



TOWN OF RIVER BEND

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

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**RIVER BEND TOWN COUNCIL
PROPOSED AGENDA**

Work Session Meeting
September 12, 2024
River Bend Town Hall – 45 Shoreline Drive
7:00 p.m.

1. **VOTE** – Agenda: Additions / Deletions / Adoption
2. **VOTE** – Water Treatment Grant Resolution - Jackson
3. **DISCUSSION** – 2024 Roadway Evaluation Survey - Jackson
4. **DISCUSSION** – Advisory Board Ordinance for Offsite Events - Jackson
5. **DISCUSSION** – Advisory Board Ordinance, Liaison Role - Weaver
6. **DISCUSSION** – Pickleball Court - Weaver
7. **DISCUSSION** – Social Media Policy - Jackson
8. **REVIEW AGENDA** – Nobles
9. **CLOSED SESSION** - NCGS§ 143-318.11(a)(6)
10. **ADJOURNMENT**

Pledge: Weaver

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Town of River Bend has need for and intends to construct, plan for, or conduct a study in a project described as Water Treatment Improvements, and

WHEREAS, The Town of River Bend intends to request State loan and/or grant assistance for the project,

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

That Town of River Bend, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of River Bend to make a scheduled repayment of the loan, to withhold from the Town of River Bend any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Delane Jackson, Town Manager, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th day of September, 2024 at River Bend, North Carolina.

John Kirkland, Mayor

ATTEST:

Kristie Nobles, Town Clerk

2024 ROADWAY EVALUATION SURVEY

**TOWN OF RIVER BEND
CRAVEN COUNTY, NORTH CAROLINA**

Prepared for:

**Town of River Bend
45 Shoreline Drive
New Bern, NC 28562**

Prepared by:

**Avolis Engineering, PA
P.O. Box 15564
New Bern, NC 28561
(252)633-0068 Office**

**March 18, 2003
Updated May 16, 2007
Updated January 29, 2008
Updated July 22, 2024**

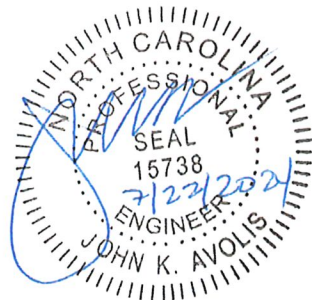


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- Appendix B Prioritized Roadway Listing
- Appendix C Roadway Inspection Reports

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- Figure 1 2020 Powell Bill Map
- Figure 2 Overall Roadway Map

ITEM 3

1.0 INTRODUCTION AND PURPOSE

The Town of River Bend is responsible for the maintenance and repair of public roads within the Corporate Limits of the Town. It is the Town's desire to utilize its limited resources for roadway maintenance in a responsible manner addressing maintenance and repair needs on a prioritized basis that will result in the best, long-term performance of the roadway system. In order to accomplish this objective, an assessment of roadway conditions and maintenance priorities is needed.

Avolis Engineering, P.A. was contracted by the Town of River Bend to perform an assessment of municipal streets. Private streets were not evaluated. Avolis Engineering, P.A. was tasked with inspecting all public roads, preparing a report documenting maintenance and repair needs and providing a prioritized listing of roadway maintenance and repair needs. This report documents the findings of this roadway assessment.

Avolis Engineering, P.A. prepared the original Roadway Assessment Report in 2003. This report was utilized as a guide and tool in completing roadway repairs and resurfacing from 2003 - 2007. This report was updated to reflect current conditions in 2007. Minor wording edits were made in 2008. The findings contained in this previous report were reviewed at the onset of this inspection effort to help identify those roads that are degrading more rapidly than originally anticipated and to note those repairs that have been previously completed.

This report documents the roadway conditions as of July 2024. The prioritized listing of repairs and maintenance needs was formulated based upon pavement conditions and traffic loading. Cost estimates provided for each priority road segment are based upon current market conditions and are not adjusted for inflation. These figures should be adjusted for inflation if repairs are undertaken in future years.

