

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
March 1, 2023

Subject: Esther Coulter, Administrative Assistant, Brand New Request For Public Information Form.

If anyone needed a reason to toss out the current four (4) Town of Waynesville Aldermen (he/she/them/whatever) + Mayor [**Gary Caldwell, Julia Freeman, Anthony Sutton, Jon Feichter and Chuck Dickson**] in the up coming election, this tops the cake. Because of me, I'm sure, **Martha Sharpe Bradley**, Town lawyer, through and by **Esther Coulter** (who is now in **bold**), Administrative Assistant, Development Services Department, have instituted a brand new, never before used, and now, apparently mandatory, Request for Public Information Form. There is no basis for insisting on someone filling out this form, other than to establish another bureaucratic road block for public access to information.

This is so incredibly stupid, it is beyond description.

I cannot recall how many times in the past that I have made Requests for Public Information (www.haywoodtp.net) is loaded with specific instances, and this is the first time **Martha Sharpe Bradley** has decided to flex her muscles.

I had made a request to examine the Appeal of Administrative Decision recently by Peggy Hannah regarding a zoning approval to move the Hazelwood garbage collection service center from its current location to right in front of Peggy Hannah's house, to make way for the New Detention Center.

Here we go...

Subject: Request for Public Information - Planning Board Appeal, #1.
Date: Sun, 26 Feb 2023 08:41:35 -0500
From: Monroe Miller
To: Esther Coulter <ecoulter@waynesvillenc.gov>

Ms. Coulter,

This is a Request for Public Information. It has come to my attention that after a recent TOW planning board meeting, an appeal concerning the relocation of the Hazelwood Garbage Service Center was submitted. Please send me a copy of that appeal.

Thank you,

Monroe A. Miller, Jr.

Subject: RE: Request for Public Information - Planning Board Appeal, #1.
Date: Tue, 28 Feb 2023 16:39:37 +0000
From: Esther Coulter <ecoulter@waynesvillenc.gov>
To: Monroe Miller

Hello Monroe, Can you please fill out the attached public record request form and send it back. Thank you!



Town of Waynesville

Development Services Department

9 South Main Street Suite 110

Waynesville, NC 28786

Phone (828) 456-8647 – Fax (828) 452-1492

www.waynesvillenc.gov

Public Records Request

Name of Recipient: _____

Title of Recipient: _____

Address: _____

Email Address: _____

Phone #: _____

Completed By:

Completion Date: _____

Notified- Name: _____ Date/ Time _____

Method of Notification: Phone / Email / In Person

Date /Time and Method of delivery for request: _____

Signature: _____ Date: _____

Request:

If a recording of a board meeting is requested a **new** flash drive is required to be brought to the office. Due to the size of the files they cannot be posted on website or emailed.

This institution is an equal opportunity provider

Subject: Re: Request for Public Information - Planning Board Appeal, #2.
Date: Tue, 28 Feb 2023 12:03:01 -0500
From: Monroe Miller
To: Esther Coulter <ecoulter@waynesvillenc.gov>, Martha Sharpe Bradley <martha@sosharpe.com>
CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>

Ms. Coulter and Ms. Bradley

Who advised you that I have to fill out the attached public record request form? Please show me where I have to fill out a Municipal Form to make a Request for Public Information -

North Carolina General Statute
County Ordinance
Town of Waynesville Ordinance

My original request was properly formatted. See your form which I converted to a pdf format.

Monroe A. Miller, Jr.

Subject: RE: Request for Public Information - Planning Board Appeal, #2.
Date: Tue, 28 Feb 2023 21:49:10 +0000
From: Esther Coulter <ecoulter@waynesvillenc.gov>
To: Monroe Miller, Martha Sharpe Bradley <martha@sosharpe.com>
CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>

Mr. Monroe there is not a law or state statute on how to request public record. I want to make sure your request gets complete. I am the Custodian over some of the Town Records and I am asking you to fill out the request form to make sure I have all of your details for your request. Your request is public record also and I keep all request. Thank you. I sent the form in word so you could type in it and send back. I have posted the agenda packet on the website. I am also attaching G.S. 132-6.2.

