

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
April 22, 2022

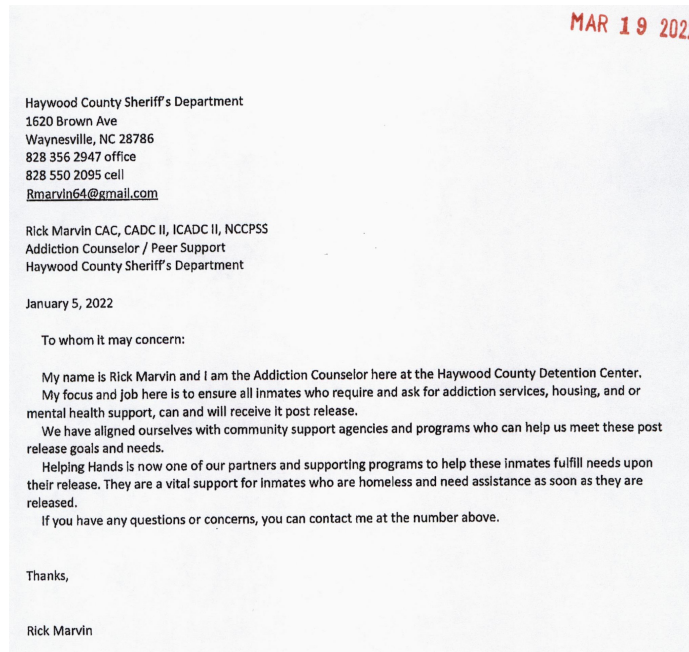
Subject: Dialog with Joey Webb, re: Request for Public Information - Rick Marvin emails.

The following letter by Rick Marvin appeared in the Town of Waynesville agenda for the Waynesville Board of Aldermen Regular Meeting, Monday, 3/22/2022 at 6:00 pm., promoting **Helping Hands of Haywood**, Item 14 in the agenda, under New Business:

G. New Business

14. Helping Hands of Haywood Second ARP Installment

Motion: To approve the third installment of American Recovery Plan funding to **Helping Hands of Haywood** for the sole purpose of providing temporary housing to individuals experiencing homelessness in the amount of \$8,750.



This letter indicates Rick Marvin's address is that of the Haywood County Sheriff's Department, 1620 Brown Avenue. Additionally, Rick Marvin, (credentials) CAC, CADC II, ICADC II, NCCPSS, listed his title as Addition Counselor / Peer Support, Haywood County Sheriff's Department. His email address is Rmarvin64@gmail.com.

See the agenda item on www.haywoodtp.net contained in:

[CONFIDENTIAL! Nicole Kott, of Helping Hands of Haywood, is about to get another \\$8,750, courtesy of Gary Caldwell, Mayor of the Town of Waynesville. Nicole Kott still hiding her receipts, declaring them as CONFIDENTIAL. 3/19/2022...](#)

or,

<https://www.haywoodtp.net/pubII/220319KottAskedForAnotherDole.pdf>

To me, and more importantly to the Waynesville Aldermen, Rick Marvin posed as an employee of the Haywood County Sheriff's Department promoting **Helping Hands of Haywood** to the Board of Aldermen for the purpose of their passing Agenda Item #14 and approving \$8,750.00 for **Nicole Kott**.

On 4/2/2022, I sent an email to Kathi McClure, HC Human Resources, requesting the employment status of Rick Marvin with Haywood County. She responded on 4/4/2022:

Subject: RE: Request for Public Information - Rick Marvin
Date: Mon, 4 Apr 2022 11:53:50 +0000
From: Kathi McClure <kathi.mcclure@haywoodcountync.gov>
To: Monroe Miller
CC: Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>, Rick Marvin <rmarvin64@gmail.com>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Tracy Wells <Tracy.Wells@haywoodcountync.gov>

Mr. Miller,

Good morning. I hope you are doing well. According to our current records, *Mr. Marvin is not an employee of Haywood County and is not listed in our systems.*

