflict for him to serve on the Town's Council. The Town's Attorney David Baxter also agreed that there was no conflict with him serving while his house is on the market.

Town Manager Delane Jackson stated that he had two items to add to the agenda this week. These two items were placed at the top of the agenda.

DISCUSSION – Resolution – Designation of Applicant Agent

The Manager stated he is completing documents to apply for a \$500,000 grant to build a new public works facility. The letters of interest for this grant are due Friday October 9, 2020. One of the requirements is a designation of an agent. The Manager presented a resolution to appoint him as the designated agent.

MOTION

Councilman Sheffield **moved to adopt the Resolution appointing the Town Manager as the Designated Applicant Agent for the North Carolina Division of Emergency Management as presented.** The motion carried unanimously. (*see attached*)

DISCUSSION – Dredging Proposal

The Manager stated that the Council had previously approved a proposal from Kings Dredging in the amount of \$65,000, and since then this contractor has rescinded this proposal. The Manager presented a dredging proposal from Coastal Dredging in the amount of \$65,000 and said that the Town is on a very tight time line with our permit. He stated that he has consulted with five dredging contractors since the beginning of this project. He stated that Coastal Dredging stated that they could start on the project as early as next week. Councilman Sheffield asked if the spoils would be disposed of in the same manner as discussed with the prior contractor. The Manager stated that the spoils would be lifted by bucket to barge and then would be trucked to private property off Old Pollocksville Road. Once dried Public Works would spread out the remaining soil in that area on the property. Councilman Van Syke asked if the contracted price is for up to 1,000 cubic yards or per cubic yard. The Manager stated that the contractor would invoice the Town for the amount of cubic yards removed at \$50 each. Councilman Van Syke asked that there be a contract completed stating that the contractor would only invoice for the total cubic yards versus a flat fee of \$65,000 up to 1,000 cubic yards. The Manager stated that a contract would be completed to

include this wording. Councilman Leonard asked if the Manager had spoken with the contractor regarding property owners contacting him for personal dredging also. The Manager said he has not but the proposal has the contractors contact information on it for anyone who wished to contact him for personal dredging.

MOTION

Councilman Leonard **moved to accept the Island Lake dredging proposal as presented from Coastal Dredging and to authorize the Town Manager to negotiate and execute a contract in an amount not to exceed \$65,000.** The motion carried unanimously.

DISCUSSION – Planning Board Recommendation Concerning Sidewalks in Subdivision Ordinance

Councilman Sheffield stated that the Planning Board recommends that the Town require sidewalks in the Subdivision Ordinance. He stated that this had been presented to the board a few years back and the only change now is that the sidewalks would be five foot wide. Councilman Sheffield said that as the Planning Boards liaison, he is obligated to present this to the Council but he personally does not recommend it or support adding sidewalks to the Subdivision Ordinance. Councilman Leonard stated that this would be a requirement for new subdivisions in the Town only and he supports adding sidewalks to new subdivisions. Councilman Van Syke asked if this would pertain to new homes in current subdivisions and the Manager stated that this would pertain to new subdivisions only. Councilman Leonard stated that the only area in town for new subdivisions that this would pertain to is basically in the Northwest Quadrant. He stated that sidewalks would be a benefit for safety in the area also. Councilman Fogle asked if the Town is still considering lot size and animals for the Northwest Quadrant. Councilman Sheffield stated that the Planning Board would discuss that at the next Planning Board meeting. Councilman Fogle stated that he does not think the Council should take any action on sidewalks until the Planning Board makes a decision on animal restrictions and lot size. Mayor Kirkland suggested that the Council send the sidewalk recommendation back to the Planning Board to draft a proposal for items that have been discussed.

DISCUSSION – Planning Board Recommendation Concerning Stormwater Drainage Regulations

Councilman Sheffield stated that the Planning Board recommends deleting §15.02.069 Stormwater Drainage regulations from Chapter 15 and adding Stormwater Drainage regulations to Chapter 9.03 of the Code of Ordinances. He stated that the Town could then take over responsibility of maintaining the Town's right-of-way including the drainage ditches and pipes. The Manager stated that for the responsibility to shift from property owner and to the Town that the Council would need to approve amending the Code of Ordinance, which would need to start with holding a Public Hearing. Councilman Leonard stated that EWAB also recommends this change. Councilman Leonard stated that the changes to the Code of Ordinances will need to clearly state the property owner's and the Town's responsibilities. Councilman Sheffield agreed. Mayor Kirkland suggested that the Council allow the Mayor and the Town Manager to work on the language for amending the drainage regulations.

DISCUSSION – Painting Options for Town Hall Exterior

The Manager stated to the Council that construction on Town Hall has come to a point where a decision needs to be made on the exterior color of the new addition. He said that there are a few options for determining the exterior color:

- a) Paint the new Town Hall addition to match the Municipal Building with the intent to paint the remainder of Town Hall to match Municipal Building at a later date.
- b) Paint the new Town Hall addition to match the existing Town Hall exterior, with the intent to paint the entire Town Hall to match Municipal Building at a later date.

- c) Paint the new Town Hall addition to match the remainder of Town Hall with no intention to change it at a later date. This is the only no additional cost option.

The Manager stated that if the Council decided to paint the entire Town Hall to match the Municipal Building it would cost an additional \$13,040. That price does not include any needed preparations to replace damaged siding. Councilman Sheffield stated that installing the Hardy board to match the Municipal Building would look nice but for the time being painting the new addition at Town Hall to match the current Town Hall exterior would be the best option. By consensus of the Council all agreed to move forward with painting the new Town Hall addition to match the current Town Hall exterior paint color.

DISCUSSION – Room Naming Options

The Manager stated to the Council that he has received most of the recommendations for the room names for the meeting rooms at the Municipal Building and Town Hall from the Council. He stated that voting on those names would take place at the next Council Meeting on October 15th.

Councilman Van Syke asked when those rooms would be reopened for public use. Councilman Leonard stated that there are restrictions that would need to be in place for use of the meeting rooms and someone there to enforce the restrictions. The Manager stated that the Council would need to make a decision to reopen the meeting rooms. The Mayor stated that reopening the meeting rooms at this time should not be an option. By consensus of the Council all agreed to keep the meeting rooms closed for public use other than Council and Advisory Board meetings.

Councilman Fogle suggested that the Council add a "Wall of Fame" to the new Municipal Building. He stated that these individuals would be community members who have made an impact on the community and create criteria for those individuals who would be nominated. Councilman McClard stated that this would most likely create a hardship for community members nominated but not approved. No action was taken at this time.

Councilman Leonard asked if the CAC Advisory Board would be the group to decide on the interior appearance of the Municipal Building. The Manager stated that the CAC Advisory Board role is strictly for exterior projects.

DISCUSSION – Veterans Memorial Stone Placement

The Manager stated that at a previous Council meeting, it was suggested to move the Veterans Memorial Stone to the Municipal Building by the flagpole. He stated that the Veterans Stone has been removed from its original location due to construction at Town Hall. The Manager said that with Veterans Day approaching this would be a good time to place it near the flagpole at the Municipal Building if the Council wished to do so. Councilman Sheffield stated that if the Veterans Memorial Stone is moved that a new ceremony would be necessary. Councilman Leonard stated that the stone was in a high traffic area with more visibility in its original location at Town Hall. He suggested that the stone should be returned there. The Council agreed to return the Veterans Memorial Stone to its original location at Town Hall when construction is complete. The Manager stated that the original location is now occupied by the new addition but the stone could be placed very close to its original location.

CLOSED SESSION

Councilman Sheffield **moved to go into a Closed Session under NCSG 143-318.11(a)(3) and (5), to consult with the attorney and to discuss the possible acquisition of land on Old Pollocksville Road from Robert Davis for the construction of a new road.** The motion carried unanimously. The Council entered Closed Session at 6:30 p.m.

OPEN SESSION

Councilman Sheffield **moved to return to Open Session** at 7:00 p.m. The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 7:05 p.m.



Kristie Nobles
Town Clerk

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) Town of River Bend	Disaster Number:
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start Month: 7 Day: 1	
Applicant's Federal Employer's Identification Number 56 - 1291141	
Applicant's Federal Information Processing Standards (FIPS) Number 37 - 049 -	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Delane Jackson	Agent's Name John Kirkland
Organization Town of River Bend	Organization Town of River Bend
Official Position Town Manager	Official Position Mayor
Mailing Address 45 Shoreline Dr.	Mailing Address 45 Shoreline Dr.
City, State, Zip River Bend NC 28562	City, State, Zip River Bend NC 28562
Daytime Telephone (252) 638-3870	Daytime Telephone (252) 638-3870
Facsimile Number	Facsimile Number
Pager or Cellular Number	Pager or Cellular Number

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 8 day of October, 2020

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name Kristie Nobles
Name and Title	Official Position Town Clerk
Name and Title	Daytime Telephone (252) 638-3870

CERTIFICATION

I, Kristie Nobles, (Name) duly appointed and Town Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of Town of River Bend (Organization) on the 8 day of October, 2020

Date: 10-9-20 Signature: Kristie Nobles

**River Bend Town Council
Regular Meeting Minutes
October 15, 2020
River Bend Municipal Building
7:00 p.m.**

Present Council Members:	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Buddy Sheffield Bud Van Slyke
Town Manager:	Delane Jackson
Town Clerk:	Kristie Nobles
Town Attorney:	Dave Baxter
Finance Administrator:	Margaret Theis
Police Chief:	Sean Joll

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, October 15, 2020 at the River Bend Municipal Building with a quorum present.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman Leonard stated there was an error on page 2 of the Work Session Minutes from September 10, 2020. This had been corrected prior to the Council Meeting and copies were distributed to Council Members at the meeting. Councilman McClard **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 September 10, 2020 Work Session
Minutes of the September 17, 2020 Regular Meeting

TOWN MANAGER'S REPORT

The Town Manager stated that he would like to acknowledge that October is Breast Cancer Awareness Month and that the Town Employees and Council Members all displayed an article of pink to support the cause.

