



**TOWN OF RIVER BEND**

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

T 252.638.3870  
F 252.638.2580

[www.riverbendnc.org](http://www.riverbendnc.org)

## **RIVER BEND TOWN COUNCIL AGENDA**

**Work Session Meeting**

**February 10, 2022**

**River Bend Town Hall**

**5:00 p.m.**

1. **VOTE** – Approval of Agenda
2. **PUBLIC HEARING** – Plantation Drive Site for Public Works Building - Jackson
3. **VOTE** – Use ARP Funds to Offset Revenue Loss - Jackson
4. **Board of Adjustment Appointment** - Sheffield
5. **DISCUSSION** – Sign Ordinance - Sheffield
6. **DISCUSSION** – Short-term Rentals (i.e. Airbnb, Vrbo, etc.) - Leonard
7. **DISCUSSION** – Advisory Ordinance Amendments - Jackson
8. **DISCUSSION** – July 4<sup>th</sup> Activities - Maurer
9. **REVIEW AGENDA** – Nobles

Pledge: Councilman Leonard



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## **NOTICE OF PUBLIC HEARING**

The Town Council of the Town of River Bend will conduct a public hearing on February 10, 2022 to gather public comments on the future location of a new building to house the operations of the Town's water, sewer and public works departments. Those operations are currently located at 115 Wildwood Drive.

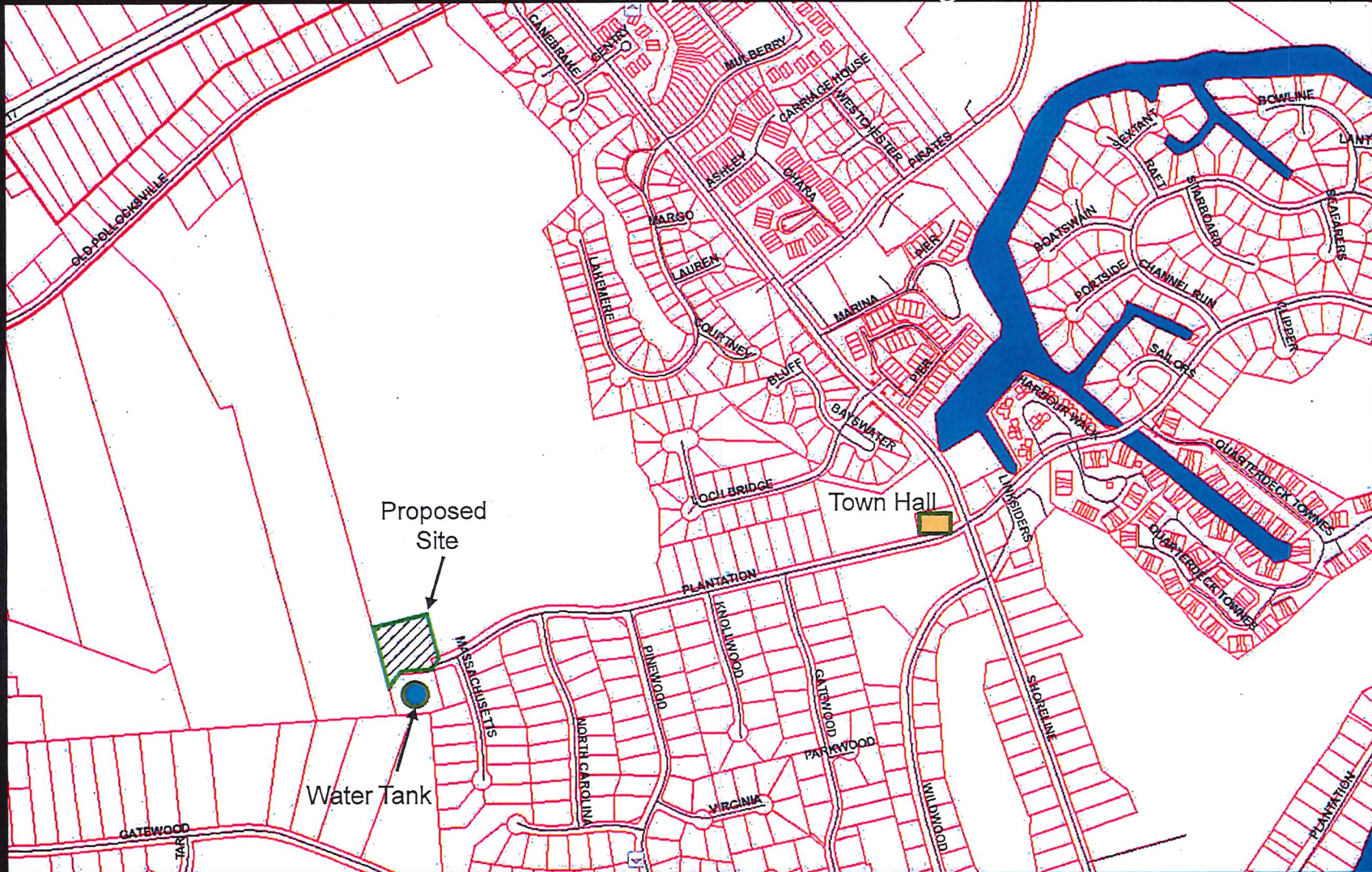
The new building is proposed to be located on a 2 acre parcel to be purchased from Robert and Melba Davis located on Plantation Drive, across the street from the Town's water tower, which is at 1411 Plantation Drive.

The public hearing will begin at 5:00 p.m. at Town Hall, located at 45 Shoreline Drive, River Bend, NC.

The Town's rules for conducting a public hearing will be followed.

Visit Town Hall for more information and to view a map of the proposed project site.

Area map for proposed 2 acre site for new water/sewer operations building.



# Newly Flexible ARP Funds: Treasury Announces \$10 Million Revenue Loss 'Standard Allowance'

The American Rescue Plan (ARP) has become significantly more flexible.

Cities and towns can now use up to \$10 million of ARP funds towards general government services under a new "standard allowance" for revenue replacement. The update was announced by U.S. Treasury in its State and Local Fiscal Relief Fund (SLFRF) final rule published Jan. 6.

