

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
DECEMBER 3, 1990

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 7 p.m. in the Commissioners' Meeting Room of the Henderson County Office Building.

Those present were: Vice-Chairman F. Richard Baker, Commissioner Hugh D. Randall, Commissioner J. Michael Edney, Commissioner Vollie G. Good, Commissioner William McKay, County Attorney Don H. Elkins, County Administrator Jerry D. Myers, Finance Director David E. Nicholson, Clerk to the Board Elizabeth W. Corn, and the news media.

Vice-Chairman Baker called the meeting to order and asked David Nicholson to give the invocation.

ORGANIZATIONAL MEETING

Vice-Chairman Baker stated that our first order of business is the swearing in of the newly elected Commissioners. Clerk of Court Thomas H. Thompson came forward to swear in these three gentlemen:

Hugh D. Randall, re-elected

Vollie G. Good

William McKay

All three wives came forward with their husbands and held the Bible for them as they each took their oath of office. Signed oaths of office are attached.

Mr. Thompson introduced the Chairman of the Henderson County Election Board, Mr. Hartwell Gregory, to present Certificates of Election to each of the three newly elected Commissioners.

Mr. Thompson thanked the Board for the opportunity to swear them in to office.

Vice-Chairman Baker stated that the next order of business is to elect a chairman and vice-chairman for 1991. He then declared nominations open for chairman.

Commissioner Good nominated Michael Edney. Commissioner Randall nominated William McKay. Commissioner Edney nominated Richard Baker. There were no other nominations for chairman. Mr. Baker asked the clerk to poll the Board. Mr. Baker and Mr. McKay both received two votes each. Mr. Edney received one.

Mr. Edney's name was dropped and the Board was polled again with two names remaining as candidates, Mr. McKay and Mr. Baker. Mr. McKay and Mr. Baker both received two votes each with Mr. Good abstaining from voting. When Mr. Good was reminded that it was his obligation to vote and Statute 153-A-44 was quoted, and Legal Council advised that each member of the Commissioner should vote, Mr. Good then voted for himself.

Vice-Chairman Baker again ruled that the low vote getter name be dropped and the Board polled again. Mr. McKay and Mr. Baker were still remaining as candidates. Both Mr. McKay and Mr. Baker received two votes each with Mr. Edney receiving one.

Vice-Chairman Baker stated that since there is still an impasse after three votes, he then opened the floor for further nominations for chairman. Mr. Good then nominated Michael Edney. The Board was polled with Mr. McKay and Mr. Edney receiving two votes each and Mr. Baker receiving one.

Vice-Chairman Baker ruled that the low vote getter name be dropped which was his name and the Board was polled again. Mr. McKay received two votes and Mr. Edney received three. Vice-Chairman Baker then declared Mr. Edney Chairman of the Henderson County Board of Commissioners and Mr. Edney took his seat as Chairman.

Mr. William McKay made a statement congratulating Mr. Edney and stating that he would cooperate with Mr. Edney to the best of his abilities.

Mr. Good also made a statement congratulating Mr. Edney and assured him that he would support Mr. Edney in his efforts to benefit Henderson County. He also expressed his thanks and appreciation to each person who voted for him. He stated that he would begin to work immediately on behalf of those voters, that he will be a working Commissioner.

Vice-Chairman Baker congratulated Mr. Edney and assured him that he will do everything in his power to work as hard as he has in the past and will continue to do so in the future to support the Chairman.

Mr. Edney, newly elected Chairman, stated that the next order of business is to elect a Vice-Chairman to serve when the Chairman cannot serve. He opened the floor for nominations. Chairman Edney nominated Vollie Good for Vice-Chairman. Mr. Randall nominated William McKay. There were no further nominations. Chairman Edney asked the Clerk to poll the Board. Mr. Good received three votes and Mr. McKay received two. Chairman Edney then declared Vollie Good as the Vice-Chairman for 1991.

APPROVAL OF BONDS

Chairman Edney informed the Board that Bonds need to be approved at this time for the Sheriff, Tax Collector, Register-Of-Deeds, and Finance Officer. He recognized Mr. Myers to address this item.

Mr. Myers stated that each Commissioner has received in their agenda packet a copy of the original bonds issued for each of these persons. All the paperwork and all the bonds are in order.

Commissioner Good made the motion to approve these bonds as submitted. All voted in favor and the motion carried.

