

Haywood County "Toeprints"

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Vol. #2 Issue #4 (Subject: * **SPECIAL EDITION** * Fairgrounds Board Minutes since last July.)

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What's Happening?

This is a **SPECIAL EDITION** of Toeprints...

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.

[Editors Note: These are the minutes from the Haywood County Fairground Board, Inc. They begin from July 27, 2010 to the present. (Typo's and all). Minutes prior to July 27, 2010 are not available. The format here will be to present the minutes for each meeting, with "Some comments..." after each set of minutes.] I've used **yellow highlighting** to call interesting stuff to your attention.

HAYWOOD COUNTY AGRICULTURE AND ACTIVITIES CENTER GOVERNING BOARD MEETING MINUTES, JULY 27, 2010

The organizational meeting of the HCAAC Governing Board was held at 5PM on Tuesday July 27, 2010 in the conference room at the Haywood County Courthouse. All seven members were present, as follows: Nancy Davis Mary Ann Enloe Kevin Ensley Mike Gordon Bill Holbrook Terry Rogers Glenn White.

After a brief discussion, the following members agreed to hold pertinent positions on the Board, as follows:

Chair: Mary Ann Enloe
Vice Chair: Kevin Ensley
Secretary: Nancy Davis
Treasurer: Glenn White

Terry Rogers expressed concern and asked questions regarding how monies already collected for future events & sponsorships would be accounted for during the transition between the old and new boards. Bill Holbrook also expressed concern and asked for clarification as to how monies would be held. Glenn White assured the members that the accounts would remain in place and earmarked funds would be accounted for and used as pledged. He spoke to the fact that currently he (White) and Sam Smith are signatories for the HCAAC account, and expressed hope that Mr. Smith would be willing to continue for awhile.

Kevin Ensley shared that the county has set aside an initial \$40,000 for the board's use in implementing plans for improving profitability, and mentioned a possible hiring of a full-time manager for the facility. He shared copies of the agreement between the current HCAAC board and the County, with reference documents, in an effort to bring the board up to speed as to what has occurred to date. **He discussed the current short-term loan held by the county, stating that it is costing \$17,000/month in interest fees, and**

emphasized the importance of moving quickly to complete the necessary task for an FDA loan. Davis was asked to forward a copy of the FDA requirements to the board as soon as she receives them.

Ensley and White discussed a current issue with architect Shawn Leatherwood, who has done work on facilities planning in the past, and stated that HCAAC's obligations to him are now at an end. He shared a copy of a letter which is being sent to Leatherwood to this effect, and stated that Dale Burgess of Padgett & Freeman are now working on updated plans for facilities expansion and improvement in accordance with perceived need and in compliance with current ADA law. Some of these plans include food concessions area(s) and restroom facilities in the multipurpose arena. Davis requested that those initial plans be shared with the Board so that possible input could be given before the plans were finalized.

Enloe requested that the new board create a new name for the previous governing board that would allow for less confusion. After brief discussion, it was agreed that a working name for the old group would be the Volunteer Advisory Council to the Haywood County Agriculture and Activities Board (VAC). Discussion followed as to how that group might be reorganized to provide a framework for continued support of the HCAAC activities. Bill Holbrook requested a listing of those current members, and Mr. White shared a list with the group. Board members were requested to research/brainstorm/share ideas for this reorganization and to share with the group in preparation for discussion at the next meeting. Suggestions included a mission statement, executive board positions, meeting schedules, possible subcommittees, etc. White shared that the current board (VAC) meets on the 3rd Tuesday of each month at 7pm at the NC Extension Office on Raccoon Road. Enloe suggested that the new Board meet to put plan in place for VAC so that those plans/requests might be shared at the next (VAC) meeting on August 17. Bill Skelton of the NC Extension Service was mentioned as a resource in setting up this organizational structure and in offering ideas to encourage continued volunteer support of HCAAC.

After discussion, the group agreed to meet at least monthly and probably more often during the initial planning phase of its existence. The 2nd and 4th Thursday of each month was agreed upon, with a start time of 6pm. Ensley and Enloe are to reserve space for these meetings and communicate plans with the Board.

In order to continue plans before the 3rd Tuesday VAC meeting, the Board agreed to meet on Thursday, August 5 at the Raccoon Road building at 6pm, and to invite Bill Skelton to attend to offer input. Enloe and Ensley will attempt to meet with Chip Killian on that morning to look at the management

agreement and requirements for FDA loan funding so that information can be shared with the Board on Thursday evening.

After general discussion of various issues to be addressed by the Board in the future, the meeting adjourned at 6:25pm. Respectfully submitted, Nancy Davis, HCAAC Sec.

Some comments...

- Who was paying this \$17,000 per month in interest fees? I requested the financial information from the Fairground Board [see future meeting on January 13, 2011 where I was actually mentioned in the minutes], and have received nothing but silence.
- This is where Shawn Leatherwood is being set up to be thrown under the bus. He stated (either Ensley or White) that Dale Burgess of Padgett & Freeman are now working on updated plans for facilities expansion and improvement in accordance with perceived need and in compliance with current ADA law. How can that be? The first time anything was brought up in a county commission meeting about this was August 16, 2010, and it was not even on the agenda. It wasn't approved until the September 27, 2010 meeting [re: Attachment 6, \$27.5K for architect to begin feasibility process for USDA loan for County Fairgrounds' purchase...] They had the new architect (Padgett Freeman) designing away before any money was approved! Boy, would I like to see the Architecture Agreement on this one.