2.0 SURVEY METHODOLOGY

Avolis Engineering, P.A. utilized the methodology and practices presented in the North Carolina Department of Transportation, Pavement Condition Survey Manual for Raters, dated 2023 as a guide to complete this pavement condition survey. All pavement surfaces and conditions were assessed, based on a visual inspection by Kevin Avolis, P.E. Pavement surfaces were inspected first on foot and secondly by vehicle. The pavement surfaces were assessed for severity of the following pavement failure conditions:

- A. Alligator Cracking
- B. Traverse Cracking
- C. Rutting

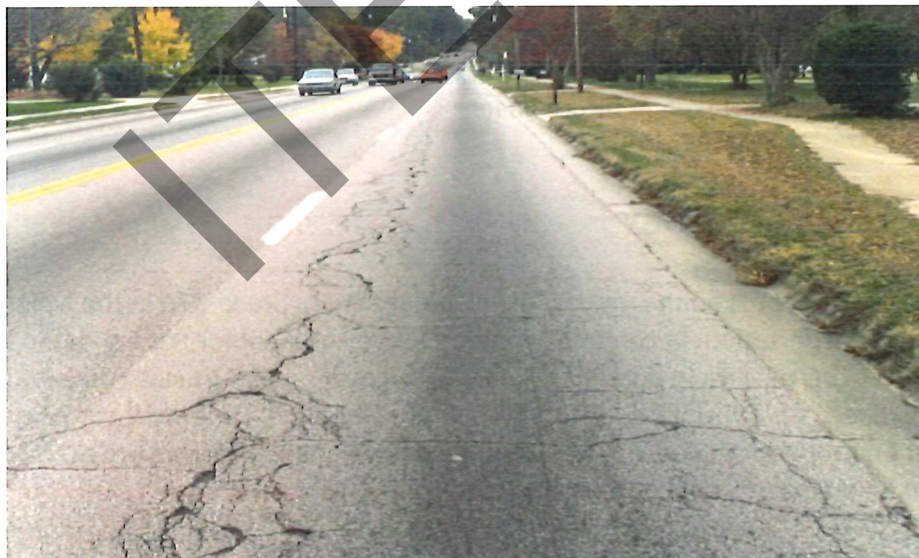
- D. Raveling
- E. Bleeding
- F. Ride Quality
- G. Patching

Each pavement failure condition and rating criteria is described in detail below. Photos included for each pavement failure condition were taken from the NCDOT Pavement Condition Survey Manual for Raters, 2023.

A. Alligator Cracking

Alligator cracking is a load associated structural failure. The failure can be either in the surface, base or subbase. Permanent deformation (rutting) does not have to be present for there to be alligator cracking. Cracking first begins in the wheel path, usually as longitudinal cracking. Further stress creates an alligator pattern. If the surface is very flexible, the longitudinal crack will become wider and an alligator pattern may not develop until severe distress sets in. The proper corrective measure for both alligator and longitudinal cracking is the same since a structural failure is taking place in both cases. Alligator cracking also includes cracking along the pavement edge.

Alligator cracking is rated based upon the percentage of pavement area exhibiting cracking at different degrees of severity (i.e. 10% - None, 30% - Light, 60% - Severe).



B. Transverse Cracking

Block cracks divide the pavement up into roughly rectangular pieces. Block cracking is not load-associated. Cracks are generally caused by shrinkage of the asphalt concrete and daily temperature cycling. Wheel path loads can increase the severity of block cracking if water is allowed to penetrate into the cracks. It is therefore very important to seal these cracks to prevent water penetration into the base materials.

Traverse cracks are rated as light, moderate, or severe as follows:

- (L)ight:** Cracks, usually only transverse, are less than $\frac{1}{4}$ -inch wide and are not spalled: block pattern may not be visible yet; transverse cracks usually 10 to 20 feet apart. Cracks have little or no spalling and joints are usually not bumped up.
- (M)oderate:** Block pattern may be visible with blocks 10 square feet or greater present; cracks are $\frac{1}{4}$ -inch and $\frac{1}{2}$ -inch wide; cracks may or may not be spalled; transverse cracks usually 5 to 20 feet apart
- (S)evere:** Cracks may be severally spalled with smaller blocks 2 to 10 square feet present; cracks usually greater than $\frac{1}{2}$ -inch wide; transverse cracks may be 1 to 2 feet apart throughout portions of the surface.



