

April 17, 2013

Dialog with Gavin Brown, Mayor of Waynesville
DRAFT LETTER OF SUPPORT from Town of Waynesville
Revised Legislation Supporting Increase in Haywood County Occupancy Tax.

The following is a dialog with Gavin Brown regarding the origin of a draft letter eventually sent to Senator Jim Davis regarding TDA's (Tourism Development Authority) request for a 2% increase in room occupancy tax.

A fracas ensued in Maggie Valley when Mayor Ron DeSimone sent a similar letter to Senator Jim Davis without full consensus. See the article in the Smoky Mountain News, **Parsing out a majority in Haywood room tax debate proves murky**, Written by Becky Johnson. [re: Link follows].

<http://www.smokymountainnews.com/news/item/10095-parsing-out-a-majority-in-haywood-room-tax-debate-proves-murky>

Gavin Brown's comment to Jonnie Cure via e-mail on April 10, 2013, was ["I understand that Ron DeSimone stepped in it by signing the same or similar letter without his board's support. You and I don't agree on many things, but that isn't the way things should be done."](#)

This dialog contains an unsigned DRAFT letter with no indication of origin (i.e., no letterhead), and apparently designed to be used as a templet for various mayors to be sent to Senator Davis. It contains language that is offensive to those that oppose this 2% tax. Also included is a version on Haywood County stationary signed by Mark Swanger, and a version on the Town of Waynesville stationary signed by Gavin Brown.

Jonnie Cure read Mark Swanger's version of the signed letter [re: enclosed within this dialog] at the April 15th County Commission meeting during the public comment session, and was immediately slanderously, violently and personally attacked by Kevin Ensley. Ensley is a piece of work!

[**Editors Note:** The sequence of e-mails starts with the earliest first, ending with the latest.]

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

----- Original Message -----

Subject: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 08 Apr 2013 08:21:46 -0400
From: Monroe Miller
To: Jim Davis <Jim.Davis@ncleg.net>, Gavin Brown <Mayor@townofwaynesville.org>
CC: Jonnie Cure <jcubed41@gmail.com>, Marcy Onieal <manager@townofwaynesville.org>, Denny King, Shondra Grant, Eddie Cabe, Pat Carr <carr4pat@aol.com>, Brittany Buchanan <admin1@townofwaynesville.org>

Senator Jim Davis, and Mayor Gavin Brown,

It was brought to my attention that on April 4, 2013, Jonnie Cure acquired a DRAFT LETTER OF SUPPORT, entitled "Revised Legislation Supporting Increase in Haywood County Occupancy Tax" from Brittany Buchanan <admin1@townofwaynesville.org>, see attached.

----- Forwarded message -----

From: Brittany Buchanan <admin1@townofwaynesville.org>
Date: Thu, Apr 4, 2013 at 1:58 PM
Subject: 2% tax
To: jcubed41@gmail.com

This letter was directed to you, Senator Davis, but it was not on any type of letterhead, was unsigned, but was dated March 26, 2013. Before I get too excited about this, I would like to see if a final letter was sent from the Town of Waynesville to you, Senator Davis.

My first question is to Gavin Brown. Mayor Brown, can you please send me any finalized letter that was signed, dated and with a letterhead that you sent to Senator Davis on behalf of the Town of Waynesville? I know your schedule is hectic with your daily trips to Cherokee, but I would appreciate a prompt reply if you would work this in.

My second question is to you, Senator Davis. In the event that I do not receive a reply from Gavin Brown, can you please check to see if you had received any similar letters as this DRAFT LETTER from the Town of Waynesville, and to please scan a copy and e-mail it to me?

Thank you,

Monroe Miller

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DRAFT LETTER OF SUPPORT

Revised Legislation Supporting Increase in Haywood County Occupancy Tax

March 26, 2013

Senator Jim Davis
16 W. Jones Street Room 2111
Raleigh, NC 27601-2808

Dear Senator Davis:

On behalf of Haywood County and her Towns Canton, Clyde, Maggie Valley and Waynesville we would like to express our deepest gratitude for your considering our economic development needs through S.B. 318. As was presented to you early on there has been a consensus of all governmental entities that an additional 2% occupancy tax to be used for tourism related capital projects was an outstanding idea. The tax would be paid by those utilizing the service and not be a burden on our Citizens. We realize that a small yet extremely vocal group of citizens have expressed concerns. The majority of these concerns have not been based on facts but rather unfounded opinions, misinformation, and ideologies. Many of those who had voiced the strongest opposition will not collect or pay into the tax.

