

**TOWN OF GRIFTON  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
November 9, 2010**

Present: Mayor Billy Ray Jackson; Commissioners Richard Hill, Buddy Albritton, Sammy Whitehurst; Manager Joe Albright, Clerk Angel Hudson

Absent: Commissioners Ardathy Spikes, Alton Clements

Meeting called to order.

Mayor Jackson led the Board of Commissioners in the Pledge of Allegiance to the Flag of the United States of America.

Commissioner Hill made a motion to accept the minutes as written. Seconded by Commissioner Albritton. Motion carried unanimously.

**Recognition of Persons to be Heard:** None

**Action Items:**

1. *Rezoning Request – True Deliverance Church of Christ*  
Manager Albright stated that True Deliverance Church of Christ has requested that parcel #39684 be rezoned from I-Industrial to R-14 Residential. The required public hearing was held and all notices were posted and mailed, however, Manager Albright recommended tabling this request due to the fact that the owner of the property has not sent confirmation of willingness to rezone the property.  
Commissioner Whitehurst made a motion to table the True Deliverance Church of Christ rezoning request. Seconded by Commissioner Albritton. Motion carried unanimously.
2. *Employee Christmas Gifts*  
Manager Albright submitted a formula based on previous years, which is, \$150.00 plus one day's pay for full time employees and \$50.00 for part-time employees and employees who have been here less than six months. Manager Albright strongly recommended approval since the employees have not received a raise in two years.  
Commissioner Hill made a motion to approve the Employee Christmas Gifts. Seconded by Commissioner Whitehurst. Motion carried unanimously.
3. *Bid Award-Town Commons Construction Project*  
Manager Albright stated that bids were received on October 29, 2010 and reviewed for accuracy and competency. After tabulating the bids Manager Albright recommended that Charles Hughes Construction be awarded the construction contract in the amount of \$44,500.  
Commissioner Hill made a motion to award the construction bid to Charles Hughes Construction in the amount of \$44,500. Seconded by Commissioner Albritton. Motion carried unanimously.
4. *Request for a Conditional Use Permit from Anointed Miracles of Life*

Manager Albright stated that the property they are requesting the Conditional Use Permit for is the old Grifton Gas Company building behind the hardware store. Manager Albright requested a public hearing be set for December 7, 2010 at 7:00 p.m.

Commissioner Albritton made a motion to set a public hearing for December 7, 2010. Seconded by Commissioner Whitehurst. Motion carried with Commissioner Hill voting against the motion.

**Commissioner Comments:**

Commissioner Albritton commented that there are a lot of pot holes in the Country Club area.

Manager Albright responded by saying that this issue should be taken care of this week.

Commissioner Albritton also commented on the Leash Law stating that there are an excessive amount of dogs running at large.

Manager Albright stated that the police department should be called about any animal control issues.

Police Chief Bryan Cauley informed the Board of a couple of issues that happened over the weekend that were not mentioned on the monthly report.

Commissioner Hill made a motion to adjourn. Seconded by Commissioner Whitehurst. Motion carried unanimously.

Respectfully submitted

Angel Hudson

Town Clerk

RESOLUTION NO. 2010-14

## A RESOLUTION APPROVING THE WATER SHORTAGE RESPONSE PLAN

WHEREAS, in accordance with G.S. 143-355 (I) the State of North Carolina requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Water Shortage Response Plan; and,

WHEREAS, as required by the statute and in the interests of sound local planning, a Water Shortage Response Plan for the Town of Grifton, has been developed and submitted to the Board of Commissioners for approval; and,

WHEREAS, the Board of Commissioners finds that the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (I) and that it will provide appropriate guidance for the future management of water supplies for the Town of Grifton, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

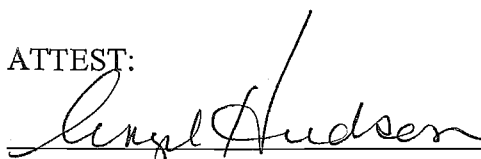
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF GRIFTON, NORTH CAROLINA THAT:

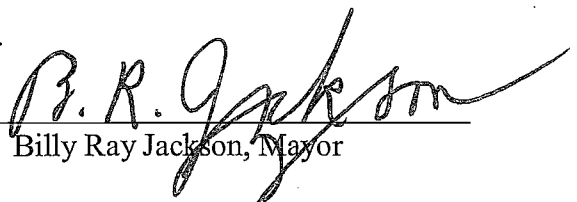
The Water Shortage Response Plan dated December 14<sup>th</sup>, 2010 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and,

BE IT FURTHER RESOLVED that the Town of Grifton intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted and Approved this the 14<sup>th</sup> day of December, 2010.