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MINUTES

The minutes of the November 21 meeting were presented for review. The minutes were approved as corrected.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Edney asked if any Board members wished to add any items to the agenda at this time.

Commissioner McKay made the motion to add three items to the agenda, under New Business: 1. Adoption of the County Manager form of Government. All voted in favor and the motion carried. Chairman Edney added this as item "F" under New Business. 2. Resolution on the Retiring Commissioners. All voted in favor and the motion carried. Chairman Edney added this as item "G" under New Business. 3. Discussion with the County Administrator concerning planned briefings and visits of county departments and sites. This will be considered as education of the new commissioners. All voted in favor and the motion carried. Chairman Edney added this as item "H" under New Business. There were no other adjustments to the agent.

PUBLIC INPUT

David Malpass- Mr. Malpass first spoke on the thoroughfare plan and is interested in the county's position in regard to the proposed thoroughfare plan. He encouraged the Commissioners to participate in the public hearing on the proposed plan.

Mr. Malpass then spoke on Polk County who recently developed a moratorium on outdoor advertising in the form of billboards. He is concerned about the proliferation of billboards in Henderson County.

Mr. Malpass then spoke on recycling. He asked that if people are going to buy a cut tree to enjoy for the holidays, that afterwards they take advantage of the recycling program at Jackson Park offered Dec.31-Jan. 5. They will mulch your tree and you can pick up the mulch at a later time.

Ken Weitzen- Mr. Weitzen lives on Green River Road in the Southwestern part of the county. He has a business on Hwy.#25 South in Atha Plaza. He spoke of the inadequate signage on Hwy. 25 South and Hwy.# 176. He feels that the Department of Transportation should review the signage in this particular area.

Commissioner Baker suggested that Mr. Weitzen bring this problem to the attention of the Department of Transportation. He stated that the Board of Commissioners has no jurisdiction over the roads and highways in Henderson County, it is handled strictly by D.O.T.

Jerry Cannon- Mr. Cannon had signed up to speak on Mountain Home Vol. Fire Department but did not come forward to speak.

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LAND-OF-SKY/ re: Liston Smith nomination

Chairman Edney asked Mr. Myers to address this item. Mr. Myers stated that some time ago this Board nominated Mr. Liston Smith to serve on the Land-Of-Sky Advisory Council on Aging. In order to be a member on this council they have established certain criteria, apparently Mr. Smith does not meet these criteria. They are seeking a low-income, older individual to serve. They asked that we reconsider our nomination to them. There were no nominations at this time so the item was rolled to the next meeting.

JAIL PHONE SYSTEM

Chairman Edney stated that this item was discussed at our last meeting and there were some unanswered questions. He recognized Forest Young to address the Board and answer some of the questions.

Mr. Myers stated that we are experiencing a problem at the county jail dealing with the existing telephone system. The law provides certain requirements for providing access to phone service to inmates. Our current phone system is a pay phone system located in the hallway on each floor of the jail. It seems to create a problem because our personnel must escort the inmate from their cell out to the hallway, stand a respectable distance apart from them while they make their call, and wait for them to finish and then escort them back to their cell. It is taking a considerable amount of personnel time to handle those necessary phone calls by inmates. Mr. Myers and Captain Young have examined several telephone options over the past six months. The contract in the agenda packet is their recommendation to handle the problem.

Captain Young came forward and answered questions about the construction of the phone system, the security of the system, etc. Approximately 8-10 of the recommended units would be needed. There was discussion. Mr. Young stated that there is a camera monitor within each cell block. Mr. McKay questioned whether there would be an expense to the county if this is done. There will not, it will be maintained by the company who installs it.

Commissioner McKay made the motion to approve the request, based on recommendation of the Sheriff Department and the County Administrator.

Chairman Edney asked Mr. Elkins if he had reviewed the contract. Mr. Elkins stated that it seemed to be in order.

Commissioner Good questioned whether Carolina Telephones, Inc. would replace damaged telephones at their own cost. Yes, they will, as stated in the contract. They do expect to make a profit.

All voted in favor of Mr. McKay's motion and the motion carried.

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NOMINATIONS

Chairman Edney stated that we still have one vacancy on the Henderson County Zoning Board of Adjustment, an alternate member. There were no nominations at this time so the item was rolled to the next meeting.