- (3) If the specific business has requested discretionary incentives for a project pursuant to Chapter 143B of the General Statutes and if either the business decides not to expand or locate the project in the State or the project does not receive the discretionary incentives, then the only records relating to the project that may be disclosed are the requests for discretionary incentives pursuant to Chapter 143B of the General Statutes and any information submitted to the Department by the contracted entity.
- (4) If the specific business receives a discretionary incentive for a project pursuant to Chapter 143B of the General Statutes and the State or the specific business announces a commitment to expand or locate the project in this State, all records requested for the announced project, not otherwise made confidential by law, shall be disclosed as soon as practicable and within 25 days from the date of announcement.

(e) The application of this Chapter is subject to the provisions of Article 1 of Chapter 121 of the General Statutes, the North Carolina Archives and History Act.

(f) Notwithstanding the provisions of subsections (a) and (a1) of this section, the inspection or copying of any public record which, because of its age or condition could be damaged during inspection or copying, may be made subject to reasonable restrictions intended to preserve the particular record. (1935, c. 265, s. 6; 1987, c. 835, s. 1; 1995, c. 388, s. 2; 2005-429, s. 1.1; 2014-18, s. 1.1(c); 2014-115, s. 56.1; 2017-10, s. 2.9(b).)

§ 132-6.1. Electronic data-processing and computer databases as public records.

(a) Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.

(a1) Notwithstanding G.S. 132-6.2(a), a public agency may satisfy the requirement under G.S. 132-6 to provide access to public records in computer databases by making public records in computer databases individually available online in a format that allows a person to view the public record and print or save the public record to obtain a copy. A public agency that provides access to public records under this subsection is not required to provide access to the public records in the computer database in any other way; provided, however, that a public agency that provides access to public records in computer databases shall also allow inspection of any of such public records that the public agency also maintains in a nondigital medium.

(b) Repealed by Session Laws 2017-10, s. 2.9(a), effective July 1, 2017.

(c) Nothing in this section shall require a public agency to create a computer database that the public agency has not otherwise created or is not otherwise required to be created. Nothing in this section requires a public agency to disclose security features of its electronic data processing systems, information technology systems, telecommunications networks, or electronic security systems, including hardware or software security, passwords, or security standards, procedures, processes, configurations, software, and codes.

(d) The following definitions apply in this section:

- (1) Computer database. – A structured collection of data or documents residing in a database management program or spreadsheet software.

- (2) Computer hardware. – Any tangible machine or device utilized for the electronic storage, manipulation, or retrieval of data.
- (3) Computer program. – A series of instructions or statements that permit the storage, manipulation, and retrieval of data within an electronic data-processing system, together with any associated documentation. The term does not include the original data, or any analysis, compilation, or manipulated form of the original data produced by the use of the program or software.
- (4) Computer software. – Any set or combination of computer programs. The term does not include the original data, or any analysis, compilation, or manipulated form of the original data produced by the use of the program or software.
- (5) Electronic data-processing system. – Computer hardware, computer software, or computer programs or any combination thereof, regardless of kind or origin.
- (6) Media or medium – The physical medium on which information is stored in recoverable form. (1995, c. 388, s. 3; 2000-71, s. 1; 2002-159, s. 35(i); 2017-10, s. 2.9(a).)

§ 132-6.2. Provisions for copies of public records; fees.

(a) Persons requesting copies of public records may elect to obtain them in any and all media in which the public agency is capable of providing them. No request for copies of public records in a particular medium shall be denied on the grounds that the custodian has made or prefers to make the public records available in another medium. The public agency may assess different fees for different media as prescribed by law.

(b) Persons requesting copies of public records may request that the copies be certified or uncertified. The fees for certifying copies of public records shall be as provided by law. Except as otherwise provided by law, no public agency shall charge a fee for an uncertified copy of a public record that exceeds the actual cost to the public agency of making the copy. For purposes of this subsection, "actual cost" is limited to direct, chargeable costs related to the reproduction of a public record as determined by generally accepted accounting principles and does not include costs that would have been incurred by the public agency if a request to reproduce a public record had not been made. Notwithstanding the provisions of this subsection, if the request is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or if producing the record in the medium requested results in a greater use of information technology resources than that established by the agency for reproduction of the volume of information requested, then the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the actual cost incurred for such extensive use of information technology resources or the labor costs of the personnel providing the services, or for a greater use of information technology resources that is actually incurred by the agency or attributable to the agency. If anyone requesting public information from any public agency is charged a fee that the requester believes to be unfair or unreasonable, the requester may ask the State Chief Information Officer or his designee to mediate the dispute.

