

Monroe A. Miller Jr.
19 Big Spruce Lane
Waynesville, NC 28786
December 9, 2014

Subject: County Manager Ira Dove refusing to provide Settlement of End of Term.

"Settlement at End of Term. – Whenever any tax collector fails to succeed himself at the end of his term of office, he shall, on the last business day of his term, make full and complete settlement for all taxes (current or delinquent) in his hands and deliver the tax records, tax receipts, tax sale certificates, and accounts to his successor in office. The settlement shall be made in whatever form is satisfactory to the chief accounting officer and the governing body of the taxing unit, and it shall be entered in full upon the minutes of the governing body.

http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_105/GS_105-373.pdf

I made a (multiple) Request(s) For Public Information to obtain the Settlement at End of Term from Ira Dove, Haywood County Manager. It was ATTACHMENT 4 (available at meeting).

Ira Dove committed what is called a “forced error” this evening. Ira Dove is refusing to provide that Settlement at End of Term. Ira Dove and the Haywood County Commissioners are sitting on a powder keg and the fuse is lit.

Follow the e-mail dialog...

Monroe A. Miller Jr.
Haywood County Taxpayer

Subject: Request for Pubic Information - Settlement at End of Term
Date: Thu, 04 Dec 2014 09:49:33 -0500
From: Monroe Miller
To: Ira Dove <idove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>
CC: David Francis <dbfrancis@haywoodnc.net>, Mark Swanger
<markswanger@bellsouth.net>, KEVIN ENSLEY <lakensley@bellsouth.net>, KIRK
KIRKPATRICK <kirk@jwklaw.net>, Michael Sorrells <sorrells@cbvnol.com>, Bill
Upton <billupton@bellsouth.net>, Leon Killian <chip.killian@nelsonmullins.com>,
Chip Killian <CKillian@haywoodnc.net>, Mike Matthews, Jonnie Cure, Eddie Cabe,
Lisa Womack, David Baker <David.Baker@dornnc.com>, Roy Cooper <OpenGov@ncdoj.gov>

Mr. Dove,

Under Item 2 of New Business during the Dec. 1 County Commission Meeting, Francis was supposed to present a Settlement of Taxes. He never did. Although he remarked that since commissioners denied Mike Matthews from taking an oath of office, Francis said he has to do a new one.

"Settlement at End of Term. - Whenever any tax collector fails to succeed himself at the end of his term of office, he shall, on the last business day of his term, make full and complete settlement for all taxes (current or delinquent) in his hands and deliver the tax records, tax receipts, tax sale certificates, and accounts to his successor in office. The settlement shall be made in whatever form is satisfactory to the chief accounting officer and the governing body of the taxing unit, and it shall be entered in full upon the minutes of the governing body.

http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_105/GS_105-373.pdf"

I am requesting to inspect both the Settlement at End of Term that was supposed to be provided at public information for both December 1, 2014 and the second Settlement at End of Term whenever Mike Matthews takes oath of office.

Please acknowledge this Request for Public Information.

Monroe Miller

Subject: Re: Request for Pubic Information - Settlement at End of Term
Date: Sat, 06 Dec 2014 11:59:33 -0500
From: Monroe Miller
To: Ira Dove <idove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>
CC: David Francis <dbfrancis@haywoodnc.net>, Mark Swanger
<markswanger@bellsouth.net>, KEVIN ENSLEY <lakensley@bellsouth.net>, KIRK
KIRKPATRICK <kirk@jwklaw.net>, Michael Sorrells <sorrells@cbvnol.com>, Bill
Upton <billupton@bellsouth.net>, Leon Killian <chip.killian@nelsonmullins.com>,
Chip Killian <CKillian@haywoodnc.net>, Mike Matthews, Jonnie Cure, Eddie Cabe,
Lisa Womack, David Baker <David.Baker@dorn.com>, Roy Cooper
<OpenGov@ncdoj.gov>, Denny King , Jeremy Davis

Mr. Dove,

Please acknowledge this Request for Public Information.

Monroe Miller

Subject: Re: Request for Pubic Information - Settlement at End of Term (3rd request)
Date: Tue, 09 Dec 2014 08:54:13 -0500
From: Monroe Miller
To: Ira Dove <idove@haywoodnc.net>, Candace Way <ecway@haywoodnc.net>
CC: David Francis <dbfrancis@haywoodnc.net>, Mark Swanger
<markswanger@bellsouth.net>, KEVIN ENSLEY <lakensley@bellsouth.net>, KIRK
KIRKPATRICK <kirk@jwklaw.net>, Michael Sorrells <sorrells@cbvnol.com>, Bill
Upton <billupton@bellsouth.net>, Leon Killian <chip.killian@nelsonmullins.com>,
Chip Killian <CKillian@haywoodnc.net>, Mike Matthews, Jonnie Cure, Eddie Cabe,
Lisa Womack, David Baker <David.Baker@dorn.com>, Roy Cooper
<OpenGov@ncdoj.gov>, Denny King, Jeremy Davis

Mr. Dove,

Glad to see that your computer is not broken.

This is the second time I have requested that you please acknowledge this Request for Public Information regarding access to the Settlement at End of Term.

The oath was administered to Mike Matthews yesterday, so I am requesting the original Settlement at End of Term that David Francis was supposed to provide Commissioners at the December 1 county commission meeting, and when commissioners illegally appointed David Francis as Interim Tax Collector (an elected position) for the next week, it is presumed that the audit had to be done over again, as Francis told the commissioners when they appointed him. I would like both.