The Manager stated that he had completed the BRIC application and letter of interest to FEMA to apply for funding for construction of a new public works building. He stated that overall \$33,600,000 is allotted to the State and the Town is requesting \$638,000. A decision should be made by Friday, October 23, 2020 as to if the Town has advanced to the next level of the application process. The Manager stated that the Town had received money from FEMA for flood mitigation that will allow the Town to expand the second level of storage in the current public works building. Councilman Sheffield asked if the Town is awarded the BRIC money, will the Town build a new public works building and tear down the current building. The Manager stated that the Town's application would require the Town to demolish the current building and

rebuild outside the flood plain. Councilman McClard asked if the Town would be able to build in the current public works building area again and the Manager stated that the Town would not be permitted to do so.

The Manager stated that Election Day voting will be in the new Municipal Building and no early voting will take place in the Town of River Bend.

Councilman Leonard asked if Coastal Dredging has starting dredging. The Manager stated that the barge is in place but the contractor has not started dredging. The contractor wanted to confirm his insurance limitations before completing the contract. The Manager stated that the Town would be responsible for cleaning the road after the silt is transported to the disposal site.

ADMINISTRATIVE REPORTS

PLANNING BOARD – Councilman Sheffield

Planning Board – The River Bend Planning Board met on October 1st at 6:00 p.m. in the Municipal Building. A quorum was present. Guests included the Town Manager and Mr. Brian Swicegood. The usual reports were given. Mr. Swicegood addressed the board about his desire to purchase two lots within the Town limits of River Bend to create a home for his family. He requested that the board alter its ban on farm animals in the Town limits. It is his desire to create a 16-acre home/farm that, among other things, would feature some animals such as a goat, a donkey, some ducks and chickens. He explained that he wants his children to grow up with the experience of taking care of animals to teach them responsibility, aside from the simple fun of it. Mr. Swicegood was excused and the board took his request under advisement. There was much discussion. It was determined that the area of the potential mini farm is already zoned for “agriculture” but changes would need to be made to allow for farm animals. No decision was reached. Chairman Lippert asked the members to do their homework on the subject and be prepared to render a decision at the November Planning Board meeting. The next topic was a proposal to require sidewalks in the zoning requirements for subdivisions in new development within the Town. The board decided in favor of the proposal and sent it to the Council for a vote. The board also decided to remove language from section 15 of the Town’s ordinance concerning the responsibility of homeowners to maintain storm water drainage ditches in front of their homes. This change was submitted to the Town Council for a vote. The meeting was adjourned.

The next meeting will be November 5th. As always, all citizens are invited to attend, although numbers are restricted by Covid-19 regulations.

Vote – Public Hearing for Subdivision Ordinance Amendment

Councilman Sheffield motioned to hold a public Hearing on November 19, 2020 for a proposed amendment to the Town’s Subdivision Ordinance. The motion carried unanimously.

Vote – Public Hearing for Stormwater Drainage Amendment

Councilman Sheffield motioned to hold a public Hearing on November 19, 2020 for a proposed amendment to the Town’s Zoning Ordinance. The motion carried unanimously.

PARKS & RECREATION/CAC – Councilman McClard

Parks & Recreation – Councilman McClard stated that the Parks and Recreation Board met on September 30, 2020 to discuss Halloween options for this upcoming year. The board agreed to host a drive thru Trick or Treat in the Municipal Building parking lot on October 31st, from 3:00

p.m.to 5:00 p.m. The board also agreed to host a Halloween Mailbox Decorating Contest with prizes offered.

RBCOG Garden – Councilman McClard stated that the Organic Garden has not resumed regular meetings since Covid-19 arrived. He stated that Fall production would include lettuce, kale, swiss chard, radishes, turnips, rutabaga and garlic. Gardeners will begin clearing out the beds and the garden will be rototilled over the next few months. All the beehives with the exception of one have been decimated by wax moths and the Monarch butterflies will be heading south soon.

Red Caboose Library Board – Councilman McClard stated that the library had re-opened and the Grab and Go process is working well. He stated there is a Book and Bake sale planned for Saturday November 21, 2020 from 10:00 a.m. to 2:00 p.m.

PUBLIC SAFETY – Councilman Fogle

Discussion – Room Naming Options - Councilman Fogle stated that all of the proposed names for the public meeting rooms had been compiled and provided to the Council. After some discussion the following room names were agreed upon by the Council:

Large Room in the Municipal Building to be named Plantation Room.

Small Room in the Municipal Building to be named Shoreline Room.

Large Room in the Town Hall Building to be named Council Chambers.

Small Room in the Town Hall Building to be named Town Hall Conference Room.

PUBLIC WORKS – Mayor Kirkland

The Mayor stated that there was a PWAB meeting this month with three members in attendance. The Mayor stated that the Board has several openings and solicits volunteers to serve on this Board. If interested please contact the PWAB Chairman Mr. Buck Irvin, Town Clerk or himself. Applying is as easy as filing a form with the Town Clerk. Then it will be presented to the Council for action.

FINANCE –Councilman Van Syke

Financial Report – Finance Administrator Margaret Theis told the Council that the total of the General Fund Cash Balances as of September 30, 2020 was \$3,882,536. Ad valorem tax collections for FY20-21 were at \$10,653, and Vehicle Ad valorem tax collections were at \$6,956.

ENVIRONMENT AND WATERWAYS – Councilman Leonard

Councilman Leonard gave the following report of the last EWAB meeting:

EWAB met on October 3, 2020 in the large meeting room in the Municipal Building. Chairman Stevens called the meeting to order at 7:02 p.m.. There was a quorum of members. There were no visitors. Most members wore masks. Councilman Leonard updated the board about ongoing Town Council matters.

Old business: Dredging: Update of ongoing efforts to secure a contractor. Drainage: Update on Channel Run project and the planning board's recommendation to change the Town's ordinance. No wake signs: Update of status of new signs ordered. Canal survey: Update of status of getting contractor to conduct survey. New business: There was no new business. The next meeting will be on Monday, November 2, 2020 at 7:00 p.m. in the small meeting room in the Municipal Building. Visitors are welcome. The meeting adjourned at 7:35 p.m.

MAYOR'S REPORT – Mayor Kirkland

The Mayor presented the following report:

After 25 years residency in River Bend it is safe to say that the Town's appearance has never looked so good.

This statement is remarkable when one considers that two years ago we had just suffered the devastating visit of Hurricane Florence. Those that lived through that event will clearly recall the massive piles of appliances, furniture and demolition debris that lined the streets in the floodplain areas of Town. It had all the resemblance of a war zone.

Fast forward. There are still homes that are being restored but exterior appearances of these few homes reveal very little of that ongoing effort. A visitor driving through Town today would see little evidence of the Florence visit of only two years past.

Many persons have worked hard to make this transformation possible. I shall list some of these people:

1. Individual Homeowners: who quickly removed the compromised furniture, appliances and interior building materials. These homeowners worked with the Town's floodplain administrator Allison McCollum and the FEMA representative agents who spent several weeks in Town addressing loss and covered restoration compensation. This was followed by an army of contract personnel and traffic in support of rebuilding.
2. The Storm actions of the Town Council: required attendance at several called meetings to authorize documents needed for Federal and State funding grants. The continuing conduct of operations is made possible by the Town's annual budget. The Council spends hours in a number of sessions working with the Manager and Staff to authorize the annual budget, set the tax rate, and authorize the major projects that the Manager will execute during the course of the budget year. This authorization gave the Manager necessary authority to begin initial recovery efforts as we waited for return of requested grant funding. Thanks to the Council for the quick response each time a request for action was made.
3. Town Staff: under the leadership of Manager Delane Jackson the Town's infrastructure suffered some compromise but the dedicated staff kept the utility systems operating and there was virtually no interruption in this service. Manager Jackson carefully monitored what assistance would be available from Federal Agency and State sources to assist in rebuilding and recovery. Many staff members assisted in developing requests for emergency assistance. In total more than \$1,000,000 from these sources assisted in the recovery effort. The staff effort went largely unnoticed at the time. We all need to offer thanks and appreciation to these persons, who were at the same time dealing with their own recovery at home.

The Town has emerged from the wrath of Hurricane Florence in a strong position. The Homeowners, Town Council, Manager and entire Staff are due thanks and appreciation for clearly superior service during this very trying period.