SET PUBLIC HEARING - Incinerator Ordinance

Chairman Edney asked Commissioner Baker to address this item. Commissioner Baker stated that a public hearing had been previously scheduled for tonight's meeting. There was much discussion as to whether our meeting room would be able to accommodate the number of people anticipated to attend the public hearing. At first we thought we would move this meeting to another location, larger, so that we could go ahead with the public hearing on this date. By our Rules of Procedure we can move any regular meeting except the first meeting in December. We therefore postponed the public hearing and at this time Mr. Baker feels we should decide when and if we should have the public hearing and where if we need to have it at another location.

Mr. Myers stated that we have received a response from the N.C. Air Quality group. Chairman Edney asked Mr. Myers to get copies of that letter for the Board and called a break at this time.

After the break, Chairman Edney asked Mr. Matteson to come forward. The letter is addressed to Mr. Matteson. The letter is from the Department of Health, Education, and Natural Resources. He stated that the proposed Ordinance that has been presented to the county, referred to the planning board, and is now back before the county for public hearing, contains requirements that are stricter than those required by the State. What the state is saying, is that it may require a local program. A local program would be one such as Haywood and Buncombe County operate under, they have a local ordinance and a Board appointed by respective members of Asheville, Buncombe, and Haywood County. It is a seven member board and they enforce the Ordinance. There was discussion. Commissioner Baker made the motion to set a public hearing for Monday, January 14, 1991 at Hendersonville High School at 7:00 p.m. for the incinerator ordinances. Commissioner Good seconded the motion. All voted in favor and the motion carried.

It was requested that the Planning Board review the possibilities between now and the public hearing and come back to the Board with their recommendations.

ETOWAH RESIDENTS/Jim Cameron

Chairman Edney recognized Jim Cameron to address this item.

Mr. Cameron stated that this is a follow-up to the last meeting where they presented 200 signatures indicating that the Etowah Civic Association does not represent the community of Etowah. He

is presenting a follow-up of additional signatures, making 450 signatures in total. The petition in essence states that the group known as Etowah Civic Association never had a public meeting, appointed themselves as officers, three of which do not live in Etowah. Mr. Cameron feels that this is misrepresentation. He and others who have signed the petitions, wish for things to be left as they are.

Commissioner Baker stated that the Etowah Civic Association requested to be on the agenda at the last meeting, they called and stated they did not wish to be on the agenda. No action was taken by the Board. The media reported that the Board rejected the request but they did not, they took no action and Mr. Baker requested the news media to make this correction.

RESIDENTIAL ANTI-DISPLACEMENT & RELOCATION ASSISTANCE
CERTIFICATION PLAN/ Cinthia Milner

Chairman Edney recognized Cinthia Milner to present this item.

Ms. Milner stated that this is the last item of paperwork needed in order to get funds for the Community Development Block Grant for the Valley View Community. This item states that we will not randomly displace people, we will make an effort to deal with each person within the community and keep those people in the community who wish to stay there.

There was discussion and the County Attorney was questioned about the plan.

Commissioner Baker made the motion to authorize the Chairman's signature on the Residential Anti-Displacement Plan. All voted in favor and the motion carried.

SALE OF SURPLUS PROPERTY

Chairman Edney recognized David Nicholson to address this item.

Mr. Nicholson stated that during the budget process this year, the Commissioners approved the purchase of four new monitor defibrillators for the Emergency Medical Services. We now have four units which are no longer in use and he requested the Board to declare those as surplus, so that they may be sold. He feels that we need to seek a market to sell this item and suggested the sealed bid process.

Commissioner Randall made the motion to declare these items, # 1131, # 1132, # 1133, and # 1134, as surplus and to accept sealed bids. David Nicholson being appointed to advertise and accept bids. All voted in favor and the motion carried.

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HENDERSON COUNTY LIBRARY-Change Orders

Chairman Edney recognized Bill Snyder to present this item.

Mr. Snyder stated that they are well under construction with the library building renovation and expansion project. The contract called for an 18 month completion schedule but they have asked the contractor to consider a different period. He included a 14 month schedule in his bid proposal. The contract was signed with the understanding that they might go back and negotiate a shorter period. Since they now know where the Library will be located temporarily, they are in a position to negotiate. Mr. O'Cain has talked with the contractor and now has a proposal.

