

**River Bend Town Council
Regular Meeting Minutes
March 21, 2024
Town Hall
7:00 p.m.**

Present Council Members: Mayor John Kirkland
Lisa Benton
Brian Leonard
Barbara Maurer
Buddy Sheffield

Absent Council Member: Jeff Weaver

Town Manager: Delane Jackson
Police Chief: Sean Joll
Finance Director: Mandy Gilbert
Town Clerk: Kristie Nobles
Town Attorney: David Baxter

Members of the Public Present: 12

CALL TO ORDER

Mayor Kirkland called the meeting to order at 7:00 p.m. on Thursday, March 21, 2024, at the River Bend Town Hall with a quorum present.

VOTE – APPROVAL OF AGENDA

Councilwoman Maurer motioned to adopt the agenda as presented. The motion carried unanimously.

ADDRESSES to the COUNCIL

Mr. Edwin Vargas – 119 Randomwood Lane – addressed the Council regarding the Bicycle and Pedestrian Plan from 2018 and asked the Council to consider this plan in the future.

CONSENT AGENDA

The Mayor presented the Council with the Consent Agenda. Councilman Sheffield moved to approve the Consent Agenda as presented. The motion carried unanimously. Within this motion, the following items were approved:

- A. Approve:
Minutes of the February 8, 2024, Work Session Meeting
Minutes of the February 15, 2024, Regular Council Meeting

TOWN MANAGER'S REPORT

The Manager gave the following updates:

- Wastewater Treatment Plant bidding is open but the bid opening date could change to help increase the prospective number of bidders.
- The town received a preliminary subdivision plat today for the Davis property that will be discussed at the next Planning Board meeting on April 4, 2024.
- The Board of Adjustment Public Hearing is scheduled for March 28, 2024, at 6:15 p.m. at Town Hall regarding the Special Use Permit the Town has submitted for the possible location of the new Water Treatment Plant.

Police Chief Joll encouraged all residents to lock their doors.

ADMINISTRATIVE REPORTS

FINANCE – COUNCILMAN LEONARD

Financial Report – Finance Director, Mandy Gilbert, presented to the Council the financial statement for the month of February. She stated the total of the Town's Cash and Investments as of February 29, 2024, were \$3,215,644 and Ad valorem tax collections for FY23-24 were \$954,386 and Vehicle Ad valorem tax collections were \$63,685.

VOTE – Town Council Rules of Procedure Amendment

Councilman Leonard motioned to approve the Town Council Rules of Procedure Amendment as presented. The motion carried unanimously. (see attached)

PLANNING BOARD – COUNCILMAN SHEFFIELD

Councilman Sheffield gave the following report:

The regular meeting of the Planning Board was held on March 7th at 6:00pm. The only business before the board was the request by The Town of River Bend for a special use permit for 4.5 acres on Plantation adjacent to the Public Works building for the construction of a water treatment facility. Manager Jackson showed a Power Point presentation of the proposed facility including a preliminary site plan. He then answered questions from board members. Member Keith Boulware suggested that the plan include security measures, such as closed-circuit cameras. The board voted to approve the special use permit with the added security as part of the approval. The special use permit now goes to the Board of Adjustment for final approval.

BOARD OF ADJUSTMENT

Councilman Sheffield stated that the Board of Adjustment will hold a Public Hearing on March 28, 2024 at 6:30 p.m. at Town Hall. He stated that the Town of River Bend has requested a special use permit for a new Water Treatment Facility.

PUBLIC SAFETY – COUNCILWOMAN BENTON

Councilwoman Benton stated that Community Watch met last month and meets once a quarter. She stated that they need more volunteers.

PARKS & RECREATION – COUNCILWOMAN BENTON (alternate for Weaver)

Councilwoman Benton stated that Parks and Recreation has an Easter Egg Hunt scheduled on Sunday, March 24 starting at 2:00 p.m. at the Municipal Building area. She stated that they are planning a Mother's Day, Father's Day, and a Game Night.

RIVER BEND COMMUNITY ORGANIC GARDEN

Councilwoman Benton gave the following report:

Garden volunteers held a special meeting on 11. The regular meeting was changed due to the Board of Election's use of the building for the primary. Fourteen gardeners were present, including two new volunteers. Six new volunteers have joined the garden since January.

Seventeen gardeners worked from 9am-noon on the March 16 workday. A double row (90 feet) of potatoes was planted and numerous other tasks were completed. The garden is ready for spring planting. This year there will be sixteen active and seven dormant rows. Two rows will be planted for Interfaith Refugee Ministries. Additional tasks are underway to get ready for the plant sale.

