

STATE OF NORTH CAROLINA

MOORE
CLEVELAND

County

File No. 22 CV 000515

In The General Court Of Justice
 District Superior Court Division

Name And Address Of Plaintiff 1
NC CITIZENS FOR TRANSPARENT GOVERNMENT, INC.
c/o Stevens Martin Vaughn & Tadych, PLLC
6300 Creedmoor Road, Suite 170-370
Raleigh NC 27612

FILED

2022 MAY -6 P 2:47

GENERAL

CIVIL ACTION COVER SHEET

INITIAL FILING SUBSEQUENT FILING

Name And Address Of Plaintiff 2
Kevin Drum
c/o Stevens Martin Vaughn & Tadych, PLLC
6300 Creedmoor Road, Suite 170-370
Raleigh NC 27612

MOORE CO., C.S.C.

BY LMD

Rule 5(b), General Rules of Practice For Superior and District Courts
Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

C. Amanda Martin
Stevens Martin Vaughn & Tadych, PLLC
6300 Creedmoor Road, Suite 170-370
Raleigh NC 27612

VERSUS

Name Of Defendant 1
The Village of Pinehurst

Telephone No. 919-582-2300 Cellular Telephone No. 919-810-6246
NC Attorney Bar No. 21186 Attorney E-Mail Address amartin@smvt.com

Summons Submitted Yes No

Initial Appearance in Case Change of Address

Name Of Defendant 2
John Strickland, in his official capacity as Mayor of the Village of Pinehurst

Name Of Firm
Stevens Martin Vaughn & Tadych, PLLC
FAX No. 866-593-7695

Summons Submitted Yes No

Counsel for All Plaintiffs All Defendants Only (list party(ies) represented)

Jury Demanded In Pleading
 Complex Litigation

Amount in controversy does not exceed \$15,000
 Stipulate to arbitration

TYPE OF PLEADING

- (check all that apply)
- Amend (AMND)
- Amended Answer/Reply (AMND-Response)
- Amended Complaint (AMND)
- Assess Costs (COST)
- Answer/Reply (ANSW-Response) (see Note)
- Change Venue (CHVN)
- Complaint (COMP)
- Confession Of Judgment (CNJF)
- Consent Order (CONS)
- Consolidate (CNSL)
- Contempt (CNTP)
- Continue (CNTN)
- Compel (CMPL)
- Counterclaim (CTCL) Assess Court Costs
- Crossclaim (list on back) (CRSS) Assess Court Costs
- Dismiss (DISM) Assess Court Costs
- Exempt/Waive Mediation (EXMD)
- Extend Statute Of Limitations, Rule 9 (ESOL)
- Extend Time For Complaint (EXCO)
- Failure To Join Necessary Party (FJNP)

- (check all that apply)
- Failure To State A Claim (FASC)
- Implementation Of Wage Withholding In Non-IV-D Cases (OTHR)
- Improper Venue/Division (IMVN)
- Including Attorney's Fees (ATTY)
- Intervene (INTR)
- Interplead (OTHR)
- Lack Of Jurisdiction (Person) (LJPN)
- Lack Of Jurisdiction (Subject Matter) (LJSM)
- Modification Of Child Support In IV-D Actions (MSUP)
- Notice Of Dismissal With Or Without Prejudice (VOLD)
- Petition To Sue As Indigent (OTHR)
- Rule 12 Motion In Lieu Of Answer (MDLA)
- Sanctions (SANC)
- Set Aside (OTHR)
- Show Cause (SHOW)
- Transfer (TRFR)
- Third Party Complaint (list Third Party Defendants on back) (TPCL)
- Vacate/Modify Judgment (VCMD)
- Withdraw As Counsel (WDCN)
- Other (specify and list each separately)

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must either include a General Civil (AOC-CV-751), Motion (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

CLAIMS FOR RELIEF

- | | | |
|--|--|---|
| <input type="checkbox"/> Administrative Appeal (ADMA) | <input type="checkbox"/> Limited Driving Privilege - Out-Of-State Convictions (PLDP) | <input type="checkbox"/> Product Liability (PROD) |
| <input type="checkbox"/> Appointment Of Receiver (APRC) | <input type="checkbox"/> Medical Malpractice (MDML) | <input type="checkbox"/> Real Property (RLPR) |
| <input type="checkbox"/> Attachment/Garnishment (ATTC) | <input type="checkbox"/> Minor Settlement (MSTL) | <input type="checkbox"/> Specific Performance (SPPR) |
| <input type="checkbox"/> Claim And Delivery (CLMD) | <input type="checkbox"/> Money Owed (MNYO) | <input checked="" type="checkbox"/> Other (<i>specify and list each separately</i>) |
| <input type="checkbox"/> Collection On Account (ACCT) | <input type="checkbox"/> Negligence - Motor Vehicle (MVNG) | NC Open Meetings Law, to N.C. Gen. Stat. § 143-318.10, et seq. |
| <input type="checkbox"/> Condemnation (CNDM) | <input type="checkbox"/> Negligence - Other (NEGO) | |
| <input type="checkbox"/> Contract (CNTR) | <input type="checkbox"/> Motor Vehicle Lien G.S. 44A (MVLN) | |
| <input type="checkbox"/> Discovery Scheduling Order (DSCH) | <input type="checkbox"/> Possession Of Personal Property (POPP) | |
| <input type="checkbox"/> Injunction (INJU) | | |

Date 03/15/2022 Signature Of Attorney/Party *C. Amanda Martin*

FEES IN G.S. 7A-308 APPLY

Assert Right Of Access (ARAS)
 Substitution Of Trustee (Judicial Foreclosure) (RSOT)
 Supplemental Procedures (SUPR)

PRO HAC VICE FEES APPLY

Motion For Out-Of-State Attorney To Appear In NC Courts In A Civil Or Criminal Matter (Out-Of-State Attorney/Pro Hac Vice Fee)

No.	<input checked="" type="checkbox"/> Additional Plaintiff(s)
3	Jane Hogeman, in her official capacity as a member of the Village of Pinehurst Council

No.	<input type="checkbox"/> Additional Defendant(s)	<input type="checkbox"/> Third Party Defendant(s)	Summons Submitted
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Plaintiff(s) Against Whom Counterclaim Asserted

Defendant(s) Against Whom Crossclaim Asserted

STATE OF NORTH CAROLINA
MOORE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
CASE NO. _____

2022 MAY -6 P 2:47
MOORE CO., C.S.C.
BY LMD

NC CITIZENS FOR TRANSPARENT)
GOVERNMENT, INC. and KEVIN)
DRUM,)

Plaintiffs)

vs.)

THE VILLAGE OF PINEHURST,)
JOHN STRICKLAND in his official)
capacity as Mayor of the Village of)
Pinehurst; and JANE HOGEMAN in)
her official capacity as a member of)
the Village of Pinehurst Council,)

Defendants.)

VERIFIED COMPLAINT
AND REQUEST
FOR DECLARATORY RELIEF

Pursuant to Rules 3, 7 and 8 of the North Carolina Rules of Civil Procedure
the plaintiffs, complaining of the defendants, allege and say:

INTRODUCTION

This is an action pursuant to the North Carolina Open Meetings Law, N.C.
Gen. Stat. §§ 143-318.10 *et seq.* and the North Carolina Uniform Declaratory
Judgments Act, N.C. Gen. Stat. §§ 1-253 *et seq.* Plaintiffs seek to have the court
declare that the defendants -- the Village of Pinehurst, John Strickland, and Jane
Hogeman (collectively "the Village") -- violated the Open Meetings Law by
conducting a meeting on September 20, 2021, out of compliance with the Open
Meetings Law and by conducting a series of meetings in October 2021, in which
public business was transacted, without notice, without opportunity for public
access and without minutes.

THE PARTIES

1. Plaintiff Citizens for Transparent Government, Inc. is a North Carolina nonprofit corporation committed to ensuring that North Carolina government actors adhere to open meetings and public records laws; be transparent with the public, media, fellow government officials, and staff; and have systems in place to correct any failures in transparency if and when they occur.

2. Kevin Drum is a resident of the Village of Pinehurst, Moore County, North Carolina, and is a former member of the Village of Pinehurst Council.

3. Defendant Village of Pinehurst (“the Village”) is a municipal corporation organized pursuant to N.C. Gen. Stat. § 160A-11 and governed by the Village Council, an elected body. The Village Council is a “public body” as defined by N.C. Gen. Stat. §143-318.10(b).

4. Defendant John Strickland (“Mayor Strickland”) is, and at all relevant times was, mayor of the Village of Pinehurst and is being sued in his official capacity.

5. Defendant Jane Hogeman (“Councilmember Hogeman”) is, and at all relevant times was, a member of the Village of Pinehurst Council.

JURISDICTION, STANDING, AND VENUE

6. This court has subject matter jurisdiction in this action pursuant to N.C. Gen. Stat. §§ 143-318.10 et seq. and 1-253 et seq.

7. This court has personal jurisdiction over the parties pursuant to N.C. Gen. Stat. § 1-75.4.

8. The plaintiffs have standing to institute and pursue this action pursuant to N.C. Gen. Stat. §§ 143-318.16, 143-318.16A and 1-253.

THE OPEN MEETINGS LAW

9. The Open Meetings Law articulates the strong public policy in North Carolina that the public's business be conducted in public view.

Whereas the public bodies that administer the legislative, policy-making, quasi-judicial, administrative, and advisory functions of North Carolina and its political subdivisions exist solely to conduct the people's business, it is the public policy of North Carolina that the hearings, deliberations, and actions of these bodies be conducted openly.

G.S. § 143-318.9.

10. The Open Meetings Law defines official meetings broadly:

“Official meeting” means a meeting, assembly, or gathering together at any time or place or the *simultaneous communication by* conference telephone or *other electronic means* of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon *or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body*. However, a social meeting or other informal assembly or gathering together of the members of a public body does not constitute an official meeting unless called or held to evade the spirit and purposes of this Article.

G.S. § 143-318.10(d) (emphasis supplied).

11. The Open Meetings Law prescribes the notice public bodies must give of official meetings.

- a. Regular meetings – If a public body has established a schedule of regular meetings, the body may post the schedule and need not provide additional notice for regular meetings. G.S. § 143-318.12(a).
- b. Emergency meetings – If a body must meet due to an emergency, the body must provide notice to media organizations that have

requested to be notified of emergency meetings. This notice must be made immediately after the public body is notified of the need for a meeting. G.S. § 143-318.12(b)(3).

- c. Special meetings – If a body meets for a non-regular, non-emergency meeting, the body must provide 48 hours notice to media organizations that have requested to be notified of special meetings. The public body also shall cause written notice of the meeting stating its purpose (i) to be posted on the principal bulletin board of the public body or, if the public body has no such bulletin board, at the door of its usual meeting room. G.S. § 143-318.12(b)(2).

12. In addition to providing notice, the Open Meetings Law requires public bodies to allow the public to attend.

Except as provided in G.S. 143-318.11, 143-318.14A, and 143-318.18, each official meeting of a public body shall be open to the public, and any person is entitled to attend such a meeting. Remote meetings conducted in accordance with G.S. 166A-19.24 shall comply with this subsection even if all members of the public body are participating remotely.

G.S. § 143-318.10(a).

13. The Open Meetings Law contains limited, specific exemptions that allow for some closed sessions. One such exemption allows a public body to discuss in closed session the performance of public employees. The law does not permit closed session discussion of members of the public body.

- (a) Permitted Purposes. - It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required: ...

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public

officer or employee. General personnel policy issues may not be considered in a closed session. *A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting.* Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

G.S. § 143-318.11(a)(6) (emphasis provided).

14. The Open Meetings Law requires public bodies to keep a record of both open and closed sessions.

Every public body shall keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to G.S. 143-318.11. Such minutes may be in written form or, at the option of the public body, may be in the form of sound or video and sound recordings. When a public body meets in closed session, it shall keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. Such accounts may be a written narrative, or video or audio recordings. Such minutes and accounts shall be public records within the meaning of the Public Records Law, G.S. 132-1 et seq.; provided, however, that minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session.

G.S. § 143-318.10(e).

FACTUAL ALLEGATIONS

15. The Pinehurst Village Council meets regularly on the second and fourth Tuesdays of the month at the Assembly Hall at 395 Magnolia Road, Pinehurst, NC. A copy of the regular meeting notice/schedule is attached as Exhibit A.

NOTICE OF THE SEPTEMBER 20, 2021, SPECIAL MEETING

16. On September 16, 2021, Village Clerk Kelly Chance emailed the Village Council and Village Manager Jeff Sanborn (“Village Manager Sanborn”) asking about their availability for a “Special Closed Session Meeting” about “personnel matters” on either Monday (September 20) at 5:00 p.m. or Tuesday (September 21) at 5:00 p.m.

17. At some point, the Village posted a notice online (“the Special Meeting Notice”) related to a special meeting to be held between the September 14 and September 28 regular meetings. It is not apparent when the Notice was posted online. The Special Meeting Notice is online at <https://tinyurl.com/920Notice> and is attached as Exhibit B.

18. The Special Meeting Notice includes multiple internal inconsistencies, including the date (“9/20/2021” versus “Tuesday, September 21”), the time (“5:45” versus “5:00” and the location (“Assembly Hall” versus “the Council Conference Room in Village Hall”). In its entirety, the posted Notice states:

Council Special Meeting - Closed Session

Date: 09/20/2021 5:45 PM - 7:30 PM
Location: Assembly Hall
395 Magnolia Road
Pinehurst, North Carolina 28374

Notice is hereby given that the Pinehurst Village Council will hold a special meeting on Tuesday, September 21, 2021 at 5:00 p.m. The purpose of the special meeting is to hold a Closed Session pursuant to NCGS §143-318.11(a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. This meeting will be held in the Council Conference Room in Village Hall located at 395 Magnolia Road, Pinehurst, NC 28374.

19. A person reading the Special Meeting Notice would not know where to go, on what day or at what time.

THE SEPTEMBER 20, 2021, SPECIAL MEETING

20. A Special Meeting (“September Special Meeting”) took place on September 20, 2021, in the Village Council Conference Room, beginning at 5:45 p.m.

21. The only individuals invited to the September Special Meeting were Mayor John Strickland, Mayor Pro Tem Judy Davis (“Mayor Pro Tem Davis”), Councilmember Lydia Boesch (“Councilmember Boesch”), Councilmember Kevin Drum (“Councilmember Drum”), and Councilmember Hogeman.

22. The only individuals who attended the September Special Meeting were Mayor Strickland, Mayor Pro Tem Davis, Councilmember Boesch, Councilmember Drum, and Councilmember Hogeman.

