

CHAPTER 3.05: BOARDS AND COMMISSIONS

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PARKS AND RECREATION ADVISORY BOARD

§ 3.05.001 ESTABLISHMENT.

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

§ 3.05.002 PURPOSE.

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

Amended 4/21/2022

§ 3.05.003 POWERS AND DUTIES.

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

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

Amended 04/18/2013, 04/21/2022, 08/17/2023

§ 3.05.004 COMPOSITION AND TERMS OF OFFICE.

- A. There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.

Amended 08/18/2016

- B. All members shall be residents of the town.

Amended 04/21/2022

§ 3.05.005 ORGANIZATION AND PROCEDURES.

- A. At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- B. The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- C. The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at all meetings. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 10 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 10 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- D. A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- E. The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.
- F. Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

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

Amended 06/16/2022

ENVIRONMENT AND WATERWAYS ADVISORY BOARD

§ 3.05.015 ESTABLISHMENT.

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

§ 3.05.016 PURPOSE.

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

Amended 04/21/2022

§ 3.05.017 POWERS AND DUTIES.

Amended 04/18/2013

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

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

Amended 04/21/2022, 08/17/2023

§ 3.05.018 COMPOSITION AND TERMS OF OFFICE.

- A. There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.

Amended 08/18/2016

- B. All members shall be residents of the town.

Amended 04/21/2022

§ 3.05.019 ORGANIZATION AND PROCEDURES.

- A. At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- B. The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- C. The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at all meetings. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 10 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 10 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- D. A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- E. The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.
- F. Pursuant to G.S. § 160D-109, members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

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

Amended 06/16/2022

PLANNING BOARD

§ 3.05.035 ESTABLISHMENT.

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

§ 3.05.036 PURPOSE.

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

§ 3.05.037 POWERS AND DUTIES.

Amended 04/18/2013

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

- A. At the direction of the Council and/or Manager, conduct studies and make recommendations on matters relating to planning and zoning issues.
- B. At their request, assist the Council and/or Manager in the resolution of complaints and concerns registered by the town’s citizens, governmental agencies, or other entities.
- C. All Board reports, recommendations, or requests for actions shall be coordinated, when appropriate, with other town boards working through the Manager and Council.
- D. Because the Board is advisory in purpose, no Board member shall make, or have the authority to make, any contractual or financial obligations or arrangements on behalf of, or for, the town.

Amended 08/17/2023

§ 3.05.038 COMPOSITION AND TERMS OF OFFICE.

- A. There shall be seven (7) members of the Board, six (6) being appointed by the Council for 2-year staggered terms. The seventh member shall be a citizen living in the town's extraterritorial jurisdiction (ETJ) and shall be appointed by the Craven County Commissioners in accordance with G.S. § 160D-109. All members shall serve without compensation. The terms of office shall

commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.

Amended 08/17/2023

- B. All town-appointed members shall be residents of the town.

Amended 08/17/2023

- C. Only the Craven County Commissioners have the authority to remove the ETJ member from the Board. Any ETJ vacancy shall be filled by the Commissioners.

Amended 04/21/2022

- D. All members of the Board shall have equal rights, privileges and duties with regards to all matters within the town’s planning and zoning jurisdiction.

§ 3.05.039 ORGANIZATION AND PROCEDURES.

- A. At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- B. The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- C. The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at all meetings. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 10 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 10 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town’s web page in a manner consistent with the process of posting Town Council minutes.
- D. A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- E. The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.

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

Amended 06/16/2022

COMMUNITY APPEARANCE COMMISSION

§ 3.05.055 ESTABLISHMENT.

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

Amended 04/21/2022

§ 3.05.056 PURPOSE.

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

Amended 04/21/2022

§ 3.05.057 POWERS AND DUTIES.

Amended 04/18/2013

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

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

Amended 04/21/2022

§ 3.05.058 COMPOSITION AND TERMS OF OFFICE.

- A. There shall be seven (7) members of the Board, to be appointed by the Council for 2-year staggered terms. All members shall serve without compensation. The terms of office shall commence on July 1 and end on June 30, 2 years later, unless appointed to fill a vacancy, in which the term would begin immediately and end when the term was scheduled to end.

Amended 8/18/2016, 04/21/2022

- B. All members shall be residents of the town.

Amended 04/21/2022

§ 3.05.059 ORGANIZATION AND PROCEDURES.

- A. At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.
- B. The Board shall set a date (Ex: 2nd Thursday of each month), time and place to conduct its regular meeting. The schedule of regular meetings for the Board shall be maintained in the Office of Town Clerk.
- C. The Board shall hold a minimum of 4 scheduled meetings per year. Special meetings may be called by Chair, the Manager, or 2 members of the Board. All meetings of the Board shall be conducted in a public, accessible place. All meetings shall be open to the public, shall be conducted under the rules of order established by Council, and shall be in accordance with state laws, in particular, the Open Meetings Law. A written agenda shall be prepared and distributed to all Board members and the Liaison at least 48 hours prior to all meetings. Copies of the agenda shall be available to the public at the meeting. A written record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person and shall include information on attendance, findings, recommendations, and actions taken by the Board. A draft copy of the minutes shall be provided to the Town Clerk within 10 business days of the meeting. At the next regular meeting of the Board, the draft minutes shall be presented to the Board for official acceptance. Within 10 days of adoption by the Board, a signed copy of the minutes shall be provided to the Town Clerk for retention. In accordance with applicable law, minutes of Board meetings are public record. Board minutes shall be posted on the Town's web page in a manner consistent with the process of posting Town Council minutes.
- D. A quorum, comprised of more than half the current membership, shall be present at the meeting to take any official action required or authorized by this subchapter. Only appointed Board members are eligible to vote. The Chair is eligible to vote on all matters.
- E. The Board may adopt by-laws, rules, and other procedures not inconsistent with the town's ordinances and laws of North Carolina, with approval by the Town Manager.

