

**MINUTES
BURKE COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING**

The Burke County Board of Commissioners held a special meeting on Tuesday, November 1, 2022, at 4:00 p.m. The purpose of the special meeting was to appoint a new Sheriff of Burke County, approve the Sheriff's public official bond, and administer the Oaths of Office. Chairman Mulwee executed the public notice, and it was published on October 25, 2022. The meeting was streamed live on the County's YouTube channel, BurkeCountyNC, and it was broadcast on the local cable systems. The agenda, in its entirety, was posted to the County's website, www.burkenc.org, several days prior to the meeting. Those present were:

COMMISSIONERS:

Scott Mulwee, Chairman
Johnnie W. Carswell, Vice Chairman
Wayne F. Abele, Sr.
Jeffrey C. Brittain
Maynard M. Taylor

STAFF:

Bryan Steen, County Manager
Margaret Pierce, Deputy County Manager/Finance Director
J.R. Simpson, II, County Attorney
Kay Honeycutt Draughn, Clerk to the Board

CALL TO ORDER

Chairman Mulwee called the meeting to order at 4:08 p.m.

INVOCATION

Pastor Keith Rose, Zion Baptist Church, delivered the invocation.

APPROVAL OF THE AGENDA

Motion: To approve the agenda as amended. (Invocation added.)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Wayne F. Abele, Sr., Commissioner
AYES:	Scott Mulwee, Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, and Maynard M. Taylor

ITEMS FOR DECISION**BOC - APPOINTMENT OF MAJOR ROBERT BANKS HINCAMAN, JR. AS SHERIFF OF BURKE COUNTY**

As requested by Chairman Mulwee, Vice Chairman Carswell relayed that, after having been appointed to the Office of Sheriff of Burke County on June 1, 2011, Sheriff Steve Whisenant has now formally announced and submitted necessary documentation to the Burke County Human Resources Department for his retirement as Sheriff of Burke County. His last day of work was October 31, 2022. Sheriff Whisenant's current term of office was due to expire after the November 8, 2022, general election. Pursuant to North Carolina General Statute §162-5, if a vacancy occurs in the office of sheriff, the board of commissioners shall appoint a sheriff to supply the vacancy for the residue of the term, who shall possess the same qualifications, enter into the same bond, and be subject to removal, as the sheriff regularly elected. Additionally, the

board of commissioners shall not make any appointment under this section without first being presented with a valid disclosure statement of no felony convictions or expungements, issued within 90 days prior to the appointment, prepared by the North Carolina Sheriff's Education and Training Standards Commission pursuant to Article 3 of Chapter 17E of the General Statutes with respect to the individual being appointed.

Motion: After having submitted the proper documentation as prescribed by the North Carolina General Statutes, the Burke County Board of Commissioners pursuant to North Carolina General Statute § 162-5 now appoints Major Robert Banks Hinceman, Jr. as Sheriff of Burke County. Further, approve a public official bond for Robert Banks Hinceman, Jr., Sheriff of Burke County, in the amount of \$25,000.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Johnnie W. Carswell, Vice Chairman
AYES:	Scott Mulwee, Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, and Maynard M. Taylor

BOC - OATHS OF OFFICE FOR SHERIFF ROBERT BANKS HINCEMAN, JR.

The Honorable Daniel A. Kuehnert, Resident Superior Court Judge, administered the oaths of office to Sheriff Hinceman.

BURKE COUNTY SHERIFF OATHS OF OFFICE

I, Robert Banks Hinceman, Jr., do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Sheriff of Burke County, so help me God.

I, Robert Banks Hinceman, Jr., do solemnly and sincerely swear (or affirm) that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Robert Banks Hinceman, Jr., do solemnly swear (or affirm) that I will execute the office of sheriff of Burke County to the best of my knowledge and ability, agreeably to law; and that I will not take, accept or receive, directly or indirectly, any fee, gift, bribe, gratuity or reward whatsoever, for returning any man to serve as a juror or for making any false return on any process to me directed; so help me, God.

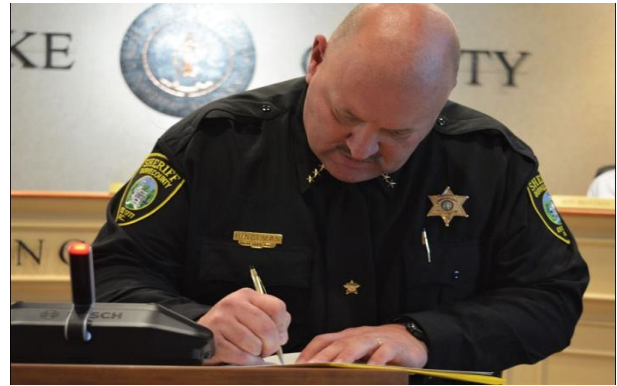
/s/: Robert Banks Hinceman, Jr.
Robert Banks Hinceman, Jr.

Subscribed and sworn to me, this the 1st day of November 2022.

/s/ Daniel A. Kuehnert

Daniel A. Kuehnert

Resident Superior Court Judge



Sheriff Hinceman is flanked from the left by his son, Casey, and on the right by his wife, Renee, and son, Charlie.

Chairman Mulwee invited the Sheriff to address the audience. Sheriff Hinceman expressed how proud he was of the men and women assembled today that represent Burke County selflessly and heroically. Mr. Hinceman feels honored to be able to serve as the people's sheriff. Sheriff Hinceman promised to do what is right and serve the County with unmatched professionalism and integrity.

Chairman Mulwee opened the floor to questions or comments. Vice Chairman Carswell reflected on the time he was sworn in as a Deputy Sheriff in years past and how much the Sheriff's department has grown and advanced. Chairman Mulwee expressed how proud he was of Sheriff Hinceman and stated his intent to support him and the whole Sheriff's Department.

RESULT: NO ACTION TAKEN.

ADJOURN

Motion: To adjourn at 4:25 p.m.

RESULT: APPROVED [UNANIMOUS]

MOVER: Maynard M. Taylor, Commissioner

AYES: Scott Mulwee, Johnnie W. Carswell, Wayne F. Abele, Sr., Jeffrey C. Brittain, and Maynard M. Taylor

Approved this 20th day of June 2023.



Scott Mulwee, Chairman
Burke Co. Board of Commissioners

Attest:



Kay Honeycutt Draughn, CMC, NCMCC
Clerk to the Board