23. A document purporting to be the agenda for the September Special Meeting is online at <https://tinyurl.com/0920Ag> and attached as Exhibit C.

24. Upon information and belief, that agenda was not provided to members of the Village Council before or at the time of the meeting.

25. Once the members of the Village Council were assembled, there was a motion to go into closed session pursuant to the so-called “personnel exemption” for closed sessions.

26. The personnel exemption allows for the discussion of specific issues with regard to individual public officers or employees. G.S. § 143-318.11(a)(6). This exception does not allow for “general personnel policy issues” or for discussion “of a member of the public body.”

27. The September Special Meeting closed session did not include a discussion of Village personnel.

28. The September Special Meeting closed session was a discussion of a member of the Pinehurst Village Council.

29. The closed session lasted less than two hours.

30. During the closed session, Mayor Strickland, Mayor Pro Tem Davis and Councilmember Hogeman reprimanded Councilmember Boesch for having spoken with the Chief of Police regarding the strained relationship between the Village and its representatives in the North Carolina General Assembly and for having spoken with Moore County legislators Representative James Boles and Senator Tom McInnis. Mayor Strickland also accused Councilmember Boesch of other behaviors that were not within the scope of the purported purpose of the closed session.

31. Mayor Strickland, Mayor Pro Tem Davis and Councilmember Hogeman charged that Councilmember Boesch's communications with the Chief of Police constituted a violation of the Village Ethics Policy.

32. At the end of the criticism of Councilmember Boesch, Village Human Resources Director Angie Kantor ("HR Director Kantor") was called into the meeting.

33. While staying in closed session, the Council directed HR Director Kantor to draft a policy for Council interaction with staff and the Village Manager.

34. A motion was made and passed to adjourn the closed session, followed by a motion to adjourn the entire meeting.

35. Upon information and belief, at no time has HR Director Kantor prepared a draft of the policy that was discussed in the September 20, 2021, meeting.

36. At no time has HR Director Kantor provided to members of the Village Council a draft of the policy that was discussed in the September 20, 2021, meeting.

MINUTES OF THE SEPTEMBER 20, 2021, SPECIAL MEETING

37. At some point, a document was created purporting to be minutes of the September 20, 2021, Special Meeting of the Village Council.

38. The September 28, 2021, regular meeting agenda lists approval of minutes from the September Special Meeting as part of the “consent agenda.”

4. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- A. Approval of Village Council Meeting Minutes
 - Sept 14, 2021 Regular Minutes
 - September 14, 2021 Work Session
 - September 20, 2021 Special Meeting -CLS

The September 28 Meeting agenda is found online at <https://tinyurl.com/92821Ag> and is attached as Exhibit D.

39. Attached to the September 28, 2021, Agenda is a document titled, “APPROVAL OF VILLAGE COUNCIL MEETING MINUTES ADDITIONAL AGENDA DETAILS.”

40. The Document titled “Memo Details” inaccurately states

Attached are the draft minutes from the ... September 20, 2021 Special Meeting - Closed Session.

41. No minutes are attached for the “September 20, 2021, Special Meeting.” A copy of the Agenda Details is online at <https://tinyurl.com/928Details> and attached as Exhibit E.

42. Upon information and belief, the draft minutes of the September Special Meeting were never provided directly to members of the Village Council for their review prior to September 28, 2021.

43. Upon information and belief, at the September 28, 2021, Village Council meeting, the Council approved the Consent Agenda, which listed but did not include minutes of the September Special Meeting. A link to the September 28, 2021, minutes is online at <https://tinyurl.com/928Min>, and they are attached as Exhibit F.

44. Plaintiff Kevin Drum reviewed the minutes that had been provided to him prior to the meeting and voted to approve them

45. Plaintiff Kevin Drum did not vote to approve minutes that had not been provided to him.

46. Upon information and belief, the draft September 20, 2021, Special Meeting minutes were not provided to any member of the Village Council and were not included in the September 28 meeting packet for the September 28, 2021, meeting.

47. Upon information and belief, the draft September 20, 2021, Special meeting minutes have never been approved by the Village Council.

48. The purported minutes for the September 20, 2021, meeting are now posted online. A link to the purported “legal minutes” of the September Special Meeting is online at <https://tinyurl.com/920Min>, and the minutes are attached as Exhibit G.

49. The purported September 20, 2021, minutes are inaccurate in several respects.

50. Among the inaccuracies of the September 20, 2021, minutes are the following:

- a. Village Manager Sanborn is listed as having been in attendance for the meeting, yet he was not present for any portion of the meeting.
- b. HR Director Kantor was not present for the entire meeting. HR Director Kantor was called in at the very end of the meeting to discuss the preparation of a new policy.
- c. The Council did not discuss personnel matters in closed session. Rather, the discussion focused on the alleged violations of the Village Ethics Policy by a member of the Village Council, as well as other actions of Councilmember Boesch, along with issues of general policy and procedure.
- d. The meeting was adjourned before 7:30 p.m., not 8:00 p.m.

51. Upon information and belief, there is no “general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired” for the closed session portion of the September 20, 2021, in violation of G.S. § 143-318.10(e). Upon information and belief, there is no “written

narrative, or video or audio recordings” of the closed session portion of the September 20, 2021, meeting as required by G.S. § 143-318.10(e).

OCTOBER 8-11 MEETINGS BY EMAIL

52. Between the September 20, 2021, Special Meeting and the October 12, 2021, Regular Meeting, Mayor Strickland, Mayor Pro Tem Davis, Councilmember Hogeman, Village Manager Sanborn and Village Attorney Mike Newman (“Village Attorney Newman”) met by email to discuss, consider and prepare “censure resolutions” of Councilmembers Boesch and Drum. The Councilmembers gave direction to the Village Attorney, who took action based on their direction. The transaction of public business is contained in a multitude of “Meeting Threads.” Mayor Strickland, Mayor Pro Tem Davis, Councilmember Hogeman, Village Manager Sanborn and Village Attorney Newman intentionally excluded Councilmembers Drum and Boesch from these Meeting Threads. The public also was excluded from these discussions.

53. The basis for the proposed censure of Councilmember Boesch was, in part, the behavior that was discussed in the September 20 closed session.

54. The basis for the proposed censure of Councilmember Drum was his alleged disrespectful actions and communications with members of the Pinehurst Business Partners without regard to his status as an elected official.

55. On October 8, 2021, at 9:07 a.m., Village Manager Sanborn wrote to Village Attorney Newman:

I mentioned yesterday that whether this proposed censure helps or hurts me depends very much on the language. Here are some

suggestions about what I think needs to be in it in order to prevent unintended consequences: ...

A copy of that email is attached as Exhibit H-1.

56. Village Attorney Newman responded to Village Manager Sanborn's email four minutes later, writing:

My current draft incorporates much of what you reference below. I should have my draft to you shortly for your review, with a copy to John.

A copy of the 9:11 a.m. Newman email is attached as Exhibit H-2.

57. Later in the day, at 12:55 p.m., Village Attorney Newman sent an email to a majority of the Village Council – Mayor Strickland, Mayor Pro Tem Davis, Councilmember Hogeman – as well as Village Manager Sanborn (beginning this “the Meeting Thread”). The email stated:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy and Jane that *it is the consensus of the Council* that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. (emphasis supplied)

Village Attorney Newman attached documents titled “Resolution of Censure for Council Member Kevin Drum.Final” and “Resolution of Censure for Council Member Lydia Boesch.Final” to his email. A copy of the 12:55 p.m. Newman email is attached as Exhibit H-3.

58. Village Attorney Newman also attached to his 12:55 p.m. email statements that had been solicited from Chief of Police Glen Webb and Katrin Franklin, a Pinehurst business owner.

59. After Village Attorney Newman's email, the three Village Councilmembers and Village Manager Sanborn continued to discuss the matter by email. The three Council members and Village Manager intentionally excluded Councilmembers Boesch and Drum from this Meeting Thread. The public also was excluded from this discussion.

60. At 1:56 p.m. Village Manager Sanborn responded to Village Attorney Newman's email and drafts, including a "note of possible correction." A copy of the 12:54 p.m. Sanborn email is attached as Exhibit H-18.

61. At 3:21 p.m., Village Attorney Newman wrote an email with the subject "Revised Draft (Censure Resolution of Lydia Boesch" [sic]. In his email to the Meeting Thread, Village Attorney Newman wrote, "Here is the revised draft for Lydia Boesch, which makes the correction suggested by Jeff." A copy of the 3:21 p.m. Newman email is attached as Exhibit H-22.

62. Later that afternoon, Mayor Strickland responded to the Meeting Thread asking questions, including "Judy and Jane, do you have an [sic] questions or suggestions about the two resolutions? Are you prepared to support these and to speak about them on Tuesday?" He also explains that he and Village Manager Sanborn are "considering the method and timing" of introducing the resolutions. Mayor Strickland intentionally excluded Councilmembers Boesch and Drum from this Meeting Thread. The public also was excluded from this discussion. A copy of the 3:45 p.m. Strickland email is attached as Exhibit H-27.

63. At 5:17 p.m., Mayor Strickland emailed the Meeting Thread. Mayor Strickland stated that he and Village Manager Sanborn “have discussed how to proceed with the two Resolutions.” The email includes a comprehensive and detailed 7-point plan for the meeting. Mayor Strickland asked Village Attorney Newman “if it would be more impactful” if Village Attorney Newman were “presenting his case to the Council.” Mayor Strickland intentionally excluded Councilmembers Boesch and Drum from this Meeting Thread. The public also was excluded from this discussion. A copy of the 5:17 p.m. Strickland email is attached as Exhibit H-40.

64. Village Attorney Newman responded to Mayor Strickland’s email at 6:38 a.m., October 9, 2021. He wrote, “*if the Council desires* that I briefly address the background ... I can certainly do that. ... *Just let me know the Council’s preference*, and I will proceed accordingly.” A copy of the 6:38 a.m. Newman email is attached as Exhibit H-51 (emphasis supplied).

65. At 9:35 a.m. that morning, Councilmember Hogeman described why she preferred that Mayor Strickland preside and Village Attorney Newman present. “This is a matter that *came to Council’s attention*. We sought the advice of the Village attorney. Here’s that.” (emphasis supplied). Councilmember Hogeman intentionally excluded Councilmembers Boesch and Drum and the public from this Meeting Thread. The public also was excluded from this discussion. A copy of the 9:35 a.m. Hogeman email is attached as Exhibit H-63.

66. Later that morning, Mayor Pro Tem Davis sent an email to the Meeting Thread with a question about the Kevin Drum Resolution. Mayor Pro Tem Davis intentionally excluded Councilmembers Boesch and Drum and the public from this Meeting Thread. The public also was excluded from this discussion. A copy of the 10:52 a.m. Davis email is attached as Exhibit H-82.

67. On Monday, October 11, 2021, Mayor Strickland wrote to the Meeting Thread, “we are proceeding tomorrow on a slightly different path.” He describes having “discussed today using a simpler motion.” He described that Councilmember Hogeman and Village Manager “authored these,” which were attached to the email. Mayor Strickland intentionally excluded Councilmembers Boesch and Drum from this Meeting Thread. The public also was excluded from this discussion. A copy of the 2:38 p.m. Strickland email is attached as Exhibit H-139.

68. Later Monday afternoon, Mayor Strickland sent Mayor Pro Tem Davis and Councilmember Hogeman the remarks he intended to make in the Council meeting. In addition to the draft remarks, he wrote, “let me know if I have missed anything and I will work it in.” Mayor Strickland intentionally excluded Councilmembers Boesch and Drum from this Meeting Thread. The public also was excluded from this discussion. A copy of the 4:01 p.m. Strickland email is attached as Exhibit H-157.

69. From approximately October 7 through October 11, 2021, a majority of the Village Council met by email and apparently in other ways, for the purpose of considering and discussing the perceived need for a censure of Councilmembers

Boesch and Drum, preparing the proposed censures that would be introduced, giving instruction to the Village Attorney, and otherwise transacting public business. A majority of the Village Council intentionally excluded Councilmembers Boesch and Drum from these Meeting Threads. The public also was excluded from this discussion.

70. In his emails to the Meeting Thread, Village Attorney Newman repeatedly reflected what he understood he was being asked to do by “the Council.”

OCTOBER 12 VILLAGE COUNCIL MEETING

71. At the October 12, 2021, Regular Meeting, Mayor Strickland proposed to raise, under “Other Business,” two items that “have to do with ethics violations involving Council members.” Mayor Strickland delivered the remarks that he had prepared and that had been circulated to and approved by Mayor Pro Tem Davis and Councilmember Hogeman. <https://tinyurl.com/MtgVid>

72. Following his remarks, Mayor Strickland invited Village Attorney Newman to “present information” about the matters. <https://tinyurl.com/MtgVid>

73. Village Attorney Newman described his interactions with the Council majority over the preceding week. Village Attorney Newman said he had been informed of a Council consensus and had received questions from the Council.

Village Attorney Newman stated:

I was informed on Thursday afternoon that *there was a consensus or a majority of the Village Council that had directed me* to determine whether the Council had the authority under North Carolina law to address perceived transgressions by Councilmembers of the code of ethics for the Village of Pinehurst. ... I was informed that *the Council had wanted me to answer* (emphasis supplied)

A link to the recording of the October 12, 2021, Village Council Meeting is online at <https://tinyurl.com/MtgVid>.

74. When Councilmember Boesch objected to the proceedings and stated that there are two sides to every story, Village Attorney Newman stated, “I’m simply summarizing *as the Council asked me to do*” and “I’m simply trying to summarize, *at the Council’s direction*, the written documentation which all Councilmembers have already been provided.” (emphasis supplied)

<https://tinyurl.com/MtgVid>.

75. Following Village Attorney Newman’s remarks, Mayor Strickland asked multiple times if there was a motion. <https://tinyurl.com/MtgVid>

76. After a long pause, Councilmember Hogeman eventually answered, “I have a motion that I can put out.” Councilmember Hogeman then read the Motion that over the prior week had been considered, revised and approved by the majority of the members of the Village Council. <https://tinyurl.com/MtgVid>

77. After Councilmember Hogeman read the motion, Councilmember Boesch stated, “I’ve never seen that” and asked, “Did somebody provide that to you to read?” Councilmember Hogeman replied, “No. I worked on that.”

