

## Haywood County "Toeprints"

February 6, 2011

Vol. #2 Issue #7 (Subject: **Update - Fairgrounds, Special Emergency Meeting**)

[www.haywoodtp.net](http://www.haywoodtp.net)

### 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.

### Update - Kirkpatrick's practically incoherent response...

Recalling the County Commission Meeting, January 12, 2010, [re: Toeprints, Vol #2, Issue#6] **Kirkpatrick** [D] indicated that "Mr. Killian was representing the Fairground and their position as to the issues that have occurred with Mr. Leatherwood over the last several years."

I then sent a letter to **Chip** (a.k.a.) **Leon Killian** [D], since he was familiar with the Fairgrounds Board [re: see **ABUSE OF POWER**, [www.haywoodtp.net](http://www.haywoodtp.net)], to see if he had any recommendations with whom I could follow up with my request for public information, specifically the past two years minutes and financial information, as I wanted to respect **Ensley's** [R] wishes and not have to have him lift his finger to depress the delete button. Remember, **Kevin Ensley** had indicated to me:

- **I AM NOT DOING ANYTHING!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! IF YOU WANT THEM THEN YOU KNOW WHO TO CONTACT. KEVIN ENSLEY,** and
- **TO ALL: MAYBE MY MS IS JUST MAKING ME GRUMPY BUT I WILL NOT BE OPENING ANY MORE EMAILS FROM MR. MILLER. I HAVE A DELETE BUTTON. KEVIN ENSLEY**

[**Editors Note:** See the letter I sent to **Chip**, a.k.a. **Leon Killian** and resultant forthcoming minutes on [www.haywoodtp.net](http://www.haywoodtp.net), [Haywood County Agricultural and Activities Center Association Meeting Minutes from Jan. 2009 - Jun. 2010. 2/2/2011...](#) ]

[**Editors Note:** The minutes were mailed to me by none other than **Kevin Ensley**. That was explained to me in an e-mail by **Nancy Davis** [D], secretary to the Fairgrounds Board:

"Mr. Miller, Due to poor weather, Mr Ensley found himself with enough spare time away from his business to kindly take several hours to provide you with the documents that you received. As soon as I have the time

away from my own business, and away from my mother, who had serious back surgery a week ago and has since had a lot of related problems, I will look for the porta john info which you requested. I am not ignoring your requests, nor am I being "snippy"; rather, I'm just trying to do my best in a volunteer position while juggling other personal concerns as well. As soon as I am directed to do so by the Haywood Fairgrounds Board I will also be happy to release any closed meeting notes which are available. Meanwhile, I appreciate your patience. We are all, after all, citizens of Haywood County and we all have the common goal of making our community a better place to live. Nancy Davis, sec., Haywood County Fairgrounds Board."

If it wasn't "**Due to poor weather**", I suppose I would have never received these documents.]

[**Editors Note:** After considerable obfuscation from the Fairgrounds Board, I have discovered the key to success in requesting public information from these people, **David Teague** [D] and the County Commissioners, is to simply copy the letter requesting the public information to Roy Cooper, Attorney General of the State of North Carolina. Magic Happens!]

So, I searched far and wide in the minutes that were supplied to me by **Kevin Ensley** for "the issues that have occurred with Mr. Leatherwood over the last several years" that **Kirkpatrick** referred to in the January 12<sup>th</sup> commission meeting. Do you know what? I couldn't find any reference to Shawn Leatherwood until the minutes of 6/3/2010 [re: those were the minutes that Shawn Leatherwood's attorney had to pry out of the Fairground Board's hands via Freedom of Information Act paperwork, reprinted in Toeprints, Vol#2, Issue #5].

There was a second reference to Shawn Leatherwood in the minutes of 7/20/2010 [re: [www.haywoodtp.net](http://www.haywoodtp.net), [Haywood County Agricultural and Activities Center Association Meeting Minutes from Jan. 2009 - Jun. 2010. 2/2/2011...](#)] "The architecture fees were discussed with **Kevin Ensley**, **Skipper** may have to meet with Shawn Leatherwood again".

Then **BOOM!**, **Leon Killian** sends Shawn Leatherwood the infamous intimidating letter on Nelson Mullins Stationary [re: **ABUSE OF POWER**, [www.haywoodtp.net](http://www.haywoodtp.net) ]

One of several things has to happen now -

- I have to search further back and request Fairground Board minutes prior to two (2) years ago (that is like pulling teeth out of a tiger, and I have to wait for additional **poor weather**), or
- **Kirkpatrick** needs to be forthcoming and explain what he knew that caused him to throw Shawn Leatherwood under the bus by saying - “**Mr. Killian was representing the Fairground and their position as to the issues that have occurred with Mr. Leatherwood over the last several years.**”, or
- **Kirkpatrick** owes Shawn Leatherwood a public apology for allegedly slandering him in public.

Of course, **Leon Killian** has problems of his own, now.

#### **Fairgrounds Minutes and Financial Data posted.**

Minutes from the Fairgrounds from almost two years ago, along with financial documents have been posted on [www.haywoodtp.net](http://www.haywoodtp.net) . See:

[Haywood County Agricultural and Activities Center Association Meeting Minutes from Jan. 2009 - Jun. 2010. 2/2/2011...](#)

and,

[Haywood County Agricultural and Activities Center Association Financial Records \(?\) from Jan. 2009 - Jun. 2010. 2/2/2011...](#)

#### **N.C.D.O.I.**

A complaint has been filed with the N.C.D.O.I., regarding the Haywood County Fairgrounds Arena Building.

K&K Insurance (insures the Haywood County Fairground Arena Building) has been copied on the N.C.D.O.I. complaint.

#### **I.R.S.**

A complaint has been filed with the I.R.S. to investigate the financial reports of Haywood County Fairgrounds, Inc.

#### **Pending Agencies complaints being prepared:**

- SBI ([www.ncdoj.gov](http://www.ncdoj.gov))
- NC Board of Architecture ([www.ncbarch.org](http://www.ncbarch.org))
- DOJ ([www.justice.gov](http://www.justice.gov))
- NC Bar Association ([www.ncbar.org](http://www.ncbar.org))

#### **Special Emergency Meeting of Board of Commissioners.**

The board of county commissioners called an emergency meeting immediately prior to the budget work session at 1p, 2/1/2011. The purpose was to have to release certain redacted closed session minutes related to pending litigation which have been approved but withheld from public inspection. On 1/30/2011, the Arbitrator presiding over the construction contact dispute with KDM, who has jurisdiction over the commissioners, ordered the release. Considering that the commissioners had no choice, they voted (**Kirkpatrick** was late and did not vote) to release the un-redacted minutes to the Arbitrator, but keep them withheld from the public. Seems like things are moving forward on this case. Based on what I have seen come out of released closed session minutes from these commissioners already, I hope the Taxpayers of Haywood County are getting prepared to loose their shirts on this lawsuit also.

#### **New Feature! Day Counter for Mountaineer and SMN.**

This new feature will show the days since 1/1/2011 [county commission released closed minutes posted on [www.haywoodtp.net](http://www.haywoodtp.net) ] since either The Mountaineer or the Smoky Mountain News has said a single word about the Haywood County Fairgrounds Arena Building fiasco.

- The Mountaineer 37 days
- Smoky Mountain News 37 days

[**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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