(c) Persons requesting copies of computer databases may be required to make or submit such requests in writing. Custodians of public records shall respond to all such requests as promptly as possible. If the request is granted, the copies shall be provided as soon as reasonably possible. If the request is denied, the denial shall be accompanied by an explanation of the basis

for the denial. If asked to do so, the person denying the request shall, as promptly as possible, reduce the explanation for the denial to writing.

(d) Nothing in this section shall be construed to require a public agency to respond to requests for copies of public records outside of its usual business hours.

(e) Nothing in this section shall be construed to require a public agency to respond to a request for a copy of a public record by creating or compiling a record that does not exist. If a public agency, as a service to the requester, voluntarily elects to create or compile a record, it may negotiate a reasonable charge for the service with the requester. Nothing in this section shall be construed to require a public agency to put into electronic medium a record that is not kept in electronic medium. (1995, c. 388, s. 3; 2004-129, s. 38.)

§ 132-7. Keeping records in safe places; copying or repairing; certified copies.

Insofar as possible, custodians of public records shall keep them in fireproof safes, vaults, or rooms fitted with noncombustible materials and in such arrangement as to be easily accessible for convenient use. All public records should be kept in the buildings in which they are ordinarily used. Record books should be copied or repaired, renovated or rebound if worn, mutilated, damaged or difficult to read. Whenever any State, county, or municipal records are in need of repair, restoration, or rebinding, the head of such State agency, department, board, or commission, the board of county commissioners of such county, or the governing body of such municipality may authorize that the records in need of repair, restoration, or rebinding be removed from the building or office in which such records are ordinarily kept, for the length of time required to repair, restore, or rebind them. Any public official who causes a record book to be copied shall attest it and shall certify on oath that it is an accurate copy of the original book. The copy shall then have the force of the original. (1935, c. 265, s. 7; 1951, c. 294.)

§ 132-8. Assistance by and to Department of Natural and Cultural Resources.

The Department of Natural and Cultural Resources shall have the right to examine into the condition of public records and shall give advice and assistance to public officials in the solution of their problems of preserving, filing and making available the public records in their custody. When requested by the Department of Natural and Cultural Resources, public officials shall assist the Department in the preparation of an inclusive inventory of records in their custody, to which shall be attached a schedule, approved by the head of the governmental unit or agency having custody of the records and the Secretary of Natural and Cultural Resources, establishing a time period for the retention or disposal of each series of records. Upon the completion of the inventory and schedule, the Department of Natural and Cultural Resources shall (subject to the availability of necessary space, staff, and other facilities for such purposes) make available space in its Records Center for the filing of semicurrent records so scheduled and in its archives for noncurrent records of permanent value, and shall render such other assistance as needed, including the microfilming of records so scheduled. (1935, c. 265, s. 8; 1943, c. 237; 1959, c. 68, s. 2; 1973, c. 476, s. 48; 2015-241, ss. 14.30(s), (t).)

§ 132-8.1. Records management program administered by Department of Natural and Cultural Resources; establishment of standards, procedures, etc.; surveys.

A records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records shall be administered by the Department of Natural and Cultural Resources. It shall be the

Subject: Re: Request for Public Information - Planning Board Appeal, #3.

Date: Wed, 1 Mar 2023 08:53:11 -0500

From: Monroe Miller

To: Esther Coulter <ecoulter@waynesvillenc.gov>, Martha Sharpe Bradley <martha@sosharpe.com>

CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>, Susan T Smith <susanteassmith@me.com>, Ginger Hain <gghain@hotmail.com>, Candace Poolton <cpoolton@waynesvillenc.onmicrosoft.com>

Ms. Coulter,

You are now in **bold** (ask Martha Sharpe Bradley what that means) and you have just been added to the list. See: smn tabloid. Town of Waynesville will pursue staggered terms for aldermen, they see the Writing on the Wall. 2/24/2023. 2/26/2023...

Waynesville Pink Slip List.

This is again a robust list of people that need to go. So, who gives these people the pink slip? Why the Board of Aldermen, who are part of the whole problem. So, as their election approaches in 2023, all of these people need to be replaced. They are:

Gary Caldwell
Julia Freeman
Anthony Sutton
Chuck Dickson
Jon Feichter

Now we get to the Pink Slip List. This list has also been arranged in order of priority, i.e., first to go should be Elizabeth Teague.

