

Monroe A. Miller Jr.
19 Big Spruce Lane
Waynesville, NC 28786
July 18, 2015

Subject: Dialog with Ira Dove - failed attempt to extract information about White Oak Landfill.

On June 2, 2015, several Haywood County Taxpayers paid a visit to DENR in Swannanoa regarding the White Oak and Francis Farm landfills, and a couple of other topics. In attendance from DENR were Deb Aja, Andrea Keller (no longer there, i.e. gone) and Elizabeth Werner.

[re: See <http://haywoodtp.net/pubTP/T150617.pdf> for questions presented to DENR].

Some of the questions were responded to, others not. It was suggested by Deb Aja that we ask Haywood County about some of these questions. This is Part II of a two part series, providing information that the county has responded to on these landfills, which is practically nothing.

- Part I - Francis Farm Landfill
- Part II - White Oak Landfill

These were the questions going into the DENR meeting...

White Oak

Brought to my attention that Santek has closed out two prior landfills, paid a minimum penalty, and left counties holding the bag, as Haywood is for Francis Farm.

Questions here are to determine if there is a basis for concern.

- edm.nc.gov/denr-portal/ Access to Documents on DENR website?
- Projection of White Oak Fill/closure date at current daily rate?
- Monthly Reports on Santek Activity. Ask DENR or County? Santek Contract page 15, 32.
- How many cells to be opened?
- Cell opening schedule advancing from original schedule?
- 20 year life, based on 400 tons/day. (Santek Contract page 13). Daily limit removed from contract May 2014.
- Post Closure - What is minimum Santek can do (penalties) and eliminate future closure costs?
- Performance Security. If Santek breaks agreement, does Haywood get this? Page 38 of Agreement.
- Bond amount required of Santek?
- Any way to determine if Santek walked away from two other landfills?

Since all I mainly have are questions for county officials, this dialog will summarize what has transpired to date with **Ira Dove** and **Stonewall Blevins** via e-mails Requesting Public Information.

The e-mails speak for themselves.

This is an ongoing process, and since I am getting no where with **Ira Dove**, a lawyer, I have requested a sit-down face-to-face meeting with him which he has refused.

Now, all of a sudden, there is a plethora of agenda items on the July 20th County Commission meeting. It seems that **Kevin Ensley**, **Mark Swanger**, **Ira Dove**, **Stonewall Blevins** and **David Francis** now feel the need to provide the public information about White Oak, as they did with a Francis Farm Update at the last county commission meeting.

VI. Administrative/Agency Reports

Overview with Santek on operations at White Oak Landfill since expanded management – **David Francis**, Solid Waste/Tax Administrator; Matt Dillard, Santek Executive Vice President; Cheryl Dunston, Santek Executive Vice President of Marketing

New Business

7. Request approval of three contracts with McGill Engineering Contracts for ongoing services at the Francis Farm Landfill and White Oak Landfill:

Contract for technical guidance	\$25,000
Contract for permit boundary modification	\$30,000
Contract for White Oak Landfill capacity study	\$14,300

David Francis, Solid Waste/Tax Administrator – ATTACHMENT 13

8. Request approval of four contracts for Bunnell Lammons Engineering (BLE) for ongoing services at the Francis Farm Landfill:

Contract for Well Abandonment and Installation	\$64,700
Contract for Water Quality Monitoring Plan	\$10,000
Contract for Statistical Analysis of Ground Water	\$ 5,000
Contract for Landfill Gas Monitoring Plan	\$ 4,000

David Francis, Solid Waste/Tax Administrator – ATTACHMENT 14

Wow! That is **\$153,000**. Where is this money coming from? Why it is coming from the TAX INCREASE voted on by **Kevin Ensley** and **Mark Swanger**.

Be sure to attend the next county commission meeting. Maybe some of these people from Santek will answer some of these questions.

Notice both **Vicki Hyatt** of the Mountaineer and **Becky Johnson** of the Smoky Mountain News have been spoon-fed this information, and not a peep about any of this from either “newspaper”.

Monroe Miller
Haywood County Taxpayer.

Subject: 1st Request for Public Information - White Oak Landfill

Date: Fri, 05 Jun 2015 14:19:14 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <mpruett@haywoodnc.net>

CC: Stonewall Blevins <tsblevins@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Kevin Fuller <kfuller@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King, Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Andrea Keller <andrea.keller@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>

Mr. Dove, Francis and Pruett,

This is a request for Public Information. The following list contains both specific requests, and also questions. Let me know if you need additional clarity with the questions I am presenting.

