



TOWN OF RIVER BEND

**45 Shoreline Drive
River Bend, NC 28562**

**T 252.638.3870
F 252.638.2580**

www.riverbendnc.org

RIVER BEND TOWN COUNCIL AGENDA

Work Session Meeting

November 10, 2021

River Bend Town Hall

5:00 p.m.

1. VOTE – Approval of Agenda
2. VOTE- Records Retention Policy
3. VOTE – 2022 Holiday Schedule and Council Meeting Schedule
4. DISCUSSION – Parks and Recreation Advisory Board Appointment
5. DISCUSSION – Advisory Board Ordinance Update
6. DISCUSSION – Audit Report Presentation
7. DISCUSSION – Public Hearings / Planning Board Recommendation
8. DISCUSSION / VOTE – BRIC Grant Application
9. Review Agenda – Nobles
10. Closed Session § 143-318.11(a)(3) (6) – Consult with Attorney, Personnel

Pledge: Councilman Sheffield

TOWN OF RIVER BEND

RESOLUTION

WHEREAS, the Division of State Archives of the North Carolina Department of Natural and Cultural Resources has developed a comprehensive records retention and disposition schedule for local government agencies; and

WHEREAS, the Town of River Bend endeavors to adopt and utilize said schedule;

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

That the October 1, 2021 version of the Records Retention and Disposition Schedule for the general records for local government, is hereby approved and adopted for the purpose of managing, protecting, and destroying records pursuant to NC General Statutes.

ADOPTED THIS 10TH DAY OF NOVEMBER, 2021.

John R. Kirkland, Mayor

Kristie J. Nobles, Town Clerk

RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



NC DEPARTMENT OF
NATURAL AND CULTURAL RESOURCES

North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

CONTENTS

Approval	iv
Front Matter	
Executive Summary	v
Legend for Records Schedule	vii
Records Retention and Disposition Schedule	
Standard 1: Administration and Management Records	1
Standard 2: Budget, Fiscal, and Payroll Records	23
Standard 3: Geographic Information System Records	36
Standard 4: Human Resources Records	43
Standard 5: Information Technology Records	61
Standard 6: Legal Records	67
Standard 7: Public Relations Records	75
Standard 8: Risk Management Records	80
Standard 9: Workforce Development Records	86
Appendix	
Managing Public Records in North Carolina	A-1
Audits, Litigation, and Other Official Action	A-5
Transitory Records	A-6
Destruction of Public Records	A-8
Sample Destructions Log	A-10
Electronic Records: E-mail, Born Digital Records, and Digital Imaging	A-11
Geospatial Records	A-13
Security Preservation Copies of Records	A-15
Disaster Assistance	A-17
Staff Training	A-18
Request Forms	
Request for Change in Records Schedule	A-19
Request for Disposal of Unscheduled Records	A-20
Request for Disposal of Original Records Duplicated by Electronic Means	A-21
File Plan	A-22
Related Records Series in Program Schedules	A-23
Index	A-30

2021 General Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 General Records Schedule: Local Government Agencies**:

1. Administration and Management Records
2. Budget, Fiscal, and Payroll Records
3. Geographic Information System Records
4. Human Resources Records
5. Information Technology Records
6. Legal Records
7. Public Relations Records
8. Risk Management Records
9. Workforce Development Records

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends*.” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends*.” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends*.”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

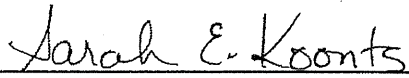
Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

² Ibid.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

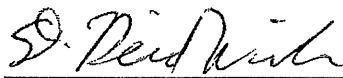
Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

Municipality/County: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

LEGEND FOR RECORDS SCHEDULE

This records retention and disposition schedule applies to records in all media, unless otherwise specified.



– symbol designating that one or more records in this series may be confidential or may include confidential information.

Item # – an identifying number assigned to each records series for ease of reference.

Series – “a group of similar records that are . . . related as the result of being created, received, or used in the same activity.” (From Society of American Archivists, *Dictionary of Archives Terminology*). Series in this schedule are based on common functions in government offices.

Records Series Title – a short identification of the records in a series, based on their common function.

Series Description – a longer description of the records in a series, often including the types of records that can frequently be found in that series. This information is included underneath the Records Series Title.

Disposition Instructions – instructions dictating the length of time a series must be retained and how the office should dispose of those records after that time.

Citation – a listing of references to statutes, laws, and codes related to the records series. Citations can include:

- Authority: governing the creation of records
- Confidentiality: limiting access to public records
- Retention: setting a retention period

Throughout this schedule, items that cross-reference other items within this schedule are indicated with a SEE ALSO reference. If you hover your cursor over one of these items, you will see the hand tool that will enable you to click on the item to follow the link to that location.

AUDITS: PERFORMANCE

Records concerning internal and external audits conducted to assess the function of government programs. Includes reports, working papers, corrective measures, and other related records.

SEE ALSO: Audits: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).

Sample records series title and description with cross-reference included

No destruction of records may take place if litigation or audits are pending or reasonably anticipated. See also AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS


Official records pertaining to the authority, operating philosophy, methods, primary functions, and routine office administration of local agencies.

ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.01	ABSTRACTS OF MUNICIPAL ELECTIONS Copies of abstracts prepared by the County Board of Elections and forwarded to the municipal clerk.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after _____ <i>Retention Note: Official record maintained permanently by the County Board of Elections.</i>	Authority: G.S. 163-300
1.02	ACCREDITATION RECORDS Records documenting accreditations and certifications received by the agency. Includes applications, final reports, and other related records. Also includes evaluations of the agency by outside entities.	Destroy in office 5 years after superseded or obsolete.	Authority: 10A NCAC 48B
1.03	ADMINISTRATIVE DIRECTIVES, REGULATIONS, AND RULES @ Records documenting requirements or directives promulgated by the agency for the conduct of a business or activity on agency premises or under agency authority.	Destroy in office when superseded or obsolete.	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.04	AUDITS: PERFORMANCE @ Records concerning internal and external audits conducted to assess the function of government programs. Includes reports, working papers, corrective measures, and other related records. SEE ALSO: Audits: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).	a) Retain in office permanently reports related to internal compliance or operational audits, hazardous material, or those that document a significant change in agency practices. b) Destroy in office PCI attestation reports after 3 years. c) Destroy in office remaining audit reports after 10 years. d) Destroy in office documentation of corrective measures 2 years after their implementation. e) Destroy in office working papers and remaining records when superseded or obsolete.	
1.05 	BLUEPRINTS AND SPECIFICATIONS @ Blueprints and specifications of agency owned buildings and facilities. Includes as-built plans and related records concerning approved changes.	a) Transfer as-built drawings to new owner when agency relinquishes ownership of building or facility. b) Retain in office as-built drawings for life of structure and then destroy. c) Destroy in office blueprints, floorplans, and other preliminary design and construction documents when superseded or obsolete.	Confidentiality: G.S. 132-1.7

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.06	BONDS Records documenting written guarantees from a third party, including bid bonds, payment bonds, performance bonds, and surety bonds. SEE ALSO: Bids for Purchase (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), and Projects (below).	Destroy in office 5 years after expiration or cancellation.	
1.07	BULLETINS Internal information sharing materials that circulate information within the agency. Also includes memoranda and newsletters.	Destroy in office when superseded or obsolete.	
1.08	BUSINESS CERTIFICATION RECORDS Applications and supporting documentation submitted by businesses to be certified as a Small Business Enterprise (SBE) or other classification.	a) Destroy in office all documentation 3 years after most recent recertification. b) If certification was never issued, destroy in office all documentation when reference value ends.± Agency Policy: Destroy in office after _____	
1.09	BUSINESS DEVELOPMENT SUBJECT FILE	Destroy in office after 3 years.	
1.10	CALENDARS OF EVENTS AND APPOINTMENTS	Destroy in office when superseded or obsolete.	
1.11	CENSUS PROJECT RECORDS Records created to assist the U.S. Census Bureau with the decennial census.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after _____	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

Sample Electronic Records and Imaging Policy and Procedures

For Use by Local Agencies

July 2019
Version 2.1



NC DEPARTMENT
OF NATURAL AND
CULTURAL RESOURCES

[This policy is modeled after the Department of Natural and Cultural Resources guidance document *Guidelines for Managing Trustworthy Digital Public Records*.¹ This model policy applies to both born-digital electronic records and electronic records generated by imaging systems. Elements specific to state or local agencies are noted and should be adopted accordingly. This policy should be tailored by the party responsible for the custodianship of an agency's or department's electronic records to the agency's specific electronic records management practices wherever applicable and should provide as much detail as possible. This policy incorporates two additional forms, the *Electronic Records Self-Warranty* form and the *Request for Disposal of Original Records Duplicated by Electronic Means* form.

The North Carolina Department of Natural and Cultural Resources requires that any agency that images its records as part of its records retention practices sign this policy after tailoring it to meet agency needs. This policy is also a requirement for agencies maintaining electronic records that have retention periods of ten or more years. When completing this policy, delete portions that are bold and in brackets; these sections either contain optional language or are intended for guidance purposes only.

Subject: _____ Policy Number: _____
Effective date: _____ Modified date: _____

Type of Government Office: ☐ County ☐ Municipal ☐ State Agency ☐ Other*

For Other, enter name of "parent" agency
unless unassigned:

County/Municipality/Agency: _____

Name of Office: _____

Office Address: _____

Phone: _____ Fax: _____ Email: _____

*Includes assigned and unassigned offices (authorities, boards, bureaus, commissions, councils, private/public hybrid entities, etc.)

¹ <https://archives.ncdcr.gov/documents/guidelines-managing-trustworthy-digital-public-records>



Table of Contents

1. Purpose	3
2. Responsible Parties	3
3. Availability of System and Records for Outside Inspection	5
4. Maintenance of Trustworthy Electronic Records	6
5. Components of Information Technology System	7
6. Documentation of Information Technology System	8
7. Digital Imaging Program Documentation and Procedures	8
8. Other Electronic Records Management Practices	11
9. Compliance and Electronic Records Self-Warranty	13
10. Request for Disposal of Original Records Duplicated by Electronic Means	17

1. Purpose

[Describe the purpose of this policy. What records does it protect, what information technology systems are used by the agency, and when will this policy be updated?]

The records covered by this policy are in the custody of **[agency name]** and are maintained for the benefit of agency use in delivering services and in documenting agency operations. This electronic records policy reflects guidelines established in the North Carolina Department of Natural and Cultural Resources publication *Guidelines for Managing Trustworthy Digital Public Records*.² Complying with this policy will increase the reliability and accuracy of records stored in information technology systems and will ensure that they remain accessible over time. Exhibiting compliance with this policy will enhance records' admissibility and acceptance by the judicial system as being trustworthy.

All public records as defined by North Carolina G.S. § 132-1 are covered by this policy. This includes permanent and non-permanent records, including both confidential and non-confidential records. These classifications may warrant different treatments when processing the records. This policy serves as basic documentation of the procedures followed by the department in imaging, indexing, auditing, backing up, and purging electronic records in accordance with the disposition schedule, and in handling the original paper records, if applicable.

[Applicable to agencies with an imaging program] This policy also serves to protect those records digitized by the agency's **[specify in-house or contracted]** imaging system, which reduces required storage space for original documents as the agency transitions to a "more paperless" digital system and provides instant and simultaneous access to documents as needed.

[Applicable only to local agencies – state agencies should delete this reference along with Section 10 of this document] The form provided in Section 10 of this document, *Request for Disposal of Original Records Duplicated by Electronic Means*, is completed and submitted to the Department of Natural and Cultural Resources whenever this agency wishes to dispose of a series of paper records that have been digitized.

