



County of Ashe

150 Government Circle, Suite 2400

Jefferson, North Carolina 28640

Planning Director

Matthew Levi

Phone: 336-846-5957

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August 5, 2025

RE: Enforcement Actions against Mr. Russo - Timeline and Updates

I am writing to provide you with an update regarding the enforcement actions taken against Mr. Russo. The following is a summary of the key events and timelines:

1. 6/26/2025-Received email from Ms. Gorton (downstream neighbor of Mr. Russo) with pictures, complaint of rerouting the natural flow of the North Fork causing damage to our property, quote to eliminate the damage from Brushy Fork Environmental Engineering, summary of what Joey Winston from US Army Corps of Engineers and Ms. Gorton discussed during his visit; Ms. Gorton requested to learn about "No Rise Permits" and a request to meet and show a video of the May river swell illustrating where water swells invade and how the rock wall her neighbor built is causing erosion damage to our property

2. 6/30/2025-Contacted Brooke Davis at the US Army Corps of Engineers about Mr. Russo and Joey Winston's visit; Brooke's predecessor resolved the unauthorized activity (jetty) in 2020; the wall would not require a permit from the Corps because the activity is above the ordinary high-water mark and the permit which was issued back in 2020 would not be void; Mr. Russo believes he was permitted by the Corps and allowed to have the jetty; however, Executive Order 11988 does not allow the jetty to be built without a permit from Ashe County



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3. 7/1/2025-Watched video of Ms. Gorton's; watched with Nick Farmerie, Jeff Turner (husband of Ms. Gorton), Ms. Gorton and Matthew Levi; Video showed river flooding but yet we were able to see the top of the wall

4. 7/3/2025-Nick Farmerie and Matthew Levi investigated complaint by Ms. Gorton on Mr. Russo's property; Explained to Mr. Russo about the wall and how it needs to allow the water to ingress and egress like the beach; however, the wall is currently preventing the egress of the water and causing erosion (according to Mr. Russo, "God put the rocks there"); Took pictures of the wall and was unable to take pictures of the jetty but I witnessed it along with its break by shoreline; explained to Mr. Russo volunteers would be requested to help remove the wall

5. 7/21/2025-Hand delivered to Mr. Russo a Notice of Violation for the wall and the jetty; the NOV also instructed and invited Mr. Russo to a hearing scheduled regarding the wall and jetty; NOV also informed Mr. Russo no volunteers had been attained, the permit from the Army Corps of Engineers in 2020 does not make you compliant with the county and informed Mr. Russo that he is responsible as property owner to remove both the wall and jetty

6. 7/28/2025-Hand delivered letter to reminder to Mr. Russo about the hearing



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7. 7/29/2025-Hearing was conducted and Mr. Russo's granddaughter Amanda did most of the talking due to his memory problems; Stalemate was reached at the hearing and an order to take corrective action was then created and issued; the order was then hand delivered to Mr. Russo the next morning; Mr. Russo would like to appeal the order to take corrective action to the Commissioners (the Commissioners shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order

8. 8/8/2025-Mr. Russo called and invited Nick and Matthew to help move the rocks from the wall and stated that he knew his neighbor was complaining and he would work with us if we would work with him

Matthew Levi
Floodplain Administrator