Questions regarding Sanitary Landfill Operation Agreement between Haywood County and Santek.

- Section 3.5. Agreement is only 20 years, with an option to extend 10 additional years. This was sold to Haywood County Taxpayers by Mark Swanger that this was a 30 year life of this landfill. Please confirm it is 20 years.
- Section 5.1. Please provide (Request for Public Information) copies of all annual and monthly reports as specified by Section 5.1.
- Section 5.6. Santek can limit access to this landfill. This is public land. How can they do that?
- Section 5.13. Why was the tonnage limitation removed [re: Second Amendment to Agreement, 5/1/2014].
- Section 10.2(a). County pays \$127K per month = \$1.5 Million per year. Why does your Budget Presentation Power Point slice indicate Santek expense is only \$530,030?
- Section 10.7. Request copies of all monthly reports submitted to the County.
- Section 12.7. Is waste being dumped into White Oak Landfill from areas outside the state of North Carolina, as specified by Exhibit G, specifically from Newport, TN?
- Exhibit F. Why does the Deeds Online program on www.haywoodnc.net produce no results when the Deed of Trust is accessed [re: BK: RB 764, PG: 328-348]?
- Exhibit F. The Landfill appears to be collateralized from between \$4.5M - \$9M, but is currently assessed for \$598,800? Please explain the difference / discrepancy.
- Is Haywood County currently paying a daily administrative penalty based on the Compliance Inspection Report you received on 4/15/2015?
[re: http://haywoodtp.net/pubII/150604SW_F_4407-MSWLF-1993_04-15-2015_E_NOV.pdf]
- What is the expected life of White Oak Landfill now that the daily tonnage limitation has been eliminated?

Thank you,

Monroe Miller

Pursuant to Proper Etiquette and N.C.G.S. § 14-196.3, this e-mail conforms to Section (e) which applies to any peaceable, nonviolent, or nonthreatening activity intended to express political views or to provide lawful information to others. This section shall not be construed to impair any constitutionally protected activity, including speech, protest, or assembly.

Subject: RE: 1st Request for Public Information - White Oak Landfill

Date: Fri, 5 Jun 2015 19:21:07 +0000

From: Ira Dove <IDove@haywoodnc.net>

To: Monroe Miller , David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>

CC: Stoney Blevins <tsblevins@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lkensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwkllaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Kevin Fuller <kfuller@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King , Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Andrea Keller <andrea.keller@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>

Mr. Miller,

This is to acknowledge receipt of your request for documents. You have requested a significant number of documents and it will take time to process. You should receive either the requested documents or an updated timeframe for delivery by June 19 at 5 pm.

Ira Dove
County Manager
Haywood County Government
215 N. Main St.
Waynesville, North Carolina 28786
(828) 452-6625 office
(828) 452-6715 FAX
ido@haywoodnc.net

Subject: Re: 2nd Request for Public Information - White Oak Landfill

Date: Fri, 19 Jun 2015 20:01:30 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>

CC: Stoney Blevins <tsblevins@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnc.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwkllaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King , Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Andrea Keller <andrea.keller@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>

Mr. Dove,

Where is it?

Monroe Miller

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Subject: Re: 3rd Request for Public Information - White Oak Landfill

Date: Tue, 23 Jun 2015 07:47:33 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stonewall Blevins <tsblevins@haywoodnc.net>

CC: Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwkllaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King, Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Andrea Keller <andrea.keller@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Blevins,

As Assistant County Manager, can you help me out here? I can't get a response from Ira Dove again regarding the Public Information I have requested regarding the White Oak Landfill. Can you give Mr. Dove a call today to see why I was never provided with either the requested documents or an updated time frame for delivery by June 19 at 5 pm?

By the way, the numbers floating around by knowledgeable people is that the White Oak Landfill will be full and have to close within 6 - 10 years. I hope to confirm this by mathematical extrapolation using the soon-to-be-provided hard data from yourself or Ira Dove.

Also, Dove had not provided a single scrap of information relating to the Francis Farm Landfill that I have requested, other than the power point presentation given by David Francis, which generated more questions than answers.

Have all the elements of the DNER NOV (Notice of Violation) been resolved?