Please note that recipients must still diligently track and report all ARP expenditures, despite the increased eligibility. Reporting and accounting requirements previously established by Treasury remain in place. Those guidelines can be found on our Reporting Compliance page, [here](#).

The standard allowance serves as a significant development to one of the ARP's four eligible spending categories: the replacement of lost revenue due to COVID-19 emergency. Previously, SLFRF recipients needed to calculate revenue loss through a provided formula that compared present economic data with pre-pandemic data. If a revenue shortfall could be proven using that calculation, that amount could then be used flexibly towards general government functions not otherwise eligible under the ARP, such as roads and public safety.

From the SLFRF Interim Rule:

*... the Act provide(s) recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services. (p60, Interim Rule)*

*That formula, however, proved restrictive for many municipalities, who found that they could use little or none of their ARP funds towards that spending category. Treasury acknowledged this feedback in the final rule (p240), noting that many comments on the interim rule highlighted the difficulty in applying the formula. The incorporation of the standard allowance removes those difficulties, and provides local governments with a set amount eligible to address revenue replacement, no calculation required.*

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From the SLFRF Final Rule:

*Recipients may elect a "standard allowance" of \$10 million to spend on government services through the period of performance.*

*Under this option, which is newly offered in the final rule Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund "government services." ... All recipients may elect to use this standard allowance instead of calculating lost revenue using the formula below, including those with total allocations of \$10 million or less. Electing the standard allowance does not increase or decrease a recipient's total allocation. (p9, Overview)*

The standard allowance is an alternative to the originally provided formula. Recipients may still choose to apply the formula, should the calculated amount be greater than \$10 million.

This update provides significant opportunities for North Carolina local governments. For the more than 500 municipalities receiving \$10 million or less, the entirety of their American Rescue Plan funds can now be considered replacement revenue, open to any of the eligibilities allowed under that category.

The League is presently reviewing all updates contained within Treasury's SLFRF Final Rule, and will continue to share information on this website. If you have any questions, please contact us at [arp@nclm.org](mailto:arp@nclm.org).

For more information on the final rule, read our blog post [here](#).

#### Links

1. SLFRF Final Rule, full text
2. SLFRF Final Rule, overview
3. SLFRF Interim Rule

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JAN 10 2022



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REQUEST FOR APPOINTMENT TO BOARDS OR COMMISSIONS

BOARD OF ADJUSTMENT

BOARD/COMMISSION FOR WHICH YOU ARE APPLYING

NAME: JON E HALL E-MAIL ADDRESS: jon.brene@buddenlink.net

STREET ADDRESS: 105 KNOTLINE RD PHONE #: 224 688 3546

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

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

- church AD council (mega church) + 5 yrs
- church BUILDING comm. chair # 2m 5yrs
- HOA Pres - 6yrs
- Project MANAGER MEDICAL INSTALLATIONS + 10 yrs
- CONSTRUCTION MATERIAL/TECHNICAL ADJUDIC/SALES MEDICAL - 15yrs
- Home owner 40 yrs
- CIVIL MINDED - 15yrs

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

EWAB present

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 two years after its submission. If after two years, you have not been appointed and wish to be considered for future appointments, you must resubmit your application.

SIGNATURE: [Handwritten Signature] DATE: 1/18/2022

## SIGNS

### § 15.02.095 DEFINITIONS.

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

**ADVERTISING SIGN.** A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered:

- (1) Only elsewhere than upon the premises where the sign is displayed; or
- (2) Is as a minor and incidental activity upon the premises where the sign is displayed.

**BUSINESS SIGN.** A sign which directs attention to a business or profession located upon the premises where the sign is displayed, to type of products sold, manufactured, or assembled, and/or to service or entertainment offered on the premises, but not a sign pertaining to the preceding if the activity is only minor or incidental to the principal use of the premises.

**FREESTANDING SIGN.** A sign that:

- (1) Is permanent; and
- (2) Is attached to, erected on, or supported by some structure such as a pole, mast, or frame that is not itself an integral part of a building or other structure having a principal function other than the support of a sign.

**NON-CONFORMING SIGN.** A sign that, on the effective date of this chapter, does not conform to 1 or more of the regulations set forth in this chapter.

**OFF-PREMISES SIGN.** A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction or other activity that is conducted, sold or offered at a location other than the premises on which the sign is located. The structure on which an advertising sign is displayed of type commonly known as billboard is also an advertising sign.

**SHINGLE SIGN.** A small signboard hanging or protruding so that both sides are visible, which has no dimension more than 2 feet which is no larger in area than 3 square feet. A SHINGLE SIGN may be mounted as a wall sign so that only 1 side is visible.

**SIGN.** Any surface, fabric or device bearing lettered, pictorial or sculptured matter designed to convey information visually and exposed to public view; or any structure designed to carry the above visual information.

**TEMPORARY SIGN.**

- (1) A sign that:

- (a) Is used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of the sign;
- (b) Is intended to remain on the location where it is erected or placed for a period of generally not more than 15 days; or
- (c) Is displayed on a premises only during normal operating hours and then removed from that location.

(2) If a sign display area is permanent, but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

**WALL SIGN.** A sign attached or erected against the wall of a building or structure, only 1 side of which is visible.

**YARD SALE AND OTHER PRIVATE EVENT SIGNS.** Yard sale signs or any other signs advertising an event of any type on private property.

