

Monroe A. Miller Jr.
2200 Camp Branch Road
Waynesville, NC 28786
January 13, 2018

Subject: Dialog - Request for Information - Bid Process - Dirt Spreading Project.

Whenever the County Commissioners or David Francis attempt to steam-roll a project through the county commission approval process, red flags go up. It was brought to my attention after approval of the David Francis Dirt Spreading Project for the James Weaver “Kirk” Kirkpatrick III Super Duper Sports Complex in Jonathan Creek, that there may be some possible bidding irregularities with how this project was shoved through the process.

[**Editor’s Note:** Ever since the county purchased this little wasteland for \$1.6 Million Dollars, (re: <http://haywoodtp.net/pubTP/T150703.pdf> and <http://haywoodtp.net/pubTP/T160130.pdf>), James Weaver “Kirk” Kirkpatrick III has been itching to have this park named after him, as was Mark Swanger for the “Susan and Mark Swanger Glorified Dog Pound”.]

The county presents the agenda for each County Commission meeting at the very last possible minute on the Friday before the next Monday Meeting, thus not providing poor Haywood County Tax Payers ample time to investigate and review any shenanigans that might come up before a pencil whipped vote. This item was spotted, and I had barely enough time to get together a public comment. Here is it...

3 Minute Public Comment,
December 18, 2017

I don’t see anything on today’s agenda calling for a correction to the November 20th minutes. There are three instances, on pages 305 and 306, where David Francis, whose current job title is Administrative Program Evaluator, whatever that is, is referred to in the minutes as a Program Administrator. The error evidently began when Francis was listed as a Program Administrator in the agenda for that meeting.

The salary for a Administrative Program Evaluator is \$85,015.40, the same salary David Francis had when he said he was resigning in August.

I know that David Francis changes Job Titles and job descriptions faster than a chamaeleon changes colors, but according to Kathi McClure, David Francis’ job title was Administrative Program Evaluator during that meeting.

Please make the Job Title correction for the November 20th meeting minutes.

David Francis is again listed as a Program Administrator in today’s minutes, Items 5, 6 and 7.

What is this all about, that you commissioners are going to pour another quarter of a million dollars into the James Weaver “Kirk” Kirkpatrick III Super Duper Sports Complex in Jonathan Creek, when you have already dumped \$ 1.6 Million dollars into that property?

What is this Haywood Advancement Foundation that is going to spot \$200,000, that is, loan the county this money, and the county will have to pay it back in 2022?

What started off innocently by moving some dirt over by Publix and transferring it to the James Weaver “Kirk” Kirkpatrick III Super Duper Sports Complex in Jonathan Creek has turned out to be another \$244,927 dirt hauling project run by David Francis. Who pays for this? You and I will.

I think we would be better off if the county leased this land to a farmer for another year for \$5,000 so he could grow some corn for his cows.

It was brought to my attention later that evening, by some folks whom I consider reputable and knowledgeable with this type of thing, that there appeared to be some bidding irregularities with the whole David Francis / McGill Dirt Spreading Project. No one had ever heard of Avcon.

Here we go again...

A little background:

- We have an new Interim County Manager, Joel Mashburn, since Ira Dove punched out, no official reason given. Joel gets a free pass, since he is new and can claim plausible deniability.
- David Francis resigned in August 2017, but never left the county payroll. He is just like the Independence Day movie actor, Randy Quaid, who told the aliens, “I’m baaaaaaaack”. David Francis is dug in like a tick, and has been falsely designated Project Administrator. His title is Administrative Project Evaluator, whatever that is.
- There was an open discussion at a recent County Commission meeting, with a question posed by Brandon Rogers, who asked why no other vendor other than McGill was being asked to bid on projects. Other commissioners, like Sorrells, said to the effect that McGill knows so much about Haywood County already, it would take too much time to bring other vendors aboard.
- The only people with any direct knowledge / access to this whole Dirt Spreading Project fiasco are:
 - David Francis, Administrative Project Evaluator
 - Scott Burwell, Project Manager for McGill
 - Kris Boyd (to a far lesser extent, in fact I have not been able to link him into this mess.)

Since Scott Burwell is a vendor of Haywood County, access to Public Records is blocked through him. He doesn’t owe me a thing.