Mr. O'Cain, the architect, stated that the change order presented for approval tonight is out of order. It is change order # 3 and he has not received # 2 as yet. #2 concerns the skylights in the building, it is out for pricing and they anticipate no change in price. Because of the fact that the library needed to go ahead and schedule their relocation beginning January 15, it is important to go ahead and get change order #3 approved. Change Order #3 concerns the schedule. The plan, based on Change Order # 3, is that the library would close and begin relocating on January 15 in order to turn the existing building over to the general contractor by February 1. This would fall into the newly proposed 16 month construction schedule, bringing us to a completion date of November 15, 1991. November 16 penalties would begin. Change Order # 2 will be forthcoming.

Mr. O'Cain invited any or all the Commissioners to come to the construction review meetings, held on the 5th day of each month at 10:00 a.m. They normally meet weekly, whenever they can.

Commissioner McKay made the motion to approve change order #3. All voted in favor and the motion carried.

TAX REFUNDS

Chairman Edney stated that we have received four refund requests with recommendations from the County Assessor:

Ms. Susan Garrett Ford, over assessed	\$ 4.46
Mr. Roy E. Dalton, listing error	3.33
Mr. Carl A. Hyldborg, listing error	1429.02
Anita Teresa Petranac, clerical error	66.89

Commissioner Baker made the motion that if the proper paperwork is in order, that these four requests be granted. All voted in favor and the motion carried.

COUNTY MANAGER FORM OF GOVERNMENT

Commissioner McKay made the motion that the Board adopt the County Manager form of Government and that they appoint the present County Administrator as Interim County Manager during the process. He

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further stated that if the motion passes, the process will begin which will involve advertising for a County Manager, receiving applications, reviewing the applications, interviews, and employment of a County Manager and waiting for that person to work a desirable notice elsewhere if need be. The process will take months, not weeks.

Chairman Edney stated that N.C. Statutes require that on a County Manager form of Government, that this Board adopt a Resolution adopting that form of Government.

Mr. Myers stated that at the request of a number of the members of the Board, he has prepared a packet of information including two sample resolutions. Also included in the packet are copies of G.S. 153A-81 and 153A-82 and 153A-84. The first resolution would adopt the plan, the second resolution does not go that far but strongly endorses and expresses the Board's intent to adopt the County Manager form of Government.

There was discussion. Commissioner Good asked Mr. Elkins if it is necessary for the interim appointment to be as a manager or if it should continue as administrator?

Mr. Elkins stated that if the first resolution is adopted, they probably would be abolishing the position of county administrator and would then be left with an interim county manager.

Mr. Myers stated that the way the first resolution was prepared was not with the intention to put him out of work, or not to abolish the position of county administrator but to create an additional position, that of a County Manager. That at some later date, when that position is filled, the status of the position of County Administrator would be determined at that point.

Chairman Edney stated that the Board needs to discuss in Executive Session the issues of qualifications, competence, conditions of employment, etc., of the interim County Manager. Other matters that need to be discussed at a later date are things such as whether we will have an assistant manager, and what role the Finance Officer will play in the preparation of the county budget.

Chairman Edney wanted to be clear on Mr. McKay's motion. His motion was to create a County Manager form of Government and the position of County Manager which will be filled on an interim basis by Mr. Myers, to function until a County Manager is appointed. In the interim Mr. Myers place within the administration would be reviewed and decided on. The position of County Administrator is being abolished with the appointment of Jerry Myers as interim County Manager. The process will take a minimum of three (3) months. This motion is to adopt Resolution # 1.

A vote was taken and the motion carried unanimously.

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RESOLUTION ON RETIRING COMMISSIONERS

Chairman Edney recognized Commissioner McKay to present this item.

Commissioner McKay stated that he was aware that the "Old Board" recognized the two retiring members but he feels it is appropriate for the "New Board" to take notice of the service of Mr. Drake and Mr. Maybin. He proposed the following resolution:

WHEREAS, William Drake and Troy Maybin have served Henderson County as Commissioners for 12 and 8 years respectively, and

WHEREAS, both men have served with integrity, diligence, and total commitment to their responsibilities,

THEREFORE, BE IT RESOLVED that the present Board of Commissioners expresses its appreciation to Mr. Drake and Mr. Maybin for their contribution to the life of our community.

