

Haywood County “Toeprints”

October 19, 2015

Vol. #6 Issue #10 (Subject: Swanger, Ensley, David Francis, Ken Allison, Regional Recycling Solutions.)

www.haywoodtp.net

What’s Happening?

The purpose of this newsletter is to inform Haywood County Taxpayers of what transpires at the bi-monthly County Commission Meetings. This newsletter will be written from the perspective of a casual observer, myself. Any opinions expressed will be mine.

Regional Recycling Solutions and Ken Allison.

There will be a Public Hearing today at the Haywood County Courthouse during this evenings county commission meeting regarding public opinion on the Regional Recycling Solutions proposal at the last county commission meeting.

Mark Swanger and **Kevin Ensley** are bent on cramming this project down the throats of Haywood County Taxpayers. Why? This issue will offer a few insights, although expect to get an earful at this evenings county commission meeting.

Who are the players? They are the usual suspects, with the exception of a new entry.

- **Mark Swanger**
- **Kevin Ensley**
- **The rest of the county commissioners**
- **David Francis**
- **Steven King**
- **Mark Clasby**
- **Ira Dove**
- **Chip, a.k.a. Leon Killian**
- **Ken Allison, and**
- **Scott Welsh**, owner, Consolidated Waste Services (CWS).

The main thing to look at here is what my Dad always told me to do - “Follow the money”. Well, there are better people than I working on that as we speak.

Who is Ken Allison and Regional Recycling Solutions?

This started with two agenda items at the 10/5/2015 commission meeting:

1. Presentation from Regional Recycling Solutions concerning location of their facilities at the Beaverdam Industrial Park – **Ken Allison**, Managing Partner, Regional Recycling Solutions – ATTACHMENT 6.
2. Presentation of Economic Incentives and Job Creation concerning the purchase of real estate in Beaverdam Industrial Park by Regional Recycling Solutions – **Ira Dove**, County Manager; **Mark Clasby**, Executive Director Haywood Economic Development Council – ATTACHMENT 7.

This came out of the blue, although **Mark Swanger** indicated that “we” have been working on this for a long time.

In all the while I have been attending county commission meetings, for about five (5) years now, I have never seen these commissioners attempt to ram anything through this fast. During this meeting, **Mark Swanger** argued with **Chip, a.k.a. Leon Killian** whether a Public Hearing was required. Fortunately, in this case, **Killian** prevailed [re: recording].

Public Hearing Notice.

A Public Hearing Notice was posted on www.haywoodnc.net, the county website, by our not-so-competent County Manager, **Ira Dove**...

[NOTICE OF PUBLIC HEARING CONCERNING LOCAL DEVELOPMENT AND ECONOMIC DEVELOPMENT INCENTIVES PURSUANT TO NCGS 158-7.19\(d\).](#)

Unfortunately, there is no North Carolina General Statute 158-7.19(d). However, there is a statute **§ 158-7.1(d)**, Local development. Section **§ 158-7.1(d)(d2)(1)** states:

[The governing board of the county or city shall determine that the conveyance of the property will stimulate the local economy, promote business, and result in the creation of a substantial number of jobs in the county or city that pay at or above the median average wage in the county or, for a city, in the county where the city is located.](#)

In **Ken Allison’s** presentation for Phase I, he estimated 30 employees. Is 30 employees a substantial number of jobs in exchange for \$ 3/4 Million worth of property? I don’t think so. Does that factor in the loss of jobs at the current recycling center when this process moves to BeaverDam? Or, will it be a transfer of people.

Additionally, **§ 158-7.1(d)** states:

“ ... the notice shall describe the interest to be conveyed or leased, ...”.

Ira Dove, either through stupidity or intention, did not fully describe the PIN’s of the three pieces of property under consideration. He listed:

- 8658-72-5942
- 8658-83-7832
- 8658-72-5942 (duplicate of the first PIN).

The last parcel should have been: 8658-82-5900.

The glaring mistake of the misidentified parcel was pointed out to **Ira Dove**, the Commissioners and both **Killian's** on 10/9/2015. No response, and the Public Notice was never corrected.

Do you want to know why?

- There was not enough time to correct the Public Notice within the ten (10) day required period, and
- **Swanger's** attitude, as depicted in his recent article in the Mountaineer - "**Swanger won't seek re-election**"

<http://themountaineer.villagesoup.com/p/swanger-wont-seek-re-election/1422917>, where he said:

"... He said there are always a few anti-government "crazies" who will be against everything, regardless of the topic.