HAYWOOD COUNTY AGRICULTURE AND ACTIVITIES CENTER GOVERNING BOARD MEETING MINUTES, AUGUST 5, 2010

The 8/05/10 meeting of the HCAAC Governing Board was held at 6PM in the conference room at the conference room at the USDA offices on Raccoon Road in Waynesville. Six members were present, as follows: Nancy Davis Mary Ann Enloe Kevin Ensley, Bill Holbrook Terry Rogers Glenn White.

The meeting was called to order at 6:00PM by chairperson, Mary Ann Enloe. Enloe announced that meetings would be conducted using Robert's Rules of Order. This and future meetings would end at 8:00PM, with recaps to occur for fifteen minutes, with adjournment to occur at 8:15PM.

Agendas were distributed. Discussion of an email from Mark Swanger led to board consensus that, by vote, the former fair board ceased to exist and is now defunct. They have no governing authority at this point, and the current seven-member board will go forward with the approval of the commissioners.

Glenn White was recognized by the chair. He expressed the need to clean up the existing bylaws to reflect organizational changes so that corporate articles do not have to be revisited, and stated that he had been working on a rewrite of the bylaws for some time. He then shared his suggested rewrite (draft of rewrite shared with members and filed in group

files), and the board went through it, item by item. Board members expressed concern at some items, as follows:

Article I - General

Section 1.5 – Enloe expressed concern that staggered terms for board members might not be appropriate at this time, given the need for continuity of knowledge base.

Section 1.10 – Enloe initiated discussion of what the fiscal year should be. Should the calendar run in conjunction with Haywood County's fiscal year (July 1 – June 30)? Ensley spoke to the idea that Jan 1 – Dec. 30 might be a less busy time ... would be a good idea to keep the board in place through Fair rather than to move new members into place just before the event. No action was taken.

Sections 1.5 & 1.7 – Davis asked about the process for election of new board members – from where do these new candidates come? Enloe asked about the process for removal – what is "cause"? Does this term need to be more specific? Holbrook stated that if ¾ majority is required to accept a new member, ¾ majority should be sufficient to remove a member. Enloe asked if the board should develop a code of conduct? Davis moved that a discussion of Code of Conduct be tabled until a later date. Holbrook seconded; motion passed.

Article II - Officers

The discussion of sections 1.5 and 1.7, above, pertained to the officers as well.

Article III – Powers and Duties of Officers

Discussion occurred as to the state of the historical files of HCAAC. White suggested that the secretary get in touch with Sam Smith to go through these files in order to familiarize herself with them and to store them appropriately.

Article IV – Committees of the Board of Directors

Extensive discussion occurred as to committees and how these should be created. Standing committees vs. those which come and go as needed. The board discussed the need for the treasurer to be bonded, and the need for insurance for the directors and officers.

Article V – Advisory Council

Lengthy discussion ensued as to the makeup of the advisory council, it's powers and duties, and how it would work. Enloe mentioned the need for close liason with the yet-to-be-hired Facility Manager, and stated that the board had requested to be put on the agenda at the advisory council meeting at 7pm on August 17, with the goal of reassuring the council members that they are valued and indispensable to the workings of the fairground.

Davis and White emphasized that it is important that some formal organization of officers/executive committee be in place to provide a framework for continued volunteerism from the council. This executive committee would also work with the facility manager and bring ideas to the board. Holbrook that the manager would be the person with whom the AC communicates first. Enloe spoke to the need for more than 27 volunteers on the AC, and White responded that there are many more who volunteer but who are not interested in serving formally on the AC. Enloe stated that she was not in favor of "vetting" AC members – that volunteers should be welcomed with open arms for any role they wished to assist with. She then stated that she felt that the executive committee of the AC should be full-time residents of the county.

White asked if a director should serve on the executive committee as the chair – consensus – No. Holbrook asked if the facility manager should chair the executive committee – consensus – No. Consensus was that the manager attend all AC and executive council meetings to improve communication. Enloe thanked Glenn White for all his hard work in rewriting the draft of the bylaws. White will rework the draft and have it ready to share at the next meeting.

The board then moved on to discussion of the job description for the proposed facility manager. **Enloe emphasized the need for successful marketing of the HCAAC facilities.**

White shared a draft job profile and description for consideration by the board (shared separately by email and in group files). **Discussion ensued as to how this position would be paid – hourly or by salary.** With \$40,000 - \$46,000 as start up for this position, the board also must consider office and travel expenses as part of the startup expense. Should the position then be part-time or full-time? There was discussion of the pros and cons of either. As a point of information, Holbrook stated that **the budget would allow \$20/hour for a 20 hour work week.** Davis asked that the computer literacy portion of the description be more specific. She also requested that proposed expenditures for facilities improvement be shared with the board for reference as its work continues. White will work more on the job profile and description so the board will take another look at its next meeting.

White then mentioned the Master Gardeners taking over responsibility for horticulture exhibits at the fair as a possible template for volunteer responsibility of various events and exhibits during fair time. He and Terry Rogers discussed the possibility of the Cattleman’s Association assuming responsibility for the livestock exhibits. Rogers asked about whether ribbons and trophies had already been order (yes), then said he thought the C.A. might be willing. He will explore this idea with them.

The board requested that a current schedule of fees be shared with them. **Davis will responsible for doing this. She expressed concern that the website may not reflect the current fee structure,** and that HCAAC might be losing money by organizations using the older fee structure.