C. Rutting

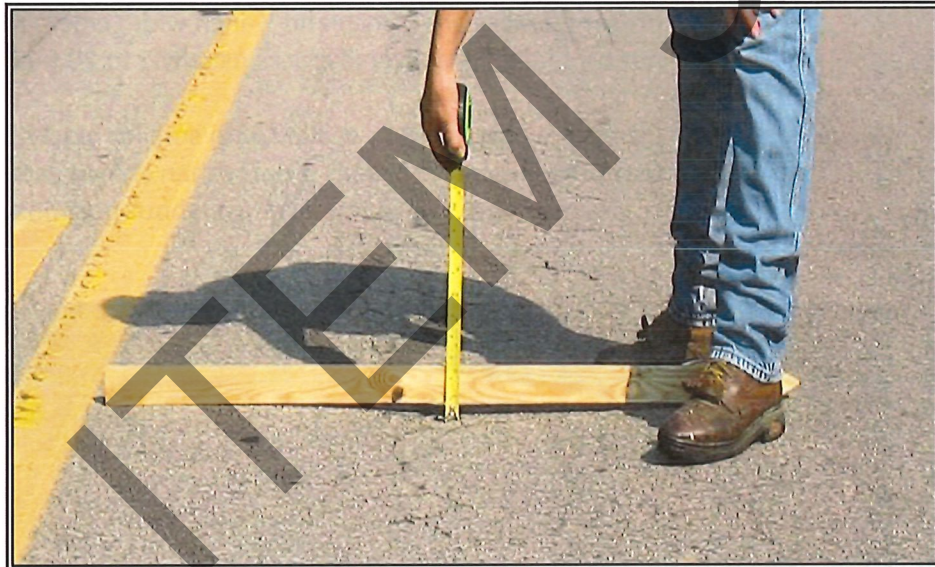
A rut is a surface depression in the wheel path(s) or at the edge of pavement. Rutting comes from a pavement deformation in any of the pavement layers or in the subgrade, usually caused by consolidation or lateral movement of the materials due to traffic loads. Movement in the mix in hot weather or inadequate compaction during construction is the main cause of rutting.

Rutting is rated as light, moderate, or severe as follows:

(L)ight: rutting $\frac{1}{4}$ to less than $\frac{1}{2}$ -inch deep.

(M)oderate: Rutting $\frac{1}{2}$ to less than 1-inch deep.

(S)evere: Rutting 1-inch deep or greater.

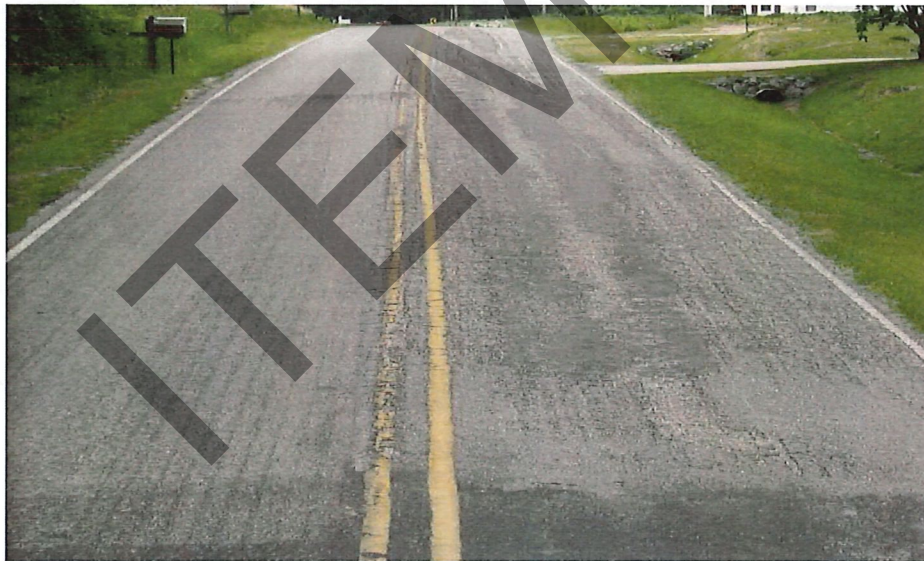


D. Raveling

Raveling is the wearing away of the pavement surface caused by the dislodging of aggregate particles or loss of asphalt binder. Raveling is more common on slurry surfaces than on plant mix surfaces. Raveling indicates either a hardening or poor application of asphalt binder.