**§ 15.02.096 SIGN PERMIT REQUIRED.**

- A. Except as otherwise provided in §§ 15.02.097 and 15.02.098, no sign may be erected, moved, enlarged or substantially altered except in accordance with the provisions of this subchapter.
- B. Signs not exempted under the provisions referenced in division (A) above may be erected, moved, enlarged or substantially altered only in accordance with a sign permit issued by the Zoning Administrator.
  - 1. Sign permit applications and sign permits shall be governed by the same provisions of this chapter applicable to zoning permits.
  - 2.
    - a) In the case of a lot occupied or intended to be occupied by multiple business enterprises (e.g. a shopping center), sign permits shall be issued in the name of the property owner rather than in the name of the individual business, and it shall be the responsibility of the owner to allocate among the tenants the permissible maximum sign surface area that has been approved by the Zoning Administrator.
    - b) Upon application by the owner, the Zoning Administrator must approve a master sign plan that allocates permissible sign surface area to the various buildings or businesses within the development according to an agreed-upon formula, and thereafter sign permits may be issued to individual tenants by the Zoning Administrator or his designee only in accordance with the allocation contained in the master sign plan. In the event an owner is unwilling or unable to devise a master sign plan, the plan shall be developed by the Zoning Administrator using building frontage as a calculation for total sign area.

Penalty, see § 1.01.999



**§ 15.02.097 SIGNS EXEMPT FROM REGULATION.**

*Amended 04/18/2013*

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

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

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

*Amended 04/18/2013*

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

issuance of a building permit, and shall be removed within 10 days after the issuance of the final occupancy permit.

3. Displays of a non-commercial nature, including lighting, erected in connection with the observance of holidays. These signs shall be removed within 10 days following the holiday or established holiday season.
4. Signs erected in connection with elections or political campaigns. Election signs are permitted, provided that:
  - a) One (1) sign shall be permitted per individual lot or parcel for each candidate for office or side of a ballot measure or issue; for a lot or parcel with frontage on a second street, one (1) additional sign for each candidate for office or side of a ballot measure or issue shall be permitted to front the second street.
  - b) Such signs shall be located on private property and not within the public-right-of-way or affixed to any improvement within such right-of-way (median, utility pole, traffic control device, bridge, guardrail, or other safety barrier), within a required sight distance triangle, or on Town property or buildings. However, signs may be placed on designated areas of Town Hall property on Election Day under rules established by the Craven County Board of Elections, and the Town Manager not inconsistent therewith.
  - c) Such signs shall be located only on private property with the property occupant's consent (or, if unoccupied, the property owner's consent). It shall be presumed the property occupant, or property owner as the case may be, has given permission or consents to the sign's placement unless the property occupant or owner notifies the Town otherwise.
  - d) Such a sign shall not be erected more than forty-five (45) days prior to the beginning date of "one-stop" early voting in Craven County, and shall be removed within ten (10) days following the date of any election or other event to which it refers.
  - e) Such a sign shall not exceed four (4) square feet in area per sign face or forty-two (42) inches in height.
  - f) The property occupant or, in the case of an unoccupied property, the property owner, shall be responsible for violations contained therein.
5. Yard sale signs: Yard sale signs or any other signs advertising an event of any type on private property shall not exceed 4 square feet in area and may be erected only 1 day prior to the event. The signs shall be removed immediately at the conclusion of the event for which the sign was posted. The signs must be self-supporting and may not be attached in any manner to utility poles, traffic sign posts or any other structure, including specifically but not limited to any sign maintained by the town. Notwithstanding contrary provisions of this subchapter, signs regulated by this section may be placed within street rights of way or public property provided that the signs are removed within the time limits prescribed by this section and are not placed in any area adjacent to any residential property of any type unless permission is received from the occupant.

- B. Temporary signs cannot be located within street rights-of-way or public property unless approved by the Town Council or its designee. In no case shall a sign be located less than 15 feet from the edge of the pavement. When it is not possible to locate a sign 15 feet from the edge of the pavement as required, a waiver may be requested and the Town Zoning Administrator shall view the site where the sign is to be displayed and make a determination in writing. One copy shall be given to the applicant, 1 copy to the Police Department and 1 copy retained in the files of the Zoning Administrator.
- C.
  - 1. Temporary signs promoting charitable causes, local or special events of interest to the residents of the town may be erected upon approval from the Zoning Administrator who will review the reason for the sign, proposed location and size.
  - 2. Signs shall be erected no sooner that 10 calendar days prior to the event and removed within 2 calendar days after the close of the event.
  - 3. The signs shall not be in place for a period exceeding 30 calendar days.

Penalty, see § 1.01.999

**§ 15.02.099 DETERMINING THE NUMBER OF SIGNS.**

Without limiting the generality of the definitions of signs outlined in § 15.02.095, a multi-sided sign shall be regarded as 1 sign as long as:

- A. With respect to V-type signs, the 2 sides are at no point separated by a distance that exceeds 5 feet; and
- B. With respect to double-faced (back-to-back) signs, the distance between the backs of each face does not exceed 2 feet.

**§ 15.02.100 COMPUTATION OF SIGN AREA.**

- A.
  - 1. The surface area of a sign shall be computed by including the entire area that forms the extreme limits of the writing representation, emblem or other display, forming a square, rectangle, triangle or circle as appropriate, together with any material or color forming an integral part of the background of the display used to differentiate the sign from the backdrop or structure against which it is placed.
  - 2. This does not include any supporting framework or bracing that is clearly incidental to the display itself. This definition also applies to letters, symbols or other types of signage placed on the side of a building.
- B. If the sign consists of more than 1 section or module, all of the area including that between sections or modules, shall be included in the computation of the sign area.

- C.
  1. Unless otherwise provided for in § 15.02.099 (B), the surface area of 2-sided, multi-sided or 3-dimensional signs shall be computed by including the total of all sides designed either to attract attention or communicate information that can be seen at 1 time by a person from any vantage point.
  2. For example, with respect to a typical 2-sided sign where a message is printed on both sides of a flat surface, the sign surface area of only 1 side (rather than the sum total of both sides) shall be regarded as the total sign surface area of that sign, since one can see only 1 side of the sign from any vantage point.

