



RIVER BEND TOWN COUNCIL AGENDA

Regular Meeting

July 15, 2021

River Bend Town Hall

7:00 p.m.

Pledge: Van Slyke

1. CALL TO ORDER (Mayor Kirkland Presiding)
2. RECOGNITION OF NEW RESIDENTS
3. ADDITIONS/DELETIONS TO AGENDA
4. ADDRESSES TO THE COUNCIL
5. PUBLIC HEARINGS
6. CONSENT AGENDA

All items listed under this section are considered routine by the Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Approve:
Minutes of the June 10, 2021 Work Session
Minutes of the June 17, 2021 Regular Council Meeting

7. TOWN MANAGER'S REPORT – Delane Jackson

Activity Reports

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

ADMINISTRATIVE REPORTS:

8. Environment and Waterways – Councilman Brian Leonard
 - A. EWAB Report
 - B. VOTE- Absentee Voting Resolution
9. Planning Board – Councilman Buddy Sheffield
 - A. Planning Board Report
 - B. VOTE – Schedule Special Meeting with Advisory Boards

10. Public Safety – Councilman Don Fogle
 - A. Community Watch
 - B. CERT
 - C. VOTE - Title VI Policy
11. Parks & Recreation/CAC – Councilwoman Barbara Maurer
 - A. Parks and Rec Report
 - B. CAC Report
 - C. Organic Garden Report
 - D. Library Report
 - E. VOTE - Parks and Recreation Advisory Board Appointments (1) / Community Appearance Commission Advisory Board Appointments (3)
12. Finance – Councilman Irving Van Slyke, Jr.
 - A. Financial Report - Finance Administrator
 - B. VOTE - Award of Surplus Automobile Bid
 - C. VOTE – 2020 Craven County Tax Settlement
13. MAYOR'S REPORT – Mayor Kirkland
14. PUBLIC COMMENT

The public comment period is set aside for members of the public to offer comments to the Council. It is the time for the Council to listen to the public. It is not a Question & Answer session between the public and the Council or Staff. All comments will be directed to the Council. Each speaker may speak for up to 3 minutes. A member of staff will serve as timekeeper. A sign-up sheet is posted by the meeting room door and will be collected prior to the start of the Public Comment Period. Speakers will be called on by the Mayor in the order that they signed up. In order to provide for the maintenance of order and decorum, the Council has adopted a policy for this section of the meeting. A copy of the policy is posted by the door for your review. Please follow the policy. If you have a specific question for staff, you are encouraged to contact the Town Manager or the appropriate Department Head at another time.

15. CLOSED SESSION NCGS§143-318.11(a)(6)
16. ADJOURNMENT

**River Bend Town Council
Work Session Minutes
June 10, 2021
Town Hall
5:00 p.m.**

Present Council Members:

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

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

CALL TO ORDER

Mayor Kirkland called the meeting to order at 5:00 p.m. on Thursday, June 10, 2021 at the River Bend Town Hall with a quorum present.

PUBLIC HEARING – FY 2021-2022 TOWN BUDGET

Councilman Van Slyke moved **to open the Public Hearing to discuss the proposed Fiscal Year 2021-2022 Budget.** The motion carried unanimously.

He then invited anyone who wished to address the proposed Budget to step to the podium to 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 Proposed Budget at its Regular Meeting on June 17th.

PUBLIC HEARING – Proposed Chapter 15 Zoning Ordinance Amendments

Councilman Sheffield moved **to open the Public Hearing to discuss the proposed Chapter 15 Zoning Ordinance amendments.** The motion carried unanimously.

He then invited anyone who wished to address the proposed Chapter 15 Zoning Ordinance amendments to step to the podium to 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 proposed Chapter 15 Zoning Ordinance amendments at its Regular Meeting on June 17th.

DISCUSSION - LEAF AND LIMB SCHEDULE

The Manager stated that the proposed Leaf and Limb Schedule for the upcoming fiscal year is included in the agenda package. He stated that it follows the same schedule that the town has followed for several years. Councilman Leonard asked the Town Manager if a Council action is required for this item. The Manager stated that a motion was not needed to approve the schedule and with the consensus of the Council, the schedule was accepted. It was also agreed that in the future the Leaf and Limb Schedule did not need to be presented to the Council unless there is a major change.

DISCUSSION - SURPLUS PROPERTY RESOLUTION

The Manager stated that the town received a 2019 Dodge Durango through a grant, and the town has been given permission to sell the automobile although the grant agreement has not expired. The Manager stated that this vehicle has been used at Town Hall for the Zoning Administrator and administration travels. The Manager stated that the original intention was to transfer the Durango to the Police Department when the grant agreement expired. The Manager stated that it would cost about \$12,000 to up-fit this vehicle with the necessary equipment. Councilman Leonard asked the Manager what the trade-in value of this vehicle is if the town wished to trade this in and purchase a Ford Explorer to match the current Police Department fleet. The Manager stated that the current trade-in value is \$25,000 from a local dealership. Councilman Leonard stated that he does not want the Police Department budget to be impacted for providing the proper equipment for the Durango should it be moved to the Police Department fleet. The Mayor stated that the Council would address this subject at a later date. Councilman Leonard suggested selling the Durango now and using the funds to purchase a Ford Explorer, if the winning bid is acceptable.

VOTE - SURPLUS PROPERTY RESOLUTION

Councilman Sheffield motioned to approve the Surplus Property Resolution as presented. The motion carried unanimously. (see attached)

DISCUSSION – FY 2020-2021 BUDGET AMENDMENT 20-B-07

Councilman Van Slyke stated that the Budget Amendment 20-B-07 presented to the Council is to offset the 27 paydays versus 26 paydays in the approved FY20-21 Budget Ordinance. He stated that the budget amendment was discussed in length at the previous Council meeting.

VOTE – FY 2020-2021 BUDGET AMENDMENT 20-B-07

Councilman Van Slyke motioned to approve the FY 2020-2021 Budget Amendment 20-B-07 as presented. The motion carried unanimously. (see attached)

DISCUSSION – BUILDING USE POLICY

The Manager stated the town's Building Use Policy has not been revised in 20 years. It was discussed in April 2020 but it was tabled at that time. He stated that since the town's buildings have fully opened there have been several inquiries about reserving the meeting rooms. He stated that the current Building Use Policy is not a clear policy that is easily administered. He stated he would like to have a policy that would make the public use of the building and rental fees more defined. Councilman Leonard asked the Manager how fee exemption would be determined. The Manager referred to page 9 of the handout where the organizations are defined. The Town Attorney stated that typically when you waive a fee for use of government property you might violate the emoluments clause of the NC Constitution, so it cannot confer a private benefit. He stated that he thinks the list being questioned is just examples of groups that can be exempted. He stated that, basically any organization that has civic benefit and does not benefit private individuals, which is like the organizations on the list. Councilman Leonard asked who would be responsible for the making the decision of groups that are exempted and what criteria is being used to determine who is exempted. The Manager stated that he has been making that decision and he would use the criteria listed in the new Building Use Policy presented. Councilman Van Slyke asked about clubs that would like to meet regularly that are not nationally recognized. Councilman Leonard asked how many groups are paying for use of the meeting rooms at this moment. The Manager stated that not many groups are paying, but in the past, the policy had not been followed. He also stated that many of the groups were meeting prior to his arrival as Town Manager. He stated that groups reserving the rooms and bringing refreshments could cause damage to the newly constructed building. Councilman Van Slyke stated that he fears that with fees and deposits, this will cause a reduction in use of the building. Councilman Leonard stated that the building was built to be used by the community but the Council must protect the town's assets. Councilman Sheffield asked if there is a way to hold a group liable without the exchange of money. The Town Attorney stated that the responsible party could sign an agreement, but then the town would have to take the responsible party to court for damages. Councilman Sheffield stated that a deposit would make the groups liable for damages but he felt \$250 might be excessive, and suggested that a \$100 deposit would be sufficient. Councilman Leonard

suggested that the town do a trial run of enforcing the current policy and readdress this in six months to a year. The Manager stated that in the current policy in the section of who may use the meeting room, the descriptions are very vague and unrestrictive. The Mayor stated that the Council should take some time to deliberate on this topic and come back next week to discuss further. He also stated that the town staff needs clearer direction from the Council on the policy. Councilman Fogle asked if council members could organize a group to meet, such as a group to play board games without being charged a fee. The Manager stated that those groups would have to pay the fee. He also stated that a town advisory board such as Parks and Recreation could officially sponsor activities and the fee could be waived.

DISCUSSION – ADVISORY BOARD APPOINTMENTS

The Manager stated that a list of all advisory board members was sent to each of the Council liaisons to review for reappointments.

The Mayor stated that the Public Works Advisory Board has been inactive over the past year and has been unsuccessful acquiring new members. He stated that he has discussed the inactivity with the PWAB chairman and the decision was made to recommend disbanding the Public Works Advisory Board. The Mayor stated he would ask the Town Attorney to research the procedure to disband the advisory board.

Councilman Sheffield stated that the Planning Board has three positions available for reappointment. Keith Boulware and Kelly Latimer agree to be reappointed and Kathleen Fleming does not. The Manager stated that those that agree to be reappointed will be reappointed at the next Council meeting. Councilman Fogle asked if the vacant position should be advertised. The Manager stated that all advisory boards that currently have vacancies has been advertised on the town's website and the weekly Enews.

Councilwoman Maurer stated that the Parks and Recreation Advisory Board has three positions available for reappointment. Janet Nawojski, Francine Rice and Gloria Kelly all agree to be reappointed. Councilwoman Maurer stated that one member has resigned leaving a vacancy on the Parks and Recreation Advisory Board. She stated that two applications have been received for that vacancy and one of those applications has been withdrawn. She asked if the vacancy should be advertised. The Manager stated that the Council would vote on the reappointments and new appointments at the next Council meeting. Councilman Fogle objected and stated that advisory board vacancies advertisement should be for a period of time allowing the community members an equal opportunity to apply. The Manager stated that the town would advertise the vacancy immediately and with appointments the following week he felt it would not be adequate time to advertise. Councilman Fogle stated that there is no vacancy on the Parks and Recreation Advisory Board until July 3. He stated that his wife's resignation is effective July 3. The Manager stated that if the resignation is not effective until July 3, there would be no vacancy or appointment next week.

Councilwoman Maurer stated that the Community Appearance Commission has four positions available for reappointment. Lona Farula and Nancy Dell'Aria agree to be reappointed but Judy Lloyd and Lynn Torgersen do not. She stated that there has been one resignation effective immediately, leaving three vacancies. The Manager stated that if the Council wants to advertise one advisory board's vacancies for a certain amount of time that it would need to be done for all vacancies on all advisory boards. Councilwoman Maurer agreed with the Manager. The Manager stated he would have a policy drafted for Council consideration to implement an advertisement period for advisory board vacancies. Councilman Leonard requested that the policy state that applications for advisory boards would be kept on file for one year; therefore there is no need to reapply. The Manager stated that this information is already noted on the application but would have it included in the drafted policy also.

Councilman Leonard stated that the Environmental Waterways Advisory Board has three positions available for reappointment. Karl Lichty, Jon Hall and Paige Ackiss all agree to be reappointed.

Councilman Sheffield stated that the Board of Adjustment has three positions available for reappointment. Chris Barta and Patty Leonard agree to be reappointed. Councilwoman Maurer stated that she did not want to be reappointed due to serving on the Council. Councilman Sheffield stated that Paige Ackiss is an alternate member and should be moved to a full-time member creating a vacancy for the alternate member.

Councilman Van Slyke stated that the Audit Committee has one vacancy and has received an application for that position which would be voted on at the next meeting.

DISCUSSION – ADVISORY BOARD FUNCTIONS AND OPERATIONS

The Manager stated that the current ordinance of the duties and functions of the town's advisory boards was included in agenda package. He stated that Councilman Fogle recommended a meeting with the advisory board chairpersons to discuss the roles, expectations and responsibilities of the advisory boards. The Manager stated that he is having a meeting on June 16, 2021 with all the advisory board's chairpersons to review the Open Meetings Laws and suggested another meeting with Council present to review the Advisory Boards and Commission's Ordinance. Councilman Fogle asked if the advisory boards minutes could be added to the town's website. The Manager stated that the minutes are available to the public at any time but can be uploaded to our website. Councilman Fogle read some notes from a recent advisory board meeting that stated a member bought ice with a discount, when all advisory boards have been instructed to not ask for any discounts for any town activities. Councilwoman Maurer stated that it was her suggestion for the Parks and Recreation Advisory Board to purchase from a particular store because in the past they have given discounts to the town. She stated that she feels that the Parks and Recreation Advisory Board is being targeted with comments from a councilmember. Councilman Leonard stated that he would like a regulation prohibiting council members from serving on advisory boards. Councilman Fogle asked what would be the objections to having a council member serving on advisory boards. Councilman Leonard stated that he felt it would be a conflict of interest and may cause issues for council members and the advisory board's liaison. The Town Attorney stated that he is not aware of any legal prohibitions against allowing council members to serve on advisory boards. Councilman Fogle stated that he wished to serve on advisory boards to get more activities and community involvement. He asked the Mayor if Councilwoman Maurer's decision to ask members of the Parks and Recreation Advisory Board to ask for discounts for town activities is consistent with the Mayors directions regarding discounts. The Mayor stated that the town advisory boards should not request discounts for town activities. Councilwoman Maurer stated that the discounts are offered without the advisory boards asking for one, and they have been accepted in the past.

DISCUSSION – JULY MEETING SCHEDULE

The Manager stated that the work session for July of 2021 is during a holiday week and there are not any pressing items for the agenda. The Council agreed to cancel the July 8, 2021 work session meeting.

REVIEW AGENDA FOR THE JUNE 17, 2021 COUNCIL MEETING

The Council reviewed the Agenda for the June 17, 2021, Council meeting.

ADJOURNMENT/RECESS

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

Kristie J. Nobles
Town Clerk

Resolution Declaring Surplus Property and Authorizing Sale of General Fund Vehicle

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

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

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

**2019 Dodge Durango
VIN: 1C4RDJFG8KC812234**

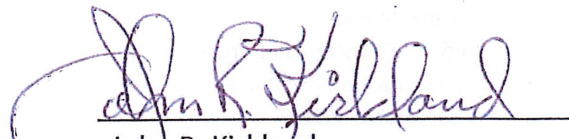
2. The Town Manager is authorized and directed to receive, on behalf of the Town Council, bids for the purchase of the property described above and shall establish a time and date by which all bids must be received. He is also authorized to employ the action method he deems most advantageous to the Town.

3. The Town Clerk shall cause a notice of this sale to be published in the local newspaper of record.

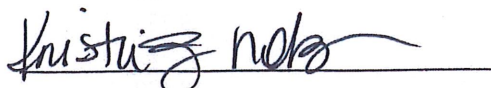
4. The Town shall retain the right to reject any and all bids.



Adopted this 10th day of June, 2021


John R. Kirkland
Mayor

Attest:


Kristie Nobles



**TOWN OF RIVER BEND
BUDGET ORDINANCE AMENDMENT 20-B-07
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 April 15, 2021, be amended as follows:

Summary

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

Section 1. General Fund

Anticipated Revenues

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

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

		20-B-07 PROPOSED CHANGES
Authorized Expenditures		
Governing Body	28,700	
Administration	268,691	
Finance (<i>Funding 27th payroll, Muni. Bld. non-capital IT items, TH network closet update</i>)	130,181	10,000
Tax Listing	10,880	
Legal Services (<i>transfer to other depts.</i>)	19,000	-5,000
Elections	0	
Police	596,048	
Public Buildings (<i>Town hall interior improvements</i>)	177,208	8,000
Emergency Services (<i>Covid-19 supplies</i>)	5,000	1,000
Animal Control	14,366	
Street Maintenance (<i>transfer to other depts.</i>)	204,686	-14,000
Public Works	160,240	
Leaf & Limb and Solid Waste	62,999	
Stormwater Management	221,371	
Wetlands and Waterways	72,000	
Planning & Zoning	48,363	
Recovery Grant NCORR-FDLG-004	100,780	
Recreation & Special Events	15,500	
Parks & Community Appearance	50,370	
Contingency	5,968	
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	2,332,210	0

Section 2. **General Capital Reserve Fund**

Anticipated Revenues	
Contributions from General Fund	60,000
Interest Revenue	1,248
Appropriated Fund Balance	103,415
Total	164,663
Authorized Expenditures	
Transfer to General Fund	164,663

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

Section 6. **Sewer Fund**

20-B-07
PROPOSED
CHANGES

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	94,217	
Total	709,484	

Authorized Expenditures:

<i>Administration & Finance [2] (Funding 27th payroll)</i>	<i>448,384</i>	<i>5,500</i>
<i>Operations and Maintenance</i>	<i>198,100</i>	<i>-5,500</i>
Transfer to Fund Balance for Capital Outlay	63,000	
Transfer to Sewer Capital Reserve Fund	0	
Total	709,484	0
 <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	129	
Total	129	

Authorized Expenditures:

Future Expansion & Debt Service	129	
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Section 8. **Levy of Taxes**

There is hereby levied a tax at the rate of twenty-six cents (\$0.26) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2020, for the purpose of raising the revenue listed as "Ad Valorem Taxes 2020-2021" in the General Fund Section 1 of this ordinance. This rate is based on a valuation of \$275,400,000 for purposes of taxation of real and personal property with an estimated rate of collection of 99.61%. The estimated collection rate is based on the fiscal year 2018-2019 collection rate of 99.61% by Craven County who has been contracted to collect real and personal property taxes for the Town of River Bend. Also included is a valuation of \$32,000,000 for purposes of taxation of motor vehicles with a collection rate of 100% by the North Carolina Vehicle Tax System.

Section 9. **Fees and Charges**

There is hereby established, for Fiscal Year 2021, various fees and charges as contained in Attachment A of this document.

Section 10. **Special Authorization of the Budget Officer**

- A. The Budget Officer shall be authorized to reallocate any appropriations within departments.
- B. The Budget Officer shall be authorized to execute interfund and interdepartmental transfers in emergency situations. Notification of all such transfers shall be made to the Town Council at its next meeting following the transfer.
- C. The Budget Officer shall be authorized to execute interdepartmental transfers in the same fund, including contingency appropriations, not to exceed \$5,000. Notification of all such transfers shall be made to the Town Council at its next meeting following the transfer.

Section 11. **Classification and Pay Plan**

Cost of Living Adjustment (COLA) for all Town employees shall be 3.1% and shall begin the first payroll in the new fiscal year. The Town Manager is hereby authorized to grant merit increases to Town employees, when earned, per the approved Pay Plan.

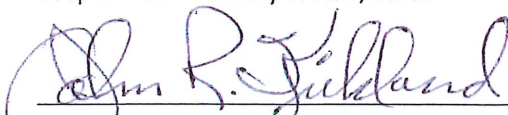
Section 12. **Utilization of the Budget Ordinance**

This ordinance shall be the basis of the financial plan for the Town of River Bend municipal government during the 2020-2021 fiscal year. The Budget Officer shall administer the Annual Operating Budget and shall ensure the operating staff and officials are provided with guidance and sufficient details to implement their appropriate portion of the budget.

Section 13. **Copies of this Budget Ordinance**

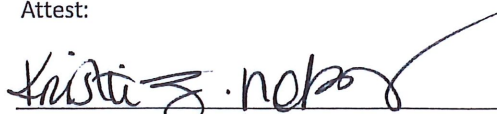
Copies of this Budget Ordinance shall be furnished to the Clerk, Town Council, Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Proposed this 10th day of June, 2021.



John R. Kirkland, Mayor

Attest:



Kristie J. Nobles, Town Clerk



**River Bend Town Council
Regular Meeting Minutes
June 17, 2021
River Bend Town Hall
7:00 P.M.**

Present Council Members: Mayor John Kirkland
Don Fogle
Brian Leonard
Barbara Maurer
Buddy Sheffield
Irving 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, June 17, 2021 in the Town Hall Meeting Room with a quorum present.

ADDRESSES TO COUNCIL

Joseph Kelly, 310 North Carolina Avenue, addressed the Council regarding requesting a permit that would not require him to install a drop inlet and frame grate. He had previously requested a permit from the Town Manager but it was denied.

Sharon Baugus and Rick Brooks, 3HC - Home Health & Hospice volunteers, addressed the Council regarding recruiting volunteers in the Town of River Bend.

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 13, 2021 Work Session
Minutes of the May 20, 2021 Regular Meeting
- B. Advisory Board Appointments and Reappointments
PLANNING BOARD: Reappoint Keith Boulware, and Kelly Latimer beginning July 1, 2021 and ending on June 30, 2023;
PARKS AND RECREATION: Reappoint Janet Nawojski, Francine Rice and Gloria Kelly to terms beginning July 1, 2021 and ending on June 30, 2023;
ENVIRONMENT AND WATERWAYS ADVISORY BOARD: Reappoint R. Karl Lichty, Jon Hall, and Paige Ackiss to terms beginning July 1, 2021 and ending on June 30, 2023;
COMMUNITY APPEARANCE COMMISSION: Reappoint Lona Farula and Nancy Dell'Aria to terms beginning July 1, 2021 and ending June 30, 2023;

***BOARD OF ADJUSTMENT:** Reappoint Chris Barta and Patty Leonard to terms beginning July 1, 2021 and ending on June 30, 2023; Appoint Paige Ackiss as a member for a term beginning July 1, 2021 and ending on June 30, 2023;*

***AUDIT COMMITTEE:** Reappoint Councilman Irving Van Slyke, Councilman Brian Leonard, Finance Administrator Margaret Theis, and Town Manager Delane Jackson to terms beginning July 1, 2021 and expiring on June 30, 2022; Appoint Janet Westgate as a member for a term beginning July 1, 2021 and expiring on June 30, 2022.*

TOWN MANAGER'S REPORT

The Manager stated that the North Carolina State Senate passed Senate Bill 51, which modified the Town's Charter. He stated that no municipal election shall be conducted in the Town of River Bend in 2021. The terms of office of the Mayor and all Town Council members serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

The Manager stated that the meeting with the advisory board chairpersons was held on June 16 to review the Open Meeting Laws. The meeting was very thorough and detailed.

The Manager stated that the 2019 Dodge Durango has been listed for sale on GovDeals and advertised in the local newspaper. The bidding will end on July 15, 2021.

The Manager stated there will be no Council work session in July.

The Manager stated that there was a bid opening for HVAC installation at Town Hall on Monday, June 14, 2021. He stated there were two bids with a \$600 difference and the low bidder was awarded the contract. He stated that most of the parts for the new unit are on backorder.

The Manager stated that the first payment for the American Rescue Plan was scheduled to be received mid-June but the payment has not been released.

ADMINISTRATIVE REPORTS

FINANCE – COUNCILMAN VAN SLYKE, JR.

Financial Report – The Finance Administrator, Margaret Theis told the Council that the total of the General Fund Cash Balances as of May 31, 2021 are \$3,574,887 and Ad valorem tax collections for FY20-21 were \$711,093 and Vehicle Ad valorem tax collections were \$83,025.

Vote – ***FY 2021-2022 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 2021-2022 Budget Ordinance as presented. The motion carried unanimously. (see attached)

ENVIRONMENTAL AND WATERWAYS ADVISORY BOARD – COUNCILMAN LEONARD

Councilman Leonard stated that the Environmental and Waterways Advisory Board met on June 7, 2021 at 7:00 pm. Chairman Jim Stevens call to meeting to order at 7 PM. Members present in addition to Chairman Stevens, Patty Leonard, Mary Holihan, Karl Lichty and Paige Ackiss. There were no visitors. Councilman Leonard gave a summary of council activities. ***Old business:*** Dredging project is complete. Drainage issues were updated on Channel Run project and town purchasing equipment to maintain the stormwater drainage system. Signs in canals; project completed. Canal depth survey; ongoing discussions. Bulkhead survey, Councilman Leonard to follow up with Town Manager. ***New Business:*** There was no new business. The July 5th, 2021, EWAB meeting is canceled due to the 4th of July holiday. Next meeting will be on August 2nd,

2021, at 7 PM in the large meeting room in the Municipal building. The public is welcome to attend. Chairman Stevens adjourned the meeting at 7:40 PM

Councilman Leonard stated there has been discussion about the Building Use Policy and at this time he suggest to table this item until a later date.

