

Monroe A. Miller Jr.
2200 Camp Branch Road
Waynesville, NC 28786
March 3, 2018

Subject: Dialog - Request for Public Records - Bid Process - Dirt Spreading Project, Part VII.

You can't make this stuff up.

This a continuing saga of the struggle with Joel Mashburn and David Francis & Co., to extract Public Records relating to bidding irregularities associated with the David Francis Dirt Spreading Project.

Gatekeeper Joel Mashburn has been dropped from the conversation for lack of relevance.

See: <http://haywoodtp.net/pubII/180113DialogAvconBiddingIrregularities.pdf>
and <http://haywoodtp.net/pubII/180120MoreDialogAvconBiddingIrregularities.pdf>
and <http://haywoodtp.net/pubII/180130MoreDialogAvconBiddingIrregularities.pdf>
and <http://haywoodtp.net/pubII/180209PartIVDialogAvconBiddingIrregularities.pdf>
and <http://haywoodtp.net/pubII/180217PartVDialogAvconBiddingIrregularities.pdf>
and <http://haywoodtp.net/pubII/180224PartVIDialogAvconBiddingIrregularities.pdf>
to catch up on past dialog.

We continue from February 24, 2018, where we see county employees up to there ear-balls in this collusion.

I spoke before county commissioners with a Public Comment.
<http://haywoodtp.net/pubII/180219PublicComment.pdf>

That elicited comments from Kirk Kirkpatrick, David Francis, Joel Mashburn and Chip, a.k.a. Leon Killian.

See:

http://www.themountaineer.com/news/five-take-aways-from-the-county-commissioner-meeting/article_d0e472e-15e6-11e8-a598-c3c5a9c5746e.html

and

<http://smokymountainnews.com/archives/item/24259-miller-admonished-before-haywood-commissioners>

and

<http://smokymountainnews.com/news/item/24295-war-of-words-public-records-requests-troublesome-for-haywood-county>

Here we go again ...

Subject: Re: Request for Public Records - Bid Process - Dirt Spreading Project, Request #30

Date: Sat, 24 Feb 2018 19:30:55 -0500

From: Monroe Miller

To: KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lkensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>

CC: Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Donna Corpening <dcorpening@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, Kris Boyd <kboyd@haywoodnc.net>, Chip Killian <Chip.Killian@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>, Candace Way <candace.way@haywoodcountync.gov>, Don Yelton, Greg Christopher <gchristopher@haywoodnc.net>, Kathi McClure <kmcclure@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, Eddie Cabe, Terry Ramey, Mark Cathey <mark.cathey@mcgillengineers.com>, Scott Burwell <scott.burwell@mcgillengineers.com>, Christy Brown <christy.brown@mcgillengineers.com>, tommy@jlscompanyllc.com, bensageinc@gmail.com, tshuler@maggievalleyclub.com, rabbitskinexcav@bellsouth.net, cameronspresley@yahoo.com, rbestexcavating1@bellsouth.net

Commissioners,

Took some photos today.



Publix dirt source. Shut down today (rained + it is Saturday).



Bulldozer blocking gravel entrance to James Weaver "Kirk" Kirkpatrick III Super Duper Sports Complex. A pile of dirt is behind the bulldozer, on the gravel Pad, further blocking the entrance.



New repository for the Publix Dirt. On Bart Campbell's property. He made a good deal. Publix is paying him to dump the dirt there.

And, it is further away from Publix than the James Weaver "Kirk" Kirkpatrick III Super Duper Sports Complex.

I'd say, David Francis and Joel Mashburn have some 'splaining to do.

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: Request for Public Records - Bid Process - Dirt Spreading Project, Request #30
Date: Mon, 26 Feb 2018 14:14:42 +0000
From: Kathi McClure <kathi.mcclure@haywoodcountync.gov>
To: Monroe Miller, Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>, Donna Corpening <donna.corpening@haywoodcountync.gov>, Julie Davis <julie.davis@haywoodcountync.gov>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Chip Killian <Chip.Killian@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>
CC: Candace Way <candace.way@haywoodcountync.gov>, Don Yelton, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, J W. Kirkpatrick <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Brandon C. Rogers <brandon.rogers@haywoodcountync.gov>, Eddie Cabe, Terry Ramey, Mark Cathey <mark.cathey@mcgillengineers.com>, Scott Burwell <scott.burwell@mcgillengineers.com>, Christy Brown <christy.brown@mcgillengineers.com>, tommy@jlscompanyllc.com <tommy@jlscompanyllc.com>, bensageinc@gmail.com <bensageinc@gmail.com>, tshuler@maggievalleyclub.com <tshuler@maggievalleyclub.com>, rabbitskinexcav@bellsouth.net <rabbitskinexcav@bellsouth.net>, cameronspresley@yahoo.com <cameronspresley@yahoo.com>, rbestexcavating1@bellsouth.net <rbestexcavating1@bellsouth.net>

Mr. Miller,

Good morning. This email is to acknowledge receipt of your request. The information will be forthcoming in a timely manner.