**§ 15.02.101 TOTAL SIGN SURFACE AREA.**

- A. Unless otherwise provided in this subchapter, the total surface area devoted to all signs on any lot shall not exceed the limitations set forth in this section. Temporary signs shall not be included in this calculation. Freestanding signs, while included in this calculation, are subject to maximum sizes as contained in § 15.02.102.
- B. Unless otherwise provided in this subchapter, the maximum sign surface area permitted on any lot in a residential zoning district is 2 square feet.
- C. Subject to other provisions of this subchapter, the maximum sign surface area permitted on any lot in an area zoned BD, BD-PD or ID as set forth in this Zoning Chapter shall be determined by the following charts:

<b>Where the Speed Limit is Over 50 MPH</b>	
<b>Property Frontage (Linear Feet)</b>	<b>Maximum Sign Surface (Square Feet)</b>
<u>100 or fewer</u>	<u>54</u>
<u>101 – 125</u>	<u>56</u>
<u>126 – 150</u>	<u>67</u>
<u>151 – 175</u>	<u>79</u>
<u>176 – 200</u>	<u>90</u>
<u>201 – 225</u>	<u>101</u>
<u>226 – 250</u>	<u>112</u>
<u>251 – 275</u>	<u>124</u>
<u>276 – 300</u>	<u>135</u>
<u>301 – 325</u>	<u>146</u>
<u>326 – 350</u>	<u>157</u>

<b>Where the Speed Limit is Over 50 MPH</b>	
<b>Property Frontage (Linear Feet)</b>	<b>Maximum Sign Surface (Square Feet)</b>
<u>351 – 375</u>	<u>169</u>
<u>376 or more</u>	<u>180</u>

<b>Where the Speed Limit is Under 50 MPH</b>	
<b>Property Frontage (Linear Feet)</b>	<b>Maximum Sign Surface (Square Feet)</b>
<u>200 or fewer</u>	<u>54</u>
<u>201 – 225</u>	<u>56</u>
<u>226 – 250</u>	<u>63</u>
<u>251 – 275</u>	<u>69</u>
<u>276 – 300</u>	<u>75</u>
<u>301 – 325</u>	<u>81</u>
<u>326 – 350</u>	<u>87</u>
<u>351 – 375</u>	<u>94</u>
<u>376 or more</u>	<u>100</u>

- D. If a lot has frontage on more than 1 street, then the owner shall designate which street frontage constitutes the primary street frontage of the property and shall receive 100% of the allowable sign surface area for the street. For that street frontage that is deemed to be secondary, the owner shall receive up to 50% of the total sign surface area for that street frontage.
- E. In a commercial shopping center consisting of 3 or more units that share common party walls, the developer or owner of the shopping center may determine the sign surface area requirements by following the provisions outlined above in division (C) above concerning lot frontage or by using a building frontage calculation in which 1 square foot of signage is allowed for each square foot of retail frontage.
- F. The sign surface area of any sign located on a wall of a structure shall not exceed 25% of the total surface area of the wall of a building from end to end. Penalty, see § 1.01.999

**§ 15.02.102 FREESTANDING SIGN SURFACE AREA.**

- A. For purposes of this section, a side of a free-standing sign is any plane or flat surface included in the calculation of the total sign surface area as provided in § 15.02.100. For example, wall signs

typically have 1 side. Free standing signs typically have 2 sides (back-to-back), although 4-sided and other multi-sided signs are also common.

- B. With respect to freestanding signs that have no discernible "sides" such as spheres or other shapes not composed of flat planes, no freestanding sign may exceed the surface area delineated in § 15.02.100.

Penalty, see § 1.01.999

#### **§ 15.02.103 NUMBER OF FREESTANDING SIGNS.**

- A. Except as authorized in this section, no development (e.g. shopping center, office complex) may have more than 1 freestanding sign.
- B. If a development is located on a corner lot that has at least 200 feet of frontage on each of the 2 intersecting public streets, then the development may have not more than 1 free standing sign on each side of the development bordered by these streets.
- C. If a development is located on a lot that is bordered by 2 public streets that do not intersect at the lot's boundaries (double front lot), then the development may not have more than 1 freestanding sign on each side of the development bordered by these streets.

Penalty, see § 1.01.999

#### **§ 15.02.104 SUBDIVISION DEVELOPMENT ENTRANCE SIGNS.**

One sign is permitted at any entrance to a subdivision. A single side of any sign may not exceed 32 square feet. The signs must be located on the subdivision site and may only be illuminated by external lighting in accordance with state and county electrical codes.

Penalty, see § 1.01.999

#### **§ 15.02.105 LOCATION AND HEIGHT REQUIREMENTS.**

- A.
  - 1. No sign may extend above any parapet or be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space.
  - 2. This section shall not apply to displays, including lighting, erected in connection with the observances of holidays on the roofs of residential structures.
- B.
  - 1. No part of a freestanding sign located in an area zoned BD or BD-PD may exceed a height of 28 feet, measured from the grade of the street from which access to the property is provided if the speed limit of the street toward which the sign is primarily oriented is 50

mph or greater, and a height of 20 feet if the speed limit of the street toward which the sign is primarily oriented is less than 50 mph.

2. No part of a freestanding sign located in an area zoned Institutional (ID) may exceed a height of 15 feet measured from the grade of the street from which access to the property is provided.

C.

1. No sign may project from any building over any street right-of-way.
2. No free standing sign may project over any street right-of-way.

- D. No sign may be placed within the right-of-way of any public street maintained by the Town, unless expressly permitted by any other provision of the Town's Code of Ordinances or approval by the Town Manager. Any sign placed in violation of this section shall be deemed a public nuisance and may be seized and disposed of by an enforcement official or other representative of the Town.

*Added 07/18/2013*

Penalty, see § 1.01.999

#### **§ 15.02.106 SIGN ILLUMINATION AND SIGNS CONTAINING LIGHTS.**

- A. Unless otherwise prohibited by this chapter, signs may be illuminated if the illumination is in accordance with this section. All illuminated signs shall comply with the North Carolina Electrical Code and shall be approved by the Zoning Administrator.
- B. Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises. The reflection from these signs shall not exceed 25% of the lumens directed toward the sign measured from the property line of the lot upon which the sign is located.
- C. Festoons of lights that outline property lines, sales areas, roof lines, doors, windows or similar areas are prohibited. This does not apply to temporary signs erected in connection with the observance of holidays.
- D. No illuminated sign shall be of the flashing or intermittent variety.
- E.
  1. Temporary signs may be illuminated only with the special permission of the Zoning Administrator.
  2. This permission shall be in writing with a copy of the permission provided to the Police Department and a second copy kept in the Zoning Administrator's files.