Vote – Table Building Use Policy – Councilman Leonard motioned to table the Building Use Policy until a later date. The motion carried unanimously.

PLANNING BOARD – COUNCILMAN SHEFFIELD

Councilman Sheffield stated that the Planning Board did not meet last month but the board has a vacancy and he urges anyone interested to apply.

Councilman Sheffield stated that the Chapter 15 Ordinance Public Hearing was June 10, 2021 and there has been no changes made to the ordinance since presented.

Vote – Chapter 15 Zoning Ordinance Amendments – Councilman Sheffield motioned to adopt the Chapter 15 Zoning Ordinance Amendments as presented. The motion carried unanimously. (see attached)

PUBLIC SAFETY – COUNCILMAN FOGLE

Councilman Fogle stated that CERT and Community Watch met at a combined meeting on June 16, 2021 at 7:00 p.m. at the Municipal Building to discuss the July 2 Independence Day Celebration. He stated that volunteers from both groups would be assisting at the celebration. Community Watch longtime secretary Lisa Maze is resigning and Margaret Theis will be taking that position. This was the first meeting for Community Watch this year and they recorded 1,752 volunteer hours in 2020. CERT met on June 26, 2021 to review inventory for the July 2 Independence Day Celebration.

PARKS & RECREATION/CAC – COUNCILWOMAN MAURER

Community Appearance Commission - The CAC met on Wednesday, June 16 at 1:30 pm. The CAC will now be meeting in the months of January, March, May, June, September, November.

Board appointments. Four members have terms expiring on June 30. Judi Lloyd and Lynn Torgerson do not wish to be reappointed. Lona Farula and Nancy Dell'Aria would like to be reappointed.

Parks & Rec - P&R met on Wed, June 2. There were three main agenda items, 1) Fourth of July planning, 2) Activities and workshops for the next fiscal year, and 3) Addressing recreational needs such as adding disk golf, a bocce court, and more playground equipment. The need for a replacement dock behind town hall was also discussed.

Board appointments. Three members have terms expiring at the end of this month. Janet Nawoski, Gloria Kelly and Fran Rice have all agreed to be reappointed. Nancy Fogle submitted her resignation effective July 3. Ellen Serra submitted an application to be reappointed. She previously served for six years, including time a Secretary, before taking time off to help care for her young grandchildren. Another application was submitted and withdrawn. The vacancy has been publicized.

RBCOG - Volunteers from RBCOG met on Monday, June 7 for the first time since March 2020. Reports included garden activities, the monarch habitat, the bees and the Green Team. Several individuals and two groups toured the garden in the last month. One neighbor brings his three grandchildren to visit the monarch habitat every Friday. Garden volunteers worked 200 hours in May.

Visitors are always welcome at the garden or at the newly reconvened monthly meetings of garden volunteers, which are scheduled for the first Monday of each month at 1:30 pm.

Red Caboose Library - The RCL library board met on Thursday, June 10. They discussed publicity for the library, future programming ideas, and expansion of category offerings. Illness and relocation have decreased by volunteer force by four but two new volunteers have joined. Work schedules have been completed for the next quarter although there are still a few unfilled times and the schedule may change for illness or other reasons.

PUBLIC WORKS – MAYOR JOHN KIRKLAND

The Mayor stated that the Public Works Advisory Board has not met and there has been no applications received.

MAYOR'S REPORT

As summer approaches, we look forward to the succession of summer holidays and the festivities that accompany those very special summer days. Most of those holidays have a national significance that we should remember as celebration and good food rule the day.

Starting with the May Memorial Day, which is particularly related to remembrance of the sacrifice that military members have made in conflicts. To be remembered are those military forces that mounted to the defense of the nation. The decoration of military cemeteries in the United States, and U S cemeteries located in foreign nations, where flags and flowers are reminders of the sacrifice. These cemeteries are also the location of patriotic celebrations and visits by national officials.

Moving to the national July Fourth celebration, again the focus is on the valor of the Continental Army and its leaders who defeated the much larger British army and gained independence for the colonies. This celebration also allows us to consider the allies that the young nation developed during the Revolution and from whom we received support during the Revolutionary War. France was key in keeping the British fleet occupied and away from U S shores. The Netherlands provided much needed financial assistance to the new and struggling nation where John Adams and Benjamin Franklin spent time as early ambassadors. In these early ventures into State relations with foreign nations where the young nation had already experienced an understanding that a dialogue with other nations is critical to our national interest. The early national leaders were able to do this even when travel was by sailing ship and any communication with the ambassadors traveled by the same slow sailing vessels.

During this summer of 2021, we need to think of the background of available technology that the “founding fathers” of the nation tolerated as they worked out the details of the Constitution and other details that are required to make government work. They had no electricity, no computers, no telephones, no electronic banking, central heating was rare,

no air conditioning, no rail or airline travel to get from home to Washington and perhaps the most missed- no television to see the day's news broadcast. In some respects, 2021 might be better if we could return to those days.

The elected persons serving in all elected bodies must spend hours reading and other research to understand issues that they will be required to vote on. A citizen observer may develop a strong opinion relative to an issue on which their representative will cast a vote but that citizen has seldom spent any time investigating the background of the proposed legislative item. I ask all who will read this article to think about our nation and how we may best support it in 2021.

PUBLIC COMMENT

Joseph Kelly, 310 North Carolina Avenue, addressed the Council again regarding his request for a permit that would not require him to install a drop inlet and frame grate.

CLOSED SESSION

Councilman Sheffield **moved to go into a Closed Session under NCSG §143-318.11(a)(5)(6) to consult with the attorney.** The motion carried unanimously. The Council entered Closed Session at 7:53 p.m.

OPEN SESSION

Councilman Sheffield moved to return to Open Session at 8:12 p.m. The motion carried unanimously.

Vote – American Rescue Plan Act – Councilman Sheffield motioned to accept the American Rescue Plan Act funding and agree to operate within all Federal and State guidelines relative to that funding and to designate the Town Manager as the authorized representative to administer those funds and sign on behalf of the town. The motion carried unanimously.

Vote – Town Manager Contract - Councilman Van Slyke motioned to approve the Town Manager's contract as presented. The motion carried unanimously.

Vote – Human Resources Policy - Councilman Van Slyke motioned to approve the Town of River Bend Amended Human Resources policy as presented. The motion carried unanimously. (see attached)

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield **moved to adjourn.** The meeting adjourned at 8:15 p.m.

Kristie J. Nobles
Town Clerk



**TOWN OF RIVER BEND
ANNUAL OPERATING BUDGET ORDINANCE
FISCAL YEAR 2021-2022**

BE IT ORDAINED by the Council of the Town of River Bend, North Carolina that the following anticipated fund revenues and departmental expenditures, together with certain fees and schedules, and with certain restrictions and authorizations, are hereby appropriated and approved for the operation of the Town government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Summary

General Fund	1,891,341
General Capital Reserve Fund	107,187
Law Enforcement Separation Allowance Fund	13,545
Water Fund	585,500
Water Capital Reserve Fund	489
Sewer Fund	659,500
Sewer Capital Reserve Fund	22
Total	3,257,584

Section 1. General Fund

Anticipated Revenues

AD VALOREM Taxes 2021-2022	711,163
AD VALOREM Tax-Motor Vehicle	85,800
Animal Licenses	2,000
Sales Tax 1% Article 39	149,718
Sales Tax 1/2% Article 40	87,158
Sales Tax 1/2% Article 42	74,932
Sales Tax Article 44 105-524	10,235
Sales Tax Hold Harmless Distribution	86,068
Solid Waste Disposal Tax	2,200
Powell Bill Allocation	76,800
Beer and Wine Tax	13,225
Video Programming Sales Tax	53,600
Utilities Franchise Tax	111,000
Telecommunications Sales Tax	9,900
Court Refunds	500
Zoning Permits	5,000
Recovery Grant NCORR-FDLG-004	76,445
Miscellaneous	10,000
Interest-NCORR-FDLG-004 Investments	30
Interest- Powell Bill Investments	50
Interest-Gen Investments	500
Contributions	421
Wildwood Storage Rents	18,144
Rents & Concessions	18,000
Transfer From Capital Reserve Fund	43,850
Appropriated Fund Balance	244,602
Total	1,891,341

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

Authorized Expenditures

Governing Body	32,000
Administration	262,000
Finance	129,000
Tax Listing	11,200
Legal Services	24,000
Elections	3,500
Police	551,500
Public Buildings	107,000
Emergency Services	4,000
Animal Control	11,000
Street Maintenance	191,000
Public Works	161,000
Leaf & Limb and Solid Waste	44,000
Stormwater Management	42,000
Wetlands and Waterways	3,000
Planning & Zoning	50,000
Recovery Grant NCORR-FDLG-004	76,475
Recreation & Special Events	7,500
Parks & Community Appearance	43,000
Contingency	17,667
Transfer To General Capital Reserve Fund	107,000
Transfer To L.E.S.A. Fund	13,500
Total	<u>1,891,341</u>

Section 2. **General Capital Reserve Fund**

Anticipated Revenues

Contributions from General Fund	107,000
Interest Revenue	<u>187</u>
Total	<u>107,187</u>

Authorized Expenditures

Transfer to General Fund	43,850
Future Procurement	<u>63,337</u>
	<u>107,187</u>

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

Anticipated Revenues:

Contributions from General Fund	13,500
Interest Revenue	<u>45</u>
Total	<u>13,545</u>

Authorized Expenditures:

Separation Allowance	1,517
Future LEOSSA Payments	<u>12,028</u>
Total	<u>13,545</u>

Section 4. **Water Fund**

Anticipated Revenues

Utility Usage Charges, Classes 1 & 2	199,710
Utility Usage Charges, Classes 3 & 4	8,949
Utility Usage Charges, Class 5	12,209
Utility Usage Charges, Class 8	3,586
Utility Customer Base Charges	231,472
Hydrant Availability Fee	20,496
Taps & Connections Fees	1,250
Nonpayment Fees	10,500
Late payment Fees	6,839
Interest Revenue	1,275
Sale of Capital Asset	0
Appropriated Fund Balance	89,214
Total	<hr/> 585,500

Authorized Expenditures

Administration & Finance [1]	469,000
Operations and Maintenance	113,000
Transfer To Fund Balance for Capital Outlay	3,500
Transfer To Water Capital Reserve Fund	0
Total	<hr/> 585,500

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

Section 5. **Water Capital Reserve Fund**

Anticipated Revenues

Contributions From Water Operations Fund	0
Interest Revenue	489
Total	<hr/> 489

Authorized Expenditures

Future Expansion & Debt Service	<hr/> 489
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Section 6. **Sewer Fund**

Anticipated Revenues:

Utility Usage Charges, Classes 1 & 2	258,181
Utility Usage Charges, Classes 3 & 4	20,212
Utility Usage Charges, Class 5	27,576
Utility Usage Charges, Class 8	7,264
Utility Customer Base Charges	294,652
Taps & Connection Fees	1,250
Late payment Fees	7,902
Interest Revenue	1,919
Sale of Capital Asset	0
Appropriated Fund Balance	40,544
Total	<hr/> 659,500

Authorized Expenditures:

Administration & Finance [2]	463,000
Operations and Maintenance	193,000
Transfer to Fund Balance for Capital Outlay	3,500
Transfer to Sewer Capital Reserve Fund	0
Total	<hr/> 659,500

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

Section 7. **Sewer Capital Reserve**

Anticipated Revenues:

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

Authorized Expenditures:

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

There is hereby levied a tax at the rate of twenty-six cents (\$0.26) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2021, for the purpose of raising the revenue listed as "Ad Valorem Taxes 2021-2022" in the General Fund Section 1 of this ordinance. This rate is based on a valuation of \$278,000,000 for purposes of taxation of real and personal property with an estimated rate of collection of 98.39%. The estimated collection rate is based on the fiscal year 2019-2020 collection rate of 98.39% by Craven County who has been contracted to collect real and personal property taxes for the Town of River Bend. Also included is a valuation of \$33,000,000 for purposes of taxation of motor vehicles with a collection rate of 100% by the North Carolina Vehicle Tax System.

Section 9. **Fees and Charges**

There is hereby established, for Fiscal Year 2022, various fees and charges as contained in Attachment A of this document.

Section 10. **Special Authorization of the Budget Officer**

- A. The Budget Officer shall be authorized to reallocate any appropriations within departments.
- B. The Budget Officer shall be authorized to execute interfund and interdepartmental transfers in emergency situations. Notification of all such transfers shall be made to the Town Council at its next meeting following the transfer.
- C. The Budget Officer shall be authorized to execute interdepartmental transfers in the same fund, including contingency appropriations, not to exceed \$5,000. Notification of all such transfers shall be made to the Town Council at its next meeting following the transfer.

Section 11. **Classification and Pay Plan**

Cost of Living Adjustment (COLA) for all Town employees shall be 1.4% and shall begin the first payroll in the new fiscal year. The Town Manager is hereby authorized to grant merit increases to Town employees, when earned, per the approved Pay Plan.

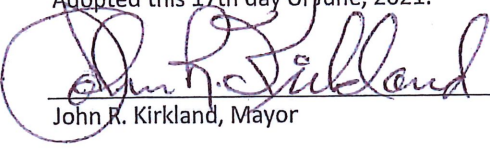
Section 12. **Utilization of the Budget Ordinance**

This ordinance shall be the basis of the financial plan for the Town of River Bend municipal government during the 2021-2022 fiscal year. The Budget Officer shall administer the Annual Operating Budget and shall ensure the operating staff and officials are provided with guidance and sufficient details to implement their appropriate portion of the budget.

Section 13. **Copies of this Budget Ordinance**

Copies of this Budget Ordinance shall be furnished to the Clerk, Town Council, Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Adopted this 17th day of June, 2021.


John R. Kirkland, Mayor

Attest:


Kristie Nobles, Town Clerk



ATTACHMENT "A" to the Budget Ordinance

Town of River Bend Schedule of Rates and Fees

Effective July 1, 2021

Amounts due are based upon the Fees and Charges Schedule in effect at the time of payment. It is the Town Council's intention that the Fees and Charges Schedule be revised as needed by July 1st of each year. Some fees and charges may be adjusted during the year as circumstances change.

GENERAL FUND

Administrative

Ad Valorem Tax	\$.26 per \$100 assessed valuation
Copies of Public Information	as specified by State Statute
Town Code, entire copy	\$75.00
Notary Fee	\$5.00 per signature after the first
Meeting Rooms	
Four hours or less	\$35.00
Over four hours	\$60.00
Returned Check Processing Charge	\$25, as allowed by G.S. §25-3-506
Administrative Fee for returned bank drafts	\$25.00

Public Safety

Pet License Fee	\$10.00
Town Ordinance Violation	
1st Offense	\$25.00
2nd Offense	\$50.00
3rd Offense	\$75.00
4th (and subsequent) offense	\$100.00

Ordinance permits penalties up to \$500. Penalties of this magnitude are reserved for serious infractions.

Golf Cart Registration Fee	\$10.00
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Nuisance Abatement Administrative Fee

<u>Cost of Abatement</u>	<u>Fee</u>
\$1 – 1,000	\$50.00
\$1,001 – and up	5% of total abatement cost (maximum fee \$2,000)

Parks

Town Hall Pavilion Use

Up to 25 attendants	No charge
26 - 100 attendants	\$25
Over 100 attendants	\$50

Planning and Zoning

Special Exception Use Permit \$200 plus cost of required legal advertisement and postage to notify abutting land owners

Variance \$200 plus cost of required legal advertisement and postage to notify abutting land owners

Appeal to Board of Adjustment \$200 plus cost of required legal advertisement and postage to notify abutting land owners

Residential Application Based on amount of project as follows:

Base Fee \$30

\$2 for every \$1,000 of project value after first \$1,000 and up to \$100,000; plus,
\$1 for every \$1,000 above \$100,000 (All values rounded up to nearest \$1,000)

Zoning Administrator can use any appropriate means to verify project valuation.

Residential Flood Plain Application with Zoning Permit

40% of the fee for the Town's residential zoning permit and shall be additional to the zoning permit fee for enclosed structures (fences, decks, and other similar exempt from additional fee).

Commercial Application

Based on amount of project as follows:

Base Fee \$50

\$4 for every \$1,000 of project value after first
\$1,000 and up to \$100,000; plus,
\$2 for every \$1,000 above \$100,000 (All values
rounded up to nearest \$1,000)

Zoning Administrator can use any appropriate means to verify project valuation.

Commercial Flood Plain Application with Zoning Permit

40% of the fee for the Town's commercial zoning permit and shall be additional to the zoning permit fee for enclosed structures (fences, decks, and other similar exempt from additional fee).

Residential Flood Plain Application without Zoning Permit

Based on amount of project as follows:

Base Fee \$30

\$2 for every \$1,000 of project value after first
\$1,000 and up to \$100,000; plus,
\$1 for every \$1,000 above \$100,000 (All values
rounded up to nearest \$1,000)

Zoning Administrator can use any appropriate means to verify project valuation.

Commercial Flood Plain Application without Zoning Permit

Based on amount of project as follows:

Base Fee \$50

\$4 for every \$1,000 of project value after first
\$1,000 and up to \$100,000; plus,
\$2 for every \$1,000 above \$100,000 (All values
rounded up to nearest \$1,000)

Zoning Administrator can use any appropriate means to verify project valuation.

Engineering Review

Charged to applicant at the actual cost of the service as billed by the contracted engineer.

Zoning Amendment Request (Map or Text) \$200 plus cost of required legal advertisement and postage to notify abutting land owners

Sign Permit \$30

Tree Harvest Permit \$50

Zoning and Subdivision Ordinances \$25 per set

Wildwood Storage Rental Rates

Unit Number	Unit Size	Monthly Rent
BB 01	5x20	\$35
BB 02	5x20	\$35
BB 03	5x20	\$35
BB 04	5x20	\$35
BB 05	10x20	\$75
BB 06	10x20	\$75
BB 07	10x20	\$75
BB 08	10x20	Town Occupied(TO)
BB 09	10x20	TO
BB 10	10x20	TO
BB 11	10x20	TO
BB 12	10x20	TO
GB 15	10x16	TO
GB 16	10x16	\$65
GB 17	10x16	\$65
GB 18	10x16	\$65
GB 19	10x16	\$65
GB 20	10x16	TO
GB 21	10x16	TO
GB 22	10x16	TO

OP Open Spaces (38) \$25

Late Payment Charge \$10, assessed after the 10th of the month
Interest Charge 1.5% monthly on outstanding balances

ENTERPRISE FUNDS

Water and Sewer - Rates and Fees

	Water	Sewer
Class 1 and 2 - Residential ⁽¹⁾		
Customer Base Charge per month ⁽²⁾	13.24	24.18
Usage per 1,000 gallons	4.02	9.08
Initial Connection (Tap) charge ⁽³⁾	1,250.00	1,250.00
Nonpayment Fee	70.00	-
Class 3 and 4 - Commercial		
Customer Base Charge per month ⁽²⁾	72.32	141.99
Usage per 1,000 gallons	4.02	9.08
Initial Connection (Tap) charge ⁽⁴⁾	3,500.00	1,250.00
Nonpayment Fee	100.00	-
Class 5 - Industrial		
Customer Base Charge per month ⁽²⁾	224.24	444.93
Usage per 1,000 gallons	4.02	9.08
Initial Connection (Tap) charge ⁽⁴⁾	5,000.00	1,250.00
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 ⁽²⁾	25.90	49.43
Usage per 1,000 gallons	4.02	9.08
Initial Connection (Tap) charge ⁽⁴⁾	1,500.00	1,250.00
Nonpayment Fee	100.00	-
Class 9 - Vacant /Out of Use Non-residential Property		
Customer Base Charge per month ⁽²⁾	13.24	24.18
Usage per 1,000 gallons	4.02	9.08
Nonpayment Fee	70.00	-
Class 10 - Vacant Residences		
Customer Base Charge per month ⁽²⁾	13.24	-
Nonpayment Fee	70.00	-

Special Charges

Service Call - 2 hour minimum

\$35 per hour - signed by customer to initiate work outside of scheduled work hours of
7:00 a.m. - 4:00 p.m. on weekdays and
7:00 a.m. - 3:00 p.m. on weekends

Meter Testing Charge

\$25 - no charge if meter defective

Special Charges (continued)

Returned Check Processing Charge

\$25, as allowed by G.S. §25-3-506

Late Payment Charge

10% of amount overdue per month or part of month beginning 30 days after billing date

Irrigation Connection Inspection

\$20

(1) Residential customer deposit may apply. Please refer to Water Resources Department Policy Manual.

(2) Base charges do not include any usage.

(3) The published Initial Connection (Tap) charges are based on the historic River Bend average cost that has been experienced in making connections. There will be cases when, because of the local depth of the service main pipe to which the connection is to be made, or other site specific differences from the norm, the published connection fee will not cover the actual cost of the tap. When the Water Resources Superintendent encounters such conditions, he shall notify the applicant requesting the tap that the cost may exceed the published fee. In those cases, a record of cost associated with the specific tap will be accounted for and if the total cost exceeds the published fee, then the applicant shall pay a fee equal to the actual cost.

(4) The necessary equipment will be provided to the resident at cost. The resident is responsible for installing the irrigation meter on the resident's side of the regular water meter. After installation, the work will be inspected by a Water Resources Department employee.

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, Land Usage, Chapter 15.01, Subdivision and 15.02, Zoning, be amended as follows:

GENERAL PROVISIONS

§ 15.01.001 TITLE.

This chapter shall be known and may be cited as the Subdivision Regulations for the Town of River Bend, North Carolina, and may be referred to as the Subdivision Chapter.

§ 15.01.002 PURPOSE.

- A. The purpose of this chapter is to establish procedures and standards for the development and subdivision of land within the territorial and extraterritorial jurisdiction of the Town of River Bend.
- B. It is further designed to provide for the orderly growth and development of the Town of River Bend; for the coordination of streets and highways within proposed subdivisions with existing or planned streets and highways and with other public facilities; for the dedication of recreation areas serving residents of the immediate neighborhood within the subdivision and of rights-of-way or easements for street and utility purposes; and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions essential to public health, safety and the general welfare.
- C. This chapter is designed to further facilitate adequate provision for water, sewerage, stormwater management, parks and playgrounds and also to facilitate the further re-subdivision of larger tracts into smaller parcels of land.

§ 15.01.003 AUTHORITY.

This chapter is hereby adopted under the authority and provisions of the G.S. Chapter §160D, Article 8, 801.

§ 15.01.004 JURISDICTION.

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The regulations contained herein as provided in G.S. §160D, Article 8 shall govern each and every subdivision within the territorial and extraterritorial jurisdiction of the Town of River Bend as the areas of the jurisdiction from time to time are determined.

Penalty, see § 1.01.999

PREREQUISITE TO PLAT RECORDATION AND APPROVAL OF PUBLIC SERVICES

§ 15.01.015 PREREQUISITE TO PLAT RECORDATION.

After the effective date of this chapter, each individual subdivision plat of land within the jurisdiction of the Town of River Bend shall be approved by the Town Council.

§ 15.01.016 APPROVAL OF PUBLIC SERVICES.

No street shall be maintained by the Town of River Bend, nor street dedication accepted for ownership and maintenance, no initial zoning permit shall be issued, nor shall water, sewer or other facilities or services of the Town of River Bend be extended to or connected with any subdivision for which a plat is required to be approved unless and until the final plat has been approved by the Town Council.

Penalty, see § 1.01.999

LEGAL PROVISIONS

§ 15.01.030 PROCEDURE FOR PLAT APPROVAL.

- A. After the effective date of this chapter, no subdivision plat of land within the jurisdiction of the Town of River Bend shall be filed or recorded until it has been submitted to and approved by the Town Council as set forth in § 15.01.015 of this chapter, and until this approval is entered in writing on the face of the plat by the Mayor.
- B. The Register of Deeds shall not file or record a plat of a subdivision of land located within the jurisdictional area of the Town of River Bend that has not been approved in accordance with these provisions, nor shall the Clerk of the Superior Court order or direct the recording of a plat if the recording would be in conflict with this section.

Penalty, see § 1.01.999

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§ 15.01.031 STATEMENT BY OWNER.