Subsequent to your conversation with Chairman Swanger and Commissioner Ensley there have been numerous telephone conversations, correspondence, discussions, and meetings. We have reached a consensus of what we believe would best serve the County as a whole. The concept embraces equity while giving due consideration to those who collect the occupancy tax for the County. We will list the points below that we feel would provide a workable bill that insures a reasonable review and distribution process for these much needed capital improvement funds.

We respectfully request that the following items be considered for amendment:

Page 1 line 27-29

We would respectfully request that the definition of net proceeds follow the Bill Drafting's Guidelines for Occupancy Tax Legislation distributed to the County by the NC General Assembly Research Division. This would not affect the net proceeds for administration (line 26).

Page 2 lines 1-9

The Board be expanded from 11 to 15 members by making the currently proposed Ex-Officio members full voting members. This would not affect the 11 other voting members and their distribution on the board. This composition would require that a project is fully and fairly vetted for consideration by the Authority;

Page 2 line 32-33

We feel that a finite expiration date or sunset clause is unnecessary to the purpose of this legislation. It would prohibit long range planning and reduce the effectiveness of the intent of the development fund. NCGS 153A-155 (f) would allow for reduction or repeal by the County Commissioners.

We sincerely appreciate all of your efforts on our behalf and apologize in advance for the small minority that feels as though they must oppose any positive measure. This Bill will have far reaching implications for economic development in Haywood County and no matter where a project is located will directly provide positive impacts on lodging and tourism throughout the County. We would sincerely appreciate any consideration that you can give us as unified governments behind this Bill.

Due to time constraints and in lieu of a single letter signed by all parties we will submit individual letters signed by the Mayors showing those that have to date joined the accord for a unified Haywood County.

Sincerely,

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation
Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 8 Apr 2013 07:14:26 -0600
From: mayor@townofwaynesville.org
To: Monroe Miller

> Mr. Miller:

A final letter hasn't been sent. I was planning on working on it this week.

Gavin A. Brown

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 08 Apr 2013 09:58:10 -0400
From: Monroe Miller
To: mayor@townofwaynesville.org
CC: Jim Davis <Jim.Davis@ncleg.net>, Jonnie Cure <jcubed41@gmail.com>, Marcy Onieal <manager@townofwaynesville.org>, Denny King, Shondra Grant, Eddie Cabe, Pat Carr <carr4pat@aol.com>, Brittany Buchanan <admin1@townofwaynesville.org>

Thank you.

[Continue to scroll down...]

----- Original Message -----

Subject: from Jonnie Cure' to Mayor Gavin Brown....
Date: Tue, 9 Apr 2013 13:07:02 -0400
From: Jonnie Cure <jcubed41@gmail.com>
To: Mayor Gavin Brown <Mayor@TownOfWaynesville.org>

Gavin, have you sent a letter to Sen. Davis regarding your support or non-support of what is now known as S.B. 318?

If your answer is yes, please email me a copy of the letter. If you have not yet sent him a letter, have you communicated your support for or against this tax increase by phone, fax, or email? If so please send me email confirmation of having indicated to him your support or non-support of the Occupancy Tax 2% increase.

I thank you for your time and attention to my email requestJonnie

[Continue to scroll down...]

----- Original Message -----

Subject: From Jonnie to Mayor Gavin Brown..... 2%
Date: Wed, 10 Apr 2013 21:30:29 -0400
From: Jonnie Cure <jcubed41@gmail.com>
To: GBrown7013@aol.com

Gavin, thanks for your comments. You should request a copy of the minutes of the meeting last night in M.V. Who sent you the Draft of that letter anyway? Will you plead the 5th? If you received it via email you should be able to check and see who started that "Chain letter."

I asked Mayor DeSimone if he wrote the letter and he said no....I asked him if he knew who did write it...He said he did not know.....I guess ignorance is bliss at times?.....Jonnie

On Wed, Apr 10, 2013 at 3:26 PM, <GBrown7013@aol.com> wrote:

I understand that Ron DeSimone stepped in it by signing the same or similar letter without his board's support. You and I don't agree on many things, but that isn't the way things should be done.

Gavin A. Brown
Brown & Patten, PA
370 N. Main Street, Suite 206
Waynesville, NC 28786
828-452-1454
828-456-4660 (FAX)

[Continue to scroll down...]

----- Original Message -----

Subject: Re: From Jonnie to Mayor Gavin Brown..... 2%
Date: Wed, 10 Apr 2013 23:38:39 -0400
From: Jonnie Cure <jcubed41@gmail.com>
To: Gavin A. Brown <gbrown7013@aol.com>

Higher taxes = more revenue= more spending = more borrowing (debt) = even higher taxes
= bigger government = more regulations = less liberty, less freedom....I know, I know,
we don't agree on this point.Jonnie
p.s. Nobody will ever admit to writing this letter!