Best regards,
Kathi

Kathi McClure, PHR, SHRM-CP
Haywood County Human Resources Director

On 4/4/2022, in response to a query to Sheriff Christopher, I received the following:

Subject: RE: Request for Public Information - Rick Marvin
Date: Mon, 4 Apr 2022 15:39:01 +0000
From: Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>
To: Monroe Miller
CC: Rick Marvin <rmarvin64@gmail.com>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Tracy Wells <Tracy.Wells@haywoodcountync.gov>, Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Mandy Haithcox <mandy@haywoodpathways.org>

Good morning Mr. Miller

Rick Marvin is one of two peer support specialists (addiction counselor) that works in the detention center full-time. He is an employee of The Pathways Center. VAYA Health funds this position to help find jobs, rehabilitation, housing, mental and physical health assistance as well as connecting some of the inmates with family again. HE also teaches classes daily in the detention center. *He has been provided a county email address for correspondence purposes to communicate with the detention staff but is not an employee of Haywood County.*

Rick does a tremendous job in helping the inmates prepare for leaving our detention center in so many ways. He is a hard worker that takes his duties very seriously.

Respectfully,
Greg

Sheriff Greg Christopher
Haywood County Sheriff's Office
1620 Brown Avenue
Waynesville, NC 28786
828-356-2850

In a continuing dialog with Sheriff Christopher,

Subject: Re: Request for Public Information - Rick Marvin

Date: Mon, 4 Apr 2022 11:48:08 -0400

From: Monroe Miller

To: Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

CC: Rick Marvin <rmarvin64@gmail.com>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Tracy Wells <Tracy.Wells@haywoodcountync.gov>, Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Mandy Haithcox <mandy@haywoodpathways.org>

Hello Sheriff Christopher,

What about the part where he is impersonating an officer? I passed this information on to Ashley Welch this morning to see if there is a problem.

I thought county email addresses ended with: haywoodcountync.gov. His email address is marvin64@gmail.com. What is his county email address?

Who is the other peer support specialist?

Monroe A. Miller, Jr.

Subject: RE: Request for Public Information - Rick Marvin

Date: Mon, 4 Apr 2022 15:55:18 +0000

From: Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

To: Monroe Miller

CC: Rick Marvin <rmarvin64@gmail.com>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Tracy Wells <Tracy.Wells@haywoodcountync.gov>, Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Mandy Haithcox <mandy@haywoodpathways.org>

Mr. Miller

I don't see where he identified himself as an officer in the documentation I have.

His county email is rick.marvin@haywoodcountync.gov

CJ Deering is our other peer support specialist.

Respectfully,

Greg

Sheriff Greg Christopher
Haywood County Sheriff's Office
1620 Brown Avenue
Waynesville, NC 28786
828-356-2850

So, Rick Marvin is an employee of The Pathways Center, and is embedded in the Haywood County Detention Center as a Peer Support Specialist. He is posing as an employee of the Haywood County Sheriff's Department, and has been issued a Haywood County email address of rick.marvin@haywoodcountync.gov.

The other Peer Support Specialist is CJ Deering. See on www.haywoodtp.net -

[FLASHBACK. Who are CJ Deering and Rick Marvin? "Peer specialists go inside jail to assist inmates", SMN, Written by Jessi Stone. 9/12/2018. 4/5/2022...](#)

or

<https://smokymountainnews.com/archives/item/25511-peer-specialists-go-inside-jail-to-assist-inmates>

and

[Rick Marvin \(and CJ Deering\), who are they, and how are they related to Nicole Kott and the Helping Hands of Haywood? 4/6/2022...](#)

or

<https://www.haywoodtp.net/pubII/220406RickMarvin-HR-Records.pdf>

The Sheriff indicated:

“ ... He has been provided a county email address for correspondence purposes to communicate with the detention staff but is not an employee of Haywood County.”