Penalty, see § 1.01.999

#### **§ 15.02.107 NON-CONFORMING SIGNS.**

- A. A non-conforming sign may not be altered or relocated except to bring the sign into complete conformity with the Town of River Bend Zoning Chapter, §§ 15.02.095 et seq.

- B. If a non-conforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed or replaced except in conformity with all the provisions of the Town of River Bend Zoning Chapter, §§ 15.02.095 et seq., and the remnants of the former sign structure shall be cleared from the land. For purposes of this section, a non-conforming sign is destroyed if damaged to the extent that the cost of restoring the sign to its former stature, or replacing it with an equivalent sign, equals or exceeds 25% of its value.
- C. The message of a non-conforming sign may be changed so long as this does not create new non-conformities (for example, by creating an off-premises sign under circumstances where a sign would not be allowed.)
- D. Subject to the other provisions of this section, non-conforming signs may be repaired and renovated so long as the cost of the work does not exceed 25% of its fair market value within any 12 month period.
- E.
  - 1. Within 1 year after the effective date of this chapter, the Zoning Administrator shall make every effort to identify all the non-conforming signs within the town's planning jurisdiction. He shall then contact the person responsible for each sign (as well as the owner of the property where the non-conforming sign is located, if different from the former) and inform the person:
    - a) The sign is nonconforming;
    - b) How it is non-conforming;
    - c) What must be done to correct it and by what date; and
    - d) The consequences of failure to make the necessary corrections.
  - 2. The Town Clerk working with the Zoning Administrator shall keep complete records of all correspondence, communications and other actions taken with respect to these non-conforming signs.

Penalty, see § 1.01.999

#### **§ 15.02.108 MISCELLANEOUS.**

- A. No off premises signs are permitted.
- B. Window signs shall be placed only inside buildings and shall not exceed the lesser of 12 square feet or 25% of the total glass area upon which the signs are displayed.
- C. No sign shall be mounted on a mobile framework or movable apparatus.
- D. No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
- E. All signs must be constructed and erected in accordance with the Southern Building Code and its related North Carolina building code amendments and shall be able to withstand wind pressures and load distributions as specified in the most current edition of the North Carolina Building Code and any International Building Codes.



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

Penalty, see § 1.01.999

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

## SPECIAL USE REGULATION

### § 15.02.120 GENERAL REGULATIONS.

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

community, and also providing standards and procedures to minimize the damage to the environment and property due to runoff of stormwater and during periods of flooding, providing a stormwater management plan that identifies paths through which stormwater will flow to the Trent River in a controlled manner.

**§ 15.02.005 VALIDITY AND SEPARABILITY.**

Should any section or provision of this chapter be declared invalid by the courts, the declaration shall not affect the validity of the chapter as a whole.

**§ 15.02.006 EFFECTIVE DATE.**

- A. This chapter shall take effect and shall be in force from and after 6-1-1981.
- B. Duly adopted by the Town Council of the Town of River Bend, North Carolina on 5-26-1981.

**GENERAL INTERPRETATION**

**§ 15.02.020 DEFINITIONS.**

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

**ACCESSORY USE.** A use customarily incidental and subordinate to the principal use of land or building, and located on the same lot with the principal use.

**ADULT DAY CARE CENTERS.** Adult day care centers shall comply with G.S. § 131D-6, which governs the inspection, licensing and certification of adult day care programs.

**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.

**BUFFERING.** Landscaping or other architectural measures to screen dissimilar uses from adjoining properties or private developments that abut the street right of way. Refer to §§ 15.02.220 et seq.

**BUILDING.** Any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, and including mobile homes and unattached carports consisting of a roof and supporting members, and similar structures whether stationary or movable, built in accordance with the North Carolina State Building Code and manufactured homes built in accordance with the HUD Code.

**BUILDING, ACCESSORY.** A subordinate building on the same lot as the principal building, consisting of walls or supporting members and a roof, the use of which is customarily incidental to the use of a principal building on the same lot.

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

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

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

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

**COMMERCIAL VEHICLE.** A vehicle:

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

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

**COUNTY.** Craven County, North Carolina.

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

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

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

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

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

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

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

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

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

**INCIDENTAL HOME OCCUPATION.** Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes. See § 15.02.067.

**INSTITUTIONAL USE.** Any use permitted by this chapter in an institutional district.

**JUNKYARD.** Any land or area used, in whole or in part, for commercial storage and/or sale of waste paper, rags or scrap metal, and including commercial storage of inoperative motor vehicles and boats, and dismantling of vehicles or machinery.

**LOT.**

- (1) 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.
- (2) 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.

**LOT, CORNER.**

- (1) A lot which occupies the interior angle of the intersection of 2 street rights-of-way which make an angle of more than 45 degrees and less than 135 degrees with each other.
- (2) A **CORNER LOT** shall be deemed to have 2 front yards (1 contiguous with each street right-of-way), 1 side yard and 1 rear yard; provided, however, that for a **CORNER LOT** of record prior to 12-19-1990, the minimum side yard requirements for the main building shall be applicable to the front yard which is opposite the side yard.
- (3) The owner shall be required to specify which is the side yard and which is the rear yard in his application for an initial zoning permit.

**LOT DEPTH.** The depth of a lot is the distance measured in the mean direction of the side lines of the lot from the midpoint of the front lot line to the midpoint of the rear lot line.

**LOT OF RECORD.** A lot which is part of a subdivision, a plat of which has been recorded in the office of the Register of Deeds of Craven County prior to the adoption or applicable amendment of this chapter, or a lot described by metes and bounds, the description of which has been recorded prior to the adoption or applicable amendment of this chapter.

**LOT WIDTH.** The distance between the side lot lines as measured at the building line.

**LOW IMPACT DEVELOPMENT (LID).** Low Impact Development (LID) is a design strategy with the goal of maintaining or replicating the pre-development hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic site design. Hydrologic functions of storage, infiltration and ground water recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and disturbed micro-scale stormwater retention and detention areas, reduction of impervious surfaces, and the lengthening of run-off flow paths and flow time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, floodplains, woodlands, and highly permeable soils.