On Wed, Apr 10, 2013 at 11:21 PM, Gavin A. Brown <gbrown7013@aol.com> wrote:

I really don't know, but as you know I support the substance.
Gavin A. Brown
Brown & Patten, PA
370 N. Main St., Suite 206
Waynesville, NC 28786
828-452-1454
828-456-4660 (FAX)

[Continue to scroll down...]

----- Original Message -----

Subject: Re: From Jonnie to Mayor Gavin Brown..... 2%
Date: Thu, 11 Apr 2013 08:26:19 -0400
From: Monroe Miller
To: Jonnie Cure <jcubed41@gmail.com>

Jonnie,

This was in the mountaineer this morning...

<http://themountaineer.villagesoup.com/p/mayor-accused-of-misrepresenting-maggie/987119>

This Jessie Stone, assistant editor might be interested in Gavin Browns comment about DeSimone stepping in it.

Monroe

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Fri, 12 Apr 2013 12:36:41 -0400
From: Monroe Miller
To: mayor@townofwaynesville.org
CC: Jim Davis <Jim.Davis@ncleg.net>, Jonnie Cure <jcubed41@gmail.com>, Marcy Onieal <manager@townofwaynesville.org>, Denny King, Eddie Cabe, Pat Carr <carr4pat@aol.com>, Brittany Buchanan <admin1@townofwaynesville.org>

Mayor Brown,

Have you sent a final letter yet?

Monroe Miller

[Continue to scroll down...]

----- Original Message -----

Subject: Fwd: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised
Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Fri, 12 Apr 2013 13:57:57 -0400
From: Monroe Miller
To: Gavin Brown <Mayor@townofwaynesville.org>
CC: Jim Davis <Jim.Davis@ncleg.net>, Jonnie Cure <jcubed41@gmail.com>, Marcy Onieal <manager@townofwaynesville.org>, Denny King, Eddie Cabe, Pat Carr <carr4pat@aol.com>, Brittany Buchanan <admin1@townofwaynesville.org>

Mayor Brown,

Take a look at this article in the Mountaineer:

<http://themountaineer.villagesoup.com/p/mayor-accused-of-misrepresenting-maggie/987119>

It shows a picture of the first page of a letter - hard to read - but this appears very similar to the letter Jonnie obtained from Brittany Buchanan (still attached), but with a letterhead on it. Is it the same as the one you were finalizing? Did DeSimone copy your letter? What is going on here?

Monroe Miller

[Continue to scroll down...]

----- Original Message -----

Subject: Re: Fwd: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised
Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 15 Apr 2013 06:52:34 -0600
From: mayor@townofwaynesville.org
To: Monroe Miller
CC: manager@townofwaynesville.org

> Mr. Miller:

Our Board was presented with the "form letter" at our March 26th meeting.
I will check with the Town Manager to see how it was delivered to us.

GAB

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 15 Apr 2013 09:08:46 -0400
From: Monroe Miller
To: mayor@townofwaynesville.org
CC: manager@townofwaynesville.org, Jim Davis <Jim.Davis@ncleg.net>, Jonnie Cure <jcubed41@gmail.com>, Denny King, Eddie Cabe, Brittany Buchanan <admin1@townofwaynesville.org>

Mayor Brown,

That would be interesting. However, you never let me know if you sent a final letter yet? Have you? Please let me know.

Thank you,

Monroe Miller

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 15 Apr 2013 08:06:36 -0600
From: mayor@townofwaynesville.org
To: Monroe Miller

> I have been advised that the "draft letter" was prepared by Ron, Al Matthews and Mr. Swanger. I have worked on our version of a letter of support which I will send with Board approval and will provide you a copy when mailed.

GAB

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 15 Apr 2013 19:00:17 -0400
From: Monroe Miller
To: mayor@townofwaynesville.org
CC: Jim Davis <Jim.Davis@ncleg.net>, Jonnie Cure <jcubed41@gmail.com>, Marcy Onieal <manager@townofwaynesville.org>, Denny King, Eddie Cabe, Brittany Buchanan <admin1@townofwaynesville.org>

Mayor Brown,

Can you please provide the last name for "Ron"? Is that Ron DeSimone who you were advised that assisted with preparing the "draft letter"?