1. Elizabeth Teague
2. Rob Hites
3. Martha Sharpe Bradley
4. Byron Hickox
5. Jesse Fowler
6. Jeff Stines
7. Susan Teas
8. Ginger Hain
9. Esther Coulter

So, Let's go through your email to me, sentence by sentence.

1. "Mr. Monroe there is not a law or state statute on how to request public record."

My name is either Monroe or Mr. Miller. Thank you for acknowledging that there is not a law or state statute on how to request a public record. The last person who attempted to interfere with the process was memorably Wanda Greene, prior Buncombe County Manager -

See: UPDATE 99 CVS 03497 - Dawes, Yelton and Morgan vs. Buncombe County Board of Commissioners and Wanda Greene, County Manager. NC Public Records Law. Full & complete file. 8/03/2012.... As you know, she has been spending some time in prison.

2. "I want to make sure your request gets complete."

My request was complete.

3. "I am the Custodian over some of the Town Records and I am asking you to fill out the request form to make sure I have all of your details for your request."

I determined you were the custodian of the Records I requested, which is why my Request for Public Information was directed to you. I decline to fill out your request form. I supplied all the details that you required to comply with my Request for Public Information.

4. "Your request is public record also and I keep all request." (should be spelled requests).

I am aware that my request becomes public record, and now it is likely that this entire email dialog with you will become quite public, by my posting this entire thing on my website, www.haywoodtp.net. Ask Martha Sharpe Bradley about that.

5. "Thank you. I sent the form in word so you could type in it and send back."

You should start sending things in a pdf format, less likely to have someone modify any form. Again, I decline to fill out your request form.

6. "I have posted the agenda packet on the website."

I just happened by chance to come across Peggy Hannah's Appeal of Administrative Decision, which by now is plastered all over my website. See:

[HaywoodHappenings.org - Planning Board Purpose. Why does a Planning Board exist? The Planning Board is comprised of appointed members of the community. How many of these questions can you answer correctly? 2/28/2023...](#)

[The Town of Waynesville Zoning Board of Adjustment Agenda Packet for March 7th, 2023 meeting. Whoa! Check out pages 15-17. Peggy Hannah filed an Appeal of Administrative Decision! This could bring the whole New Detention Center plans to a grinding halt until this gets straightened out. 2/27/2023...](#)

[All you need to know about Town of Waynesville's Appeals of Administrative Development Decisions \(don't bother to ask either Elizabeth Teague or Martha Sharpe Bradley\), by Adam Lovelady, Coates' Canons NC Local Government Law, UNC School of Government. 3/18/22. 2/21/2023...](#)

You did not bother to inform me about this, so my Request for Public Information was not fulfilled by your simply posting the agenda. Besides, I am looking for a scanned copy of Peggy Hannah's original appeal, which is what I requested in the first place.

7. "I am also attaching G.S. 132-6.2."

You posted a portion of N.C.G.S. § 132-6.1 as well. So let's go through the sections you highlighted in yellow marker -

§ 132-6.1 (a1) I am not requesting Public Information for a data base.

§ 132-6.1 (c) I am not requesting that you create a data base.

§ 132-6.2 (a) (b) (c) I am not requesting a paper copy. There are no fees for a scanned document.

§ 132-6.2 (e) I am not requesting that you compile anything.

What you left out, was the entire first section, § 132-6, which I will copy here for you

§ 132-6. Inspection, examination and copies of public records.

(a) Every custodian of public records shall permit any record in the custodian's custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law. As used herein, "custodian" does not mean an agency that holds the public records of other agencies solely for purposes of storage or safekeeping or solely to provide data processing.

(a1) A public agency or custodian may satisfy the requirements in subsection (a) of this section by making public records available online in a format that allows a person to view the public record and print or save the public record to obtain a copy. If the public agency or custodian maintains public records online in a format that allows a person to view and print or save the public records to obtain a copy, the public agency or custodian is not required to provide copies to these public records in any other way.

(b) No person requesting to inspect and examine public records, or to obtain copies thereof, shall be required to disclose the purpose or motive for the request.

(c) No request to inspect, examine, or obtain copies of public records shall be denied on the grounds that confidential information is commingled with the requested nonconfidential information. If it is necessary to separate confidential from nonconfidential information in order to permit the inspection, examination, or copying of the public records, the public agency shall bear the cost of such separation.