The owner of land shown on a subdivision plat submitted for recording, or his authorized agent, shall sign a statement on the plat stating whether or not any land shown thereon is within the jurisdictional area of the Town of River Bend.

Penalty, see § 1.01.999

§ 15.01.032 EFFECT OF PLAT APPROVAL ON DEDICATIONS.

- A. Pursuant to G.S. §160D-806, the approval of a plat shall not be deemed to constitute or effect the acceptance by the Town of River Bend or public of the dedication of any street or other ground, public utility line or other public facility shown on the plat.
- B. The Town Council may by resolution accept any dedication made to the public of lands or facilities for streets, parks, public utility lines or other public purposes, when the lands or facilities are located within its jurisdictional area.
- C. Acceptance of dedication of lands or facilities located within the jurisdictional area but outside the corporate limits of the Town of River Bend shall not place on the Town of River Bend any duty to open, operate, repair or maintain any street, utility line or other land or facility, and the Town of River Bend shall in no event be held to answer in any civil action or proceeding for failure to open, repair or maintain any street located outside of its corporate limits.

§ 15.01.033 SEPARABILITY.

Should any section or provision of this chapter be decided by a court of competent jurisdiction to be unconstitutional or invalid, the decision shall not affect the validity of the chapter as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

§ 15.01.034 VARIANCES.

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this chapter would cause an unnecessary hardship, the Board of Adjustment may authorize a variance to the terms of this chapter only to the extent that it is absolutely necessary and not to an extent which would violate the intent of this chapter.

§ 15.01.035 AMENDMENTS.

The Town Council from time to time may amend the terms of this chapter, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have 30 days within which to submit its

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15.02.107 Non-conforming signs

15.02.108 Miscellaneous

Special Use Regulation

15.02.120 General regulations

15.02.121 Application for special use permits

15.02.122 Review and approval of special uses

15.02.123 Specific requirements for some special uses

15.02.124 District use regulations

15.02.125 Control of backflow and cross-connections

Planned Development Project

15.02.135 Planned Development authorization

15.02.136 Planned Developments, generally

15.02.137 Application requirements for Planned Developments

Manufactured Homes

15.02.150 Need and purpose

15.02.151 Location

15.02.152 Permits

15.02.153 Additional requirements for manufactured homes

Administration of the Zoning Chapter

15.02.160 Conflicts of Interest

15.02.164 Zoning Administrator

15.02.165 Duties of Zoning Administrator

15.02.166 Enforcement

15.02.167 Planning

15.02.168 Initial zoning permit

15.02.169 Certificate of zoning compliance

15.02.170 Certificate of occupancy/compliance

15.02.171 Records and invalidation

15.02.172 Remedies

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Boards and Organizational Arrangements

- 15.02.173 Planning Boards
- 15.02.174 Boards of Adjustment
- 15.02.175 Extraterritorial Representation on Boards
- 15.02.176 Judicial review
- 15.02.177 Filing and notice of appeal
- 15.02.178 Quasi-Judicial Decisions & Judicial Review
- 15.02.179 Appeals
- 15.02.180 Rules of Procedure
- 15.02.181 Oath of Office

Changes and Amendments

- 15.02.190 Generally
- 15.02.191 Application
- 15.02.192 Planning Board review and recommendation
- 15.02.193 Public hearing by Town Council

Schedule of Fees

- 15.02.205 Schedule
- 15.02.220 Generally
- 15.02.221 Description of buffers
- 15.02.222 Table of buffering requirements
- 15.02.223 Procedure

Tree Preservation

- 15.02.235 Generally
- 15.02.236 Tree preservation and replacement in new non-residential developments and residential subdivisions
- 15.02.237 Site plans
- 15.02.238 Procedure for tree removal permit
- 15.02.239 Thinning or clearcutting
- 15.02.240 Protection of regulated trees
- 15.02.241 Required trees along dedicated residential streets

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BUILDING, PRINCIPAL/MAIN. A building in which is conducted the principal or main use of the lot on which it is located. Principal and main are synonymous here and in all other usage throughout the code.

BUILDING SETBACK LINE. A line parallel to the front property line in front of which no structure shall be erected.

CHILD DAY CARE CENTERS AND NURSERIES. Child day care centers or nurseries shall comply with the G.S. § 110, Article 7, which governs the licensing of day care facilities.

COMMERCIAL USE. Any use permitted by this chapter in a commercial district.

COMMERCIAL VEHICLE. A vehicle:

- (1) With lettering or signage indicating use for commercial purposes; or
- (2) In excess of ½ ton load capacity of a type customarily used for commercial purposes.

CONDITIONAL ZONING. A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment.

COUNTY. Craven County, North Carolina.

DIMENSIONAL NON-CONFORMITY. A non-conforming situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.

DWELLING. A building or portion thereof designed, arranged or used for permanent living quarters for 1 or more families. The term **DWELLING** shall not be deemed to include a motel, hotel, tourist home or any structures designed for transient residence.

DWELLING, MULTIPLE. A building, including an apartment house, or portion of 1 used or designed as a residence for 3 or more families living independently of each other and doing their own cooking therein.

DWELLING, SINGLE-FAMILY. A building used or designated as a residence for a single family.

DWELLING, 2-FAMILY. A building or portion thereof used or designed as a residence for 2 families living independently of each other and doing their own cooking therein.

ELEVATION. In relation to mean sea level, new construction shall have the minimum elevation no less than 10.5 feet to the floor joist or no less than 11 feet to the lowest habitable floor, whichever is more restrictive.

FAMILY. One or more persons occupying a single family dwelling unit, provided that, unless all members are related by blood or marriage, no family shall contain more than 5 persons.

FRONT LOT LINE. The line of a lot contiguous with the street right-of-way.

IMPERVIOUS SURFACE. Any surface which because of its material or composition or compacted nature impedes or prevents natural infiltration of storm water into the soil. Impervious surfaces include, but are not limited to, roofs, roof extensions, patios, balconies, decks (except wood slotted decks), athletic

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which is transported to its site on an integral/permanent chassis, or any other type of modular unit that does not expressly meet the definition of off-frame modular home as defined herein.

- (2) For purposes of this chapter, an on-frame modular home constitutes a manufactured home as well, and is regulated herein as a manufactured home.

PERSONAL SERVICES. Occupations dealing with the body and/or physical appearance of a person that are regulated by the State of North Carolina by certification and/or registration.

PRIVATE CLUBS AND LODGES. Fraternal, athletic, dining and civic organizations or societies which are not inimical to the public health, welfare, safety, order or convenience.

PROFESSIONAL SERVICES. Occupations requiring special knowledge and academic degree and are regulated by the State of North Carolina by certification and/or registration.

QUASI-JUDICIAL DECISION. A decision involving the finding of facts regarding a specific application of development regulation and that requires the exercise of discretion when applying the standards of the regulation. Quasi-judicial decisions include but are not limited to decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision making board.

REGULATED TREE. Regulated trees shall be defined as any tree with a circumference of 12.5 inches or greater, measured at 54 inches above the ground.

Added 01/17/2008, Amended 04/16/2009

SPECIAL USE PERMIT. A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. This definition includes permits previously referred to as "conditional use permits" or "special exceptions."

STREET. A road or highway which affords the principal means for vehicular traffic access to abutting property and which has been dedicated to public use. **STREET**, road and highway are synonymous.

STREET LIGHTING. Night time street illumination intensity meeting NCDOT requirements. Placed on town right-of-way so as not to interfere with traffic or property access.

STRUCTURE. Includes but not limited to a building, deck, swimming pool, bulkhead, dock, wall or fence, storage shed, tennis court, gazebo, and satellite antenna, but excluding specifically satellite antennas with dishes of 24 inches or less in diameter.

TIMBER HARVESTING. Timber Harvesting shall be defined as the cutting and removal of a quantity of timber: (i) for delivery of merchantable timber to market, or (ii) pursuant to a practice that reduces tree

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- A. This chapter shall not repeal, annul, or impair any existing provisions of law, ordinance or rules or regulations previously adopted or issued or which shall be adopted or issued pursuant to law relating to the use of buildings or premises; provided, however, wherever the terms of this chapter require a greater width or size of yards, courts or other open spaces, or impose other higher standards than are required in any other statute or local ordinance or regulations, the provisions of this chapter shall govern.
- B. Wherever the provisions of any other statute, local ordinance or regulations require greater width or size yards, courts or other open space, or require a greater percentage of plot to be left unoccupied, or impose other higher standards than are required in this chapter, the provisions of the statute, local ordinance or regulation shall govern.
- C. All modifications heretofore granted by the Town Council shall remain in effect and binding.
- D. This chapter shall remain in effect insofar as required for the initiation of any proceedings against any violations and for the prosecution of violations heretofore commenced.
- E. Nothing in this chapter shall modify or repeal any deed restriction on land within the area of jurisdiction of this chapter, but no deed restriction shall constitute a basis for failing to comply with the chapter.

§ 15.02.024 DEVELOPMENT APPROVALS RUN WITH THE LAND.

Unless provided otherwise by law, all rights, privileges, benefits, burdens, and obligations created by development approvals made pursuant to this Chapter attach to and run with the land.

ESTABLISHMENT OF DISTRICTS

§ 15.02.035 GENERALLY.

- A. For the purpose of this chapter, the town is divided into use districts.
- B. Each type of district is listed with permitted uses and dimensional requirements.
- C. Any use not specifically permitted by this chapter is prohibited.

§ 15.02.036 RESIDENTIAL DISTRICTS.

<i>Use District</i>	<i>Permitted Uses</i>	<i>Dimensional Requirements</i>
R-20	Single Family Residential	20,000 square feet minimum lot area
R-20A		
R-15	Single Family Residential	15,000 square feet minimum lot area
PDR-SF	Planned Development Residential	Single family district is intended to provide for the unified development of permanent residential neighborhoods containing only single family detached dwellings. No tract shall be considered

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§ 15.02.042 PERMITTED USES FOR INSTITUTIONAL DISTRICTS.

Permitted uses for Institutional Districts:

- A. Private clubs and lodges;
- B. Academic day or preparatory schools;
- C. Health related facilities; and
- D. Churches.

Penalty, see § 1.01.999

§ 15.02.043 PERMITTED USES FOR BUSINESS DISTRICTS.

Permitted uses for Business Districts:

- A. Commercial development for stores, personal services, banks, restaurants, social and business associations and offices; and
- B.
 - 1. Residential use in a business district is allowed as long as the use is incidental to the intended business use.
 - 2. Where more than 1 business is located on a property or within a structure, such as but not limited to, a strip mall or office complex, this residential allowance shall be applied to each individual business location within the property or structure.

Penalty, see § 1.01.999

§ 15.02.044 PERMITTED USES FOR WILDLIFE PRESERVE DISTRICTS.

Only development or other uses as are allowed by the United States Army Corps of Engineers and the North Carolina Department of Natural Resources and Community Development and for which required permits of the aforesaid agencies and/or the Town of River Bend have been issued.

Penalty, see § 1.01.999

§ 15.02.045 PERMITTED USES FOR AGRICULTURAL DISTRICTS.

Crop production, gardening, orchards, forestry and logging. Property that is located in the Town's extraterritorial planning and development regulation jurisdiction and that is used for bona fide farms purposes is exempt from the Town's zoning regulation to the same extent bona fide farming activities are exempt from county zoning pursuant to this section. Property that ceases to be used for bona fide farm purposes shall become subject to exercise of the Town's extraterritorial planning and development regulation jurisdiction under this Chapter.

Penalty, see § 1.01.999

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§ 15.02.046 MAPS.

- A. The districts are bounded and defined as shown on a map entitled map of the Town of River Bend, Craven County, North Carolina which, with all explanatory matter thereon, hereby is adopted and made a part of this chapter.
- B. The zoning map shall be identified by the signature of the Mayor attested by the Town Clerk and shall bear the seal of the town under the following words: "This is to certify that this is the Official Zoning Map referred to in §§ 15.02.035 et seq. of the Zoning Chapter of the Town of River Bend, North Carolina," together with the date of adoption of this chapter.
- C. Zoning district maps, both current and prior, shall be maintained for public inspection in the office of the local government clerk or such other office as specified in the development regulation. The maps may be in paper or a digital format approved by the local government.
- D. Development regulations adopted pursuant to this Chapter may reference or incorporate by reference flood insurance rate maps, watershed boundary maps, or other maps officially adopted or promulgated by state and federal agencies. For these maps, a regulation text or zoning map may reference a specific officially adopted map or may incorporate by reference the most recent officially adopted version of such maps. When zoning district boundaries are based on these maps, the regulation may provide that the zoning district boundaries are automatically amended to remain consistent with changes in the official promulgated state or federal maps, provided a copy of the currently effective version of any incorporated map shall be maintained for public inspection as provided in subsection (C) of this section.

§ 15.02.047 DISTRICT REQUIREMENTS.

For convenience in the administration of this chapter, there is hereby established and made a part of this chapter the following schedule for the several districts setting forth minimum limitations and requirements. The requirements listed for each district as designated are subject to all provisions of this chapter and, unless otherwise indicated, shall be deemed to be the minimum requirements in every instance of their application.

<i>Schedule of District Requirements</i>										
	R-20	R-20A	R-15	PDR-MF	PDR-SF	ID	BD	WP	AGR	PD-BD
Min. Lot Area (SF)	20,000	20,000	15,000	-	6,500	20,000	20,000	-	-	20,000
District Size	-	-	-	5 acres	10 acres	-	-	-	-	4 acres
Density	-	-	-	*	†	-	‡	-	-	‡
Min. Front Lot Line (FT)	90**	90**	85**	50††	50††	-	100	-	-	100
Min. Bldg. Set Back (FT)	30	30	30	25	25	40	40	-	-	40

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- e) Location of all existing buildings and structures;
- f) Location of all existing and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs, fences and walls. Location, type and screening details for waste disposal;
- g) Locations, dimensions and sketches of all proposed signage;
- h) A planting and berm plan showing all existing natural features, trees and water resources, and all proposed changes to those features including size and type of plant material;
- i) Zoning district classifications of subject site and abutting properties;
- j) Traffic flow patterns within the site, entrances and exits, loading and unloading areas, and curbing on the site;
- k) Elevation plans to a minimum scale of 1/8 inch equals 1 foot for all exterior facades of proposed or existing structures and additions;
- l) Approximate percentage of land to be covered by buildings;
- m) Proposed uses;
- n) Anticipated architectural style(s).

E. *Enforcement.*

1. The Zoning Administrator may revoke any zoning, special use, or conditional zoning permit to insure compliance with the plan and stated conditions of approval.
2. The Zoning Administrator may also suspend any permit or license when work is not performed within 1 year of approval of the site plan.
3. The permit issuing authority may extend the 1 year prior for good cause.
4. Appeals to the decisions of the permit issuing authority may be made to the Board of Adjustment through procedures outlined in §§ 15.02.173 et seq. of this chapter.

F. *Design guidelines and performance standards.*

1. The following are the design guidelines and performance standards.
2. Exceptions to these guidelines may be granted by the Board of Adjustment after reviewing the petition of the developer along with the recommendations of the Zoning Administrator.
 - a) Required standards.
 - (1) For those developments abutting Highway 17, entrance shall be from Pirates Road or Efirid Boulevard. An exception may be granted for any single property not directly connected to Pirates Road or Efirid Boulevard.
 - (2)
 - (a) For all developments, each development under single ownership shall be limited generally to 1 driveway access to provide both ingress and egress.
 - (b) In cases where it is determined by the Zoning Administrator that more than 1 driveway access would provide a more efficient circulation pattern within the development and would promote improved traffic safety, 1 additional driveway access may be permitted.
 - (3)

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- (2) Whenever possible, a planting area measuring an average of 5 feet in width should be provided around the periphery of all principal buildings in a development.

Penalty, see § 1.01.999

GENERAL DISTRICT REGULATIONS

§ 15.02.060 APPLICATION.

The regulations set forth in this subchapter shall affect all land, every building and every use of land and/or building existing at the time of the adoption of this chapter, and to new construction as follows.

- A. *New uses or construction.* After the effective date of this chapter, all new construction of buildings or structures and/or all use of land shall conform with the requirements for the district in which it is located.
- B. *Access and parking.* Each lot shall provide access to an approved street and shall provide adequate off-street parking. Each front lot line shall abut an approved street right-of-way line.
- C. *Completion of existing construction.* Nothing herein shall require any change in the plans, construction or designated use of a building actually under construction at the time of the passage of this chapter, or of a building for which a building permit has been issued and in which the entire building is completed within 1 year from the date of the adoption of this chapter.
- D. *Conforming uses or structures.* After the effective date of this chapter, any existing structures or uses of land or structures which then conform with the regulations for that district may be continued without specific permit, provided that any subsequent alteration or change in use shall conform with the requirements of this chapter.
- E. *Added territory.* All territory which hereinafter may be included within the town's jurisdiction either through annexation or extension of the town's extraterritorial area shall be classified into zoning districts determined by the Town Council, after the Town Council receives recommendations from the Planning Board and after advertised public hearing. The Town of River Bend must provide mailed notice to owners of all parcels of land proposed for addition to the area of extraterritorial jurisdiction, as shown on the county tax records, thirty days prior to the date of the extraterritorial jurisdiction (ETJ) hearing, and may hold one hearing (with single mailed notice) regarding ETJ and initial zoning amendment.

Penalty, see § 1.01.999

§ 15.02.061 PRINCIPAL AND ACCESSORY BUILDINGS.

- A. *Principal building.* No lot in any residential district shall be occupied by more than 1 principal building.

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- A. A fence or wall, unless otherwise stated, hereinafter referred to as fence, is defined as a freestanding, vertical structure, constructed of man-made or natural materials, or a combination thereof. While it may accomplish the same objective as a man-made fence, living vegetative materials such as trees and shrubs are not considered a fence that requires a permit.
- B. A fence may provide any or all of the following: indicate a boundary; provide a barrier, either physical or visual; protect property; provide privacy; serve as an enclosure; control erosion or provide stability, such as is accomplished with a retaining wall; create a landscaping or ornamental effect.
- C. Fences are a permitted use in all zoning districts, provided that:
 - 1. No fences shall be allowed in any front yard.
 - 2. Fences shall be limited to six (6) feet in height within any side or rear yard.
 - 3. Fences shall be constructed of wood, brick, vinyl, ornamental iron or metal railing, chain link or stone. The exposed framing of each section of fence shall face the interior yard or property, e.g. the finished side shall face out.
 - 4. The owner of the property on which the fence is located is required to maintain the fence in a safe condition and plumb (vertical) to the ground. For fences erected close to a property line, fence owners are advised to consider future access to the exterior side of the fence for maintenance.
 - 5. Retaining walls over five (5) feet in height shall be designed and constructed under the responsible charge of a NC registered professional engineer.
 - 6. Fences built in conjunction with electric or gas substations, public works facilities, public recreation facilities or other similar uses shall not exceed ten (10) feet in height without specific approval of the Town Manager.
 - 7. No fence shall be constructed within or upon any street right-of-way. In addition, no fence shall be constructed within ten (10) feet of any street pavement.
 - 8. No fence or wall shall alter or impede the natural flow of water in any stream, creek, drainage swale, ditch or similar drainage feature.
 - 9. The exposed framing of each section of fence shall face the interior yard or property, e.g. the finished side shall face out.
 - 10. In residential zoning districts, fences shall not be constructed of material which may be dangerous or hazardous to the public, such as barbed or razor wire or other similar materials except in association with those uses permitted as a special use.
 - 11. Fences constructed on or over utility easements are subject to be removed at the owner's expense subject to the terms of the easement.
 - 12. Nothing in this section shall prevent the installation of temporary fences related to construction sites or sediment and erosion control. Temporary fences shall be removed within ten (10) days of the issuance of a certificate of zoning compliance for the project. For projects that do not require a zoning permit, temporary fences must be removed within (90) days of their installation. A temporary permit may be extended for thirty (30) days.
 - 13. It is the responsibility of the fence owner to insure that the fence is installed on their property.

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Penalty, see § 1.01.999

§ 15.02.065 TEMPORARY USES.

Temporary use of property for construction offices may be permitted and shall be limited to the construction site. Temporary construction offices shall be removed immediately upon completion or abandonment of construction.

Penalty, see § 1.01.999

§ 15.02.066 WATER SUPPLY AND SEWAGE DISPOSAL.

- A. *Approval.* Each application for an initial zoning permit or a special use permit shall be accompanied with plans of the proposed method of water supply and sewage disposal. All new construction having available public and/or community water and/or sewage disposal systems upon payment of applicable tap-on and other user fees and charges shall provide for connection to the water systems and/or sewage disposal systems and in accordance with § 5.01.007 of this Code, remain connected to said system(s) as the sole means of supplying potable water to and/or wastewater removal from all improvements on the property. No excavation for or construction of any building or use of land shall be commenced until approval of the Craven County Health Department is noted on the plans and an initial zoning permit is issued.

Amended 06/18/2009

- B. *Method to be specified.*

1. Any application shall specify the method or methods to be used and shall describe any special conditions to be met.
2. Subject to the provisions of division (A) above requiring connection to available public and/or community and/or sewage disposal systems, the methods and the approvals required, include the following:
 - a) Connection to public water or sewage disposal systems operated by the town, or other governmental unit or agency with connection approval by an authorized officer of each system.
 - b) Connection to community water or sewage disposal systems operated by a person, firm or corporation other entity other than a governmental unit or agency with connection approval by an authorized officer of each system.
 - c) Installation of other than public water or sewage disposal systems of each appropriate authorizing agency.

Penalty, see § 1.01.999

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the appraised valuation of the structure prior to damage and/or renovation, may be done only in accordance with a zoning permit issued pursuant to this section.

2. For purposes of division (E)(1) above:

- a) The cost of renovation or repair or replacement shall mean the fair market value of the materials and services necessary to accomplish the renovation, repair, or replacement.
- b) The cost of renovation or repair or replacement shall mean the total cost of all the intended work, and no person may seek to avoid the intent of division (E)(1) by doing the work incrementally.
- c)
 - (1) The appraised valuation shall mean either the appraised valuation for property tax purposes, updated as necessary by the increase in the consumer price index since the date of the last valuation or the valuation determined by a professionally recognized property appraiser.
 - (2) It shall be the responsibility of the property owner to supply the town with the appraised valuation of the property. The valuation shall include the necessary documentation to support the valuation.
 - (3) The Zoning Administrator may issue a permit authorized by this section if he finds that, in completing the renovation, repair or replacement work:
 - (a) No violation of division (D) above will occur; and
 - (b) The permittee will comply to the extent possible with all provisions of this chapter applicable to the existing use except that the permittee shall not lose his right to continue a non-conforming use, except for those reasons outlined in division (G) below with a requirement of this division is not possible if compliance cannot be achieved without adding additional land to the lot where the non-conforming situation is maintained or moving a substantial structure that is on a permanent foundation.

F. Change in use of property where a non-conforming situation exists.

1.

- a) A change in use of property that is sufficiently substantial to require a new zoning permit (§ 15.02.166) or special use permit (§§ 15.02.120 et seq.) may not be made except in accordance with divisions (F)(2) and (3) below.
- b) However, this requirement shall not apply if only a sign permit is needed.
2. If the intended change in use is to a principal use that is permissible in the district where the property is located, and all of the other requirements of this ordinance applicable to that use can be complied with, permission to make the change must be obtained in the same manner as permission to make the initial use of a vacant lot. Once conformity with this chapter is achieved, the property may not revert to its non-conforming status.
3. If the intended change in use is to a principle use that is permissible in the district where the property is located, but all of the requirements of this chapter applicable to that use cannot be complied with, then the Zoning Administrator may issue a permit authorizing the change.

