

# CHAPTER 31: TOWN OFFICIALS AND EMPLOYEES

Town Board of Commissioners may, in its discretion, consolidate any two or more offices and assign the duties of those offices to one or more persons.

## CHAPTER 31: TOWN OFFICIALS AND EMPLOYEES

### *General Provisions*

- 31.01 Consolidation of offices
- 31.02 Employees serve at pleasure of Board
- 31.03 Conflict of interests

### § 31.02 EMPLOYEES SERVE AT PLEASURE OF BOARD.

All employees elected or appointed by the Town Board shall hold office at the pleasure of the Board and may be removed at any time by the Board.

### *Town Officers*

- 31.15 Town Clerk
- 31.16 Town Attorney
- 31.17 Finance Officer

### § 31.03 CONFLICT OF INTERESTS.

No member of the Town Board shall be peculiarly interested, directly or indirectly, in any contract made or entered into by the Board, nor in any matter where the rights or liabilities of the town are, or may be, involved.

### *GENERAL PROVISIONS*

### § 31.01 CONSOLIDATION OF OFFICES.

### *TOWN OFFICERS*

Except as otherwise provided by law, the

**§ 31.15 TOWN CLERK.**

(A) The Town Board shall appoint a Town Clerk.

(B) It shall be the duty of the Clerk to:

- (1) Act as secretary to the Board;
- (2) Keep a true record of all of the proceedings of the Board;
- (3) Keep the original of all ordinances in a book especially provided for that purpose;
- (4) Act as custodian for all the books, papers, records, and journals of the Board; and
- (5) Perform other duties as may be required of him or her by law or by the Board.

***Cross-reference:***

***Duties of Clerk as purchasing agent, see § 34.02***

***Statutory reference:***

***Duties of Clerk, see G.S. § 160A-171***

***Minutes, see G.S. § 160A-72***

**§ 31.16 TOWN ATTORNEY.**

(A) The Town Board shall appoint a Town Attorney.

(B) The duties of the Town Attorney shall be to:

- (1) Prosecute or defend any and all suits or actions at law or equity to which the town may be a party, or in which it may be interested, or which may be brought against, or by, any officer of the town, or in the capacity of the person as an officer of the town;
- (2) See to the full enforcement of all judgments or decrees rendered or entered in favor of the town;
- (3) See to the completion of all special assessment proceedings and condemnation proceedings;
- (4) Draft or review any contract, lease, or other document or instrument to which the town may be a party, and approve all ordinances and resolutions of the Board as to form;
- (5) At the request of the Board, draft ordinances covering any subjects within the power of the town;
- (6) Attend meetings of the Board upon request; and
- (7) Perform any other duties required of him or her by G.S. § 160A-173 and other

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laws and ordinances.

***Statutory reference:***

*Duties of Attorney, see G.S. § 160A-173*

### § 31.17 FINANCE OFFICER.

(A) The Town Board shall provide for the appointment of a Finance Officer.

(B) The duties of the Finance Officer shall be to:

(1) Keep the books and accounts of the town;

(2) Receive and disburse all monies of the town as required by state law;

(3) Countersign and preaudit all checks, drafts, contracts, purchase orders, or other documents obligating town funds;

(4) Report to the Board concerning the finances of the town, as they may require;

(5) Maintain all records of the bonded debt

of the town and maintain sinking funds;

(6) Supervise the investment of idle funds; and

(7) Perform other duties assigned by the general statutes, the Town Charter, or the Board.

***Statutory reference:***

*Duties of Finance Officer, see G.S. § 159-25*

*Fiscal control, see G.S. §§ 159-7 et seq.*