Raveling is rated as light, moderate or severe as follows:

- (L)ight:** Aggregate loss is not great; small amounts of stripping may be detected; aggregate has started to wear away.
- (M)oderate:** Some stripping evident, random stripping with small areas (less than one square foot) or strips of aggregate broken away.
- (S)evere:** Stripping very evident; aggregate accumulations may be a problem; large sections (greater than one square foot) of stripping with aggregate layer broken away.



E. Bleeding

Bleeding is a film of bituminous material on the pavement surface that creates a shiny, reflective surface. Bleeding is caused by excess asphalt cement in the mix and/or low air void content. During hot weather the asphalt fills the voids of the mix and then expands out onto the surface of the pavement.

Bleeding is rated as light, moderate, or severe as follows:

(L)ight: Condition is present on 10 to 25 percent of the section.

(M)oderate: Condition is present on 26 to 50 percent of the section.

(S)evere: Condition is present on greater than 50 percent of the section.



F. Ride Quality

Ride quality is what the general public perceives as the indicator of how well a road is holding up. Edge rutting, patching and localized dips significantly contribute to ride quality. Ride quality is assessed at the posted speed limit.

Ride quality is rated as light, moderate, or severe as follows:

(L)ight (Average): Pavement texture may cause minimum tire noise, isolated cases (up to $\frac{1}{4}$ of the section) of bumps and dips, operating speed can be maintained safely.

(M)oderate (Slightly Rough): $\frac{1}{4}$ to $\frac{1}{2}$ of the section is uneven and bumpy with dips, rises, and ruts; pavement may be broken and cracked with a resulting increase in tire noise; slight difficulty in maintaining operating speed safely.

(S)evere (Rough): Greater than $\frac{1}{2}$ of section is uneven and bumpy; rider is frequently jostled; rather large and frequent pavement failures and rough texture may be present causing a high increase in tire noise and jolts; operating speed cannot be maintained safely.

G. Patching

Patching is defined as any surface area of the existing pavement that indicates some type of maintenance repair has taken place. These patched areas may be skin patches, edges, overlays or full depth patches. They may be in spot locations, along one or both edges, in the wheel paths, across the entire surface for short distances, or a combination of any of these. The quality and condition of the patch is not considered in evaluating patching. It does not matter if all the patches are alligator cracked, rutted or potholed. These conditions are measured in the other distresses. Patching is an indication of the amount of surface area that has received some type of maintenance repair that may or may not be holding up.



To document pavement areas, measurements were taken with hand tapes and measuring wheels. Where appropriate, area calculations were completed by computer based measurements.

Pavement striping was assessed through a visual inspection to determine general striping conditions, unnecessary striping, misplaced striping, and striping deficiencies.

Measurements were made to document each road's width and length. These measurements were utilized to quantify the efforts needed to repair and resurface each road segment.

The information observed for each road segment is documented on the Individual Road Condition Survey forms included in Appendix C.

3.0 INSPECTION RESULTS

Each of the Town's public road segments was inspected utilizing the procedure outlined in **Section 2.0** above. Upon the completion of this inspection effort, a review was made of the documented roadway conditions.

The overall conditions of the road system within the Town of River Bend is considered to be relatively good. Based upon the repair and overlay efforts that have been completed within the last 24 years, it is apparent that the Town of River Bend actively pursues and addresses the repair and maintenance needs of its road system to ensure its long-term performance.

The anticipated serviceable life of asphalt roadways is 20 to 30 years and is dependent upon the integrity of the roadway section and the traffic loading. A large portion of the Town's roadways have been overlaid over the last 24 years. Those roadway segments that have not been overlaid and are the originally constructed pavement sections exhibited the highest level of degradation. Additionally, those roadway segments that were overlaid in excess of 18 – 20 years ago as a part of the Town's maintenance program are beginning to exhibit light to moderate signs of pavement distress.

A prioritized listing of repair and maintenance needs was formulated based upon the factors outlined above. Twelve roadway segments were identified as priorities requiring maintenance and repair needs over the next 3 to 5 year period.

Included in Appendix A is an alphabetized listing of all roadway segments evaluated. Included in Appendix B is a priority ranking of road segments based on repair and maintenance needs. This priority listing was formulated considering all of the factors discussed in **Section 2.0** above. Those roads needing the most immediate attention are identified by a higher priority number (Priority 1, 2, 3...).