<https://tinyurl.com/MtgVid>

78. Councilmember Boesch asked, “With whose help? I mean, you’re reading something that was prepared before this meeting. And again, these are things that are being written about and against me, and I’ve never had an

opportunity to see this. This. There's something so just uneasy about this. So you wrote that by yourself?" <https://tinyurl.com/MtgVid>

79. Mayor Strickland falsely answered, "As far as I know yes, and Jane's an attorney." <https://tinyurl.com/MtgVid> Mayor Strickland's answer was demonstrably false, because on October 11, Mayor Strickland had written to Village Attorney Newman:

we have discussed today using a simpler motion after to be made after Council's discussion. In your absence, *Jane and Jeff have authored* these

(emphasis supplied). Moreover, Mayor Strickland had been involved in five days of discussion with Councilmember Hogeman and Mayor Pro Tem Davis about the matter.

80. When Councilmember Boesch requested that she be provided a copy of what Councilmember Hogeman had read, Mayor Strickland said he already had promised to circulate drafts. "Of course. I said that would be circulated." Councilmember Drum reacted, "Circulated between you three, not us," and Mayor Strickland said, "I saw it once and that's fine." <https://tinyurl.com/MtgVid>

81. Mayor Strickland next brought up allegations against Councilmember Drum. Mayor Strickland said that Councilmember Drum "has entered into a series of intimidating, some would call threatening, emails ..." <https://tinyurl.com/MtgVid>

82. Village Attorney Newman provided additional background information, including descriptions of emails that had been sent to the Village regarding Councilmember Drum's behaviors.

83. Councilmember Drum stated that he had not realized how restricted he was in his personal behavior due to his status as an elected member of the Village Council. He stated that after reading the Ethics Code carefully, he agreed that his behavior had not been consistent with the Ethics Code.

84. Mayor Strickland stated that he thought there was a consensus of the Council to defer issues related to Councilmembers Boesch and Drum to the next meeting.

OCTOBER 12-26 MEETINGS BY EMAIL

85. Between the October 12 meeting and the October 26 meeting, Mayor Strickland, Mayor Pro Tem Davis, Councilmember Hogeman, and Village Attorney Newman continued to meet by email and to exclude Councilmember Boesch and Councilmember Drum and the public. The Council majority communicated via email and possibly other ways regarding “Draft Motions for October 26” against Councilmember Boesch and Councilmember Drum to be read at the Council meeting scheduled for October 26. These parties also communicated regarding changing these proposed motions to consensus statements.

86. The email meetings that took place between October 20, 2021, and October 26, 2021, occurred without notice, without opportunity for public access and without minutes being created.

OCTOBER 26 VILLAGE COUNCIL MEETING

87. At the October 26 meeting, Mayor Strickland indicated the Council would take up Agenda Items 18 and 19 -- “Discussion of Potential Ethics Violations

by Councilmember Boesch” and “Discussion of Potential Ethics Violations by Councilmember Drum.” <https://tinyurl.com/MtgVid>

88. Councilmember Boesch objected, stating that it was her understanding the allegations and the matter would not be discussed during that meeting. By telephone, Philip Isley, legal counsel for Councilmember Boesch, stated he had had a discussion with Village Attorney Newman about postponing the matter. Mr. Isley said that at the conclusion of their discussion about postponing the matter, Village Attorney Newman had written a text to Mr. Isley stating, “All good.” Councilmember Boesch and her legal counsel understood that to mean the matter would not be reached. <https://tinyurl.com/MtgVid>

89. Village Attorney Newman responded that “what I specifically told Philip is that I would check with the Village Manager and that it was my understanding after doing so that while this matter would be discussed together with Lydia’s proposal last week as to additional policies, I believed that the Council was not going to hold any vote or take any formal further action based on what I understood from the Village Manager.” Village Attorney Newman reiterated that it was his “understanding that the Council would not take any formal actions as to Lydia or Kevin.” <https://tinyurl.com/MtgVid>

90. Mayor Strickland then moved to “Agenda Item 18,” and invited discussion. No councilmember spoke. <https://tinyurl.com/MtgVid>

91. Mayor Strickland stated that he felt it was “appropriate” for him to put “on the record the thoughts as I understand them.” He stated that based on

comments at the October 12 meeting and that night, he was going to put “on the record” the “consensus of the Pinehurst Village Council” that “we disapprove of Councilmember Boesch’s behavior.” <https://tinyurl.com/MtgVid>

92. Mayor Strickland then read a prepared statement.

93. With regard to Councilmember Drum, Mayor Strickland read a similar statement purportedly reflecting the “consensus” of the Village of Pinehurst Council.

94. The so-called consensus statements that Mayor Strickland read mirrored, at least in part, the Resolutions of Censure that had been developed during the October 7-26 Email Meetings.

95. There was no vote in the October 12 meeting to establish a consensus to condemn the actions of either Councilmember Boesch or Councilmember Drum.

96. There was no vote in the October 26 meeting to establish a consensus to condemn the actions of either Councilmember Boesch or Councilmember Drum.

97. If Mayor Strickland was accurate that the statement he read was the consensus of the Village Council, that consensus was reached during the email meetings earlier in October.

FIRST CLAIM FOR RELIEF
OPEN MEETINGS LAW VIOLATIONS

98. The Notice of the September 20, 2021, special meeting was legally insufficient and therefore in violation of the Open Meetings Law. G.S. § 143-318.12.

99. The September 20, 2021, meeting was noticed for the purpose of discussion of personnel matters, and the Village Council went into closed session

pursuant to the personnel exemption to the Open Meetings Law. In fact, the closed discussion focused on the conduct and performance of a member of the public body. As such, the September 20, 2021, closed session was a violation of the Open Meetings Law. G.S. § 143-318.11(a)(6).

100. It was a violation of the Open Meetings Law to call a meeting and go into closed session on the basis of the personnel exemption and then to discuss the conduct and performance of a member of the public body. G.S. § 143-318.11(a)(6).

101. The purported minutes of the September 20, 2021, closed session are inaccurate and thereby violate the Open Meetings Law. G.S. § 143-318(e).

102. Between September 20, 2021, and October 26, 2021, a majority of the members of the Village Council repeatedly met by email for discussion, deliberation, preparation, and the drafting of censure resolutions and then censure motions. A majority of the Village Council transacted public business through those emails, as the censures that ultimately were prepared and presented at the October 12 meeting were the result of these email meetings.

103. The email meetings that took place between September 20, 2021, and October 26, 2021, occurred without notice, without opportunity for public access and without minutes being created.

104. Village Attorney Newman took action and prepared Censure Resolutions based on what he confirmed what “the consensus of the Council,” Exhibit H-3, but the only manner in which any consensus could have been reached was through the October 8-12 Email Meetings. In the October 12, 2021, meeting

Village Attorney Newman stated that he had been “directed” by “a consensus or a majority of the Village Council” to undertake research and analysis related to “perceived transgressions by Councilmembers.” <https://tinyurl.com/MtgVid>. The transaction of public business through meeting by email was a violation of the Open Meetings Law for its failure of notice, access and minutes.

105. Based on the statement in Mayor Strickland’s October 11 email – “we have discussed today using a simpler motion after to be made after Council discussion” – plaintiffs allege upon information and belief that additional discussions took place among a majority of the Village Council and that such discussions violated the Open Meetings Law for lack of notice, access and minutes.

SECOND CLAIM FOR RELIEF
DECLARATORY JUDGMENT

106. Paragraphs 1 through 105 above are re-alleged and incorporated by reference.

107. As alleged above, one or more genuine, subsisting and justiciable disputes or controversies exist among and between the plaintiffs and the defendants with respect to their respective rights pursuant to the Open Meetings Law; accordingly, this Court has jurisdiction, pursuant to G.S. §§ 1-253 and 1-254, to declare the rights of the parties pursuant to those and any other relevant statutes.

WHEREFORE, the plaintiffs respectfully pray unto the court for the entry of:

(1) an order pursuant to N.C. Gen. Stat. § 143-318.16C setting this matter for an immediate hearing and ordering that subsequent proceedings in this action shall be accorded priority;

(2) an order pursuant to N.C. Gen. Stat. §§ 143-318.16A and 1-253 declaring that the September 20, 2021, meeting was in violation of the Open Meetings Law as a result of a false and misleading Notice;

(3) an order pursuant to N.C. Gen. Stat. §§ 143-318.16A and 1-253 declaring that the September 20, 2021, meeting was in violation of the Open Meetings Law for conducting in closed session public business that should have been conducted in open session;

(4) an order pursuant to N.C. Gen. Stat. §§ 143-318.16A and 1-253 declaring that the September 20, 2021, meeting was in violation of the Open Meetings Law, because there are no full and accurate minutes of the meeting;

(5) an order pursuant to N.C. Gen. Stat. §§ 143-318.16A and 1-253 declaring that the September 20, 2021, meeting was in violation of the Open Meetings Law, because there is no general account of the closed session portion of the meeting;

(6) an order pursuant to N.C. Gen. Stat. §§ 143-318.16A and 1-253 declaring that the electronic communications that took place between September 20, 2021, and October 12, 2021, constituted the transaction of public business in violation of the Open Meetings Law for lack of notice, access to the public and minutes;

(7) an order pursuant to N.C. Gen. Stat. §§ 143-318.16A and 1-253 declaring that it is a violation of the Open Meetings Law for a majority of the members of the Village of Pinehurst Council to attend to, discuss and transact

public business without the notice, public access and minutes required by the Open Meetings Law;

(8) an order, pursuant to N.C. Gen. Stat. § 143-318.16, permanently enjoining the defendants and anyone acting in concert with them from conducting meetings violations of the Open Meetings Law, including through email;

(9) an order awarding the plaintiffs reasonable attorney fees pursuant to G.S. § 143-318.16B; and,

(5) such other and further relief as the court may determine to be appropriate and necessary.

Respectfully submitted this the 6th day of May 2022.

STEVENS MARTIN VAUGHN & TADYCH, PLLC



C. Amanda Martin

N.C. State Bar No. 21186

Elizabeth J. Soja

N.C. State Bar No. 36292

Michael J. Tadych

N.C. State Bar No. 24556

6300 Creedmoor Road

Suite 170-370

Raleigh, NC 27612

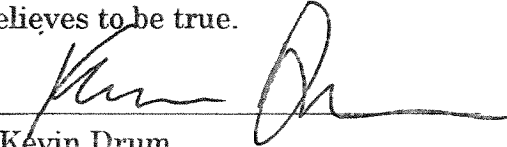
919.582.2300

866-593-7695 toll free facsimile

Attorneys for Plaintiffs

VERIFICATION OF COMPLAINT

The undersigned, Kevin Drum, having been duly sworn, states that he has read the foregoing Verified Complaint and that the allegations of fact made therein are true of his own knowledge, except as to the matters alleged upon information and belief, which allegations he is informed and believes to be true.


Kevin Drum

STATE OF NORTH CAROLINA)
MOORE COUNTY)

Sworn and subscribed before me this 5th day of May 2022.



Notary Public

My Commission Expires: 4/2/2026

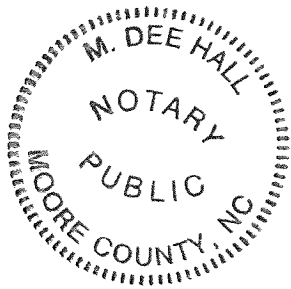


EXHIBIT A



2021 VILLAGE COUNCIL MEETING SCHEDULE

**Held on the 2nd and 4th Tuesdays
Assembly Hall at 395 Magnolia Road, Pinehurst, NC 28374**

January 12 at 4:30 p.m. – RM/WS
January 26 at 4:30 p.m. – RM/WS

February 9 at 4:30 p.m. – RM/WS
February 23 at 4:30 p.m. – RM/WS

March 9 at 4:30 p.m. – RM/WS
March 23 at 4:30 p.m. – RM/WS

April 13 at 4:30 p.m. – RM/WS
April 27 at 4:30 p.m. – RM/WS

May 11 at 4:30 p.m. – RM/WS
May 25 at 4:30 p.m. – RM/WS

June 8 at 4:30 p.m. – RM/WS
June 22 at 4:30 p.m. – RM/WS

July 13 at 4:30 p.m. – RM/WS
July 27 at 4:30 p.m. – RM/WS

August 10 at 4:30 p.m. – RM/WS*

September 14 at 4:30 p.m. – RM/WS
September 28 at 4:30 p.m. – RM/WS

October 12 at 4:30 p.m. – RM/WS
October 26 at 4:30 p.m. – RM/WS

November 9 at 4:30 p.m. – RM/WS *

December 14 at 4:30 p.m. – RM/WS *

RM/WS= Regular Meeting/Work Session

The date or time of a meeting may be changed or additional meetings may be called by Council.

These meetings will be given the title “Special Meetings” and will be announced.

**August, November, and December will only have one scheduled meeting.*

EXHIBIT B

Meetings

Council Special Meeting - Closed Session

Date: 09/20/2021 5:45 PM - 7:30 PM

Location: Assembly Hall

395 Magnolia Road

Pinehurst, North Carolina 28374.

Notice is hereby given that the Pinehurst Village Council will hold a special meeting on Tuesday, September 21, 2021 at 5:00 p.m. The purpose of the special meeting is to hold a Closed Session pursuant to NCGS §143-318.11(a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. This meeting will be held in the Council Conference Room in Village Hall located at 395 Magnolia Road, Pinehurst, NC 28374.

[Return to full list >>](#)

EXHIBIT C



**VILLAGE COUNCIL
AGENDA FOR SPECIAL MEETING OF SEPTEMBER 20, 2021
COUNCIL CONFERENCE ROOM IN VILLAGE HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA**

5:45 P.M.

1. Call to Order.
2. Motion to Recess the Special Meeting and Enter a Closed Session.
3. Closed Session
Pursuant to NCGS §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee: or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.
4. Motion to Adjourn the Closed Session and Re-Enter the Special Meeting.
5. Adjournment.

*Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative, Teamwork, and Improvement.*

EXHIBIT D



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF SEPTEMBER 28, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.
2. Invocation and Pledge of Allegiance. Invocation by Sr. Pastor John Kinyon, Redeemer Church. Pledge of Allegiance led by Mayor John Strickland.
3. Reports:
 Manager
 Council
4. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- A. Approval of Village Council Meeting Minutes
 Sept 14, 2021 Regular Minutes
 September 14, 2021 Work Session
 September 20, 2021 Special Meeting -CLS

End of Consent Agenda.

5. Discuss and Consider Renewal of Uniform Rental Service Agreement for the Village of Pinehurst.
6. Discuss and Consider United Way Sign Request
7. Discuss and Consider Revisions to the Historic District Guidelines
8. Other Business.
9. Comments from Attendees.
10. Motion to Adjourn.

*Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative, Teamwork, and Improvement.*



**COUNCIL
ADDITIONAL AGENDA DETAILS:**

ATTACHMENTS:

Description

- ▣ 2021 Key Partner List

EXHIBIT E



**APPROVAL OF VILLAGE COUNCIL MEETING MINUTES
ADDITIONAL AGENDA DETAILS:**

Sept 14, 2021 Regular Minutes
September 14, 2021 Work Session
September 20, 2021 Special Meeting -CLS

FROM:

Kelly Chance

CC:

Jeff Sanborn

DATE OF MEMO:

9/21/2021

MEMO DETAILS:

Attached are the draft minutes from the September 14, 2021, Council Regular Meeting and Work Session, and the September 20, 2021 Special Meeting - Closed Session.

ATTACHMENTS:

Description

- ☐ September 14, 2021 Regular Meeting
- ☐ September 14, 2021 Work Session

EXHIBIT F



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF SEPTEMBER 28, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, September 28, 2021 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following attended:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

In addition, approximately 21 attendees, including 8 staff and 1 press.

1. Call to Order.

Mayor Strickland called the Village Council meeting to order.

2. Invocation and Pledge of Allegiance.

John Kinyon, Sr. Pastor of Redeemer Church, Southern Pine, NC, offered the invocation and Mayor John Strickland led the Pledge of Allegiance.

3. Reports:

Village Manager

- Mr. Jeff Sanborn reported that Carlton Cole, VOP Fire Department Chief, has been appointed to the Moore County Fire Commission. We are excited about having a Pinehurst voice on that commission.

Village Council

- Mayor Strickland stated that he is attending a special event at Fort Bragg tomorrow, which included area Mayors and other elected officials from Moore County and surrounding counties. He stated the purpose of the event was to receive general briefings and tour the facilities. Mayor Strickland encouraged the community to continue to be cautious in the weeks ahead amid the continued Covid-19 pandemic.
- Mayor Pro Tem Davis stated that the Triangle J met and updated that Southern Pines is working with the Target location and the Y is looking for a place in Southern Pines. She also noted that there were 2 break-through cases on her street of Covid, so she advised the community to be careful and safe.
- Councilmember Drum stated that at the Triangle meeting there was information about working together as three cities to build a multi-modal plan that would connect all three cities together. This would be a concept to get a study done and the Tri-City group would be a great group to handle the project.
- Councilmember Boesch stated she is appreciative of what James Walker Tufts did to establish Pinehurst and his vision which provided us all the beautiful long-leaf pines.

- Councilmember Hogeman stated the Pinehurst Business Partners continue to look forward to working with the Village and she thanked Jill Lazusky for her presentation on the Shops Small Thanksgiving week promotion.

4. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- Approval of Village Council Meeting Minutes.
 - September 14, 2021 Regular Meeting
 - September 14, 2021 Work Session
 - September 20, 2021 Special Meeting - CLS

End of Consent Agenda.

Upon a motion by Councilmember Drum, seconded by Councilmember Boesch, Council unanimously approved the Consent agenda by a vote of 5-0.

5. Discuss and Consider Renewal of Uniform Rental Service Agreement for the Village of Pinehurst.

Village Manager Sanborn stated we have an annual contract that supports some departments across the village. Brooke Hunter, Finance Director, reported the Village utilizes uniform rental services in Public Services, Fleet, Harness Track, and Buildings & Grounds departments. Also included in this agreement are facilities service items such as door mats, soaps, hand sanitizers, mops, air fresheners, shop towels, etc. She stated staff are requesting renewal of our current five-year contract with UniFirst, which is set to expire in September 2021.

Ms. Hunter stated an extensive review process was performed in 2016 that considered uniform quality, service, and cost. Effort was also made to standardize uniform styles and colors across departments. Departments are overall satisfied with the service and quality received from UniFirst over the past five years. Costs have also remained low and in accordance with the Sourcewell (formerly National Joint Powers Alliance (NJPA)) cooperative purchase agreement.

Ms. Hunter stated that based on our satisfaction with the service, quality, and pricing received, we recommend that the Village renew our five-year service agreement with UniFirst Corporation under the Sourcewell cooperative purchase contract. This contract was competitively bid by Sourcewell, and the Village is allowed under state law to utilize cooperative purchasing contracts. These contracts offer lower prices due to the buying power of a much larger group and offer greater contract protections that have proven to improve service delivery.

Ms. Hunter stated the estimated cost for the first year of service under the proposed renewed contract with UniFirst is \$25,500. We negotiated a 2% annual price increase as noted in the attached contract addendum. The 2% annual increase results in an estimated total contract commitment of \$133,000 over the five-year term.

Ms. Hunter stated that to approve the new contract, we will need a motion authorizing the Village Manager to enter into the attached Customer Service Agreement with UniFirst Corporation for the provision of uniform rental services.

Councilmember Boesch asked what if there are fluctuations in the items, we need over the next five years? Ms. Hunter stated this is per unit basis so if we add people it would be 2% increase on each individual item.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Hogeman, Council unanimously approved to authorize the Mayor or his designee to execute the renewal of the five-year service contract with UniFirst Corporation for the provision of uniform rental service by a vote of 5-0.

6. Discuss and Consider United Way Sign Request.

Mayor Strickland stated he met with a United Way representative about 10 days prior to this meeting, which resulted in United Way requesting placement of two temporary signs in our community in support of their annual campaign. He stated this is a great opportunity for United Way to showcase its support for our community and provide the community with information on how to

contact them. Mayor Strickland stated some comments would be that if we can do this, where would the signs be placed, and is this something the council would wish to support.

Darryn Burich, Planning & Inspections Director quoted the PDO comments – Specific definition of Special Events – and discussion was around where this fundraising event qualifies as a special event. Discussion also centered around location and signage size. Mr. Burich stated per our ordinance, the allowable size is 4 square feet. Mayor Strickland stated he did not want to see the signage placed on the Village Green and the location near the Hospital would be better suited for a discussion with the Hospital directly.

Mayor Strickland asked if Council wants to make an exception to our ordinance and allow this approval of a term of one year. Village Manager Sanborn said the exception could be approved by the Village Manager and he will take guidance by the Council. Councilmember Hogeman said if we did grant an exception and we allowed these signs to go up would that set a precedence to all non-profits and charities to be allowed to request this. Discussion ensued on how United Way's partnership with multiple Moore County establishments might distinguish this request from others. Councilmember Drum stated he does feel United Way is unique and creates a bridge to help the community and he would like to see Council be able to approve it.

Councilmember Boesch stated the issue seems to be on the location of the signs and Mayor Pro Tem Davis reported she is not in favor of placement anywhere in the Historic district. Mr. Sanborn and Mr. Burich will continue to go back to the table with United Way and decide on whether it can be approved.

7. Discuss and Consider Revisions to the Historic District Guidelines.

Alex Cameron, Senior Planner, stated The HPC conducted a work session on June 17th and discussed making some necessary and editorial changes to the current Historic District Guidelines. Most of the proposed revisions change any reference to the term "Guidelines" to "Standards" which is consistent with the recent changes to the North Carolina General Statutes Chapter 160D. Other changes are minor and editorial in nature with very few changes to the actual standards. The proposed changes are provided as an attachment to this agenda item with changes in red, strikethrough for deletions and underline for additions.

Mr. Cameron stated following action by the Historic Preservation Commission (HPC) during their regular meeting on September 23rd, staff will now provide Council with the recommended changes approved by the HPC. Mayor Strickland asked Mr. Cameron if there was any change on this document compared to the document produced previously and presented to Council. Mr. Cameron noted that the HPC is trying to make the process move more quickly and less expensively for our citizens. He noted they agree that they are ready for clarifications and grammatical changes and 160D compliance changes.

Mayor Pro Tem said this is a body of work that gets us into compliance and this document will not change so there is no reason for us to wait to act on these current changes.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Hogeman, Council unanimously approved the proposed amendments to the Local Historic District Guidelines as set forth in the staff report from Alex Cameron, Senior Planner, dated September 23, 2021 by a vote of 5-0.

8. Other Business.

Councilmember Boesch stated she received a message stated that Village Council needs to do a better job at communicating what they are doing to the public. She stated after further conversations with the individual, she felt she showed that the Village Council is very proactive and goes above and beyond to keep the community aware. Mayor Strickland reminded those listening to the meeting that they can reach out to Village Hall with questions, and they can sign on to our E-newsletters and MyVop.

Councilmember Hogeman asked if the Village has a policy in place on request to name something in honor of a person, such as a past Mayor. Mr. Sanborn stated we do not have a policy per se, but it can be up for discussion.

9. Comments from Attendees.

- Dave and Kathy Lewk of Chatham Lane thanked the Mayor for answering her email. She stated they live in number 6 adjacent to lot 5, which she states is incongruous with Pinehurst. She stated they raised their children in small towns in Indiana, where they had strict codes, in a town of about 13000. She stated a contractor who doesn't live here and pays taxes

here has left a hole where mosquitos swarm on a lot across the street. She asked councilmembers to consider some of the problems with this lot and investigate why no actions can be taken. She asked what can Planning do to stop this clear cutting in No. 6 as we get to the end of usable lots? Mayor Strickland stated Council was made aware of this lot in the summer and he took some photos at that time and shared them with staff. He noted that we are guided now by different regulations than what we were in the 70s, 80, and 90s and we agree that we would like to stop this practice, but our hands are tied. Darryn Burich, Planning Directed stated that on the RCW process, every building permit that comes in must have a letter and approval before they can be awarded. He stated that on this case, what was happening was it was considered an active construction site, but now the builder has withdrawn the permit request. He stated he has been in contact with the owners and their legal in the effort to remedy the situation.

- David Herring, 40 Pinewild Drive, formerly lived across from the lot– stated he is also concerned with the safety of the same area as it pertains to children.
- Collette Kolinsky said for 7 years she has been trying to do something about this. She said if you are concerned about these issues, you need to know who you are electing to office.

10. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Drum, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 6:01 p.m.

Respectfully Submitted,



Kelly Chance,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement

EXHIBIT G



**VILLAGE COUNCIL
MINUTES FOR SPECIAL MEETING OF SEPTEMBER 20, 2021
COUNCIL CONFERENCE ROOM
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

The Pinehurst Village Council held a special meeting at 5:45 p.m., Monday, September 20, 2021 in the Council Conference Room at Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey Sanborn, Village Manager
Ms. Angela Kantor, Human Resources Director

1. Call to Order.

Mayor John Strickland, called the Council special meeting to order.

2. Motion to Recess the Special Meeting and Enter Closed Session.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to recess the special meeting and enter into a closed session pursuant to NCGS §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee: or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee, by a vote of 5-0.

3. Closed Session.

Council held a closed session to discuss personnel matters.

4. Motion to adjourn the Closed Session and Re-enter the Special Meeting.

Upon a motion by Councilmember Drum, seconded by Councilmember Hogeman, Council unanimously to adjourn the closed session and re-enter the special meeting, by a vote of 5-0.

5. Motion to Adjourn

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to adjourn the special meeting, by a vote of 5-0, at 8:00 p.m.

Respectfully Submitted,


Kelly Chance,
Village Clerk

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement

EXHIBIT H

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Friday, October 8, 2021 9:07 AM
To: Mike Newman <michaeln@vancomplaw.com>
Subject: Resolution

H 1

Mike,

I mentioned yesterday that whether this proposed censure helps or hurts me depends very much on the language. Here are some suggestions about what I think needs to be in it in order to prevent unintended consequences:

WHEREAS, Lydia Boesch received a suggestion from a State elected official that she should look into the Village Manager's leadership because people can't work with him, and

WHEREAS, Lydia Boesch had no corroborating evidence suggesting that there was any truth to this suggestion, and

WHEREAS, Lydia Boesch did, without consulting with the Village Manager, Village Human Resources Director, Village Attorney, Mayor, or any other Council Members, initiate an independent investigation into the Village Manager's leadership climate, and

WHEREAS, Lydia Boesch arranged a meeting with the Chief of Police to inquire about perceptions of the Village Manager, and

WHEREAS, this meeting with the Chief of Police put him in an unnecessary and uncomfortable position since the purpose of the meeting was to find derogatory information about the Chief of Police's supervisor, and

WHEREAS, after this meeting between Lydia Boesch and the Chief of Police, the Chief of Police contact the Village Human Resources director, as he appropriately should have, and

WHEREAS, the Village Human Resources director contacted Lydia Boesch as she appropriately should have to inform Lydia Boesch that the meeting with the Chief of Police was ill-advised and detrimental to the Village's leadership climate, and

WHEREAS, Lydia Boesch's actions unnecessarily and inappropriately created unease and uncertainty among Village Staff regarding the Village Manager's continued employment status and potential impacts across the staff, and

WHEREAS, Lydia Boesch's inappropriate inquiry did not yield any information substantiating the original suggestion that people cannot work with the Village Manager,

....

I am mindful of the fact that you are drafting this to serve the interests of the Village Council and their interests may not perfectly align with mine on this. Still, I thought I needed to let you know my perspective on this.

Jeff

Jeff Sanborn
Village Manager
Village of Pinehurst
395 Magnolia Road, Pinehurst, NC 28374
910-295-1900 x 1101 ✉ jsanborn@vopnc.org ✉ www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. ✪ Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors ✪ Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Friday, October 8, 2021 9:11 AM
To: Jeff Sanborn
Subject: RE: Resolution

H 2


CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My current draft incorporates much of what you reference below. I should have my draft to you shortly for your review, with a copy to John.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.



From: Mike Newman michaeln@vancamplaw.com 
Subject: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 12:55 PM
To: John Strickland jstrickland@vopnc.org, Jeff Sanborn jsanborn@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. If

which it is addressed and may be a communication to or from an attorney, client of the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.