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If the Zoning Administrator finds, in addition to any other findings that may be required by this chapter, that:

- a) The intended change will not result in a violation of division (D) above; and
 - b) All of the applicable requirements of this chapter that can be complied with will be complied with. Compliance with a requirement of this chapter is not possible if compliance cannot be achieved without adding additional land to the lot where the non-conforming situation is maintained or moving a substantial structure that is on a permanent foundation. And in no case may an applicant be given permission pursuant to this division to construct a building or add to an existing building if additional non-conformities would thereby be created.
4. A change in use to another principal use that is also non-conforming is not permissible.
- G. Abandonment and discontinuance of non-conforming situations.
1. When a non-conforming use is discontinued for a continuous period of 180 days, the property involved may thereafter be used only for conforming purposes.
 2. If a non-conforming use is maintained in conjunction with a conforming use, discontinuance of a non-conforming use for the required 180 day period shall terminate the right to maintain it thereafter.
 3. When a structure or operation made non-conforming by this chapter is vacant or discontinued at the effective date of this chapter, the 180-day period for purposes of this division begins to run at the effective date of this chapter.
- H. Completion of non-conforming projects.
1. All non-conforming projects on which construction was begun at least 180 days before the effective date of this chapter as well as all non-conforming projects that are at least 25% completed in terms of the total expected cost of the project on the effective date of this chapter may be completed in accordance with the terms of their permits, so long as these permits were validly issued and remain unrevoked and unexpired. If a development is designed to be completed in stages, this division shall apply only to the particular phase under construction.
 2. Except as provided in division (H)(1) above, all work on any non-conforming project shall cease on the effective date of this chapter, and all permits previously issued for work on non-conforming projects shall be revoked as of that date. Thereafter, work on non-conforming projects may begin or may be continued only pursuant to a zoning, special use or sign permit issued in accordance with this section by the individual or Board authorized by this chapter to issue permits for the type of development proposed. The Zoning Administrator may issue a permit if he finds that the applicant has in good faith made substantial expenditures or incurred substantial binding obligations or otherwise changed his position in some substantial way in reasonable reliance on the land use law as it existed before the effective date of this chapter and thereby would be unreasonably prejudiced if not allowed to complete his project as proposed. In considering whether these findings may be made, the Zoning Administrator shall be guided by the following, as well as other relevant considerations.

- a) All expenditures made pursuant to a validly issued and unrevoked building, zoning, sign or a special use permit shall be considered as evidence of reliance on the land use law that existed before this chapter became effective.
 - b) Except as provided in division (H)(2)(a) above, no expenditures made more than 180 days before the effective date of this chapter may be considered as evidence of reliance on the land use law that existed before this ordinance became effective. An expenditure is made at the time a party incurs a binding obligation to make that expenditure.
 - c) To the extent that expenditures are recoverable, a party shall not be considered prejudiced by having made those expenditures. For example, a party shall not be considered prejudiced by having made some expenditure to acquire a potential development site if the property obtained is approximately as valuable under the new classification as it was under the old, for the expenditure can be recovered by a resale of the property.
 - d) To the extent that a non-conforming project can be made conforming and that expenditures made or obligations incurred can be effectively utilized in the completion of a conforming project, a party shall not be considered prejudiced by having made these expenditures.
 - e) An expenditure shall be considered substantial if it is significant both in dollar amount and in terms of:
 - (1) The total estimated cost of the proposed project; and
 - (2) The ordinary business practices of the developer.
 - f) A person shall be considered to have acted in good faith if actual knowledge of a proposed change in the land use law affecting the proposed development site could not be attributed to him.
 - g) Even though a person had actual knowledge of a proposed change in the land use affecting a development site, the Zoning Administrator may still find that he acted in good faith if he did not proceed with his plans in a deliberate attempt to circumvent the effects of the proposed chapter. The Zoning Administrator may find that the developer did not proceed in an attempt to undermine the proposed chapter if he determines that:
 - (1) At the time the expenditures were made, either there was considerable doubt about whether any ordinance would ultimately be passed, or it was not clear that the proposed ordinance would prohibit the intended development; and
 - (2) The developer had legitimate business reasons for making expenditures.
3. The Zoning Administrator shall not consider any application for the permit authorized by division (H)(2) above that is submitted more than 60 days after the effective date of this chapter. The Zoning Administrator may waive this requirement, but in no case may extend the application deadline beyond 1 year.

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- B. The parking space may be provided in a parking garage or properly paved open area.
- C. Except for residential parking spaces, all the parking area shall be in accordance with North Carolina State Department of Transportation standards.
 - 1. Each application for an initial zoning permit shall include information as to the location and dimension of off-street parking and loading space and the means of ingress and egress to the space. This information shall be sufficient detail to enable a determination whether or not the requirements of this section are met.
 - 2. The required parking space for any number of separate uses may be combined in 1 lot but the required space assigned to 1 use may not be assigned to another use, except that $\frac{1}{2}$ of the parking space required for churches, theaters or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night and on Sundays.
 - 3. If the off-street parking space required by this chapter cannot be reasonably provided on the same lot on which the principal use is located, the Board of Adjustment may, as a special use, permit the space to be provided on any land within 400 feet of the main entrance to the principal use, provided the land is in association with the principal use and is zoned for the principal use involved. The land shall be used for no other purpose so long as no other adequate provision for parking space meeting the requirements of this chapter has been made for the principal use and is zoned for the principal use involved.
 - 4.
 - a) The minimum number of required off-street parking spaces shall be calculated from the following table. In the case of a building or use not expressly provided for, the number of off-street spaces shall be the same as for a similar use of inclusive category which is provided for.
 - b) Where there is more than 1 use in a single structure or on a single tract, or 2 or more instances of the same use, the minimum number of required off-street parking spaces shall be equal to the sum of the requirements of the various uses.
 - 5. The following parking requirements shall be applied as indicated in the schedule of district use regulations of this chapter.

Minimum Off-street Parking Facility Requirements	
Category	Parking Spaces Required
A	2 parking spaces per dwelling unit
B	2 parking spaces per dwelling unit plus 1 for each 4 dwelling units
C	1 parking space per room plus 10% of the number of employees
D	3 parking spaces in addition to residence requirements
E	1 parking space for each 4 seats in the principal place of assembly
F	Parking space requirements are conditional with individual special use permits granted

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§ 15.02.097 SIGNS EXEMPT FROM REGULATION.

Amended 04/18/2013

The following signs are exempt from regulation under this subchapter except for the regulations embodied in § 15.02.107:

- A. Signs not exceeding 2 square feet in area that are customarily associated with residential use and that are not of a commercial nature, such as signs giving property identification names or numbers or names of occupants, signs on mailboxes or paper tubes and signs posted on private property related to private parking or warning the public against trespassing or danger from animals.
- B. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs and traffic, directional or regulatory signs.
- C. Official signs of an informational nature erected by public utilities.
- D. Flags, pennants or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- E. Signs directing and guiding traffic on private property that do not exceed 2 square feet each and that bear no advertising information.
- F. Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.

§ 15.02.098 CERTAIN TEMPORARY SIGNS; PERMIT EXEMPTIONS AND ADDITIONAL REGULATIONS.

Amended 04/18/2013

- A. The following temporary signs are permitted without a zoning, special use, conditional zoning or sign permit. However, these signs shall conform to the requirements set forth below as well as all other applicable requirements of this subchapter except those contained in §§ 15.02.101 and 15.02.103.
 - 1. Signs containing the message that the real estate on which the sign is located (including buildings) is for sale, lease or rent, together with information identifying the owner or agent. Real estate signs advertising residential properties shall not exceed 4 square feet in area and shall not be illuminated. Real estate signs advertising commercial property shall not exceed 32 square feet in area and shall not be illuminated. All real estate signs shall be removed within 10 days of sale, lease or rental. Only 1 real estate sign is permitted for each property with the exception of properties abutting waterways or the golf course, which may have 2 signs.
 - 2. Construction site identification signs. These signs may identify the project, the owner or the developer, architect, engineer, contractor, and subcontractors and funding sources and may contain related information. Not more than 1 sign may be erected per site and may not exceed 32 square feet in area. These signs may be erected no more than 30 days prior to the

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- F. All signs not properly maintained and determined to be a nuisance by the Zoning Administrator are subject to repair and/or removal by the town at the expense of the owner of the sign. The sign owner will be provided with written notice by the town 10 working days prior to the sign's removal. Furthermore, whenever an outdoor advertising structure has outlived any useful purpose for which it was intended, it shall be removed forthwith.
- G. No sign may be erected on town-maintained or private rights-of-way so that by its location, color, size, shape, nature or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- H.
 - 1. Signs on the town's water towers are permitted.
 - 2. The water tower sign may only identify the Town of River Bend and should not be more than 10% of the total surface area of the vessel containing the water.
- I.
 - 1. In addition to signs already permitted, churches, schools and other non-commercial institutions may have 1 on-site bulletin board not exceeding 12 square feet in area.
 - 2. The bulletin board may be illuminated, shall be set back a minimum of 15 feet from the right-of-way and shall not exceed 10 feet in height.
- J. For each lot located in an area zoned ID, 1 sign or bulletin board not exceeding 54 square feet in area and 15 feet in height measured from the grade of the street from which access to the property is provided, may be erected.
- K. Violations of any provision of this section shall be subject to all penalties under this chapter, as provided for in § 1.01.999.

Penalty, see § 1.01.999

Cross-reference: General District regulations, see § 15.02.060 et seq.

SPECIAL USE REGULATION

§ 15.02.120 GENERAL REGULATIONS.

- A. Permission may be granted by the Board of Adjustment for the establishment of uses listed as special uses (SU) in the district use regulation tables in this subchapter, after Planning Board review and recommendations and after a public hearing held by the Board of Adjustment. And further, that the Board of Adjustment finds that:
 - 1. The proposed use does not affect adversely the general plans for the physical development of the town as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board and/or the Town Council;
 - 2. The proposed use will not be contrary to the purposes stated in these regulations;
 - 3. The proposed use will not affect adversely the health and safety of residents and workers in the zoned area;

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4. The proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses;
 5. The proposed use will not be affected adversely by the existing uses;
 6. The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of the use;
 7. The proposed use will not constitute a nuisance or hazard because of number of persons who will attend or use these facilities, vehicular movement, noise or fume generation or type of physical activity;
 8. The standards set forth for each particular use for which a permit may be granted have been or will be met;
 9. The proposed use shall be subject to the minimum area, setback and other dimensional requirements of the zoning district in which it will be located; and
 10. The proposed use shall be subject to the off-street parking and service requirements of these regulations.
- B. The Board of Adjustment shall impose or require any additional restrictions and standards as may be necessary to protect the health and safety of workers and residents of the community, and to protect the value and use of property in the general neighborhood.
- C. Whenever the Board of Adjustment shall find, in the case of any permit granted pursuant to the provisions of these regulations, that any of the terms, conditions or restrictions upon which the permit was granted are not being complied with, the Board shall rescind and revoke the permit after giving due notice to all parties concerned.
- D. If construction of a use authorized by a special use permit does not begin within 6 months of the time the permit is issued, the permit shall be revoked.

Penalty, see § 1.01.999

§ 15.02.121 APPLICATION FOR SPECIAL USE PERMITS.

- A.
1. An application for special use permits shall be made in duplicate to the Zoning Administrator on forms furnished by the Zoning Administrator.
 2. If rezoning is to be requested in connection with the request for a special use, the request shall be made concurrent with the application for the special use.
- B. A fee shall be paid the Town of River Bend for each application for a special use permit. In addition, costs for retaining legal, planning, engineering and other technical or professional services in connection with the review of special use permit applications may be charged to the applicant.

Penalty, see § 1.01.999

§ 15.02.122 REVIEW AND APPROVAL OF SPECIAL USES.

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- A.
 - 1. The application forms for a special use permit shall be transferred along with required plans, plats and the like to the Planning Board by the Zoning Administrator 7 days before a regularly scheduled Planning Board meeting so that the application can be placed on the Board's agenda.
 - 2. At this meeting, the owner of the property for which the special use is sought or his agent shall appear.
- B. The Planning Board shall review the application for details, where applicable, of the site, situation, existing and proposed structures, architectural plans, neighboring land and water uses, proposed parking areas, driveway locations, highway access, traffic generation and circulation potential, drainage, waste disposal, water supply systems and the effects of the proposed use, structure, operation and potential changes in water quality, shoreland cover, natural beauty and wildlife habitat.
- C.
 - 1. The Planning Board shall consider recommending conditions that may be placed in the granting of the special use permit by the Board of Adjustment.
 - 2. These conditions may include items such as landscaping, architectural design, type of construction, construction commencement and proposed completion dates, sureties, lighting, fencing, location, size and number of signs, water supply and waste disposal systems, performance standards, street dedication, certified survey maps, floodproofing, ground cover, sedimentation control from the project construction, terraces, stream bank protection, planting of buffer screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, yard sizes or additional parking.
- D. In addition, the Planning Board shall check for compliance of the requested special use with all other relevant provisions of this subchapter, such as lot dimensional requirements, building heights, parking and loading standards.
- E. The Planning Board shall consider the application at the first regular meeting of the Planning Board after receiving the completed application. Within 45 days after the meeting at which the application is considered, the Planning Board shall make its written recommendations and pass them on to the Board of Adjustment.
- F. The Zoning Administrator shall set a date and advertise for Board of Adjustment public hearing. The Board of Adjustment shall review the application and all recommendations from the Planning Board.
- G. The Board of Adjustment shall approve or deny the application following a public hearing provided for in division (F) above.
- H. After approval or conditional approval of the special use by the Board of Adjustment, the Board shall notify the Zoning Administrator of the approval. Notification shall be by a written letter signed by the Chairperson of the Board of Adjustment, and a copy of the approval letter shall be forwarded to the special use permit applicant and the Planning Board Chairperson.

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Applicant/landowner must give written consent to conditions related to the special use permit to ensure enforceability.

I.

1. Rejection of an application for a special use permit shall be recorded in the minutes of the Board of Adjustment meeting during which the decision was made.
2. Notification of the rejection or denial of an application for a special use permit shall be a letter signed by the Chairperson of the Board of Adjustment.
3. The letter shall state reasons for denial and reference the specific sections or paragraphs in this chapter that would be violated if the special use were granted.
4. The denial letter shall be forwarded to the applicant by certified or registered mail and copies of the letter shall be forwarded to the Chairperson of the Planning Board and the Zoning Administrator.
5. One copy shall be retained in the files of the Board of Adjustment.

Penalty, see § 1.01.999

§ 15.02.123 SPECIFIC REQUIREMENTS FOR SOME SPECIAL USES.

A. *Accessory building in Business Districts (BD).*

1. May be allowed in the event that state or federal regulations require storage of flammable or other dangerous materials outside of the principal building and where these materials are necessary for the principal use to be continued.
2. Accessory building shall not be allowed in the front yard.

B. *Churches.*

1. Minimum side and rear yards of at least 50 feet.
2. All buildings and related uses shall be no closer than 25 feet from the nearest property line.

C. *Day care centers and nurseries.* Day care centers or nurseries shall comply with the G.S., Chapter §110, Article 7, which governs the licensing of day care facilities.

D. *Hospitals, nursing homes and/or extended medical facilities.* Side, front and rear yards shall be at least 50 feet.

E. *Schools, public or private.*

1. Minimum side and rear yards of at least 50 feet.
2. All accessory buildings and related uses shall be at least 25 feet from the nearest property line.
3. An off-street loading and unloading area for vehicles carrying pupils shall be provided.

F. *Service stations and other automotive-oriented business establishments.* Due to the nature of the materials handled, the light, noise and other nuisances that sometimes are related to service stations, automobile repair facilities, automobile washing facilities and similar establishments catering to the needs of the motoring public, certain minimum standards for development of these business uses are established as follows:

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1. A buffer shall be provided along all property lines of the uses which abut a residential district or lot which is occupied by a residential use;
 2. All gasoline pumps and other stationary equipment shall be at least 24 feet off the edge of pavement and 12 feet off the edge of right of way; and
 3. All areas subject to daily or frequent use of vehicles shall be paved.
- G. *Janitorial supplies.* Due to the nature of the materials handled which could be a safety hazard, the business owner must demonstrate strict control of chemical supplies by showing capability to comply with all federal and state regulations.

Penalty, see § 1.01.999

§ 15.02.124 DISTRICT USE REGULATIONS.

For convenience in the administration of this chapter, there hereby is established and made a part of this chapter the following schedule of district use regulations.

SCHEDULE OF DISTRICT USE REGULATIONS									
KEY: P – Use permitted by right SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board Blank/Unlisted – Prohibited use									
Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Accessory Building	P	P	P	P	SU	SU	SU	P	
Adult Day Care					P	P	P		G
Bakery, Retail						P	P		G
Financial Services						P	P		G
Barber Shop/Beauty Shop						P	P		G
Boats and Trailer Sales						SU	SU		G
Cabinet, Woodworking or Upholstery Shops						P	P		G
Child Day Care						SU			
Churches	SU	SU	SU	SU	P	SU	SU		E

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SCHEDULE OF DISTRICT USE REGULATIONS									
KEY: P – Use permitted by right SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board Blank/Unlisted – Prohibited use									
Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Clubs and Lounges, Private					P	SU	SU		F
Clothing Store						P	P		G
Computer Sales and Service						P	P		G
Dairy Bar and Ice Cream Parlors						P	P		G
Drug Store						P	P		F
Dry Cleaners/Drop Off/Pick Up Only						P	P		G
Dwellings, Single- Family	P	P	P	P		SU			A
Dwellings, 2-Family				P		SU			A
Dwellings, Multi- Family				P		SU			A
Fire Department Buildings	SU	SU	SU	SU	SU	SU	SU		F
Fitness Center						P	P		G
Florists/Gift Shop						P	P		G
Furniture Store						P	P		G
Golf Course	SU	SU	SU	SU	P	SU	SU		F
Grocery Store						P	P		G
Hardware Sales						P	P		G
Home Occupations	P	P	P		P				G

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SCHEDULE OF DISTRICT USE REGULATIONS									
KEY: P – Use permitted by right SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board Blank/Unlisted – Prohibited use									
Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Jewelry and Watch Repair						P	P		G
Libraries	SU	SU	SU	SU		P	P		G
Marina						P			G
Nursing Home and Rest Home					P				G
Office for Business, Professional and Personal Services						P	P		G
Pet Shops (excluding Veterinary Services)						P	P		G
Pharmacy						P	P		G
Photo Shop/Supply						P	P		G
Police Station	SU	SU	SU	SU	SU	SU	SU		F
Public Enterprise**	SU	SU	SU	SU		SU	SU		F
Public Utility	SU	SU	SU	SU	SU	SU	SU		F
Restaurants					P	P	P		F
Schools	SU	SU	SU	SU	SU				F
Service Station						SU	SU		J
Shoe Sales and Repair						P	P		G
Sporting Goods Sales						P	P		G

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SCHEDULE OF DISTRICT USE REGULATIONS									
KEY: P – Use permitted by right SU – Special use permitted upon approval by Board of Adjustment after recommendation of the Planning Board Blank/Unlisted – Prohibited use									
Use	R20/ R20A	R15	PDR- SF	PDR- MF	ID	BD	BD- PD	AGR	Parking Code*
Storage Rental Units/Areas						P	P		G
Travel Agency						P	P		G
Utility Tanks, Pumps, Electrical Substations & Related Services	SU	SU	SU	SU	SU	SU	SU	SU	
Wholesale and/or Retail Janitorial Sales & Services						SU	SU		F
Youth Center					P	P	P		G
*Parking code described in §15.02.080 ** As defined by G.S. § 160A-311									

Penalty, see § 1.01.999

Amended 11/18/10

§ 15.02.125 CONTROL OF BACKFLOW AND CROSS-CONNECTIONS.

A. *Purpose.*

1. The purpose of this section is to protect the public potable water supply of the town from the possibility of contamination or pollution by isolating within the consumer's internal distribution system(s) or the consumer's private water system(s) such contaminants or pollutants which could backflow into the public water system.
2. This section shall apply to all users connected to the town's public potable water supply regardless of whether the user is located within the town limits or outside the town limits.

B. *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AIR-GAP SEPARATION. An unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. An approved air-gap vertical separation shall be at least double the diameter of the supply pipe. In no case shall the air-gap be less than 1 inch.

be and remain the property of the town. Prior to installation of any such irrigation meter, the customer shall pay to the town all charges specified in the schedule of fees established (and as modified from time-to-time) by the Town Council.

- C. *Other customers.* Except as provided in subsection (b) hereof, any other utility customer of the town in good standing may request the town to install and operate a town-approved irrigation meter at any property owned by such customer to which the town provides utility services, pursuant to procedures established (and as modified from time-to-time) by the Town's Water Resources Department. All such irrigation meters, meter boxes, pipes and other equipment furnished or used by the town in installing any such irrigation meter shall be and remain the property of the town. Prior to installation of any such irrigation meter, the customer shall pay to the town all charges specified in the schedule of fees established (and as modified from time-to-time) by the Town Council.
- D. *Capital Investment Fees.* Prior to installation of any irrigation meter pursuant to this section, any new water customer shall pay to the town a Capital Investment Fee (CIF) to cover a portion of the costs associated with providing additional water capacity to such customers, in the amount specified in the schedule of fees established (and as modified from time-to-time) by the Town Council and approved by the town council. Such CIF shall be payable in addition to (i) all charges specified in the schedule of fees established (and as modified from time-to-time) by the Town Council. Payment of capital fees does not relieve the owner of the obligation to build water line extensions in accordance with the town's ordinances, regulations, rules, policies and procedures. In no instance shall a property owner be charged a CIF for a potable water meter and a second CIF for an irrigation water meter.

PLANNED DEVELOPMENT PROJECT

§ 15.02.135 PLANNED DEVELOPMENT AUTHORIZATION.

- A. The Town Council may authorize the issuance of conditional zoning permits for Planned Developments in accordance with the procedures and development standards specified in this subchapter.
- B. Whenever the Town Council shall find, in the case of any permit granted pursuant to the provisions of the regulations, that any of the terms, conditions or restrictions, upon which the permit were granted are not being complied with, the Town Council shall have the authority to rescind, after granting the permittee notice and hearing.

§ 15.02.136 PLANNED DEVELOPMENTS, GENERALLY.

- A. *Intent.*
 - 1. Within districts now existing or which hereafter may be created, it is intended to permit and encourage, on application and approval of detailed development plans, establishment of

new Planned Developments for specified purposes where tracts of land suitable in location, area and character are to be planned and developed as a whole and in a unified manner. Suitability of these tracts for Planned Development purposes shall be determined primarily by reference to the Town of River Bend land development plan and the developer's master land use plan as approved by the Town Council.

2. Where Planned Developments are permitted, regulations adopted for unified developments are intended to accomplish the purposes of zoning and subdivision regulations, and other applicable regulations, to the same degree as in cases in which those regulations are intended to control development on a lot-by-lot rather than unified basis.

B. *Planning Board action.*

1. The Planning Board shall review and take action on each preliminary plat within 45 days after first consideration by the Planning Board. First consideration shall be at the next regularly scheduled meeting of the Planning Board that follows at least 14 days after the plat is submitted. The Planning Board, Community Appearance Commission, Public Works Advisory Board, Parks and Recreation Board, Waterways/Environment Board and the Town Council shall review the master land use plan preliminary and final site plans for the proposed planned development for conformity with the Town of River Bend land development plan. The other Town Boards will give their recommendations before the next Planning Board meeting.
2. If there is no response from the other Town Boards, the Planning Board will assume that there are no comments. The Planned Development shall provide appropriate relationships between uses around the boundaries and uses within the Planned Development so as to insure that no property shall be adversely affected.

C. *Basis for control.* The approved master land use plan, preliminary and final site plans shall be the basis for control of land development within Planned Developments.

D. *Permit choice.* If an application made in accordance with local regulation is submitted for a development approval required pursuant to this Chapter and a development regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulation will apply to the application. If the development permit applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit.

Penalty, see § 1.01.999

§ 15.02.137 APPLICATION REQUIREMENTS FOR PLANNED DEVELOPMENTS.

Applications for development approvals may be made by the landowner, a lessee or a person holding an option or contract to purchase or lease land, or an authorized agent of the landowner. An easement

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holder may also apply for development approval for such development as is authorized by the easement.

A. *Step I - Master land use plan.*

1. *Applicant action.*

- a) The applicant shall submit 10 copies of the master land use plan and supplementary materials to the Zoning Administrator at least 15 days before the regular meeting of the Planning Board at which the master land use plan is to be considered. The Zoning Administrator shall place the master land use plan on the agenda of the next regular meeting of the Planning Board and contact the Planning Board Chairperson as to the receipt of the master land use plan, and shall present the Planning Board with copies of the plan and materials.
- b) If rezoning is a prerequisite of Planned Development approval, the Zoning Administrator will advertise for a public hearing and follow the standard zoning ordinance amendment requirements.