Now we engage the COVID-19 pandemic. May we all see the conquering of this cruel virus in the near future.

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 Nobles
Town Clerk

**River Bend Town Council
Work Session Minutes
November 12, 2020
River Bend Municipal Building
5:00 p.m.**

Present Council Members	Mayor John Kirkland Don Fogle Brian Leonard Bud McClard Bud Van Slyke Buddy Sheffield
Town Manager	Delane Jackson
Town Clerk	Kristie Nobles
Town Attorney	David Baxter

DISCUSSION – Fair Housing Activity for CDBG-NR

The Town Manager stated that Ben Jones from The Adams Company would attend the regular Council meeting on November 19, 2020 to give an update on the CDBG-NR project.

DISCUSSION – Planning Board Recommendation on Subdivision Ordinance

The Manager stated that the Planning Board has recommended requiring sidewalks in new subdivisions and amending the Town's Ordinance. The Manager stated that there would be a requirement for the minimum thickness of concrete added to the proposed ordinance amendment also. The Town Attorney stated that this requirement needed to be added to the proposed ordinance amendment before the Public Hearing. Councilman Leonard asked what are the protocols for the Public Hearing with the Covid-19 restrictions. The Manager stated that the public would sign up at the entrance door and would be called upon in the order on the sign-up sheet. If there were more than the restricted amount, they would simply wait in the Small Conference Room. Councilman Van Syke asked what the cost of adding these sidewalks would be to the Town. The Manager stated that the developer of the new subdivision would be responsible for funding the sidewalks. Councilman Van Syke then asked the Manager who would maintain these sidewalks after installed by the developer. The Manager stated that the sidewalks would be within the Town's right-of-way and would be maintained by the Town.

DISCUSSION – Planning Board Recommendation on Stormwater Drainage Ordinance

The Manager stated the amendment would remove the Stormwater Drainage from Chapter 15 and add it to Chapter 9. The Manager stated that the amendments shifting stormwater responsibility to the Town could be on the agenda for the November 19, 2020 meeting if the Council wished. The Mayor stated that he would recommend doing all the Ordinance Amendments after the Public Hearing at the November 19th meeting. Councilman Leonard stated that he agreed with the new drafted language.

VOTE – Room Naming Options

Councilman Fogle stated that there was no vote at the last meeting to officially name the Municipal Building and Town Hall rooms. Councilman Fogle requested reconsideration of two of the conference room names that were agreed upon at the last Council Meeting. After a brief discussion, the Council decided on the following:

Councilman Fogle **moved to name the large room in the Municipal Building as LARGE ROOM.** The motion carried unanimously.

Councilman Fogle **moved to name the small room in the Municipal Building as SMALL ROOM.** The motion carried unanimously.

Councilman Fogle **moved to name the large room in the Town Hall Building as COUNCIL CHAMBERS.** The motion carried unanimously.

Councilman Fogle **moved to name the small room in the Town Hall Building as TOWN HALL CONFERENCE ROOM.** The motion carried unanimously.

DISCUSSION – Northwest Quadrant Road

The Manager stated to the Council that there are two properties, Davis Property and Brown Property, which the Town may be interested in obtaining to create a possible road. He stated that he had talked to Weldon Brown about his property and Weldon is still considering the Town's proposal. Councilman Fogle stated that the Brown property appears to be much flatter, which would be easier to create the possible road. Council McClard stated that the Brown property price appears more reasonable also.

DISCUSSION – PWAB Recommendations

The Mayor stated he is the PWAB liaison and is obligated to present their recommendation to the Council but does not support it. The Mayor stated that PWAB would like to make it mandatory to have the Public Works Director attend their meetings. The Mayor nor the Manager support this recommendation.

VOTE - Resolution of the Town of River Bend Regarding Designation of Applicant's Agent

The Manager said that this Resolution is required to designate our employees who are authorized to file claims with FEMA on behalf of the Town. Councilman Sheffield **moved to approve the Resolution of the Town of River Bend Regarding Designation of Applicant's Agent as presented.** The motion carried unanimously. (see attached)

VOTE- Adoption of 2021 Employee Holiday Schedule

Councilman Sheffield **moved to adopt the 2021 River Bend Employee Holiday Schedule as presented.** The motion carried unanimously. (see attached)

CLOSED SESSION

Councilman Sheffield **moved to go into a Closed Session under NCSG 143-318.11(a)(3)(5)(6), to consult with the attorney.** The motion carried unanimously. The Council entered Closed Session at 5:40 p.m.

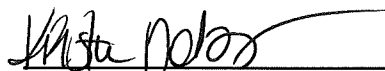
OPEN SESSION

Councilman Sheffield **moved to return to Open Session** at 6:25 p.m. The motion carried unanimously.

Councilman Leonard **moved to approve the Town Manager's Employment Contract as presented including changes that were discussed and authorize the Mayor to execute the contract on behalf of the Town.** The motion carried unanimously.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 6:30 p.m.



Kristie Nobles
Town Clerk

DESIGNATION OF APPLICANT'S AGENT AND APPLICANT ASSURANCES FOR PUBLIC ASSISTANCE

ORGANIZATION NAME (HEREAFTER NAMED ORGANIZATION)

River Bend, Town Of

PRIMARY AGENT	SECONDARY AGENT
AGENT'S NAME Mandy Gilbert	AGENT'S NAME Margaret Theis
ORGANIZATION Town of River Bend	ORGANIZATION Town of River Bend
TITLE or POSITION Finance Assistant	TITLE or POSITION Finance Administrator
MAILING ADDRESS 45 Shoreline Drive	MAILING ADDRESS 45 Shoreline Drive
CITY, STATE, ZIP River Bend, NC 28562	CITY, STATE, ZIP River Bend, NC 28562
DAYTIME TELEPHONE (252) 638-3540	DAYTIME TELEPHONE 252-638-3870 ext. 204
FAX NUMBER (252) 638-2580	FAX NUMBER 252-638-2580
CELL NUMBER	CELL NUMBER

THE ABOVE PRIMARY AND SECONDARY AGENTS ARE HEREBY AUTHORIZED TO EXECUTE AND FILE APPLICATION FOR PUBLIC ASSISTANCE ON BEHALF OF THE ORGANIZATION FOR THE PURPOSE OF OBTAINING CERTAIN STATE AND FEDERAL FINANCIAL ASSISTANCE UNDER THE ROBERT T. STAFFORD DISASTER RELIEF & EMERGENCY ASSISTANCE ACT, (PUBLIC LAW 93-288 AS AMENDED) OR OTHERWISE AVAILABLE. THIS AGENT IS AUTHORIZED TO REPRESENT AND ACT FOR THE ORGANIZATION IN ALL DEALINGS WITH THE STATE OF NORTH CAROLINA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR MATTERS PERTAINING TO SUCH DISASTER ASSISTANCE REQUIRED BY THE AGREEMENTS AND ASSURANCES PRINTED ON THE SECOND ATTACHED PAGE.

FINANCIAL MANAGER OR OFFICER	CERTIFYING OFFICIAL
NAME Irving "Bud" VanSlyke	OFFICIAL'S NAME John Kirkland
ORGANIZATION Town of River Bend	ORGANIZATION Town of River Bend
OFFICIAL POSITION Councilman / Finance Officer	OFFICIAL POSITION Mayor
MAILING ADDRESS 45 Shoreline Drive	MAILING ADDRESS 45 Shoreline Drive
CITY, STATE, ZIP River Bend, NC 28562	CITY, STATE, ZIP River Bend, NC 28562
DAYTIME TELEPHONE (252) 638-3870	DAYTIME TELEPHONE (252) 638-3870 ext. 212
FACSIMILE NUMBER (252) 638-2580	FACSIMILE NUMBER (252) 638-2580
PAGER OR CELLULAR NUMBER	PAGER OR CELLULAR NUMBER

APPLICANT'S STATE COGNIZANT AGENCY FOR SINGLE AUDIT PURPOSES (If a COGNIZANT AGENCY IS NOT ASSIGNED, PLEASE INDICATE):

APPLICANT'S FISCAL YEAR (FY) START

MONTH: July DAY: 01

APPLICANT'S FEDERAL EMPLOYER'S IDENTIFICATION NUMBER

56-1291141

APPLICANT'S STATE PAYEE IDENTIFICATION NUMBER

049-56710-00

CERTIFYING OFFICIAL'S SIGNATURE

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that it is duly authorized pursuant to appropriate applicant authority and/or a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body and that the agents and officials designated herein are duly authorized under North Carolina law to act on behalf of the organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to the disaster assistance required by the agreements and assurances contained herein.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 12148, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the awarding agency, the Comptroller General of the United States and the State the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act, as amended, 5 USC 1501 et. seq. and 7324 et. seq., which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, 29 U.S.C. Section 201 et seq., as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973, as amended, 42 U.S.C. 40001 et. seq. Further, Sections 102 and 103 (42 U.S.C. 4012a and 4015) required, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, 54 U.S.C. 306108 (former 16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 or 1974, 54 U.S.C. 312501 et. seq. (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

The Certifying Official is an individual with authority to bind the Applicant Organization to the terms and conditions herein, or one who has been duly authorized to act in that capacity for this matter.)