Figure 1 includes the Town of River Bend Powell Bill Map and documents the roadway sections inspected. Included in **Figure 2** is an Overall Roadway Map. This map visually depicts roadway repairs completed in 2000 through 2024.

4.0 SUMMARY AND RECOMMENDATIONS

The prioritized listing of roadway maintenance and repair needs provides the recommended sequence of repair and maintenance efforts as of July 2024. The following road segments were identified that are of original construction and have not received an overlay in the Town’s Maintenance Program:

PRIORITY	ROAD SEGMENT	PROJECT COST
1	Norbury Drive	\$124,000.00
2	Margo Court	\$11,500.00
3	Marina Road	\$32,100.00
4	Wakefield Drive	\$41,750.00
5	Pilot Place	\$11,500.00
6	Lantern Lane	\$7,700.00
7	Quarterdeck Cluster I and II	\$84,000.00
8	Pier Pointe	\$105,100.00
9	Bluff Court	\$12,800.00
Total Cost – Priority 1 - 9		\$430,450.00

These roadway segments should be programmed for resurfacing as funding becomes available.

Other roadway segments identified that will require maintenance and repair needs within the next 3 to 5 years include the following:

PRIORITY	ROAD SEGMENT	PROJECT COST
10	Pirates Road – Shoreline Drive to Wakefield Drive	\$267,000.00
11	Shoreline Drive – US Highway 17 to Plantation Drive South	\$454,900.00
12	Plantation Drive – Gull Pointe to Shoreline Drive South	\$230,325.00
Total Cost – Priority 10 - 11		\$952,225.00

These roadway segments are classified as thoroughfare roads and are subject to heavier traffic loading than the roadway segments identified as Priority 1 – 9 (all local roads). These thoroughfare road segments should be monitored annually as the maintenance program for that year is developed to ensure that all critical maintenance needs are addressed and that these thoroughfare segments are not allowed to deteriorate to a state that would require significant repairs.

COMMUNITY APPEARANCE COMMISSION

§ 3.05.055 ESTABLISHMENT.

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

§ 3.05.056 PURPOSE.

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

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

§ 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.

§ 3.05.059 ORGANIZATION AND PROCEDURES.

- (A) At the first regular meeting each year following June 30, the Board shall elect a Chair, Vice Chair and a Secretary. The Secretary need not be a member of the Board. The name and contact information for each officer shall be immediately forwarded to the Town Clerk. Any subsequent change in officers shall also be forwarded to the Town Clerk.

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

§ 3.05.070 APPOINTMENT/REMOVAL TO BOARD

- (A) No appointment to fill a vacancy on an Advisory Board shall be made until the vacancy has been advertised for at least 2 weeks. Applicants are encouraged to attend the Council meeting where their consideration of appointment is scheduled, whereby they will be introduced to the Council.
- (B) The following application procedure shall be followed by all applicants:

- (1) Any person interested in appointment to an Advisory Board shall complete and submit an Advisory Board Application.
 - (2) Before being considered for appointment, an applicant must have attended at least 1 meeting of the Advisory Board they request to be appointed to.
 - (3) All applications for appointment will be reviewed by the Advisory Board. The Advisory Board shall consider all applicants and submit a recommendation for appointment to the Town Council.
 - (4) The Advisory Board Liaison shall submit the appointment recommendation to the Town Council.
- (C) Advisory Board members may resign at any time for any reason. All resignations must be immediately reported in writing or via email to the Town Manager by the Chair, or Liaison. Once a member's resignation becomes effective, that member may only be considered for reappointment following the procedure described herein.
- (D) The Council may remove a Board member, at its discretion, 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.
- (E) Council members may not serve on an Advisory Board. Upon appointment or election to the Council, an Advisory Board member shall immediately resign from the Advisory Board or be removed from the Advisory Board by a vote of the Council.

ADVISORY BOARD LIAISON

§ 3.05.080 ESTABLISHMENT.

An Advisory Board Liaison Section is hereby created and established.