If the two files are too large to e-mail to me, please have David Teague copy them to DVD's, or I can come in with a flashy drive and you can copy them onto that.

Looking forward to your acknowledgment know that I know that your computer is not broken.

Monroe Miller

Subject: RE: Request for Pubic Information - Settlement at End of Term
Date: Tue, 9 Dec 2014 23:21:00 +0000
From: Ira Dove <IDove@haywoodnc.net>
To: Monroe Miller, Candace Way <ecway@haywoodnc.net>
CC: David Francis <DBFrancis@haywoodnc.net>, Mark S. Swanger
<markswanger@bellsouth.net>, L. Kevin. Ensley <lkensley@bellsouth.net>, J W.
Kirkpatrick <kirk@jwklaw.net>, Michael T. Sorrells <sorrells@cbvno1.com>, Bill
L. Upton <billupton@bellsouth.net>, Leon Chip Killian
<chip.killian@nelsonmullins.com>, Chip Killian <CKillian@haywoodnc.net>, Mike
Matthews, Jonnie Cure, Eddie Cabe, Lisa Womack, David Baker
<David.Baker@dornc.com>, Roy Cooper <OpenGov@ncdoj.gov>

Mr. Miller,

The prior Tax Collector's settlement will be addressed at a future Commissioners' meeting. Documents of the prior Tax Collector's 2014 settlement will be part of that meeting and those documents will be forwarded to you within a reasonable time after the meeting.

Ira Dove
County Manager
Haywood County Government
215 N. Main St.
Waynesville, North Carolina 28786
(828) 452-6625 office
(828) 452-6715 FAX
idove@haywoodnc.net
county_seal3a1 small

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

Subject: Re: Request for Pubic Information - Settlement at End of Term
Date: Tue, 09 Dec 2014 18:24:43 -0500
From: Monroe Miller
To: Ira Dove <IDove@haywoodnc.net>, Roy Cooper <OpenGov@ncdoj.gov>, David Baker <David.Baker@dornc.com>
CC: Candace Way <ecway@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Mark S. Swanger <markswanger@bellsouth.net>, L. Kevin. Ensley <lakensley@bellsouth.net>, J W. Kirkpatrick <kirk@jwkllaw.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, Chip Killian <CKillian@haywoodnc.net>, Mike Matthews, Jonnie Cure, Eddie Cabe, Lisa Womack, David Baker <David.Baker@dornc.com>

Mr. Dove,

The Settlement at End of Term is public information. That information was set to be presented at the December 1 county commission meeting. I demand to inspect it now, not after the next commissioners meeting.

Monroe Miller

Subject: Re: Request for Pubic Information - Settlement at End of Term
Date: Tue, 09 Dec 2014 18:27:13 -0500
From: Monroe Miller
To: Ira Dove <IDove@haywoodnc.net>, Roy Cooper <OpenGov@ncdoj.gov>, David Baker <David.Baker@dornc.com>, Greg Christopher <gchristopher@haywoodnc.net>, Jeff Jones <jeff.d.jones@nccourts.org>, Rachael Groffsky
CC: Candace Way <ecway@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Mark S. Swanger <markswanger@bellsouth.net>, L. Kevin. Ensley <lkensley@bellsouth.net>, J W. Kirkpatrick <kirk@jwklaw.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill L. Upton <billupton@bellsouth.net>, Leon Chip Killian <chip.killian@nelsonmullins.com>, Chip Killian <CKillian@haywoodnc.net>, Mike Matthews, Jonnie Cure, Eddie Cabe, Lisa Womack

Sheriff Christopher,

Could us a little help here.

Monroe Miller

Subject: Re: Request for Pubic Information - Settlement at End of Term
Date: Tue, 09 Dec 2014 18:43:56 -0500
From: Monroe Miller
To: David Baker <David.Baker@dornc.com>, Greg Christopher
<gchristopher@haywoodnc.net>
CC: Ira Dove <IDove@haywoodnc.net>, Roy Cooper <OpenGov@ncdoj.gov>, Jeff Jones
<jeff.d.jones@nccourts.org>, Rachael Groffsky, Candace Way
<ecway@haywoodnc.net>, David Francis <DBFrancis@haywoodnc.net>, Mark S. Swanger
<markswanger@bellsouth.net>, L. Kevin. Ensley <lkinsley@bellsouth.net>, J W.
Kirkpatrick <kirk@jwklaw.net>, Michael T. Sorrells <sorrells@cbvnol.com>, Bill
L. Upton <billupton@bellsouth.net>, Leon Chip Killian
<chip.killian@nelsonmullins.com>, Chip Killian <CKillian@haywoodnc.net>, Mike
Matthews, Jonnie Cure, Eddie Cabe, Lisa Womack, Denny King, Rex Hodge
<rmhodge@sbgvtv.com>, Kimberly King <kmking@sbgvtv.com>, Pete Kaliner
<PeterKaliner@clearchannel.com>, Ashely Welch

Ashely,

The county manager, Ira Dove, is trying to stiff me on providing the Settlement at End of Term. This Settlement at End of Term was supposed to be presented to the county commissioners December 1, which means it was already prepared. I should be able to inspect that Settlement at End of Term under any circumstances, and Dove and the Commissioners are attempting to shield this from public view.

I was going to drop by your office tomorrow, hope you have a little time.

Thanks,

Monroe Miller