North Carolina Department of Public Safety Division of Emergency Management

APPLICANT: River Bend, Town Of

DISASTER: Hurricane Isaias

FEMA No: **FEMA-4568-NC**

STATE-APPLICANT DISASTER ASSISTANCE AGREEMENT

This Agreement made by and between the State of North Carolina, Department of Public Safety, Division of Emergency Management ("the State") and River Bend, Town Of ("the Applicant") shall be effective on the date signed by the State and the Applicant. It shall apply to all disaster assistance funds provided by or through the State to the Applicant as a result of the disaster named Hurricane Isaias and pursuant to the Major Disaster Declaration made by the President of the United States numbered FEMA-4568-NC.

The designated representative of the Applicant (Applicant's Agent) certifies that:

1. The Applicant's Agent has the legal authority under North Carolina law to apply for assistance on behalf of the Applicant, that it is duly authorized pursuant to appropriate Applicant authority and/or a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, and that the agents and officials designated herein are duly authorized under North Carolina law to act on behalf of the organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to the disaster assistance required by the agreements and assurances contained herein.
2. The Applicant shall provide all necessary financial and managerial resources to meet the terms and conditions of receiving Federal and State disaster grant assistance.
3. The Applicant shall use disaster assistance funds solely for the purpose for which these funds are provided and as approved by the Governor's Authorized Representative (GAR).
4. The Applicant is aware of and shall comply with cost-sharing requirements of Federal and State disaster assistance: specifically, that Federal assistance is no less than 75% of eligible expenditures, and that State assistance is limited to 25% of the eligible costs. Alternate projects selected by the Applicant may be eligible for only 75% of the approved Federal share of estimated eligible costs.
5. The Applicant shall provide the following completed documentation to the State:
 - a. The required NCEM Funding Agreement, which includes both this State-Applicant Disaster Assistance Agreement (SAA) form and the Designated Authorized Agent (DAA) form
 - b. Private Non-Profit Organization Certification (if relevant)
 - c. Summary of Documentation Form itemizing actual costs expended for large project payment requests
 - d. Quarterly Progress Reports (formerly monthly progress reports)
 - e. Copies of Single Audit Reports as applicable

If the Applicant fails to provide any of the above documentation, the State will be under no obligation to reimburse the Applicant for eligible expenses.

6. The Applicant shall establish and maintain a proper accounting system to record expenditures of disaster assistance funds in accordance with generally accepted accounting principles or as directed by the Governor's Authorized Representative. If applicable, the Applicant shall conduct audit(s) pursuant to the Single Audit Act of 1984, 31 U.S.C. § 7501 et. seq., 44 C.F.R. Part 14, 2 C.F.R. Part 200, OMB Circular A-133, "Audits of States, Local Governments and Non-profit Organizations," and applicable North Carolina laws, rules and regulations.
7. The Applicant shall provide to the State Quarterly Progress Reports for all open large projects and all Category Z projects (formerly Administrative Costs or DAC) funded by FEMA disaster assistance grants. The first Progress Report shall be due on the 10th day of the first month following initiation of the project and subsequent Progress Reports will be due on the 10th day the first month of each quarter thereafter until the project is complete. Forms and reporting requirements will be provided by NCEM Recovery/Public Assistance.
8. The Applicant, its employees and agents, including consultants, contractors and subcontractors to be paid with funds provided under this Agreement, shall give State and Federal agencies designated by the Governor's Authorized Representative (GAR), full access to and the right to examine all records and documents related to the use of disaster assistance funds.
9. The Applicant shall return to the State, within thirty (30) days of a request by the Governor's Authorized Representative (GAR), any funds advanced to the Applicant that are not supported by audit or Federal or State review of documentation maintained by the Applicant.
10. The Applicant shall comply with all applicable codes and standards in the completion of eligible work to repair or replace damaged public facilities.
11. As a subrecipient of FEMA Public Assistance funds, the Applicant shall comply with FEMA's requirements to obtain and maintain insurance as applicable to any project that FEMA funds. If the Applicant does not obtain and maintain this insurance, FEMA may not fund future damages on the applicable facilities lacking FEMA-denoted insurance.
12. The Applicant shall begin and complete all items of work within the time limits established by the Governor's Authorized Representative (GAR) and in accordance with applicable Federal and State statutes, rules and regulations.
13. The Applicant shall request a final inspection within ninety (90) days after completion of each and every large project funded under this Agreement, or within ninety (90) days after the expiration of the time limit established for each project under Paragraph 12 above, whichever occurs first. Applicant shall present all supporting documentation to State and/or Federal inspectors at the time
14. The Applicant shall comply with all applicable Federal and State statutes, rules and regulations for publicly financed or assisted contracts including, but not limited to, non-discrimination, labor standard, and access by the physically handicapped.

15. The Applicant's Designated Agent shall execute and comply with the Lobbying Prohibition certification incorporated herein as *Attachment A*.
16. The Applicant's Designated Agent shall execute and comply with the Statement of Assurances (SF 424D) document incorporated herein as *Attachment B*.
17. The Applicant shall not enter into cost plus percentage of cost contracts for any contracts subject to this Agreement including for debris removal, emergency protective measures, or completion of disaster restoration or repair work.
18. The Applicant shall not enter into contracts for which payment is contingent upon receipt of State or Federal funds.
19. The Applicant shall not enter into any contract with any entity that is debarred or suspended from participation in Federal Assistance. The State and/or FEMA will not be under any obligation to reimburse Applicant for payments made to a debarred or suspended contractor. Applicant may search for debarred or suspended contractors on the "Excluded Parties List System" (EPLS) at the following website: www.sam.gov. The Applicant shall be responsible to ensure that it has checked the State Debarred Vendors Listing, <http://www.pandc.nc.gov/actions.asp> to verify that contractors, Subcontractors, or subrecipients have not been suspended or debarred from doing business with federal or State government.
20. The Applicant shall comply with the provisions of 42 U.S.C. § 5155 (Section 312 of the Stafford Act) which prohibits duplication of benefits. Applicant shall notify State immediately if any other source of funds is available to offset disaster assistance provided pursuant to this Agreement. Applicant agrees that eligible costs under this Agreement will be reduced by duplicate benefits received from any other source.
21. The Applicant shall comply with all uniform grant administration requirements required by State and Federal statutes, rules and regulations, including but not limited to, the Robert T. Stafford Disaster Relief and Emergency assistance Act, Public Law 93-288, as amended, Title 44 of the Code of Federal Regulations, 2 C.F.R. Part 200, applicable OMB Circulars, and policy guidance issued by the Federal Emergency Management Agency (FEMA).
22. If the Applicant pays contractors, subcontractors or consultants with funds provided through this Agreement, the Applicant shall include language in all contracts that binds the contractor, subcontractor or consultant to the terms and conditions of this Agreement with the State.

Nov 3, 2020

Date

56-1291141

Applicant's Federal Tax I.D.
Number (required)

FOR THE APPLICANT:

BY: Mandy B Gilbert
Signature

Mandy B. Gilbert
Typed Name

Finance Assistant
Title

FOR THE STATE:

Date

BY: _____
Signature

Typed Name

Title

ATTACHMENT A

LOBBYING PROHIBITION

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence either directly or indirectly an officer or employee of any State or Federal agency, a member of the N.C. Legislature, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all recipients of funds under this Agreement shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

River Bend, Town Of

Name of Applicant

BY: Mandy B Gilbert
Signature of Applicant's Designated Agent

ATTACHMENT B

Assurances for Construction Programs

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.
PROVIDE THIS DOCUMENT TO THE REQUESTING AGENCY IN THE MANNER REQUESTED BY THEM.**

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91- 190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

(Below: the Certifying Official is an individual with authority to bind the Applicant Organization to the terms and conditions herein, or one who has been duly authorized to act in that capacity for this matter.)

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL <i>Mandy B Gilbert</i>	TITLE <i>Finance Assistant</i>
APPLICANT ORGANIZATION River Bend, Town Of	DATE SUBMITTED Nov 3, 2020



TOWN OF RIVER BEND

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

**T 252.638.3870
F 252.638.2580**

www.riverbendnc.org

**TOWN OF RIVER BEND
EMPLOYEE HOLIDAY SCHEDULE FOR CY 2021**

<u>HOLIDAY</u>	<u>DATE</u>
New Year's Day	Friday, January 1, 2021
Martin Luther King Day	Monday, January 18, 2021
Good Friday	Friday, April 2, 2021
Memorial Day	Monday, May 31, 2021
Independence Day	Monday, July 5, 2021
Labor Day	Monday, September 6, 2021
Veterans' Day	Thursday, November 11, 2021
Thanksgiving Holiday	Thursday, November 25, 2021 Friday, November 26, 2021
Christmas Holiday	Thursday, December 23, 2021 Friday, December 24, 2021

**River Bend Town Council
Regular Meeting Minutes
November 19, 2020
River Bend Municipal Building
7:00 p.m.**

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

Town Manager: Delane Jackson
Town Clerk: Kristie Nobles
Town Attorney: Dave Baxter
Finance Administrator: Margaret Theis
Police Chief: Sean Joll

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, November 19, 2020 at the River Bend Municipal Building with a quorum present.