Let me be clear. If Rick Marvin had:

- Identified himself as an employee of The Pathways Center in the above letter, and
- Used an email address of Rmarvin64@gmail.com instead of rick.marvin@haywoodcountync.gov

I go away. It would not even be a blip on the radar. But Houston, we have a problem.

Rick Marvin's using a county issued email address opens Rick Marvin up to scrutiny about what is contained in those emails, even if it is simply correspondence between detention staff.

Well, I would like to review those emails from Rick Marvin who is posing as an employee of the Haywood County Sheriff's Office. I have a right to this request, because these emails are Public Information transmitted over computers and servers belonging to Haywood County with a designated/issued Haywood County email address. Simple enough, you would think?

The level of obstruction I just received from Joey Webb appears insurmountable.

Thus begins an email dialog with Joey Webb Jr., CGCIO, Director, Technology & Communications, Haywood County Gov't. Joey Webb is the properly the custodian of emails for Haywood County. The Sheriff, is not, the custodian of emails for Haywood County [re: 7b].

Here we go...

Subject: Request for Public Information

Date: Mon, 11 Apr 2022 08:48:59 -0400

From: Monroe Miller

To: Lori Tomlin <lori.tomlin@haywoodcountync.gov>, Joey Webb <joey.webb@haywoodcountync.gov>

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <bryant.morehead@haywoodcountync.gov>

Ms. Tomlin and Mr. Webb,

It has come to my attention that a Rick Marvin was issued a Haywood County Government email address, of rick.marvin@haywoodcountync.gov. Haywood County Human Resources has no record of this individual. Additionally, a CJ Deering may have been issued a Haywood County Government email address as well. These two individuals are "embedded" in the Haywood County Detention Center, working as "peer support specialists". It is presumed that there are no records on CJ Deering with HR either.

For a photo of these two individuals, see:

<https://smokymountainnews.com/archives/item/25511-peer-specialists-go-inside-jail-to-assist-inmates>

I would like to request two (2) things:

- The date Rick Marvin was issued a county email address (applies to CJ Deering as well, if she was issued an email address),
- I would like to request any and all emails on the Haywood County computer system, servers, back-up devices, etc. for any email's To or From these individuals since their being issued a County Government email address.

Let me know if I need to bring in a flashie drive for you to copy the contents onto.

Thank you,

Monroe A. Miller, Jr.
Haywood County Taxpayer

Subject: RE: Request for Public Information

Date: Mon, 11 Apr 2022 13:34:05 +0000

From: Joey Webb <joey.webb@haywoodcountync.gov>

To: Monroe Miller

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>

Mr. Miller,

I have received your request for records. Ms. Tomlin retired, and therefore no longer works for Haywood County.

Thanks,
Joey

Subject: Re: Request for Public Information

Date: Wed, 20 Apr 2022 09:40:11 -0400

From: Monroe Miller

To: Joey Webb <joey.webb@haywoodcountync.gov>

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead
<Bryant.Morehead@haywoodcountync.gov>

Mr. Webb,

Please let me know when I can come down with a flashie drive to copy the contents of the Request for Public Information.

Thank you,

Monroe A. Miller, Jr.

Subject: RE: Request for Public Information

Date: Wed, 20 Apr 2022 15:24:20 +0000

From: Joey Webb <joey.webb@haywoodcountync.gov>

To: Monroe Miller

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead
<Bryant.Morehead@haywoodcountync.gov>

Mr. Miller,

The detention center is currently reviewing the records to be released to ensure that no confidential information is released. I will let you know as soon as they are complete and the file is ready for pickup.