Commissioner McKay made the motion to adopt this resolution and that it be inserted as part of the minutes of the Board. He included as part of his motion that the Resolution be typed and presented to both Mr. Drake and Mr. Maybin. A vote was taken and the motion carried unanimously.

PLANNED BRIEFINGS AND VISITS WITH DEPARTMENTS AND SITES

Chairman Edney asked Commissioner McKay to address this item.

Commissioner McKay stated that particularly the new commissioners would benefit from presentations from the various departments within county government. Commissioner McKay proposed requesting the interim County Manager to set up briefing sessions and visits to sites over the next weeks and months, coordinate them, give proper notice to the press, because he wishes that they be considered special meetings of the Commission. Commissioner McKay requested that the Chairman and the County Manager set up these meetings.

EXECUTIVE SESSION

Commissioner Baker made the motion for the Board to go into Executive Session to discuss legal and personnel matters.

Commissioner Baker made the motion for the Board to go out of Executive Session.

Commissioner McKay made the motion to reduce the Chairman's salary to \$10,000 year. All voted in favor and the motion carried.

Commissioner Baker made the motion to set the interim county manager's salary at \$45,000, because of increased responsibilities and workload. All voted in favor and the motion carried.

Foreclosure property was discussed, acreage formerly owned by Larry T. Justus and presently owned by Nancy Revis (Justus) Mason. Ms. Mason's Attorney asked that she be allowed to pay the back taxes and obtain a tax deed.

Chairman Edney asked to be excluded from voting. Commissioner Baker made the motion that Mr. Edney be excluded from voting because of conflict of interest. Commissioner Good seconded the motion. All voted in favor and the motion carried.

Commissioner Good made the motion that Mrs. Mason be allowed to pay the property taxes and receive a tax deed. All voted, except Chairman Edney, in favor and the motion carried.

Chairman Edney wanted this statement included in the minutes, that the Board has discussed during Executive Session the position of Clerk to the Board and County Attorney, both of whom serve at the pleasure of the Board of Commissioners, and the Board of Commissioners have expressed their confidence in, and support of both Elizabeth W. Corn and Don H. Elkins in their respective roles and look forward to continuous service with both.

Being there was no further business, the meeting was adjourned at 10:15 p.m.

ATTEST:

Elizabeth W. Corn
Elizabeth W. Corn, Clerk

J. Michael Edney
J. Michael Edney, Chairman

HENDERSON COUNTY
BOARD OF COMMISSIONERS
100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792
PHONE 704/697-4808

WILLIAM T. DRAKE
CHAIRMAN
TROY L. MAYBIN
F. RICHARD BAKER
J. MICHAEL EDNEY
HUGH D. RANDALL

JERRY D. MYERS
COUNTY ADMINISTRATOR

RESOLUTION

WHEREAS, General Statute 153A-81 authorizes a Board of County Commissioners to, by resolution, adopt or discontinue the County Manager Plan for the administration of County Government, and

WHEREAS, the Henderson County Board of Commissioners desire to adopt the County Manager Plan as authorized, and

WHEREAS, General Statute 153A-82 sets forth the powers and duties of the County Manager, and


WHEREAS, General Statute 153A-84 authorizes the Board of County Commissioners to designate a qualified person to exercise the powers and perform the duties of the Manager until the position of County Manager is filled, and

WHEREAS, the Henderson County Board of Commissioners desire to appoint an Interim Manager as authorized, now

THEREFORE BE IT RESOLVED:

1. That the County Manager Plan is hereby adopted for Henderson County, North Carolina, and
2. That Jerry D. Myers is hereby appointed as Interim County Manager to serve at the pleasure of the Board, and
3. That the Interim Manager is hereby authorized and directed to exercise the powers and perform the duties of Manager subject to the provisions of the Henderson County Personnel Resolution.

Ratified this the 3rd day of December, 1990.