(d) Notwithstanding the provisions of subsections (a) and (b) of this section, public records relating to the proposed expansion or location of specific business or industrial projects may be withheld so long as their inspection, examination or copying would frustrate the purpose for which such public records were created; provided, however, that nothing herein shall be construed to permit the withholding of public records relating to general economic development policies or activities. Once the State, a local government, or the specific business has announced a commitment by the business to expand or locate a specific project in this State or the business has made a final decision not to do so, of which the State or local government agency involved with the project knows or should know, the provisions of this subsection allowing public records to be withheld by the agency no longer apply. Once the provisions of this subsection no longer apply, the agency shall disclose as soon as practicable, and within 25 business days, public records requested for the announced project that are not otherwise made confidential by law. An announcement that a business or industrial project has committed to expand or locate in the State shall not require disclosure of local government records relating to the project if the business has not selected a specific location within the State for the project. Once a specific location for the project has been determined, local government records must be disclosed, upon request, in accordance with the provisions of this section. For purposes of this section, "local government records" include records maintained by the State that relate to a local government's efforts to attract the project.

Records relating to the proposed expansion or location of specific business or industrial projects that are in the custody of the Department of Commerce or an entity with which the Department contracts pursuant to

G.S. 143B-431.01 shall be treated as follows:

- (1) Unless controlled by another subdivision of this subsection, the records may be withheld if their inspection, examination, or copying would frustrate the purpose for which the records were created.
- (2) If no discretionary incentives pursuant to Chapter 143B of the General Statutes are requested for a project and if the specific business decides to expand or locate the project in the State, then the records relating to the project shall not be disclosed.
- (3) If the specific business has requested discretionary incentives for a project pursuant to Chapter 143B of the General Statutes and if either the business decides not to expand or locate the project in the State or the project does not receive the discretionary incentives, then the only records relating to the project that may be disclosed are the requests for discretionary incentives pursuant to Chapter 143B of the General Statutes and any information submitted to the Department by the contracted entity.
- (4) If the specific business receives a discretionary incentive for a project pursuant to Chapter 143B of the General Statutes and the State or the specific business announces a commitment to expand or locate the project in this State, all records requested for the announced project, not otherwise made confidential by law, shall be disclosed as soon as practicable and within 25 days from the date of announcement.
- (e) The application of this Chapter is subject to the provisions of Article 1 of Chapter 121 of the General Statutes, the North Carolina Archives and History Act.
- (f) Notwithstanding the provisions of subsections (a) and (a1) of this section, the inspection or copying of any public record which, because of its age or condition could be damaged during inspection or copying, may be made subject to reasonable restrictions intended to preserve the particular record. (1935, c. 265, s. 6; 1987, c. 835, s. 1; 1995, c. 388, s. 2; 2005-429, s. 1.1; 2014-18, s. 1.1(c); 2014-115, s. 56.1; 2017-10, s. 2.9(b).)

Please direct your attention to section (d). If you intend on playing hardball, you have 25 business days to comply.

Now, please provide me the information I made in my original Request for Public Information.

Monroe A. Miller, Jr.

Subject: Re: Request for Public Information - Planning Board Appeal, #3.

Date: Wed, 1 Mar 2023 14:22:27 +0000

From: Martha Bradley <martha@sosharpe.com>

To: Monroe Miller

CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>, Susan T Smith <susanteassmith@me.com>, Ginger Hain <gghain@hotmail.com>, Candace Poolton <cpoolton@waynesvillenc.onmicrosoft.com>, Esther Coulter <ecoulter@waynesvillenc.gov>

Mr. Miller – Public record request forms are common practice among municipal and county governments across the state. (I've attached a few examples here.) Your request will not be considered complete until you submit the form provided to you by Ms. Coulter.

Best,
Martha

Subject: Re: Request for Public Information - Planning Board Appeal, #4.

Date: Wed, 1 Mar 2023 09:48:47 -0500

From: Monroe Miller

To: Esther Coulter <ecoulter@waynesvillenc.gov>

CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>, Susan T Smith <susanteassmith@me.com>, Ginger Hain <gghain@hotmail.com>, Candace Poolton <cpoolton@waynesvillenc.onmicrosoft.com>, Martha Sharpe Bradley <martha@sosharpe.com>

Ms. Coulter,

You have twenty-five (25) business days to comply with my valid Request for Public Information to you made on originally on Feb. 26, 2023.