Thanks,

Joey

Subject: Re: Request for Public Information

Date: Wed, 20 Apr 2022 14:48:59 -0400

From: Monroe Miller

To: Joey Webb <joey.webb@haywoodcountync.gov>

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Ashley Welch <ashley.h.welch@nccourts.org>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Jennifer Best <jennifer.best@haywoodcountync.gov>, JAMES WEAVER "KIRK" KIRKPATRICK the III <Kirk.Kirkpatrick@haywoodcountync.gov>, Brandon Rogers <brandon.rogers@haywoodcountync.gov>, Frank Queen <Frank.Queen@haywoodcountync.gov>, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

[?]

WTF?

Mr. Webb,

First of all, has CJ Deering been issued a Haywood County email address? Let's clear this up first.

- If so, who directed you to create her email address?
- Who directed you to create an email address for Rick Marvin.
- When were each of these issued (date)?

Second, who the [expletive deleted] directed you to divert information from my Request for Public Information over to the detention center for redaction of confidential information?

- What criteria is this detention center person going to use for redacting information?
- These people in the detention center were incarcerated for some reason, presumably related to violating a law and having a judge throw them in detention. That is not confidential information.
- HR does not have a record of Rick Marvin, yet he was issued a county email address, posed as a Haywood County Sheriff Department employee, so what possible confidential information is he sending over the county email system?
- My request was a bona fide request for public information. Show me the NC General Statute which says that someone who is not known to be an employee of the county, yet issued a county email address, and I request all of the emails to and from this individual, that the content of the request is redirected for God-Knows-Who at the detention center to redact the information?

Let's be clear, I want all the information I requested, prior to you sending it over to the detention center for Rick Marvin, and CJ Deering is she as also issued a county email address.

Has anyone in Haywood County signed a confidentiality agreement with Nicole Kott, as Gary Caldwell, Mayor of the Town of Waynesville, did? That's about the only reason you have for redirecting my information to whoever at the detention center.

You will notice that the D/A's office is now copied on this email, as her office is already looking into the matter of Rick Marvin posing as an employee of the Haywood County Sheriff's Department. I plan to supply this information to the D/A's office.

Nixon did not get into trouble because of the dirty deed. He had to resign because of the cover-up.

Let me know when I can pick up the information I requested on Rick Marvin and CJ Deering.

Monroe A. Miller, Jr.
Haywood County Taxpayer

Subject: Re: Request for Public Information

Date: Thu, 21 Apr 2022 08:56:14 -0400

From: Monroe Miller

To: Joey Webb <joey.webb@haywoodcountync.gov>

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Ashley Welch <ashley.h.welch@nccourts.org>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Jennifer Best <jennifer.best@haywoodcountync.gov>, JAMES WEAVER "KIRK" KIRKPATRICK the III <Kirk.Kirkpatrick@haywoodcountync.gov>, Brandon Rogers <brandon.rogers@haywoodcountync.gov>, Frank Queen <Frank.Queen@haywoodcountync.gov>, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

Mr. Webb,

It is generally conceded that you have ten (10) days to respond to a Request for Public Information. My original request was dated April 11, 2022, which means I am due to get all the information I requested by the end of the day today. Please confirm that I need to bring in a flashie drive to have this information transferred to me.

Thank you,

Monroe A. Miller, Jr.

Subject: Re: Request for Public Information - Joey Webb emails

Date: Thu, 21 Apr 2022 08:59:10 -0400

From: Monroe Miller

To: Joey Webb <joey.webb@haywoodcountync.gov>

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Ashley Welch <ashley.h.welch@nccourts.org>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Jennifer Best <jennifer.best@haywoodcountync.gov>, JAMES WEAVER "KIRK" KIRKPATRICK the III <Kirk.Kirkpatrick@haywoodcountync.gov>, Brandon Rogers <brandon.rogers@haywoodcountync.gov>, Frank Queen <Frank.Queen@haywoodcountync.gov>, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

Mr. Webb,

This is a Request for Public Information. Please provide a copy of all of your emails (To and From, CC, BCC) from the county server for the email address Joey Webb <joey.webb@haywoodcountync.gov> from April 11, 2022 through today.