*Added 06/18/2009*

**MAJOR RECREATIONAL EQUIPMENT.** A boat, boat trailer, or any form of mobile camping equipment.

**MANUFACTURED HOME.**

- (1) As provided in G.S. § 143-145(7), or any successor statutory definition.
- (2) In the event that G.S. § 143-145(7) is repealed with no successor statutory definition, the term **MANUFACTURED HOME** shall mean a structure, transportable in 1 or more sections, which, in the traveling mode, is 8 feet or more in width or is 40 feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, and includes plumbing, heating, air conditioning and electrical systems contained therein.
- (3) Notwithstanding anything to the contrary hereinabove, for purposes of this chapter, the term **MANUFACTURED HOME** shall also include an on-frame modular home as defined herein, but shall not include an off-frame modular home as defined herein.

**MANUFACTURED HOME OVERLAY AREA.** Lots 21 to 41 of Piner Estates, as shown on the Town of River Bend Map #8-205-1.

**NON-CONFORMING LOT.** A lot existing at the effective date of this chapter that does not meet the minimum area and dimensional requirements of the zoned area in which the lot is located.

**NON-CONFORMING PROJECT.** Any structure, development, or undertaking that is incomplete at the effective date of this chapter and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

**NON-CONFORMING USE.** A non-conforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the zoned area in which the property is located. The term also refers to the activity that constitutes the use made of the property.

**OFF-FRAME MODULAR HOME.** A structure that is designed to be used as a dwelling, is manufactured in accordance with the specifications of modular homes under the North Carolina State Residential Building Code, and bears a seal or label issued by the Department of Insurance pursuant to G.S. § 143-139.1, is composed of components substantially assembled in a manufacturing plant, and which is not transported to its site on an integral/permanent chassis.

**ON-FRAME MODULAR HOME.**

- (1) A factory-built structure that is designed to be used as a dwelling, is manufactured in accordance with the specifications for modular homes under the North Carolina State Residential Building Code, and bears a seal or label issued by the Department of Insurance pursuant to G.S. § 143-139.1, and which is transported to its site on an integral/permanent chassis, or any other type of modular unit that does not expressly meet the definition of off-frame modular home as defined herein.
- (2) For purposes of this chapter, an on-frame modular home constitutes a manufactured home as well, and is regulated herein as a manufactured home.

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

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

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

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

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

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

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

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

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

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

**TIMBER HARVESTING.** Timber Harvesting shall be defined as the cutting and removal of a quantity of timber: (i) for delivery of merchantable timber to market, or (ii) pursuant to a practice that reduces tree density and competition to concentrate growth on fewer, high-quality trees (sometimes referred to as thinning); or (iii) otherwise resulting in the removal of more than twenty (20) regulated trees per acre.

*Added 09/17/2007, Amended 04/16/2009*

**TOURIST HOME.** A dwelling wherein rooms are rented to provide overnight accommodations for transient guests.

**TOWN.** The Town of River Bend.

**TOWN COUNCIL.** The Town Council of the Town of River Bend.

**WATERWAYS.** The system of canals, ponds ( including private bodies of water) rivers or other natural or manmade water features that stormwater drains to, through and from and that are expected to act as a reservoir, conduit or collection point for storm water or areas classified as wet lands.

**YARD.**

- (1) The space on the same lot with the main building between the main building and the front lot line(s) (front yard), between the main building and the side lot line(s) (side yard), and between the main building and the rear lot line (rear yard).

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

Penalty, see § 1.01.999

**§ 15.02.124 DISTRICT USE REGULATIONS.**

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

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



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

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

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

Penalty, see § 1.01.999

Amended 11/18/10

**§ 15.02.125 CONTROL OF BACKFLOW AND CROSS-CONNECTIONS.**

A. *Purpose.*

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

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

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

## Delane Jackson

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**Subject:** FW: Advisory Board Ordinance  
**Attachments:** CHAPTER 3.05.docx

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**From:** Delane Jackson  
**Sent:** Tuesday, August 17, 2021 4:54 PM  
**To:** Barbara Maurer <bjm112@suddenlink.net>; Brian Leonard <bleonard@riverbendnc.org>; Bud VanSlyke <bvanslyke@riverbendnc.org>; Buddy Sheffield <ncspudbuster@yahoo.com>; Don Fogle <dfogle@riverbendnc.org>; John Kirkland <jkirkland@riverbendnc.org>  
**Subject:** Advisory Board Ordinance

Since last week's special meeting, some of you have asked me about this project.

My stated goal was to get my draft to the Council today. It is attached. Mission accomplished.

The **yellow** highlighted strikethrough areas are my recommendation for deletion.

The **red** text is my recommendation for new language.

A lot of the language in each AB Ordinance is not the same. Most of the rest of it is very similar. Obviously, each group has some of its own specific language.

For some reason P&R did not have a "Purpose" section. The others did. In P&R the Purpose was combined with the "Establishment" part.

Now it is a stand-alone part in P&R, just like the rest are.

The "Purpose" part is different for each AB but still very similar.

The "Powers and Duties" part for each AB are very similar.

You will see that this section for all except Planning Board ends with new language that begins..... The Board, at its discretion....

The "Composition and Terms of Office" are now identical for each.

The "Organization and Procedures" part are the same for each. There is a lot of **red** here. That is just to clarify some of the things we talked about last week and to codify some problem areas that I have experienced before.

You will note that the NCGS citation has changed throughout the document. I just updated those to the new citation.

As you know, we all use the abbreviation/acronym EWAB to describe that board. Technically, it is the Waterways/Environmental Advisory Board or WEAB.

I've recommended officially changing the name to what we actually call it, which is EWAB ( and drop the "tal" in environmental).

Look over this as a whole. Tomorrow, I will send you a version of just your particular AB. You can take that version to your AB meeting and discuss it with the AB.

They can make any recommendations for change that they want. You, as liaison, will bring their recommendation back to Council.