Best regards,
Kathi

Subject: RE: Request for Public Records - Bid Process - Dirt Spreading Project, Request #30
Date: Mon, 26 Feb 2018 14:50:45 +0000
From: Kathi McClure <kathi.mcclure@haywoodcountync.gov>
To: Monroe Miller
CC: Joel Mashburn <Joel.Mashburn@haywoodcountync.gov>, Donna Corpening <donna.corpening@haywoodcountync.gov>, Julie Davis <julie.davis@haywoodcountync.gov>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Chip Killian <Chip.Killian@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>, Candace Way <candace.way@haywoodcountync.gov>, Don Yelton, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, J W. Kirkpatrick <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael T. Sorrells <sorrells@cbvnol.com>, L. Kevin. Ensley <lkensley@bellsouth.net>, Brandon C. Rogers <brandon.rogers@haywoodcountync.gov>, Eddie Cabe, Terry Ramey, Mark Cathey <mark.cathey@mcgillengineers.com>, Scott Burwell <scott.burwell@mcgillengineers.com>, Christy Brown <christy.brown@mcgillengineers.com>, tommy@jlscompanyllc.com <tommy@jlscompanyllc.com>, bensageinc@gmail.com <bensageinc@gmail.com>, tshuler@maggievalleyclub.com <tshuler@maggievalleyclub.com>, rabbitskinexcav@bellsouth.net <rabbitskinexcav@bellsouth.net>, cameronspresley@yahoo.com <cameronspresley@yahoo.com>, rbestexcavating1@bellsouth.net <rbestexcavating1@bellsouth.net>

Mr. Miller,

Mr. Francis had announced his retirement effective as of November 1st, 2017. The time from August 7th, 2017 until he returned to work October 11th, 2017 and cancelled his retirement was paid as follows:

88.50 hours of comp time earned
8 hours of holiday time earned
17.10 hours of personal leave earned
166.50 hours of vacation leave earned

These hours do not include time worked between August 7th, 2017 and the end of August.

He was still an active employee in our system and would have been until November 1st, 2017 at the time of his retirement. A personnel action form would have been completed on November 1st, 2017 to inactivate him in our system if he had not returned to work.

I have attached a copy of the Personnel Action Form that states he cancelled his retirement and returned to work effective 10-11-2017 along with additional supporting documents.

I trust this information satisfies your request.

Best regards,
Kathi

[**Editors Note:** Attachment now in <http://haywoodtp.net/pubII/180301FrancisRetirement.pdf>].

Subject: RE: Request for Public Records - Bid Process - Dirt Spreading Project, Request #29 (+ #17, #20 & #25)

Date: Mon, 26 Feb 2018 17:04:36 +0000

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

To: Monroe Miller, Donna Corpening <donna.corpening@haywoodcountync.gov>, Julie Davis <julie.davis@haywoodcountync.gov>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Chip Killian <Chip.Killian@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>

CC: J W. Kirkpatrick <kirk@jwklaw.net>, Bill Upton <Bill.Upton@haywoodcountync.gov>, Michael T. Sorrells <sorrells@cbvnol.com>, L. Kevin. Ensley <lakensley@bellsouth.net>, Brandon C. Rogers <brandon.rogers@haywoodcountync.gov>, Chip Killian <Chip.Killian@haywoodcountync.gov>, David Francis <david.francis@haywoodcountync.gov>

Mr. Miller

I feel that we have met our obligation to provide you with the public records you have requested. I feel the county has no obligation to read back through all your blog postings, extraneous comments and your "email dialog" as you have suggested in order to know where we may have failed to comply with your request. Please follow the procedure below and if there is indeed a request we have missed, you can be assured you will receive it as timely as our schedule permits. Again, do not send me the email dialog for me to try to determine what records you feel that we have failed to provide you.

In writing or email:

Clearly state specifically and separately a description of each Public record you have requested but you have not received.

The title and date of the record requested, if known.

As per county policy, provide your name, full mailing address, telephone number and email address.