Thank you,

Monroe A. Miller, Jr.

Subject: Re: Request for Public Information - Joey Webb emails

Date: Thu, 21 Apr 2022 10:08:23 -0400

From: Monroe Miller

To: Joey Webb <joey.webb@haywoodcountync.gov>

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Ashley Welch <ashley.h.welch@nccourts.org>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Jennifer Best <jennifer.best@haywoodcountync.gov>, JAMES WEAVER "KIRK" KIRKPATRICK the III <Kirk.Kirkpatrick@haywoodcountync.gov>, Brandon Rogers <brandon.rogers@haywoodcountync.gov>, Frank Queen <Frank.Queen@haywoodcountync.gov>, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

Mr. Webb,

Please acknowledge this Request for Public Information.

Monroe A. Miller, Jr.

Subject: RE: Request for Public Information - Joey Webb emails

Date: Thu, 21 Apr 2022 17:24:16 +0000

From: Joey Webb <joey.webb@haywoodcountync.gov>

To: Monroe Miller

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Ashley Welch <ashley.h.welch@nccourts.org>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Jennifer Best <Jennifer.Best@haywoodcountync.gov>, Kirk Kirkpatrick <Kirk.Kirkpatrick@haywoodcountync.gov>, Brandon C. Rogers <brandon.rogers@haywoodcountync.gov>, Frank Queen <Frank.Queen@haywoodcountync.gov>, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>

Acknowledged

Subject: RE: Request for Public Information

Date: Thu, 21 Apr 2022 21:30:55 +0000

From: Joey Webb <joey.webb@haywoodcountync.gov>

To: Monroe Miller

CC: Kathi McClure <kathi.mcclure@haywoodcountync.gov>, Bryant Morehead <Bryant.Morehead@haywoodcountync.gov>, Ashley Welch <ashley.h.welch@nccourts.org>, Kris Boyd <Kris.Boyd@haywoodcountync.gov>, Jennifer Best <Jennifer.Best@haywoodcountync.gov>, Kirk Kirkpatrick <Kirk.Kirkpatrick@haywoodcountync.gov>, Brandon C. Rogers <brandon.rogers@haywoodcountync.gov>, Frank Queen <Frank.Queen@haywoodcountync.gov>, Sheriff Greg Christopher <Greg.Christopher@haywoodcountync.gov>, Kevin Ensley <Kevin.Ensley@haywoodcountync.gov>, Thomas A. Long <Tommy.Long@haywoodcountync.gov>, Glen R. Matayabas <Glen.Matayabas@haywoodcountync.gov>

Mr. Miller,

I can't seem to locate a public record that answers most of your questions. I am not by statute required to create a record answering them, but I will make my best attempt to be hospitable and answer them to the best of my knowledge.

1. [?]
 - a. I am unsure of the question being asked here. Could you please clarify this request so that I may answer your question professionally and appropriately?
2. WTF?
 - a. I am unsure of the question being asked here. Could you please clarify this request so that I may answer your question professionally and appropriately?
3. First of all, has CJ Deering been issued a Haywood County email address?
 - a. Yes
4. If so, who directed you to create her email address?
 - a. Captain Glen Matayabas
5. Who directed you to create an email address for Rick Marvin.
 - a. Captain Glen Matayabas
6. When were each of these issued (date)?
 - a. 9/17/2018
7. Second, who the [expletive deleted] directed you to divert information from my Request for Public Information over to the detention center for redaction of confidential information?
 - a. I appreciate that you deleted the expletive. I understand it is easy to be unprofessional when using a keyboard to air your frustrations, but it takes real courage to speak so unprofessionally in person. I'm glad that we can have truly professional dialog without egos and tempers getting in the way. This can be very difficult when parties have little or no respect for each other.
 - b. According to NCGS § 132-2 the Sheriff, being the public official in charge of the office, is the custodian designated for this particular request and is responsible for ensuring that all information released is compliant with Federal and State laws or regulations.
 - c. It is my belief that in the course of their duties, Ms. Deering and Mr. Marvin may be routinely exposed to information which is protected under the Health Insurance Portability and Accountability Act of 1996 (attached for your reference), and said information therefore, must be redacted by the Sheriff or his designee.
 - d. It is also my belief that in the course of their duties, Ms. Deering and Mr. Marvin may be routinely exposed to Criminal Justice Information (CJI) which is protected under the CJIS security policy, which integrates presidential and FBI directives to govern the protection of said information. (https://www.fbi.gov/file-repository/cjis_security_policy_v5-9_20200601.pdf/view)
8. What criteria is this detention center person going to use for redacting information?
 - a. See 7b-7d.
9. HR does not have a record of Rick Marvin, yet he was issued a county email address, posed as a Haywood County Sheriff Department employee, so what possible confidential information is he sending over the county email system?