RESOLUTION
OF CE...L.docx



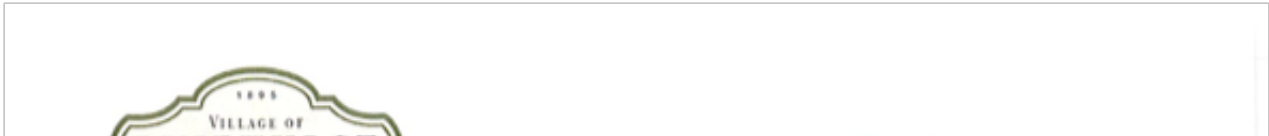
RESOLUTION
OF CE...L.docx



Ethics Policy-
Council.pdf



Statement of
Katrin...klin.pdf



RESOLUTION #21-25:**A RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM**

WHEREAS, Council Member Kevin Drum was elected to serve as a member of the Pinehurst Village Council in November of 2017 to serve a four-year term; and

WHEREAS, as a Council Member, Council Member Kevin Drum is expected to uphold the trust of the citizens of the Village of Pinehurst, and to comply at all times with the “Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina,” as adopted by the Village Council on 27 July 2010, via Resolution #10-27 (hereinafter the “Code of Ethics”); and

WHEREAS, Council Member Kevin Drum was or is a member of Pinehurst Business Partners, a group of local Village business owners who promote their respective business interests through cooperation with each other and through informal partnerships with the Village of Pinehurst; and

WHEREAS, on or about 16 September 2021, some members of the Pinehurst Business Partners sent an email to fellow members, including Council Member Kevin Drum, regarding an upcoming Meet and Greet for a candidate who was running for Village Council in the November 2021 election; and

WHEREAS, upon receiving this email, Council Member Kevin Drum, often late at night, began sending a series of emails to the President of Pinehurst Business Partners, and to others, expressing his anger and dissatisfaction with the proposed Meet and Greet. Over the next several weeks, the emails from Council Member Kevin Drum intensified, with Council Member Kevin Drum claiming that he was prepared to “expose lies,” “tell the Pilot,” “tell everyone,” and “force a resignation” of the current Board of Pinehurst Business Partners. Council Member Kevin Drum

resigned from his membership in the group, and then several days later attempted to rejoin the group; and

WHEREAS, on or about 3 October 2021, Council Member Kevin Drum sent yet another email to all members of the Pinehurst Business Partners, expressing his dissatisfaction with the group, and asserting that *“I think this business association needs new leadership and saw plenty of smart people capable of leading the organization. When is next election? I saw at least 8 smart people ready to help that wouldn’t participate in misinformation, politicizing organization or creating programs they know would fail like you are and would never send a rude email like you did. I formally ask as a 14 year member for you to embrace moving the organization forward by getting out of the way. When is elections and when do nominations begin to take this organization to the next level which is what I do for a living by the way!”*; and

WHEREAS, the Code of Ethics requires, *inter alia*, that Council Members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents; that Council Members must behave consistently and with respect toward everyone with whom they interact; that Council Members must live as if they are on duty as elected officials regardless of where they are or what they are doing; and, that the Council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the Council member’s action would conclude that the action was inappropriate; and

WHEREAS, Council Member Kevin Drum has, by his actions, shown a disregard for the Village’s Code of Ethics, and has breached the Village’s Code of Ethics by his actions and communications as identified above.

NOW, THEREFORE, BE IT RESOLVED, that the Village Council for the Village of Pinehurst hereby censures Council Member Kevin Drum for his conduct identified above, and condemns his actions in the strongest possible terms as not meeting the standards expected of the Village Council for the Village of Pinehurst.

Adopted this the 12th day of October, 2021.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney

RESOLUTION #21-24:**A RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH**

WHEREAS, Council Member Lydia Boesch was elected to serve as a member of the Pinehurst Village Council in November of 201 to serve a four-year term; and

WHEREAS, as a Council Member, Council Member Lydia Boesch is expected to uphold the trust of the citizens of the Village of Pinehurst, and to comply at all times with the “Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina,” as adopted by the Village Council on 27 July 2010, via Resolution #10-27 (hereinafter the “Code of Ethics”); and

WHEREAS, on or about 8 September 2021, Council Member Lydia Boesch, unilaterally and without informing other Council members, requested that the Chief of the Pinehurst Police Department meet with her on 9 September 2021 at the Pinewild lake, purportedly to discuss issues involving Village’s tree ordinance. When the Chief of Police arrived, Council Member Lydia Boesch began to question the Chief as to various rumors concerning the Village Manager’s previous interactions with the former Police Chief and other members of the Village staff, as well as purported “friction” which existed between the Village Manager and the local delegation to the General Assembly. Council Member Lydia Boesch asked the Chief of Police if the working environment at the Village was “toxic” based upon the rumors she had heard about the Village Manager. The current Chief of Police then reported this conversation to the Village of Pinehurst Human Resource Director; and

WHEREAS, Council Member Lydia Boesch claimed that she had received a suggestion from a State elected official that she should look into the Village Manager’s leadership because people can’t work with him; and

WHEREAS, at the time she met with the Chief of Police, Council Member Lydia Boesch had no corroborating evidence suggesting that there was any truth to this suggestion; and

WHEREAS, Council Member Lydia Boesch did, without consulting with the Village Manager, Village Human Resources Director, Village Attorney, Mayor, or any other Council Members, initiate her own independent investigation into the Village Manager's leadership climate; and

WHEREAS, Council Member Lydia Boesch's meeting with the Chief of Police put him in an unnecessary and uncomfortable position since the real purpose of the meeting was to find derogatory information about the Village Manager, who is the Chief of Police's supervisor; and

WHEREAS, after being told of the lake meeting by the Chief of Police, the Village Human Resources Director contacted Council Member Lydia Boesch, as she appropriately should have, to inform Council Member Lydia Boesch that the meeting with the Chief of Police was ill-advised and detrimental to the Village's leadership climate; and

WHEREAS, Council Member Lydia Boesch's unilateral actions unnecessarily and inappropriately created unease and uncertainty among Village Staff regarding the Village Manager's continued employment status and potential impacts across the staff; and

WHEREAS, Council Member Lydia Boesch's inappropriate inquiry did not yield any information substantiating the original rumored suggestion that people cannot work with the Village Manager; and,

WHEREAS, the Village Manager serves at the pleasure of the entire Village Council pursuant to a written contract, with yearly performance reviews conducted pursuant to a long-standing and established policy through the Village of Pinehurst Human Resource Director, so as

to ensure that proper channels are followed when evaluating the performance of all Village staff, including the Village Manager; and

WHEREAS, the Village Council expressly recognizes the importance of adhering to its established and transparent personnel policies, so that all Village employees, agents, and staff are treated fairly and impartially in the evaluation of their respective job performances; and

WHEREAS, the Code of Ethics requires, *inter alia*, that Village policy, including personnel policy, must be made and implemented through proper channels and processes of the governmental structure; that individual Council members are not generally allowed to act on behalf of the Council but may do so only if the Council specifically authorizes it; that Council Members are expected to act as if they are on duty as elected officials regardless of where they are or what they are doing; and that the Council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the Council member's action would conclude that the action was inappropriate; and

WHEREAS, Council Member Lydia Boesch has, by her actions, shown a disregard for the Village's Code of Ethics, and has breached the Village's Code of Ethics by her actions on 9 September 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Village Council for the Village of Pinehurst hereby censures Council Member Lydia Boesch for her conduct identified above, and condemns her actions in the strongest possible terms as not meeting the standards expected of the Village Council for the Village of Pinehurst.

(SIGNATURE PAGE TO FOLLOW)

Adopted this the 12th day of October, 2021.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney



**Code of Ethics for the
Village Council of the Village of Pinehurst, North Carolina**

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this Village, and with obeying the law, and

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Village of Pinehurst, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Village Council do hereby adopt the following General Principles and Code of Ethics to guide the Village Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Council members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Council members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens.
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Council members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Council members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official

must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Village Council and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Council members should obey all laws applicable to their official actions as members of the board. Council members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, Council members should feel free to assert policy positions and opinions without fear of reprisal from fellow council members or citizens. To declare that a council member is behaving unethically because one disagrees with that council member on a question of policy (and not because of the council member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Council members should endeavor to keep up to date, through the village attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Section 2. Council members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values.
- Behaving consistently and with respect toward everyone with whom they interact.
- Exhibiting trustworthiness.
- Living as if they are on duty as elected officials regardless of where they are or what they are doing.
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner.
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others.
- Disclosing contracts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves.
- Treating other council members and the public with respect and honoring the opinions of others even when the council members disagree with those opinions.
- Not reaching conclusions on issues until all sides have been heard.
- Showing respect for their offices and not behaving in ways that reflect badly on those offices.
- Recognizing that they are part of a larger group and acting accordingly.

- Recognizing that individual council members are not generally allowed to act on behalf of the council but may only do so if the council specifically authorizes it, and the council must take official action as a body.

Section 3. a. Council members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the council member's action would conclude that the action was inappropriate.

Section 3. b. If a Council member believes that his or her actions, while legal and ethical, may be misunderstood, the members should seek the advice of the village attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Council members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned. Council members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the council has authority.

Council members should be willing to bear their fair share of the council's workload. To the extent appropriate, they should be willing to put the council's interests ahead of their own.

Section 5. Council members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to council members or their employees.

In order to ensure strict compliance with the laws concerning openness, council members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the council are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

From: contact@pinehurstbusinesspartners.com

Date: October 7, 2021 at 9:13:33 PM EDT

To: John Strickland <jstrickland@vopnc.org>

Cc: Jane Hogeman <jhogeman@vopnc.org>, Judy Davis <jdavis@vopnc.org>, Lydia Boesch <lboesch@vopnc.org>, abzymgibson@gmail.com, amanda@pinehurstlivingmagazine.com, greg@pinehurstlivingmagazine.com, Holly Kirk <holly@kirktours.com>, Info@thebumpandbaby.com, josephb@spoton.com, mldavis8@ncsu.edu, pinehurst@discoverymap.com, raekinney99@gmail.com, sbharrison@earthlink.net

Subject: Pinehurst Business Partners: A Request for Support

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Newman,

I hope this email serves as a small glimpse into the past few weeks for the Pinehurst Business Partners board and I.

As you may know, it is within our policy to share any member emails and newsletters, to which I did on Thursday, September 16th, when I shared a member business's email regarding a Meet and Greet for Village Council candidate, Patrick Pizzella. The responses rolled in, in either interest or appreciation. It has always been a value of Pinehurst Business Partners to share and support Village Center ongoing, and we are especially proud of our growing relationship and partnership with the Village of Pinehurst. Most Village Council candidates and elected members have spent time chatting with the board and members, speaking at public meetings, etc. It is not uncommon for community members to announce and discuss their candidacy at our meetings and it is important to us that our member businesses and residents have access to these types of relationships within their community, demystifying the gap between town government and its constituents.

Less than one hour after sending the email blast, I was berated by business owner and Village Council member and candidate, Kevin Drum. Over the next few weeks, the emails intensified, with name calling and language in unparalleled unprofessionalism. Kevin Drum threatened to "expose lies", "tell The Pilot", "tell everyone", "force a resignation", on and on. You will see the volatile nature of these emails in the copies that I have provided to the Village Council. When Kevin Drum did not receive a response from me that was to his liking, despite my time and effort to be kind and informative, he emailed or phoned other members of the board or neighboring member businesses, often late at night, to question and harass them, seemingly in hopes of escalating the issue to reflect his mission to "take over" the board.

Most of Kevin Drum's questions, or rather, intimidating accusations, could be answered by regular attendance to meetings and membership, which he does not historically participate in. Averaging 1-2 meetings a year, which are held monthly, and having never attended a board meeting (even when he was the Village of Pinehurst Council Member liaison for the Pinehurst Business Partners organization) or voting session, I can see why he understands so little about our organization and its Mission Vision Values. Despite my lengthy replies, Kevin Drum remained irate and inconsolable, and instructed me to cancel his 2021 Membership application and check (which had been remitted in mid September, instead

of January/February like the rest of our paying and participating members.) A few days later, he called an event committee member and left her a voicemail instructing her to cash his check. The following day, he made an appearance at our September monthly mixer held at a member business, and was friendly, interested, and engaged in conversation. Caring less about formality, and with the positive feedback at the meeting, the board approved to accept this apparent change of heart. We were hopeful this was behind us, and I emailed him with "welcome" information about our website, events, and initiatives, and a thank-you for stepping into more of a participative role. That email was, however, once again, met with total disdain and disrespect, as if he had no recollection of the previous directives to cancel his membership or his friendly demeanor at the meeting just a few nights previous. Seeing that this vicious cycle was likely to continue, I chose not to respond to him and spoke directly with John Strickland, Jane Hogeman, and Jeff Batton, instead.

It is here that I leave you with this letter.

Thank you for your time and attention to this matter.

Katrin Franklin, President
Pinehurst Business Partners
3 Market Square
Pinehurst, NC 28374
910-420-865
www.pinehurstbusinesspartners.com



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

Statement

On or about September 8th 2021 I was contacted by Council Member Bosh requesting to meet with me. I asked if she would like to come by the police department or if she would prefer I come to wherever she was going to be. It was agreed that I would come to the lake at Pinewild at 10a on September 9th 2021.

Once at the location, the discussion started about the Village Tree ordinance and an issue the town was or is having with the General Assembly concerning this item. It was also mentioned by the council member that there may have been some friction between the manager and our local delegation to the General Assembly.


I was asked about the working environment at Village Hall as to whether or not it was toxic per things she had heard. I responded that I have friends at Village Hall and that I had never been told the work environment there was toxic. I was asked if Earl Phipps left because of Jeff Sanborn, the Village Manager. I replied that Earl had not told me that and had only indicated that he was leaving because he had a good opportunity in the private sector and that he was able to purchase some early retirement time for his wife. I don't remember the exact context about Lauren Craig, but to paraphrase I was asked if she left because of the working environment at Village Hall and the manager not allowing her to go part-time. I replied that she and I occasionally talk, I consider her a friend, and I had only been told by her that she departed for an opportunity at her church and to spend more time with her children.

After I left the meeting I was uneasy and unsure how to proceed as I am a direct report of the manager and no crimes were alleged. I processed this over that weekend and either Monday or Tuesday of the following week I went to the HR Director Angie Kantor. I discussed the meeting with her and my feeling that I should talk to the manager because I was uneasy being asked what were essentially performance related questions about my supervisor and that all of it being non-criminal was outside my purview as a police officer. After meeting with Angie, either that day or the next, I went to meet with the manager to discuss this matter.

All of the above statements are true and accurate to the best of my recollection.

Glen T. Webb II



Chief of Police



From: Jeff Sanborn jsanborn@vopnc.org 
Subject: RE: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 1:56 PM
To: Mike Newman michaeln@vancamplaw.com, John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Thank you for the quick and thorough attention you have paid to this, Mike.

One note of possible correction. It is my understanding from talking to Glen, and from his statement, that he did not know what the meeting was intended to be about until he got there and Lydia started talking. As written currently, the resolution suggests that he went to the meeting expecting to talk about the tree ordinance.

Jeff

Jeff Sanborn
Village Manager
Village of Pinehurst
395 Magnolia Road, Pinehurst, NC 28374
910-295-1900 x 1101  jsanborn@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Friday, October 8, 2021 12:54 PM
To: John Strickland <jstrickland@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

- (1) Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
- (2) Statement of Police Chief Glenn Webb;

- (3) Statement of Angie Kantor, Human Resource Director; and
- (4) Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 2:27 PM
To: Jeff Sanborn jsanborn@vopnc.org, Mike Newman michaeln@vancamplaw.com, John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org

Thank you, Mike.

