

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### BOARD OF COMMISSIONERS

**MEETING DATE:** 27 June 2006  
**SUBJECT:** Election of Sheriff  
**ATTACHMENT(S):** N.C. Gen. Stat. §162-5.1

#### **SUMMARY OF REQUEST:**

There has been a vacancy in the office of Sheriff of Henderson County since 1 June 2006. The procedure for filling such a vacancy in Henderson County is set out in N.C. Gen. Stat. §162-5.1.

Under §162-5.1, the Chief Deputy of Henderson County acts as Sheriff until such time as a new Sheriff is appointed by the Board, or elected, whichever first occurs.

Election by this Board must be of the person nominated by the Executive Committee of the Henderson County Republican Party, so long as this Committee makes its nomination to you within thirty days of the position becoming vacant. The Executive Committee made its recommendation to you by letter dated \_\_\_ June 2006.

County staff will be available to present further information on this matter if desired.

#### **PROPOSED BOARD ACTION:**

If the Board is so inclined, the following motion is suggested:

***I move that the Board elect Eddie Watkins as Sheriff of Henderson County.***

**§ 162-5.1. Vacancy filled in certain counties; duties performed by coroner or chief deputy.**

If any vacancy occurs in the office of sheriff, the coroner of the county shall execute all process directed to the sheriff until the board shall elect 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. If the sheriff were elected as a nominee of a political party, the board of commissioners shall consult the county executive committee of that political party before filling the vacancy, and shall elect the person recommended by the county executive committee of that party, if the party makes a recommendation within 30 days of the occurrence of the vacancy. If the board should fail to fill such vacancy, the coroner shall continue to discharge the duties of sheriff until it shall be filled.

In those counties where the office of coroner has been abolished, the chief deputy sheriff, or if there is no chief deputy, then the senior deputy in years of service, shall perform all the duties of the sheriff until the county commissioners appoint some person to fill the unexpired term. In all counties the regular deputy sheriffs shall, during the interim of the vacancy, continue to perform their duties with full authority.

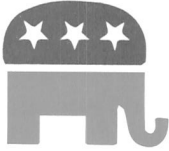
This section shall apply only in the following counties: Alamance, Alexander, Alleghany, Avery, Beaufort, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Carteret, Cherokee, Clay, Cleveland, Davidson, Davie, Edgecombe, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Hyde, Jackson, Lincoln, Madison, McDowell, Mecklenburg, Moore, New Hanover, Onslow, Pender, Polk, Randolph, Richmond, Rockingham, Rutherford, Sampson, Stanly, Stokes, Surry, Transylvania, Wake, and Yancey. (1981, c. 763, ss. 10, 14; c. 830; 1983, c. 670, s. 2; 1987, c. 196, s. 3; 1989, c. 83; c. 497, s. 1; 1991, c. 15, s. 1; c. 558, s. 2; 2001-257, s. 2; 2003-39, s. 1; 2003-90, s. 1.)

**§§ 162-6 through 162-7. Repealed by Session Laws 1973, c. 108, s. 99.**



# Henderson County Republican Party

P.O. Box 2552  
Hendersonville, N.C. 28793  
828-693-6040



June 19, 2006

JUN 19 2006

Mr. Bill Moyer  
Chairman  
Henderson County Board of Commissioners  
100 North King Street  
Hendersonville, NC 28792

Dear Mr. Moyer:

As a result of the vacancy in the office of the sheriff of Henderson County effective June 1, 2006, and as provided for in NC GS 162.5-1, the Henderson County Republican Party Executive Committee by unanimous vote on June 15, 2006, recommends Mr. Eddie Watkins to serve as interim sheriff of Henderson County.

Sincerely,

Spence Campbell  
Chair