- a. I am not at liberty to discuss any information which could be considered confidential under the provisions listed above.
10. My request was a bona fide request for public information. Show me the NC General Statute which says that someone who is not known to be an employee of the county, yet issued a county email address, and I request all of the emails to and from this individual, that the content of the request is redirected for God-Knows-Who at the detention center to redact the information?
 - a. See 7b-7d.
11. Let's be clear, I want all the information I requested, prior to you sending it over to the detention center for Rick Marvin, and CJ Deering is she as also issued a county email address.
 - a. See 7b-7d.
12. Has anyone in Haywood County signed a confidentiality agreement with Nicole Kott, as Gary Caldwell, Mayor of the Town of Waynesville, did?
 - a. In the course of my duties, I would not be privy to any agreements signed by any person(s) other than myself including Mayor Caldwell. I personally do not believe I have ever met a person named Nikole Kott, nor have I entered into any legal agreements with someone by the same name.
13. You will notice that the D/A's office is now copied on this email, as her office is already looking into the matter of Rick Marvin posing as an employee of the Haywood County Sheriff's Department. I plan to supply this information to the D/A's office
 - a. Thanks for including the District Attorney on this email as I'm sure she is always ready and willing to respond to the needs of her electorate. I hope that she will correct me if I have spoken in err with my answers, of course as I prefaced these answers, they are entirely based upon my understanding and knowledge as there are no documents which exist to answer many of these questions.
 - b. I also believe that the Honorable Ms. Welch would agree with me however that if she is investigating a formal charge, she would normally request any associated records directly from the custodian to preserve the chain of custody.
14. Nixon did not get into trouble because of the dirty deed. He had to resign because of the cover-up.
 - a. Although I don't understand the relevance, I appreciate your historical interpretation. I only know what I have read in text books as I am not old enough to remember the Watergate scandal or the media coverage of it.
15. Let me know when I can pick up the information I requested on Rick Marvin and CJ Deering.
 - a. The Sheriff's Office has recommended that Frank Queen in his role as County Attorney review the records prior to release to ensure that they are in compliance with all applicable laws. I have made a request through the County Manager's office for Frank's expertise. Frank is only contracted to Haywood County on a part-time basis. Without having direct knowledge of his schedule or workload, I have no way to estimate how long it will take for him to review the records. I am confident however, that he will complete this task in a reasonable amount of time as required by NCGS § 132.

I hope this information has helped to clarify your concerns. It is now, and has been for my entire career here in Haywood County, my goal to perform my duties to the best of my abilities and in the best interest of ALL taxpayers. I wish I could have spent more time and provided more information to you. However, duty calls and I would not feel right neglecting my duties to the majority of our fine citizens by allowing one citizen to monopolize my time. I have included all of my supervisors, as well as all of our commissioners since a couple of them were missing from your email. Please feel free to reply to this email if you feel that the service I have offered to you is somehow unsatisfactory.

Sincerely,
Joey

To Be Continued...