Jane

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Friday, October 8, 2021 1:56 PM
To: Mike Newman <michaeln@vancamplaw.com>; John Strickland <jstrickland@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: RE: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Thank you for the quick and thorough attention you have paid to this, Mike.

One note of possible correction. It is my understanding from talking to Glen, and from his statement, that he did not know what the meeting was intended to be about until he got there and Lydia started talking. As written currently, the resolution suggests that he went to the meeting expecting to talk about the tree ordinance.

Jeff

Jeff Sanborn
Village Manager

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Friday, October 8, 2021 12:54 PM
To: John Strickland <jstrickland@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

- (1) Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
- (2) Statement of Police Chief Glenn Webb;
- (3) Statement of Angie Kantor, Human Resource Director; and
- (4) Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.


Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: Mike Newman michaeln@vancamplaw.com 
Subject: Revised Draft (Censure Resolution of Lydia Boesch)
Date: October 8, 2021 at 3:21 PM
To: Jeff Sanborn jsanborn@vopnc.org, John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

John and Jeff—Here is the revised draft for Lydia Boesch, which makes the correction suggested by Jeff. I also found and corrected a typo (“2019” was “201”) in preamble. Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.



RESOLUTION
OF CE...L.docx

RESOLUTION #21-24:**A RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH**

WHEREAS, Council Member Lydia Boesch was elected to serve as a member of the Pinehurst Village Council in November of 2019 to serve a four-year term; and

WHEREAS, as a Council Member, Council Member Lydia Boesch is expected to uphold the trust of the citizens of the Village of Pinehurst, and to comply at all times with the “Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina,” as adopted by the Village Council on 27 July 2010, via Resolution #10-27 (hereinafter the “Code of Ethics”); and

WHEREAS, on or about 8 September 2021, Council Member Lydia Boesch, unilaterally and without informing other Council members, requested that the Chief of the Pinehurst Police Department meet with her on 9 September 2021 at the Pinewild lake. When the Chief of Police arrived, Council Member Lydia Boesch initially discussed the Village’s tree ordinance and an issue the Village was having with the General Assembly on that subject. However, Council Member Lydia Boesch then began to question the Chief as to various rumors concerning the Village Manager’s previous interactions with the former Police Chief and other members of the Village staff, as well as purported “friction” which existed between the Village Manager and the local delegation to the General Assembly. Council Member Lydia Boesch asked the Chief of Police if the working environment at the Village was “toxic” based upon the rumors she had heard about the Village Manager. The current Chief of Police then reported this conversation to the Village of Pinehurst Human Resource Director; and

WHEREAS, Council Member Lydia Boesch claimed that she had received a suggestion from a State elected official that she should look into the Village Manager’s leadership because people can’t work with him; and

WHEREAS, at the time she met with the Chief of Police, Council Member Lydia Boesch had no corroborating evidence suggesting that there was any truth to this suggestion; and

WHEREAS, Council Member Lydia Boesch did, without consulting with the Village Manager, Village Human Resources Director, Village Attorney, Mayor, or any other Council Members, initiate her own independent investigation into the Village Manager's leadership climate; and

WHEREAS, Council Member Lydia Boesch's meeting with the Chief of Police put him in an unnecessary and uncomfortable position since the real purpose of the meeting was to find derogatory information about the Village Manager, who is the Chief of Police's supervisor; and

WHEREAS, after being told of the lake meeting by the Chief of Police, the Village Human Resources Director contacted Council Member Lydia Boesch, as she appropriately should have, to inform Council Member Lydia Boesch that the meeting with the Chief of Police was ill-advised and detrimental to the Village's leadership climate; and

WHEREAS, Council Member Lydia Boesch's unilateral actions unnecessarily and inappropriately created unease and uncertainty among Village Staff regarding the Village Manager's continued employment status and potential impacts across the staff; and

WHEREAS, Council Member Lydia Boesch's inappropriate inquiry did not yield any information substantiating the original rumored suggestion that people cannot work with the Village Manager; and,

WHEREAS, the Village Manager serves at the pleasure of the entire Village Council pursuant to a written contract, with yearly performance reviews conducted pursuant to a long-standing and established policy through the Village of Pinehurst Human Resource Director, so as

to ensure that proper channels are followed when evaluating the performance of all Village staff, including the Village Manager; and

WHEREAS, the Village Council expressly recognizes the importance of adhering to its established and transparent personnel policies, so that all Village employees, agents, and staff are treated fairly and impartially in the evaluation of their respective job performances; and

WHEREAS, the Code of Ethics requires, *inter alia*, that Village policy, including personnel policy, must be made and implemented through proper channels and processes of the governmental structure; that individual Council members are not generally allowed to act on behalf of the Council but may do so only if the Council specifically authorizes it; that Council Members are expected to act as if they are on duty as elected officials regardless of where they are or what they are doing; and that the Council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the Council member's action would conclude that the action was inappropriate; and

WHEREAS, Council Member Lydia Boesch has, by her actions, shown a disregard for the Village's Code of Ethics, and has breached the Village's Code of Ethics by her actions on 9 September 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Village Council for the Village of Pinehurst hereby censures Council Member Lydia Boesch for her conduct identified above, and condemns her actions in the strongest possible terms as not meeting the standards expected of the Village Council for the Village of Pinehurst.

(SIGNATURE PAGE TO FOLLOW)

Adopted this the 12th day of October, 2021.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney

From: John Strickland jstrickland@vopnc.org
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 3:45 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike, in the Drum Resolution, you use identify certain emails coming. "Late at Night". I think I know why you included that but does the statement become an excuse for his behavior?

Judy and Jane, do you have any questions or suggestions about the two resolutions?
Are you prepared to support these and to speak about them on Tuesday?

Jeff and I are considering the method and timing to introduce these in advance of the meeting and how to handle.

John

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.


I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>



From: John Strickland jstrickland@vopnc.org 
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 3:45 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org



Mike, in the Drum Resolution, you use identify certain emails coming. "Late at Night". I think I know why you included that but does the statement become an excuse for his behavior?

Judy and Jane, do you have an questions or suggestions about the two resolutions?
 Are you prepared to support these and to speak about them on Tuesday?

Jeff and I are considering the method and timing to introduce these in advance of the meeting and how to handle.

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. These emails are summarized in the statement of Katrin Franklin

These emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland jstrickland@vopnc.org
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 4:26 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike, It occurs to me that Jim Nash might wish to make a statement with respect to the PBP/Drum issue. Shall I pursue that?
John

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P O Box 1389

11-01-2024 10:07

Pinehurst, NC 28370


Fax : 910-235-0233

Main : 910-295-2525



michaeln@vancamplaw.com



CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland jstrickland@vopnc.org 
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 4:27 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike, It occurs to me that Jim Nash might wish to make a statement with respect to the PBP/Drum issue. Shall I pursue that?
 John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 4:31 PM
To: John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org

John and Mike,

We can't not address these behaviors.

I'm not sure how we should present the resolutions, or what opportunity we should give for a response?

Jane

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 3:45 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, in the Drum Resolution, you use identify certain emails coming. "Late at Night". I think I know why you included that but does the statement become an excuse for his behavior?

Judy and Jane, do you have an questions or suggestions about the two resolutions?
Are you prepared to support these and to speak about them on Tuesday?

Jeff and I are considering the method and timing to introduce these in advance of the meeting and how to handle.

John

John Strickland
Mayor

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.


I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 4:31 PM
To: John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org

John and Mike,

We can't not address these behaviors.

I'm not sure how we should present the resolutions, or what opportunity we should give for a response?



Jane



Jane Hogeman

Council Member

Village of Pinehurst

395 Magnolia Rd, Pinehurst, NC 28374

(910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors  Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 3:45 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, in the Drum Resolution, you use identify certain emails coming. "Late at Night". I think I know why you included that but does the statement become an excuse for his behavior?

Judy and Jane, do you have an questions or suggestions about the two resolutions?
 Are you prepared to support these and to speak about them on Tuesday?

Jeff and I are considering the method and timing to introduce these in advance of the meeting and how to handle.

John

John Strickland
 Mayor

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy,

and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland jstrickland@vopnc.org
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 5:17 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.


I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>



From: John Strickland jstrickland@vopnc.org 
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 8, 2021 at 5:17 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org



Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.


I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 6:31 AM
To: John Strickland jstrickland@vopnc.org
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Yes.



Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com



CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 4:27 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, It occurs to me that Jim Nash might wish to make a statement with respect to the PBP/Drum issue. Shall I pursue that?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors  Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney.

entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN

DRUM.FINAL.docx>

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA


BOESCH.FINAL.docx>

<Ethics Policy-Council.pdf>

<Statement of Katrin Franklin.pdf>

<Statement of Glen Webb.pdf>

<Statement of Angie Kantor.pdf>

From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 6:31 AM
To: John Strickland jstrickland@vopnc.org
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The “late at night” reference is certainly accurate. Our Code of Ethics requires that the Council consider “impropriety” from the viewpoint of the reasonable person – usually the recipient of the offending conduct -- and whether that reasonable person would conclude that the Council member’s conduct was inappropriate. That being the test, reasonable people might understand that emails/text messages like these sent late in the evening, and not during normal business hours, often signify an extra layer of intended harassment. I doubt a reasonable person would “excuse” such behavior because it occurred late at night.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 3:45 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, in the Drum Resolution, you use identify certain emails coming. “Late at Night”. I think I know why you included that but does the statement become an excuse for his behavior?

Judy and Jane, do you have an questions or suggestions about the two resolutions? Are you prepared to support these and to speak about them on Tuesday?

Jeff and I are considering the method and timing to introduce these in advance of the meeting and how to handle.

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671 ✉ jstrickland@vopnc.org ✉ www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. ✨ Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors ✨ Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.


Thanks and have a great weekend

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 6:38 AM
To: John Strickland jstrickland@vopnc.org
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

MN

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.

5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.

6. I will announce the result of each vote.

7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671 ✉ jstrickland@vopnc.org ✉ www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. ✉ Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors ✉ Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Wehh:

2. Statement of Glen Webb, Chief Administrative Officer;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.


I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com



CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.



<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland jstrickland@vopnc.org 
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 8:02 AM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671

<image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

MISSION: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors
<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman
<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland jstrickland@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 8:02 AM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote

will have occurred.

3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.

4. Other Council members will then have time to make comments regarding each resolution.

5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.

6. I will announce the result of each vote.

7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671

<image001.png>
jstrickland@vopnc.org
<image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman
<michaeln@vancamlaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 9:35 AM
To: John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have

received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closed session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671
 <image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming vibrant community which reflects our rich history and

from the Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman

<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>



From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 9:36 AM
To: John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org



I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane
 Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamlaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

them direct the Council discussion etc. Thoughts:

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671
 <image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman

<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.


I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.



Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com



CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland <jstrickland@vopnc.org> 
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 10:04 AM
To: Jane Hogeman <jhogeman@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>, Jeff Sanborn <jsanborn@vopnc.org>, Judy Davis <jdavis@vopnc.org>

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?
 John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 9, 2021, at 9:35 AM, Jane Hogeman <jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

Jane Hogeman
 Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with

Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.

6. I will announce the result of each vote.

7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of " the Village attorney presenting his case to the Council ". I would then direct the Council discussion etc. Thoughts?

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671

<image001.png>
jstrickland@vopnc.org
<image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman

<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code

of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>



<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: John Strickland jstrickland@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 10:04 AM
To: Jane Hogeman jhogeman@vopnc.org
Cc: Mike Newman michaeln@vancamplaw.com, Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?
 John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman <jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

[Jane Hogeman](#)
 Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman

vanCamp, Meacnam & Newman, PLLC
 Two Regional Circle
 P. O. Box 1389
 Pinehurst, NC 28370
 Fax : 910-235-0233
 Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamlaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

00111

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671

<image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman
 <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement

of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Judy Davis jdavis@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 10:52 AM
To: John Strickland jstrickland@vopnc.org
Cc: Jane Hogeman jhogeman@vopnc.org, Mike Newman michaeln@vancamplaw.com, Jeff Sanborn jsanborn@vopnc.org

John

I think Jane was suggesting you open the topic and Mike provides the details.

This will be such an unsettling session and will put all of us on display not just Lydia and Kevin.

5th Whereas for Drum to read

"Whereas, after receiving this email, councilmember Kevin Drum, began sending . . .

We don't know exactly when Kevin received the email. Did he read earlier and acted later?

Judy

Sent from my iPhone

On Oct 9, 2021, at 10:04 AM, John Strickland <jstrickland@vopnc.org> wrote:

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?

John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman <jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

Jane Hogeman
 Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could

be by hand, for and against.

6. I will announce the result of each vote.

7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671

<image001.png>

jstrickland@vopnc.org

<image001.png>

www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman

<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday’s public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village

Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

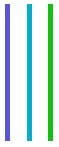
I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.


Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>



<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Judy Davis jdavis@vopnc.org 
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 10:52 AM
To: John Strickland jstrickland@vopnc.org
Cc: Jane Hogeman jhogeman@vopnc.org, Mike Newman michaeln@vancamplaw.com, Jeff Sanborn jsanborn@vopnc.org

John

I think Jane was suggesting you open the topic and Mike provides the details.

This will be such an unsettling session and will put all of us on display not just Lydia and Kevin.

5th Whereas for Drum to read



"Whereas, after receiving this email, councilmember Kevin Drum, began sending . . .

We don't know exactly when Kevin received the email. Did he read earlier and acted later?

Judy

Sent from my iPhone

Judy Davis
 Council Member
 Village of Pinehurst
 , Pinehurst, NC 28374
 910-295-1900  jdavis@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors  Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 9, 2021, at 10:04 AM, John Strickland <jstrickland@vopnc.org> wrote:

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?
 John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman <jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

[Jane Hogeman](mailto:jhogeman@vopnc.org)
 Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671

<image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman

<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370

Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>

<Ethics Policy-Council.pdf>

<Statement of Katrin Franklin.pdf>

<Statement of Glen Webb.pdf>

<Statement of Angie Kantor.pdf>

From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 12:05 PM
To: Judy Davis jdavis@vopnc.org, John Strickland jstrickland@vopnc.org
Cc: Mike Newman michaeln@vancamplaw.com, Jeff Sanborn jsanborn@vopnc.org

That's right, Judy. John to open the topic and ask Mike to give the details, as happens when Jeff presents the new Budget, for example.