This policy will supersede any electronic records system policy previously adopted. This policy will be reevaluated at a minimum of every **[five]** years, or upon the implementation of a new information technology system, and will be updated as required. A copy of this policy will remain on file at the Department of Natural and Cultural Resources.

2. Responsible Parties

[Describe the electronic records management responsibilities of the persons or departments responsible for adhering to this policy. Tailor this section to reflect the actual parties and their responsibilities within your agency. To go into effect, this policy will be signed by the individuals listed.]

- Agency Supervisor/Division Director
- Managerial Staff
- IT Department
- Records Creators

² <https://archives.ncdcr.gov/documents/guidelines-managing-trustworthy-digital-public-records>



TOWN OF RIVER BEND

**45 Shoreline Drive
River Bend, NC 28562**

**T 252.638.3870
F 252.638.2580**

www.riverbendnc.org

**TOWN OF RIVER BEND
EMPLOYEE HOLIDAY SCHEDULE
2022**

HOLIDAY

DATE

New Year's Day

Monday, January 3, 2022

Martin Luther King Day

Monday, January 17, 2022

Good Friday

Friday, April 15, 2022

Memorial Day

Monday, May 30, 2022

Independence Day

Monday, July 4, 2022

Labor Day

Monday, September 5, 2022

Veterans' Day

Friday, November 11, 2022

Thanksgiving Holiday

Thursday, November 24, 2022

Friday, November 25, 2022

Christmas Holiday

Friday, December 23, 2022

Monday, December 26, 2022



TOWN OF RIVER BEND

45 Shoreline Drive
River Bend, NC 28562

T 252.638.3870
F 252.638.2580

www.riverbendnc.org

MEETINGS OF THE TOWN COUNCIL OF THE TOWN OF RIVER BEND 2022

Work Sessions*(2nd Thursday)

5:00 p.m.

January 13
February 10
March 10
April 14
May 12
June 9
July 14
August 11
September 8
October 13
November 10
December 8

Regular Meetings**(3rd Thursday)

7:00 p.m.

January 20
February 17
March 17
April 21
May 19
June 16
July 21
August 18
September 15
October 20
November 17
December 15

* All Council Work Sessions will be held in the River Bend Town Hall beginning at 5:00 p.m.

** All Council Regular Meetings will be held in the River Bend Town Hall beginning at 7:00 p.m.

Meeting date, time and location are subject to change due to unforeseen circumstances. In such event, proper public notice will be given prior to the meeting.

The public is invited and encouraged to attend all Council meetings.

The Town's Rules of Procedure, Agenda Policy, Public Comment Policy and Public Hearing Policy will be enforced at all Council Meetings.

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

RECEIVED

NOV 05 2021

TOWN OF RIVER BEND

REQUEST FOR APPOINTMENT TO BOARDS OR COMMISSIONS

Parks and Rec.

BOARD/COMMISSION FOR WHICH YOU ARE APPLYING

Krysten Howard

howardhacienda2021@yahoo.com

NAME

E-MAIL ADDRESS

4 Pier Point

517-518-2378

STREET ADDRESS

PHONE #

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

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):

I have been employed as a Contracted Internation Teacher for the last 5 years, working with individual, small group, large classroom and families. This work has included Creation, Monitoring and Marketing of all scheduled lessons, programs and activities. I remain contracted under this program as well as holding separate contracts for as a Title 1 At-Risk Teacher and an English Second Language Educator.

Previously, I worked as a Renovation and Restoration Marketing Specialist and Property Manager for 8 years. During this time, I was actively involved with Community Outreach and Marketing, working to bring interest to Local activities and events to several different Communities and in many different areas of Interest, to include Fundraising, Charity, and Traditional event planning such as Color Runs, Lighted Christmas Parades, Classic Car Shows, Toys for Tots, Food Drives, etc.,

My internship for my M.S. Psychology, was done at a Community Non-Profit, which required individual marketing of programs and events. While completing this work, I worked with both other members, directors and in individual and family Counseling sessions.

Outside of work, I enjoy being with our family and enjoy the outdoors. You can usually find me cooking, baking, painting, sculpting, fishing, baking, biking and enjoying any other activity that helps our children enjoy the area we chose to call home.

We returned to the area mid-2020, and hope to participate in any way I can to build memories for not only our children but, others that make them want to bring their own families home as they grow.

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.

Verified by PDFFiller

Krysten Howard 11/5/21

SIGNATURE

DATE

**TOWN OF RIVER BEND**45 Shoreline Drive
River Bend, NC 28562T 252.638.3870
F 252.638.2580

www.riverbendnc.org

RECEIVED**NOV 05 2021****TOWN OF RIVER BEND****REQUEST FOR APPOINTMENT TO BOARDS OR COMMISSIONS**

Parks and Rec.

BOARD/COMMISSION FOR WHICH YOU ARE APPLYING

Robert Howard

howardhacienda2021@yahoo.com

NAME

E-MAIL ADDRESS

4 Pier Point

517-518-2378

STREET ADDRESS

PHONE #

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

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):

I have previously owned and operated his own Landscaping Company and has worked in Environmental Cleanup for the last 15 years. While working in this field, I and a family friend worked to start-up and run a branch of one of the largest Companies in this field. During this time I was involved with Community Outreach, Disaster Recovery and Customer Satisfaction.

Outside of work, I enjoy being with our family and loving our Waterfront Community. We are a "Shop Local" family and enjoy Hiking, Biking, Fishing, Swimming, Gardening, Baking, Boating and more. Our family returned to the area last year to enjoy the area my Grandparents and Mother have loved since the mid-80's and hope that our children continue to grow and raise their own families here as well.

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.