2. *Information required of the applicant.* The information required for presentation by the developer shall include the following:

- a) For all Planned Developments, a master land use plan.
 - (1) The master land use plan shall be mapped to 1 inch = 100 feet scale and show the proposed development and how it relates to its surroundings. The map(s) should show where major building types and approximate densities are anticipated. In addition, the following information shall be mapped at this same scale:
 - (a) Acreage of tract;
 - (b) Major traffic, parking and pedestrian circulation plans within the Planned Development;
 - (c) Major physical features including soils, topography, existing structures and use, drainage, flora and fauna and other physical information to help describe the suitability of the site for Planned Development;
 - (d) Ownership arrangements for the Planned Development, both present and planned;
 - (e) Planned open space, parks and active recreation areas to be preserved or developed either by the developer or by dedication to the town of their development as required by the Subdivision Chapter;
 - (f) Sketch plans for construction of water and sewage disposal systems to comply with town standards, and the appropriate state and county authorizing agency;
 - (g) Sketch plans for access of firefighting equipment and refuse disposal such as compactors and waste disposal dumpsters;
 - (h) Sketch plans for underground utilities and lighting to comply with state and town requirements (for additional details, see § 15.01.080); and
 - (i) Sketch plans for proposed drainage plan which shall be in conformity with the North Carolina Stormwater Site Planning Guidance Manual to show how the

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- (5) A preliminary architectural design sketch of how a typical building will look after completion; plus a preliminary architectural design sketch of how the whole project will look after completion, or a photographic display of a similar completed development that the applicant has already been involved with, or equivalent information as allowed by the Planning Board.
 - (6) Copies of any declarations to be recorded pursuant to the North Carolina Unit Ownership Act being G.S. §§ 47-A et seq.
 - c) *Supplementary materials to be provided for:*
 - (1) Condominium projects or similar cooperative ownership projects. A copy of the proposed declaration of bylaws and covenants and method of changing outdated bylaws and covenants;
 - (2) Townhouses or rowhouses in condominiums projects. A copy of the proposed easements for the common walls and a copy of the proposed deed for sale of a unit; and
 - (3) Rental or leased units or buildings. A declaration by the developer or owner of the provisions for maintaining the development.
- 3. *Town of River Bend actions.*
 - a) Before recommending the approval of any preliminary site plan, the Planning Board may make reasonable additional requirements in cooperation with the developer, and concerning, but not limited to, the limitations of use, unit densities, landscaping, paving and location of access ways, taking into consideration the character of the surrounding area so as to provide proper transition of land uses that will fit into the town's land development plan.
 - b) The preliminary site plan shall be checked by the Planning Board for compliance of design standards and other requirements of this chapter and the Town of River Bend Subdivision Chapter.
 - c) The Planning Board shall submit all materials and its recommendations for approval or disapproval to the Town Council. The Town Council shall review and take action on each preliminary site plan within 45 days after it has been received from the Planning Board. Approvals shall be issued in writing and may contain a provision that the development shall comply with all applicable State and local laws. The Town Council may issue development approvals in print or electronic form. If issued exclusively in electronic form it shall be protected from further editing once issued. If the preliminary site plan is disapproved, the Town Council shall specify the reasons for the action in writing. One copy of the reasons shall be retained by the Town Council, 1 copy shall be given to the Planning Board, and 1 copy shall be given to the developer. If the preliminary site plan is disapproved, the developer may make necessary changes and submit a revised preliminary site plan or appeal the decision of the Town Council to the Board of Adjustment.
- C. Step III - final plat. Shall comply with the Town of River Bend Subdivision Chapter.

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3. The pitch of the roof has a minimum vertical rise of 3 feet for each 12 feet of horizontal run (3:12) and the roof is finished with a type of shingle that is commonly used in standard residential construction;
 4. All roof structures shall provide an eave projection of no less than 6 inches, which may include a gutter;
 5. The exterior siding consists of material comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction;
 6. The manufactured home is setup in accordance with the standards set by the North Carolina Department of Insurance and a continuous masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, is installed under the perimeter of the manufactured home;
 7. Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards set by the North Carolina Department of Insurance, attached firmly to the primary structure and anchored to the ground; and
 8. The moving hitch, wheels and axles and transporting lights have been removed.
- B. It is the intent of these criteria to insure that a manufactured home, when installed, shall have substantially the appearance of an on-site, conventionally built, single family dwelling.

Penalty, see § 1.01.999

ADMINISTRATION OF THE ZONING CHAPTER

§ 15.02.160 CONFLICTS OF INTEREST

- A. *Governing board.* A governing board member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.
- B. *Appointed boards.* Members of appointed boards shall not vote on advisory or legislative decisions regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

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- C. *Administrative staff.* No staff member shall make a final decision on an administrative decision required by this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship.
 - 1. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.
 - 2. No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.
- D. *Quasi-judicial decisions.* A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.
- E. *Resolution of Objection.* If an objection is raised to a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.
- F. *Familial relationship.* For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

§ 15.02.164 ZONING ADMINISTRATOR.

A Zoning Administrator shall be appointed in accordance with § 3.01.078 of this Ordinance, to administer and enforce this chapter. He may be provided with the assistance of other persons as the Town Council may approve. If he finds that any of the provisions of this chapter are being violated, he shall notify in writing the person or persons responsible for the violation, indicating the nature of the violation and ordering the action necessary to correct it. In reviewing a permit, the Zoning Administrator shall consult a registered professional engineer, licensed to practice in North Carolina, when necessary.

Amended 09/17/2009

§ 15.02.165 DUTIES OF ZONING ADMINISTRATOR.

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- I. Serving notice to owner of any non-compliance with approved plans, issuing stop-work orders for work in progress until corrective actions are initiated or revoking the permits where satisfactory resolution of a dispute cannot be reached.
- J. Monitoring the construction of buildings/projects to assure that grading and drainage features are built as planned and that as built survey data is taken to verify the elevation of the lowest habitable floor of buildings located in Zone A on the flood insurance rate map where data is not already on file.
- K. Conducting hearings and taking other prescribed actions related to violations.

§ 15.02.166 ENFORCEMENT.

- A. *Notices of violation.* When staff determines work or activity has been undertaken in violation of a development regulation adopted pursuant to this Chapter or other local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State or in violation of the terms of a development approval, a written notice of violation may be issued. The notice of violation shall be delivered to the holder of the development approval and to the landowner of the property involved, if the landowner is not the holder of the development approval, by personal deliver, electronic delivery, or first class mail and may be provided by similar means to the occupant of the property or the person undertaking the work or activity. The notice of violation may be posted on the property. The person providing the notice of violation shall certify to the local government that the notice was provided and the certificate shall be deemed conclusive in the absence of fraud. Except as provided by G.S. 160D-11-23, 160D-12-6, or otherwise provided by law, a notice of violation may be appealed to the board of adjustment pursuant to G.S. 160D-4-5.
- B. *Inspection of work.* The Zoning Administrator shall make as many inspections as he determines are necessary to ensure the work is being done according to the provisions of any permit. The Zoning Administrator has a right to enter on any premises at any reasonable hour for the purposes of inspection or other enforcement action, upon presentation of proper credentials, provided the appropriate consent has been given for inspection of areas not open to the public or that an appropriate inspection warrant has been secured.
- C. *Stop-work orders.* When an area is being developed or a building is being constructed, renovated or added to in violation of this chapter, the Zoning Administrator may order the work to be stopped immediately. The stop order shall be in writing and directed to the owner. It shall state the specific work to be stopped, the specific reason for the stoppage and the conditions under which the work may be resumed.
- D. *Revocation of permits.* The Zoning Administrator may revoke and require the return of any permit issued in accordance with this chapter by notifying the permit holder in writing stating the reason for the revocation. Permits may be revoked for substantial departure from the approved permit plans or specifications, for refusal or failure to comply with the requirements of state or local laws or for false statements or misrepresentations made in securing the permit. The local government shall follow the same development review and approval process required

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- for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval.
- E. *Failure to take corrective action.* If the owner of a building or property fails to take prompt corrective action, the Zoning Administrator shall give written notice by certified or registered mail to the owner's last known address or by personal services:
1. That the building or property is in violation of this chapter;
 2. That a hearing will be held before the Zoning Administrator at a designated place and time, not later than 30 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 3. That following the hearing, the Zoning Administrator may issue an order to alter, vacate or demolish the building or property or to take other corrective action as appears appropriate.
- F. *Order to take corrective action.* If a hearing is held pursuant to the notice prescribed above, and the Zoning Administrator finds the building or property is in violation of this chapter, he shall issue an order in writing to the owner requiring the owner to remedy the violation within a period of up to 60 days. Where the Zoning Administrator finds there is imminent danger to life or other property, he is authorized to order that corrective action be taken in a shorter time.
- G. *Appeal.* An owner who has received an order to take corrective action may appeal the order to the Town Council by giving notice of appeal in writing to the Zoning Administrator and the Town Clerk within 10 days following issuance of the order. The Town Council shall hear the appeal within a reasonable time and may affirm, modify or revoke the order, as long as the ruling is in compliance with the State of North Carolina Statutes.
- H. *Changes to established drainage features.* The Zoning Administrator may issue a letter to any property owner who changes an established drainage feature stating that an unauthorized change has been made to drainage features on or abutting the property and that the feature must be restored within 30 days or the town could do so and bill the owner for the costs involved. Failure of the owner to pay the town for the work could result in a lien being placed on the property.

§ 15.02.167 PLANNING

- A. *Preparation of plans and studies.* As a condition of adopting and applying zoning regulations under this Chapter, a local government shall adopt and reasonably maintain a comprehensive plan that sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction.
- B. *Adoption and effect of plans.* Plans shall be adopted by the governing board with the advice and consultation of the planning board. Adoption and amendment of a comprehensive plan is a legislative decision and shall follow the process mandated for zoning text amendments set by G.S. 160D-6-1. Plans adopted under this Chapter may be undertaken and adopted as part of or in conjunction with plans required under other statutes, including but not limited to the plans required by G.S. 113A-110. Plans adopted under this Chapter shall be advisory in nature without

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independent regulatory effect. Plans adopted under this Chapter do not expand, diminish, or alter the scope of authority for development regulations adopted under this Chapter. Plans adopted under this section shall be considered by the planning board and governing board when considering proposed amendments to zoning regulations as required by G.S. 160D-6-4 and 160D-6-5.

If a plan is deemed amended by G.S. 160D-6-5 by virtue of adoption of a zoning amendment that is inconsistent with the plan, that amendment shall be noted in the plan. However, if the plan is one that requires review and approval subject to G.S. 113A-110, the plan amendment shall not be effective until that review and approval is completed.

§ 15.02.168 INITIAL ZONING PERMIT.

A. Generally.

1. Before the erection, construction or alteration of any building or structure, or part of same, or modification of or addition to a driveway or parking area, there shall be submitted to the Zoning Administrator by the owner or authorized agent an application for a zoning permit on appropriate forms to be furnished by the Zoning Administrator. Each application for a zoning permit shall be accompanied with a plat signed and sealed by a licensed surveyor drawn to scale showing accurate dimensions of the lot, applicable easements, elevations of site including driveways and drainage features, relationship to adjoining lots and accurate dimensions of the building to be so erected, constructed or altered, including its location on the lot, and the percentage of impervious surface. It shall be determined that the plan will be in conformance with the North Carolina Stormwater Site Planning Guidance Manual and will not adversely impact the flow of stormwater in areas outside the new project. This plan shall be signed and sealed by a professional engineer, licensed to practice in North Carolina.

Amended 03/18/2010 and 07/18/2013

2. Projects that involve modification of existing structures and, construction cost is estimated to be less than \$10,000, the Zoning Administrator shall review the proposed construction site and advise the applicant within 3 working days if a certified drainage plan will be required for the proposed project.
 - a) For additions to a developed property the percentage of impervious surface, before and after the project shall be listed.

Added 03/18/10

- b) On property improved before 02/28/2010, the impervious surface amount may be exceeded by 10 percent of the existing percentage if the following conditions apply:
 - (1) The increase was caused by implementation of changes to the Town's Ordinances.
 - (2) Other approved stormwater BMP's (Best Management Practices) are in place.
 - (3) Creates a significant hardship to the owner.
 - (4) Is approved in writing by the Town's Zoning Administrator.

Added 07/15/2010

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for an extension of his original permit. Any extension will be for a period not to exceed six (6) months, by which time all work (including applicable site restoration) will be complete.

Amended 09/17/2009

§ 15.02.172 REMEDIES.

If a building or structure is erected, constructed, renovated or maintained, or any building, structure or land is in violation of this part or of any chapter or other regulation, the Zoning Administrator or any other appropriate authority of the Town of River Bend, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, renovation, maintenance or use, to restrain, correct or abate the violation, to prevent occupancy of the building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises.

BOARDS AND ORGANIZATIONAL ARRANGEMENTS

§ 15.02.173 PLANNING BOARDS

- A. *Composition.* A local government may by ordinance provide for the appointment and compensation of a planning board or may designate one or more boards or commissions to perform the duties of a planning board. A planning board established pursuant to this section may include, but shall not be limited to, one or more of the following:
 - 1. A planning board of any size (with no fewer than three members) or composition deemed appropriate, organized in any manner deemed appropriate;
 - 2. A joint planning board created by two or more local governments pursuant to Article 20, Part 1, of Chapter 160A.
- B. *Duties.* A planning board may be assigned the following powers and duties:
 - 1. Prepare, review, maintain, monitor, and periodically update and recommend to the governing board a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis;
 - 2. Facilitate and coordinate citizen engagement and participation in the planning process;
 - 3. Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
 - 4. Advise the governing board concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-6-4.
 - 5. Exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct;
 - 6. Provide a preliminary forum for review of quasi-judicial decisions, provided that no part of the forum or recommendation may be used as a basis for the deciding board;
 - 7. Perform any other related duties that the governing board may direct.

§ 15.02.174 BOARDS OF ADJUSTMENT

- A. *Composition.* A Board of Adjustment ("Board") is hereby established pursuant to G.S. §160D-302, consisting of six (6) regular members and three (3) alternates. Five (5) regular members and two (2) alternates shall be citizens of the Town, appointed by the Town Council. One (1) regular member and one (1) alternate shall be residents of the Town's extraterritorial jurisdiction, and shall be appointed by the Craven County Board of Commissioners. Alternates shall serve on the Board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member; however, vacancies shall be filled for the unexpired term only. All appointments to the Board shall be for a period of three (3) years commencing on July 1 of the year of appointment, and all members of the Board, including alternates, shall have equal rights, privileges and duties with regard to all matters within the Town and area of extraterritorial jurisdiction. Members of the Board may be compensated according to a schedule adopted by the Town Council from time to time. Members of the Board may be removed for cause by the Town Council upon written charges and after public hearing.
- B. *Meetings; Officers.* The Board shall elect one (1) of its members as Chair, one (1) of its members as a Vice-Chair, and shall appoint a Secretary and other subordinates as it deems in its best interest. The Board shall adopt any rules of procedure under which it will operate. Meetings of the Board shall be held at the call of the Chair, or in his absence the Vice-Chair, or at least two (2) members of the Board. All meetings of the Board shall be open to the public. The Board shall keep full and accurate minutes of its proceedings.
- C. *Powers and Duties.* The Board shall have the following powers and duties:
1. *Administrative Review.* To hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with enforcement of this Chapter.
 2. *Interpretation.* To interpret the terms of this Chapter and zoning maps and to pass upon disputed questions of lot lines or district boundary lines and similar questions as they arise in the administration of this Chapter.
 3. *Special Use Permits.* To hear and decide special and conditional zoning permits in accordance with standards and procedures specified in this Chapter. Reasonable and appropriate conditions may be imposed upon these permits.
 4. *Exceptions from the application requirements for Business District Areas zoned BD-PD in heavily trafficked areas.* To hear and decide on requests for exceptions from the design guidelines and performance standards required under §15.02.048.
 5. *Subpoena.* To subpoena witnesses and compel the production of evidence, through the chair, or in the chair's absence anyone acting as the chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, persons with standing under G.S. §160D-1402(c) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena.

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§15.02.175 EXTRATERRITORIAL REPRESENTATION ON BOARDS

- A. *Proportional representation.* When a municipality elects to exercise extraterritorial powers under this Chapter, it shall provide a means of proportional representation based on population for residents of the extraterritorial area to be regulated. The population estimates for the calculation shall be updated no less frequently than after each decennial census. Representation shall be provided by appointing at least one resident of the entire extraterritorial planning and development regulation area to the planning board and board of adjustment.

§15.02.176 QUASI-JUDICIAL PROCEDURE

- A. *Notice of Hearing.* Notice of evidentiary hearings conducted pursuant to this Chapter shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the zoning or unified development ordinance. In the absence of evidence to the contrary, the Town may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the Town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.
- B. *Administrative materials.* The administrator or staff to the board shall transmit to the board all applications, reports, and written materials relevant to the matter being considered. The administrative materials may be distributed to the members of the board prior to the hearing if at the same time they are distributed to the board a copy is also provided to the appellant or applicant and to the landowner if that person is not the appellant or applicant. The administrative materials shall become a part of the hearing record. The administrative materials may be provided in written or electronic form. Objections to inclusion or exclusion of administrative materials may be made before or during the hearing. Rulings on unresolved objections shall be made by the board at the hearing.
- C. *Presentation of evidence.* The applicant, the local government, and any person who would have standing to appeal the decision under G.S. 160D-14-2(d) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board. Objections regarding jurisdictional and evidentiary issues, including but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. The board chair shall rule on any objections and the chair's rulings may be appealed to the full board. These rulings are also subject to judicial review pursuant to G.S. 160D-14-2. Objections based on jurisdictional issues may be raised for the first time on judicial review.

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§15.02.177 VOTING

- A. The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For all other matters, a majority of the members shall be required. For the purposes of this Section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members. Abstentions by a member not otherwise excused from voting shall be counted as a vote in favor of any motion or action.
- B. A member of the Board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.
- C. The Board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made.

§15.02.178 QUASI-JUDICIAL DECISIONS AND JUDICIAL REVIEW

- A. The Board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the ordinance specifies. The decision of the board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.
- B. Every quasi-judicial decision shall be subject to review by the Craven County Superior Court by proceedings in the nature of certiorari pursuant to G.S. §160D-1402. A petition for review shall be filed with the Clerk of Craven County Superior Court by the later of 30 days after the decision is effective or after a written copy thereof is given in accordance with §15.02.178(a). When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

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§15.02.179 APPEALS

The Board shall hear and decide appeals from decisions of administrative officials charged with enforcement of this Ordinance, pursuant to all of the following:

- A. Any person who has standing under G.S. §160D-1402(c) or the city may appeal a decision to the Board. An appeal is taken by filing a notice of appeal with the Town Clerk and payment of any applicable fees; provided however, where interpretation of the terms of this Chapter is required specifically by this Chapter to be determined by the Board, the required fee will be waived. The notice of appeal shall state the grounds for the appeal.
- B. The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.
- C. The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.
- D. It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.
- E. The official who made the decision shall transmit to the Board all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.
- F. An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the Board after notice of appeal has been filed that because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or because the violation is transitory in nature, a stay would seriously interfere with enforcement of this Ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the board of adjustment shall meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.

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- G. Subject to the provisions of subdivision (f) of this section, the Board shall hear and decide the appeal within a reasonable time.
- H. The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the Town would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the Board shall continue the hearing. The Board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision.
- I. When hearing an appeal in the nature of certiorari, the hearing shall be based on the record below and the scope of review shall be as provided in G.S. §160D-1402(j).
- J. The parties to an appeal that has been made under this Chapter may agree to mediation or other forms of alternative dispute resolution:

Amended 08/20/2015

§15.02.180 RULES OF PROCEDURE

Rules of procedure that are consistent with the provisions of this Chapter may be adopted by the governing board for any or all boards created under this Article. In the absence of action by the governing board, each board created under this Article is authorized to adopt its own rules of procedure that are consistent with the provisions of this Chapter. A copy of any adopted rules of procedure shall be maintained by the local government clerk or such other official as designated by ordinance and posted on the local government web site if one exists. Each board shall keep minutes of its proceedings.

§15.02.181 OATH OF OFFICE

All members appointed to boards under this Article shall, before entering their duties, qualify by taking an oath of office as required by G.S. 153A-26 and 160A-61.

CHANGES AND AMENDMENTS

§ 15.02.190 GENERALLY.

The Town Council may amend, supplement or change the text of this chapter and/or the zoning map in accordance with the following procedures.

§ 15.02.191 APPLICATION.

- A. *Amendment initiation.* Proposed changes to this chapter may be initiated by the Town Council, Planning Board, Board of Adjustment, or by any 1 or more owners of property within the area proposed to be rezoned, changed or affected.
- B. *Petition for amendment of this chapter.*
 - 1. *Amendments.* Petitions to amend this chapter shall be submitted to the Planning Board for review and recommendation at least 15 days prior to the next regularly scheduled meeting of the Planning Board.
 - 2. *Required information.* The application shall contain a statement of the present regulation or zoning classification, the proposed amendment to it, and the name and address of the party requesting the change.
- C. *Petitions.* Petition for change or amendment of a zoning classification shall contain a legal description of the property to be affected by the change or amendment, the names of all owners of parcels of land within the property and of all owners of parcels of land abutting same as shown on the county tax listing, together with last known addresses listed for the owners on the county tax abstract. For the purpose of this section, properties are “abutting” even if separated by a street, railroad, or other transportation corridor.
- D. *Notification.*
 - 1. The person or persons requesting a change or amendment to the zoning classification shall notify all owners listed in division (C) above of the proposed change or amendment by first class mail at their last known addresses.
 - 2. These mailings will occur not less than 10 days nor more than 25 days before the date fixed for the public hearing for consideration of a rezoning action.
 - 3. When a zoning map amendment is proposed, the local government shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the local government shall post sufficient notices to provide reasonable notice to interested persons.
 - 4. *Actual notice.* Except for a government-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by

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the landowner or authorized agent, the applicant shall certify to the local government that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of the hearing.

- E. *Fee.* With each application for a change or amendment to this ordinance, a fee of \$35 shall accompany the application and made payable to the Town of River Bend, North Carolina, to cover the costs of advertising and administrative expenses.

Penalty, see § 1.01.999

§ 15.02.192 PLANNING BOARD REVIEW AND RECOMMENDATION.

- A. The Planning Board may call for a public hearing on any proposed amendments and shall be held jointly with the Town Council. A notice of public hearing shall be given once a week for 2 successive weeks in a newspaper distributed in the Town of River Bend, the notice to be published the first time not less than 10 days nor more than 25 days prior to the day fixed for the public hearing. If the amendment is for re-zoning, the advertisement shall not be less than a one-half page advertisement.
- B. The Planning Board may have 45 days from the date of receipt of the petition within which to submit its recommendation. Failure of the Board to submit its recommendation within this time period shall constitute a favorable recommendation. The Planning Board's report shall be submitted in writing to the Town Council. Pursuant to G.S. §160D-1402, zoning regulations shall be made in accordance with the town's comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.
- C. Pursuant to G.S. §160D-109(a), members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

D. Notwithstanding the authority to assign duties of the planning board to the governing board as provided by this Chapter, the review and comment required by this section shall not be assigned to the governing board and must be performed by a separate board. **§ 15.02.193 PUBLIC HEARING BY TOWN COUNCIL.**

- A. *Advertisement.* Before adopting, amending, or repealing any ordinance or development regulation authorized by this Chapter, the governing board shall hold a legislative hearing. A notice of public hearing shall be given once a week for 2 successive calendar weeks in a newspaper distributed in the Town of River Bend, North Carolina, the notice to be published for the first time not less than 10 days nor more than 25 days prior to the date fixed for the hearing. In computing the period, the day of publication is not to be included but the day of the hearing

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shall be included. Notice of public hearing by the Town Council need not be made if a joint public hearing with the Planning Board is to be held as noted in § 15.02.192.

- B. *Vote of the Board.* A simple majority of the Town Council shall be required to reject a recommendation of the Planning Board.
- C. A development regulation adopted pursuant to this Chapter shall be adopted by ordinance.

§ 15.02.194 GOVERNING BOARD STATEMENT.