Four hundred seeds comprising eighteen varieties of vegetables that were started on February 22 have germinated. They will be planted in the garden, shared with gardeners and sold at the plant sale. Herbs and flowers will also be planted.

The plant sale will be held at the garden on Saturday, April 27th from 8:30 am to 1 pm. Plants, shrubs, vegetables, herbs and houseplants will be offered for sale. Garden ornaments and tools will also be available. Look on the town website, eNews and social media for updates. Rain date is May 4.

The total number of volunteer hours for February was 110.

The next meeting is scheduled for April 1 at 1:30 pm in the Municipal building. Weekly workdays are scheduled on Saturdays starting at 9 am (earlier if it is warm). Everyone is welcome to attend and participate in monthly garden volunteer meetings and in the garden.

VOTE – Town Park Rules

Councilwoman Benton motioned to approve DRAFT II to the Town Park Rules as presented. The motion carried unanimously. (see attached)

CAC – COUNCILWOMAN MAURER

Councilwoman Maurer presented the following report.

The CAC met on March 21, 2024. One member submitted her resignation due to family concerns.

The Arbor Day Celebration will be held this Saturday, March 23rd from 10 am – noon in the picnic shelter next to the Town Hall. The agenda is filled with activities, including a tree planting, giveaways of trees that are indigenous to Eastern North Carolina, and activities for kids put on by local Girl Scouts. The event will be held rain or shine so don't let a little rain keep you away from an inspirational and fun event.

The Beautification Award Program is starting its second year and will hold award periods in April, May and June. You can nominate yourself, a neighbor, or a house you think is attractive. Nominations for the April award will start on April 1. Check the town website for nomination forms.

Board members are finalizing plans for two Independence Day decoration workshops in June. Participants will create star-shaped lighted wreaths for doors and mailboxes. Participation is limited to twenty people and pre-registration is necessary to secure a place. The cost will be \$10 per wreath with all supplies included.

CAC will hold their second annual Independence Day Festive Award Program that publicly recognizes homes that exemplify the Fourth of July celebration.

Due to their popularity, Christmas globe workshops will again be offered in November. More information will follow later this year.

The board would like to establish a CAC Facebook page to inform residents of upcoming event and report on activities. It will be informational only, not interactive, with a link to contact board members. Updates will follow.

The next meeting is scheduled for May 15, 2024 at 4 pm in the Municipal Building. The meeting is open to everyone. There is a new vacancy. Please attend if you are interested. Guests and volunteers are always welcome. You don't have to be a board member to participate.

MAYOR'S REPORT

The Mayor presented the following report.

The Town Manager of River Bend, and that position in any town in North Carolina, works on projects as directed by the majority of the members of the governing body. In North Carolina, the Town Manager's legal responsibilities and position duties are spelled out in chapter 160A-148 of

General Statutes. He does not work as directed by citizens of the town. Small towns such as ours typically have very limited support staff. Therefore, the Manager is often the person to research and factually respond to requests for information requested by citizens.

Many of the questions that may be raised will be answered by the record contained in the minutes of the monthly meetings of the Town Council. Answers to many questions are also available in the postings obtained from the Town's webpage. In River Bend, the Town Council and staff are transparent about how policy and administrative guidance is developed.

Some years back the North Carolina John Locke Society, reviewed all 500 + municipalities in the state and evaluated their "Transparency." The last of these rankings showed River Bend to be 1 of only 9 municipalities in North Carolina to receive a rating of "A". The Manager, working with the staff, is responsible for the preparation of the Town's budget which is approved by the Council.

In summary there are aspects of budgeting that all residents need to accept as fact, they are:

- 1. The budget preparation is a major effort by the Manager, Staff, and Council.*
- 2. All involved in the budget process need to be concerned about the present needs of the Town but also need to develop a budget that will address future needs and the cost and construction time needed for those long-term needs.*
- 3. The Manager takes direct supervision from the Town Council and not from individual residents of the Town.*

PUBLIC COMMENT

No Public Comments.

ADJOURNMENT/RECESS

There being no further business, Councilman Sheffield moved to adjourn. The meeting adjourned at 7:41 p.m.