Verified by PDFfiller

Robert Howard 11/5/21

11/03/2021
SIGNATURE

DATE

CHAPTER 3.05: BOARDS AND COMMISSIONS

Parks and Recreation Advisory Board

- 3.05.001 Establishment
- 3.05.002 Purpose
- 3.05.003 Powers and duties
- 3.05.004 Composition and terms of office
- 3.05.005 Organization and procedures

Waterways/Environmental Advisory Board

- 3.05.015 Establishment
- 3.05.016 Purpose
- 3.05.017 Powers and duties
- 3.05.018 Composition and terms of office
- 3.05.019 Organization and procedures

Planning Board

- 3.05.035 Establishment
- 3.05.036 Purpose
- 3.05.037 Powers and duties
- 3.05.038 Composition and terms of office
- 3.05.039 Organization and procedures

Community Appearance Commission

- 3.05.055 Establishment
- 3.05.056 Purpose
- 3.05.057 Powers and duties
- 3.05.058 Composition and terms of office
- 3.05.059 Organization and procedures

Advisory Board Liaison

- 3.05.075 Purpose

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. ~~The Board shall propose principles, goals, and methods, and offer guidance to the Council and Manager on parks and recreation issues.~~

§ 3.05.002 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) Review operational reports and expenditures, and prepare recommendations to the Council and Manager on ways to improve parks and recreation operations and finances.~~
- (C) 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.
- (D) All Board reports, recommendations, or requests for actions shall be coordinated, ~~as when~~ appropriate, with other town boards working through the Manager and Council.
- (E) 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.
- (F) ~~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.~~

§ 3.05.003 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.

- (B) All members shall be residents of the town. ~~'s planning and zoning jurisdictions.~~
- (C) The Council may remove a Board member only by ~~taking a public~~ vote **in an open meeting**. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled **as soon as practicable** by the Council.

§ 3.05.004 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 **6 4** scheduled meetings per year. ~~or more if required by state law.~~ 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 published no less than 48 hours prior to a meeting.~~ **A written record of minutes of each meeting shall be kept by the Secretary or, in their absentee, 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 5 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 5 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.**
- (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. § ~~160A-381(d),~~ **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.**

WATERWAYS/ENVIRONMENTAL AND WATERWAYS ADVISORY BOARD

§ 3.05.015 ESTABLISHMENT.

An ~~Waterways/Environmental~~ and Waterways Advisory Board (the Board) is hereby created and established.

§ 3.05.016 PURPOSE.

The purpose of the Board is to ~~keep current on federal, state and county rules and regulations on waterways and the environment; to inform and~~ advise the Town Council (Council) and Manager on ~~changes or status of such;~~ **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. ~~Advice, information and resulting recommendations are to be developed through research, reference to, or consultation with experts in the appropriate fields.~~ The Board shall work on other issues assigned by the Council or Manager. ~~The Board shall propose principles, goals, and methods and offer guidance to the Council and Manager on waterways and environmental issues. For purposes of this subchapter, waterways and environments include, but are not necessarily restricted to: canals, channels, lakes and ponds, storm water, soil and landscape, air and open space, and flora and fauna therein.~~

§ 3.05.017 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 environmental and waterway issues.
- ~~(B) Review all development applications and provide recommendations to the Council and Manager relating to waterways and environmental issues.~~
- ~~(C)~~ 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. ~~about waterways and the environment.~~
- (D) All Board reports, recommendations, or requests for actions shall be coordinated, **as when** appropriate, with other town boards working through the Manager and Council.
- (E) 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.
- ~~(F) Develop and maintain an inventory of all open areas, publicly or privately owned, including, open marshlands, swamps, and other wetlands, in order to obtain information on the proper~~

use of such areas and make recommendations to the Planning Board and Council concerning their use.

(G) To keep current on federal, state and regional environmental issues and proposals and inform the Town Council as deemed necessary or relevant.

(H) 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.

(I) The Board, at its discretion and operating within its budget, may organize and administer Council and/or Manager approved programs 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.

§ 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.

(B) All members shall be residents of the town. ~~'s planning and zoning jurisdictions.~~

(C) The Council may remove a Board member only by taking a public vote in an open meeting. A Board member who misses 3 consecutive meetings without being excused by the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled as soon as practicable by the Council.

§ 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 6 4 scheduled meetings per year. or more if required by state law. 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 published no less than 48 hours prior to a meeting. A written record of minutes of each meeting shall be kept by the Secretary or, in their absentee, 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 5 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 5 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.

- (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. § ~~160A-381(d)~~, **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.**

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. § ~~160A-382~~ 160D-109. The Board shall work on other issues assigned by the Council or Manager. ~~The Board shall propose principles, goals, and methods, and offer guidance to the Council and Manager on planning and zoning issues.~~

§ 3.05.037 POWERS AND DUTIES.

Amended 04/18/2013

Pursuant to G.S. § ~~160A-361~~ 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, ~~as~~ 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.

§ 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. § ~~160A-362~~ 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.
- (B) All **town-appointed** members shall be residents of the town. ~~'s planning and zoning jurisdiction.~~
- (C) The Council may remove a **town-appointed** Board member only by ~~taking a public~~ vote **in an open meeting**. A Board member who misses 3 consecutive meetings without being excused by

the Board shall be considered to have resigned membership in the Board. The vacancy shall be filled by the Council **as soon as practicable.**

- (D) 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.
- (E) 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 **6 4** scheduled meetings per year. **or more if required by state law.** 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 published no less than 48 hours prior to a meeting.** A written record **of minutes** of each meeting shall be kept **by the Secretary or, in their absentee, 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 5 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 5 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.**
- (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. § **160A-381(d), 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.**

COMMUNITY APPEARANCE COMMISSION

§ 3.05.055 ESTABLISHMENT.

A Community Appearance Commission (Commission) is hereby created and established.

§ 3.05.056 PURPOSE.

The purpose of the Commission 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, municipality and its surroundings, making recommendations for planting of trees, shrubs or other planting materials to on town owned property including town right-of-ways, and any other matter that affects the overall appearance of the town. The Commission shall work on other issues assigned by the Council or Manager. The Commission shall propose principles, goals, and methods, and offer guidance to the Council and Manager on community appearance issues.