ATTEST:

  
 Angle Hudson, Town Clerk

  
 Billy Ray Jackson, Mayor

Ordinance # 2010-04TOWN OF GRIFTON ORDINANCE  
TO AMEND TITLE V  
OF THE GRIFTON CODE OF ORDINANCES

## CHAPTER 32: DEPARTMENTS, BOARDS, AND COMMISSIONS

## Section

- 32.01 Parks and Recreation Commission
- 32.02 Library Commission
- 32.03 Museum Commission

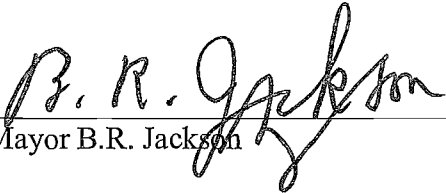
## § 32.03 MUSEUM COMMISSION.

(A) *Created; composition; appointment of members; terms of office.* There is hereby created the Museum Commission of the town, which shall be composed of five members, appointed by the Mayor, with approval of the Board of Commissioners, to serve a two-year term on the Commission, the term running from July 1 of odd numbered years through June 30 of the next odd numbered year, with no restriction as to the number of consecutive terms the same aldermen may be appointed to the Commission.

(B) *Powers and duties.* The powers and duties of the Museum Commission shall be as follows:

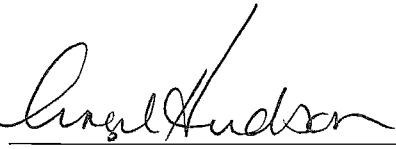
- (1) Select from its membership its Chairperson and such other officers as considered necessary and to adopt bylaws under which it will operate; and
- (2) Advise the Board of Commissioners on affairs relating to museums, including adoption of the museum budget.

Adopted this the 14<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
Mayor B.R. Jackson

ATTEST:

SEAL

  
\_\_\_\_\_  
Angel Hudson, Town Clerk

**RESOLUTION NO. 2010-15**

**A RESOLUTION ADOPTING A CODE OF ETHICS  
FOR THE GRIFTON BOARD OF COMMISSIONERS  
OF THE TOWN OF GRIFTON, NORTH CAROLINA**

WHEREAS, the Grifton Board of Commissioners of the Town of Grifton is required by NCGS 160A-86 to adopt a Code of Ethics; and

WHEREAS, in keeping with the model Code of Ethics for North Carolina Local Elected Officials as a guide, the Town Manager has prepared the attached Code of Ethics for consideration by the Board of Commissioners; and

WHEREAS, the Grifton Board of Commissioners has reviewed and discussed the attached Code of Ethics and finds it advisable to adopt the Code as the Code of Ethics for the Grifton Board of Commissioners of the Town of Grifton, North Carolina.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Grifton, North Carolina that:

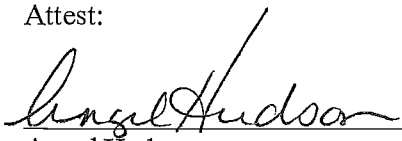
Section 1. That the Board of Commissioners hereby adopts the attached Code of Ethics as the Code of Ethics for the Grifton Board of Commissioners of the Town of Grifton, North Carolina.

Section 2. That the attached Code of Ethics for the Grifton Board of Commissioners of the Town of Grifton shall be in full force and effect from and after the date of its adoption.

Adopted and approved this 14<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
Billy Ray Jackson  
Mayor

Attest:

  
\_\_\_\_\_  
Angel Hudson  
Town Clerk

**Code of Ethics for the  
Grifton Board of Commissioners of  
The Town of Grifton, North Carolina**

**PREAMBLE**

WHEREAS, the Constitution of North Carolina, Article 1, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this Town, and with obeying the law, and

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of Grifton, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Board of Commissioners do hereby adopt the following General Principals and Code of Ethics to guide the Board of Commissioners in its lawful decision-making.

**GENERAL PRINCIPALS UNDERLYING THE CODE OF ETHICS**

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Commissioners must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Commissioners must always remain aware that at various times they play different roles:
  - As advocates, who strive to advance the legitimate needs of their citizens.
  - As legislators, who balance the public interest and private rights in considering and enacting ordinances, order, and resolutions.
  - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Commissioners must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Commissioners must be aware of their obligation to conform their behavior to standards or ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

## CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Grifton Board of Commissioners and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Commissioners should obey all laws applicable to their official actions as members of the board. Commissioners should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, Commissioners should feel free to assert policy positions and opinions without fear of reprisal from fellow Commissioners or citizens. To declare that a Commissioner is behaving unethically because one disagrees with that Commissioner on a question of policy (and not because of the Commissioner's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Commissioners should endeavor to keep up to date, through the Town Attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Section 2. Commissioners should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard including the following:

- Adhering firmly to a code of sound values.
- Behaving consistently and with respect toward everyone with whom they interact.
- Exhibiting trustworthiness.
- Living as if they are on duty as elected officials regardless of where they are or what they are doing.
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner.
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others.
- Disclosing contracts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves.
- Treating other Commissioners and the public with respect and honoring the opinions of others even when the Commissioners disagree with those opinions.
- Not reaching conclusions on issues until all sides have been heard.
- Showing respect for their offices and not behaving in ways that reflect badly on those offices.
- Recognizing that they are part of a larger group and acting accordingly.
- Recognizing that individual Commissioners are not generally allowed to act on behalf of the Board but may only do so if the Board specifically authorizes it, and the Board must take official action as a body.