Kristie J. Nobles, CMC, NCCMC
Town Clerk

RULES OF PROCEDURE FOR THE TOWN OF RIVER BEND COUNCIL

These rules shall govern the conduct of the River Bend Town Council in the conduct of official meetings. This document has used the University of North Carolina School of Government model advanced in the publication *Suggested Rules of Procedure for a City Council, Fourth Edition, 2017* as a guide.

Rule 1. Regular Meetings

The River Bend Town Council typically meets twice per month, on the second and third Thursday of each month. The meeting on the second Thursday is known as the Council Work Session. The meeting on the third Thursday is known as the Regular Council Meeting. In accordance with North Carolina General Statutes (NCGS), both of these meetings are defined as regular meetings. The Council, at its discretion, and in accordance with NCGS, may take action at any official Council meeting. The Council shall adopt at its regular December Council Meeting a schedule of meeting dates for Regular Meetings and Work Sessions for the next calendar year. The schedule shall give the time and location where meetings will be held. This schedule shall reflect any deviation that holiday events would cause from a normal monthly cycle. Following the adoption of the annual schedule by the Council, the schedule shall be published in compliance with publication mandates of the State of North Carolina.

Rule 2. Special, Emergency, and Recessed (or Adjourned) Meetings

(a) Special Meetings.

- (1) The Mayor, the Mayor pro tempore, or any two members of the Council may at any time call a special Council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the Mayor and each councilman or left at his usual dwelling place at least six hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or have signed a written waiver of notice.
- (2) During any regular meeting, or any duly called special meeting, the Council may call or schedule a special meeting, provided that the motion or resolution calling or scheduling any such special meeting shall specify the time, place and purpose or purposes of such meeting and shall be adopted during an open session.

(b) Emergency Meetings. The Mayor, the Mayor pro tempore, or any two members of the Council may at any time call an emergency Council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. Emergency meetings may be called only because of generally unexpected circumstances that require immediate consideration by the Council. Only business connected with the emergency may be considered at an emergency meeting.

(c) A person or persons calling a special or emergency meeting of the Council shall comply with the notice requirements of Article 33C of General Statutes Chapter 143.

(d) **Recessed (or Adjourned) Meetings.** A properly called regular, special, or emergency meeting may be recessed (or adjourned) to a time and place certain by a procedural motion made and adopted as provided in Rule 16(b), Motion 2, in open session during the regular, special, or emergency meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed (or adjourned) session of a properly called regular, special, or emergency meeting.

Rule 3. Organizational Meeting

On the date and at the time of the first regular meeting in December (third Thursday), the newly elected members shall take and subscribe the oath of office as the first order of new business.

Rule 4. Agenda

(a) **Proposed Agenda.** The Town Clerk shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any Council member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed discussion items shall be attached to the proposed agenda. An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each Council member shall receive a copy of the proposed agenda and agenda package and it shall be available for public inspection when it is distributed to the Council members. The Town's agenda policy will be followed.

(b) **Adoption of the Agenda.** As the first order of business at each meeting, the Council shall, as specified in Rule 6, discuss and revise the proposed agenda and adopt an agenda for the meeting. The Council may by majority vote add items to or delete items from the proposed agenda, except that the Council may not add items on the agenda of a special meeting unless all members are present or have signed a written waiver of notice. If items are proposed to be added to the agenda, the Council may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Council members.

The Council may designate certain agenda items for "discussion" and/or "vote." Such designation means that the Council intends to discuss the general subject area of that agenda item before making any motion concerning that item. However, the Council may vote on any agenda item, as authorized by NCGS, regardless of how it is labeled on the agenda.

(c) **Open Meetings Requirement.** The Council shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the Council to understand what is being deliberated, voted, or acted on. However, the Council may deliberate, vote or otherwise take action by reference to an agenda, if copies of the agenda – sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on – are available for public inspection at the meeting.

Rule 5. Public Address to the Council

(a) Any individual or group who wishes to address the Council can make a request, to the Clerk, at least two days in advance of the regular meeting to be on the agenda. Unless determined otherwise by the Council, each speaker will have a maximum of five minutes to address the Council.

(b) The Council shall provide a public comment period during its regular Council meeting, which is the third Thursday of each month. The Town's public comment policy will be followed.

Rule 6. Order of Business

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

- Discussion and revision of the proposed agenda; adoption of an agenda
- Addresses to the Council
- Public comment
- Public hearings
- Approval of the minutes
- Administrative reports
- Committee reports
- Unfinished business
- New business

By general consent of the Council, items may be considered out of the order prescribed above.

