

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
October 2, 2021

Subject: Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.

The following is a complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II, and a response after an investigation by Wanda Austin, Division Engineer, NCDOT. NCDOT exonerates Chris Lee, (as expected), but provides an astonishing bit of information in her response.

Way back when, when the approval of the Lake Buchanan Development was on the table, the Planing Board approved the project, pending approval of the Driveway Permit by NCDOT. The project continued, and people are already occupying homes that had been completed.

Wanda Austin indicated: **“The driveway permit is still open and has not been accepted at the time of this email.”**

[**Editor’s Note:** The email was sent by Wanda Austin on 10/1/2021, yesterday.]

Here is the exchange. The following has not been included in this dialog with Wanda Austin:

- Attachments to Wanda Austin with the one (1) page complaint letter are not included (24.6 MB), however, most of the information sent has already been posted on www.haywoodtp.net ;
- Any correspondence with NCDOT requesting Public Records (still pending).

Here we go. This starts off with a shotgun blast to various individuals within NCDOT, as I did not know who to direct this complaint. Wanda Austin responded to my complaint within fifty-nine (59) minutes.

Monroe A. Miller, Jr.

Subject: Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.

Date: Thu, 23 Sep 2021 11:13:34 -0400

From: Monroe Miller

To: Wanda Austin <whaustin@ncdot.gov>, Ronnie Keeter, Jr. <rkeeter@ncdot.gov>, Beau Memory <bmemory@ncdot.gov>, Heather Fulghum <hfulghum@ncdot.gov>

Please see attached.

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
September 23, 2021

Subject: Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.

This is a complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II, for approving a Street and Driveway Access Permit Application (201804404 DW), knowing that the applicant, Neal K. Ross, was not the developer of Browning Branch, LLC, rather simply a property owner.

Since I am not exactly sure who to address this complaint to, I am utilizing the shotgun approach, directing it to enough people that it will eventually get to the right individual [re: email addresses].

Chris Lee processed the application the same day it was submitted, 10/4/2018, and approved the application eleven days later, on 10/15/2018. Accompanying the application was a survey, created by Mountain Heritage dated 9/26/2018 that shows two fictitious lots that appear to be subdivided from the single lot that Neal K. Ross owned during this interval. Neal K. Ross sold his .8 acre lot to Marek Hevier of CF and D, LLC on 10/16/2018, the day after Chris Lee approved the Permit Application, who is the actual owner of the Browning Branch, LLC development.

There is a real problem with the Right of Way access into this development, one owned by Charlie Deaver. I believe there is simply not enough room to safely accommodate Charley Deaver's Right of Way and share it with the main entrance to the Browning Branch, LLC development, yet Chris Lee approved the permit. See attachment 210913Teague-7.pdf.

I know I don't have to remind you that the Permit Application states, among other things:

- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation, and
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

Who is going to do this? Neal K. Ross?

There are several people involved in this application.

- A Waynesville Development Services Director, Elizabeth Teague,
- An engineer for NCDOT, Chris Lee,
- A local lawyer who happens to be on the Haywood County Commission, James Weaver "Kirk" Kirkpatrick the III,
- A developer, Marek Hevier, and Greg Wishart (gopher),
- The person making the false application, Neal K. Ross,
- A realtor, Dan Womack, whose name is on the false application.

Information relating to the history of this Permit Application is documented in attachments to this complaint.

Please let me know if you have any questions or request further information relating to this Permit Application.

Monroe A. Miller, Jr.

Subject: RE: [External] Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.
Date: Thu, 23 Sep 2021 16:12:01 +0000
From: Austin, Wanda H <whaustin@ncdot.gov>
To: Monroe Miller, Keeter, Ronald L Jr. <rkeeter@ncdot.gov>, Memory, Beau H <bmemory@ncdot.gov>, Fulghum, Heather L <hfulghum@ncdot.gov>
CC: Bishop, Joseph M <jmbishop@ncdot.gov>, Burch, Brian C <brianburch@ncdot.gov>

Good afternoon. Thank you for bringing this to my attention. I will investigate and respond.

Wanda H. Austin, PE CPM

Division Engineer

Subject: RE: [External] Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.
Date: Fri, 1 Oct 2021 11:32:09 +0000
From: Austin, Wanda H <whaustin@ncdot.gov>
To: Monroe Miller
CC: Burch, Brian C <brianburch@ncdot.gov>, Stahl, Angela J <ajstahl@ncdot.gov>

Good morning Mr. Miller. I have investigated the complaint against Chris Lee. Mr. Lee acting in accordance with the policies set forth by NCDOT. The district office often receives development plans from private developers or local municipalities prior to the driveway permit application submittal. This pre-look of development plans often saves the developer and the department time and money with any costly revisions that may result. This was the case for the Browning Branch development. Browning Branch, LLC submitted a master plan to the Department 6/20/2018. Mr. Lee reviewed the submittal and worked with the developer over the next several months to resolve an issue with the driveway plan. Driveway permits per the policies of the Department are between the Department and the property owner, not the developer. The driveway permit is still open and has not been accepted at the time of this email. The Department will investigate the construction of the driveway and make any suggestions/conditions of acceptance once we are notified construction is complete.

I trust this has answered your concerns. Thank you for contacting the Department.

Wanda H. Austin, PE CPM

Division Engineer

Subject: Re: [External] Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.
Date: Fri, 1 Oct 2021 10:15:49 -0400
From: Monroe Miller
To: Austin, Wanda H <whaustin@ncdot.gov>
CC: Burch, Brian C <brianburch@ncdot.gov>, Stahl, Angela J <ajstahl@ncdot.gov>

Ms. Austin,

Thank you for taking the time to look into the matter of the Driveway Permit for Browning Branch, LLC. During your investigation, I made a request to NCDOT for additional information, see attached. Results of that request are pending, and should shed light on whether plans are being submitted by Browning Branch LLC, or Susan B. Howell, 26 Katka Loop, Waynesville, NC 28786, who purchased the parcel from CF and D, LLC on 7/15/2020, from the developer. It would be surprising to me if Susan B. Howell was supplying NCDOT with construction plans, but I will advise you when I receive the information from my Request for Public Information. I did receive an email from Meredith moments ago:

Monroe,

Our division staff are working on gathering your records as quickly as we can. Thank you for your patience.

Thanks,
Meredith

I did note from your investigation, that "The driveway permit is still open and has not been accepted at the time of this email".

Thank you,

Monroe A. Miller, Jr.