Section 3.a. Commissioners should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this Board will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the Commissioner's action would conclude that the action was inappropriate.

Section 3.b. If a Commissioner believes that his or her actions, while legal and ethical, may be misunderstood, the members should seek the advice of the Town Attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Commissioners should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned. Commissioners should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the Board has authority.

Commissioners should be willing to bear their fair share of the Board's workload. To the extent appropriate, they should be willing to put the Board's interests ahead of their own.

Section 5. Commissioners should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to Commissioners or their employee.

In order to insure strict compliance with the laws concerning openness, Commissioners should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the Board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.



**Ordinance # 2010-05**

TOWN OF GRIFTON ORDINANCE  
TO AMEND TITLE IX  
OF THE GRIFTON CODE OF ORDINANCES

**CHAPTER 99: TOWN OWNED PROPERTY**

Section

99.01 Hours of operation

99.99 Penalty


**§ 99.01 HOURS OF OPERATION.**

No person shall occupy, use or engage in any activity upon property owned by the town later than one-half hour past sunset and before 6:00 a.m. on the following day. This includes, but is not limited to, all town common areas, parks and tennis courts. A special use permit to use town owned property and areas not within the permitted hours can be applied for in Town Hall and approved by the Town Clerk or Town Manager. The Town Clerk or Town Manager can require a reasonable security deposit in order to prohibit excessive use of property.

**§ 99.99 PENALTY.**

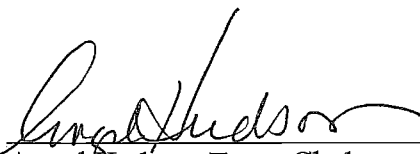
Anyone violating § 99.01 shall be punishable by a misdemeanor fine not more than \$50, as stated in § 10.99, or a civil penalty of \$25 for an infraction violation.

Adopted this the 14<sup>th</sup> day of December, 2010.

  
\_\_\_\_\_  
Mayor B.R. Jackson

ATTEST:

SEAL

  
\_\_\_\_\_  
Angel Hudson, Town Clerk

RESOLUTION NO. 2010-16A RESOLUTION AUTHORIZING THE  
DISPOSITION OF CERTAIN PERSONAL PROPERTY

WHEREAS, the Board of Commissioners of the Town of Grifton desires to dispose of certain surplus property of the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF GRIFTON, NORTH CAROLINA THAT:


Section 1. The following described property is hereby declared to be surplus to the needs of the Town of Grifton:


One (1) Compaq Keyboard  
 Two (2) Logitech Keyboards  
 One (1) NEC LCD Monitor – Model: LCD 1545V  
 One (1) Envision LCD Monitor – Model: EN-5200-ei  
 One (1) Optical Mouse  
 One (1) Novell Concentrator – SN: 33621  
 Four (4) IBM Keyboards – SN: 71906; 68973; 71932; 72207  
 One (1) Serial Mouse  
 Seven (7) Assorted Cables  
 One (1) Gateway Mouse  
 One (1) Nikon Coolpix 5000 Camera  
 One (1) Compaq PDA  
 Two (2) Samsung Monitors  
 One (1) Compaq Presario 500 Computer Tower  
 One (1) Compaq IJ600 Printer  
 Two (2) Dell Keyboards  
 One (1) Dell Mouse  
 Two (2) Logitech Mouse  
 One (1) VuTel Monitor  
 Two (2) Unknown Brand Computer Towers  
 One (1) Compaq Monitor  
 One (1) Microsoft Mouse  
 One (1) Motorola Motokrzzr Cell Phone  
 Nine (9) Motorola Nextel Cell Phones  
 One (1) Motorola Cell Phone Car Charger  
 One (1) Dell Optiplex GSI Computer Tower  
 One (1) ValTec Computer Tower

- One (1) Dell Monitor
- One (1) Mitsimi Keyboard
- One (1) Brother Scanner/Fax/ Printer

Section 2. The Town Manager is authorized to dispose of the described property using any method he deems appropriate under Article 12 of Chapter 160A of the North Carolina General Statutes.

Adopted and Approved this the 14<sup>th</sup> day of December, 2010.

  
Billy Ray Jackson, Mayor

ATTEST:  
  
Angle Hudson, Town Clerk