Rule 7. Presiding Officer

The Mayor shall preside at Council meetings if he or she is present, unless he or she becomes actively engaged in debate on a particular matter. The Mayor may only vote to break a tie. In order to address the Council, a member must be recognized by the Mayor.

If the Mayor is absent, the Mayor Pro Tem shall preside. If both the Mayor and the Mayor Pro Tem are absent, another member designated by vote of the Council shall preside. The Mayor Pro Tem or other member who is temporarily presiding retains all of his or her rights as a member, including the right to make motions and the right to vote.

If the presiding person becomes actively involved in debate on a particular matter, he or she may designate another Council member to preside over the debate. The presiding individual shall resume presiding as soon as action on the matter is concluded.

The presiding officer shall have the following powers:

- To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;

- To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this grounds;
- To entertain and answer questions of parliamentary law or procedure;
- To call a brief recess at any time;
- To adjourn in an emergency
- Direct any person who willfully disturbs a meeting to leave the room
- And any others prescribed by NCGS-160A-67 thru 70.

A decision by the presiding officer under any of the first three powers listed may be appealed to the Council upon motion of any member, pursuant to Rule 16, Motion 1. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

Rule 8. Action by the Council

The Council shall proceed by motion, except as otherwise provided for in Rules 3, 4 and 25. Any member, excluding the Mayor, may make a motion.

Rule 9. Second Not Required

A motion does not require a second.

Rule 10. One Motion at a Time

A member may make only one motion at a time.

Rule 11. Substantive Motions

A substantive motion is out of order while another substantive motion is pending.

Rule 12. Adoption by Majority Vote

A motion shall be adopted by a majority of the votes cast, a quorum as defined in Rule 22 being present, unless otherwise required by these rules or the laws of North Carolina. A majority is more than half.

Rule 13. Voting by Written Ballot

The Council may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the Council shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the Town Clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

Rule 14. Debate

The Mayor shall state the motion and then open the floor to debate. The Mayor shall preside over the debate according to the following principles:

- The maker of the motion is entitled to speak first;
- A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- To the extent possible, the debate shall alternate between proponents and opponents of the measure.

Rule 15. Ratification of Actions

To the extent permitted by law, the Council may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

Rule 16. Procedural Motions

(a) **Certain Motions Allowed.** In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

(b) **Order of Priority of Motions.** In order of priority (if applicable), the procedural motions are:

Motion 1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the Council, as specified in Rule 7. This appeal is in order immediately after a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Motion 2. To Adjourn. This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess or adjourn to a time and place certain shall also comply with the requirements of Rule 2(d).

Motion 3. To Take a Brief Recess.

Motion 4. Call to Follow the Agenda. The motion must be made at the first reasonable opportunity or it is waived.

Motion 5. To Suspend the Rules. The Council may not suspend provisions of the rules that state requirements imposed by law on the Council. For adoption, the motion requires an affirmative vote equal to two-thirds of the entire membership of the Council.

Motion 6. To Go into Closed Session. The Council may go into closed session only for one or more of the permissible purposes listed in G.S. 143-318.11(a). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting.

A motion based on G.S. 143-318.11(a)(1) shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on G.S. 143-318(a)(3) shall identify the parties in each existing lawsuit concerning which the Council expects to receive advice during the closed session, if in fact such advice is to be received.

Motion 7. To Leave Closed Session.

Motion 8. To Divide a Complex Motion and Consider It by Paragraph. The motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Motion 9. To Defer Consideration. The Council may defer a substantive motion for later consideration at an unspecified time. A substantive motion, the consideration of which has been deferred, expires 100 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending. A person who wishes to revisit the matter during that time must take action to revive consideration of the original motion (Rule 16(b), Motion 14), or else move to suspend the rules (Rule 16(b), Motion 5).

Motion 10. Motion for the Previous Question. The motion is not in order until there has been at least 20 minutes of debate and/or every member has had an opportunity to speak once.

Motion 11. To Postpone to a Certain Time or Day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A person who wishes to revisit the matter must either wait until the specified time or move to suspend the rules.

Motion 12. To Refer a Motion to a Committee. The Council may vote to refer a substantive motion to a committee for its study and recommendation. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire Council, whether or not the committee has reported the matter to the Council.

Motion 13. To Amend.

(a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with the amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.

(b) A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.

(c) Any amendment to a proposed ordinance, policy, regulation or resolution shall be reduced to writing before the vote on the amendment.