The board requested that Ensley ensure that the documentation for grant funding be made a part of the next Commissioner’s meeting, since it appears that this is not currently on the agenda. The board’s management agreement must be signed as part of its responsibility, so this agreement should be addressed as quickly as possible. **The deadline for the grant application is September 30. White expressed concern that, if funding does not come through, the board explore a “Plan B” for funding.**

At 8:00PM a wrap-up of the discussion occurred.
- Enloe and White expressed concerns pertaining to the management agreement as it is currently written, including taking care of facility maintenance and capital expenditures; and clarity of definitions as stated in the document.

- The next two meetings of the board were scheduled for September 9 & September 23 at 6pm. These meetings will likely be held at the Russ Avenue county conference room. Ensley will alert the board as to the definite meeting place.
- Enloe thanked White for all his work on the drafts of the bylaws and manager job description.

- Davis agreed to contact Sam Smith to begin the process of going through HCAAC files.

- Board members were encouraged to attend the Advisory Council meetin at 7pm on 8/17/10 at the Raccoon Road conference room, and to attend the County Fair during it’s run from August 25 – 29. The meeting adjourned at 8:15 PM. Respectfully submitted, Nancy Davis, HCAAC Secretary

Some comments...

- “The former fair boar ceased to exist and is now defunct”.
- **Article III - Discussion occurred as to the state of the historical files of HCAAC. White suggested that the secretary get in touch with Sam Smith to go through these files in order to familiarize herself with them and to store them appropriately.** Nancy Davis is the secretary - it is her responsibility to familiarize herself with old records. Presumably, this means both old minutes and financial records.
- “Holbrook stated that **the budget would allow \$20/hour for a 20 hour work week.**” Budget? What budget?
- **“White expressed concern that, if [USDA]funding does not come through, the board explore a “Plan B” for funding.”** “Plan B”, of course, turned out to be the \$337K bailout from the county commissioners via the MOU.
- **“- Davis agreed to contact Sam Smith to begin the process of going through HCAAC files.”** Davis acknowledged responsibility for obtaining old records.

HCAAC Board Meeting, September 9, 2010 – 6:00PM
Present: Mary Ann Enloe Nancy Davis Terry Rogers Glenn White Mike Gordon, Kevin Ensley. Also Attending: Bill Skelton, Julie Davis David Teague.

from: Mary Ann Enloe, chairman - Fairgrounds Board.
An outline of discussion and decisions made by consensus during and after the departure of secretary Nancy Davis, who had another meeting:

Second meeting in September was moved to Tuesday, September 21, at 6:00, Elmwood Drive conference room, since Nancy Davis and Glenn White are not available September 24.

1. **Marketing and Business Plan which must accompany USDA loan application Sept. 15** by county finance officer Julie Davis:

The business plan was prepared in 2008 by consultants from

Western Carolina University. To alter or update it may require their permission, although they were paid for their work and technically the work was the property of the now-defunct HCAAC and has been transferred to the county finance office. It was decided that David Teague, the county Public Information Officer, will prepare a cover letter explaining certain updates and the fact that the existing Fairgrounds Board concurs with the plan and endorses it. (The plan strongly suggests that the marketing "hook" is "Haywood County Fairgrounds", and not "HCAAC".) Anyone who wants to weigh in on what the one-page cover synopsis says should e-mail David Teague directly by early Monday morning, 9/13. He will be on a deadline to wordsmith the brief document.

The necessity for a Farmer's Market at the Fairgrounds was discussed again and agreed to with enthusiasm, with details to be worked out when the Fairgrounds manager is hired and reports to work.

2. Management letter: Kevin Ensley and chairman Mary Ann Enloe will arrange conference call with county attorney Chip Killian for final say-so on Management Letter. We will confirm the date that County Commissioners approved it. FAIRGROUNDS BOARD MEMBERS ARE TO CONTACT MARY ANN ENLOE BY E-MAIL, CC TO OTHER BOARD MEMBERS, BY NOON MONDAY SEPT. 13 OF ANY QUESTIONS THEY HAVE ABOUT THE EXISTING MANAGEMENT LETTER AND ANYTHING THEY BELIEVE NEEDS TO BE CHANGED. This e-mail can be sent to secretary Nancy Davis who will forward. The management letter will go with the USDA loan application on Sept. 15.

3. BY-LAWS: Chairman Enloe encouraged every board member, if he wishes, to submit to the chairman or the secretary a sample set of by-laws, by Friday Sept. 17, or to bring them to the Sept. 21 meeting. These will be discussed at the Sept. 21 meeting. By-laws will be agreed upon and tentatively approved at that meeting, after which they will be submitted to county attorney Chip Killian for perusal. If the county attorney finds everything in order and sends an email to the Board chairman to that effect, the by-laws will stand approved. If he suggests changes, we will communicate electronically as a board in order to get by-laws in place as a priority.

Commissioner Ensley said the Fairgrounds Board will operate under NC Open Meetings Laws and requested that notation in the By-laws. Chairman Enloe explained that when Haywood County commissioners took over the financial responsibility for the fairgrounds properties, the new board was established as a public board to act as the fiduciary conduit through which large amounts of public monies flow from the Board of County Commissioners for the management of the Fairgrounds. Fairgrounds property and buildings belong to the taxpayers of Haywood County,, and not to a private corporation. Loans being applied for are backed by taxpayer dollars. A pamphlet explaining NC Open Meeting statutes will be provided to all board members.