The Haywood County Purchasing Director, Donna Corpening, appears to have been completely cut out of this whole process, i.e. by-passed.

David Francis is a real piece of [expletive deleted], and I have been attempting for two (2) years to get the results of a McGill Contract for White Oak Landfill Capacity Study, that has been paid for but there it sits in David Francis’ desk, and he will not cough it up.

So with that background, my quest for determining if there has been any bidding irregularities on the David Francis Dirt Spreading project begins. The following are e-mail dialogs of Requests for Public Information from a variety of County Employees. Grab a bag of popcorn. Here we go...

Subject: Request for Information - Bid Process - Dirt Spreading Project, Request #1

Date: Tue, 19 Dec 2017 08:54:27 -0500

From: Monroe Miller

To: Candace Way <ecway@haywoodnc.net>

CC: Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Ms. Way,

It was brought to my attention after the county commission meeting last night that there are possible irregularities with the bid process and approvals of contracts with the following vendors connected with David Francis' dirt spreading presentation (Agenda Items 5-7).

- Bunnell-Lammons Engineering, Inc. (BLE)
- Avcon USA, LLC
- Any and all other vendors associated with the project of dirt spreading (including the trucking contract for hauling the dirt).

These presentations were made by David Francis, Administrative Program Evaluator, but designated on the agenda and ATTACHMENTS 12, 13, and 14 incorrectly as Program Administrator, a fact county commissioners continue to blow off.

Please provide a copy (or summary) of the rules that Haywood County has to follow when letting bids for projects. This \$167,803 award to Avcon USA, LLC is certainly over the \$20K amount that Joel Mashburn can pencil whip.

Also, please provide:

- When (date) and how these projects were advertised to potential bidders.
- Who were these bids specifically sent to?
- When (dates) and who responded to these bids?
- What were the bid amounts by these vendors?
- Is Avcon USA, LLC on Haywood County's approved vendor list?
- Copies of all bids received for all vendors for this dirt spreading project.
- When were the winners notified that they were going to get the job.

These rules about bidding are in place to protect the county, prevent even the slightest appearance of impropriety with county officials, and eliminate even the suggestion that David Francis may be getting some sort of kick-back from any of these vendors.

Looking forward to receiving this information from you.

Monroe A. Miller, Jr.

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #2

Date: Wed, 20 Dec 2017 13:22:12 -0500

From: Monroe Miller

To: Candace Way <ecway@haywoodnc.net>

CC: Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Ms. Way,

Can you please acknowledge my request for Public Information?

Thank you,

Monroe Miller

Subject: RE: Request for Information - Bid Process - Dirt Spreading Project, Request #2
Date: Wed, 20 Dec 2017 18:24:17 +0000
From: Candace Way <ecway@haywoodnc.net>
To: Monroe Miller

Good morning,

Yes, I have received your request.

Thanks,

Candy

Elizabeth Candace Way, NCCCC
Clerk to the Board of Commissioners/
Executive Assistant to the County Manager
Haywood County Administration
215 N. Main Street
Waynesville, NC 28786
Phone - 828-452-6625
Fax - 828-452-6715
ecway@haywoodnc.net

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

Subject: Request For Appointment
Date: Fri, 29 Dec 2017 17:34:58 +0000
From: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>
To: Monroe Miller
CC: Candace Way <ecway@haywoodnc.net>

Good afternoon Mr. Miller,

I would like very much to meet with you about the concerns you have of the continued employment of David Francis. I have only been with the County a little less than 2 months, but one thing I can say with certainty is that Mr. Francis has been a valuable resource to me and to the county. His technical expertise in project management and economic development have helped us move essential projects forward and kept us from falling way behind. There are still several projects where the county needs his expertise and I would like for you to be more supportive of the manner in which we are trying to serve the citizens of this fine county.

Again, I would like very much to meet with you to discuss this further as well as any other concerns you may have. If you agree to a meeting between just the two of us then please contact Candy to set up an appointment at our mutual convenience. I look forward to meeting with you.