Motion 14. To Revive Consideration. The Council may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9 of Rule 16(b). The motion is in order at any time within

100 days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.

Motion 15. To Reconsider. The Council may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the “no’s” prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess or adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.

Motion 16. To Rescind or Repeal. The Council may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. The motion is not in order if rescission or repeal of an action is forbidden by law.

Motion 17. To Prevent Reintroduction for Six Months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption, an affirmative vote equal to two thirds of the entire membership of the Council. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organization meeting of the Council, whichever occurs first.

Rule 17. Renewal of Motion

A motion that is defeated may be renewed at a later meeting unless a motion to prevent reconsideration has been adopted.

Rule 18. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before it is amended or before the Mayor puts the motion to a vote, whichever occurs first.

Rule 19. Duty to Vote

Every member must vote unless excused by the remaining members of the Council. A member who wishes to be excused from voting shall so inform the Mayor, before the vote is taken. The Mayor shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the Council or by law, or the member’s official conduct, as defined by the Council. In all other cases a failure to vote by a member who is physically present in the Council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

Rule 20. Special Rules of Procedure

The Council may adopt special rules of procedure as circumstances warrant.

Rule 21. Closed Sessions

The Council may hold closed sessions as provided by law. The Council shall commence a closed session only after a motion to go into closed session has been made and adopted during an open meeting. The motion shall cite the purpose of the closed session. If the motion is based on G.S. 143-318.11(a)(1), closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record; it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a)(3), consultation with attorney; handling or settlement of claims, judicial actions, mediations, arbitrations, or administrative procedures, it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The motion to go into closed session must be approved by a majority of those present and voting. The Council shall terminate the closed session by a majority vote, using Motion 7 of rule 16(b).

Rule 22. Quorum

A majority of the actual membership of the Council (excluding vacant seats) shall constitute a quorum. A majority is more than half. The Mayor shall be considered a member of the Council in determining the number on which a majority is based and in counting the number of members actually present. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present. When no seats are vacant, a quorum for the River Bend Council is 4 (5 Council Seats + 1 Mayor= 6 total. More than half of 6 being 4).

Rule 23. Remote Participation in Council Meeting

The Council may choose to conduct remote meetings in accordance with applicable state law, including but not limited to NCGS 166A-19.24.

Rule 24. Public Hearings

Public hearings required by law or deemed advisable by the Council shall be organized by a special order that sets forth the subject, date, place, and time of the hearing. The special order is adopted by a majority vote of the Council. At the time appointed for the hearing, the Council shall vote to open the hearing and the Mayor or his or her designee shall call the hearing to order and preside over it. When the hearing is complete, the presiding officer shall entertain a motion to end the hearing. The Town's public hearing policy shall be followed.

Rule 25. Minutes

Full and accurate minutes of the Council proceedings, including closed sessions, shall be kept. The Council shall also keep a general account of any closed session so that a person not in attendance would have a reasonable understanding of what transpired. These minutes and general accounts shall be open to inspection of the public, except as otherwise provided in the rule. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the Council, the entire Council shall be polled by name on any vote. Members' and other persons' comments may be included in the minutes if the Council approves.

Minutes and general accounts of closed sessions may be sealed by action of the Council. Such sealed minutes and general accounts may be withheld from public inspection as allowed by the NCGS or so long as public inspection would frustrate the purpose of the closed session.

Rule 26. Appointments

The Council may consider and make appointments to other bodies, including its own committees, if any, at any regular meeting. The Council shall use one of following procedures to make appointments to various other boards and committees:

A candidate for appointment to one of the Town's advisory boards shall submit an Application for Appointment to either the board chairman or the Town Clerk. Chapter 3.05.070 of the Town Ordinance, Appointment to Board shall be followed. Appointments for candidates to fill unexpired terms will be made to the completion of that term.

For appointments to special Council committees, Council members may choose to either submit names for nomination, or may accept volunteers. The final committee roster shall be voted on by the Council.

Rule 27. Committees and Boards

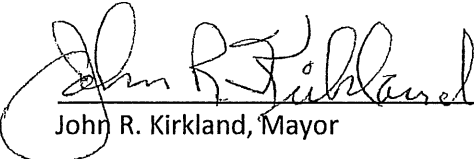
(a) Establishment and Appointment. The Council may establish and appoint members for such temporary and standing committees and boards as are required by law or needed to help carry out the Council's work. Any specific provisions of law relating to particular committees and boards shall be followed.