Chairman Enloe said that when looking at sample by-laws it is important to remember that the Fairgrounds Board is not a stand-alone board. It was created by the Board of Haywood County commissioners for a specific purpose. It does not have the authority to create a second board, it cannot appoint members to its board, and it cannot remove members from its board. Only the appointing entity has that authority.

3. MANAGER'S JOB DESCRIPTION: It was decided that the job description on the last page of the business and marketing plan was satisfactory with a few tweaks, such as adding "computer proficiency" and "...shall perform such additional duties as are assigned by the Fairgrounds Board." Anyone who wants to add to the job description is encouraged to do so. The manager's job description will be adopted at the Sept. 21 meeting. The business plan which must accompany the loan application on Sept. 15 specifically mentions the manager's position and it was decided that the target date for hire is 11/1/10. The Fairgrounds Board will not use a recruiter. Process for advertising will be discussed on 9/21, with input from county Public Information Officer David Teague who coordinated the county's nationwide search for county manager candidates. The full Fairgrounds Board will be involved in all phases of the selection/interview process. It was discussed that perhaps three Fairgrounds volunteers sit in on the final interviews, but not vote.

In further discussion, Glenn White again said that he felt the old NCAAC board should be left intact at their present number of members and not have to include other volunteers. Mary Ann Enloe again voiced her concerns about the exclusivity issue should anyone say "no" to someone who wants to volunteer. Enloe and White agreed that the volunteer advisory council should decide about their own leadership and structure as long as they adhere to the Fairground Board's mission. Mary Ann Enloe suggested that the Fairgrounds Board craft a mission statement for the volunteer council.

As all can see, there's a great deal of homework to do and not much time to do it in. The Board accomplished a lot in the Sept. 9 meeting and is off to a good start.

Bill Holbrook left a message on the chairman's phone apologizing for being unable to attend tonight, and re-emphasized his interest in the Fairgrounds and the Fairgrounds Board. Respectfully submitted, Mary Ann Enloe, chairman Fairgrounds Board - (taking minutes in the absence of secretary Nancy Davis who attended but had to leave early).

Some comments...

- **“Chairman Enloe explained that when Haywood County commissioners took over the financial responsibility for the fairgrounds properties, the new board was established as a public board to act as the fiduciary conduit through which large amounts of public monies flow from the Board of County Commissioners for the management of the Fairgrounds. Fairgrounds property and buildings belong to the taxpayers of Haywood County,, and not to a private corporation. Loans being applied for are backed by taxpayer dollars.” What?**

Some important concepts were laid out to these board members by Enloe [D]. The first is that this board is a conduit for funneling taxpayer dollars from County Commissioners. The second, she said that the Fairgrounds property and buildings belong to the taxpayers. This conflicts with the county's MOU [re: MOU Memorandum of Understanding by County commissioners which says - December 20, 2010 - "... to be repaid to the County at such time that the Fairgrounds sells the structures and other leasehold improvements on the fairgrounds property to the County, thereby terminating the ground lease between the Fairgrounds and the County..."] The Fairgrounds owns the buildings, not the county.

- "It [the Fairgrounds Board] was created by the Board of Haywood County commissioners for a specific purpose." Minutes and Financial records should and must be available from this board for public inspection.

MINUTES, HAYWOOD COUNTY FAIR BOARD, INC.
OCTOBER 14, 2010

The meeting was called to order at 6:00pm by chairperson Mary Ann Enloe. Members present included: Mary Ann Enloe Kevin Ensley Glenn White Mike Gordon, Terry Rogers Bill Holbrook.

These minutes were recreated in discussion by the board members during the October 28, 2010 meeting, since secretary Nancy Davis was not in attendance at the October 14 meeting.

Discussion of the By Laws and management documents necessary for the grant occurred, and these documents were finalized for signature and presentation/approval by the Haywood County Commissioners at their November 1 meeting.

Discussion occurred and work was begun to develop a job description for the proposed Fairgrounds manager position. A draft of this document was created. Finalization of this document is to occur at the October 28, 2010 meeting. Respectfully submitted, Nancy Davis, secretary

No comments.

MINUTES, HAYWOOD COUNTY FAIR BOARD, INC.
OCTOBER 28, 2010

The meeting was called to order at 6:00pm by chairperson Mary Ann Enloe. Members present included: Mary Ann Enloe Kevin Ensley Nancy Davis Mike Gordon Bill Holbrook David Cotton, County Manager, was also present for the first part of this meeting.

The group went in to closed session for discussion of a procedural/legal issue left over from the prior HCAAC Board's activities. After discussion the board came out of closed session.

A motion was made by Kevin Ensley that the board request involvement by the County Attorney to resolve the issue pertaining to Shawn Leatherwood, an issue which occurred prior to the present board's appointment. The motion was seconded by Mike Morgan. Motion passed unanimously.

The board discussed the many drafts of the various management and bylaws documents which have been in existence during its work to date. The board requested that Cotton forward final documents to Nancy Davis after the BOC's acceptance vote on Monday, November 1. She will then share these final documents with the board and will create hard copies in a notebook for archival purposes.