Chairman, Henderson County
Board of Commissioners

Attest:


Clerk to the Board

HENDERSON COUNTY
BOARD OF COMMISSIONERS

100 NORTH KING STREET
HENDERSONVILLE, N.C. 28792
PHONE 704-697-4808

WILLIAM T. DRAKE
CHAIRMAN
TROY L. MAYBIN
F. RICHARD BAKER
J. MICHAEL EDNEY
HUGH D. RANDALL

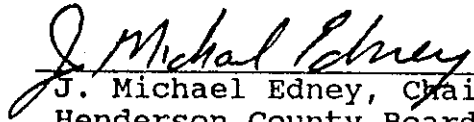
JERRY D. MYERS
COUNTY ADMINISTRATOR

RESOLUTION

WHEREAS, William T. Drake and Troy L. Maybin have served Henderson County as commissioners for twelve (12) and eight (8) years respectively; and

WHEREAS, both men have served with integrity, diligence, and total commitment to their particular responsibilities

NOW THEREFORE BE IT RESOLVED that the present Board of Commissioners unanimously expresses its appreciation to William T. Drake and Troy L. Maybin for their contributions to the life of our community.



J. Michael Edney, Chairman
Henderson County Board of
Commissioners

ATTEST:



Elizabeth W. Corn, Clerk

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF HENDERSON

OATH OF HENDERSON COUNTY COMMISSIONER

I, William McKay, do solemnly swear (or affirm) that I will support the Constitution of the United States; so help me, God.

I, William McKay, do further solemnly and sincerely swear (or affirm) 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, William McKay, do solemnly swear (or affirm) that I will administer justice without favoritism to anyone; that I will do equal law and right to all persons; that I will not knowingly or willingly take, by myself or any other person, any fee, gift, gratuity or reward whatsoever, for any matter or thing by me done or to be done by virtue of my office, except the salary and allowances by law provided; and that I will faithfully and impartially discharge the duties of the office of Henderson County Commissioner to the best of my skill and ability, according to law; so help me, God.

This the 3rd day of December, 19 90.

William McKay
Henderson County Commissioner

Subscribed and sworn to before me

this the 3rd day of December, 19 90.

Thomas H. Thompson
THOMAS H. THOMPSON
Clerk of Superior Court

COUNTY OF HENDERSON

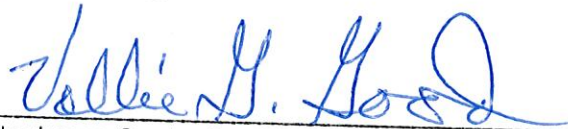
OATH OF HENDERSON COUNTY COMMISSIONER

I, Vollie G. Good, do solemnly swear (or affirm) that I will support the Constitution of the United States; so help me, God.

I, Vollie G. Good, do further solemnly and sincerely swear (or affirm) 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, Vollie G. Good, do solemnly swear (or affirm) that I will administer justice without favoritism to anyone; that I will do equal law and right to all persons; that I will not knowingly or willingly take, by myself or any other person, any fee, gift, gratuity or reward whatsoever, for any matter or thing by me done or to be done by virtue of my office, except the salary and allowances by law provided; and that I will faithfully and impartially discharge the duties of the office of Henderson County Commissioner to the best of my skill and ability, according to law; so help me, God.

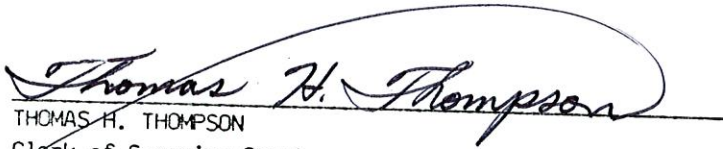
This the 3rd day of December, 19 90.



Henderson County Commissioner

Subscribed and sworn to before me

this the 3rd day of December, 19 90.



THOMAS H. THOMPSON
Clerk of Superior Court

COUNTY OF HENDERSON

OATH OF HENDERSON COUNTY COMMISSIONER

I, Hugh D. Randall, do solemnly swear (or affirm) that I will support the Constitution of the United States; so help me, God.

I, Hugh D. Randall, do further solemnly and sincerely swear (or affirm) 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, Hugh D. Randall, do solemnly swear (or affirm) that I will administer justice without favoritism to anyone; that I will do equal law and right to all persons; that I will not knowingly or willingly take, by myself or any other person, any fee, gift, gratuity or reward whatsoever, for any matter or thing by me done or to be done by virtue of my office, except the salary and allowances by law provided; and that I will faithfully and impartially discharge the duties of the office of Henderson County Commissioner to the best of my skill and ability, according to law; so help me, God.

This the 3rd day of December, 19 90.

Hugh D. Randall
Henderson County Commissioner

Subscribed and sworn to before me

this the 3rd day of December, 19 90.

Thomas H. Thompson
THOMAS H. THOMPSON
Clerk of Superior Court