Sincerely,

Joel Mashburn

Interim County Manager

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

Subject: Re: Request For Appointment
Date: Fri, 29 Dec 2017 13:24:41 -0500
From: Monroe Miller
To: Candace Way <ecway@haywoodnc.net>
CC: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>, Terry Ramey

Hi Ms. Way,

Actually, I was kind of thinking along the same lines as Mr. Mashburn, about meeting with him regarding these bidding irregularities for David Francis' dirt spreading project for the James Weaver "Kirk" Kirkpatrick III Super Duper Sports Complex, but I was going to ask that anyone could be present, excluding David Francis. I want you to know that Terry Ramey feels very hurt and disappointed that he is to be excluded at this initial meeting with Mr. Mashburn to discuss David Francis.

In checking my social calendar, next week looks pretty open, so pick a time and date and we will zero in on it.

Please have Mr. Mashburn be prepared to discuss the whole fiasco of David Francis job title and why minutes are showing him as Project Administrator rather than Administrative Project Evaluator (whatever that is).

Also, I am copying and pasting my initial request to you regarding the bidding irregularities which Mr. Mashburn should have at the ready to discuss (in blue) at our meeting -

It was brought to my attention after the county commission meeting last night that there are possible irregularities with the bid process and approvals of contracts with the following vendors connected with David Francis' dirt spreading presentation (Agenda Items 5-7).

- Bunnell-Lammons Engineering, Inc. (BLE)
- Avcon USA, LLC
- Any and all other vendors associated with the project of dirt spreading (including the trucking contract for hauling the dirt).

These presentations were made by David Francis, Administrative Program Evaluator, but designated on the agenda and ATTACHMENTS 12, 13, and 14 incorrectly as Program Administrator, a fact county commissioners continue to blow off.

Please provide a copy (or summary) of the rules that Haywood County has to follow when letting bids for projects. This \$167,803 award to Avcon USA, LLC is certainly over the \$20K amount that Joel Mashburn can pencil whip.

Also, please provide:

- When (date) and how these projects were advertised to potential bidders.
- Who were these bids specifically sent to?
- When (dates) and who responded to these bids?
- What were the bid amounts by these vendors?
- Is Avcon USA, LLC on Haywood County's approved vendor list?
- Copies of all bids received for all vendors for this dirt spreading project.
- When were the winners notified that they were going to get the job.

These rules about bidding are in place to protect the county, prevent even the slightest appearance of

impropriety with county officials, and eliminate even the suggestion that David Francis may be getting some sort of kick-back from any of these vendors.

Hey, did you see the great article in the Smoky Mountain News,
<http://smokymountainnews.com/news/item/21410-fake-news-freakout-all-of-this-really-happened-in-2017>
where there is a picture of me in a recording studio with the caption "'Haywood Five' ink record deal"



I swear, I don't remember being in a recording studio, but I do remember being thrown out of an HCGOP "Fair and Open Hearing" by two Haywood County Sheriff Deputies -



I don't know about you, but I think someone photoshop'ed me. Do you detect any similarities in the two photo's?

Looking forward to a suggested time and date.
Monroe Miller

Subject: Meeting Next Week

Date: Fri, 29 Dec 2017 18:51:57 +0000

From: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

To: Monroe Miller

CC: Candace Way <ecway@haywoodnc.net>

Candy is on leave today so I thought I would contact you back. Monday is a holiday and for the balance of the week I am heavily involved in doing interviews for two vacant positions that need to be filled as soon as possible. The only time I have next week would be either 3 or 3:30 on Tuesday, Jan. 2.

The week of 1/8 – 1/12 is much better for me. Could we meet at 10 o'clock on Thursday, Jan 11, or 2 o'clock on the same date? Another option would be Friday, January 12 at 10:00 o'clock. If either of these times will work for you, then select the one that suits you best.

Sincerely,

Joel Mashburn

Interim County Manager

Subject: Re: Meeting Next Week

Date: Fri, 29 Dec 2017 16:28:16 -0500

From: Monroe Miller

To: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

CC: Candace Way <ecway@haywoodnc.net>, Terry Ramey

Mr. Mashburn,

I'm in no rush, so we will plan for sometime the second week in January. I prefer a morning visit. However, I am in a rush to get the Public Information I requested from Candy about the bidding irregularities, so please have her send that to me early next week.