Thanks,

Monroe Miller

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Subject: Re: 4th Request for Public Information - White Oak Landfill

Date: Tue, 23 Jun 2015 15:32:18 -0400

From: Monroe Miller

To: Candace Way <ecway@haywoodnc.net>

CC: Ira Dove <IDove@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stonewall Blevins <tsblevins@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King , Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Andrea Keller <andrea.keller@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Ms. Way,

Both Ira Dove and Stonewall Blevins appear too busy to respond to my Request for Public Information. Can you arrange a meeting time with Ira Dove tomorrow afternoon sometime? I might be bringing some extra people, so please let me know a time when you can. The topic will be both the Francis Farm and White Oak Landfills.

Thank you,

Monroe Miller

Pursuant to Proper Etiquette and N.C.G.S. § 14-196.3, this e-mail conforms to Section (e) which applies to any peaceable, nonviolent, or nonthreatening activity intended to express political views or to provide lawful information to others. This section shall not be construed to impair any constitutionally protected activity, including speech, protest, or assembly.

Subject: Re: Automatic reply: 4th Request for Public Information - White Oak Landfill
Date: Tue, 23 Jun 2015 15:49:12 -0400
From: Monroe Miller
To: Keller, Andrea <andrea.keller@ncdenr.gov>

Thank you for letting me know.

I will take you off the copy list.

Monroe Miller

On 6/23/2015 3:32 PM, Keller, Andrea wrote:

I am no longer with NCDENR Solid Waste Section. Please contact either the Asheville Regional Office Solid Waste Field Operations staff at (828) 296-4500, or Deb Aja, Western District Supervisor, at (828) 296-4702 or deborah.aja@ncdenr.gov.

Subject: FW: Santek Reports
Date: Tue, 23 Jun 2015 20:20:46 +0000
From: Ira Dove <IDove@haywoodnc.net>
To: Monroe Miller (monroemillerjr@bellsouth.net)
CC: David Francis <DBFrancis@haywoodnc.net>, Stoney Blevins <tsblevins@haywoodnc.net>, Leon
Chip Killian <chip.killian@nelsonmullins.com>, Candace Way <ecway@haywoodnc.net>

15 files have been attached via Copy
The attachments will be accessible until Thu Jul 23 16:21:28 2015 (EDT).

Detail Origin Report 1-2015.pdf
Detail Origin Report 2-2015.pdf
Detail Origin Report 3-2015.pdf
Detail Origin Report 4-2015.pdf
Detail Origin Report 5-2014.pdf
Detail Origin Report 5-2015.pdf
Detail Origin Report 6-2014.pdf
Detail Origin Report 7-2014.pdf
Detail Origin Report 8-2014.pdf
Detail Origin Report 9-2014.pdf
Detail Origin Report 10-2014.pdf
Detail Origin Report 11-2014.pdf
Detail Origin Report 12-2014.pdf
Santek Annual Report 2014.pdf
Detail Origin Report 1-2015.pdf

[View All Attachments](#)

- -

Mr. Miller,

This is in response to your request for reports regarding Santek.

Ira Dove
County Manager
Haywood County Government
215 N. Main St.
Waynesville, North Carolina 28786
(828) 452-6625 office
(828) 452-6715 FAX
ido@haywoodnc.net

Subject: FW: Santek
Date: Tue, 23 Jun 2015 20:36:01 +0000
From: Ira Dove <IDove@haywoodnc.net>
To: Monroe Miller (monroemillerjr@bellsouth.net)
CC: David Francis <DBFrancis@haywoodnc.net>, Leon Chip Killian
<chip.killian@nelsonmullins.com>, Candace Way <ecway@haywoodnc.net>

Mr. Miller,

Here is another record regarding Santek that corresponds to your request.

Ira Dove
County Manager
Haywood County Government
215 N. Main St.
Waynesville, North Carolina 28786
(828) 452-6625 office
(828) 452-6715 FAX
ido@haywoodnc.net

Attachment: Excerpt from BOCC meeting 04-21-14

Excerpt from BOCC meeting 04-21-14

Request Approval of Second Amendment to Sanitary Landfill Operation Agreement – Santek
Chairman Swanger noted that the amendment before the commissioners was a revised document, but commented that the new revised document was put on the County website earlier today and is available.