Thank you,

Monroe Miller

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Mon, 15 Apr 2013 17:22:41 -0600
From: mayor@townofwaynesville.org
To: Monroe Miller
CC: Lynda Bennett

> Sorry--it was Ron DeSimone as I understand. I haven't spoken with any of the purported "authors." To attribute any letter to them would be completely out of order. The letter I sent is the "Town's" letter. I asked Brittany to send you a copy. I will double check in AM. Do you know of anyone else that wants a copy of the "Town's letter?" I know Lynda and Joni quite well and can communicate directly with them.

Gavin Brown

[Continue to scroll down...]

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Tue, 16 Apr 2013 08:36:26 -0400
From: Monroe Miller
To: mayor@townofwaynesville.org
CC: Lynda Bennettbennett@heritagerealty.com, Marcy Onieal <manager@townofwaynesville.org>, Denny King, Eddie Cabe, Brittany Buchanan <admin1@townofwaynesville.org>, Jonnie Cure <jcubed41@gmail.com>, Jim Davis <Jim.Davis@ncleg.net>

Mr. Brown,

I'm confused again. Why are you all of a sudden calling this letter (reattached) the "Town's" letter, when you have previously referred to it as the "draft letter".

If you don't attribute the "Town's" letter to them [Ron DeSimone, Al Matthews and Mr. Swanger], then who wrote it?

This thing is starting to get down-and-dirty. If you haven't spoken to Swanger, a purported "author" lately, you should ask him how the county commission meeting went last evening when Jonnie Cure read Swanger's letter into the minutes during the public comment period, and Kevin Ensley [RINO], lashed out at her with a viscous personal attack!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

I have a recording of this viscous personal attack. Additionally, the video will be broadcast on the Government Cable Channel and then posted on the Haywood County Website shortly, you can see it then.

This guy Ensley is a real S.O.B.

Monroe Miller

[Continue to scroll down...]

BOARD OF COMMISSIONERS

MARK S. SWANGER, CHAIRMAN
J. W. "KIRK" KIRKPATRICK, III, VICE CHAIRMAN
L. KEVIN ENSLEY
MICHAEL T. SORRELLS
BILL L. UPTON



COUNTY MANAGER
MARTY STAMEY

LEON M. KILLIAN, III
COUNTY ATTORNEY

March 26, 2013

Senator Jim Davis
16 W. Jones Street Room 2111
Raleigh, NC 27601-2808

Dear Senator Davis:

On behalf of Haywood County and her Towns Canton, Clyde, Maggie Valley and Waynesville we would like to express our deepest gratitude for your considering our economic development needs through S.B. 318. As was presented to you early on there has been a consensus of all governmental entities that an additional 2% occupancy tax to be used for tourism related capital projects was an outstanding idea. The tax would be paid by those utilizing the service and not be a burden on our Citizens. We realize that a small yet extremely vocal group of citizens have expressed concerns. The majority of these concerns have not been based on facts but rather unfounded opinions, misinformation, and ideologies. Many of those who had voiced the strongest opposition will not collect or pay into the tax.

Subsequent to your conversation with Chairman Swanger and Commissioner Ensley there have been numerous telephone conversations, correspondence, discussions, and meetings. We have reached a consensus of what we believe would best serve the County as a whole. The concept embraces equity while giving due consideration to those who collect the occupancy tax for the County. We will list the points below that we feel would provide a workable bill that insures a reasonable review and distribution process for these much needed capital improvement funds.

We respectfully request that the following items be considered for amendment:

Page 1 line 27-29

We would respectfully request that the definition of net proceeds follow the Bill Drafting's Guidelines for Occupancy Tax Legislation distributed to the County by the NC General Assembly Research Division. This would not affect the net proceeds for administration (line 26).

Page 2 lines 1-9

The Board be expanded from 11 to 15 members by making the currently proposed Ex-Officio members full voting members. This would not affect the 11 other voting members and their distribution on the board. This composition would require that a project is fully and fairly vetted for consideration by the Authority;

Page 2 line 32-33

We feel that a finite expiration date or sunset clause is unnecessary to the purpose of this legislation. It would prohibit long range planning and reduce the effectiveness of the intent of the development fund. NCGS 153A-155 (f) would allow for reduction or repeal by the County Commissioners.

We sincerely appreciate all of your efforts on our behalf and apologize in advance for the small minority that feels as though they must oppose any positive measure. This Bill will have far reaching implications for economic development in Haywood County and no matter where a project is located will directly provide positive impacts on lodging and tourism throughout the County. We would sincerely appreciate any consideration that you can give us as unified governments behind this Bill.

