

Monroe A. Miller, Jr.  
2200 Camp Branch Road  
Waynesville, NC 28786  
November 29, 2021

**Subject: James Weaver “Kirk” Kirkpatrick the III/Elizabeth Teague/Chris Lee - Browning Branch.**

In early September of 2021, I was alerted to a phone call that **James Weaver “Kirk” Kirkpatrick the III [D]** attempted to make to Charlie Deaver, regarding getting together to work out the entrance to Browning Branch, LLC. Charlie Deaver did not respond to that call. In addition, some road pavers were at the entrance of Browning Branch Road /Katka Loop / Allens Creek Road, ready to pave the entrance, but were turned away as NCDOT had not approved the permit for paving the entrance.

WTF?

That triggered this entire investigation into the Town of Waynesville, re: everything on [www.haywoodtp.net](http://www.haywoodtp.net) since 9/7/2021, and especially **Elizabeth Teague**, relating to the Town of Waynesville, including a visit to the Office of the DA.

That day in early September, there was an NCDOT open house at Lake Junaluska, with NCDOT officials explaining the road work to be done on the Bridge at Exit 104 on 74. I went. Among NCDOT officials present, I finally located Chris Lee and asked him what was going on at Browning Branch, LLC and Allens Creek Road. When I introduced myself, he said, oh, you are the guy that was involved with “Have you hugged your kids today?”.

No, I was not.

Chris Lee professed not to know anything about anything at Browning Branch, LLC and Allens Creek. I asked him for some public records, but no, he indicated I have to go through NCDOT to make a Public Records request. Why, I asked, as he was going to be the person responding? It’s for my protection, he said.

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I figured I would ask **Elizabeth Teague** for a copy of the NCDOT permit approval, since it should be in her records. I made the request on 9/4/2021.

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Subject: Request for Public Information  
Date: Sat, 4 Sep 2021 09:35:29 -0400  
From: Monroe Miller  
To: Elizabeth Teague <eteague@waynesvillenc.gov>  
CC: Rob Hites <rhites@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Stephen Swanger

Ms. Teague,

As you must have on file, I would like to request a copy of the following information:

1. The Street and Driveway Access Permit Application filed with NCDOT, for the entrance at Allens Creek Road and Buchanan Drive filed by the developer, and
2. Any approval (or denial) by NCDOT for that application at that Allens Creek Road and Buchanan Drive.

Thank you,  
Monroe A. Miller, Jr.

Evidently, my Request for Public Information triggered anxiety with **Elizabeth Teague**.

[**Editors Note:** On 11/10/2021, I made a Request for Public Information to Rob Hites for: “I am requesting any and all email correspondence to and from **Teague** with anyone associated with the so called Queen Subdivision or Sunnyside Development, and specifically including emails with the actual developer and who is purchasing the Queen Property. This also extends to emails to and from **Byron Hickox**.” I received those emails on 11/23/2021. The following are emails from **Elizabeth Teague** that were contained in that Request for Public Information.]

On 9/7/2021, **Teague** sent the following email to Chris Lee, copying Greg Wishart. Thirteen (13) minutes later, she forwarded that same email to Zachary Schuler, Assistant District Engineer for District 2, who reports to Chris Lee.

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Subject: FW: Request for Public Information  
Date: Tue, 7 Sep 2021 11:04:45 -0500  
From: Elizabeth Teague  
To: Christopher D Lee - NCDOT Division 14 <>  
CC: Greg Wishart <gw868808@gmail.com>

Hi Chris,

I am forwarding on to you a public information request regarding the driveway permit application for the Browning Branch Subdivision, and Katka Loop. The Developer of Browning Branch LLC indicated to me that they have approached the neighbors on several occasions to finalize the plan for how Katka Loop and Buchanan Drive would inter-connect, but that they have not had any luck in getting a response. Please share any materials and status updates you may have.

Thank you.

Elizabeth Teague, AICP, CTP, CFM | Development Services Director  
Town of Waynesville, NC  
9 S. Main Street | PO Box 100 | Waynesville, NC 28786  
(o) 828.456.2004 | (f) 828.452.1492  
[eteague@waynesvillenc.gov](mailto:eteague@waynesvillenc.gov) | [www.waynesvillenc.gov](http://www.waynesvillenc.gov)

From: Monroe Miller  
Sent: Saturday, September 4, 2021 9:35 AM  
To: Elizabeth Teague <eteague@waynesvillenc.gov>  
Cc: Rob Hites <rhites@waynesvillenc.gov>; Jesse Fowler <jfowler@waynesvillenc.gov>; Stephen Swanger  
Subject: Request for Public Information

Ms. Teague,

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2. Any approval (or denial) by NCDOT for that application at that Allens Creek Road and Buchanan Drive.

Thank you,  
Monroe A. Miller, Jr.

WTF?

**Elizabeth Teague** said:

“The Developer of Browning Branch LLC indicated to me that they have approached the neighbors on several occasions to finalize the plan for how Katka Loop and Buchanan Drive would inter-connect, but that the they have not had any luck in getting a response.”

Does anyone want to know why?