Enloe and Ensley reported on a meeting which was held last week with Skipper Russell, Sam Smith, Bill Skelton, Marty Stamey and David Cotton. The topics discussed included concerns from the Volunteer Advisory Council as to funding of day-to-day operations, rentals of the facilities, updates to the "A" building kitchen, tax documents and rental rates. It was agreed that:

- All bills are current and paid to date as of the meeting
- Rental rates will remain at the March, 2010 levels until at least March, 2011
- Facilities rentals should continue as in the past, with no changes at this time
- The county will assume responsibility for creating/submitting tax documents, including form 990, for the 2010 year
- Funding for day-to-day operations should continue as usual until signature cards are changed, possibly after December 1, 2010
- VAC should establish an executive board which should submit a monthly activities report to the HFB
- Meals on Wheels kitchen equipment will be made available as part of the "A" building kitchen upgrade in 2011
- The county will assume property and liability premiums as part of the management agreement

Enloe and Cotton stated that the meeting was successful and that all VAC concerns had been addressed to the satisfaction of those in attendance. The meeting was "useful and cordial." While the VAC has seen 4 resignations in the past couple of months, the VAC is still active and working toward the continued growth of the Fairgrounds.

The matter of the resignation of Glenn White, due to health reasons, effective December 1, 2010, was addressed. After noting White's value to the board, discussion occurred as to whether a treasurer should be appointed from the remaining board members or whether this should wait until after the BOC appoints a new board member. Enloe stated that she'd like to see someone with some bookkeeping experience. Cotton stated the the county might be able to offer financial department assistance in basic bookkeeping for the board's activities. He explained that the county's finance department could handle the monies, keeping the HCFB monies separate and discreet, and offered to bring this idea to the BOC at Monday's (11/01/10) meeting.

Upon a motion by Nancy Davis, seconded by Kevin Ensley, the board regretfully accepted Glenn White's resignation effective December 1, 2010.

Upon a motion by Bill Holbrook, seconded by Kevin Ensley, Mike Gordan was appointed as interim treasurer for the HCFB. He was asked to work with White to make the transitions necessary for continued operations, including the possibility of change of signature cards at the bank and/or transfer of financial operations to the county finance department.

Enloe opened discussion of the proposed fairground manager position. She noted the need to work with David Teague and Susan Layman to advertise for the position. Cotton stated that the county could also offer assistance from Human Resources in advertising, etc.

David Cotton then left the meeting, with the group's thanks for his assistance.

Gordon moved that the position of Haywood County Fairground Manager be advertised as soon as possible, with the position open as of November 5, 2010 and resume's and references being accepted until December 1, 2010. Seconded by Nancy Davis, the motion passed. Interviews will occur in December with the goal to have someone in place by January 3, 2011. Applicant resume's and references will be returned to the County Manager's Office and will be collected there for the board to pick up.

Discussion of the job profile for the manager position then occurred. The board also clarified the description of the position's term and pay rates. These decisions are reflected in attachments shown as "Manager Job Profile" and "Manager Job Description". Note: these documents will be shared as separate documents.

Davis was directed by the board to forward the profile and description documents to David Teague and Susan Layman to ask for assistance with recommendations for wording and advertising. The meeting adjourned at 7:40pm. Respectfully submitted, Nancy Davis, HCFB Secretary

Some Comments...

- "The group went in to closed session for discussion of a procedural/legal issue left over from the prior HCAAC Board's activities." I have requested to inspect these closed minutes when they are released.
- "A motion was made by Kevin Ensley that the board request involvement by the County Attorney to resolve the issue pertaining to Shawn Leatherwood, an issue which occurred prior to the present board's appointment." This after the now infamous letter written by Leon Killian with the firm of Nelson Mullins [re: ABUSE OF POWER, www.haywoodtp.net], not Chip Killian, Haywood County Attorney. [Editors Note: Leon Killian and Chip Killian are one in the same person].
- "Cotton stated the the county might be able to offer

financial department assistance in basic bookkeeping for the board's activities. He explained that the county's finance department could handle the monies, keeping the HCFB monies separate and discreet." **What?** Is the county now holding money for the Fairgrounds Board? What is a discreet account? It was five (5) days after this that Cotton [U] submitted his resignation as County Manager.

- "...including the possibility of change of signature cards at the bank and/or transfer of financial operations to the county finance department." Has this happened?
- "Cotton stated that the county could also offer assistance from Human Resources in advertising, etc." Can Cotton do this? Using taxpayer dollars and county personnel to directly assist this board. Too late to ask him now, he is gone.

MINUTES, HAYWOOD COUNTY FAIR BOARD, INC. NOVEMBER 8, 2010

The meeting was called to order at 6:09pm by chairperson Mary Ann Enloe. Members present included: Mary Ann Enloe Kevin Ensley Nancy Davis Mike Gordon Bill Holbrook Glenn White Terry Rogers. Also present were Wade Francis and Doug Edwards.

Davis shared copies of the October 28 minutes as well as copies of the Fairground Manager job profile and job description. She noted that, although a request had been made to County Information Officer David Teague on October 29, no assistance with advertising had yet been forthcoming. Neither has the County Manager's Office yet shared the final Management Agreement adopted by the Haywood County Board of Commissioners on November 2. Davis will contact Julie at get this document, then share it with the HCFB as well as the executive committee of the VAC.

Glenn White asked if the USDA loan had yet been approved. Kevin Ensley replied that this had not occurred. White requested that Ensley see if he could find out if we had even been approved, since this information could be shared with First Citizens, our lender, to help assure them that the payoff of the loan is forthcoming. Ensley agreed to check to see what he could find out.