Mr. Killian explained that the document today is the second amendment to the Sanitary Landfill Operation Agreement which was entered into on September 6, 2011, and the agreement contemplated that there would be a permit modification application to the state.

He stated that this agreement acknowledges that the new permit is in existence and the County can now proceed to the expanded management agreement. It also preserves the capacity assurance requirements which were in the original agreement as well as closure and post closure compliance requirements.

Mr. Dove recognized that there was a representative from Santek present if there were any further questions. Vice-Chairman Kirkpatrick noted that this was part of the initial contract with Santek and guarantees the same amount of time for the landfills. He stated that the additional waste being collected does not limit the fact that Haywood County can utilize it for just as long as we would have at the beginning of the contract.

Mr. Dove concurred and read an excerpt from the agreement clarifying this fact.

Chairman Swanger stated there are financial assurances on record protecting Haywood County completely. Mr. Killian agreed and stated that current version of the bonds are placed with us.

Chairman Swanger noted that this eliminates any unfunded liability that Haywood County has been under for years, and noted that the State requires counties to handle closure and post closure expenses for a landfill. Commissioner Upton noted that the County had to look at ways to reserve money each year to accumulate up to 20 to 30 million dollars to cover potential liability before Santek.

Commissioner Ensley noted that we have an existing closed landfill that we have to deal with now, and this agreement eliminates liability such as this.

Chairman Swanger explained that the County has Francis Farm Landfill that closed and now it is a tremendous liability since gas is migrating offsite. He commented that we have a legal and moral obligation to correct this which we are in the process of doing. He noted that this could potentially cost 7 to 8 million dollars to correct.

Commissioner Sorrells said that the County has been trying to come up with solutions to these issues for years. He noted that most of the issues have been addressed and this agreement will relieve the County from liability.

Commissioner Ensley noted that the County has held public hearings on this in the past, and that this demonstrates how the issues are being addressed.

Commissioner Ensley made a motion to approve the second amendment to the Sanitary Landfill operation Agreement and was seconded by Vice-Chairman Kirkpatrick. Motion carried unanimously.

Subject: Re: FW: Santek Reports

Date: Tue, 23 Jun 2015 16:39:06 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>

CC: David Francis <DBFrancis@haywoodnc.net>, Stoney Blevins <tsblevins@haywoodnc.net>, Leon
Chip Killian <chip.killian@nelsonmullins.com>, Candace Way <ecway@haywoodnc.net>

Mr. Dove,

I am unable to open / read any of these files. Please resend as pdf or other alternative file.

Monroe Miller

Subject: Re: 5rd Request for Public Information - White Oak Landfill

Date: Tue, 23 Jun 2015 17:10:21 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stonewall Blevins <tsblevins@haywoodnc.net>

CC: Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King, Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Dove,

If the files are too large, how about I come over tomorrow and pick them up on a DVD.

These look like reports from 2014 - 2015. The Santek agreement was signed in September of 2011. I need all the monthly reports since Santek took over. How am I supposed to complete a mathematical extrapolation with data only from 2014 - 2015? Please send all the data since Santek signed the contract.

I received this notification from Andrea Keller at NCDENR:

I am no longer with NCDENR Solid Waste Section. Please contact either the Asheville Regional Office Solid Waste Field Operations staff at (828) 296-4500, or Deb Aja, Western District Supervisor, at (828) 296-4702 or deborah.aja@ncdenr.gov.

Therefore, I have removed her from this distribution list. Let me know when I can pick up the entire set of data.

Monroe Miller

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Subject: RE: 6th Request for Public Information - White Oak Landfill

Date: Wed, 24 Jun 2015 22:58:51 +0000

From: Ira Dove <IDove@haywoodnc.net>

To: Monroe Miller , Candace Way <ecway@haywoodnc.net>

CC: David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stoney Blevins <tsblevins@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lkinsley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnl.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwkllaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King , Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Miller,

Yesterday I sent numerous tonnage reports in pdf format to you, which have been opened subsequently by at least three people. The documents comprised the reports of tonnages from Santek since expanded management began in May of 2014. These were the reports that matched your initial requests. These documents have been placed on a dvd.

Additionally, you are requesting documents from the time period in 2011 until 2014 from when Santek was paid a management fee to operate the landfill on behalf of Haywood County and used County software. Copies of the daily tonnage reports from this time period have been printed.