Thank you,

Monroe Miller

Subject: RE: Meeting Next Week

Date: Fri, 29 Dec 2017 21:34:33 +0000

From: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

To: Monroe Miller

CC: Candace Way <ecway@haywoodnc.net>

Let's say 10 o'clock on Jan 11. The information has been requested but it may be toward the mid to latter part of next week.

Subject: Re: Meeting Next Week

Date: Fri, 29 Dec 2017 16:56:31 -0500

From: Monroe Miller

To: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

CC: Candace Way <ecway@haywoodnc.net>, Terry Ramey

It's on my social calendar. 10a on Jan. 11.

Monroe Miller

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #2

Date: Thu, 4 Jan 2018 10:28:40 -0500

From: Monroe Miller

To: Candace Way <ecway@haywoodnc.net>

CC: Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Ms. Way,

As you were copied, Mr. Mashburn promised that I would have what I had requested on material related to bidding irregularities on David Francis' dirt spreading project for the James Weaver "Kirk" Kirkpatrick III Super-Duper Sports Complex by "the mid to latter part of the week". It is now "the mid to later part of the week". How are you coming along?

Monroe Miller

Subject: RE: Request for Information - Bid Process - Dirt Spreading Project, Request #2
Date: Thu, 4 Jan 2018 15:31:06 +0000
From: Candace Way <ecway@haywoodnc.net>
To: Monroe Miller

Hi Mr. Miller,

I will see if I can get you the information shortly.

Candy

Subject: The guy that won't go away.

Date: Thu, 4 Jan 2018 10:36:36 -0500

From: Monroe Miller

To: Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Candace Way <ecway@haywoodnc.net>

CC: Terry Ramey, David Francis <dbfrancis@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>

Mr. Mashburn,

I came across this interesting article on Fox News:

<http://www.foxnews.com/entertainment/2018/01/03/matt-lauer-still-sending-notes-to-today-producers-report-says.html>

This character reminds me of the guy that won't go away, just like David Francis.

Monroe Miller

Subject: RE: Request for Information - Bid Process - Dirt Spreading Project, Request #2
Date: Thu, 4 Jan 2018 17:09:14 +0000
From: Candace Way <ecway@haywoodnc.net>
To: Monroe Miller

Mr. Miller,

Please see attached.

Candy

[**Editors Note:** Four documents were attached and are now on www.haywoodtp.net

<http://haywoodtp.net/pubII/180105-1VendorGuide.pdf>

<http://haywoodtp.net/pubII/180105-2BiddingDocuments-JonathanCreekSoilReclamationProject.pdf>

<http://haywoodtp.net/pubII/180105-3ReceivedBidsJCreek.pdf>

<http://haywoodtp.net/pubII/180105-4-17.00158BiddingDrawings.pdf>]

(Cut and paste link into your browser if link does not work).

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #3

Date: Sat, 6 Jan 2018 14:10:23 -0500

From: Monroe Miller

To: Candace Way <ecway@haywoodnc.net>

CC: Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwkllaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, Eddie Cabe, Terry Ramey, Donna Corpening <dcorpening@haywoodnc.net>

Ms. Way,

Attachment 12 from the 11/20/2017 county commission meeting shows a letter from Scott Burwell of McGill Associates, thanking David Francis, County Administrator, for requesting McGill to provide this proposal. Please provide all e-mail or any other correspondence between David Francis and McGill, and all other people that were invited to provide a proposal to David Francis prior to the 11/20/2017 county commission meeting.

Also, a quick review of the material I requested, seems to fall short on my request. Here is my request again. Let me know if everything I requested falls within the documentation you sent.

- When (date) and how these projects were advertised to potential bidders.
- Who were these bids specifically sent to?
- When (dates) and who responded to these bids?
- What were the bid amounts by these vendors?
- Is Avcon USA, LLC on Haywood County's approved vendor list?
- Copies of all bids received for all vendors for this dirt spreading project.
- When were the winners notified that they were going to get the job.

Thank you,

Monroe Miller

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #3

Date: Tue, 9 Jan 2018 08:26:37 -0500

From: Monroe Miller

To: Donna Corpening <dcorpening@haywoodnc.net>

CC: Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Ms. Corpening,

I dropped by yesterday to discuss some bidding irregularities regarding David Francis' dirt spreading project, but you were not at your desk when I dropped by. Julie Davis said you were busy and asked if I had an appointment. I am not used to have to request an appointment to see a County Employee, and want to know if I need an appointment to come by and talk to you.