White expressed concern that the 990 tax forms might need to have an extension filed. Enloe agreed to assume responsibility for checking with interim County Manager Marty Stamey to put this in motion.

Minutes were then approved unanimously upon a motion by Holbrook, seconded by Terry Rogers.

A brief Treasurer's report was shared, as follows:

Regular Account:	\$12,352.79
Money Market:	\$22,046.79
Golden Leaf Grant:	\$177.06

Enloe began a discussion of the issue of buying a stove for the

A Building kitchen. The VAC has agreed that the stove and hood cannot be installed for the \$3500.00 available for that purpose. Ensley shared that the Meals on Wheels kitchen equipment would be available for installation at the Fairgrounds by September 1, 2011. Mike Gordon asked what kind of equipment is actually going to be available. Davis asked Ensley to get specifics on the MOW equipment, including sizes, items, etc., and to share this info with the Board and VAC. White noted that if this equipment could not be readily utilized in the A building kitchen, it might be used for the planned concession stand in the Arena. He stressed that the A building kitchen should be updated as quickly as possible in order to accommodate large dinners such as the Cattleman's Association, etc.

Enloe then invited Wade Francis to speak to the Board. Francis expressed concern that the VAC has money to operate during the transition. Enloe reassured Francis that monies would continue to be available, and asked that the VAC continue to operate as usual. She asked that the VAC bring monthly activity and budgetary reports to the Board for approval. Ensley noted that the Manager, once hired, would become the liaison to whom such budgetary requests and activity plans would be directed. Enloe stated that the Board would worry about money, but that all financial records would be open to the VAC and to the public.

Francis and Edwards expressed concern about budgeting for the 2011 Fair. Davis stated that the VAC, as the knowledgeable parties, should continue to plan for the Fair and to present the proposed budget to the Board through the Manager (once hired).

Francis asked the Board to physically help out with VAC projects wherever possible. Enloe replied that we would do so whenever possible, but that we were in place as a policy making board, and asked that the VAC be open to recruiting more volunteers from the community as possible.

Enloe then asked Edwards if the VAC's new Constitution and ByLaws might be available by the HCFB's next meeting for its approval. Edwards replied that these documents were almost complete and that he hoped they would be finalized at the next VAC meeting to be held on November 16.

Enloe noted that David Cotton had offered the services of the County Finance Office to provide basic accounting services. Given Cotton's impending resignation, she volunteered to contact Marty Stamey to follow up on this agreement with an eye toward the immediate need to get the 990 form done as quickly as possible.

Discussion occurred as to the need to move quickly to advertise the Fairboard Manager position. Enloe volunteered to assume responsibility for speaking with David Teague about getting the position advertised as quickly as possible. She also plans to write a feature story for the Mountaineer about the search for this person. The job will be advertised from November 15 – December 1, and applicant resumes will be collected by the County Manager's Office. Resumes will be opened on or before December 6, and as many of the

Board members as possible will meet on December 6 to begin interviews. Interviews also will be conducted beginning at 6pm on Thursday, December 16 as necessary.

Doug Edwards asked where the Fairboard Manager's office would be located. The storage room in the A building will be used. Edwards asked that 2 windows be installed, and that electrical and other utility issues be addressed. Ensley agreed to check with the County to see what surplus items might be available to make these changes and to furnish the office. The Board asked Edwards if he could provide the Board with a list of the items needed for the office project. Edwards agreed to do so.

The meeting adjourned at 7:20pm. Respectfully submitted, Nancy Davis, Secretary

Some comments...

- "Enloe reassured Francis that monies would continue to be available,". What monies are going to the VAC?
- Will the county be processing form 990 for this board?

HAYWOOD COUNTY FAIR BOARD, INC., MINUTES, NOVEMBER 29, 2010

The called meeting of the Haywood County Fair Board was called to order at 6:00PM by chairman Mary Ann Enloe. Members present included: Mary Ann Enloe, Kevin Ensley, Bill Holbrook, Terry Rogers, Glenn White, Mike Gordon and Nancy Davis.

Upon a motion made by Holbrook, seconded by Gordon, the board went into closed session for discussion of a legal matter. At the conclusion of discussions, the board left closed session.

A motion was made by Davis, seconded by Gordon, as follows: Based on the advice of the County Attorney and the wishes of the County Commissioners, the Haywood County Fair Board accepts the release and settlement agreement which includes a payment of \$25,000.00 to Shawn Leatherwood and his associates. Further, the Board authorizes chairman Enloe to sign any legal documents associated with such settlement. These legal documents shall be shared electronically with the board members and shall be archived on the board's Yahoo site.

After discussion, the board reluctantly but unanimously voted to pass the above motion.

Upon a motion by Bill Holbrook, seconded by Mike Gordon, the board directed Enloe to request that \$20,000 of the the above referenced payment be drafted from the Fairgrounds line item in the 2010-2011 County budget, and that the remaining \$5,000 be secured from other county resources. Further, the board requested that the remaining line item amount of \$20,000 be forwarded to board treasurer Mike Gordon for immediate deposit into the Fairground account. This motion passed unanimously.

In other discussion, the Board agreed by consensus that the application deadline for the Fairground Manager position be extended until December 15, and that Davis place an ad in the Mountaineer and the Citizen-Times at Fair Board expense to further advertise this position, since it was felt that the position had not been sufficiently advertised in the local area.