You may pick up the dvd and documents from Ms. Way any-time after 9 am tomorrow morning. In addition, an excerpt of the Minutes from the April 21, 2014 BOCC meeting was sent to you. This document explained some of the answers to some of the questions below, but along with the contract previously sent to you, and the documents and dvd mentioned above, provide the answers that we will make on this topic at this time.

Regards,

Ira Dove
County Manager
Haywood County Government
215 N. Main St.
Waynesville, North Carolina 28786
(828) 452-6625 office
(828) 452-6715 FAX
ido@haywoodnc.net

Subject: Re: 6th Request for Public Information - White Oak Landfill

Date: Wed, 24 Jun 2015 19:29:30 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>

CC: David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stoney Blevins <tsblevins@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King, Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Dove,

As I always request that I receive information in a DVD format or electronic form, it saves you and I from the costs of printed materials. Since you chose to print some of my requested Public Information (which I prefer that you scan and send it to me in electronic format), I realize that I may have to pay for a truckload of printed material. Please calculate the amount that I owe Haywood County for this printed material.

I plan to walk around Lake Junaluska tomorrow morning, and most likely will pass Mark Swanger and presumably Mrs. Swanger again during our walk. I will plan on seeing Ms. Way after the walk.

Thank you,

Monroe Miller

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Subject: Re: 6th Request for Public Information - White Oak Landfill

Date: Thu, 25 Jun 2015 16:09:22 -0400

From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>

CC: David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stoney Blevins <tsblevins@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King, Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Dove,

I picked up the DVD and 14 sheets of paper that had data on them from Candace Way around noon today. I have attached some of the files that you provided on the DVD, and I scanned the 14 sheets of paper and attached it also into a PDF file (which you could have done).

Of the data you provided on the DVD, from the months of May 2014 through May 2015, there is sufficient specificity to gather and process the data I am seeking. However, there is no key to the subjects in each column. Please provide the key, even though some appear to be self explanatory. Specifically, in the ninth column, heading "Material Total", and the entries are marked with a number, followed by "TN", please verify that this means "ton".

Of the data you provided on the 14 sheets of paper, scanned to file "150625 Dove 11-14 Data.pdf", this is pure garbage. What do you mean by providing this to me. This looks like some meaningless summarized report generated by Tax Administrator David Francis. I really don't have any spare time to waste with garbage such as this. Do you believe everyone on this copy list is an idiot? Please provide all the reports in the same format as you provided on the DVD for all the months since 2011 through April 2014 since Santek signed the contract. I am speaking of the original contract, not the amended contract. I will drop by about the same time tomorrow and pick up another DVD from Candace Way. By the way, Candace Way indicated there was no charge. I feel I owe you \$.25 for the DVD, but do not owe you one red cent for the 14 pages of garbage.

Note this is the 7th request for information which there should have been no problem providing the first time around.

Monroe Miller

Pursuant to Proper Etiquette and N.C.G.S. § 14-196.3, this e-mail conforms to Section (e) which applies to any peaceable, nonviolent, or nonthreatening activity intended to express political views or to provide lawful information to others. This section shall not be construed to impair any constitutionally protected activity, including speech, protest, or assembly.