"They just wait to see what we're doing and then they come out against it. I don't pay much attention to them." he said. "They are a small little clutch who are too extreme for their own party."

In Haywood, the "clutch" Swanger referred to had gained control of the Republican Party, an action he said had led the mainstream Republicans to leave the party and meet separately. ..."

For these two reasons,

- Misidentified NCGS reference, and
- Misidentified Parcel description,

I believe the Public Notice is invalid, and consequent Public Hearing is invalid. It will have to be properly noticed and a new Public Hearing set.

Ken Allison, another Red Flag.

Who is this **Ken Allison** and what is this Regional Recycling Solutions company all about, I asked myself. I decided to visit the North Carolina Secretary of State website and query Regional Recycling Solutions. I came up with three (3) documents, all appended to the end of this newsletter.

There were two ARTICLES OF ORGANIZATION, and one ARTICLES OF DISSOLUTION.

The first document organizes a company called NEW TERRA SOLUTIONS LLC on 5/2/2014. It lists the address of 1 Summerwind Drive, in Etowah, out of Hendersonville. **Ken Allison** lists himself as the registered agent, and signs the document with the title of Organizer (Community Organizer?).

In checking with the Henderson County Property Tax website, there is no such address as 1 Summerwind Drive. If you try to find this place using Google, you will see a mobile home park and a company called KILN Drying

Systems & Components. **Ken Allison** does not appear to be operating out of a trailer.

Thirteen (13) days later, **Ken Allison** filed ARTICLES OF DISSOLUTION for New Terra Solutions, LLC.

Eight (8) days later, **Ken Allison** filed ARTICLES OF ORGANIZATION for Regional Recycling Solutions on 5/21/2014 essentially using the same form he used for New Terra Solutions, including the same bogus address of 1 Summerwind Drive.

As with everyone else, it is difficult to form an opinion on **Ken Allison**, as he has not been forthcoming with facing questions from county taxpayers. He had been invited to a community meeting in Beaverdam, but he and commissioners declined. See:

<http://www.youtube.com/watch?v=bnylVYs9YiA&sns=em>

Notwithstanding the outcome of the Public Hearing this evening, I can only come to two possible conclusions regarding **Ken Allison**. He is either -

- An Environmental Entrepreneurial Extraordinaire or
- A scam artist.

Legend: If any name is in **bold**, it can't be a good thing.

Monroe A. Miller Jr.,
Haywood County Taxpayer
19 Big Spruce Lane
Waynesville, NC 28786
www.haywoodtp.net

State of North Carolina
Department of the Secretary of State

Limited Liability Company
ARTICLES OF ORGANIZATION

Pursuant to §57D-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: NEW TERRA SOLUTIONS LLC
(See Item 1 of the Instructions for appropriate entity designation)
2. The name and address of each person executing these articles of organization is as follows: (State whether each person is executing these articles of organization in the capacity of a member, organizer or both. **Note: This document must be signed by all persons listed.**)
KENNETH T. ALLISON
P.O. Box 1390
Etowah, NC 28729
3. The name of the initial registered agent is: KENNETH T. ALLISON
4. The street address and county of the initial registered agent office of the limited liability company is:
Number and Street 1 SUMMERWIND DRIVE
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON
5. The mailing address, if different from the street address, of the initial registered agent office is:
Number and Street P.O. BOX 1390
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON
6. Principal office information: (Select either a or b.)
 - a. The limited liability company has a principal office.
The principal office telephone number: (828) 891-3893
The street address and county of the principal office of the limited liability company is:
Number and Street 1 SUMMERWIND DRIVE
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON

The mailing address, if different from the street address, of the principal office of the company is:

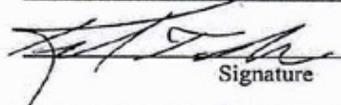
Number and Street P.O. BOX 1390
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON

b. The limited liability company does not have a principal office.

7. Any other provisions which the limited liability company elects to include (e.g., the purpose of the entity) are attached.
8. (Optional): Please provide a business e-mail address: _____
The Secretary of State's Office will e-mail the business automatically at the address provided above at no cost when a document is filed. The e-mail provided will not be viewable on the website. For more information on why this service is offered, please see the instructions for this document.
9. These articles will be effective upon filing, unless a future date is specified:

This is the 2ND day of MAY, 20 14.