- A. *Plan consistency.* When adopting or rejecting any zoning text or map amendment, the governing board shall also approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-6-2(b), the governing board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.
- B. *Statement of reasonableness.* When adopting or rejecting any petition for a zoning text or map amendment, a brief statement explaining the reasonableness of the proposed rezoning shall be approved by the governing board. The statement of reasonableness may consider, among other factors: (i) the size, physical conditions, and other attributes of any area proposed to be rezoned; (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development and the development permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-6-2(b), the governing board statement on reasonableness may address the overall rezoning.
- C. *Single statement permissible.* The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement.

SCHEDULE OF FEES

§ 15.02.205 SCHEDULE.

A.

1. There shall be levied and collected fees as are specified in the schedule of fees established (and as modified from time to time) by the Town Council.

Amended 02/16/2012

2. The schedule of fees shall be kept on file in the office of the Town Clerk where it shall be available for public inspection during the normal office hours of the Town Clerk.

Schedule of Fees Subdivision and Zoning		
Subdivision Application		
10 or fewer lots	\$300	
11 or more lots	\$300 plus \$25/lot over 10	
Subdivision Preliminary Plat	\$100	
Stormwater Review (if engineering review needed)	\$350	
Amendments/Modifications or Additions	\$150	
Planned Developments		
Planned Development – Residential	\$400 plus \$5/unit and cost of required legal advertisement and postage to notify abutting land owners	
Planned Development – Commercial	\$400 plus \$20/acre over 5 acres and cost of required legal advertisement and postage to notify abutting land owners	
Stormwater Review (if engineering review needed)	\$350	
Amendments/Modification or Additions	\$200	
Zoning Application		
Special Use Permit	\$200 plus cost of required legal advertisement and postage to notify abutting land owners	
Variance	\$200 plus cost of required legal advertisement and postage to notify abutting land owners	
Appeal to Board of Adjustment	\$200 plus cost of required legal advertisement and postage to notify abutting land owners	
Residential Application	Based on amount of project as follows:	
	Base Fee	\$30

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Schedule of Fees Subdivision and Zoning		
	\$2 for every \$1,000 of project value between \$1,000 and \$100,000	
	\$1 for every \$1,000 above \$100,000 (all values rounded to nearest \$1,000)	
Residential Flood Plain Application w/ Zoning Permit	40% of the fee for the Town's residential zoning permit; in addition to the zoning permit fee	
Commercial Application	Based on amount of project as follows:	
	Base Fee	\$50
	\$4 for every \$1,000 of project value between \$1,000 and \$100,000	
	\$2 for every \$1,000 above \$100,000 (all values rounded to nearest \$1,000)	
Commercial Flood Plain Application w/ Zoning Permit	40% of the fee for the Town's residential zoning permit; in addition to the zoning permit fee	
Residential Flood Plain Application w/o Zoning Permit	Based on amount of project as follows:	
	Base Fee	\$30
	\$2 for every \$1,000 of project value between \$1,000 and \$100,000	
	\$1 for every \$1,000 above \$100,000 (all values rounded to nearest \$1,000)	
Commercial Flood Plain Application w/o Zoning Permit	Based on amount of project as follows:	
	Base Fee	\$50
	\$4 for every \$1,000 of project value between \$1,000 and \$100,000	
	\$2 for every \$1,000 above \$100,000 (all values rounded to nearest \$1,000)	
Engineering Review (if needed)	\$100	
Zoning Amendment Request (Map or Text)	\$200 plus cost of required legal advertising and postage for required notification to land owners	
Miscellaneous Other Fees		
Sign Permit	\$30	
Tree Harvest Permit	\$50	
Zoning and Subdivision Ordinances	\$25 per set	
Late Permit Fee (where work has commenced prior to applying for a permit and after May 15, 2008)	Double the applicable permit fee	

Penalty, see §1.01.999

Amended 05/15/2008 and 04/16/2009

133 | River Bend — Land Usage

This Ordinance shall be in full force and effect upon its adoption

Adopted this the 17th day of June, 2021



ATTEST:

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

Kristie Nobles, Town Clerk

A handwritten signature in blue ink, appearing to read "John Kirkland", written over a horizontal line.
John Kirkland, Mayor

ARTICLE II. POSITION CLASSIFICATION PLAN

Section 1. Purpose.

The Position Classification Plan ("Classification Plan") provides a complete inventory of all authorized positions in the Town service, and an accurate description and specification for each class of employment. The Classification Plan standardizes job titles, each of which is indicative of a definite range of duties and responsibilities.

Section 2. Composition of the Position Classification Plan

The Classification Plan shall consist of:

- A. a grouping of positions in grades which are approximately equal in difficulty and responsibility which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions;
- B. position titles descriptive of the work of the class;
- C. written specifications for each position which are included in Appendix B of this Policy; and
- D. Position/Grade Plan Chart showing the grade of each position in the classified service. See Appendix A for this Chart.

Section 3. Use of the Position Classification Plan

The Classification Plan is used:

- A. as a guide in recruiting and evaluating applicants for employment;
- B. in determining criteria for promotion and in developing employee training programs;
- C. in determining compensation to be paid for various types of work by reference to the Classification Plan except for the compensation of the Town Manager, which is set by contract. The Pay Plan Table is not included in this Manual since it is included in the fiscal year budget that is approved by the Council each year. If a cost of living increase is approved by the Council each entry in the Table is increased by the percentage of the raise. The Pay Plan Table provides a 1% longevity increase for each year of service subject to certain limits as specified in the Classification Plan;

ARTICLE III. THE PAY PLAN

Section 1. Definition

The Pay Plan consists of a narrative plan description and pay grade/step worksheet for each of the three functional departments which contain the minimum and maximum rate of pay for each position classification. The narrative plan also describes the process of progression within the Plan. The Town Manager shall not be subject to the Pay Plan. The Town Manager's compensation shall be set by contract subject to approval by the Town Council.

Section 2. Administration and Maintenance

The Town Manager shall be responsible for the administration and maintenance of the Pay Plan. All employees covered by the Pay Plan shall be paid at a rate listed within the salary range established for the respective salary grade assigned to a position.

The Pay Plan is intended to provide equitable compensation for all positions, reflecting differences in the duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the Town, and other factors.

To this end, from time to time, the Town Manager shall make comparative studies of all factors affecting the level of salary ranges and will make pertinent recommendations in salary ranges during the annual budget process.

Section 3. Starting Salaries

Typically, all persons employed in positions approved in the Position Classification Plan shall be initially employed at the minimum salary for the classification in which they are employed. However, exceptionally well qualified applicants may be initially employed above the minimum of the established salary range upon approval of the Town Manager.

Section 4. Trainee Designation and Provisions

All applicants selected for employment, and current Town employees selected for advancement, who do not meet all of the requirements for the position for which they have been selected, shall be hired, promoted, or transferred into a "trainee" status. In such cases, a plan for training, including a time schedule for training milestones, must be prepared by the Town Manager. "Trainee" compensation may be no more than two grades below the minimum pay established for the position for which the person is being trained. A new employee designated as "trainee" shall be regarded as a probationary employee for at least six (6) months; said period may be extended in increments of three (3) months for up to an additional six (6) months upon approval from the Town Manager.

consultation with the appropriate Department Head. The amount of the bonus will be determined by the Town Manager, but will not, unless special circumstances exist, and only with Town Council approval, exceed 2 percent of the employee's base salary.

DEPARTMENT: Administration / Finance

PURPOSE: The purpose of this plan is to provide an equitable framework for the compensation and advancement of personnel.

FEATURES:

1. Pay Grades – The plan contains at total of ~~fivesix~~ (56) pay grades.
 - AD 1 - Entry Level – Administrative Support Specialist. Currently unfilled, and not likely to be needed unless staffing in other areas changes, or a need is identified.
 - AD 2 – Basic level of administrative and finance functions. Some post-secondary education required, and some advanced skills and knowledge. This is the level at which we currently employ the Town Clerk.
 - AD 3 – Intermediate level of administrative and finance functions. Post secondary degree, and/or directly relevant certifications, and/or at least three years of directly relevant experience with the Town or similar entity. This is the level at which we currently employ our Deputy Town Clerk and to which we would promote the Clerk upon receipt of Certified Municipal Clerk designation. The Assistant Zoning Administrator is currently in this grade due to having obtained certification as a Certified Floodplain Administrator and CAMA Local Permit Officer.

-
- AD 4 – Advanced level of administrative and finance functions. Graduate study/degree required along with at least three years of experience at an intermediate level in a comparable or directly related position. This is the level at which we currently employ our Finance Assistant.
 - AD 5 – Finance Administrator. Department head level, with supervisory responsibility. Baccalaureate degree required along with two to five years of experience at an advanced level in a comparable or directly related position. Substantial course work in governmental finance required and graduate level study/degree preferred.
 - ~~AD 6 – Town Manager. Graduate degree in a related field and three or more years of directly relevant experience.~~
2. Longevity Pay – The plan recognizes longevity by increasing each full-time employee one step within their pay grade on July 1st of each year. Employees who end their probationary period on or after January 1st will not advance from the step to which their position is assigned on the subsequent July 1st, but will in succeeding years begin advancement as described above.
 3. Promotions – The plan encourages promotion from the level of AD I to AD II, and beyond, by offering a pay grade increase for increased levels of formal education. Promotions to the level of Finance Administrator will be based upon competitive selection as the position becomes available. The position of Town Manager will be filled in accordance with the procedures established by the Town Council when this position becomes, or is about to become, vacant. Persons hired from outside the department may be granted credit for time in grade by placing them into step levels commensurate with the value of their prior experience in the job classification into which they are hired. This step placement will be at the discretion of the Town Manager. Promotions will take effect on the July 1st immediately following the employee meeting all promotion criteria.
 4. Cost of Living Increases – The plan will be adjusted annually, with an effective date of July 1st, to reflect the decision of the Town Council regarding the appropriate level of adjustment necessary to respond to changes in cost of living indices.
 5. Other Plan Adjustments – Each year, the Town Manager will review the compensation levels within the plan. Current levels will be compared to those in similar sized jurisdictions in North Carolina, and with other municipal departments in the area based upon data collected by the North Carolina League of Municipalities. During the annual budget process, any recommended changes to the levels of compensation will be discussed with the Town Council, who will decide what, if any, changes are appropriate given the data presented balanced with other competing needs in the Town.
 6. Maximum Levels of Compensation – If an employee reaches the maximum step available within their pay grade, they will no longer be eligible for longevity
-



RIVER BEND POLICE DEPARTMENT



MONTHLY ACTIVITY REPORT

2021

	ACTIVITIES	2021 April	2021 May	2021 June	% of Total Calls	% Change Last 2 Mos.
1	ALARMS / 911 UNKNOWN / DISTURBANCE / SHOTS FIRED	7	14	10	1.01%	-29.00%
2	ANIMAL COMPLAINTS	5	12	5	0.51%	-58.00%
3	ARRESTS	0	1	3	0.30%	200.00%
4	ASSAULTS / ALL OTHER VIOLENT CRIME	3	3	2	0.20%	-33.00%
5	ASSIST CITIZENS / LOCK OUT / QUALITY OF LIFE ISSUES	6	0	10	1.01%	0.00%
6	ASSIST EMS / FD / FIRST RESPONDERS / MED ASSIST	29	39	21	2.13%	-46.00%
7	ASSIST MOTORISTS / FOOT PATROLS / ALL OTHER	109	117	106	10.74%	-9.00%
8	ASSIST OTHER AGENCIES	2	2	5	0.51%	150.00%
9	B & E BUSINESS / RESIDENCE / VEHICLE	1	1	0	0.00%	-100.00%
10	CRIM. SUMM. / SUBPOENAS / WARRANTS / CIVIL COMPLAINT	1	4	3	0.30%	-25.00%
11	DOMESTICS	0	1	2	0.20%	100.00%
12	FIRES / ALARM	1	3	1	0.10%	-67.00%
13	IDENTITY THEFT / FRAUD	4	0	1	0.10%	0.00%
14	INVOLUNTARY COMMITMENTS	0	5	3	0.30%	-40.00%
15	JUVENILE COMPLAINTS	2	1	0	0.00%	-100.00%
16	LARCENIES	3	1	3	0.30%	200.00%
17	LITTERING	1	0	0	0.00%	0.00%
18	LOUD MUSIC / NOISE COMPLAINTS	0	1	0	0.00%	-100.00%
19	DEATH / MISSING PERSON / RUNAWAY / SUICIDE(A)	0	2	0	0.00%	-100.00%
20	PROPERTY DAMAGE / VANDALISM	0	1	1	0.10%	0.00%
21	RESIDENTIAL / BUSINESS CHECKS / COMMUNITY WATCH	1027	974	702	71.12%	-28.00%
22	ROADWAY DEBRIS / OBSTRUCTIONS	0	0	0	0.00%	0.00%
23	ROBBERIES	0	0	0	0.00%	0.00%
24	SOLICITING VIOLATIONS	0	3	0	0.00%	-100.00%
25	SUSPICIOUS PERSONS / VEHICLES / FIELD INTERVIEW	16	18	28	2.84%	56.00%
26	TOWN ORDINANCE CITATIONS	0	1	0	0.00%	-100.00%
27	TOWN ORDINANCE VIOLATIONS	6	4	1	0.10%	-75.00%
28	TRAFFIC ACCIDENTS	3	1	2	0.20%	100.00%
29	TRAFFIC STOPS	26	22	46	4.66%	109.00%
30	TRAFFIC COMPLAINTS-RADAR	12	6	8	0.81%	33.00%
31	DWI	1	0	1	0.10%	0.00%
32	CHECKPOINTS	2	0	1	0.10%	0.00%
33	DRUG VIOLATIONS	2	1	2	0.20%	100.00%
34	WELFARE CHECKS	4	4	6	0.61%	50.00%
35	CASE ASSIST / PW / VEHICLE MAINTENANCE / MEETING	7	9	3	0.30%	-67.00%
36	CASE FOLLOW UPS / SPECIAL OPERATION / TRAINING	20	10	9	0.91%	-10.00%
37	TRESPASSING	0	3	2	0.20%	-33.00%
38	OVERDOSE	1	2	0	0.00%	-100.00%
39	TOTAL	1301	1266	987	100.00%	-22.00%

Traffic Violations

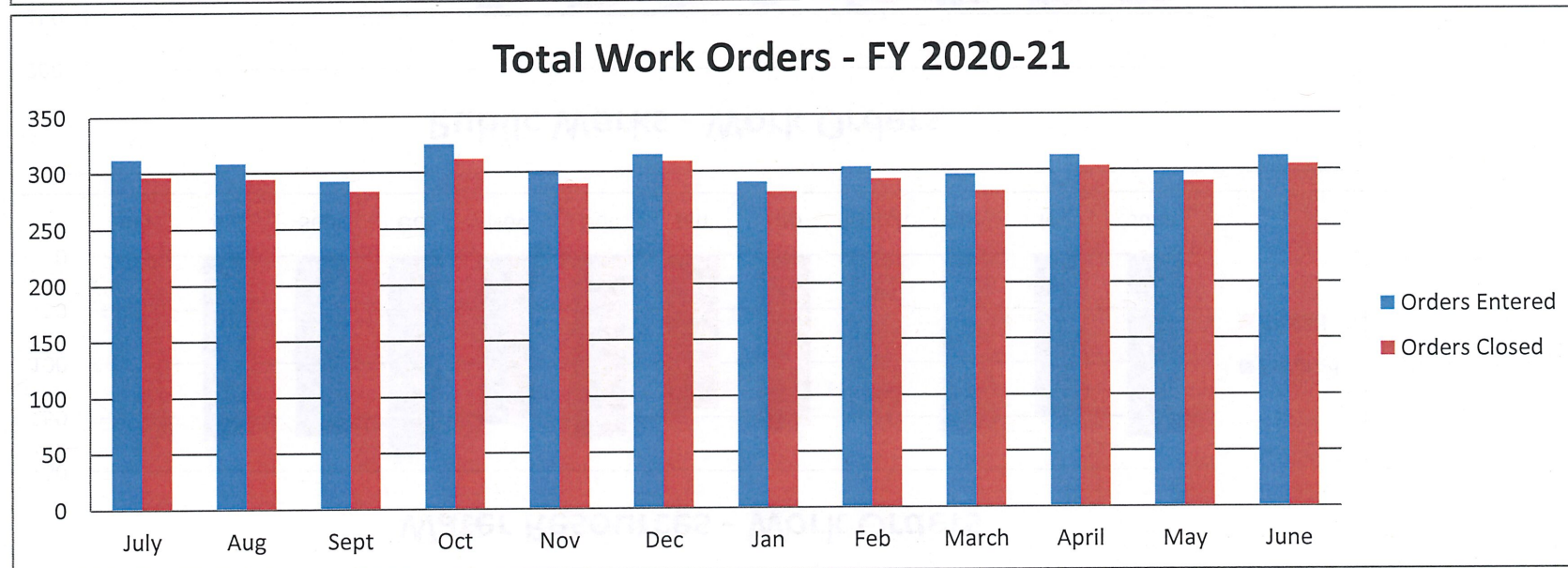
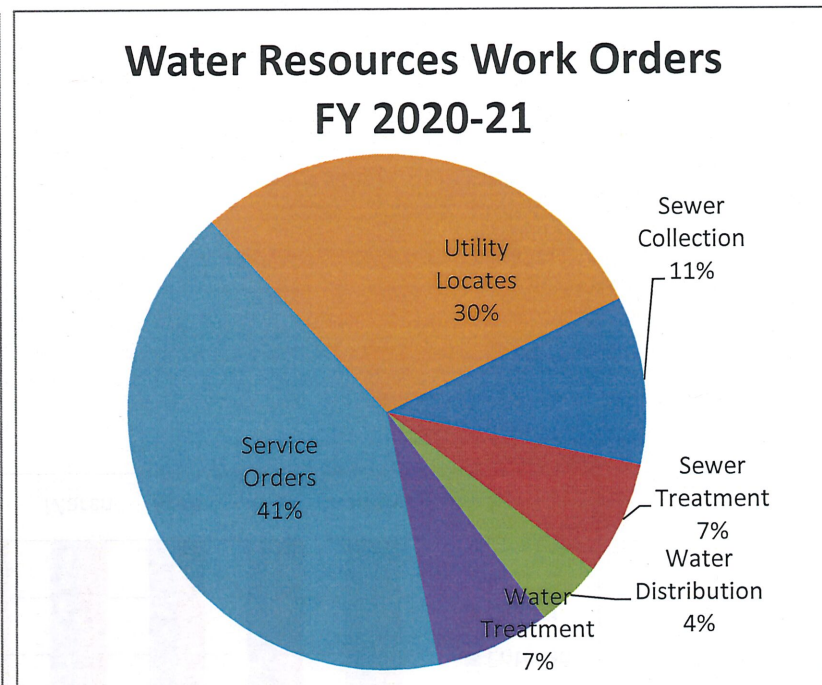
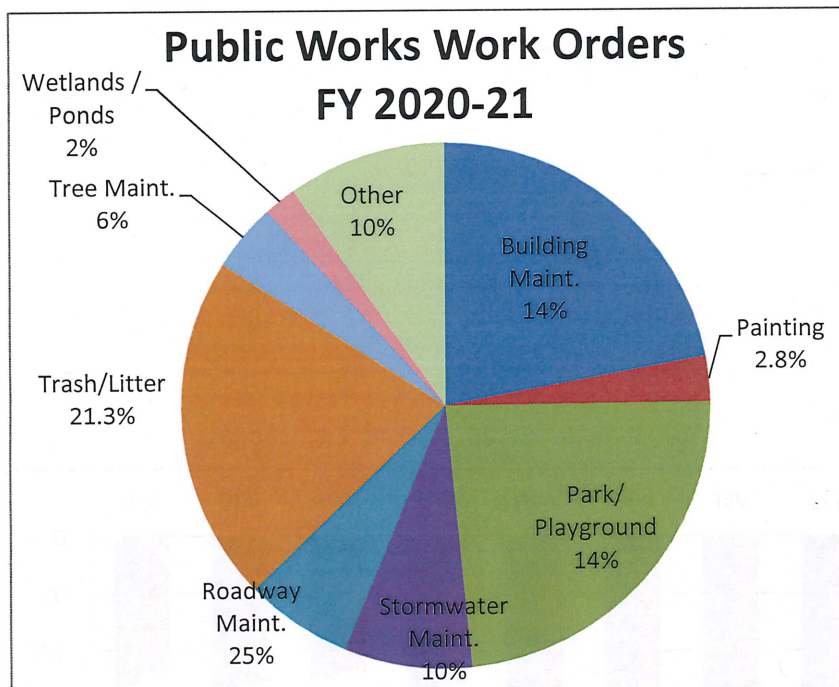
- 11 State Citations
- 12 Total State Charges
- 4 State Warnings
- Town Citations
- 1 Town Warnings

Community Watch Checks

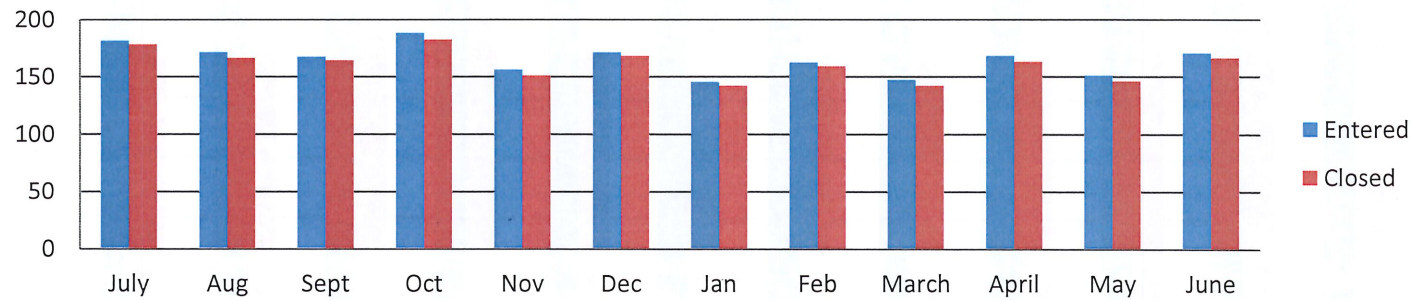
- 68 100 Pirates
- 72 100 Plantation
- 56 200 Lakemere
- 65 200 Rockledge

Phone Calls Answered (638-1108)

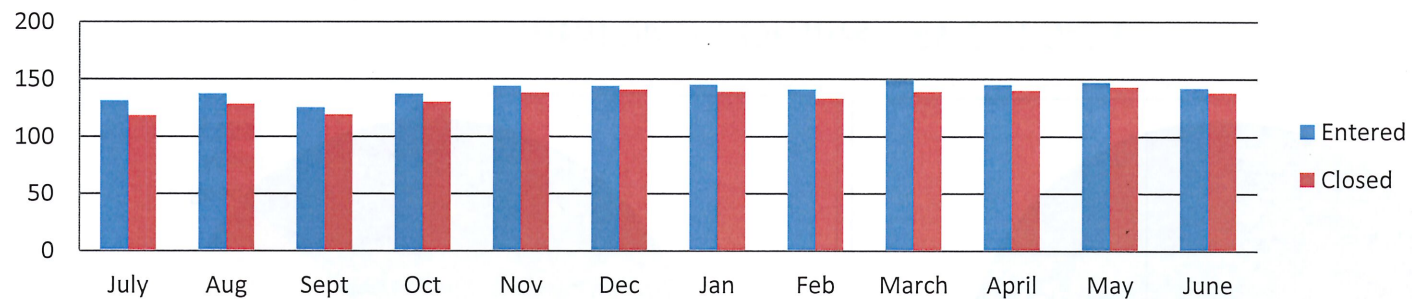
260 Incoming Calls



Water Resources - Work Orders



Public Works - Work Orders



Town of River Bend
FY 2020-2021
Work Order Report



Public Works

													YTD	Pending
Orders Entered	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June		
Building Maintenance	30	29	30	30	28	32	31	33	35	33	31	30	372	1
Painting	3	2	0	2	5	4	6	4	6	5	6	4	47	0
Park/Playground	29	32	33	35	34	33	32	34	37	33	32	34	398	0
Roadway Maintenance	14	12	10	12	11	8	10	12	9	11	13	10	132	2
Stormwater Maintenance	8	10	6	8	9	7	9	10	12	10	12	10	111	1
Trash/Litter	30	30	29	30	31	30	30	28	31	30	30	30	359	0
Tree Maintenance	4	6	5	7	9	8	7	6	2	3	6	8	71	0
Wetlands / Ponds	4	5	3	2	3	4	3	2	3	2	1	2	34	0
Other	9	11	9	11	14	18	17	12	14	18	16	14	163	0
TOTAL	131	137	125	137	144	144	145	141	149	145	147	142	1687	4
Orders Closed	118	128	119	130	138	141	139	133	139	140	143	138	1606	

Water Resources

													YTD	Pending
Orders Entered	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June		
Sewer Collection	13	11	16	14	18	17	19	21	18	20	22	20	209	0
Sewer Treatment	14	12	10	12	9	10	12	11	13	11	14	12	140	1
Water Distribution	6	5	3	6	8	6	10	8	9	8	7	8	84	1
Water Treatment	10	11	9	12	14	13	13	12	11	13	11	13	142	2
Service Orders	70	72	84	94	60	75	46	66	56	66	53	77	819	0
Utility Locates	68	60	45	50	47	50	45	44	40	50	44	40	583	0
TOTAL	181	171	167	188	156	171	145	162	147	168	151	170	1977	4
Orders Closed	178	166	164	182	151	168	142	159	142	163	146	166	1927	

TOTAL	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	YTD
Orders Entered	312	308	292	325	300	315	290	303	296	313	298	312	3664
Orders Closed	296	294	283	312	289	309	281	292	281	303	289	304	3533



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

June 2021 Monthly Report Brandon Mills, Director of Public Works

Public Works sprayed the town walking trails to remove unwanted grass and weeds. This is completed to keep the path more defined. The playgrounds were also cleaned up to remove unwanted vegetation. In July, more mulch will be added to the playgrounds. This is completed a couple of times of year. The mulch provides a buffer from the ground in the event someone falls. Several signs were replaced throughout town that were faded and worn out. In addition, there were several potholes along the edge of the roadways that were filled in to protect the integrity of the roadway.