§ 3.05.057 POWERS AND DUTIES.

The Commission 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) Review operational reports and expenditures related to Commission activities, and prepare recommendations to the Council and Manager on ways to improve community appearance operations and finances.~~
- (C) At the request of the Council and Manager, assist in the resolution of community appearance complaints and concerns registered by the town's citizens, governmental agencies, or other entities.
- (D) All Commission reports, recommendations, or requests for actions shall be coordinated, as when appropriate, with other town boards working through the Manager and Council.
- (E) 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.
- (F) 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.

§ 3.05.058 COMPOSITION AND TERMS OF OFFICE.

- (A) There shall be seven (7) members of the Commission, 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.

- (B) There may be up to 3 alternates on the Commission. These alternates may vote on Commission matters only if needed for a quorum.
- (C) All members shall be residents of the town. ~~is planning and zoning jurisdiction.~~
- (D) The Council may remove a Commission member only by ~~taking a public vote~~ in an open meeting. A Commission member who misses 3 consecutive meetings without being excused by the Commission shall be considered to have resigned membership in the Commission. The vacancy shall be filled by the Council.

§ 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 ~~6~~ 4 scheduled meetings per year. ~~or more if required by state law.~~ 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 published no less than 48 hours prior to a meeting.~~ A written record of minutes of each meeting shall be kept by the Secretary or, in their absentee, 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 5 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 5 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.
- (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. § ~~160A-381(d),~~ 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.

NOTICE OF PUBLIC HEARING

The Town Council of the Town of River Bend will conduct a public hearing on November 18, 2021 to gather public comments on proposed amendments to Chapter 15.01 of the Town's Zoning Ordinance-Subdivisions and Chapter 15.02-Zoning. The public hearing will begin at 7 p.m. at Town Hall, located at 45 Shoreline Drive, River Bend, NC. A copy of the proposed amendments are available from the Zoning Department or they can be viewed online by visiting the town's web page at www.riverbendnc.org and clicking on the "Proposed Amendments" tab. The town's rules for conducting a public hearing will be followed.

e) After division, all resultant lots comply with all of the following:

- a. Any lot dimension size requirements of the applicable land-use regulation, if any.
- b. The use of the lots is in conformity with the applicable zoning requirements, if any.
- c. A permanent means of ingress and egress is recorded for each lot.
- ~~b) The remainder of the larger tract is being held for some purpose other than sale or building development (whether immediate or future); and~~
- ~~c) No dedication of a new street or a change in existing streets is involved.~~

§ 15.01.051 OTHER DEFINITIONS.

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

ALLEY. Privately or publicly owned right-of-way, primarily for service access to the back or side of abutting property, and not intended for general traffic circulation.

BUFFERS. Landscaping or other architectural measures to screen dissimilar uses from adjoining properties or private developments that abuts the street right-of-way.

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

COLLECTOR STREET. A road which serves as the connecting street between local residential roads and the thoroughfare system, as further defined in the NCDOT Subdivision Road Standards.

CUL-DE-SAC. A minor street that terminates in a vehicular turnaround with a minimum street width.

EASEMENT. A grant by the property owner of a strip of land for a specified purpose.

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 courts, swimming pools (excluding the water area of swimming pool), streets, parking areas, driveways, sidewalks, and any concrete, stone, brick, asphalt, or compacted gravel surface.

Added 03/18/10

LOCAL STREET. A road that does not connect thoroughfares or serve major traffic generators, as further defined in the NCDOT Subdivision Road Standards.

LOT. A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership, or occupied or intended for occupancy by a principal building, together with its accessory buildings, including the open space required under this chapter. For the purpose of this chapter, LOT shall mean any number of contiguous lots of record for location of 1 principal building and its accessory buildings.

§ 15.01.037 EFFECTIVE DATE.

This chapter shall take effect and be in force from and after 5-15-1981.

DEFINITIONS SUBDIVISION REGULATION & INTERPRETATION

§ 15.01.050 ~~SUBDIVISION DEFINED~~ APPLICABILITY.

- A. For the purposes of this chapter, ~~SUBDIVISION means~~ subdivision regulations shall be applicable to all divisions of a tract or parcel of land into 2 or more lots, building sites or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets.
- B. The following shall not be included within this definition nor be subject to this chapter:
 1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the Town of River Bend as provided in this chapter.;
 2. The division of land into parcels greater than 10 acres where no street right-of-way dedication is involved.;
 3. The public acquisition by purchase of strips of land for the widening or opening of streets.;
 4. The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than 3 lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the Town of River Bend as provided in this chapter.; ~~and~~
 5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.
- C. The Town of River Bend may provide for expedited review of specified classes of subdivisions.
- ~~4.~~ D. The Town of River Bend may require only a plat for recordation for the division of a tract or parcel of land in single ownership if all of the following criteria are met:
 - ~~5.1. The platting and conveyance of a single lot or tract out of a larger tract, provided that:~~
 - a) The tract or parcel to be divided is not exempted under subdivision 2 of subsection B of this section. The larger tract is not 1 which was platted and conveyed previously from a larger tract under this exception or under the Opinion of the Attorney General dated 3-4-1975 (44 N.C.A.G No 2, p. 251) or all or a portion of the remainder of a larger tract from which a lot or tract was platted and conveyed previously under this exception or under the Opinion of the Attorney General dated 3-4-1975 (44 N.C.A.G. No 2, p. 251);
 - b) No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.
 - c) The entire area of the tract or parcel to be divided is greater than five acres.
 - d) After division, no more than three lots result from the division.

§ 15.02.062 FENCES AND WALLS.

The purpose and intent of this section is to recognize that fences and/or walls serve legitimate private and public uses including but not limited to security and creating visual buffers between properties. These regulations are intended to establish standards that maximize the effectiveness of the fencing while preserving the views and safety of motorists, adjacent property owners and the public in general.