Holbrook asked for information on potential applicants for the Board vacancy left by Mr. White's resignation. Given that there are currently only two applicants for this position, the Board felt that the Commissioners might need to extend this deadline as well.

The Board discussed concerns as to the looming deadline for the loan payoff. Ensley stated that there was not yet any word from the USDA loan. White asked that the County prepare for an alternate plan for funding if the USDA loan did not come in time for the 12/25/10 deadline. Ensley agreed to pursue this idea with the Board of Commissioners.

The meeting adjourned at 7:00PM. Respectfully submitted, Nancy Davis, Secretary

Some comments...

- "Based on the advice of the County Attorney and the wishes of the County Commissioners, the Haywood County Fair Board accepts the release and settlement agreement which includes a payment of \$25,000.00 to Shawn Leatherwood and his associates." This is where the County Attorney, the County Commissioners and the Fairgrounds Board threw Shawn Leatherwood under the bus. According to the minutes, it was at the behest of the County Attorney, Leon Killian, and the wishes of the County Commissioners.
- "the board directed Enloe to request that \$20,000 of the the above referenced payment be drafted from the Fairgrounds line item in the 2010-2011 County budget, and that the remaining \$5,000 be secured from other county resources." Evidently, there was not enough money in the "discrete account" to pay off Leatherwood, so the gang in the sandbox simply asked for more of your tax dollars to do this.
- "The Board discussed concerns as to the looming deadline for the loan payoff. Ensley stated that there was not yet any word from the USDA loan. White asked that the County prepare for an alternate plan for funding if the USDA loan did not come in time for the 12/25/10 deadline. Ensley agreed to pursue this idea with the Board of Commissioners." Here it comes, the sweetheart deal of the month, where the commissioners will take \$337K out of the General Fund (your tax dollars) and transfer it through the Fairgrounds Board, so the loan can be paid off and the Fairgrounds Board still regains possession of the buildings [re: MOU, www.haywoodtp.net]

HAYWOOD COUNTY FAIR BOARD, INC., MINUTES, DECEMBER 16, 2010

The meeting of the Haywood County Fairgrounds Board was

called to order at 1:05 PM by chairman Mary Ann Enloe. Members present included: Mary Ann Enloe, Kevin Ensley, Bill Holbrook, Terry Rogers, Mike Gordon, and Nancy Davis (all members were present.)

The meeting began with the Board going through the numerous applications for the position of Manager for the Haywood County Fairgrounds. Applications were read and the Board began the process of narrowing the applicant pool, using three criteria:

- Experience with managing people, volunteers in particular
- Experience with marking and/or event planning
- Experience with computer skills

At 1:45, County Manager Marty Stamey, Haywood county Board of Commissioners Chairman Mark Swanger, and County Finance Officer Julie Davis came in to the meeting to present a "Memorandum of Understanding" (attached to these minutes) which would allow the county to loan the Fairground Board monies to pay off a loan due on December 25. Acceptance of this document would allow the Fairground board to pay off the loan with First Citizens Bank, and would set up an agreement that the Fairground Board would then repay the loan to the County at such time that USDA or other funding becomes available to do so. After discussion and several question from the board members to the county manager and finance officer, the board unanimously voted to accept the document. It will now go to the Haywood County Board of Commissioners for acceptance at their scheduled meeting at 5:30PM on Monday December 20. Enloe reiterated to Davis and Stamey that the board had accepted the Memorandum as written, and that any changes would need to be brought back to the board for further consideration.

At 2:05 pm the board continued the process of reviewing applicants, finally bringing the number of possibilities down to thirteen. Each board member received a copy of these final applications to take home for further review. Board members are asked to review the applications and to send their top 6 or 7 choices to secretary Nancy Davis by email. Davis will collate board responses and share results with the board, again by email. Davis asks that the board share their choices to her by December 31.

Mike Gordon left the meeting at 2:45 PM.

It was agreed that the board would meet on January 6 at 6:00PM, and again on January 13 at the same time. Three or four final applicants will be invited for interviews at each of these meetings. The meetings will be held at the MARC building conference room on Russ Avenue, unless otherwise published. Davis was directed to contact those applicants which did not make the final thirteen with the Board's thanks and regrets.

It was further agreed that Skipper Russell would be contacted with the purpose of inviting three to four Volunteer Advisory Council members to be observers at these interviews. Davis will be responsible for extending this invitation.

In other discussions, the board addressed the problems that

had occurred with a conflict of Fairground use on Dec. 5, 2010, between Calvary Road Baptist Church and the regularly scheduled flea market. Enloe agreed to contact the writers of a letter of complaint and to let them know that the manager would address the issue as soon as possible.

Holbrook expressed concerns as to whether the board members are currently covered for personal liability. Davis read from the Management Agreement documents that such protections should be in place, but that the documents are not yet in effect until the sale of the facilities to the county has actually been completed. Ensley noted that the VAC monies had been used to continue facilities coverage, and that liability insurance for the facility is current. There remains a question of personal liability for board members. This question will be addressed again.

Gordon asked that Sam Smith be included in formal work with the Fairground board. Discussion followed as to how this might be accomplished. Holbrook suggested that Smith (with his agreement) be named interim manager until such time that the managerial position could be filled. It was agreed that this is a good idea, and Enloe was asked to contact Mr. Smith to explore whether he might be willing to assume this role.