Water Resources continued to do a good job at operating the water/wastewater systems. We had excess sludge pumped from our wastewater treatment digesters. Sludge is a bi-product of the treatment plant process. Sludge pumping is done throughout the year to keep the Town in compliance with our NPDES permit. We also had our piping and filters at Well #3 treatment plant recoated. This coating will extend the life of our filters and piping, and prevent the metal from degrading. I would like to think Boles Restoration for a job well done.

If you have any questions concerning the Water Resources/Public Works Department, please call us at 638-3540, Monday-Friday, 8am-4pm. After hour's water and sewer emergencies can be reported by dialing the Town Hall at 638-3870. You will be instructed to the dial "9" and follow the directions to contact the on call duty operator. You will then be asked to enter your phone number at the sound of the tone. After entering your phone number, the automated system will inform you that your page has been sent. Please, be patient and our utility systems operator will return your call. If you do not receive a call back within ten minutes, please notify the Police Department at 638-1108, and they will get in contact with the on-call utility systems operator.

MONTHLY ZONING REPORT

MONTH YEAR

Activity	Monthly	YTD Total
Permit Applications Received	3	113
Permits Issued	3	113
Fees Collected	274.00	7789.60
Violations Noted During Weekly Patrol	17	127
Complaints Received From Citizens	0	13
Notice Of Violations Initiated *see details below	17	137
Remedial Actions Taken By Town	1	1

[illegible]

Town of River Bend Resolution

Supporting Absentee Voting

Whereas, the Town of River Bend is financially responsible for funding the costs associated with its municipal election, and

Whereas, River Bend's municipal elections are conducted by the Craven County Board of Elections, and

Whereas, the Town Council recognizes that future River Bend municipal elections will be conducted in even-numbered years beginning in 2022;

Now, therefore be it resolved, by the Town of River Bend Town Council that the Town of River Bend hereby authorizes the use of absentee voting for all future River Bend municipal elections.

Adopted this the 15th day of July, 2021

John Kirkland, Mayor

ATTEST:

Kristie Nobles, Town Clerk



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

PUBLIC NOTICE

The Town of River Bend Town Council will meet in special session on August 10, 2021 at 3:00 p.m. at Town Hall located at 45 Shoreline Drive. The meeting is open to the public.

The agenda for the meeting is as follows:

AGENDA

1. Call to Order
2. Review of Advisory Boards Ordinance
3. Adjournment

§ 160A-71. Regular and special meetings; recessed and adjourned meetings; procedure.

(a) The council shall fix the time and place for its regular meetings. If no action has been taken fixing the time and place for regular meetings, a regular meeting shall be held at least once a month at 10:00 A.M. on the first Monday of the month.

(b) (1) The mayor, the mayor pro tempore, or any two members of the council may at any time call a special council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each councilman or left at his usual dwelling place at least six hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or have signed a written waiver of notice. In addition to the procedures set out in this subsection or any city charter, a person or persons calling a special meeting of a city council shall comply with the notice requirements of Article 33C of General Statutes Chapter 143.

(2) Special meetings may be held at any time when the mayor and all members of the council are present and consent thereto, or when those not present have signed a written waiver of notice.

(3) During any regular meeting, or any duly called special meeting, the council may call or schedule a special meeting, provided that the motion or resolution calling or scheduling any such special meeting shall specify the time, place and purpose or purposes of such meeting and shall be adopted during an open session.

(b1) Any regular or duly called special meeting may be recessed to reconvene at a time and place certain, or may be adjourned to reconvene at a time and place certain, by the council.

(c) The council may adopt its own rules of procedure, not inconsistent with the city charter, general law, or generally accepted principles of parliamentary procedure. (1917, c. 136, subch. 13, s. 1; C.S., s. 2822; 1971, c. 698, s. 1; 1973, c. 426, s. 14; 1977, 2nd Sess., c. 1191, s. 7; 1979, 2nd Sess., c. 1247, s. 5; 1989, c. 770, s. 37.)

**RESOLUTION TO ADOPT A TITLE VI POLICY FOR THE TOWN OF RIVER BEND
TO PROHIBIT DISCRIMINATION IN PROGRAMS AND SERVICES AND IN
ACTIVITIES RECEIVING FEDERAL
FINANCIAL ASSISTANCE**

WHEREAS, in 1964, Congress enacted the Civil Rights Act of 1964, which included that section labeled Title VI which prohibits discrimination in any activity which is financed by federal funds or receives federal financial assistance; and

WHEREAS, since the adoption of Title VI, additional federal regulations and court decisions have further refined the definition of "federal financial assistance" and what entities are affected and controlled by Title VI; and

WHEREAS, the Town of River Bend has no formal policy in place for defining and preventing discrimination in the activities and for the entities Title VI affects; and

WHEREAS, the interpretation and application are not intuitive or readily understood, requiring an understanding of what "federal financial assistance" might be in any particular situation and what persons or entities must comply with Title VI; and

WHEREAS, a policy and procedure for reporting violations will provide guidelines for the Town, Town Departments and private persons and companies doing business with the Town and receiving federal financial assistance.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of River Bend that the attached "Title VI Policy" is hereby adopted as the official policy of the Town of River Bend for applying, reporting and enforcing Title VI of the Civil Rights Act of 1964.

IT IS FURTHER RESOLVED that the Town Manager is authorized to approve this policy on a yearly basis if no changes are made to it.

Adopted this the 15th day of July, 2021.

John Kirkland, Mayor

Attest:

Kristie J. Nobles, Town Clerk



Title VI Nondiscrimination Policy Statement

It is the policy of the Town of River Bend to ensure that no person, shall, on the grounds of race, color, national origin, Limited English Proficiency, income-level, sex, sexual orientation, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Town of River Bend program or activity, including, where applicable, religion, as provided by Title VI of the Civil Rights Act of 1964, United States Department of Transportation (DOT) Order 1050.2A, Title 49 Code of Federal Regulations (CFR) Part 21, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities.

The following practices are hereby prohibited throughout the Town of River Bend to comply, at a minimum, with Title VI and related requirements:

- Denying to an individual any standard service, financial aid, or other program benefit without good cause;
- Providing any service, financial aid, or other benefit to a person which is distinct in quantity or quality, or is provided in a different manner, from that provided to others under the program;
- Subjecting a person to segregation or separate treatment in any part of a program;
- Restrictions in the enjoyment of any advantages, privileges, or other benefits enjoyed by others;
- Methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
- Different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual or other integral activities;
- Acts of intimidation or retaliation, including threatening, coercing, or discrimination against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because s/he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing;
- Discrimination in any employment resulting from a program, a primary objective of which is to provide employment.

To assure that appropriate program measures are implemented and monitored, I or my designee will serve as the Town of River Bend's Title VI Coordinator; 252-638-3870, manager@riverbendnc.org. As an expression of my commitment to and support of the Town's Title VI Nondiscrimination Program, below is my signature as the Town Manager of the Town of River Bend.

Delane Jackson, Town Manager

Date



TOWN OF RIVER BEND EXTERNAL DISCRIMINATION COMPLAINT INSTRUCTIONS

INTRODUCTION

The Town of River Bend is responsible for processing discrimination complaints filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws. Participants and beneficiaries of programs and activities administered or funded by the Town of River Bend who feel they have been discriminated against based on race, color, national origin, income level, Limited English Proficiency (LEP), sex, age, or disability have a right to file a complaint. Complaints of alleged discrimination will be investigated by the appropriate authority, such as OCR (Office of Civil Rights), a Federal agency. Note: Religion is only covered under NCDOT's Right of Way program (Fair Housing) and programs funded by the Federal Aviation Administration (FAA) or Federal Transit Administration (FTA).

FILING OF COMPLAINTS

1. **Applicability** – These complaint procedures apply to Town of River Bend programs, activities, and services. Note: Title VI does not include internal complaints related to Equal Employment Opportunity (EEO).
2. **Eligibility** – Any person or class of persons who believes he/she has been subjected to discrimination based on race, color, national origin, income level, LEP, sex, age, or disability (and religion, where applicable) may file a written complaint with the Town of River Bend's Title VI Coordinator. The law also prohibits intimidation or retaliation against anyone who files a complaint.
3. **Filing Options and Time Limits** – Complaints may be filed by the affected individual(s) or a representative and must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Title VI and related discrimination complaints may be submitted to the following entities:

- **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1808 or toll-free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590, 202-366-4070
 - **Federal Highway Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693/202-366-0752
 - **Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

- **Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
 - **Federal Motor Carrier Safety Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, Room #W65-312, Washington, DC 20591, 202-366-8810
 - **Federal Aviation Administration**, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258
 - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll-free 877-218-5228
4. **Format for Complaints** – Complaints must be in writing and signed by the complainant(s) or a representative, and include the complainant's name, address, and telephone number. Complaints received by fax or email will be acknowledged and processed. Complaints will be accepted in other languages, including Braille. (See Discrimination Complaint Form included below.)
5. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, income level, LEP, sex, age, or disability, and religion, where applicable. The term "basis" refers to the complainant's membership in a protected group category. Note: Religion (or creed) is only protected under Right of Way, Public Transportation, and Aviation programs.

Protected Categories	Definition	Examples	Pertinent Statutes and Regulations	
			FHWA	FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200; (Executive Order 13166)	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B; (Executive Order 13166)
Color	Color of skin, including shade of skin within a racial group	Black, White, Brown, Yellow, etc.		
National Origin (LEP)	Place of birth. Citizenship is not a factor (Discrimination based on language or a person's accent is also covered.)	Mexican, Cuban, Japanese, Vietnamese, Chinese, Russian, French.		
Income level	An individual or household determined to be low-income	Poverty status	Executive Order 12898	
Sex	The sex of an individual. Note: Sex under this program does not include sexual orientation	Women and Men	1973 Federal-Aid Highway Act	Title IX of the Education Amendments of 1972
Age	Person of any age	21-year-old person	Age Discrimination Act of 1975	
Disability	Physical or mental impairment, permanent or temporary, or perceived	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990	

Religion	Creed. An individual belonging to a religious group; or the perception, based usually on distinguishable characteristics that a person is a member of a religious group	Muslim, Christian, Sikh, Hindu, etc.	Title VIII of the Civil Rights Act of 1968 (Fair Housing Act); 49 USC 47123 (FAA); 49 USC 5332 (FTA)
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COMPLAINT RECEIPT AND RESPONSE

1. The Town of River Bend's Title VI Coordinator will provide written acknowledgment via registered mail of your complaint within fifteen (15) calendar days.
2. The Town of River Bend will review your complaint upon receipt to ensure the required information was provided, the complaint was timely filed, and jurisdictional requirements were met.
 - a. If the complaint is complete and no additional information is needed, the Town of River Bend Title VI Coordinator will send you a letter of acceptance as well as a Complainant Consent/Release Form.
 - b. If the complaint is incomplete, you will be contacted in writing to obtain the needed information. Note: Failure to respond and/or provide the requested information within fifteen (15) calendar days may be considered good cause for a determination of no investigative merit.
3. Within fifteen (15) calendar days of receiving your complaint, the Town of River Bend will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Town of River Bend will notify you and Respondent (the person(s) against whom you have filed the complaint) via registered mail, stating the decision.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reasons for the decision.
 - b. If the decision is to investigate the complaint, the notification shall state the grounds of the Town's jurisdiction and require your and the Respondent's full cooperation in assisting the investigator.
 - c. Interviews may be recorded during the investigation. Consent to record may be required if the interviewee is located outside of North Carolina.
4. The Town of River Bend will attempt to resolve all discrimination complaints within 60 days of accepting the complaint for investigation. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation between the affected parties and Town of River Bend staff may be utilized for resolution. The Town will make known all filing options and avenues of appeal.



DISCRIMINATION COMPLAINT FORM

Any person who believes that he/she has been subjected to discrimination based upon race, color, sex, age, national origin, disability, income-level, or Limited English Proficiency may file a written complaint with the Town of River Bend's Title VI Coordinator within 180 days after the discrimination occurred.

Last Name:	First Name:	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Mailing Address:	City:	State:	Zip:
Home Telephone:	Work/Cell Phone:	Email Address:	

Identify the Category of Discrimination:

<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> NATIONAL ORIGIN	<input type="checkbox"/> LIMITED ENGLISH PROFICIENCY
<input type="checkbox"/> RELIGION	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> SEX	<input type="checkbox"/> INCOME LEVEL <input type="checkbox"/> AGE

NOTE: Religion is covered as a basis only under NCDOT's Right of Way Unit (Fair Housing) and Public Transportation and Aviation Division.

Identify the Race of Complainant:

<input type="checkbox"/> Black	<input type="checkbox"/> White	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Asian American
<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaskan Native	<input type="checkbox"/> Pacific Islander	<input type="checkbox"/> Other _____

Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination:

Names of individuals responsible for the alleged discriminatory action(s):

How were you allegedly discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status(basis) was a factor in the discrimination. Include how other persons were treated differently from you. Attach additional page(s) if necessary.

The law prohibits intimidation or retaliation against anyone because he/she either has taken action, or participated in action, to secure rights protected by these laws. If you feel you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation. Attach additional page(s) if necessary.

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support and/or to clarify your complaint. Attach additional page(s) if necessary.

Name

Address

Telephone

_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

_____	Federal Highway Administration	_____
_____	Federal Transit Administration	_____
_____	Federal Motor Carrier Safety Administration	_____
_____	US Department of Transportation	_____
_____	Federal or State Court	_____
_____	NC Department of Transportation	_____
_____	Other	_____

Have you discussed the complaint with any Town of River Bend representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.

AN UNSIGNED COMPLAINT WILL NOT BE ACCEPTED. PLEASE SIGN AND DATE THE FORM BELOW.

COMPLAINANT'S SIGNATURE

DATE

MAIL COMPLAINT FORM TO:

Town of River Bend
Delane Jackson, Title VI Coordinator 45 Shoreline Drive
River Bend, NC 28562

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Referred to: _____ Date Referred: _____

Council Meeting – 7/15/21

A member of each group attended the Open Meetings Law session presented by Town Manager Jackson on June 16.

CAC

The CAC did not meet in July. The next meeting is scheduled for Wednesday, September 15th.

There are three vacancies. The CAC is charged with advising the Town Council and Manager on community appearance issues to include recommendations for planting trees, shrubs or other plants on town property and other matters that affect the appearance of the town. They also work on other related issues as assigned by the Council or Manager. You are probably familiar with the Christmas decorations we see at the front entrance and around Town Hall. For many years the CAC has been in charge of holiday decorations for the town.

If you are interested in joining this board, you can obtain an application from the Town Clerk. There is one pending application.

Parks & Rec

There is one vacancy. Three applications have been received. One more is expected.

Activities will restart in the fall. Information will be posted on the town website and published in River Bend ENews.

Meetings for July and August are cancelled. The next scheduled meeting is Wed. September 1 at 7pm.

RBCOG

A teamwork Day was very successful. Many varieties of vegetables and herbs are now being harvested. Several visitors have toured the garden and observed the monarch habitat. One group expressed their appreciation for the garden's mission and its commitment to the New Bern community with a generous donation and another guest who toured the garden also gave a generous donation.

Visitors are always welcome at the garden or at the reconvened monthly meetings of garden volunteers which are scheduled for the first Monday of each month at 1:30 pm in the Municipal building.

Red Caboose Library

A board meeting took place on Thursday July 8. The agenda covered routine business. There were some changes in meeting format to comply with the Open Meetings Law. Sarah Jean Bittman-Hartley, owner of Craft Benders in the unit that adjoins the library, held a fundraiser on July 4th for the benefit of the library. She gave away grilled hot dogs and recipients had a chance to tour the library. Many expressed their support with donations.

The next board meeting is scheduled for August 12. Details will be published in River Bend ENews and posted on the town website.



RECEIVED

JUN 21 2021

TOWN OF RIVER BEND

TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

REQUEST FOR APPOINTMENT TO BOARDS OR COMMISSIONS

Parks and Recreation Advisory Board
BOARD/COMMISSION FOR WHICH YOU ARE APPLYING

Scott Atwood atwood.scott5@gmail.com
NAME E-MAIL ADDRESS

161 Quarterdeck Townhouses 845-798-0872
STREET ADDRESS PHONE #

If you listed a post office box, do you live in the Town of River Bend? ☐ Yes ☐ No

PLEASE LIST ANY EDUCATION, SPECIAL SKILLS, OR EXPERIENCE YOU HAVE THAT WOULD BE OF USE TO THE TOWN COUNCIL IN CONSIDERING YOUR APPLICATION (Please include any committees you have belonged to and offices held that would be helpful in considering your application):

18 years Active Duty Marine Corps; Proven managerial skills
including leadership, mentorship, conflict resolution, oral and
written communication and active listening; Seven classes
short of B.S. in Project Management - GPA 4.0; Member of D.C.
Chapter of Project Management Institute, the Marine Corps
Aviation Association, and the National Defense Industrial
Association.

IF YOU NOW SERVE OR HAVE SERVED ON ANY TOWN COMMITTEES, PLEASE LIST DATES:

N/A

This information will be used by the Town Council in making appointments to Boards and Commissions, and in the event you are appointed, it may be used as a news release to identify you to the community. This form will be retained by the Town for one year after its submission. If after one year, you have not been appointed and wish to be considered for future appointments, you must resubmit your application.

[Signature]
SIGNATURE

6-21-21
DATE



RECEIVED

JUN 08 2021

TOWN OF RIVER BEND

TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

REQUEST FOR APPOINTMENT TO BOARDS OR COMMISSIONS

Parks and Recreation

BOARD/COMMISSION FOR WHICH YOU ARE APPLYING

Ellen Comito Serra

NAME

easinelephant@yahoo.com

E-MAIL ADDRESS

310 Shoreline Drive

STREET ADDRESS

252 571-4817

PHONE #

If you listed a post office box, do you live in the Town of River Bend? ☐ Yes ☐ No

PLEASE LIST ANY EDUCATION, SPECIAL SKILLS, OR EXPERIENCE YOU HAVE THAT WOULD BE OF USE TO THE TOWN COUNCIL IN CONSIDERING YOUR APPLICATION (Please include any committees you have belonged to and offices held that would be helpful in considering your application):

- ~ previously served on Parks & Recreation advisory board approx. 5 yrs.
- ~ retired Preschool Teacher, especially interested in planning family activities
- ~ Girl Scout leader when my daughter was growing up; also served as Advancement Chairperson for Roscoe Th Boy Scout Troop.
- ~ helped organize community events while serving as board member, and as president, of the Craven Co. Friends of the library.

IF YOU NOW SERVE OR HAVE SERVED ON ANY TOWN COMMITTEES, PLEASE LIST DATES:

Parks and Recreation, approximately 2012-2018

This information will be used by the Town Council in making appointments to Boards and Commissions, and in the event you are appointed, it may be used as a news release to identify you to the community. This form will be retained by the Town for one year after its submission. If after one year, you have not been appointed and wish to be considered for future appointments, you must resubmit your application.

Ellen C. Serra

SIGNATURE

6/8/2021

DATE

RECEIVED

JUL 01 2021



TOWN OF RIVER BEND

TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28582

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

REQUEST FOR APPOINTMENT TO BOARDS OR COMMISSIONS

Community Appearance Commission; Parks + Recreation Board
BOARD/COMMISSION FOR WHICH YOU ARE APPLYING

Lindsay R. Gadwell
NAME

Lrg4776@hotmail.com
E-MAIL ADDRESS

608 Plantation Dr.
STREET ADDRESS

252-675-0640
PHONE #

If you listed a post office box, do you live in the Town of River Bend? ☐ Yes ☒ No

PLEASE LIST ANY EDUCATION, SPECIAL SKILLS, OR EXPERIENCE YOU HAVE THAT WOULD BE OF USE TO THE TOWN COUNCIL IN CONSIDERING YOUR APPLICATION (Please include any committees you have belonged to and offices held that would be helpful in considering your application):

2020 1st place Halloween Mail box Decorating Contest Winner!

Lean Six Sigma

Served on Chatsworth Products ESOP Committee (planned numerous events)

Skills: Interior design/decor; outdoor landscaping; participate community events

* Looking to bring more leadership and participation to the community.
They want to be involved and are asking for it just need
to enlighten and bring fun to the families, and joy with unity.

IF YOU NOW SERVE OR HAVE SERVED ON ANY TOWN COMMITTEES, PLEASE LIST DATES:

☒ /

This information will be used by the Town Council in making appointments to Boards and Commissions, and in the event you are appointed, it may be used as a news release to identify you to the community. This form will be retained by the Town for one year after its submission. If after one year, you have not been appointed and wish to be considered for future appointments, you must resubmit your application.

Lindsay R. Gadwell 7/1/2021
SIGNATURE DATE

Town of River Bend



Monthly Financial Report

Printed 7/13/2021

This monthly report is provided as an oversight/management tool for the Town Council of the Town of River Bend. For ease of reporting, and in order to be consistent with the categories used in the annual budget process, this report summarizes the revenue and expenses in each of the three operational areas of the Town. Anyone interested in more detail, or further explanation of the contents of this report, is encouraged to contact Finance Officer Irving J. "Bud" Van Slyke, Jr. or Finance Administrator Margaret Theis.

Notes

The cash balances shown on page one are the amount of cash in each specific accounting fund. These funds are deposited in separate investment accounts. Pooled cash accounts used for operating funds but accounted for, in our internal systems, as individual accounts. Interest attributable to each account is allocated based upon the total rate of return of the account(s).

The FY Budget columns represents the original and current budget. As the fiscal year goes on and unforeseen expenses or revenues occur, we need to adjust the budget. The Council does this by formal amendment during a Council meeting. *Asterisked lines represent those budget items that have been amended since adoption.

The acronym CIF used in this report is our Capital Improvement Fund(s) for water and wastewater. These funds are, by resolution of the Town Council, reserved for expenses related to expansion of these systems, or retirement of debt. The Water CIF receives revenue in the form of annual Hydrant Fee payments.

Because this is an annual budget, it is important to note that many lines shown in this report will vary, some significantly, from month to month, and in different times of the year. In many instances, capital payments for current fiscal year projects are made early in the fiscal year and the majority of our ad valorem tax receipts occur in the middle of the fiscal year. This is another reason to maintain an adequate fund balance.

