

Good evening Mr. Chairman & County Commissioners.

I wish to mention a few things during my allotted time this evening and I sincerely hope that, if I should exceed my 5-minute time limit, you will consider extending long enough to allow me to complete my thoughts because they are of an extremely important nature & deserve your full attention.

I'll start with my standard request that you hold a Town Hall meeting to provide a free and unfettered forum for communication of concerns between you and the people you were elected to represent. I still don't understand why this request has drawn such a gag reflex from this Board, but I do hope that the Tax Day Tea Parties of last week make it clear to you that the people have some serious concerns and they deserve to be heard. If you truly do wish to represent the people of Franklin County, then it's only appropriate for you to hear them publicly and address their concerns.

Second, I want to make you aware of my recent request to the EDC for **public records**. That request (pursuant to the General Statutes of North Carolina (G.S. 132 §1.11, 6, § 6.1, 6.2, and 9) was for:

1. any and all e-mail sent to or received by all EDC personnel, past or present, from 12:00:01 on January 1, 2007 to present, which in any way relates to any county business or proposed business, resident, employee, or representative, past or present;
2. any and all attachments to the above-mentioned documents, regardless of origin;
3. any and all documents which has been converted to electronic format, regardless of the method by which such documents were originally received, which relates, either directly or indirectly, to any county business or proposed business, resident, employee, or representative, past or present AND which pertains in any way to county business.

Mr. Goswick overheard me talking to Miss Duke and asked me to come into his office, which I did. During that conversation, I was asked what, specifically, I was looking for – a question that I am protected by GS §132-6(b) from answering. Ronnie told me that he routinely discards his e-mails – a violation of GS §132-3, and said that those he saves are just left in his Inbox (this runs contrary to recommendations presented by the North Carolina Department of Cultural Resources, Offices of Archives & History, Division of Historical Resources, Archives & Records Section Publication entitled “E-Mail As A Public Record in North Carolina – Guidelines for Its Retention and Disposition” (August 2002). He also told me that my request would take far too much time and effort to fully complete because confidential information is mixed in with non-confidential information– a violation of GS §132-6(c). I eventually settled on starting out with a search of his Inbox for Committee of 100 and Incentives to see what he came up with. On April 17th, I got back 104 e-mails from Mr. Goswick, most of which were inconsequential. Miss Duke's files numbered 174 and were also largely inconsequential.

During our conversation, Mr. Goswick and I also discussed, albeit briefly, the Franklin County Committee of 100. During that discussion, Mr. Goswick asked why I had not chosen to join the Committee. I told him that I am morally opposed to joining an organization whose primary purpose seems to be buying influence with the EDC and, therefore, with the Board of Commissioners. Mr. Goswick seemed surprised by this response and asked what made me feel

this way. I explained that, in my experience, nearly every planning or zoning matter brought to the Board of Commissioners first came to Mr. Goswick for a recommendation and that recommendation seemed to carry a great deal of weight in the Board of Commissioner's final decision. Since Mr. Goswick is a member of the Committee of 100, as is half of the EDC Board, and that Co100 members who aren't on the EDC Board also sometimes attend EDC meetings and voice their opinions on EDC affairs. I told Mr. Goswick that I believe the Committee of 100 holds far too much sway over EDC affairs, opinions, recommendations, etc. I also pointedly commented that I believed that this influence was akin to buying the ear of the EDC and, therefore, of the Franklin County Board of Commissioners. I told Ronnie that I don't believe that his recommendations to the Board of Commissioners or Planning Board could possibly be unbiased in light of this close interrelationship with the Co100, especially given his own membership in that group. Mr. Goswick nodded his head up and down and said "right" which I took to be an acknowledgement of my point. What caught my attention was that he didn't disagree and he made no attempt to clarify his position. The more I've thought about this in the days since, the more I have begun to question the appropriateness of the Committee of 100's close ties to the EDC and Franklin County government in general.