Jane

From: Judy Davis <jdavis@vopnc.org>
Sent: Saturday, October 9, 2021 10:52 AM
To: John Strickland <jstrickland@vopnc.org>
Cc: Jane Hogeman <jhogeman@vopnc.org>; Mike Newman <michaeln@vancamplaw.com>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

John

I think Jane was suggesting you open the topic and Mike provides the details.

This will be such an unsettling session and will put all of us on display not just Lydia and Kevin.

5th Whereas for Drum to read
"Whereas, after receiving this email, councilmember Kevin Drum, began sending . . .

We don't know exactly when Kevin received the email. Did he read earlier and acted later?

Judy

Sent from my iPhone

Judy Davis
Council Member

On Oct 9, 2021, at 10:04 AM, John Strickland <jstrickland@vopnc.org> wrote:

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?
John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman <jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

Jane Hogeman

Jane Hogeman
Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday Draft outline below:

Resolutions and on Tuesday. Draft outline below.

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671
 <image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman
 <michaeln@vancamlaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>


<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>

<Ethics Policy-Council.pdf>

<Statement of Katrin Franklin.pdf>

<Statement of Glen Webb.pdf>

<Statement of Angie Kantor.pdf>

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 12:05 PM
To: Judy Davis jdavis@vopnc.org, John Strickland jstrickland@vopnc.org
Cc: Mike Newman michaeln@vancamplaw.com, Jeff Sanborn jsanborn@vopnc.org

That's right, Judy. John to open the topic and ask Mike to give the details, as happens when Jeff presents the new Budget, for example.

Jane



Jane Hogeman

Council Member

Village of Pinehurst

395 Magnolia Rd, Pinehurst, NC 28374

(910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Judy Davis jdavis@vopnc.org
Sent: Saturday, October 9, 2021 10:52 AM
To: John Strickland jstrickland@vopnc.org
Cc: Jane Hogeman jhogeman@vopnc.org; Mike Newman michaeln@vancamplaw.com; Jeff Sanborn jsanborn@vopnc.org
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

John

I think Jane was suggesting you open the topic and Mike provides the details.

This will be such an unsettling session and will put all of us on display not just Lydia and Kevin.

5th Whereas for Drum to read

"Whereas, after receiving this email, councilmember Kevin Drum, began sending . . .

We don't know exactly when Kevin received the email. Did he read earlier and acted later?

Judy

Sent from my iPhone

Judy Davis
 Council Member

On Oct 9, 2021, at 10:04 AM, John Strickland jstrickland@vopnc.org wrote:

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?

John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman jhogeman@vopnc.org wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

Jane Hogeman
Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of

received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671
<image001.png>
jstrickland@vopnc.org
<image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman
<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>


<RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>

<Ethics Policy-Council.pdf>

<Statement of Katrin Franklin.pdf>

<Statement of Glen Webb.pdf>

<Statement of Angie Kantor.pdf>

From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 2:49 PM
To: Jane Hogeman jhogeman@vopnc.org, Judy Davis jdavis@vopnc.org, John Strickland jstrickland@vopnc.org
Cc: Jeff Sanborn jsanborn@vopnc.org

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I agree that this circumstance is unsettling for all involved. As to Jane's suggestion as to who should "give the details" – either me or John – keep in mind that the "details" were actually provided to us by the recipients of the conduct: Glen Webb, Katrin Franklin, Angie Kantor and (perhaps) Jim Nash. And in Kevin's case, the "details" are actually written in the emails he sent to residents. All Council members, including Kevin and Lydia, will have copies of the "details" when they receive their packets on Monday. As such, we may want to view the initial public "presenting" of details as more of a summary, to avoid the matter becoming even more unsettling for all involved. We should certainly allow Kevin and Lydia to speak about and explain those details. The text of each Censure Resolution will be on the screen and available for viewing, and there are certainly sufficient details in the Resolutions to allow the public to fully understand what occurred.



Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Saturday, October 9, 2021 12:06 PM
To: Judy Davis <jdavis@vopnc.org>; John Strickland <jstrickland@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

That's right, Judy. John to open the topic and ask Mike to give the details, as happens when Jeff presents the new Budget, for example.

Jane

Jane Hogeman
Council Member
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. 🌿 Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors 🌿 Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Judy Davis <jdavis@vopnc.org>
Sent: Saturday, October 9, 2021 10:52 AM
To: John Strickland <jstrickland@vopnc.org>
Cc: Jane Hogeman <jhogeman@vopnc.org>; Mike Newman <michaeln@vancamplaw.com>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

John

I think Jane was suggesting you open the topic and Mike provides the details.

This will be such an unsettling session and will put all of us on display not just Lydia and Kevin.

5th Whereas for Drum to read

“Whereas, after receiving this email, councilmember Kevin Drum, began sending . . .

We don't know exactly when Kevin received the email. Did he read earlier and acted later?

Judy

Sent from my iPhone

Judy Davis
Council Member

On Oct 9, 2021, at 10:04 AM, John Strickland <jstrickland@vopnc.org> wrote:

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?
John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman <jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present

I think it's better for them to proceed rather than proceed.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

Jane Hogeman
Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman

VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that pertains to them, individually.
4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then

adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671

<image001.png>
jstrickland@vopnc.org
<image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

•

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.


Thanks, and have a great weekend

THANKS, AND HAVE A GREAT WEEKEND.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR
COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR
COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>

From: Jane Hogeman <jhogeman@vopnc.org> 
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 9, 2021 at 5:38 PM
To: Mike Newman michaeln@vancamplaw.com, Judy Davis jdavis@vopnc.org, John Strickland jstrickland@vopnc.org
Cc: Jeff Sanborn jsanborn@vopnc.org

JH

Thank you for your thoughts, Mike.

Jane

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Saturday, October 9, 2021 2:49 PM
To: Jane Hogeman <jhogeman@vopnc.org>; Judy Davis <jdavis@vopnc.org>; John Strickland <jstrickland@vopnc.org>
Cc: Jeff Sanborn <jsanborn@vopnc.org>
Subject: RE: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I agree that this circumstance is unsettling for all involved. As to Jane's suggestion as to who should "give the details" – either me or John – keep in mind that the "details" were actually provided to us by the recipients of the conduct: Glen Webb, Katrin Franklin, Angie Kantor and (perhaps) Jim Nash. And in Kevin's case, the "details" are actually written in the emails he sent to residents. All Council members, including Kevin and Lydia, will have copies of the "details" when they receive their packets on Monday. As such, we may want to view the initial public "presenting" of details as more of a summary, to avoid the matter becoming even more unsettling for all involved. We should certainly allow Kevin and Lydia to speak about and explain those details. The text of each Censure Resolution will be on the screen and available for viewing, and there are certainly sufficient details in the Resolutions to allow the public to fully understand what occurred.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Saturday, October 9, 2021 12:06 PM

To: Judy Davis <jdavis@vopnc.org>; John Strickland <jstrickland@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

That's right, Judy. John to open the topic and ask Mike to give the details, as happens when Jeff presents the new Budget, for example.

Jane

Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900 🌿 jhogeman@vopnc.org 🌿 www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. 🌿 Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors 🌿 Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Judy Davis <jdavis@vopnc.org>
Sent: Saturday, October 9, 2021 10:52 AM
To: John Strickland <jstrickland@vopnc.org>
Cc: Jane Hogeman <jhogeman@vopnc.org>; Mike Newman <michaeln@vancamplaw.com>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

John

I think Jane was suggesting you open the topic and Mike provides the details.

This will be such an unsettling session and will put all of us on display not just Lydia and Kevin.

5th Whereas for Drum to read

“Whereas, after receiving this email, councilmember Kevin Drum, began sending . . .

We don't know exactly when Kevin received the email. Did he read earlier and acted later?

Judy

Sent from my iPhone

Judy Davis
 Council Member

On Oct 9, 2021, at 10:04 AM, John Strickland <jstrickland@vopnc.org> wrote:

Jane, not sure I understand your message. For clarity, Do you agree with the suggestion for #3 where Mike would present the background, or should I?
John

On Oct 9, 2021, at 9:35 AM, Jane Hogeman
<jhogeman@vopnc.org> wrote:

I think it's better for John to preside rather than present.

This is a matter that came to Council's attention. We sought the advice of the Village attorney. Here's that advice.

Lydia and Kevin should have a chance to speak.

Then we'll consider.

Jane

Jane Hogeman
Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike thank you for your responses: I now understand your reason for "late at night", I will ask Jim Nash, and for procedure #3 I would like you to participate but I will await the opinions of Judy and Jane. (Jeff if he wishes).

John

On Oct 9, 2021, at 6:38 AM, Mike Newman
<michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As to Item #3, if the Council desires that I briefly address the background as to how and why I prepared the draft Resolutions for the Council's

consideration, I can certainly do that. This is a unique situation which rarely arises, so I'm not sure that there is any perfect way to approach the topic. Just let me know the Council's preference, and I will proceed accordingly. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Mike, Jane, Judy: Jeff and I have discussed how to proceed with the two Resolutions and on Tuesday. Draft outline below:

1. I will circulate the two resolutions to all Council members on Monday afternoon. (To Jeff and AVM's, Angie too?)
2. The presentation and discussion will be during Other Council Business, which means before public comments—there may be some related to the resolutions. But the vote will have occurred.
3. The resolutions will of course be introduced and handled separately. Each resolution will be shown on the monitors in Village Hall. I will introduce the background to each. I will call upon Kevin and Lydia to make comments related to the resolution that

to make comments related to the resolution that pertains to them, individually.

4. Other Council members will then have time to make comments regarding each resolution.
5. We will then vote. I will call for a motion and second, and will pre arrange that with Jane and Judy if they agree. At this time I am thinking group voice vote, but it could be by hand, for and against.
6. I will announce the result of each vote.
7. We will go to public comments and then adjournment of the Regular meeting. Brief break and opening of Work Session and Closed meeting. There will no doubt be chatter about the resolutions. I have asked Jeff to be in his office for the closed session presentation by Angie to the Council, just in case Council has any questions for Jeff about the review, the resolutions or other matters allowed in a closes session.

Mike, in #3 above, I will present the background to each resolution. I am wondering if it would be more impactful if you did that, as Village attorney and author of the resolutions: sort of “ the Village attorney presenting his case to the Council “. I would then direct the Council discussion etc. Thoughts?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671

<image001.png>

jstrickland@vopnc.org

<image001.png>

www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.
Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 8, 2021, at 12:55 PM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.

Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on

Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

<RESOLUTION OF CENSURE FOR
COUNCIL MEMBER KEVIN
DRUM.FINAL.docx>
<RESOLUTION OF CENSURE FOR
COUNCIL MEMBER LYDIA
BOESCH.FINAL.docx>
<Ethics Policy-Council.pdf>
<Statement of Katrin Franklin.pdf>
<Statement of Glen Webb.pdf>
<Statement of Angie Kantor.pdf>







From: John Strickland jstrickland@vopnc.org 
Subject: Re: Personnel
Date: October 10, 2021 at 1:44 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

I have spoken to Katrin Franklin and Jim Nash this morning. Nash will prepare a statement. Both believe the situation with Councilman Drum is inappropriate for for an elected official and believe that corrective action should be taken. They are not concerned with repercussion for themselves or their businesses. They feel their board of directors feels the same way.

Mike, my conversations with Jane and Judy brought up a question as to whether there were other approaches that could be taken, and did we owe Kevin other contact to discuss our concern about his behavior? Also, could council members who support the censure, or other public approach to resolve this threatening behavior, be sued?

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 9, 2021, at 8:03 PM, Jane Hogeman <jhogeman@vopnc.org> wrote:

John and Jeff, thank you both.

Jane

[Jane Hogeman](#)
 Council Member

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Saturday, October 9, 2021 6:08 PM
To: John Strickland <jstrickland@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Personnel

already done. Angie and Glen are comfortable.

Sent from my iPhone

Jeff Sanborn

Village Manager> On Oct 9, 2021, at 5:45 PM, John Strickland <jstrickland@vopnc.org> wrote:

>

> Jane has raised a good point with me this afternoon. Namely, we should be assured that Angie Kantor, Glen Webb, Jim Nash and Katrin Franklin are comfortable with the action we are planning to take. I have scheduled calls with Katrin and Jim for Sunday morning to discuss this point. Jeff, would you be comfortable discussing this with Glen and Angie or prefer someone else?

>

> John

>

>

> John Strickland

> Mayor

From: John Strickland <jstrickland@vopnc.org>
Subject: Re: Personnel
Date: October 10, 2021 at 1:44 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Jeff Sanborn <jsanborn@vopnc.org>, Judy Davis <jdavis@vopnc.org>, Jane Hogeman <jhogeman@vopnc.org>

I have spoken to Katrin Franklin and Jim Nash this morning. Nash will prepare a statement. Both believe the situation with Councilman Drum is inappropriate for for an elected official and believe that corrective action should be taken. They are not concerned with repercussion for themselves or their businesses. They feel their board of directors feels the same way.

Mike, my conversations with Jane and Judy brought up a question as to whether there were other approaches that could be taken, and did we owe Kevin other contact to discuss our concern about his behavior? Also, could council members who support the censure, or other public approach to resolve this threatening behavior, be sued?

John

On Oct 9, 2021, at 8:03 PM, Jane Hogeman <jhogeman@vopnc.org> wrote:

John and Jeff, thank you both.

Jane

Jane Hogeman
Council Member

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Saturday, October 9, 2021 6:08 PM
To: John Strickland <jstrickland@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Personnel

already done. Angie and Glen are comfortable.

Sent from my iPhone

Jeff Sanborn

Village Manager> On Oct 9, 2021, at 5:45 PM, John Strickland <jstrickland@vopnc.org> wrote:

>

> Jane has raised a good point with me this afternoon. Namely, we should be assured that Angie Kantor, Glen Webb, Jim Nash and Katrin Franklin are comfortable with the action we are planning to take. I have scheduled calls with Katrin and Jim for Sunday morning to discuss this point. Jeff, would you be comfortable discussing this with Glen and Angie or prefer someone else?

>

> John

>



>



> John Strickland

> Mayor

From: John Strickland jstrickland@vopnc.org 
Subject: Jim Nash: Letter to Attorney Newman
Date: October 10, 2021 at 6:55 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Mike, for your review.
John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: James <JRNash@duneberry.com>
Date: October 10, 2021 at 3:29:21 PM EDT
To: John Strickland <jstrickland@vopnc.org>
Subject: Letter to Attorney Newman

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

John: Please see letter to Mr Newman in pdf below - distribute as you wish.