Town of River Bend Financial Dashboard



Visit our web site <http://www.riverbendnc.org/finance.html> to view the Financial Dashboard. These dashboards are designed to give the user a quick overview of the status of revenues and expenditures in each of the Town's three major funds as reported in the Monthly Financial Report.

Town of River Bend
Financial Report
Fiscal Year 2020 - 2021



Fund Cash Balances

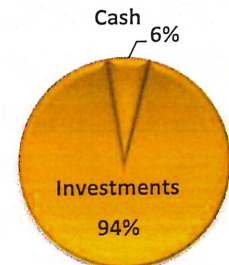
Cash Balances	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
BUS Capital Projects Fund	361,064	300,242	373,747	221,907	163,919	93,854	33,274	0	0	3,232	3,232	-
General Fund*	1,142,330	1,040,227	1,065,570	1,177,596	958,224	1,290,516	1,382,419	1,428,741	1,408,192	1,297,952	1,255,859	1,081,756
Powell Bill	0	0	39,979	479	0	0	0	0	0	0	0	-
NCORR Recovery Grant	176,103	176,110	154,874	154,875	140,661	140,662	122,981	122,982	122,983	122,984	122,985	98,652
CDBG OPR Development	-847	-1,207	-1,207	-1,207	-3,694	-4,706	-5,237	-5,949	-5,949	-1,005	-1,005	(1,005)
General Capital Reserve	152,134	152,142	94,145	30,453	30,454	30,454	30,455	30,455	30,455	30,455	30,456	30,456
Law Enforcement Separation Allowance*	17,249	16,643	16,037	15,430	14,824	13,914	13,307	12,701	12,094	11,487	10,881	9,971
Water Fund*	789,864	823,510	827,655	862,269	856,581	876,260	878,165	907,003	917,725	937,914	802,324	821,021
Water Capital Reserve Fund (CIF)	244,663	244,672	244,677	244,679	244,681	244,686	244,686	244,687	244,690	244,692	244,694	244,696
Sewer Fund*	1,022,560	1,055,928	1,055,812	1,102,445	1,101,477	1,111,914	1,119,723	1,156,879	1,174,372	1,201,690	1,094,213	1,115,521
Sewer Capital Reserve Fund (CIF)	11,246	11,247	11,247	11,247	11,247	11,247	11,247	11,247	11,248	11,248	11,248	11,248
Total Cash and Investments	3,916,367	3,819,514	3,882,536	3,820,175	3,518,373	3,808,801	3,831,020	3,908,746	3,915,810	3,860,649	3,574,887	3,412,316
BB&T Cash Accounts	251,202	214,117	276,789	365,853	229,025	519,425	541,616	652,541	625,393	569,735	283,271	220,554

*These operating funds have equity in the BB&T pooled accounts.

In order to obtain more favorable interest rates, the Town deposits funds in the North Carolina Capital Management Trust. We move funds between our cash accounts and these investment accounts to accommodate cash flow for our payables and as revenues are received in order to maintain an adequate amount of cash for operational needs while attempting to minimize bank fees and maximize interest revenue. Based upon historical cash flow and current encumbrances, our staff anticipates the level of cash needed to meet our obligations without having to make an inordinate number of transfers between accounts.

On the table above, the term cash includes those funds we hold in accounts in our designated banking institution (currently BB&T). We have two accounts with BB&T, a Money Market account that pays a competitive rate of interest, and an operating (checking) account from and to which we make all regular payments and deposits.

The table below shows the balances of each fund account we have in NCCMT at the end of the month. The chart to the right shows how our funds are apportioned between operating cash and investments.



Investments in NCCMT	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
BUS Capital Projects Fund	360,135	300,148	373,653	221,656	221,658	163,659	33,274	-	-	-	-	-
General Fund	995,282	995,325	956,083	1,019,786	869,009	830,016	978,092	978,099	1,014,882	1,014,890	1,114,899	1,039,242
Powell Bill	-	-	-	-	-	-	-	-	-	-	-	-
NCORR Recovery Grant	176,103	176,110	154,874	154,875	140,661	140,662	122,981	122,982	122,983	122,984	122,985	98,652
Capital Reserve (General Fund)	152,134	152,142	94,145	30,453	30,454	30,454	30,455	30,455	30,455	30,455	30,456	30,456
Law Enforcement Separation Allowance	13,390	13,391	13,391	13,392	13,392	13,392	13,392	13,392	9,892	9,892	9,892	9,892
Water Fund	762,639	762,749	763,043	763,592	763,597	802,604	802,611	802,667	803,582	804,060	754,741	754,866
Water Capital Reserve Fund (CIF)	244,663	244,672	244,677	244,679	244,681	244,683	244,686	244,687	244,690	244,692	244,694	244,696
Sewer Fund	949,573	949,613	994,632	994,642	994,650	1,052,659	1,052,667	1,052,676	1,052,684	1,052,693	1,002,702	1,002,710
Sewer Capital Reserve Fund (CIF)	11,246	11,247	11,247	11,247	11,247	11,247	11,247	11,247	11,248	11,248	11,248	11,248
Total Investments	3,665,165	3,605,397	3,605,746	3,454,322	3,289,348	3,289,376	3,289,404	3,256,205	3,290,416	3,290,914	3,291,616	3,191,762

Town of River Bend
Financial Report
Fiscal Year 2020 - 2021



General Fund

Revenue	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Budget
Ad Valorem Taxes	713,246	713,246	30	1,027	10,653	81,528	38,438	353,796	119,485	77,857	12,194	9,589	6,498	2,847	713,941	100.1%
Ad Valorem Taxes - Vehicle	83,200	83,200	6,125	8,612	6,956	8,891	0	13,660	7,022	8,005	6,336	9,080	8,336	7,601	90,625	108.9%
Animal Licenses	2,400	2,400	60	110	10	20	50	50	510	420	695	250	70	140	2,385	99.4%
Local Gov't Sales Tax	295,751	295,751	24,717	27,360	30,164	28,535	22,049	28,378	24,600	28,196	34,569	28,157	20,516	34,393	331,634	112.1%
Hold Harmless Distribution	90,202	90,202	5,354	6,145	7,975	7,514	7,477	7,017	7,451	7,330	7,944	6,857	6,278	8,235	85,574	94.9%
Solid Waste Disposal Tax	2,500	2,500	0	542	0	0	538	0	0	570	0	0	561	0	2,211	88.4%
Powell Bill Fund Appropriation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Powell Bill Allocation	84,500	84,500	0	0	39,979	0	0	39,979	0	0	0	0	0	0	79,957	94.6%
Beer & Wine Tax	13,500	13,500	0	0	0	0	0	0	0	0	0	0	12,383	0	12,383	91.7%
Video Programming Tax	53,680	53,680	0	0	13,116	0	0	13,999	0	0	12,989	0	0	13,058	53,163	99.0%
Utilities Franchise Tax	114,261	114,261	0	0	21,733	0	0	28,845	0	0	25,549	0	0	33,223	109,350	95.7%
Telecommunications Tax	10,330	10,330	0	0	1,586	0	0	4,001	0	0	2,305	0	0	2,107	10,000	96.8%
Court Cost Fees	500	500	9	32	18	59	18	23	5	27	18	59	23	23	311	62.1%
Zoning Permits	5,000	5,000	797	1,640	232	483	723	536	145	419	1,131	1,067	703	375	8,250	165.0%
State Grants*	0	72,303	0	0	49,650	0	0	11,497	8,913	0	1,018	0	0	0	71,078	98.3%
Federal Gov't Grants- BPV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Federal Disaster Assistance*	0	14,624	0	0	0	0	0	0	0	14,624	0	0	0	975	15,599	106.7%
State Disaster Assistance*	0	4,875	0	0	0	0	0	0	0	4,875	0	0	0	0	4,875	100.0%
Recovery Grant NCORR-FLOG-004	99,568	99,568	99,568	0	0	0	0	0	0	0	0	0	0	0	99,568	100.0%
Miscellaneous*	8,000	13,500	790	503	571	570	1,626	85	6,134	285	1,045	289	523	678	13,098	97.0%
Insurance Settlements	-	-	0	-	0	0	0	0	0	0	0	0	0	0	-	0.0%
Interest - Recovery Grant NCORR-FL	1,212	1,212	11	6	3	1	1	1	1	1	1	1	1	1	30	2.5%
Interest - Powell Bill	50	50	0	0	0	0	0	0	0	0	0	0	0	0	0	0.2%
Interest - Investments	9,755	9,755	96	44	19	10	7	9	11	10	12	12	11	9	250	2.6%
Contributions	422	422	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Wildwood Storage Rents	18,120	18,120	1,689	1681	1,726	1,452	1,635	1,615	1,646	1,615	1,615	1,661	1,585	1,575	19,497	107.6%
Rents & Concessions	18,000	18,000	1,500	1500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,560	18,060	100.3%
Sale of Capital Assets	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Sales Tax Refund Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Trans. from Capital Reserve*	42,970	164,663	42970		121,693	0	0	0	0	0	0	0	0	0	164,663	100.0%
Trans. from L.E.S.A. Fund	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Appropriated Fund Balance*	222,833	446,048	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Total	1,890,000	2,332,210	183,716	49,201	307,582	130,562	74,061	504,991	177,423	145,735	108,920	58,521	58,989	106,800	1,906,502	81.7%

*Astericked lines represent those budget items that have been amended since Original Budget adoption.

#DIV/0! indicates revenue was received, but not budgeted for this line item.

Town of River Bend
Financial Report
Fiscal Year 2020 - 2021



General Fund

Expenditures	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	% Exp
	Original	Current													Total	
Governing Body	28,700	28,700	2,203	994	4,082	733	-824	4,086	-781	-769	8,079	-824	-760	4,101	20,319	70.8%
Administration	268,691	268,691	43,727	16,383	21,824	16,049	13,381	38,629	14,912	12,770	20,590	13,755	13,427	28,353	253,799	94.5%
Finance*	120,181	130,181	19,023	7,544	9,283	8,255	7,898	11,127	9,152	7,222	9,448	18,713	10,966	11,498	130,127	100.0%
Tax Listing	10,880	10,880	0	322	368	1,064	384	3,142	2,367	1,047	371	419	398	318	10,200	93.7%
Legal Services*	24,000	19,000	1,665	1,649	648	874	990	1,188	837	1,721	1,833	2,267	936	1,393	16,000	84.2%
Elections	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Public Buildings*	84,200	177,208	9,639	17,781	5,265	4,800	6,469	12,786	4,316	3,269	20,019	69,388	5,573	9,068	168,373	95.0%
Police*	573,245	596,048	110,187	36,326	38,885	36,016	43,410	55,126	37,010	39,100	37,660	35,541	34,335	55,653	559,249	93.8%
Emergency Management*	4,000	5,000	832	1,961	167	526	15	23	15	865	15	15	15	15	4,463	89.3%
Animal Control	14,366	14,366	2,216	925	941	929	1,009	1,404	783	679	437	535	678	885	11,418	79.5%
Street Maintenance*	221,686	204,686	5,749	6,512	2,312	145,925	2,312	12,950	1,960	2,015	1,092	1,337	1,695	2,212	186,073	90.9%
Public Works*	167,240	160,240	18,436	12,759	12,695	14,830	11,707	13,186	11,478	12,599	10,047	10,438	10,428	15,676	154,280	96.3%
Leaf & Limb, Solid Waste*	43,500	62,999	655	17,692	4,118	886	4,562	989	245	6,571	891	4,502	6,601	1,267	48,978	77.7%
Stormwater Management*	34,971	221,371	3,668	1,891	22,873	1,475	1,518	2,146	1,204	1,040	755	802	141,417	26,211	204,998	92.6%
Waterways & Wetlands*	3,000	72,000	0	0	0	768	67,188	2,040	950	0	0	0	0	0	70,946	98.5%
Planning & Zoning	48,363	48,363	7,356	3,160	2,960	2,991	2,986	5,300	3,226	2,946	3,011	2,944	3,071	5,708	45,660	94.4%
Recovery Grant NCORR-FLDG-004	100,780	100,780	14,110	7,129	7,143	7,072	7,122	10,756	7,233	7,072	7,088	7,177	7,185	9,915	99,002	98.2%
Recreation & Special Events*	7,500	15,500	23	0	0	0	131	0	0	0	0	750	130	1,556	2,591	16.7%
Parks	50,370	50,370	6,687	2,579	2,183	2,302	2,321	4,449	1,724	2,176	2,281	2,353	2,488	5,328	36,871	73.2%
Transfers	66,359	139,859	66,359	73,500	0	0	0	0	0	0	0	0	0	0	139,859	100.0%
Contingency*	17,968	5,968	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Total	1,890,000	2,332,210	312,534	209,107	135,748	245,494	172,578	179,327	96,630	100,322	123,617	170,112	238,582	179,155	2,163,207	92.8%

Capital / Debt (included above)	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	% Exp
	Original	Current													Total	
Capital Outlay	200,292	451,692	37,590	0	25,229	139,477	65,000	7,340	0	0	0	0	140,400	24,550	439,585	97.3%
Debt Service - Principle		0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%
Debt Service - Interest		0	0	0	0	0	0	0	0	0	0	0	0	0	-	0.0%

*Astericked lines represent those budget departments that have been amended since Original Budget adoption.

Town of River Bend
Financial Report
Fiscal Year 2020 - 2021



Water Fund

Revenue	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Col
Base Charge	234,862	234,862	39,043	349	39,179	541	38,736	399	38,979	295	39,111	311	39,008	460	236,410	100.7%
Consumption	213,326	213,326	40,429	76	42,636	216	33,744	153	32,777	88	37,053	136	37,973	209	225,491	105.7%
Other, incl. transfers	26,768	26,768	118	5,225	666	3,697	3,585	3,714	32	5,813	102	3,094	307	2,941	29,293	109.4%
Hydrant Fee	21,411	21,411	21,050	0	0	0	-119	0	0	0	0	0	0	0	20,930	97.8%
Appropriated Fund Bal.*	75,867	117,267	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Total	572,234	613,634	100,639	5,650	82,480	4,454	75,945	4,265	71,788	6,196	76,266	3,542	77,288	3,610	512,123	83.5%

Expenses	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
Admin & Finance*	447,734	455,234	58,499	21,780	21,173	19,854	31,974	30,359	19,947	17,992	21,083	25,662	158,452	20,880	447,654	98.3%
Supply & Treatment	75,000	67,500	3,793	1,058	5,607	1,825	1,054	2,959	3,931	2,018	2,408	3,051	1,750	14,388	43,842	65.0%
Distribution*	46,000	87,400	29,434	1,678	1,093	445	226	118	199	71	1,585	339	288	153	35,630	40.8%
Transfers / Contingency	3,500	3,500	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Total	572,234	613,634	91,726	24,517	27,873	22,123	33,254	33,436	24,077	20,081	25,075	29,051	160,491	35,421	527,126	85.9%

Capital (included above)	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
Capital Outlay	23,000	23,000	11,430	250	0	0	0	0	0	0	0	0	0	11,980	23,660	-

Cash Balances

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
Water Fund	789,864	823,510	827,655	862,269	856,581	876,260	878,165	907,003	917,725	937,914	802,324	821,021
Water Capital Reserve Fund (CIF)	244,663	244,672	244,677	244,679	244,681	244,686	244,686	244,687	244,690	244,692	244,694	244,696

Water Produced	FY20-21		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
		Limit														
Total Gallons			8,171,000	7,586,000	7,321,000	7,156,000	6,961,000	7,325,000	7,153,000	6,544,000	6,829,000	8,665,000	8,897,000	7,899,000	90,507,000	
Average daily gallons		925,000*	263,581	244,710	244,033	230,839	232,033	236,290	230,742	233,714	220,290	288,833	287,000	263,300	247,947	

* This is the permitted daily limit.

Town of River Bend
Financial Report
Fiscal Year 2020 - 2021



Sewer Fund

Revenue	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Col
Base Charge	292,304	292,304	48,632	298	49,241	746	48,108	515	48,483	301	48,732	344	48,611	612	294,623	100.8%
Consumption	303,101	303,101	53,704	127	57,680	418	44,453	218	46,970	91	53,287	-232	54,398	300	311,414	102.7%
Other, incl. transfers	19,862	19,862	74	1,538	19	1,599	827	1,499	9	1,324	9	1,545	9	1,432	9,884	49.8%
Appropriated Fund Bal.*	66,617	94,217	0				0	0	0	0	0	0	0	0	0	0.0%
Total	681,884	709,484	102,410	1,963	106,940	2,763	93,388	2,232	95,462	1,716	102,029	1,657	103,018	2,343	615,921	86.8%

Expenses	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
Admin & Finance	442,884	448,384	59,377	22,665	22,097	21,162	31,254	33,735	20,951	19,298	22,293	26,423	140,855	22,285	442,395	98.7%
Collection*	64,000	86,100	5,299	989	675	892	1,555	1,034	862	2,396	2,744	1,060	2,089	1,204	20,799	24.2%
Treatment	112,000	112,000	4,882	4,121	13,159	4,589	6,050	12,479	3,426	4,865	4,045	4,228	5,857	26,505	94,204	84.1%
Transfers / Contingency	63,000	63,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Total	681,884	709,484	69,558	27,775	35,931	26,643	38,859	47,247	25,239	26,560	29,082	31,711	148,802	49,994	557,398	78.6%

Capital (included above)	Fiscal Year Budget		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Original	Current													Total	% Exp
Capital Outlay	22,000	22,000	11,430	250	0	0	0	0	0	0	0	0	0	0	11,680	53.1%

Cash Balances

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
Sewer Fund	1,022,560	1,055,928	1,055,812	1,102,445	1,101,477	1,111,914	1,119,723	1,156,879	1,174,372	1,201,690	1,094,213	1,115,521
Sewer Capital Reserve Fund (CIF)	11,246	11,247	11,247	11,247	11,247	11,247	11,247	11,247	11,248	11,248	11,248	11,248

Wastewater Treated		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	FY to Date	
	Limit														
Total Gallons		3,402,000	2,700,000	2,919,000	2,783,000	3,341,000	3,409,000	4,196,000	4,237,000	4,299,000	3,280,000	3,402,000	3,934,000	41,902,000	
Average daily gallons	330,000*	109,742	87,097	97,300	89,774	111,367	109,968	135,355	151,321	138,677	109,333	109,742	131,133	115,067	

* This is the permitted daily limit.


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2019 Dodge Durango SSV PURSUIT AWD- ONLY 6168 Miles!!! Like New!!!

Auction Ends **7/15/21 3:00 PM ET**

Remaining **2 Days 3 Hrs**

This item is subject to an auto
[extension](#) of the auction end time.

[Refresh Bid & Time](#)

Tax [See Payment Instructions](#)

Buyer's Premium **12.50%**

Starting Bid **\$25,000.00**

Bids **6**

High Bidder **w*****m**

Current Bid **\$27,007.00**

Bid Increment **\$500.00**

Minimum Bid **\$27,507.00**

[Terms and Conditions](#)

[Sign In to Place Bid](#)

7,036 visitors

Year	Make/Brand	Model	VIN/Serial	Miles	Title Restriction
2019	Dodge	Durango	1C4RDJFG8KC812234	6,168	No Title Restriction
Condition			Category		
New/Unused			SUV		

2019 Dodge Durango SSV PURSUIT AWD SPORT UTILITY 4-DR, 3.6L V6 DOHC 24V. Black exterior color, black cloth interior, weather TEC floor mats, 6,168 actual miles. The vehicle is in basically mint condition, no known issues or problems. It is being sold only because we are converting our fleet to Ford. This vehicle is hardly used and has spent most of its life parked with minimal use. The private party value in KBB is \$38k-\$42k, and this vehicle would value at the high end given condition. This is a non- reserve auction, but the winning bid will be subject to owner approval, which will come within 24 hours of bid ending. The opening bid is equal to a trade-in offer we have already received from a local dealer. SOLD - AS IS NO WARRANTY

As of 10:43 AM
7-13-21

RECEIVED

JUL 01 2021

B

TOWN OF RIVER BEND

Listing (252) 636-6604
Collections (252) 636-6605
Fax (252) 636-2569
E-mail tax@cravencountync.gov

Tax Administrator

Craven County



Ronald V. Antry
Tax Administrator

July 1, 2021

Ms. Kristie J. Nobles, Clerk
Town of River Bend
45 Shoreline Dr.
River Bend NC 28562-8970

Dear Ms. Nobles:

I am pleased to present the settlement of the Town of River Bend tax collections for real and other personal property for tax year 2020. This date corresponds to the town's 2020-2021 fiscal year.

	Real and Other Personal Property
2020 Tax Levy (Per Scroll)	\$ 712,298.41
Releases	<1,009.67>
Refunds	<0.00>
Write-Offs	<77.79>
Total 2020 Amended Tax Levy	\$ 711,210.95>
Collections as of June 30, 2021	\$ <708,875.31>
Delinquent 2020 Taxes	\$ 2,335.64
Percent Collected	99.67

The net taxable valuation of all property excluding registered motor vehicles within the town corrected through June 30, 2021 is \$273,350,932. If I can provide to you anything further, please call on me.

Respectfully submitted,

Handwritten signature of Ronald V. Antry in black ink.

Ronald V. Antry
Craven County Tax Administrator



226 Pollock St
PO Box 1128 New Bern, North Carolina 28563-1128

RIVER BEND N. C. NOW AND FUTURE

The Town of River Bend is now, and from its origin has been, a bedroom community to New Bern. It thrives when the governing body accepts that fact and it struggles when the governing body believes that a commercial development will allow the town to stand separate from New Bern. River Bend was incorporated and chartered by the N.C. General Assembly in 1981 as a Town governed by the Mayor-Council form of governance. In Oct. 2001 the Council voted to hold a referendum to incorporate as a Council Manager form of governance. This action was supported by a 2 to 1 approval of person's casting votes and the General Assembly granted the change of the Town Charter. The Council in Nov. 2004 agreed that extending the terms of the Council office from two years to staggered four year terms would "stabilize" the conduct of actions of Council. Again the referendum on this proposal was approved by voters on a 2 to 1 margin and the General Assembly again modified the Town Charter to reflect this change in terms of office.

The Town operates the water and wastewater utilities as enterprise funds. This arrangement resulted when the Town purchased the utilities from Carolina Water Service in 1995 funded by the issuance of bonds. These utilities operate under permits issued by the State Agency responsible for regulating all water and wastewater utilities in the state.

The Town is unique in the area of street maintenance. The only street maintained by NCDOT is "Old Pollocksville Road" going south from Shoreline DRIVE. All of the other streets are maintained by the Town. Like all other North Carolina municipalities the Town receives "Powell Bill" funds under the formula that is based on population and the miles of streets maintained. The maintenance of streets requires that all the Powell Bill funds; in most years nearly \$50,000 of general fund money is added to keep streets in good repair.

The Town collects and pays for disposal of vegetative debris (leaf and limb pick up) from all residential areas of Town. As the plantings around Town age more debris will be generated and the cost of this service will continue to increase.

The Town Council needs to approach the development of the annual budget considering all the variables that will impact the budget being developed for the following fiscal year. Certain specific budget inputs will not be known and best estimates must be made to finalize the budget as required by the State. A "healthy" reserve fund should be retained to meet unexpected emergency expenditures. This need for reserve funds is often questioned by citizens who will advance a recommendation that the tax rate should be reduced and the reserves reduced thus making the rate reduction possible.

The Town has been blessed by having a talented Manager and Staff who remain current on state regulatory requirements and current practices of professional groups that they communicate with. The Town's future will be secure and prosperous if the elected Council will follow sound budget practices and work with the regional cities and towns to achieve positive solutions to issues that impact all municipalities. This practice of cooperation is often at risk when a member, or members, of the area municipalities endeavor to pursue a parochial developmental approach to planning.

The Town Council must act with an eye toward the future aiming at their vision of the future. They need to recognize that the foundation of good planning is constantly changing. The result is the need to be well informed of the constantly changing environment in which they must budget.

Perhaps the most difficult task for a Council Member is to inform a fellow resident or friend that the favor he/she requests is not a request that can be granted by a single member of Council. It is also possible that the requested favor is contrary to one or more of the Town's ordinances. The Council member office places a demand for time on every member and a lot of reading in preparation in advance of meeting votes.

What the Council does in a given year will directly impact what the Town will be in the future.