We will coordinate and have all of the recommendations reviewed by Council at the same time at a future meeting.

Then the Council will decide, what, if any changes are made.

You will also note on the cover page that I added a heading for "Liaison" language. I have not worked on any of that.

Remember..... This is just a draft, a work in progress.

**Delane Jackson**  
**Town Manager**  
**Town of River Bend**  
**45 Shoreline Drive**  
**River Bend, NC 28562**

**252-638-3870 x-213**  
**[manager@riverbendnc.org](mailto:manager@riverbendnc.org)**

*Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review (with statutory exceptions) by anyone at any time.*

Town of River Bend

**Community Appearance Commission (CAC)**

**Special Meeting Minutes-September 22, 2021**

Present: Chair - Brenda Hall, Nancy Dell'Aria, Meg Williams, Jack Mehan, Lona Farula, Council Liaison - Barbara Maurer

Absent:

1. Call to Order - 4pm
2. Approval of June 16, 2021 Minutes. Motion made by Meg Williams. Seconded by Nancy DelAria. Minutes unanimously approved as written.
3. The Commission reviewed the proposed River Bend Advisory Board Ordinances. There were no concerns except, the CAC suggests a clarifying statement, similar to PWAB's, to Section 3.05.057 Powers and Duties C. 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 pertaining to, or related to, the appearance of the town.
4. Meg Williams was nominated as Secretary of the Community Appearance Committee (CAC). Motion to approve Meg as Secretary made by Lona and seconded by Nancy. All in favor. Meg was provided format for minutes to be presented according to Open Meetings Law of the North Carolina General Statutes.
5. Recruitment for 2 additional CAC members is ongoing. Brenda requested that Meg Williams provide information about the vacancies on River Bend Facebook pages to reach more residents. Interested parties will be directed to the River Bend website for more information and hyperlink to application.
6. CAC meeting time has been changed to the Third Wednesday of odd months at 4pm in the Town Municipal Building. Motion made by Meg and seconded by Nancy. All approved the change. Next Meeting is Nov. 17, 2021 at 4 PM.

## Community Appearance Commission

### Special Meeting Minutes-September 22, 2021

Page 2

7. CAC Member volunteer hours will be reported to and recorded by Brenda Hall before each CAC meeting via email. Brenda will send spreadsheet to group by email.

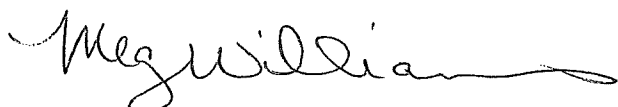
8. Christmas Decor at the River Bend Front Entrance will include new commercial grade decorations and a large Christmas tree/flag pole. At the November meeting, the CAC plans to repair and restore existing crab pot orb lights and recommends to the Town Manager for them to be hung in the front entrance trees, in addition to the other holiday decor. Meg will discuss with Parks & Rec about possibly hosting a Crab Pot Orb light workshop for making more orbs for replacements.

9. Council Liaison Barbara Maurer will provide a report of Town Council activities by email to the CAC Chair and CAC Secretary, which will be disseminated to CAC Members.

10. Brenda will seek feedback from the CAC and Town Manager for goals and potential projects for the CAC going forward. Will discuss at next meeting.

11. The next CAC meeting will be held on November 17, 2021, at 4 PM. There being no other discussion, the meeting was adjourned at 5:39pm.

Motion to approve minutes by Brenda Hall on 11/17/2021. Seconded by Nancy Dell'Aria. Approved by all.



Minutes submitted by Meg Williams

MARKED UP VERSION

Red = proposed new language

Yellow = proposed deleted language

**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: 2<sup>nd</sup> 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 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 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: 2<sup>nd</sup> 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 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 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~~ **open meeting** 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: 2<sup>nd</sup> 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. ~~'s 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: 2<sup>nd</sup> 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 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 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.

**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
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- 3.05.035 Establishment
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***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
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***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

### **§ 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.

### **§ 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.
- (B) All members shall be residents of the town.
- (C) The Council may remove a Board member only by 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.

**§ 3.05.005 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: 2<sup>nd</sup> 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 record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person. 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. § 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.

## **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.

### **§ 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) 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) 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.
- (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 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.

### **§ 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.

- (C) The Council may remove a Board member only by 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: 2<sup>nd</sup> 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 record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person. 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. § 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. § 160D-109. The Board shall work on other issues assigned by the Council or Manager.

### **§ 3.05.037 POWERS AND DUTIES.**

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.

### **§ 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.

- (B) All town-appointed members shall be residents of the town.
- (C) The Council may remove a town-appointed Board member only by 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: 2<sup>nd</sup> 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 record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person. 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. § 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, 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 Commission shall work on other issues assigned by the Council or Manager.

### **§ 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) 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 Commission 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.

### **§ 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.

- (B) All members shall be residents of the town.
- (C) The Council may remove a Board member only by 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.

**§ 3.05.059 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: 2<sup>nd</sup> 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 record of minutes of each meeting shall be kept by the Secretary or, in their absence, a designated person. 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. § 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.

The following comments are applicable to all Boards and Commissions.

### **Vacancies**

All vacancies must be advertised by the Town for a minimum of two weeks. Applicants are encouraged to attend the Council meeting where the appointment will be made to introduce themselves to the Council. When less than two women or two men are on the Board or Commission at the time of a vacancy, the underrepresented gender will receive priority in the appointment process.

### **Resignations**

Board and Commission members may resign at any time for any reason. All resignations must be reported to the Town Manager by the Chair by email or in writing. A Board or Commission member who resigns can only be reinstated after the vacancy has been advertised for a minimum of two weeks, and by a majority vote of the Council after considering all applicants.

### **Agendas**

Accurate agendas shall be prepared in advance of the Board or Commission meeting. The agenda shall be posted on the Town web site no later than 7 days prior to the meeting. Copies of the agenda shall be available at the meeting for public attendees.

### **Minutes**

Approved meeting minutes shall be posted on the Town's web site within three days of approval.