I plan to drop by sometime today, without an appointment, and roll the dice to see if you happen to be in your office. If I need an appointment to talk to you, please advise.

Thank you,

Monroe Miller

Subject: RE: Request for Information - Bid Process - Dirt Spreading Project

Date: Tue, 9 Jan 2018 14:05:05 +0000

From: Donna Corpening <donna.corpening@haywoodcountync.gov>

To: 'Monroe Miller'

CC: Candace Way <candace.way@haywoodcountync.gov>, Julie Davis <julie.davis@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

Mr. Miller,

I am available tomorrow afternoon at 3:00 to meet with you for 15 minutes. If you dropped by without an appointment, there's always a chance I may be tied up with someone else or elsewhere in the building. What questions do you have for me so I may be prepared for the appointment to better utilize our time?

Thanks,

Donna

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #3

Date: Tue, 9 Jan 2018 09:28:15 -0500

From: Monroe Miller

To: Donna Corpening <dcorpening@haywoodnc.net>

CC: Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Ms. Corpening,

I will be at your office at 3p tomorrow for 15 minutes. I will bring the questions.

Thank you,

Monroe Miller

Subject: Public Hearing Cancelled?

Date: Tue, 9 Jan 2018 10:26:56 -0500

From: Monroe Miller

To: Candace Way <candace.way@haywoodcountync.gov>

CC: Joel Mashburn <joel.mashburn@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Michael Sorrells <sorrells@cbvnl.com>, Bill Upton <billupton@bellsouth.net>, KEVIN ENSLEY <lkensley@bellsouth.net>, Terry Ramey

Hi Ms. Way,

I saw the Press Release on cancelling the Public Hearing because someone is sick. This is a full week before the public hearing. Is that person planning on being sick or, what is the reason and who is it?

<http://haywoodnc.net/downloads/admin/2018%20docs/Postponed%20Public%20Hearing%20Notice.pdf>

Thank you,

Monroe Miller

Subject: FW: Request for Information - Bid Process - Dirt Spreading Project, Request #3
Date: Tue, 9 Jan 2018 21:04:53 +0000
From: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>
To: Monroe Miller
CC: Julie Davis <julie.davis@haywoodcountync.gov>

Good morning Mr. Miller,

It is true that Ms. Corpening is a public employee, but that doesn't mean that she should always be available to a citizen just dropping in. It is her responsibility to administer the county purchasing procedures under the direction and supervision of the Finance Director and in accordance with the county purchasing procedures. My feeling is that the appropriate action is for you to make an appointment with Ms. Corpening's supervisor, Mrs. Julie Davis, to discuss any concerns or questions you may have, since she is the official that is ultimately responsible for Ms. Corpening actions in that department. Also, you have an appointment with me this coming Thursday at which time I will be glad to discuss your concerns with you and attempt to provide answers to your questions.

Joel Mashburn

Interim County Manager

Subject: RE: Request for Information - Bid Process - Dirt Spreading Project, Request #3

Date: Tue, 9 Jan 2018 21:47:49 +0000

From: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

To: Monroe Miller

Mr. Miller, will you please help me to understand why you would not want to provide the answers ahead of time so that the 15 minutes will be most productive?

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #3

Date: Wed, 10 Jan 2018 10:13:42 -0500

From: Monroe Miller

To: Joel Mashburn <joel.mashburn@haywoodcountync.gov>

CC: Donna Corpening <dcorpening@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvno1.com>, KEVIN ENSLEY <lakensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Kathi McClure <kmcclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Mr. Mashburn,

Thank you for your two (2) e-mails regarding Donna Corpening.