PUBLIC HEARINGS

Chapter 15.01 – Subdivision Ordinance

Councilman Sheffield **moved to open the Public Hearing to discuss the proposed amendment to Town of River Bend Ordinance, Subdivision Ordinance, Chapter 15.01.** The motion carried unanimously.

The Manager stated that the Planning Board had recommended modifying Chapter 15.01 Subdivision Ordinance to require all new subdivisions in the Town to require sidewalks. He stated that with the consent of Council, as discussed in the work session, the amendment now includes the minimum concrete thickness for sidewalks.

Councilman Sheffield then asked that anyone who wished to speak to this issue step to the podium and be heard.

At this time, Mrs. Patty Leonard of 106 Knotline Road addressed the Council. She stated that she is in favor of requiring sidewalks in new subdivisions.

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

Chapter 15.02 – Zoning Ordinance

Councilman Sheffield **moved to open the Public Hearing to discuss the proposed amendment to Town of River Bend Ordinance, Zoning Ordinance, Chapter 15.02.** The motion carried unanimously.

With no one stepping forward, Mr. Sheffield **moved to close the Public Hearing.** The motion carried unanimously.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman McClard **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 October 8, 2020 Work Session
Minutes of the October 15, 2020 Regular Meeting
2021 Employee Holiday Schedule
2021 Town Council Meeting Schedule

TOWN MANAGER'S REPORT

The Town Manager introduced Mr. Ben Jones from The Adams Company to address the Council regarding the Fair Housing guidelines related to the CDBG-NR project. Mr. Jones stated that the project has four requirements that must be completed and attending the Council Meeting is one of those. Mr. Jones stated that three homes are being demolished and replaced and three homes are being rehabilitated. He has been approved to start spending money and start the process of repairing or removing the homes beginning with asbestos quotes. There have been four title opinions completed on the homes. Councilman Van Syke asked about displaced homeowners during this process and Mr. Jones stated that the displaced homeowners will be placed in a rental with rent paid for by the program. Councilman Fogle asked about the location of the homes involved and Mr. Jones stated that the homes are all on Old Pollocksville Road. Councilman Fogle then asked if there is a stipulation on how long the homeowner has to stay in the home after it is completed. Mr. Jones stated the homeowner could not sale the home for 8 years after completion without being required to pay back a portion of the cost. Councilman Leonard asked what all is included in "rehabbing" a home. Mr. Jones stated that some homes will have windows and / or doors replaced, painting completed, siding replaced and roofing repaired or replaced. Councilman McClard asked if the damaged homes were from storm damage or the age of the home. Mr. Jones stated that he believes the damage is a mixture of both. The Mayor stated that he feels this is very important to upkeep the appearance of the community. Councilman Leonard asked if all the homes are occupied at this time and Mr. Jones stated yes that all the homes are occupied.

The Manager stated that the pre-bid for the Public Works Building renovation was held today. There were seven contractors in attendance, which was a surprise for such a small project. The bid opening will be November 24th.

The Manager stated that the Public Works Director had met with a consultant with the NC Rural Water Association to complete an electric use analysis. The Public Works Director and the consultant completed a walkthrough of the high-energy use areas and the consultant will try to find ways to save the Town money on electric cost. This service is no charge to the Town.

The Manager stated that Piedmont Natural Gas and Duke Energy have a program where they will use a camera to inspect the Town's sewer lines in areas where natural gas was recently installed in town. This will allow them to make sure there is no damage to our sewer lines. This is at no cost to the Town also.

The Manager stated the State completed its annual inspection of the Town's sewer collection system and we passed. The Manager stated that Public Works has done an excellent job with maintenance.

The Manager stated that there would not be a Community Tree Lightening Event this year, but the Community Christmas Tree would be installed at a new location at the Shoreline Drive entrance of the Town near the brick sign.

Councilman Sheffield asked the Manager for an update on the construction at Town Hall. The Manager stated that construction was on schedule and the contractor hoped to finish by the end of December.

ADMINISTRATIVE REPORTS

PUBLIC SAFETY – Councilman Fogle

CERT- Councilman Fogle stated that the CERT team met on October 28, 2020, in the Municipal Building. There were eight people in attendance including new member Bob Kendall. Due to COVID 19, no formal training or exercises have been occurring. No meetings will be held until after the holidays. The next CERT meeting will be held on January 27, 2021.

Community Watch- Councilman Fogle stated the Community Watch group met on October 21, 2020, in the Municipal Building. Community Watch has logged over 1000 hours of patrol so far in 2020. The group discussed the need for volunteers at the upcoming Halloween drive thru event and the shredding event. Chief Joll attended the meeting to demonstrate the new two-way radios the Town has purchased for Community Watch use. A total of six new radios were purchased. New generic business cards were distributed to the members in attendance. They will be handed out to people the Community Watch team talks to while on patrol and to increase awareness and membership in the team. The team will also receive new shirts made of breathable, quick-dry material once a size count is determined. The next meeting will be held on February 17, 2021, and Egon Lippert will continue as the leader of the River Bend Community Watch team.

PARKS & RECREATION/CAC – Councilman McClard

Parks and Recreation - The Halloween “drive through” was a huge success and feedback was all positive. Due to the COVID restrictions, no further plans are being pursued in the immediate future.

Organic Garden- Councilman McClard stated that garden tasks continue uninterrupted with focus on keeping volunteers safe with the COVID situation. The garden produced over 1500 pounds of produce this year, the “Green Team” is more active than in the past, the Monarch butterfly garden is thriving and getting known in even other parts of the country, and some winter crops are planted.

Library - The Red Caboose Library continues to be open under its Council approved COVID rules. The Library continues to be a popular activity.

Community Appearance Commission - CAC has met once (outside) in the past couple months but a quorum was not present. This year the town Christmas decorations will be installed by town workers rather than public volunteers and at present, there are no plans for a public tree lighting ceremony. He stated that the Board has received a request for appointment to the CAC board from Lloyd “Tripp” Carroll III. He also stated that Mr. Carroll’s skills and experience would make him a good fit for the board.

Vote – Appoint Lloyd “Tripp” Carroll III to the Community Appearance Commission Advisory Board

Councilman McClard motioned to appoint Lloyd “Tripp” Carroll III to the CAC Advisory Board for a term beginning November 19, 2020 and expiring June 30, 2022. The motion carried unanimously.

PLANNING BOARD – Councilman Sheffield

Planning Board – The River Bend Planning Board met on November 5th at 6:00 p.m. in the Municipal building. A quorum was present. Guests included the Town Manager and Mr. Brian Swicegood. The usual reports were given. There was discussion about the town ordinance prohibiting farm animals in River Bend. The board agreed to amend Chapter 15 to allow animals in areas zoned R20A. This issue now goes to the Council for the ultimate decision.

The board voted to approve resolutions on recent changes, which moved stormwater drainage language out of Chapter 15 and required new subdivision developments to include sidewalks.

There was discussion about possible changes to the permitting process for swimming pools. It was decided that this issue is best handled by Craven County inspectors and that no changes would be required. The meeting was adjourned. The next meeting will be December 3rd. As always, all citizens are invited to attend, although numbers are restricted by Covid-19 regulations.

Councilman Sheffield stated that there is a proposed Ordinance Amendment for the Council to vote on regarding adding sidewalks to new subdivisions throughout the Town. Councilman Sheffield stated that he does not support this amendment. He feels adding sidewalks to the Town does not present the country feel he enjoys so much about the Town. Councilman Leonard stated that he personally likes adding sidewalks to new subdivisions throughout Town, and in his opinion, the Town needs these. He feels it will attract new residences to the Town. Councilman McClard asked the Manager if adding sidewalks will apply to vacant lots in current subdivisions. The Manager stated that this amendment would only add sidewalks to new subdivisions within the Town.

Vote –Subdivision Ordinance Amendment

Councilman Leonard motioned to approve the amendment to the Town of River Bend Ordinance, Subdivision Ordinance, Chapter 15.01 as presented. The motion was approved with 4 ayes and 1 nay. Councilman Sheffield voted nay. (see attached)

Councilman Sheffield stated that there is a Stormwater Drainage Ordinance Amendment that has been discussed frequently at the Council meetings. This amendment transfers the responsibility of maintaining the stormwater drainage ditches from the property owner to the Town.

Vote – Stormwater Drainage Amendment

Councilman Sheffield motioned to approve the amendment to Town of River Bend Zoning Ordinance, Chapter 15.02 as presented. The motion carried unanimously. (see attached)

PUBLIC WORKS – Mayor Kirkland

PWAB- The Public Works Advisory Board (PWAB), is scheduled to meet every other month. Their next meeting will be on December 1st at 3:00 pm in the Municipal Building. The PWAB has several vacant positions. Any resident interested in serving on this Board can obtain an application from the Town Clerk. Mr. Buck Irwin is the Chairman of the Board and if an applicant has questions, Mr. Irwin or I would be glad to meet with you.

The Manager presented the Stormwater Drainage Ordinance Amendment addition to Chapter 9, transferring responsibility of the stormwater drainage ditches from the property owners to the Town of River Bend.