- 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, except where specifically authorized herein.
 2. Fences shall be limited to ~~six-seven~~ (67) 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~~ Zoning Administrator. Fences of this type may be located within front yards with approval of the Zoning Administrator.
 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.~~ Fences made of mesh-type material, which may be easily trimmed/cut with scissors and used as a means to protect vegetation from animals may be located within front yards, provided it does not exceed six (6) feet in height or encompass more than 225 square feet (cumulatively) of the front yard.
 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~~ 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.
- ~~13.~~14. Non-opaque fences may be located in the front yard of a lot zoned Business (BD), provided that the lot has a minimum of 100 feet of uninterrupted road frontage with a road maintained by the North Carolina Department of Transportation.
- ~~14.~~15. A zoning permit is required for the installation of any fence, except for the mesh-type fences described in Item 9, above.

Amended 09/21/17

C

Schedule of District Requirements										
	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
Min. Side Yard (FT)										
Main Building	10	10	10	10	10	10	10	-	-	10
Accessory Building	5	5	5	5	5	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Min. Rear Yard (FT)										
Main Building	15	15	15	15	15	10	20	-	-	20
Accessory Building	10	10	10	10	10	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Floor Area (SF)										

Schedule of District Requirements										
	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
Min. Side Yard (FT)										
Main Building	10	10	10	10	10	10	10	-	-	10
Accessory Building	5	5	5	5	5	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Min. Rear Yard (FT)										
Main Building	15	15	15	15	15	10	20	-	-	20
Accessory Building	10	10	10	10	10	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Floor Area (SF)										

Schedule of District Requirements										
	R-20	R-20A	R-15	PDR-MF	PDR-SF	ID	BD	WP	AGR	PD-BD
Main Building (Min. Heated)	1,800	1,450	1,250	-	1,150	1,500	1,500	-	-	2,150
Individual Unit	-	-	-	1,075	-	-	-	-	-	1,500
Accessory Building	PLEASE REFERENCE CHART IN §15.02.061									
Max. Lot Coverage by Bldg. (%)	24	24	24	24	30	24	24	-	-	24
Max. Height (FT)										
Main Building	34	34	34	34	34	34	34	-	-	34
Accessory Building	The lesser of 18 FT or one (1) story									
CAMA and FEMA setbacks, if applicable, take priority to Town designated setbacks.										
*Density – PDR-MF – No more than 6.5 dwelling units per acre. †Density – PDR-SF – No more than 4 dwelling units per acre. ‡Density – BD, PD-BD – Nor more than 4 business units per acre. **Min. Front Lot Line – R-20, R-20A, R-15 – 40 FT on cul-de-sac. ††Min. Front Lot Line – PDR-MF, PDR-SF – 25 FT on cul-de-sac.										

Penalty, see § 1.01.999

Amended 11/15/2018

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.

Schedule of District Requirements										
	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
Min. Side Yard (FT)										
Main Building	10	10	10	10	10	10	10	-	-	10
Accessory Building	5	5	5	5	5	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Min. Rear Yard (FT)										
Main Building	15	15	15	15	15	10	20	-	-	20
Accessory Building	10	10	10	10	10	-	-	-	-	-
Swimming Pool	10	10	10	-	-	10	-	-	-	-
Tennis Court	15	15	15	-	-	10	-	-	-	-
Floor Area (SF)										

Schedule of District Requirements										
	R-20	R-20A	R-15	PDR-MF	PDR-SF	ID	BD	WP	AGR	PD-BD
Main Building (Min. Heated)	1,800	1,450	1,250	-	1,150	1,500	1,500	-	-	2,150
Individual Unit	-	-	-	1,075	-	-	-	-	-	1,500
Accessory Building	PLEASE REFERENCE CHART IN §15.02.061									
Max. Lot Coverage by Bldg. (%)	24	24	24	24	30	24	24	-	-	24
Max. Height (FT)										
Main Building	34	34	34	34	34	34	34	-	-	34
Accessory Building	The lesser of 18 FT or one (1) story									
CAMA and FEMA setbacks, if applicable, take priority to Town designated setbacks.										
*Density – PDR-MF – No more than 6.5 dwelling units per acre. †Density – PDR-SF – No more than 4 dwelling units per acre. ‡Density – BD, PD-BD – Nor more than 4 business units per acre. **Min. Front Lot Line – R-20, R-20A, R-15 – 40 FT on cul-de-sac. ††Min. Front Lot Line – PDR-MF, PDR-SF – 25 FT on cul-de-sac.										

Penalty, see § 1.01.999

Amended 11/15/2018

A

**TOWN OF RIVER BEND
PLANNING BOARD**

**RESOLUTION ADVISING THAT THE PROPOSED AMENDMENTS
TO THE CODE OF ORDINANCES ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
COMPREHENSIVE LAND USE PLAN; ARE REASONABLE;
AND ARE IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given the Town of River Bend ("Town") the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting health, safety, morals and the general welfare of its citizens, and

WHEREAS, N.C.G.S. § 160D-604(d) requires the Town of River Bend Planning Board ("Board") to advise the Town of River Bend Town Council by written statement describing whether the proposed amendments to the Town's Code of Ordinances as related to zoning are consistent with all officially adopted plans, including the comprehensive land use plan, and

WHEREAS, the Board has in fact met to consider and evaluate the proposed revision of §15.02.062 Fences and Walls.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board finds that the proposed amendments to the Code of Ordinances are in accordance with and consistent with all officially adopted Town plans, including any comprehensive land use plan, and therefore recommends adoption by the Town Council.

This Resolution is effective upon its adoption this 4th day of November, 2021.

