

Haywood County "Toeprints"

November 23, 2010

Vol. #1 Issue #24 (Subject: **Cotton Resigns, Debt, Release of Closed Minutes, Solar Thermal Design**)

What's Happening?

The purpose of this newsletter is to inform Haywood County Taxpayers of what transpires at the bi-monthly County Commission Meetings. This newsletter will be written from the perspective of a casual observer, myself. Any opinions expressed will be mine.

Marty Stamey new interim County Manager.

David Cotton submitted his resignation on Nov. 3rd, just two days after I asked him, in his office, when the County Commissioners closed minutes regarding the purchase of the old Walmart Building were going to be released. He indicated November 15th. It appears that **Cotton** overextended his authority when he told me the release date was November 15th, as the closed minutes were never released.

Marty Stamey will fill his post until the Commissioners can either find a new county manager or someone to fill Marty Stamey's Assistant County Manager slot. I believe we can all sleep better knowing that we will have Marty Stamey working with Julie Davis next year in preparing the 2011-2012 County Budget.

\$ 83, 685,231 - New County Debt.



Tape from Julie Davis' adding machine.

This is the current county debt, which now includes the \$12.3M for the purchase of the old Walmart Building and the \$11.1M loan for the HCC Creative Crafts Building.

This is a train wreck!

Did you know?

The following shows the growth of registered voters in Haywood County from the year 2008 to 2010. Una is Unaffiliated, and Lib is Libertarian [re: source - Haywood County Board of Elections].

Year	Dem	Rep	Una	Lib	Total
2008	14,493	8,083	5,447	19	28,042
2010	20,267	12,092	9,908	32	42,299

Percent increase in voter population:

Dem	Rep	Una	Lib	Total
40%	50%	82%	68%	51%

There has been a 51% increase in the registered voters in two years! Additionally, the combination of Republicans and Unaffiliated voters, the two fastest growing groups, now outnumber Democrats.

Francis Farm Compliance Audit Report.

The Francis Farm Compliance Audit Report, by **Stephen King**, Solid Waste Director, ATTACHMENT 9, presented at County Commission Meeting 10/15/2010 is posted on www.haywoodtp.net.

Public Health and Solid Waste Awareness and Compliance Public Hearing.

There will be a Public Hearing of the Public Health and Solid Waste Awareness and Compliance Document Ordinance on December 20th at the County Commission meeting. The Draft document is posted on www.haywoodtp.net.

Closed Walmart Building Minutes.

HCC offered a class on parliamentary procedures on November 17th which I happened to attend. It was taught by Fleming Bell of UNC, who wrote "Suggested Rules of Procedure for Small Local Government Boards". Fleming Bell took questions at the beginning of the class from participants to be covered throughout the class.

I asked: "What are the requirements for releasing closed minutes". When the discussion centered on closed minutes, I explained that our county commissioners held closed meetings for the duration of purchasing real property - the purchase of the old Walmart building. The property had since been purchased, closed on, and the loan funding acquired, yet the commissioners were refusing to release the minutes.

Mr. Bell indicated: “The commissioners can keep the minutes closed as long as their efforts are not frustrated.”

The only one that is frustrated here is me, I commented.

[Editors Note: Ira Dove, the Director of the Department of Social Services, the primary recipient of the renovated Walmart Building, was one of the participants at this class.]

What does one do to get the minutes released, I asked?

“Two things”, replied Fleming Bell -

- “Get the local newspapers to help out” [That would, of course, be The Mountaineer and The Smoky Mountain News, who haven’t said word one yet], and
- “Take them to court.” (Which court, a participant asked?) “Superior Court”, Fleming Bell replied.

I’m glad I know what some options are. Thanks, Mr. Bell.

Or, the commissioners could just release the minutes.

Update: The same group of folks that sent **Carmine Rocco**, the Health Board and “**The Rule**” back to the stone age is being reassembled again to consider this problem of the County Commissioners refusing to release the closed minutes of the purchase of the old Walmart building. One of the first aspects under consideration will be examining the Rule of Civil Federal Proceedings. It is my understanding that there may be a Federal Fine associated if there is obstruction.

HCC - FLS Contract Signing Status.

As of November 16th, the contract between **FLS** and HCC has not been signed. What does this mean?

Who knows?

But there are some questions:

- Why hasn’t it been signed? The board of trustees approved the contract on October 29th. Does the impenetrable layer of lawyers have something to do with this?
- If it hasn’t been signed, how can construction begin on this project which incorporates the heavily integrated Solar Thermal design?
- Are materials being ordered now, to stay on a project completion date, or are they being postponed, which could delay the project?
- The county (you and I) own this building, and the county (you and I) are responsible for the loan payments. So who is responsible for watching the day to day construction activity of this project? Is it HCC (who is not accountable for the county loan)? **[Editor’s Note:** Have you ever heard the phrase “The fox is guarding the hen house”?]

[Editors Note: Follow up of all this important stuff seems to be sadly lacking in either The Mountaineer or The Smoky Mountain News ever since both newspapers reported that the HCC Board of Trustees were “Unanimous”.]

Update: This went right past me... In the last issue of Toeprints [re: Toeprints, Issue 23], it was reported, with regard to the solar thermal project, that “**[Response:** The design plans are not yet complete...”]

The design plans are not yet complete!

What?

That was reiterated to me again on November 22nd. It’s worth repeating -

The design plans are not yet complete!

What is one to make of this?

One has to ask the questions -

- Why the rush to have the Board of Trustees do an electronic vote by October 29th to approve this project and contract when the design hasn’t even been completed?
- Why hasn’t **FLS** presented a complete design? Don’t they know how to do it?

Here are some additional questions:

- Why is there an additional \$400,000 floating around in the \$11.1M loan that the county has borrowed?
- When and how many trees in the pristine section of now county owned property where the Creative Crafts Building will be constructed will be cut down to insure that there will be enough sunlight for the Solar Thermal panels of **the design that is not yet completed**? This will pit those that like trees (I like trees) against the Platinum Green Certified Environmental Wacko’s that have pushed this whole solar thermal project.
- When will **Donna Forga** submit her resignation to the Board of Trustees, now that she has been elected as District Court Judge?
- Who will become the new Vice Chair of the HCC Board of Trustees, to replace **Donna Forga**, if and when she resigns?

[Legend: If any name is in **bold**, it can’t be a good thing.]

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