I believe that the Committee of 100's is, by it's own description of its operations, predominantly a real estate holding & development company whose membership dues and corporate profits are used to acquire, purchase, lease, plan, and/or construct industrial development projects in Franklin County. As a business entity with a distinct financial interest in developing Franklin County, regardless of their tax status, the Co100 is a **partisan entity** with a specific agenda. According to documents filed with the NC Secretary of State as well as the promotional materials of the Co100 itself, the Co100 receives its mail at the Franklin County EDC offices and its e-mail contacts are the business e-mail addresses of County employees Ronnie Goswick & Lori Duke while the registered agent for the Co100, Donald Mazingo, receives any mail for his work in that capacity right here at the County Administration Building in which we are currently standing.

Based on all of this information, it is my opinion that the depth of the hands-on involvement and complete intermingling within routine EDC and Franklin County government affairs constitutes a clear violation of **GS §153A-99**. This particular statute exists "to ensure that county employees are not subjected to political or partisan coercion while performing their job duties, to ensure that employees are not restricted from political activities while off duty, and to ensure that public funds are not used for political or partisan activities." This statute also states that "No employee may use county funds, supplies, or equipment for partisan purposes, or for political purposes except where such political uses are otherwise permitted by law". I believe that this statute leaves no room for alternate interpretations and that, based on the wording and obvious intent of the statute, I believe that the following parties are all suspect for potential violation of NCGS §153A-99:

- ✓ the EDC as a government body
- ✓ Mr. Mazingo as the registered agent of the Co100 for receiving their mail at the County Admin building while acting in whatever governmental capacity his job entails
- ✓ Mr. Goswick as EDC Director and Co100 member for conducting Co100 business at a county-funded office and representing Co100 interests to County Officials while engaged in his capacity as EDC director
- ✓ Miss Lori Duke as a county employee in the EDC office conducting Co100 business at a county-funded office

- ✓ Economic Development Commission member Mark McArn (FC Planning Board & Co100 member) for representing Co100 interests while engaged in his capacities as both an EDC Commission member and County Planning Board Member
- ✓ EDC Board members Don Lancaster (FC Commissioner & Co100 Chair/member) and Shane Mitchell (FC Commissioner, EDC Chair, & Co100 member) for representing Co100 interests while engaged in their capacity as EDC Board members and/or County Commissioners
- ✓ County Commissioners Sidney Dunston (Co100 member), Penny McGhee-Young (Co100 member) for representing Co100 interests while engaged in their capacity as County Commissioners, and
- ✓ Darnell Batton while acting in his capacity as the attorney of record in most county affairs when he has a vested interest as a Co100 member in favoring the Co100 position

I want to make it very clear that I am NOT saying that any of those I just named ARE guilty. I am merely pointing out the fact that there is certainly cause for further investigation based on the positions that these people hold and the frequency with which the interests of their partisan activities & association with the Committee of 100 just happen to coincide with the performance of their functions as governmental employees.

I submit that no political lobbying or special interest group should hold 50% of the seats on ANY county Board or Commission and that all EDC Board members should come to the table with nothing more than the best interests of the County at heart. If anyone should hold 50% of the EDC Board's slots, it should be regular people from Franklin County who have no business-ownership, real-estate (beyond their personal home) or other potentially self-serving interest aside from the fact that they are Franklin County residents who naturally retain a vested interest in the progress and economy of the county.

I believe that these matters merit serious consideration by your Board and that the affairs, management, and track record of the EDC merit further scrutiny. I should note that, having requested figures for total success rates and/or track record information for the EDC, I was told that neither the EDC or the County keep such records and was referred to the State's website for answers. I have no doubt that Mr. Goswick's intentions as Director of the EDC are good, but I believe that his office is run without sufficient oversight by either this Board or the people of Franklin County and that Mr. Goswick's lack of knowledge regarding or adherence to even the most basic of North Carolina's General Statutes constitutes a major liability to County Government and the taxpayers which support her.

I realize that, having a matter coming before this Board later this evening, my timing in bringing these matters to your attention could not be worse, but I feel it's very important for you to be made aware of these issues now and in clear view of the public. If I've shot myself in the foot with regard to my ToPU amendment presentation, then that's truly a shame. I would hope, however, that this isn't the case and that you will give that matter proper consideration and base your decisions on the merits of the ToPU Amendment proposal alone.

I thank you for your time and attention to my comments.