**TOWN OF RIVER BEND
PLANNING BOARD**

Egon Lippert, Chairman

ATTEST:

Allison McCollum, Secretary

B

**TOWN OF RIVER BEND
PLANNING BOARD**

**RESOLUTION ADVISING THAT THE PROPOSED AMENDMENTS
TO THE CODE OF ORDINANCES ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
COMPREHENSIVE LAND USE PLAN; ARE REASONABLE;
AND ARE IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given the Town of River Bend ("Town") the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting health, safety, morals and the general welfare of its citizens, and

WHEREAS, N.C.G.S. § 160D-604(d) requires the Town of River Bend Planning Board ("Board") to advise the Town of River Bend Town Council by written statement describing whether the proposed amendments to the Town's Code of Ordinances as related to zoning are consistent with all officially adopted plans, including the comprehensive land use plan, and

WHEREAS, the Board has in fact met to consider and evaluate the proposed revision of § 15.02.047 District Requirements to delete minimum building and unit size requirements to align with the law prescribed by the North Carolina General Assembly.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board finds that the proposed amendments to the Code of Ordinances are in accordance with and consistent with all officially adopted Town plans, including any comprehensive land use plan, and therefore recommends adoption by the Town Council.

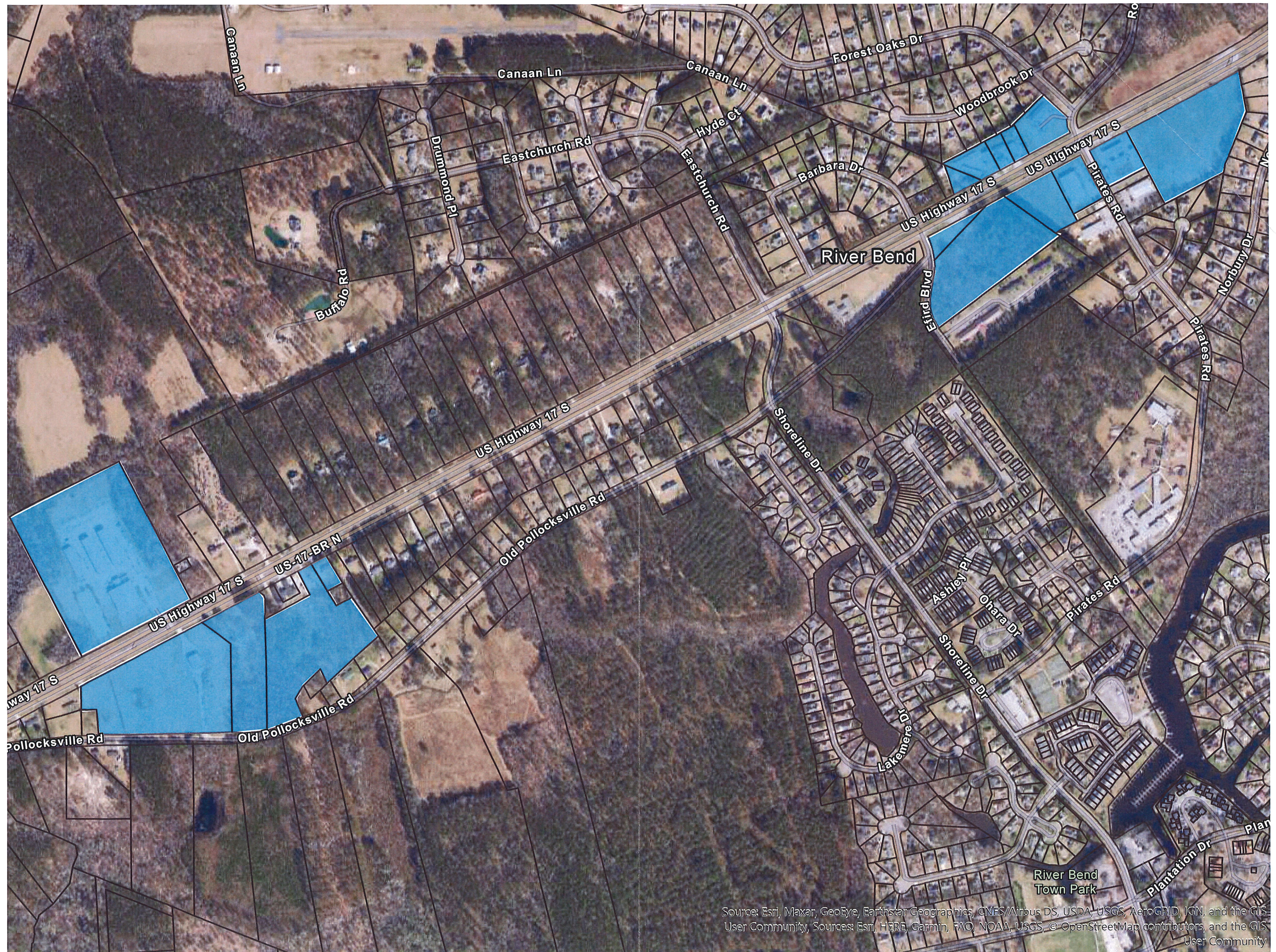
This Resolution is effective upon its adoption this 4th day of November, 2021.

**TOWN OF RIVER BEND
PLANNING BOARD**

Egon Lippert, Chairman

ATTEST:

Allison McCollum, Secretary



Project S18: Grant Agreement #0

Routing in Progress: Submission (Step 1 of 3)

- Summary >
- Notes
- Documents
- Workflow
- History

Details

Sequence #:	0
Ref #:	< no value >
Bundle #:	< no value >
Obligated Date:	< no value >
Eligible Amount:	\$2,553,217.00
Cost Share Flag:	No
Federal Amount:	\$1,914,912.00 (75.00%)
Admin Amount:	\$0.00
State Amount:	\$0.00 (0.00%)
Local Share:	\$638,305.00 (25.00%)
Is Donated Resources:	No

Workflow Summary

Current Step:	1) Submission
	Description: Submission
Submission:	Oct 1, 2021 at 10:38 AM by Delane Jackson
	35 days ago

