

**Chapter 26**  
**Town Administrator Ordinance**

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### **Sec. 26.1 Appointment**

The mayor and council shall appoint a town administrator and fix his/her compensation. The Administrator shall be appointed solely on the basis of his/her executive and administrative qualifications.

### **Sec. 26.2 Term**

The town administrator shall serve at the pleasure of the mayor and council for an indefinite term.

### **Sec. 26.3 Bond**

The town administrator shall enter into an approved bond in such sum as prescribed by the mayor and council, conditioned for the faithful and honest performance of the duties of such office. The cost of such bond shall be paid by the town.

### **Sec. 26.4 Powers and duties generally**

The town administrator shall be responsible to the mayor and council for the proper administration of the policies and affairs of the town and to that end shall have the power and authority and be required to:

- (1) Direct, supervise, and coordinate administrative activities and operations.
- (2) Appoint town department heads.
- (3) Appoint all other employees.
- (4) Suspend or dismiss department heads.
- (5) Suspend or dismiss all other employees.
- (6) Prepare and submit an annual operating and capital budget to the mayor and council for their review and consideration.
- (7) Administer the annual operating and capital budgets after their adoption.
- (8) Prepare and annually update a five year capital improvement program for presentation to the mayor and council.
- (9) Under the policy direction of the mayor and council, shall be primarily responsible for the overall administration of the town's personnel policies and procedures. The administrator shall have the responsibility for the interpretation of the personnel policies and procedures. Decisions regarding the employment of individuals with the town organization shall be based on the policies defined in the personnel policy and procedures. The salary of each position within the town organization shall be determined by the position classification system. The salary of all employees at the time of employment, as well as increases which result from promotions or decreases which result from discipline or other adverse actions, shall be approved by the town administrator.
- (10) Monitor the financial condition of the town, estimate present and future financial needs.
- (11) Prepare a quarterly analysis of the financial position of the town.
- (12) Prepare a quarterly analysis on personnel and administrative activities.

- (13) Combine and consolidate job positions within departments as necessary or prudent to maximize manpower utilization.
- (14) Recommend and administer policies governing purchasing procedures and inventory control.
- (15) Authorize the purchase of services, materials, supplies and equipment which do not require the taking of bids; provided, that such items are appropriated in the annual operating or capital improvement budgets.
- (16) Authorize shifts in departmental budget line items; provided that overall departmental budget appropriations do not change.
- (17) Authorize shifts in departmental budgets; provided that overall budget appropriations do not change.
- (18) Investigate complaints concerning administrative matters and personnel performance.
- (19) Prepare and submit to the mayor and council at the end of each fiscal year a complete annual report on the finances and administrative activities of the town.
- (20) Delegate to other administrative officers subject to his discretion and supervision the authority to exercise specific duties and responsibilities as may be deemed appropriate.
- (21) Provide the mayor and council with information, guidance, and leadership in matters of policy determination.
- (22) Actively investigate the opportunities and position of the town in relation to federal and state grants, state and county shared services and money and prepare the necessary papers, etc.

#### **Sec. 26.5      Removal from office**

The town administrator may be removed from office by a majority vote of the mayor and council. Those members voting for the removal shall state their reasons for the vote. The action of the mayor and council in removing the town administrator shall be final. When removed for reasons other than criminal conduct or moral turpitude, the administrator shall receive at least thirty (30) days notice of his removal or severance of at least thirty (30) days when such removal is effective immediately. Provided, however, that the mayor and council may change the terms and conditions of the administrator's employment so as to vary from the provisions of this section. Any such change must be done by a signed written contract duly authorized by a majority vote of the town council.

#### **Sec. 26.6      Communication between the administrator and the Town Council**

The town administrator shall relate to and communicate with the mayor and council on any and all problems, situations, and conditions that arise concerning any department or activity of the town which, in the opinion of the administrator, are of significance. Except for the purposes of inquiry, the mayor and the council shall in one voice communicate directly with the administrator in any and all matters concerning any department or activity of the town. Neither the mayor nor the council shall give orders to any subordinate of the town administrator, except in case of an emergency.

Annually, the mayor shall conduct a special meeting of the council for the purpose of evaluating the town administrator. This evaluation will consist of an assessment of the administrator's performance of the duties, functions and tasks applicable under the ordinances, policies and procedures of the town. A semi-annual meeting may be held if mayor and council determine there is such a need.

**Sec. 26.7** Upon appointment of the town administrator, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Upon adoption of this ordinance and the appointment of the town administrator, the following ordinances, of parts thereof, are expressly repealed:

In addition to the above ordinances expressly repealed, all other ordinances, or parts thereof, inconsistent with this ordinance are hereby repealed.

**Sec. 26.8** Provision Severable

If any provision, or any portion thereof, contained in this ordinance is held unconstitutional, invalid or unenforceable, the remainder of this ordinance, or portion hereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.