Subject: Re: 8th Request for Public Information - White Oak Landfill

Date: Fri, 26 Jun 2015 09:47:26 -0400

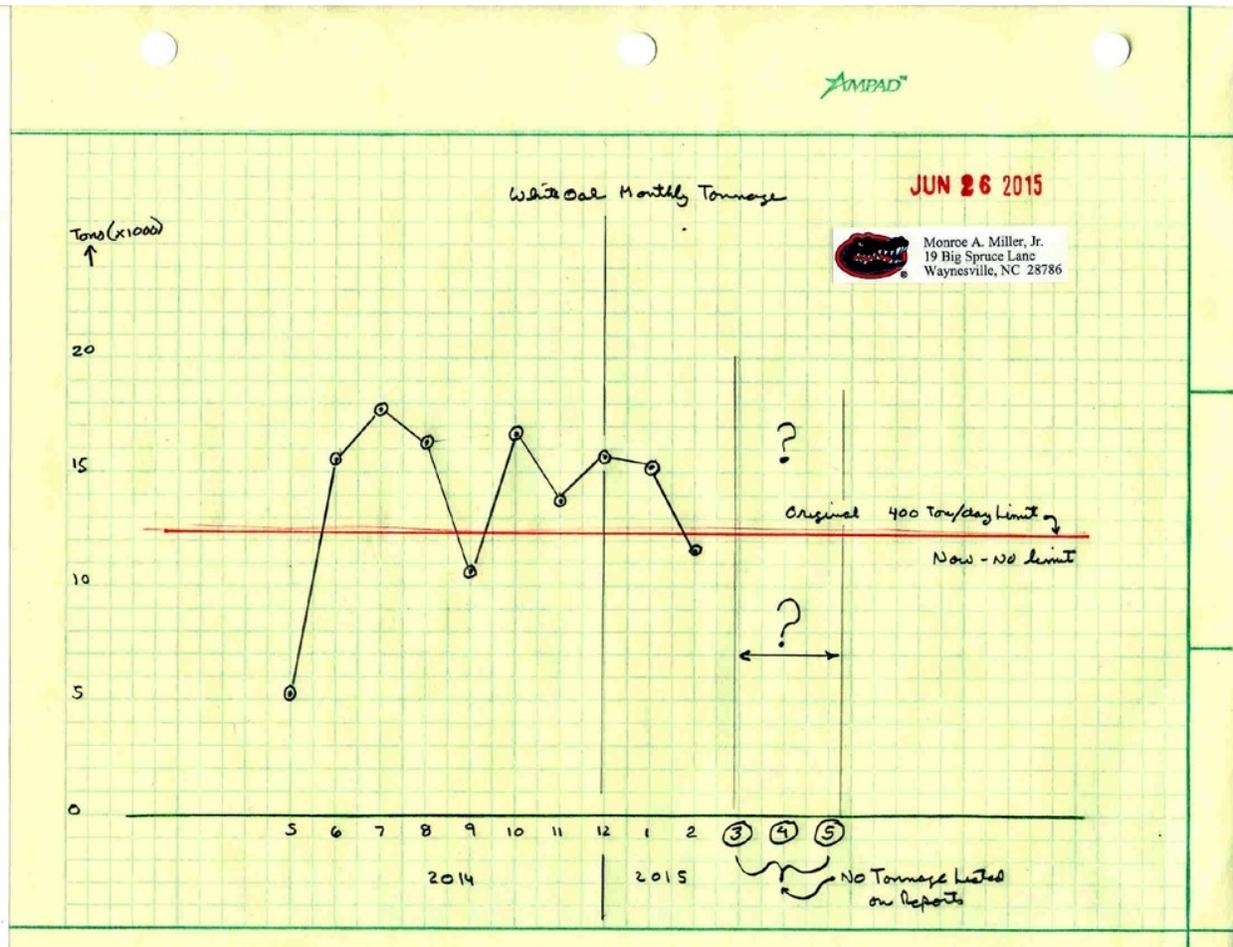
From: Monroe Miller

To: Ira Dove <IDove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>

CC: David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Stoney Blevins <tsblevins@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lkensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvno1.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King, Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Dove,

Please check out my progress ...



This is a graph of total tonnage per month at the White Oak Landfill, beginning in May 2014, but ending in February 2015, not May 2015, from the DVD that you supplied to me. I drew an upper limit, in red, corresponding to the original daily limit of 400 tons per day (12,400 tons per month), which has now been removed. There is no limit now. The last three reports that were contained on the DVD did not contain the total monthly tonnage (as prescribed by the contract), and it is impossible to practically backtrack tonnage from the total dollar amount, as different loads are charged with different rates.

As you can see, the printed material I picked up from Candace Way yesterday is completely useless, and no way to translate garbage into actual data prior to May 2014. [re: Engineering phrase - "Garbage in - Garbage out"].

Please provide the last three months worth of data (most recent files on the DVD) to contain total monthly tonnage data, or copy new files to the DVD in a spreadsheet file format, and I can calculate the monthly tonnage myself.

Looking forward to picking up a new DVD from Candace Way today which contain prior years information since the original Santek Contract was signed (2011 - 2014). You be sure to let me know prior to coming over if Candace Way does not have this ready.

Monroe Miller

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Subject: Re: 6th Request for Public Information - White Oak Landfill
Date: Fri, 26 Jun 2015 18:29:41 +0000
From: Stoney Blevins <tsblevins@haywoodnc.net>
To: Monroe Miller
CC: Ira Dove <IDove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>

Mr. Miller,

I am responding on Mr. Dove's behalf. You may come by today if you like. Ms. Way has three additional months of data for you on a DVD that is absent from the earlier DVD provided. In terms of reformatting the data from April 2014 and earlier, this is the only format in which we have the data. The format changed in May 2014.