Vote – Stormwater Drainage Ordinance Amendment

Councilman Sheffield motioned to approve the amendment to Town of River Bend Zoning Ordinance, Chapter 9 as presented. The motion carried unanimously. (see attached)

FINANCE –Councilman Van Syke

Financial Report – Finance Administrator Margaret Theis told the Council that the total of the General Fund Cash Balances as of October 31, 2020 was \$3,820,175 Ad valorem tax collections for FY20-21 were at \$81,528, and Vehicle Ad valorem tax collections were at \$8,891.

MAYOR'S REPORT – Mayor Kirkland

The Mayor presented the following report:

The 2020 Holiday season is very much different than anyone can recall. The pandemic of the COVID-19 virus has caused everyone to take precautions to reduce the spread of the disease. I feel sorry for the children who look forward to this season with great expectations and are confronted with the fact that many of the community and family traditional events have necessarily been canceled. The young persons of junior high age and beyond must look at the uncertain operation of the schools and the university and be concerned with how they will plan for their future. It seems that the best we adults can do is present a promise to work with the youth to find the appropriate solution as the national and international health field stabilizes. The Town Council and the Staff under Manager Jackson's leadership has taken many precautions to prevent actions that would result in a spread of the virus. During this season, we all need to remember the first Christmas was a gift from God and we should celebrate the anniversary of that gift of Jesus as we pray for relief from this cruel virus.

PUBLIC COMMENT

No public comments were made.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 8:23 p.m.



Kristie Nobles
Town Clerk

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF RIVER BEND

BE IT ORDAINED by the Town Council of the Town of River Bend that the Town Code of Ordinances, Title XV, Subdivisions, Sections 15.01.082 Preliminary Plat and 15.01.095 Generally be amended as follows:

§ 15.01.082 Preliminary Plat

(15) All required sidewalks and any proposed riding trails, natural buffers, bicycle, or other rights-of-way, utility or other easements, their location, width, and purposes.

(a) Sidewalk standard shall be as follows:

1. Sidewalks shall be a minimum of five (5) feet in width along principal streets and five (5) feet in width along other streets to meet ADA requirements. All sidewalks shall be constructed to a minimum thickness of four (4) inches except at driveway crossings, where they shall have a minimum thickness of six (6) inches.
2. Sidewalks shall be constructed on both sides of principal streets and both sides of extensions thereof.
3. Crosswalks (including the necessary improvements) may be required at or near the center of any block which is more than five hundred (500) feet long.
4. A minimum six (6) foot greenstrip (which includes drainage swale) shall be required to be placed inward between the edge of the street and the sidewalk.

§ 15.01.095 GENERALLY.

Each subdivision shall contain the following improvements, depending on the proposed lot sizes as expressed in the following chart:

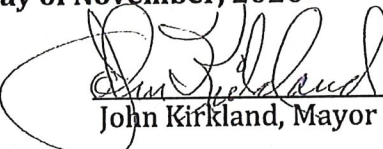
<i>IMPROVEMENTS REQUIRED</i>			
	<i>Lot Areas in 1,000 Square Feet</i>		<i>Multi-Family Group</i>
	<i>20</i>	<i>15</i>	
Graded Streets and Lots	x	x	x
Drainage	x	x	x
Central Water and Hydrants	x	x	x

IMPROVEMENTS REQUIRED			
	Lot Areas in 1,000 Square Feet		Multi-Family Group
	20	15	
Public Sewer	X	X	X
Paved Streets	X	X	X
Sidewalks	X	X	X
Max. Street Grade	8%	8%	5%
Street Lights*	X	X	X
Trees	X	X	X
Underground Wiring (Electric, telephone and cable TV installation)	X	X	X
Recreation Area	X	X	X

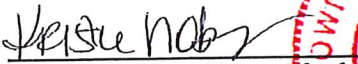
* At the appropriate time during the subdivision development, the town will arrange street light installation by the utility company currently serving the town in accordance with their, and state (NCDOT "standard specifications for roads and structures", section 1400 – Lighting) standards. The developer will pay to the town the prevailing underground installation charge per pole as invoiced by the utility company currently serving the town. If there are existing lights, new lights should match them as close as possible. New lights should all be the same on single poles. Whether additional or new street lights, they should be placed as close to 350 feet apart as possible without interfering with right-of-ways to private property or emergency equipment. If the 350 feet distance places the street light within 20 feet of an intersection, the light should be placed at the intersection. In all cases, the type of street light will be subject to town approval.

This Ordinance shall be in full force and effect upon its adoption

Adopted this the 19th day of November, 2020


John Kirkland, Mayor

ATTEST:


Kristie Nobles, Town Clerk



AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF RIVER BEND

BE IT ORDAINED by the Town Council of the Town of River Bend that the Town Code of Ordinances, Title XV, Zoning, Sections 15.02.020 Definitions and 15.02.069 Stormwater Drainage be amended by deleting the following:

§ 15.02.020 DEFINITIONS.

NUISANCE WATER. Storm water that remains on the surface in a standing, non-flowing, obstructed or impounded condition within a drainage feature such as a swale, ditch or pipe for a period of no more than four (4) consecutive days immediately after a precipitation event has ended.

PROBLEM WATER. Any water that remains on the surface in a standing, non-flowing, obstructed or impounded condition within a drainage feature such as a swale, ditch or pipe for a period of more than four (4) consecutive days.

15.02.069 STORMWATER DRAINAGE

(A) Tiling and other changes in right of way ditches.

(1) Where grassy swales currently exist as a drainage feature, the town, through enforcement of its ordinance, will seek to protect those swales from any development or alteration. Normally, continuously piped storm drains will not be permitted. The tiling or other alteration of right-of-way drainage ditches shall be permitted only with the express approval of the Zoning Administrator and only after adequate verification that the tiling or other alteration will not impede or accelerate unreasonably the flow of stormwater runoff to adjoining property. If approval for the tiling is granted, the person requesting the approval shall install, in conjunction with the tiling, the catch basins as may be required by the Zoning Administrator after taking into consideration the length of the right-of-way drainage ditch to be tiled.

(2) During and after any drainage projects, drainage ditch integrity shall be maintained against erosion and/or drainage changes at all stages of construction with marl rip-rap, mulching, sodding, silt fence or other materials as may be required by the Town.

(3) Prior to issuing approval for a project, the Zoning Administrator may require the applicant to submit the proposed specifications and drawing defining the stormwater drainage plans, including the percentage of impervious surfaces, for the project and for any changes to existing drainage features outside the new area necessary to accommodate the plan.

(4) Changes to established drainage features such as size or elevation of driveway culverts, of swales and of ditches on town property or easements shall not be made without the written

approval of the Zoning Administrator indicating that the change will not significantly impact stormwater drainage in the area.

(5) Grade changes on private property shall be considered drainage feature changes, and shall require written approval of the Zoning Administrator. Grading on private property shall not accelerate, or increase nor divert the flow of stormwater onto adjacent private property.

(6) For those drainage ditches and drainage pipes installed in the town's right-of-way by the property owner, either current or prior, or by the developer, it is the current property owner's responsibility to maintain those drainage ditches and pipes. The drainage ditches, and pipes, must be kept clear of obstructions or conditions which might retard the free flow of stormwater past their property and under their driveways.

(7) No surface water shall be channeled or directed into a sanitary sewer.

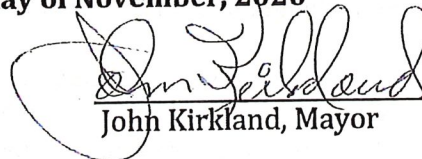
(8) Nuisance water shall not be a violation of this chapter or subject to enforcement procedures under the provisions of this chapter. Waterways within the jurisdiction of the Corp of Engineers and/or the North Carolina Department of Environmental Quality shall not be classified as nuisance water. Additionally, stormwater retention and/or detention ponds shall not be classified as nuisance water.

(9) Any project, due to complexity or scale, may be subject to the provisions of § 15.01.082 (7) of the Town's Code, when deemed necessary by the Zoning Administrator.

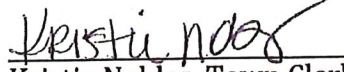
(10) Problem water will not be allowed to exist within any drainage feature such as a swale, ditch or pipe located within the town's property, right-of-way or easement. Nuisance water and waterways shall not be classified as problem water.

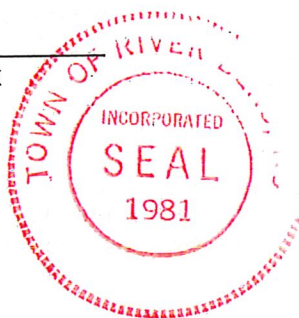
This Ordinance shall be in full force and effect upon its adoption

Adopted this the 19th day of November, 2020


John Kirkland, Mayor

ATTEST:


Kristie Nobles, Town Clerk



AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF RIVER BEND

BE IT ORDAINED by the Town Council of the Town of River Bend that the Town Code of Ordinances, Title IX, General Regulations, Section 9.03.010 be amended by creating the following:

9.03.010 STORMWATER DRAINAGE

The receiving stream for the town's stormwater runoff is the Trent River. Most of the town's stormwater drainage flows through grassy swales in route to either the town's canal system or directly into the Trent River. Grassy swales allow nitrogen, phosphates and other constituents an opportunity to be naturally removed from the stormwater before it enters the Trent River or the canal. A traditional piped system does not allow for this natural treatment to occur before the stormwater enters the river. The Town of River Bend, through enforcement of our Stormwater Drainage Ordinance, seeks to maintain and improve this natural treatment process in order to help protect our natural resources.