The meeting adjourned at 3:30pm. Respectfully submitted, Nancy Davis, Secretary

MEMORANDUM OF UNDERSTANDING.

This Memorandum of Understanding (MOU), entered into this 20th day of December, ... [for the rest, see MOU, www.haywoodtp.net].

Some comments...

- This is where the MOU was presented to the Fairgrounds Board.
- “Holbrook expressed concerns as to whether the board members are currently covered for personal liability. Davis read from the Management Agreement documents that such protections should be in place, but that the documents are not yet in effect until the sale of the facilities to the county has actually been completed. Ensley noted that the VAC monies had been used to continue facilities coverage, and that liability insurance for the facility is current. **There remains a question of personal liability for board members.**” This interpretation conflicts with Enloe’s telling the board [re: September 9, 2010 - “Fairgrounds property and buildings belong to the taxpayers of Haywood County...”. Both the Management Agreement and the MOU are consistent.
- **What? “There remains a question of personal liability for board members.”** These board members evidently don’t have personal liability insurance!

HAYWOOD COUNTY FAIR BOARD, INC., MINUTES, JANUARY 6, 2011

The meeting of the Haywood County Fairgrounds Board was

called to order at 6:05 PM by chairman Mary Ann Enloe. Members present included: Mary Ann Enloe, Kevin Ensley, Terry Rogers, and Nancy Davis. Also in attendance were Doug Edwards and Sam Smith, representing the Haywood County Fairgrounds Advisory Council.

The meeting’s purpose was to interview three applicants for the position of Haywood County Fairgrounds Manager, as follows:

- 6:00PM – Aaron Mabry
- 6:30PM – Melanie McKenna
- 7:00PM – Michael Hufstetler

The interviews were conducted for the applicants listed above. Following some general discussion of the applicants, the next meeting on January 13 at 6:00PM was announced, with three additional applicants to be interviewed at that time.

Respectfully submitted, Nancy Davis, HCFB Secretary

No comments.

HAYWOOD COUNTY FAIR BOARD, INC., MINUTES, JANUARY 13, 2011

The meeting of the Haywood County Fairgrounds Board was called to order at 6:00 PM by chairman Mary Ann Enloe. Members present included: Mary Ann Enloe, Kevin Ensley, Terry Rogers, Bill Holbrook, and Nancy Davis. Also in attendance were Doug Edwards and Skipper Russell, representing the Haywood County Fairgrounds Advisory Council.

General discussion by Ensley regarding a request by Monroe Miller for the past two years’ of financial statements from the Haywood County Fairground occurred, as well as a potential problem with arena use since the planned restroom facilities are not in place. Davis responded that rental organizations are required to provide portable restrooms for any events held in the arena, which should meet the the requirements for the arena’s use. Ensley stated that he would share this information with Bruce Crawford, Haywood county Building Inspector. The meeting then moved on, as follows.

The meeting’s purpose was to interview three applicants for the position of Haywood County Fairgrounds Manager, as follows:

- 6:00PM – Loana Leveritt
- 6:30PM – Jonathan Sears
- 7:00PM – Jerry Tate

The interviews were conducted for the applicants listed above.

At the conclusion of the interviews, general discussion by Ensley of the projected interview by the Haywood County Board of Commissioners for a vacancy on the Fairgrounds Board occurred.

The Board discussed the need for office furniture for the Manager’s office space. Doug Edwards shared that he was proceeding with installation of an interior window to provide visual access to the A building from the manager’s office. He shared that Christy McLean had offered to donate a desk for

the space. Davis stated that she had procured a donation of wood laminate flooring for the space. Discussion of computer needs occurred, and the Russell noted that the VAC had recently purchased a laptop computer which might be sufficient for the Manager's use. Edwards stated that a used desktop system could be purchased for \$200. It was agreed that computer needs would be further discussed with the new manager upon his hiring.

Edwards asked that a meeting be requested with Bruce Crawford to discuss the construction of a wood frame storage building outside the "A" building, for storage for tables and chairs when not in use. Ensley agreed to speak with Crawford about this concern.

The Board then went into closed session for the purpose of discussing the applicants for the manager's position. It was unanimously agreed that Aaron Mabry would be offered the position. The meeting adjourned at 8:20PM. Respectfully submitted, Nancy Davis, HCFB Secretary

Some Comments...

- "General discussion by Ensley regarding a request by Monroe Miller for the past two years' of financial statements from the Haywood County Fairground occurred, as well as a potential problem with arena use since the planned restroom facilities are not in place. Davis responded that rental organizations are required to provide portable restrooms for any events held in the arena, which should meet the the requirements for the arena's use. Ensley stated that he would share this information with Bruce Crawford, Haywood county Building Inspector." I guess I have trouble understanding why a simple request for information would cause General Discussion at this board meeting? Still have not received those financial statements, by the way, nor the minutes over the past two years, only what you see in this **SPECIAL EDITION** of Toeprints. For more information about the boards concern with the potential problem with arena use since the planned restroom facilities are not in place, see Temporary Certificate of Compliance / Occupancy for the Fairgrounds Arena Building, issued by Bruce Crawford in 2006. 1/21/2011... on www.haywoodtp.net.

Undoubtably, more to come...

[**Legend:** If any name is in **bold**, it can't be a good thing. Brackets following a name in **bold** with [D], [R], or [U] denote the individuals party affiliation, **D**emocrat, **R**epublican or **U**naffiliated. re: Haywood County Election Office - all voters 11/18/2010.]

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