Monroe A. Miller, Jr.

Subject: Re: Request for Public Information - Planning Board Appeal, #4.

Date: Wed, 1 Mar 2023 15:11:57 +0000

From: Martha Bradley <martha@sosharpe.com>

To: Monroe Miller

CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>, Susan T Smith <susanteassmith@me.com>, Ginger Hain <gghain@hotmail.com>, Candace Poolton <cpoolton@waynesvillenc.onmicrosoft.com>, Esther Coulter <ecoulter@waynesvillenc.gov>

Mr. Miller – Your request will not be processed until it is complete. It is not complete until you submit the form provided by Ms. Coulter.

Best,
Martha

Subject: RE: Request for Public Information - Planning Board Appeal, #4.

Date: Wed, 1 Mar 2023 18:44:06 +0000

From: Esther Coulter <ecoulter@waynesvillenc.gov>

To: Monroe Miller

CC: Gary Caldwell <gcaldwell@waynesvillenc.gov>, Julia Freeman <jfreeman@waynesvillenc.gov>, Chuck Dickson <cdickson@waynesvillenc.gov>, Jon Feichter <jfeichter@waynesvillenc.gov>, Anthony Sutton <asutton@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Jesse Fowler <jfowler@waynesvillenc.gov>, Rob Hites <rhites@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>, Susan Smith <SusanTeasSmith@me.com>, Ginger Hain <gghain@hotmail.com>, Candace Poolton <cpoolton@waynesvillenc.onmicrosoft.com>, Martha Sharpe Bradley <martha@sosharpe.com>

Mr. Monroe Miller, In the Agenda (Exhibit 4 Page 1- page 11) is the original copy of the appeal as turned in by Peggy Hannah.

As per your email Mr. Miller

§ 132-6. Inspection, examination and copies of public records.

(a) Every custodian of public records shall permit any record in the custodian's custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law. As used herein, "custodian" does not mean an agency that holds the public records of other agencies solely for purposes of storage or safekeeping or solely to provide data processing.

(a1) A public agency or custodian may satisfy the requirements in subsection (a) of this section by making public records available online in a format that allows a person to view the public record and print or save the public record to obtain a copy. If the public agency or custodian maintains public records online in a format that allows a person to view and print or save the public records to obtain a copy, the public agency or custodian is not required to provide copies to these public records in any other way.

It is Posted on the Town of Waynesville website and you are able to print, download and save it.

(b) No person requesting to inspect and examine public records, or to obtain copies thereof, shall be required to disclose the purpose or motive for the request.

(c) No request to inspect, examine, or obtain copies of public records shall be denied on the grounds that confidential information is commingled with the requested nonconfidential information. If it is necessary to separate confidential from nonconfidential information in order to permit the inspection, examination, or copying of the public records, the public agency shall bear the cost of such separation.

(d) Notwithstanding the provisions of subsections (a) and (b) of this section, public records relating to the proposed expansion or location of specific business or industrial projects may be withheld so long as their inspection, examination or copying would frustrate the purpose for which such public records were created; provided, however, that nothing herein shall be construed to permit the withholding of public records relating to general economic development policies or activities. Once the State, a local government, or the specific business has announced a commitment by the business to expand or locate a specific project in this State or the business has made a final decision not to do so, of which the State or local government agency involved with the project knows or should know, the provisions of this subsection allowing public records to be withheld by the agency no longer apply. Once the provisions of this subsection no longer apply, the agency shall disclose as soon as practicable, and within 25 business days, public records requested for the announced project that are not otherwise made confidential by law. An announcement that a business or industrial project has committed to expand or locate in the State shall not require disclosure of local government records relating to the project if the business has not selected a specific location within the State for the project. Once a specific location for the project has been determined, local government records must be disclosed, upon request, in accordance with the provisions of this section. For purposes of this section, "local government records" include records maintained by the State that relate to a local government's efforts to attract the project.

Mr. Monroe Miller I am not refusing to give you information I would like a record of your request. Mr. Monroe Miller the link you sent me for Wanda Greene : The Judgement states: **Please read #4, 5 and in 2nd section read 2,3 Thank you and Your request is complete. In the Future Can you please fill out the request form and submit it. Have a good Day!!**