Joel Mashburn
Interim County Manager

Subject: Re: Request for Public Records - Bid Process - Dirt Spreading Project, Request #30

Date: Tue, 27 Feb 2018 11:50:21 -0500

From: Monroe Miller

To: Joel Mashburn <joel.mashburn@haywoodcountync.gov>, Donna Corpening <dcorpening@haywoodnc.net>, Julie Davis <jhdavis@haywoodnc.net>, Kris Boyd <kboyd@haywoodnc.net>, Chip Killian <Chip.Killian@haywoodcountync.gov>, Candace Way <candace.way@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>

CC: KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lkensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, David Francis <david.francis@haywoodcountync.gov>, Don Yelton, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, Eddie Cabe, Terry Ramey, Mark Cathey <mark.cathey@mcgillengineers.com>, Scott Burwell <scott.burwell@mcgillengineers.com>, Christy Brown <christy.brown@mcgillengineers.com>, tommy@jlscompanyllc.com, bensageinc@gmail.com, tshuler@maggievalleyclub.com, rabbitskinexcav@bellsouth.net, cameronspresley@yahoo.com, rbestexcavating1@bellsouth.net

Gatekeeper Mashburn,

You know, you are about as useful as a stinky ole dish rag. This is your last chance to respond to the record requests I made to you on Saturday, 2/24/2018, namely my requests for #29, #17, #20 and #25. I don't have to regenerate these, they are all as plain as day. Kathi McClure responded to my request #30. From here on out, I will be submitting my Requests for Public Records through the appropriate Custodian of those records and by-pass you.

Simply because you have re-requested that I re-request my Requests for Public Records does not reset the clock on when you were supposed to have those in my hands. As an FYI, you already have my name, full mailing address, telephone number and e-mail address. If you have misplaced it (along with all of the Public Records I have requested but not provided), ask Candy Way.

One of these days, some people with a lot bigger stick than I have are going to come riding into town and ask for these very same Public Records. Be a pal and cough them up now,

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: Request for Public Records - Bid Process - Dirt Spreading Project, Request #31

Date: Thu, 1 Mar 2018 16:21:42 -0500

From: Monroe Miller

To: Julie Davis <jhdavis@haywoodnc.net>, Candace Way <candace.way@haywoodcountync.gov>

CC: Donna Corpening <dcorpening@haywoodnc.net>, Kris Boyd <kboyd@haywoodnc.net>, Chip Killian <Chip.Killian@haywoodcountync.gov>, Kathi McClure <kmclure@haywoodnc.net>, KIRK KIRKPATRICK <kirk@jwklaw.net>, Bill Upton <billupton@bellsouth.net>, Michael Sorrells <sorrells@cbvnol.com>, KEVIN ENSLEY <lkensley@bellsouth.net>, Brandon Rogers <bcrogers@haywoodnc.net>, David Francis <david.francis@haywoodcountync.gov>, Don Yelton, Greg Christopher <gchristopher@haywoodnc.net>, Cory Vaillancourt <cory@smokymountainnews.com>, Vicki Hyatt <vhyatt@themountaineer.com>, Eddie Cabe, Terry Ramey, Mark Cathey <mark.cathey@mcgillengineers.com>, Scott Burwell <scott.burwell@mcgillengineers.com>, Christy Brown <christy.brown@mcgillengineers.com>, tommy@jlscompanyllc.com, bensageinc@gmail.com, tshuler@maggievalleyclub.com, rabbitskinexcav@bellsouth.net, cameronspresley@yahoo.com, rbestexcavating1@bellsouth.net, Phillip Wight <pwshvac@gmail.com>

Ms. Way and or Julie Davis,

I am looking to get a clear understanding of all of the current Haywood County Debt Service, along with the interest the county is currently paying this year. I know from past discussions with Julie Davis, that this information is found in the CAFR.

Request for Public Record #31. Please provide a link to the latest CAFR on the Haywood County website (or elsewhere) that have sections specifically detailing current debt and interest being paid by the county. If no link exists, please scan the CAFR and send it to me.

Monroe Miller

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Subject: RE: Request for Public Records - Bid Process - Dirt Spreading Project, Request #31
Date: Fri, 2 Mar 2018 13:32:50 +0000
From: Candace Way <candace.way@haywoodcountync.gov>
To: Monroe Miller
CC: Julie Davis <julie.davis@haywoodcountync.gov>, Joel Mashburn
<Joel.Mashburn@haywoodcountync.gov>, BOCC <BOCC@haywoodcountync.gov>

Mr. Miller,

Information can be found here:

http://www.haywoodnc.net/index.php?option=com_content&view=article&id=2404&Itemid=274

Regards,
Candy

<eof>