In response to your first e-mail, that I should direct any concerns or questions I may have through Julie Davis, let me remind you of two things:

- UPDATE 99 CVS 03497 - Dawes, Yelton and Morgan vs. Buncombe County Board of Commissioners and Wanda Green, County Manager. NC Public Records Law. Full & complete file. 8/03/2012..., or <http://haywoodtp.net/pubII/120803-99cvs03497.pdf> . Donna Corpening is the Custodian of the public records I am seeking, not Julie Davis. So I will continue to dialog directly with Donna Corpening relating to bidding irregularities with David Francis' dirt spreading project.
- Based on my Public Comment at the June 16, 2014 County Commission meeting (attached), where I pointed out that Julie Davis cooked the books (i.e. falsified the calculation) with the Haywood County Schools Funding formula, and denied School System \$15 Million Dollars and should Resign or be Fired, [re: <http://haywoodtp.net/pubII/140616CrackedTheCode.pdf>], how much cooperation do you think I am going to get out of this woman. Really, now.

In response to your second question, about helping you to understand why I would not want to provide the answers ahead of time so that the 15 minutes will be most productive - I don't have the answers! I only have questions. That is the whole purpose of my meeting with Donna Corpening. Since Donna Corpening seems to be a very busy person, and can only allocate 15 minutes for me (which I am grateful, by the way), I am still putting those questions together. In order to be productive, I will prepare a list of stuff to leave with Donna Corpening, in the event we cannot complete this dialog in 15 minutes.

By the way, do you have a list of questions for me, since you are the one who asked me for an appointment to see you. I think that is a first for me, by the way, to have a county guy, ask me for an appointment.

Looking forward to our meeting tomorrow.

Thank you,

Monroe Miller

Subject: RE: Request for Information - Bid Process - Dirt Spreading Project, Request #3

Date: Wed, 10 Jan 2018 17:00:00 +0000

From: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>

To: Monroe Miller

I note your opinion yet I do not agree with your summation and conclusions. We can discuss further tomorrow.

Joel Mashburn

Subject: Appointment
Date: Wed, 10 Jan 2018 18:40:11 -0500
From: Monroe Miller
To: Donna Corpening <donna.corpening@haywoodcountync.gov>

Donna,

Thank you for being courteous and providing me with the information I requested. Looking forward to getting any additional information on this subject.

I have a meeting with Mashburn tomorrow at 10am. I will put in a good word about our meeting today.

Monroe Miller

[**Editors Note:** Donna provided considerable amount of material over and above what Candy Way was directed to provide to me. Candy did not disclose who provided the information that I was directed to receive.]

Subject: Re: Request for Information - Bid Process - Dirt Spreading Project, Request #4

Date: Fri, 12 Jan 2018 09:38:17 -0500

From: Monroe Miller

To: Candace Way <ecway@haywoodnc.net>

CC: Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Donna Corpening <dcorpening@haywoodnc.net>, Chip Killian <CKillian@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVINENSLEY <lkensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, David Francis <dbfrancis@haywoodnc.net>, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, David Francis <david.francis@haywoodcountync.gov>, Kathi McClure <kmcclure@haywoodnc.net>, Eddie Cabe, Terry Ramey

Ms. Way,

Still looking to get from you my request dated Jan. 6, 2018:

Attachment 12 from the 11/20/2017 county commission meeting shows a letter from Scott Burwell of McGill Associates, thanking David Francis, County Administrator, for requesting McGill to provide this proposal. Please provide all e-mail or any other correspondence between David Francis and McGill, and all other people that were invited to provide a proposal to David Francis prior to the 11/20/2017 county commission meeting.

Mr. Mashburn explained to my why Haywood County put out a PRESS RELEASE as to the reason the Evergreen Public Hearing was cancelled. It was not cancelled due to "illness of certain County staff", rather, the county missed the advertising date with the Mountaineer to advertise the hearing. Evidently, David Francis is the only county employee that can do this, and he was evidently sick on the last day to do this. So, while the press release is half true, you all would do well to just come clean and put the real reason, rather than beating around the bush. It makes everyone look like a buffoon.

On another matter, I have a question regarding the signing limit David Francis has. If you look at my website, www.haywoodtp.net,

McGill Documents for David Francis' Dirt Spreading Project for the James Weaver 'Kirk' Kirkpatrick III Super Duper Sports Complex in Jonathan Creek. Purchase Order. 1/11/2018...

or

<http://haywoodtp.net/pubII/180111-PurchaseOrderDOC011018-01102018152214.pdf>

On page three (3) of the pdf file, it shows David Francis signing off on this PO. The Interim County Manager only has discretionary limit of \$20K. What amount can David Francis sign off on?

Thank you,

Monroe Miller