(A) Tiling and other changes in right of way ditches.

(1) Where grassy swales currently exist as a drainage feature, the town, through enforcement of its ordinance, will seek to protect those swales from any development or alteration. Normally, continuously piped storm drains will not be permitted. The tiling or other alteration of right-of-way drainage ditches shall be permitted only with the express approval of the Zoning Administrator and only after adequate verification that the tiling or other alteration will not impede or accelerate unreasonably the flow of stormwater runoff to adjoining property. If approval for the tiling is granted, the person requesting the approval shall install, in conjunction with the tiling, the catch basins as may be required by the Zoning Administrator after taking into consideration the length of the right-of-way drainage ditch to be tiled.

(2) During and after any drainage projects, drainage ditch integrity shall be maintained against erosion and/or drainage changes at all stages of construction with marl rip-rap, mulching, sodding, silt fence or other materials as may be required by the Town.

(3) Prior to issuing approval for a project, the Zoning Administrator may require the applicant to submit the proposed specifications and drawing defining the stormwater drainage plans, including the percentage of impervious surfaces, for the project and for any changes to existing drainage features outside the new area necessary to accommodate the plan.

(4) Changes to established drainage features such as size or elevation of driveway culverts, of swales and of ditches on town property or easements shall not be made without the written approval of the Zoning Administrator indicating that the change will not significantly impact stormwater drainage in the area.

(5) Grade changes on private property shall be considered drainage feature changes, and shall require written approval of the Zoning Administrator. Grading on private property shall not accelerate, or increase nor divert the flow of stormwater onto adjacent private property.

(6) For drainage pipes and/or driveway culverts installed in the town's right-of-way by a private property owner, either current or prior, or by the developer, it is the current private property owner's responsibility to maintain those against any material defects, damage or pipe failure that may restrict, block, impede or otherwise obstruct the flow of water through said pipes. For the purpose of this section, the private property owner who is responsible for material defects, damages or failures of pipes, as described above, is the person/entity whose private property is accessed or serviced by pipes or culverts that have been placed in the town's right-of-way.

(7) No surface water shall be channeled or directed into a sanitary sewer.

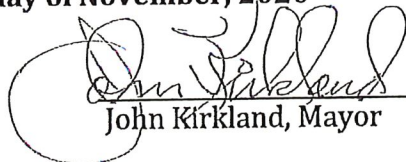
(8) Any project, due to complexity or scale, may be subject to the provisions of § 15.01.082 (7) of the Town's Code, when deemed necessary by the Zoning Administrator.

(9) Once a private property owner has been notified by the Zoning Administrator that a violation of 15.02.069 (6) exists in any piping serving their property, they shall have 15 days from the date of notification to remedy the violation. If they fail to do so, the Town shall cause the violation to be remedied and shall assess any costs for remediation to the property owner. In the event of an emergency, the Town may remove any obstruction within its right-of-way without notification of the owner and without responsibility for repair or replacement of the removal.

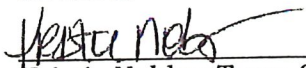
Penalty, see § 1.01.999

This Ordinance shall be in full force and effect upon its adoption

Adopted this the 19th day of November, 2020


John Kirkland, Mayor

ATTEST:


Kristie Nobles, Town Clerk



**River Bend Town Council
Work Session Minutes
December 10, 2020
River Bend Municipal Building
5:00 p.m.**

Present Council Members

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

Town Manager
Town Clerk
Town Attorney

Delane Jackson
Kristie Nobles
David Baxter

DISCUSSION – Filling of Vacancy

The Manager stated that Councilman Harry McClard recently submitted his letter of resignation from the Town Council. He presented a copy of the letter.

VOTE- Accept Resignation and Declare a Vacancy

Councilman Sheffield **moved to accept the resignation of Harry McClard and to declare a vacancy on the Town Council.** The motion carried unanimously.

DISCUSSION – Procedure for Filling Vacancy

The Manager stated that the Council would need to approve procedures to fill the vacancy. The Manager provided a copy of the procedure that was utilized in previous vacancies. He stated that he had made minor changes to the procedure and had discussed them with the Town's attorney. Councilman Sheffield stated due to COVID-19, he suggests the Council do as much as possible of the interview process on paper. He suggested having every Council member submit a question for the applicant and let them submit their answers on paper for Council review. The Council discussed using a larger facility if there are an abundance of applicants.

VOTE- Procedure for Filling Vacancy

Councilman Leonard **moved to approve the procedure for filling the Council Vacancy as presented.** The motion carried unanimously. (See attached)

DISCUSSION – Schedule for FY19-20 Audit Presentation

The Manager stated that Ms. Phyllis Pearson with Petway, Mills & Pearson will be present at the next meeting to present the Audit Presentation for FY19-20.

DISCUSSION – Human Resources Policy

The Manager stated that on April 16, 2020 the Town's Human Resources Manual was amended to include Sections 26 and 27 in accordance with the Families First Coronavirus Response Act (FFCRA). The Manager stated that the FFCRA is set to expire on December 31, 2020 unless Congress extends the act. The Manager stated unless Council takes action to remove them, these sections would remain in the Human Resources Manual. Councilman Leonard stated that he would like to leave this policy in place until COVID-19 is under control. The Council agreed with Councilman Leonard, not to modify Sections 26 and 27 at this time.

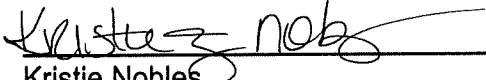
As previously discussed with the Council, the Manager stated that he has met with Mayor Kirkland and Councilman Van Slyke to discuss revising the Town of River Bend employee pay chart. He stated that he is working on multiple options for Council to review. He asked the Council if they would like to review these options at a Council meeting prior to Budget Season. The Mayor stated that he and Councilman Van Slyke believe it should be done prior to the budget sessions. The

Council agreed. Councilman Sheffield asked when the Budget workshops would be held. The Manager stated that the Town's workshops would probably be postponed again this year due to the uncertainty of how COVID-19 would impact the State's budget preparations. He stated that the Town's budget could be impacted by the State's budget and thus there was a need to delay the process again this year.

The Manager stated that he has been developing a Title VI Policy that NCDOT is now requiring. He stated that he plans to have it completed and sent to NCDOT for their review by January 4, 2021. Once the policy is approved by NCDOT he will present it to the Council for adoption.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 5:50 p.m.



Kristie Nobles
Town Clerk

Procedure for Applicant Interview

The River Bend Town Council will interview applicants for the position of Town Council member on January 14, 2021. The following procedures will be observed:

1. Prior to convening the meeting, all applicants will meet with the Mayor to draw numbers. The number drawn will determine the order in which the applicants will present their opening statements. Anyone who fails to participate in this drawing will be placed last on the list. If more than one person does not participate, they will be placed after all who have drawn, in alphabetical order.
2. When this item is reached on the agenda, The Mayor will introduce all applicants by name only, in the order determined by the draw and explain the procedures aloud.
3. All applicants will be seated in a designated holding area. When they are called upon, they will approach the designated seat and use the microphone to address the Council.
4. The Mayor will begin the process by recognizing the applicant who drew #1. That person will be directed to the microphone and will be given 3 minutes to make a statement. This will be the time for the applicant to introduce themselves, state their qualifications and the reasons they wish to serve on the Council. At the conclusion of the applicant's statement or 3 minutes, whichever comes first, the Mayor will continue the process by recognizing each applicant based on the order of the draw.
5. Next, the Mayor will call on Town Council members to pose questions to applicants. The first set of questions will be directed to the applicant who drew #2. The Mayor will begin on his left and call upon Council members in the order that they are seated to pose questions. The questions will continue to each applicant in numeric order. The next set of questions will begin with the next applicant. This process will continue until all applicants have been given an opportunity to be asked questions by the Council.
6. The Mayor will begin each round of questions by beginning with a new Council member, based on the order that they are seated. This rotating process will continue until all applicants are interviewed.
7. Each Council member will be allowed to ask up to 2 questions of each applicant. There is no requirement that each Council member must ask 2 questions of each applicant. Since the questions are not predetermined and not shared with the Council in advance, some Council members may have the same question. If that question has already been asked by another Council member, there is no need to ask the question again.
8. Each applicant will have up to 2 minutes to answer each question.

9. The Town Manager will serve as time keeper. A set of colored lights will be used to alert each applicant of their time. The colors mean:

GREEN- The applicant is within time limits and may talk.

YELLOW- The applicant has 30 seconds left and should begin closing their remarks.

RED- Time has expired and the applicant must stop talking.

Any applicants who continues to talk after the red light has been illuminated, will be stopped by the Mayor. This will be done in order to ensure that all applicants have the same time limits and none are given any additional time. The timer will begin after the question has been asked of the applicant.