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

Amended 06/16/2022

§ 3.05.070 APPOINTMENT/REMOVAL TO BOARD

- A. No appointment to fill a vacancy on an Advisory Board shall be made until the vacancy has been advertised for at least 2 weeks. Applicants are encouraged to attend the Council meeting where their consideration of appointment is scheduled, whereby they will be introduced to the Council.
- B. The following application procedure shall be followed by all applicants:
 - 1. Any person interested in appointment to an Advisory Board shall complete and submit an Advisory Board Application.
 - 2. Before being considered for appointment, an applicant must have attended at least 1 meeting of the Advisory Board they request to be appointed to.
 - 3. All applications for appointment will be reviewed by the Advisory Board. The Advisory Board shall consider all applicants and submit a recommendation for appointment to the Town Council.
 - 4. The Advisory Board Liaison shall submit the appointment recommendation to the Town Council.
- C. Advisory Board members may resign at any time for any reason. All resignations must be immediately reported in writing or via email to the Town Manager by the Chair, or Liaison. Once a member's resignation becomes effective, that member may only be considered for reappointment following the procedure described herein.

Added 04/21/2022

- D. The Council may remove a Board member, at its discretion, by vote in an open meeting. A Board member who misses three (3) consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board.

Added 08/17/2023

- E. Council members may not serve on an Advisory Board. Upon appointment or election to the Council, an Advisory Board member shall immediately resign from the Advisory Board or be removed from the Advisory Board by a vote of the Council.

Added 08/17/2023

ADVISORY BOARD LIAISON*Added 10/19/2023***§ 3.05.080 ESTABLISHMENT.**

An Advisory Board Liaison Section is hereby created and established.

§ 3.05.081 PURPOSE

As codified in Chapter 3.05 of the Town Code of Ordinances, the Town of River Bend has multiple Advisory Boards. In addition to the Advisory Boards listed therein, the town may also have other groups that function in roles similar to an Advisory Board (such as Community Watch, Board of Adjustment, etc.). Also, from time to time, the Town Council (Council) may create a special committee to address a particular topic. A member of Council may be appointed to serve as liaison for such groups (Board). Liaison appointments are only made by an official action of Council. The purpose of this section is to define the role of a liaison.

§ 3.05.082 ROLE OF LIAISON

- A. A Council-appointed liaison is not a member of the Board. Rather, the liaison is a resource to support the Board in the completion of its assigned duties, subject to the following guidelines:
 - 1. A liaison has no authority to supervise or manage the Board. The liaison shall not take part in any votes or decision making of the Board.
 - 2. Generally put, a liaison shall not attempt to influence the work or recommendations of the Board. More specifically, a liaison shall not take part in the Board's deliberations or discussions unless:
 - a) The Board requests the liaison's participation in a particular discussion. The liaison's input shall represent the position of Council, or the liaison shall identify their input as representing their personal opinion.
 - b) The liaison determines that he/she must speak up in order to remind the Board of Council's directives, town policies, the Open Meetings Law, public records requirements or other specific information which may be necessary to prevent the Board from taking inappropriate action.
- B. The liaison shall be mindful that the Board is only taking action or doing work that is within the Board's Power and Duties as outlined herein or as otherwise prescribed by Council. If such a deviation occurs, the liaison shall notify the Board's Chairperson. If such deviations continue, the liaison shall notify the Mayor, Council and Town Manager.
- C. The liaison shall serve as the conduit between the Council and the Board. The liaison shall bring to the Council any requests from the Board, such as, but not limited to, the following:
 - 1. Questions about the Board's scope of work.
 - 2. Requests from the Board to change the Board's scope of work.
 - 3. Requests of town resources to further the Board's work.

4. Recommendations from the Board to the Council. All recommendations from a Board shall be provided in writing and signed by the Board's Chairperson. The liaison shall follow the town's agenda policy for placing the recommendation on the next Council agenda. Similarly, the liaison shall bring to the Board any directions, requests, or concerns from the Council.

- D. The liaison should attend all regular meetings of the Advisory Board. When they cannot, they should notify their back-up and the back-up should attend. The liaison shall stay informed of Board activity/action by attending Board meetings or conferring with its members. The liaison shall update the Council at least quarterly (per fiscal year) on the work of the Board by submitting a written report of Board actions. The report shall be included in the Council's regular meeting agenda packet during the months of October, January, April and July. Such reports shall represent the Board's action during the previous quarter.

§ 3.05.083 BOARD OVERSIGHT

- A. If a Board member or member of the public feels that there is an issue with the operations of the Board, they may speak to the liaison about their concern, in an effort to seek a remedy or clarification.
- B. If the liaison is unable to resolve the issue, the liaison shall bring the issue to the Mayor, Mayor Pro-Tem and Town Manager for discussion and possible further action. If the issue requires Council action, the Mayor or Mayor Pro-Tem shall bring the issue to the Council by following the town's agenda policy.
- C. If a liaison feels that there is an issue with the operations of the Board, they shall speak to Board's Chairperson. If the issue is not resolved, the liaison shall bring the issue to the Council for consideration by following the town's agenda policy.