(b) Open Meetings Law. The requirements of the open meetings law shall apply to all elected or appointed authorities, boards, commissions, councils, or other bodies of the Town that are composed of two or more members and that exercise or are authorized to exercise legislative, policy-making, quasi-judicial, administrative, or advisory functions.

Rule 28. Amendment of the Rules

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, unless a statute or a rule of the body that created the board provides otherwise. Adoption of an amendment shall require an affirmative vote equal to two-thirds of the entire membership of the Council.

Adopted this the 21st day of March, 2024.



John R. Kirkland, Mayor

Attest:



Kristie J. Nobles, Town Clerk, CMC

RIVER BEND PARK RULES AND REGULATIONS

Section 1. Regulating of Use

The park is open from sunrise to sunset only, except that the walking trail will be open for use all day.

Section 2. Swimming, etc.

Swimming, wading or boating in the town park are prohibited.

Section 3. Fishing

Fishing in the town park is permitted subject to the following conditions:

- 3-1. Hours. Fishing in town park shall be permitted only when the park is open.
- 3-2. Children Twelve Years Old or Younger. Children of the age of twelve years or younger shall be accompanied by an adult when fishing.
- 3-3. Fishing from Banks, etc. Fishing shall be allowed only from the dock on the pond and the southern bank of the pond. The northern bank is private property and fishing is prohibited.
- 3-4. State Fishing Laws. All persons fishing in the town pond shall abide by the North Carolina Inland Fishing Regulations.

Section 4. Trash, etc.

Littering in the park is prohibited by § 9.02.015 (E) of the Town Code.

Section 5. Vehicles; Use of Roads Only and Sidewalks

It shall be unlawful for any person to operate any unauthorized motorized vehicle, or other power driven vehicle upon the grass or footways of the town park or elsewhere other than on the public roads and streets. Sidewalks are for the use of pedestrians only.

Section 6. Parking Regulations

Parking is limited to the park parking lot only. Parking on any street, the town park parking area or any play area for the purpose of vending goods, wares or merchandise is prohibited except with an authorized permit.

Section 7. Tree Climbing and Injury to Plants and Shrubs

Tree climbing is not permitted. Injury to or destruction of flowers, fruits, plants and shrubs is unlawful.

Section 8. Making Fires in Parks Regulated

It shall be unlawful for any person to make a fire for any purpose except with the use of cooking facilities at designated locations.

Section 9. Permit Required for Certain Uses of Park

- 9-1. Required; Scope. Any individual, organization, corporation, association, society, fraternity, club, order or group of whatever kind desiring the use of the public park owned or controlled by the town as the location for a rally, demonstration, march, public speech, public meeting or other similar activity shall make written request therefor not less than seventy two (72) hours prior to the date of the intended use. This section shall apply only to assemblages where the expected attendance will be more than twenty five people.

The park must be returned to its original condition after the event.

- 9-2. Application for Use Permit. The application shall be obtained from the Town Clerk's office and will be approved by one of the following: the Town Clerk, the Chief of Police, Zoning Administrator or Town Manager. The application shall state the name of the organization and provide other pertinent information to identify clearly the individuals responsible for the conduct of the affairs of the organization.

The request shall state the purpose and use to which the property shall be put and the date and hour requested as well as expected duration of use.

Permission will be granted if it is concluded that the requested use will not impede any regular use of the park and will not affect the care, protection or maintenance or create a nuisance; otherwise, the request shall be denied.

- 9-3. Weapons Prohibited. No person, except sworn law enforcement officers, shall carry into or have on or about his person at any such meeting or assemblage, any firearms or other weapons or any article, including but not limited to knives, blackjacks or nightsticks, which by their use might constitute a deadly weapon.
- 9-4. Hunting and Taking of Animals Prohibited. It shall be unlawful for anyone to hunt, destroy, trap or otherwise capture or take any animal, within the town park except when specifically authorized by the Town Manager.
- 9-5. Domestic Animal Prohibited. Except for dogs and cats, no domestic animals will be allowed in the park without a permit. Permits may be issued for special usage such as animal shows, exhibitions or acts for special occasions. Application for permit shall be the same procedure as Section 9-2.

Section 10. Alcoholic Beverages; Use of

In accordance with §13.01.008 of the Town Code, no alcoholic beverages of any kind may be consumed on town park property.

ADOPTED: 06-19-85

AMENDED: 12-18-85
08-20-86
07-20-88
08-17-88
04-18-90
08-19-92
04-21-99
10-17-01
03-21-24