Due to time constraints and in lieu of a single letter signed by all parties we will submit individual letters signed by the Mayors showing those that have to date joined the accord for a unified Haywood County.

Sincerely,

A handwritten signature in cursive script that reads "Mark S. Swanger".

Mark S. Swanger
Chairman, Board of County Commissioners

----- Original Message -----

Subject: Re: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Tue, 16 Apr 2013 07:37:03 -0600
From: mayor@townofwaynesville.org
To: Monroe Miller

> Mr. Miller:

I haven't spoken to any of the purported authors of the "draft letter" presented to our board on March 26th. I have been advised by our town manager that it is her understanding that the authors were the 3 individuals I named. Once again, hearsay upon hearsay.

The letter that I sent yesterday isn't a verbatim copy of that letter. As I advised you last night, I will have Brittany make a copy available to you.

I am a little confused about the controversy of authorship. I believe the content of the "draft letter" and the "town's letter" are what is at issue. I try to make it a policy not to engage in personal attacks, so maybe I am missing something.

Gavin Brown

[Continue to scroll down...]

----- Original Message -----

Subject: RE: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised Legislation
Supporting Increase in Haywood County Occupancy Tax.
Date: Tue, 16 Apr 2013 12:55:15 -0400
From: Brittany Buchanan <admin1@townofwaynesville.org>
To: 'Monroe Miller'

Mr. Miller,

Attached is a Sign Copy of the Occupancy Tax Letter.

[Continue to scroll down...]



Town of Waynesville

April 15, 2013

Senator Jim Davis
16 W. Jones Street Room 2111
Raleigh, NC 27601-2808

Dear Senator Davis:

On behalf of the Town of Waynesville we would like to express our deepest gratitude for your considering our economic development needs through S.B. 318. At our March 26th meeting it was unanimously voted to support the proposed revised bill. As was presented to you earlier there was a consensus of all governmental entities that an additional 2% occupancy tax to be used for tourism related capital projects was an outstanding idea. The tax would be paid by those utilizing the service and not be a burden on our Citizens. We realize that a small vocal group of citizens have expressed concerns. This Board is of the opinion that they are unfounded. As of the date of this letter, I am aware that the Maggie Board is divided.

Subsequent to your conversation with Chairman Swanger and Commissioner Ensley there have been numerous telephone conversations, correspondence, discussions, and meetings. The Board believes the revised bill would best serve the County as a whole. The concept embraces equity while giving due consideration to those who collect the occupancy tax for the County. We will list the points below that we feel would provide a workable bill that insures a reasonable review and distribution process for these much needed capital improvement funds. We respectfully request that the following items be considered for amendment:

Page 1 line 27-29

We would respectfully request that the definition of net proceeds follow the Bill Drafting's Guidelines for Occupancy Tax Legislation distributed to the County by the NC General Assembly Research Division. This would not affect the net proceeds for administration (line 26).

Page 2 lines 1-9

The Board be expanded from 11 to 15 members by making the currently proposed Ex-Officio members full voting members. This would not affect the 11 other voting members and their distribution on the board. This composition would require that a project is fully and fairly vetted for consideration by the Authority;

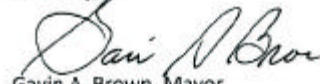
04-15-13
Senator Jim Davis
Page 2

Page 2 line 32-33

We feel that a finite expiration date or sunset clause is unnecessary to the purpose of this legislation. It would prohibit long range planning and reduce the effectiveness of the intent of the development fund. NCGS 153A-155 (f) would allow for reduction or repeal by the County Commissioners.

We sincerely appreciate all of your efforts on our behalf. This Bill will have far reaching implications for economic development in Haywood County and no matter where a project is located will directly provide positive impacts on lodging and tourism throughout the County. We would sincerely appreciate any consideration that you can give us on this Bill.

Sincerely,



Gavin A. Brown, Mayor
Town of Waynesville

GAB

----- Original Message -----

Subject: Fwd: RE: DRAFT LETTER OF SUPPORT from Town of Waynesville - Revised
Legislation Supporting Increase in Haywood County Occupancy Tax.
Date: Tue, 16 Apr 2013 13:11:07 -0400
From: Monroe Miller
To: Brittany Buchanan <admin1@townofwaynesville.org>
CC: Gavin Brown <Mayor@townofwaynesville.org>, Marcy Onieal
<manager@townofwaynesville.org>, Denny King, Jonnie Cure
<jcubed41@gmail.com>, Eddie Cabe, Jim Davis <Jim.Davis@ncleg.net>,
Lynda Bennett

Thank you.