Grant

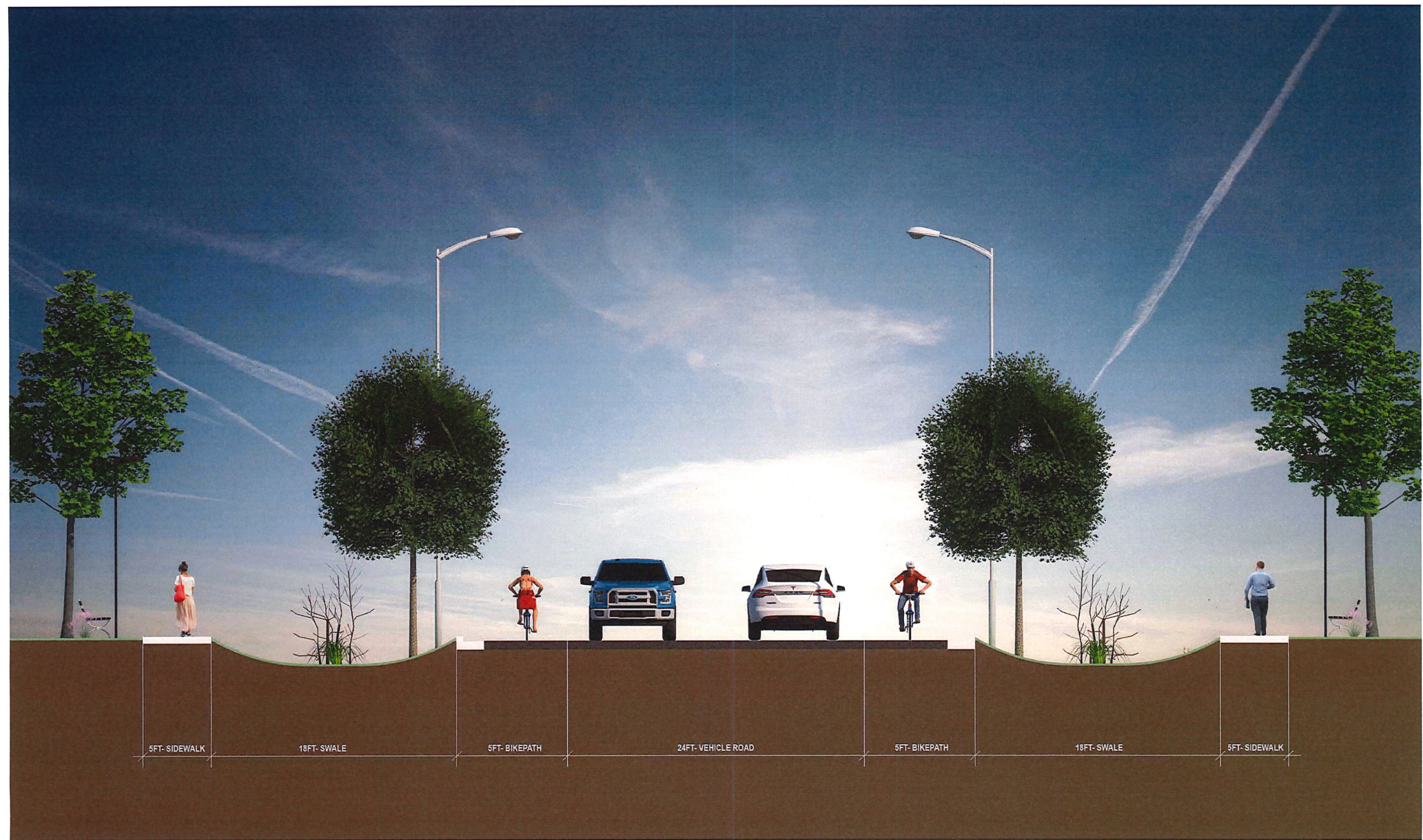
BRIC 2021 Building Resilient Infrastructure in Communities
Building Resilient Infrastructure in Communities
Declared: August 9, 2021
Closed: August 9, 2024

Applicant

River Bend, Town Of
Craven County
FIPS: 049-56710-00
FEIN #: 56-1291141
Vendor #:
DUNS #: 618713697
Type: Local Government
Physical/Mailing: 45 Shoreline
River Bend, NC, 28562

Project

F # S #18
River Bend Emergency Road
INF Infrastructure
Project POP Deadline:
Eligible: \$0.00
Federal: \$0.00 (75%)
Un-Expended Eligible: \$2,553,217.00







RIVER BEND TOWN COUNCIL AGENDA

Regular Meeting
November 18, 2021
River Bend Town Hall
7:00 p.m.

Pledge: Councilman Sheffield

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
 - a. Chapter 15.01 Zoning Ordinance
 - b. Chapter 15.02 Zoning Ordinance
6. SPECIAL PRESENTATION – Audit Presentation for Fiscal Year 2020-2021 – Pettway, Mills & Pearson
7. 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 September 9, 2021 Work Session
Minutes of the September 16, 2021 Regular Council Meeting
Minutes of the September 23, 2021 Special Meeting
Minutes of the October 14, 2021 Work Session
Minutes of the October 21, 2021 Special Meeting

8. 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:

9. Public Safety – Councilman Don Fogle
 - A. Community Watch
 - B. CERT
10. Parks & Recreation/CAC – Councilwoman Barbara Maurer
 - A. Parks and Rec Report
 - B. CAC Report
 - C. Organic Garden Report
 - D. Library Report
11. Finance – Councilman Irving Van Slyke, Jr.
 - A. Financial Report - Finance Director
12. Environment and Waterways – Councilman Brian Leonard
 - A. EWAB Report
13. Planning Board – Councilman Buddy Sheffield
 - A. Planning Board Report
14. MAYOR'S REPORT – Mayor Kirkland
15. 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.

16. ADJOURNMENT

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. — It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
 - (8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.
 - (9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
 - (10) To view a recording released pursuant to G.S. 132-1.4A.
- (b) Repealed by Session Laws 1991, c. 694, s. 4.
 - (c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.
 - (d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2; 2013-360, s. 8.41(b); 2014-79, s. 9(a); 2016-88, s. 3.)