### **Annual Report**

Each Board or Commission shall submit a written report to the Town Manager that summarizes the issues, events and activities the Board or Commission has considered, sponsored or participated in during the preceding calendar year. This report is due by January 15 of each year and will be posted on the Town web site.

Don Fogle  
October 5, 2021

## **Councilmember Liaison Job Description**

### **Definition of Liaison**

“Liaison”: a person who establishes and maintains communication for mutual understanding and cooperation (Merriman-Webster Dictionary).

1. A Councilmember acting as a liaison to a Council advisory committee or other body (a “Committee”) is not a member of the Committee. Rather, the Councilmember is a positive resource to support the Committee in the completion of its work subject to the rules stated below.
2. A Councilmember liaison is acting as a representative of the full Council and, as such, has no authority to provide any direction or guidance to the Committee other than direction or guidance that clearly represents direction or guidance of the full Council.
3. Generally put, the Councilmember liaison shall not attempt to influence the work or recommendations of the Committee. More specifically,
  - The Councilmember shall not take part in the Committee deliberations or discussions unless (a) the Committee requests the Councilmember’s participation in a particular discussion (in this situation, the Councilmember must expressly state that she or he is speaking for her or himself. Not for the entire Council) or (b) the Committee determines that he or she must speak up in order to remind the Committee of Council direction, City policies, or laws including the Open Public Meetings Act and the Public Records Act; and
  - The Councilmember shall not take part in any votes or decision making of the Committee.
4. The Councilmember shall work to ensure that the Committee is only taking actions or doing work that is within the scope of the Committee’s work as determined or approved by Council. The liaison can do this by, for example, reminding the Committee as needed of the scope of work that the Council set for the Committee.

5. The Councilmember liaison shall bring to the Council any requests from the Committee such as the following:

(a) questions by a Committee about the Committee's scope of work.

(b) requests from the Committee to change the Committee's scope of work.

(c) requests of City resources to further the Committee's work (money, staff time, or other resources); and

(d) requests from the Committee to place an item on a Council meeting agenda.

6. The Councilmember liaison shall work to ensure that the Council is regularly updated on the work of the Committee. To that end, the Council shall, on a quarterly basis, revisit the work plan of each Committee and hear from each Committee's liaison a report on the Committee's progress on the work plan.

### **Committee Governance and Oversight**

If a Committee member or member of the public feels that there is a problem with the manner in which the Committee is being managed or governed, the Committee member or member of the public should speak with the Committee chair first. If the problem is not resolved by the Chair to the Committee member or member of the public's satisfaction, then the Committee member or member of the public can speak to the Councilmember liaison about her/his concern(s).

At that juncture, the Councilmember liaison's duty is to bring the concerns to the Mayor and Mayor Pro-Tem rather than attempt to resolve the problem on her or his own. The Mayor, Mayor Pro-Tem, and liaison shall then decide on what steps to take, if any. These steps could include, for example, deciding that they do not agree there is a problem; discussing the issue with the Committee Chair; or bringing the issue to the full Council for discussion and a possible Council decision.

Individual members of the Council may be assigned as liaisons whose duties involve keeping current with a group or activity by either attending meetings or conferring with members, and keeping Council informed. Liaisons may advocate Council actions on behalf of their assigned group or activity. Care must be taken to avoid an Appearance of Fairness Doctrine violation, or conflict of interest possibilities (i.e.: in the unusual case of quasi-judicial procedures)). Liaison functions and duties may be further defined and/or directed by the Mayor or Mayor Pro-Tem with concurrence of Council.

10-14-21

I. J. (Bud) Van Slyke  
Councilman  
Mayor Pro-Tem

## Advisory Board change recommendations – 7/21/21

### Procedures for applications to advisory board

1. File application
2. Attend at least one advisory board meeting prior to the date when Council votes on application. This gives the applicant an opportunity to see how the board functions and make a final decision about applying.
3. Advisory board reviews application(s) meets applicant(s) and makes recommendation to the Council for their choice(s).
4. Council member presents applicant information to Council members at a Council meeting.
5. Council liaison presents the board's recommendation along with the Council member's recommendation.
6. Council liaison makes motion for an applicant.

Recommend a policy for monthly advisory board reports to be submitted in writing so they can be included in the agenda package and made available to the public. In the event there was no board meeting, the next meeting can be announced.

Advisory Board DRAFT change recommendations – 7/21/21

Received from Barbara Maurer

## Delane Jackson

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**From:** Barbara Maurer <bjm112@suddenlink.net>  
**Sent:** Thursday, February 03, 2022 12:12 PM  
**To:** Delane Jackson  
**Subject:** Parks & Rec Meeting

Delane,

I have been asked by Parks and Recreation to get direction from the Council for the 2022 Fourth of July celebration.

They are ready to start their preparations but they need to know

1. does the Council want to hold a Fourth of July celebration?
2. what type of celebration do they want – fireworks and band or the traditional parade and picnic?
3. if it is the traditional celebration, do they want a band and if so, how much will they authorize to pay for the band?
4. if it is fireworks and band, what role does the Council want Parks & Rec to have?

It is important to get an answer as soon as possible. If the Council wants a parade, P&R members want to start reaching out to potential parade entrants in an effort to have a large number of participants.

Thank you.

Barbara



Virus-free. [www.avg.com](http://www.avg.com)





**RIVER BEND TOWN COUNCIL AGENDA**  
**Regular Meeting**  
**February 17, 2022**  
**River Bend Town Hall**  
**7:00 p.m.**

**Pledge: Councilman Leonard**

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

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

**A. Approve:**

*Minutes of the January 20, 2022 Regular Council Meeting  
Minutes of the January 28, 2022 Special Council Meeting  
Minutes of the January 20, 2022 CLOSED Session Minutes*

**7. TOWN MANAGER'S REPORT – Delane Jackson**

**Activity Reports**

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

**ADMINISTRATIVE REPORTS:**

8. Planning Board – Councilman Buddy Sheffield
  - A. Planning Board Report
  - B. Board of Adjustment Report
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. MAYOR’S REPORT – Mayor Kirkland
14. PUBLIC COMMENT

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

15. ADJOURNMENT