**James Weaver “Kirk” Kirkpatrick the III** has been attempting to chisel the Right-of-Way from the residences of Browning Branch road since day one (1). Carnage is posted on [www.haywoodtp.net](http://www.haywoodtp.net) of many of his attempts:

[FLASHBACK. Browning Branch LLC Deed Right-of-Way, Fantasy Land by James Weaver "Kirk" Kirkpatrick the III. 6/30/2018...](#)

[FLASHBACK. Agenda packet for the Waynesville Planning Board meeting which will be held at Town Hall on Monday, May 20, 2019 at 5:30 p.m. Elizabeth Teague and James Weaver "Kirk" Kirkpatrick the III's latest attempt to populate Lake Buchanan with a low cost \\$1,000 unit rental / high density housing development by slipping this proposal under the cover of darkness at the next Planning Board Meeting. 5/14/2019...](#)

[.mp3. James Weaver "Kirk" Kirkpatrick the III leaving a phone message to Charley Deaver, on or about 8/25/2018, \[re: discuss options for snatching Deaver's Right Of Way at Buchanan Drive\]. 8/25/2018. 9/14/2021...](#)

All of the plats posted on [www.haywoodtp.net](http://www.haywoodtp.net) indicated that the Right-of-Way for Buchanan Drive extends all the way out to Allens Creek Road. Marek Hevier, Greg Wishart and **James Weaver “Kirk” Kirkpatrick the III** have been attempting to redesign the entrance to cut these people off from their lawful Right of Way.

What’s **James Weaver “Kirk” Kirkpatrick the III** going to do? Take them to court?

Here are some photos...



The original gravel road leading to the residents of Buchanan Drive is to the left. The entrance to Browning Branch, LLC is to the right. Hevier and Wishart installed a barrier of little trees to separate the two entrances. Furthermore, they prematurely terminated the Right of Way for Buchanan Drive far short of Allens Creek Road and posted two signs indicating that Buchanan Drive was a PRIVATE DRIVE.



This is another photo from where the Old Store used to be, showing two street signs for this single entrance. How is that possible? The demarcation of the two roads was originally extended out to Allens Creek Road with small boulders, but the person who lives at the house beside the Katka Loop street sign picked them all up and used them as decorative boulders for their lawn.



This photo was taken from Buchanan Drive, looking out towards Allens Creek Road. The entrance to Browning Branch, LLC is to the left. As you can plainly see, the road and tire tracks indicate steady use of Browning Branch Road for the residence traffic all the way out to Allens Creek Road.



Here is an interesting photo. A fully loaded dump truck coming up Allens Creek Road had business for one of the residents on Buchanan Drive, and made a left turn from Allens Creek Road onto Buchanan Drive.

Does anyone see a problem here?

See (on [www.haywoodtp.net](http://www.haywoodtp.net) ) a detailed visualization of the problem:

[Elizabeth Teague, Request for Public Information, #7. 9/13/2021...](#)

or

<https://www.haywoodtp.net/pubII/210913Teague-7.pdf>

This intersection is an accident waiting to happen.

The following is my recommendation to NCDOT.

Subject: Re: Complaint against Chris Lee, District Engineer, NCDOT, Division 14: District II.  
Date: Fri, 15 Oct 2021 10:00:33 -0400  
From: Monroe Miller  
To: Austin, Wanda H <whaustin@ncdot.gov>  
CC: Burch, Brian C <brianburch@ncdot.gov>, Stahl, Angela J <ajstahl@ncdot.gov>, Ronnie Keeter, Jr. <rkeeter@ncdot.gov>, Beau Memory <bmemory@ncdot.gov>, Heather Fulghum <hfulghum@ncdot.gov>

Ms. Austin,

I received the Public Information I requested from NCDOT yesterday, which was:

"The NCDOT STREET AND DRIVEWAY ACCESS PERMIT APPLICATION, 201804404 DW, states that Neal K. Ross must "NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS...". The District Engineer who approved this permit is Chris Lee. Please provide any and all information relating to the proposed work that was submitted to Chris Lee, by Neal K. Ross, or anyone representing the developer of Browning Branch, LLC."

I have attached all of the documents I received as a result of this Request for Public Information.

As you review these documents, all plats predate the plat that was included with Chris Lee's approval on 10/15/2018, exactly three (3) years ago, and all depict the "Old Store" at the intersection of Allens Creek Road and Browning Branch, LLC. There is nothing new! Unfortunately, I did not receive any information as to whom these attachments were sent from, nor any dates.

You indicated in your last email that "The driveway permit is still open and has not been accepted at the time of this email". Well, I sure hope that this intersection will receive a careful review before any final driveway permit is approved.

You see, the problem is that the entrance to the Browning Branch, LLC development and access to the existing road, Buchanan Drive, is not big enough to accommodate both. Both streets have official street signs. The entire layout is FUBAR. The only solution I see, is to install a complex traffic light system, carefully aiming lights to traffic going and coming out of Katka Loop, and traffic going and coming from Buchanan Drive. The Buchanan Drive Right of Way extends all the way to Allens Creek Road. So you will have a nicely paved entrance for Browning Branch, LLC development, and have to retain the gravel road for Buchanan Drive. This might set a precedence for NCDOT, that of installing a traffic light for a gravel road in Western North Carolina. Can't install a Sarasota Loop vehicle detector on a gravel road, as that road washes out with heavy rains. Will have to be more creative in the type of vehicle sensor.

I have spoken to some of the folks that use Buchanan Drive, and they indicate that they have almost been T-boned with people coming out of Katka Loop and the Gravel Dump Trucks speeding down the road coming from the Gravel Pit. You know, these large, fully loaded trucks cannot stop on a dime. This is impending disaster.

So, I hope that you will all take the time to come out to this potential disaster location, and put your heads together to come up with a solution that does not result in potential fatalities and potential law suits.

Thank you,  
Monroe A. Miller, Jr.



So, what suggestion to I have for **James Weaver “Kirk” Kirkpatrick the III**, Greg Wishart and Marek Hevier when **Elizabeth Teague** states:

“The Developer of Browning Branch LLC indicated to me that they have approached the neighbors on several occasions to finalize the plan for how Katka Loop and Buchanan Drive would inter-connect, but that the they have not had any luck in getting a response.”?

They can go [expletive deleted] themselves.

Monroe A. Miller, Jr.  
Haywood County Taxpayer.

[LetsGoBrandon](#)