I hope this is helpful. Have a nice weekend.

Stoney Blevins

Sent from my iPhone

Subject: Re: 9th Request for Public Information - White Oak Landfill

Date: Fri, 26 Jun 2015 16:28:02 -0400

From: Monroe Miller

To: Stoney Blevins <tsblevins@haywoodnc.net>

CC: Ira Dove <IDove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwkllaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King , Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>

Mr. Blevins,

I drove down to the courthouse and had a chat with Candace Way, who is always very accommodating. She handed me a DVD (no charge, but I paid her \$.25 for this and the previous DVD). I asked if these were three (3) new files or the previous ones copied again to another DVD. She did not know the answer.

I came home, checked the three (3) "new" files, and guess what? They are the same [expletive deleted] three (3) files, copied over again, onto a new DVD.

Doesn't anyone around there read and comprehend my e-mails?

We are getting no where. I've not seen this much obfuscation and obstruction for a while. The problem is, these e-mails are going to DENR. Elizabeth Werner is so high in DENR, she is at the nose-bleed level, and you guys are putting on quite a show for her.

I showed Candace Way the 14 pages she handed me the other day. She said that was the only format available. WRONG! Santek is required by the contract to provide tonnage information each month. Someone took that monthly data and put it into that stupid 14 page spread sheet report. I want to inspect the actual documentation that Santek has been sending regarding their required monthly reports. Someone is getting them.

I asked Candace Way for a sit down meeting with Ira Dove. She indicated Dove would return July 6th. Fine, she will set me up with a meeting with him after a couple of days when he settles down catching up on important County Manager Stuff. You, Mr. Blevins, are welcome to join us. I may bring a couple of other people to this meeting. David Francis is not invited, as I don't believe he will have anything meaningful to contribute. You could also include Marc Pruett, as I have not seen him for a while. The subject of the meeting will be to answer all of my questions regarding White Oak and Francis Farm landfills, of which practically none have been answered.

Next time, when you send me an e-mail, use the REPLY ALL feature, as it saves me from having to insert your e-mail that you send to only a few people, so the other folks can see what you contributed.

Monroe Miller

Subject: Re: 10th Request for Public Information - White Oak Landfill

Date: Mon, 29 Jun 2015 11:02:58 -0400

From: Monroe Miller

To: Stoney Blevins <tsblevins@haywoodnc.net>

CC: Ira Dove <IDove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Marc Pruett <MPruett@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, L. Kevin. Ensley <lkensley@bellsouth.net>, Mark S. Swanger <markswanger@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Vicki Hyatt <vhyatt@themountaineer.com>, Becky Johnson <becky@smokymountainnews.com>, Jonnie Cure, Eddie Cabe, Denny King , Andrew Jackson, Jeremy Davis, Deb Aja <deborah.aja@ncdenr.gov>, Elizabeth Werner <elizabeth.werner@ncdenr.gov>, Ken Henson <chairman@haywoodgop.org>, Mike Matthews <mematthews@haywoodnc.net>

Mr. Dove,

I just spent some time down in the new Tax Collectors Department. It was brought to my attention that some of the reporting by Santek goes through there. I met with Zondra Kuykandall, who indicated she actually created the report from 2011 thru 2014 that you provided to me. Santek, during that time, was using Haywood County software to do and submit the reports, which Ms. Kuykandall folded into a spread sheet. The entries in that spread sheet are on a daily basis. There is no way to extract monthly tonnage information from that report.

Zondra Kuykandall recommended that I request "Monthly Buried Tonnage Reports", which is what I was asking you for in the first place. This information is sent to the State (not necessarily DENR) as evidently Haywood County acts as a pass-thru for taxes collected from each load going into White Oak. Does Haywood County keep a portion of these collected taxes?

This is not the first time you have weasel-worded my requests [re: James Weaver "Kirk" Kirkpatrick Super Duper Sports Complex Park and related leases], so now we try again. The sooner you provide the requested information, the sooner the requests will end. Please refer to the original request at the beginning of this e-mail chain and all subsequent requests.

Looking forward to our sit-down meeting.

Monroe Miller

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