10. Time or questions will not be shared among applicants. No applicant may transfer their time or questions to another applicant. If a candidate chooses not to use all of their time or if they do not answer a question, their time or question may not be transferred to another applicant. Any unused time or unanswered questions will simply be forfeited.

11. Council members may not transfer questions to another Council member. Any unused questions will simply be forfeited.

12. Applicants will be asked questions by the Council only. The public will not be allowed to ask questions.

13. Applicants will direct their answers to the Council only. During the interview process, no talking among other applicants or members of the public will be allowed.

14. At the conclusion of questions, the Mayor will end the interview process.

15. The Council will vote for a replacement Council member at their meeting on January 21, 2021. At that time, the selected person will be administered the oath of office and shall immediately assume their responsibilities as a member of the Town Council.

Procedure for Voting on Replacement

The River Bend Town Council will vote on applicants for the position of Town Council member on January 21, 2021. The following procedures will be observed:

1. When this item is reached on the agenda, the Mayor will open the floor for nominations, whereupon each Council member may put forward a single nominee. Council members are not required to put forth a nominee. Since each Council member may nominate different applicants, during this process, multiple nominees may be presented and debated. Also, different Council members may nominate the same person. Each Council member may nominate the applicant they consider to be the preferred nominee and explain why they consider any applicant to be the preferred or not preferred nominee.
2. When debate ends the Mayor shall call the roll of each member and each member shall cast a vote of his preferred nominee by stating the name of the nominee. Note- this is not a vote on a motion that has been put forward, therefore this is not an "aye" or "no" vote. This is when a Council member states the name of the person they wish to select. This will be known as Ballot #1.
3. Voting shall continue until a nominee receives a majority of the votes cast (by members present) during a single round of balloting. For example: A majority among River Bend's currently 4-member Council equals 3. Therefore, if all 4 members are present the first nominee to receive 3 votes during a single round of balloting shall be determined as the winner. Other combinations of members present may result in fewer than 3 votes constituting a majority.
4. If a winner is not determined on Ballot #1, any nominee that did not receive a vote and the nominee that received the lowest number of votes will be removed from consideration. Then Ballot #2, with only the remaining nominees, will be considered in the same process as described in Rule #2 above. If during Ballot #1 multiple nominees receive the same number of votes and that vote total constitutes the lowest number of votes received, other than zero, then all nominees receiving that vote total will be eliminated from the next ballot, unless that would eliminate all nominees, in that case, then only those receiving zero votes will be eliminated. If during Ballot #2 all nominees, receiving votes, receive the same number of votes and that vote total represents the lowest number of votes received, then only those receiving zero votes will be eliminated from Ballot #3. If during Ballot #2, no person receives zero votes, then all nominees receiving the same number of votes will be included in Ballot #3. Any nominee receiving zero votes during any ballot will be eliminated from consideration on future ballots. Step # 4 will only be used if there are 3 or more nominees put forth during Step 2.
5. This process shall continue until a nominee receives a majority of votes from Council.
6. After conducting Ballot # 2, if the Council conducts 3 additional ballots in a row wherein no nominee receives a majority of votes among Council, then the Council will utilize the "motion" process, whereby a Council member will put forth a motion to appoint a particular applicant as the appointee. After debate on that motion has ended, the Council will vote on that motion. If that motion ends in a tie, the Mayor shall be allowed to vote on the motion, otherwise the Mayor shall not vote on an appointment.
7. If for any reason, a nominee is not selected during this process, the Town will re-advertise the vacancy and conduct another set of interviews and another vote.

This procedure was used following the resignation of Gene Bauer because there were several applicants (12-20-18). Step # 4 was eliminated from the procedure following the resignation of Bill Wanamaker because there were only 2 applicants (2-21-19).

**River Bend Town Council
Regular Meeting Minutes
December 17, 2020
River Bend Municipal Building
7:00 p.m.**

Present Council Members:

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

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

CALL TO ORDER

The meeting was called to order by Mayor Kirkland at 7:00 p.m. on Thursday, December 17, 2020 at the River Bend Municipal Building with a quorum present.

ADDRESSES TO THE COUNCIL

Audit Report – Petway, Mills & Pearson, P.A. – Ms. Phyllis M. Pearson, CPA said that the River Bend staff was pleasant and cooperative. She said that her firm has issued an unqualified opinion on River Bend's FY 2019-2020 audit, which is the best rating an auditor can give. There was no management letter and no findings of material weakness. During the presentation, she noted that the Town's General Fund Balance had decreased by \$1,434,544 over the last year due in part to reduced revenues and funding of a Capital Building Project. She noted that the percentage of available fund balance in the General Fund was 96% compared to 126% for last year. She also noted that both Enterprise Funds had achieved increases in cash, net position and operating revenues during the last fiscal year.

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 November 12, 2020 Work Session .
Minutes of the November 19, 2020 Regular Meeting*

TOWN MANAGER'S REPORT

The Manager had no reports to review as the reports were distributed to Council prior to this meeting. The Manager asked if the Council had any questions. There were no questions at this time.

ADMINISTRATIVE REPORTS

PARKS & RECREATION/CAC – Councilman Leonard

Councilman Leonard stated that the reports were distributed to the Council previously and were in the citizen packet.

PUBLIC WORKS – Mayor Kirkland

PWAB- The Mayor stated that the report was distributed to the Council prior to the meeting and was in the citizen packet.

FINANCE –Councilman Van Syke

Financial Report – Finance Administrator Margaret Theils told the Council that the total of the General Fund Cash Balances as of November 30, 2020 was \$3,518,373. Ad valorem tax collections for FY20-21 were at \$38,438, and Vehicle Ad valorem tax collections were at \$0.

Vote – Accept Audit Report – Mr. Van Slyke **moved to accept the 2019-2020 Audit Report as presented.** The motion carried unanimously.

Vote – Approve Bank Authorized Signer Resolution – Mr. Van Slyke **moved to approve the BB&T Resolution and agreement for deposit account as presented.** The motion carried unanimously. (see attached)

MAYOR'S REPORT – Mayor Kirkland

The Mayor stated that his report for the month was distributed to the Council prior to the meeting and was in the citizen packet.

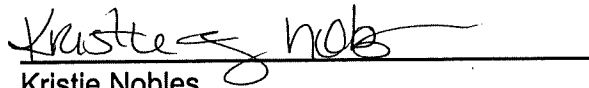
Councilman Sheffield stated that he would like to congratulate the Finance Department on an outstanding audit review.

PUBLIC COMMENT

No public comments were made.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 7:32 p.m.



Kristie Nobles
Town Clerk

RESOLUTION AND AGREEMENT FOR DEPOSIT ACCOUNT

TOWN OF RIVER BEND

561291141

Name of Entity

EIN

☐ Corporation

☐ Unincorporated Association

☐ Limited Liability Company

☒ Government Entity

☐ General Partnership

☐ Limited Partnership

☐ Sole Proprietorship

☐ Non-Profit Corporation

☐ Other

I, the undersigned, am a duly elected/appointed Authorized Officer, Proprietor, Authorized Partner, Authorized Manager, or other Authorized Employee of the above-named Entity duly organized and existing under the laws of the State of North Carolina; and that I am authorized to certify that the following resolutions duly adopted by the Entity, and that such resolutions are in full force and effect and have not been amended or rescinded.

RESOLVED, that BB&T is hereby designated as a depository institution in which the funds of this Entity may, subject to the rules of BB&T, be deposited by any of its officers, agents or employees; and that any such officer, agent or employee is hereby authorized on behalf of the Entity and in its name to endorse for deposit, whether in demand or time accounts, or for negotiation or collection, any and all checks, drafts, certificates of deposit or any other payment instrument payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing, it being understood that on such items all prior endorsements are guaranteed by the Entity, irrespective of the lack of a guarantee by the Entity; and

FURTHER RESOLVED, that any of the individuals listed below (a "Designated Representative") is hereby authorized to open or close any deposit account with BB&T and to authorize those persons ("Authorized Signers") who may execute a BB&T signature card on behalf of the Entity and transact business on such account:

Designated Representative (Signature)	Printed/Typed Name	Title
<u></u>	<u>Irving J Van Slyke, Jr</u>	<u>Finance Officer</u>
<u></u>	<u>Kristie J Nobles</u>	<u>Town Clerk</u>
<u></u>	<u>John R Kirkland</u>	<u>Mayor</u>
<u></u>	<u>Brian Leonard</u>	<u>Councilman</u>

FURTHER RESOLVED, that BB&T be and is hereby authorized and directed to honor, pay and charge any of the accounts of the Entity, without inquiry to or responsibility for the application of the proceeds thereof, all checks, drafts, or other orders for the payment, withdrawal or transfer of money in the accounts of or to the credit of the Entity, and to honor any authorization for the transfer of funds between different accounts whether oral, by phone or electronic means without inquiry as to the circumstances related thereto and for whatever purpose or to whomever payable, including requests for conversion into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any person signing same or any other officer, agent or employee of the Entity, when signed or endorsed by an original or facsimile signature of any ONE Authorized Signer; and

FOR BANK USE ONLY

Prepared By B11478

Date 12/11/2020

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