NEW TERRA SOLUTIONS, LLC


Signature
KENNETH T. ALLISON, Organizer
Type or Print Name and Title

The below space to be used if more than one organizer or member is listed in Item #2 above.

_____ Signature	_____ Signature
_____ Type and Print Name and Title	_____ Type and Print Name and Title
_____ Signature	_____ Signature
_____ Type and Print Name and Title	_____ Type and Print Name and Title

NOTES:

1. Filing fee is \$125. This document must be filed with the Secretary of State.

CORPORATIONS DIVISION
(Revised January 2014)

P.O. Box 29622
2

RALEIGH, NC 27626-0622
(Form L-01)

SOSID: 1377122
Date Filed: 5/23/2014 8:31:00 AM
Effective: 5/15/2014
Elaine F. Marshall
North Carolina Secretary of State
C2014 139 00593

*State of North Carolina
Department of the Secretary of State*

**ARTICLES OF DISSOLUTION OF
LIMITED LIABILITY COMPANY**

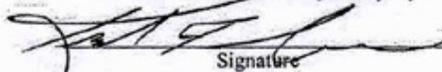
Pursuant to §57D-6-09 of the General Statutes of North Carolina, the undersigned limited liability company hereby submits the following Articles of Dissolution for the purpose of dissolving the limited liability company.

1. The name of the limited liability company is: New Terra Solutions, LLC
2. *The North Carolina Secretary of State Id Number (SOSID#): 1377122
3. The effective date (which shall be date certain) of the dissolution is: May 15, 2014
(See instructions)
4. Attach any other information determined by the Company Officials filing these articles.

This the 15th day of May, 20 14.

New Terra Solutions, LLC

Name of Limited Liability Company



Signature

Kenneth T. Allison, Organizer

Type or Print Name and Title

Notes:

1. Filing fee is \$30. This document must be filed with the Secretary of State.
2. *The SOSID# is not a mandatory field, but aids in identifying the correct entity for filing.

State of North Carolina
Department of the Secretary of State

Limited Liability Company
ARTICLES OF ORGANIZATION

Pursuant to §57D-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: REGIONAL RECYCLING SOLUTIONS, LLC
(See Item 1 of the Instructions for appropriate entity designation)
2. The name and address of each person executing these articles of organization is as follows: (State whether each person is executing these articles of organization in the capacity of a member, organizer or both. Note: This document must be signed by all persons listed.)
KENNETH T. ALLISON, Organizer
P.O. Box 1390
Etowah, NC 28729
3. The name of the initial registered agent is: KENNETH T. ALLISON
4. The street address and county of the initial registered agent office of the limited liability company is:
Number and Street 1 SUMMERWIND DRIVE
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON
5. The mailing address, if different from the street address, of the initial registered agent office is:
Number and Street P.O. BOX 1390
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON
6. Principal office information: (Select either a or b.)
 - a. The limited liability company has a principal office.
The principal office telephone number: (828) 891-3893
The street address and county of the principal office of the limited liability company is:
Number and Street 1 SUMMERWIND DRIVE
City ETOWAH State: NC Zip Code: 28729 County: HENDERSON

The mailing address, if different from the street address, of the principal office of the company is:

Number and Street: P.O. BOX 1390

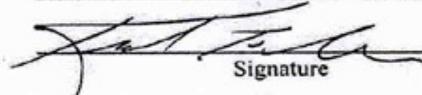
City: ETOWAH State: NC Zip Code: 28729 County: HENDERSON

b. The limited liability company does not have a principal office.

- 7. Any other provisions which the limited liability company elects to include (e.g., the purpose of the entity) are attached.
- 8. (Optional): Please provide a business e-mail address: _____
The Secretary of State's Office will e-mail the business automatically at the address provided above at no cost when a document is filed. The e-mail provided will not be viewable on the website. For more information on why this service is offered, please see the instructions for this document.
- 9. These articles will be effective upon filing, unless a future date is specified:

This is the 21st day of MAY, 20 14.

REGIONAL RECYCLING SOLUTIONS, LLC


Signature

KENNETH T. ALLISON, Organizer

Type or Print Name and Title

The below space to be used if more than one organizer or member is listed in Item #2 above.

Signature

Type and Print Name and Title

Signature

Type and Print Name and Title

Signature

Type and Print Name and Title

Signature

Type and Print Name and Title

NOTES:

- 1. Filing fee is \$125. This document must be filed with the Secretary of State.

CORPORATIONS DIVISION
(Revised January 2014)

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2

RALEIGH, NC 27626-0622
(Form L-01)