§ 3.05.081 PURPOSE

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

§ 3.05.082 ROLE OF LIAISON

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

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

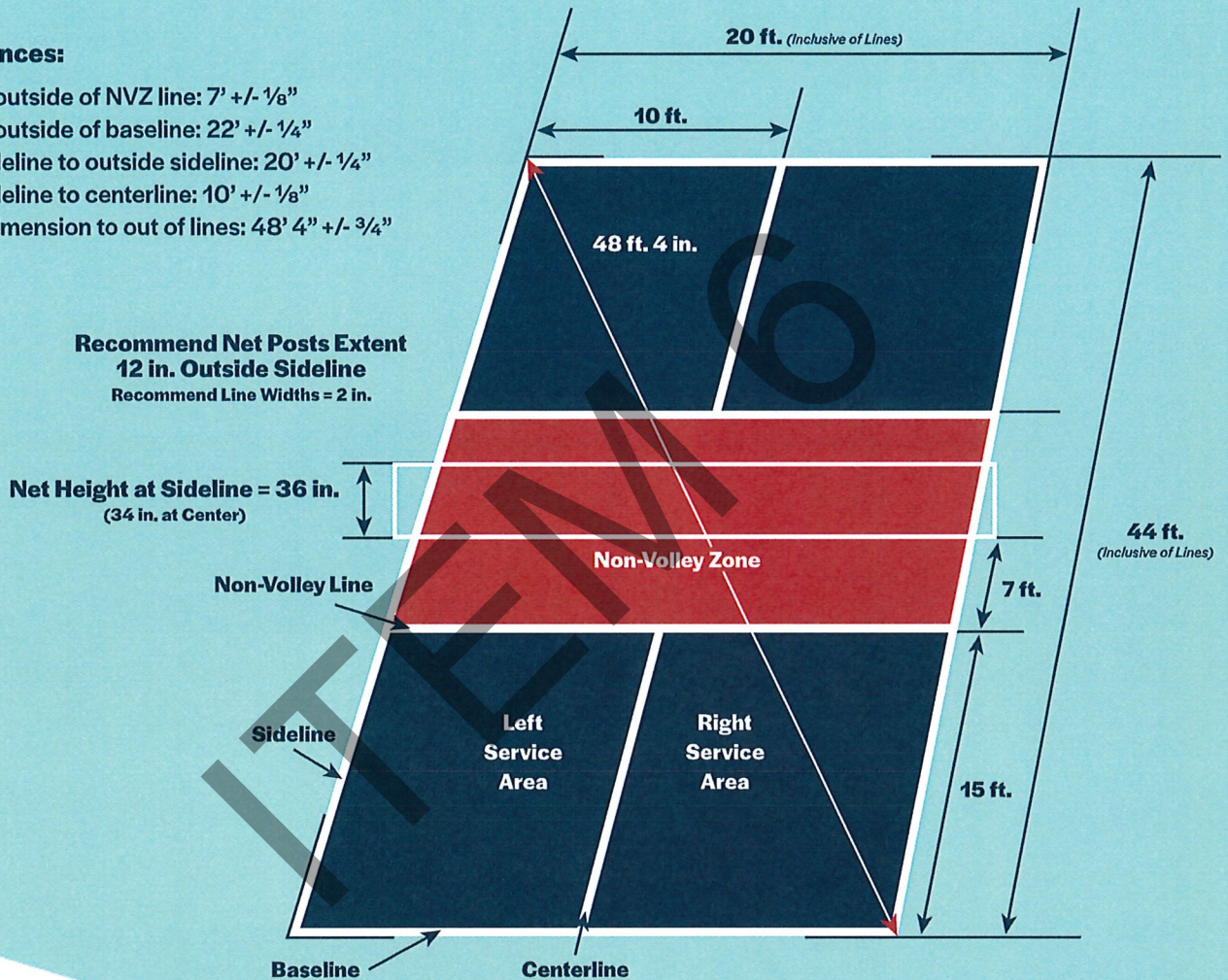
§ 3.05.083 BOARD OVERSIGHT

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

PICKLEBALL COURT CONSTRUCTION

Line Tolerances:

- Net line to outside of NVZ line: 7' +/- 1/8"
- Net line to outside of baseline: 22' +/- 1/4"
- Outside sideline to outside sideline: 20' +/- 1/4"
- Outside sideline to centerline: 10' +/- 1/8"
- Diagonal dimension to out of lines: 48' 4" +/- 3/4"



You play the best sport. Now build the best court.

Info at USAPickleball.org/courts

One of the keys to taking your pickleball game to the next level is having a convenient place to play. Whether you're setting up for serious competition, casual games with friends, or a temporary surface for an event, knowing the basics can help you get the most enjoyment out of your court. These guidelines will get you started on building the court that's perfect for your specific needs.

Town of River Bend Resolution on Social Media

Whereas, social media, in numerous platforms, is a common tool for people, business and government to communicate and exchange thoughts, ideas and positions; and

Whereas, the Town of River Bend does use social media in a very limited manner and only on platforms that are approved for use by the Town Council; and

Whereas, the Town of River Bend recognizes the potential advantages and the potential disadvantages of social media, and encourages everyone to exercise caution in separating fact from fiction while consuming information on non-official social media sites; and

Whereas, the Town of River Bend finds it necessary to officially adopt a stance on social media;

Now, therefore be it resolved, by the Town of River Bend Town Council that:

1. No town staff, employee or elected official is authorized to officially speak, post or comment on non-Town social media sites on behalf of the Town of River Bend.
2. The Town of River Bend is only responsible for the content of social media sites that are officially approved by and operated by the Town of River Bend.
3. The Town of River Bend does not monitor or exercise any control over, or have any responsibility for, the operation or content of any non-Town operated social media sites and/or the users thereof.
4. The Town of River Bend is not responsible for or liable for any content on non-Town sites.

Adopted this the 19th day of September, 2024

John Kirkland, Mayor

ATTEST:

Kristie Nobles, Town Clerk



**RIVER BEND TOWN COUNCIL
DRAFT PROPOSED AGENDA
Regular Meeting
September 19, 2024
River Bend Town Hall – 45 Shoreline Drive
7:00 p.m.**

Pledge: Weaver

1. Call to Order (Mayor Kirkland Presiding)
2. Recognition of New Residents
3. Additions / Deletions / Adoption to Agenda
4. Addresses to the Council
5. 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.

6. Public Hearings – None
7. Consent Agenda

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

A. Approve:

*Minutes of the August 8, 2024, Work Session Meeting
Minutes of the August 15, 2024, Regular Council Meeting*

8. Town Manager's Report – Delane Jackson
Activity Reports
 - A. *Monthly Police Report* by Chief Joll
 - B. *Monthly Water Resources Report* by Director of Public Works Mills
 - C. *Monthly Work Order Report* by Director of Public Works Mills
 - D. *Monthly Zoning Report* by Assistant Zoning Administrator McCollum

Administrative Reports:

9. CAC – Councilwoman Maurer
 - A. CAC Report

10. Finance – Councilman Leonard
 - A. Financial Report - Finance Director

11. Environment And Waterways – Councilman Leonard
 - A. EWAB Report

12. Planning Board – Councilman Sheffield
 - A. Planning Board Report

13. Public Safety – Councilwoman Benton
 - A. Community Watch

14. Parks & Recreation – Councilman Weaver
 - A. Parks and Rec Report
 - B. Organic Garden Report

15. Mayor's Report – Mayor Kirkland

16. Adjournment

ITEM 8

North Carolina law allows public bodies, such as the River Bend Town Council, to meet in closed session to discuss certain topics. However, prior to going into closed session, the Council must announce the closed session and the topic for which the closed session is being called and that must be done while the Council is in open session. This requirement allows the public to know in general what the closed session is concerning. The closed session must also be adjourned in open session. For the purpose of this guide, open session simply means in view of the public and closed session simply means it private. The topics that may be discussed in closed session are listed below and are numbered 1 through 10. Most of the time, the Council knows in advance that a closed session is needed and the General Statute citation which identifies the purpose of the closed session is included on the agenda. However, that is not always the case. The need for a closed session may arise without enough warning to publish the citation on the agenda. The law does not require advanced notice of a closed session. In any case, planned or not, the Council will state the appropriate citation. The citation will always begin with 143-318.11(a). The numbers that follow in parenthesis will identify the particular closed session topic. For example: The citation 143-318.11(a)(3)(5) will allow the Council to consult with an attorney (#3) and to discuss the acquisition of real property (#5).

§ 143-318.11. Closed sessions.

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

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents

concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.
- (9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
- (10) To view a recording released pursuant to G.S. 132-1.4A.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2; 2013-360, s. 8.41(b); 2014-79, s. 9(a); 2016-88, s. 3.)