Sincerely,

Jim

James (Jim) R Nash
DuneBerry Resort Wear
In Celebration of the Resort Lifestyle

201 N Main St. | Livery Bldg. | POB 1025
Leland, MI 49654

120 Market Sq.
Pinehurst Village, NC 28374

DuneBerry Shoes Etcetera
36 Chinquapin Rd.
Village of Pinehurst, NC 28374
Pinehurst, NC 28374

(833) 4DUNEBERRY (438-6323)

JRNash@DuneBerry.com

<https://DuneBerry.com>

eLIVE Omni (eLO)

A Disruptive Retail Technology Company

<http://eLIVEOmni.com>







MikeNewman
Ltr.pdf

From: John Strickland <jstrickland@vopnc.org> 
Subject: Re: Personnel
Date: October 10, 2021 at 8:57 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Further thought from me today, and also having spoken to Jane, focuses on if 2-3 of us should try to see Kevin tomorrow, and should we have a presentation and verbal reprimand on Tuesday rather than a vote on a motion.

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 10, 2021, at 1:44 PM, John Strickland <jstrickland@vopnc.org> wrote:

I have spoken to Katrin Franklin and Jim Nash this morning. Nash will prepare a statement. Both believe the situation with Councilman Drum is inappropriate for for an elected official and believe that corrective action should be taken. They are not concerned with repercussion for themselves or their businesses. They feel their board of directors feels the same way.

Mike, my conversations with Jane and Judy brought up a question as to whether there were other approaches that could be taken, and did we owe Kevin other contact to discuss our concern about his behavior? Also, could council members who support the censure, or other public approach to resolve this threatening behavior, be sued?

John

On Oct 9, 2021, at 8:03 PM, Jane Hogeman <jhogeman@vopnc.org> wrote:

John and Jeff, thank you both.

Jane

Jane Hogeman
 Council Member

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Saturday, October 9, 2021 6:08 PM
To: John Strickland <jstrickland@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Personnel

already done. Angie and Glen are comfortable.

Sent from my iPhone

Jeff Sanborn

Village Manager> On Oct 9, 2021, at 5:45 PM, John Strickland <jstrickland@vopnc.org> wrote:

>

> Jane has raised a good point with me this afternoon. Namely, we should be assured that Angie Kantor, Glen Webb, Jim Nash and Katrin Franklin are comfortable with the action we are planning to take. I have scheduled calls with Katrin and Jim for Sunday morning to discuss this point. Jeff, would you be comfortable discussing this with Glen and Angie or prefer someone else?

>

> John

>

>

> John Strickland

> Mayor

From: John Strickland <jstrickland@vopnc.org>
Subject: Re: Personnel
Date: October 10, 2021 at 8:57 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Jeff Sanborn jsanborn@vopnc.org, Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org

Further thought from me today, and also having spoken to Jane, focuses on if 2-3 of us should try to see Kevin tomorrow, and should we have a presentation and verbal reprimand on Tuesday rather than a vote on a motion.

John

On Oct 10, 2021, at 1:44 PM, John Strickland <jstrickland@vopnc.org> wrote:

I have spoken to Katrin Franklin and Jim Nash this morning. Nash will prepare a statement. Both believe the situation with Councilman Drum is inappropriate for for an elected official and believe that corrective action should be taken. They are not concerned with repercussion for themselves or their businesses. They feel their board of directors feels the same way.

Mike, my conversations with Jane and Judy brought up a question as to whether there were other approaches that could be taken, and did we owe Kevin other contact to discuss our concern about his behavior? Also, could council members who support the censure, or other public approach to resolve this threatening behavior, be sued?

John

On Oct 9, 2021, at 8:03 PM, Jane Hogeman <jhogeman@vopnc.org> wrote:

John and Jeff, thank you both.

Jane

Jane Hogeman
 Council Member

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Saturday, October 9, 2021 6:08 PM
To: John Strickland <jstrickland@vopnc.org>
Cc: Mike Newman <michaeln@vancamplaw.com>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Re: Personnel

already done. Angie and Glen are comfortable.

Sent from my iPhone

Jeff Sanborn

Village Manager> On Oct 9, 2021, at 5:45 PM, John Strickland <jstrickland@vopnc.org> wrote:

>

> Jane has raised a good point with me this afternoon. Namely, we should be assured that Angie Kantor, Glen Webb, Jim Nash and Katrin Franklin are comfortable with the action we are planning to take. I have scheduled calls with Katrin and Jim for Sunday morning to discuss this point. Jeff, would you be comfortable discussing this with Glen and Angie or prefer someone else?

>

> John

>

>

> John Strickland

>

>

|| > mayor

From: John Strickland jstrickland@vopnc.org
Subject: Re: Kevin Drum
Date: October 11, 2021 at 11:04 AM
To: Jeff Sanborn jsanborn@vopnc.org
Cc: Jane Hogeman jhogeman@vopnc.org

Yes, Jane and you so as to abide by maximum of two council members in a meeting. and Jane has been present at the monthly meetings of the P&Z.

Update on Kevin: he does not want to meet or have a phone call. I explained that meeting was to be about his behavior with PBP and we felt it was fair and important for him to meet or have a call today. In response to his suggestion that this was a political discussion (due to Pizzella m&g at Duneberry) I replied that this was an ethical behavior Issue. I said the issue might come up at the October 12 council meeting.

Paraphrasing his text responses: ' I feel my membership in PBP is none of Janes or your business; I am busy on real important things and you can not manage me trying to make my business organization legitimate—it's out of Janes and your control; you are the mayor and not my life coach; great if issue comes up at council meeting, I look forward to discussing publicly the incompetence of our Council rep and of PBP; are you (John) sure you are not doing this in support of Pat—that will come up publicly and all the names in the Friday group sos get ready; I want it all in public, I believe in transparency; I am not available today or tomorrow and I 'd rather have it in public; I am not declining - I want it in a public meeting; I want the public to hear everything; my email came from Kevin Drum member not VoP.

John

On Oct 11, 2021, at 9:52 AM, Jeff Sanborn <jsanborn@vopnc.org> wrote:

OK. You are suggesting that Jane and I meet with him, without you. Is that correct?

Jeff

Jeff Sanborn
Village Manager-----Original Message-----
From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 9:50 AM
To: Jeff Sanborn <jsanborn@vopnc.org>
Subject: Kevin Drum

I am in contact with Kevin, I think it is best if meeting or phone call is with Jane and you. Will revert.

John Strickland
Mayor

From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 11, 2021 at 11:35 AM
To: Mike Newman michaeln@vancamplaw.com, John Strickland jstrickland@vopnc.org, Jeff Sanborn jsanborn@vopnc.org
Cc: Judy Davis jdavis@vopnc.org

JH

Mike:

In the fifth Whereas paragraph of the draft Resolution as to Kevin, it says that the emails include that Kevin would "expose lies", "tell the Pilot", "tell everyone" and "force a resignation".

Going through the emails I have, I can find claims about lies, claims to tell other people, and demands for a resignation. I don't see the exact language that is in the quotation marks in the emails, and I can't find anything about the Pilot.

There may be in messages I don't have, but if these are not direct references, maybe the Resolution language should be clarified.

Jane

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Friday, October 8, 2021 12:53 PM
To: John Strickland <jstrickland@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
3. Statement of Angie Kantor, Human Resource Director; and
4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.


Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamlaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch
Date: October 11, 2021 at 11:35 AM
To: Mike Newman michaeln@vancamplaw.com, John Strickland jstrickland@vopnc.org, Jeff Sanborn jsanborn@vopnc.org
Cc: Judy Davis jdavis@vopnc.org







Mike:

In the fifth Whereas paragraph of the draft Resolution as to Kevin, it says that the emails include that Kevin would "expose lies", "tell the Pilot", "tell everyone" and "force a resignation".

Going through the emails I have, I can find claims about lies, claims to tell other people, and demands for a resignation. I don't see the exact language that is in the quotation marks in the emails, and I can't find anything about the Pilot.

There may be in messages I don't have, but if these are not direct references, maybe the Resolution language should be clarified.

Jane
 Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Friday, October 8, 2021 12:53 PM
To: John Strickland <jstrickland@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>
Subject: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear John and Jeff:

As you requested yesterday, I have prepared two proposed Censure Resolutions, one regarding Lydia Boesch, and one regarding Kevin Drum. I confirmed with John, Judy, and Jane that it is the consensus of the Council that I prepare these proposed Resolutions for your consideration at Tuesday's public hearing. These drafts are in WORD format to enable easy edits as the Council deems appropriate. Each draft Resolution quotes verbatim from the relevant sections of the Village Council's Code of Ethics.

I am also enclosing as attachments the following additional relevant information:

1. Code of Ethics for the Village Council of the Village of Pinehurst, North Carolina

- (approved and adopted on 27 July 2010);
2. Statement of Police Chief Glenn Webb;
 3. Statement of Angie Kantor, Human Resource Director; and
 4. Statement of Katrin Franklin, President, Pinehurst Business Partners.

It is my understanding that all Council members have already received a copy of the various emails sent by Kevin Drum. Should you need another copy, please let me know. Those emails are summarized in the statement of Katrin Franklin.


Lastly, I confirmed with Kelly Chance as to the Resolution number to be shown on each draft Resolution.

I will be in Florida on Monday conducting depositions, returning late Monday night. I will be in the office very early on Tuesday morning, and (at John's request) I will attend Tuesday's public hearing. If any of you have any questions, please feel free to call me on my cell. 910-690-8139.

Thanks, and have a great weekend.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Motions
Date: October 11, 2021 at 12:44 PM
To: John Strickland jstrickland@vopnc.org



John, please see if this is what you had in mind.

Thanks, Jane



Oct 12
Motions.docx


Motions

Council Member Lydia Boesch

The Council having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, I move that the Council reprimand Council Member Lydia Boesch for her actions in circumventing the Village's established personnel policy to ensure that proper channels are followed when evaluating the performance of all Village Staff, including the Village Manager, so that all Village employees, agents and staff are treated fairly and impartially in the evaluation of their respective job performances. These actions unnecessarily and inappropriately created unease and uncertainty among Village Staff as to the Village Manager's continued employment status and potential impacts across the Staff, and they breach the Village's Code of Ethics.

Council Member Kevin Drum

The Council having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman, I move that the Council reprimand Council Member Kevin Drum for his actions in the unreasonably and inappropriately disrespectful content and tone of his communications with members of the Pinehurst Business Partners, which breach the Village's Code of Ethics.

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Draft Motions
Date: October 11, 2021 at 1:15 PM
To: Jeff Sanborn jsanborn@vopnc.org
Cc: John Strickland jstrickland@vopnc.org



Jeff, please take a look at these drafts.

Thank you, Jane



Oct 12
Motions.docx


Motions

Council Member Lydia Boesch

The Council having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, I move that the Council reprimand Council Member Lydia Boesch for her actions in circumventing the Village's established personnel policy to ensure that proper channels are followed when evaluating the performance of all Village Staff, including the Village Manager, so that all Village employees, agents and staff are treated fairly and impartially in the evaluation of their respective job performances. These actions unnecessarily and inappropriately created unease and uncertainty among Village Staff as to the Village Manager's continued employment status and potential impacts across the Staff, and they breach the Village's Code of Ethics.

Council Member Kevin Drum

The Council having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman, I move that the Council reprimand Council Member Kevin Drum for his actions in the unreasonably and inappropriately disrespectful content and tone of his communications with members of the Pinehurst Business Partners, which breach the Village's Code of Ethics.

From: Jeff Sanborn jsanborn@vopnc.org 
Subject: Oct 12 Motions
Date: October 11, 2021 at 1:23 PM
To: Jane Hogeman jhogeman@vopnc.org



Is this better?

Jeff



Oct 12
Motions.docx

Motions

Council Member Lydia Boesch

I move that the Council, having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, reprimand Council Member Lydia Boesch for her actions in circumventing the Village's established personnel policy to ensure that proper channels are followed when evaluating the performance of all Village Staff, including the Village Manager, so that all Village employees, agents and staff are treated fairly and impartially in the evaluation of their respective job performances. These actions unnecessarily and inappropriately created unease and uncertainty among Village Staff as to the Village Manager's continued employment status and potential impacts across the Staff, and they breach the Village's Code of Ethics.

Deleted: The Council having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, I move that the Council

Council Member Kevin Drum

I move that the Council, having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman, reprimand Council Member Kevin Drum for his actions in the unreasonably and inappropriately disrespectful content and tone of his communications with members of the Pinehurst Business Partners, which breach the Village's Code of Ethics.

Deleted: The Council having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman,

From: John Strickland jstrickland@vopnc.org 
Subject: Fwd: Oct 12 Motions
Date: October 11, 2021 at 2:38 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12. Please advise if you have suggestions
John

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff



Oct 12
Motions.docx

Motions

Council Member Lydia Boesch


I move that the Council, having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, reprimand Council Member Lydia Boesch for her actions in circumventing the Village's established personnel policy to ensure that proper channels are followed when evaluating the performance of all Village Staff, including the Village Manager, so that all Village employees, agents and staff are treated fairly and impartially in the evaluation of their respective job performances. These actions unnecessarily and inappropriately created unease and uncertainty among Village Staff as to the Village Manager's continued employment status and potential impacts across the Staff, and they breach the Village's Code of Ethics.

Deleted: The Council having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, I move that the Council

Council Member Kevin Drum



I move that the Council, having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman, reprimand Council Member Kevin Drum for his actions in the unreasonably and inappropriately disrespectful content and tone of his communications with members of the Pinehurst Business Partners, which breach the Village's Code of Ethics.



Deleted: The Council having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman,

From: John Strickland jstrickland@vopnc.org 
Subject: Fwd: Oct 12 Motions
Date: October 11, 2021 at 2:38 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12. Please advise if you have suggestions
 John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn [<jsanborn@vopnc.org>](mailto:jsanborn@vopnc.org)
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman [<jhogeman@vopnc.org>](mailto:jhogeman@vopnc.org), John Strickland [<jstrickland@vopnc.org>](mailto:jstrickland@vopnc.org)
Subject: FW: Oct 12 Motions

Sorry,
 I failed to add John to my response.

Jeff

Jeff Sanborn
 Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman [<jhogeman@vopnc.org>](mailto:jhogeman@vopnc.org)
Subject: Oct 12 Motions

Is this better?

Jeff

Open



Oct 12
Motions.docx

Motions

Council Member Lydia Boesch

I move that the Council, having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, reprimand Council Member Lydia Boesch for her actions in circumventing the Village's established personnel policy to ensure that proper channels are followed when evaluating the performance of all Village Staff, including the Village Manager, so that all Village employees, agents and staff are treated fairly and impartially in the evaluation of their respective job performances. These actions unnecessarily and inappropriately created unease and uncertainty among Village Staff as to the Village Manager's continued employment status and potential impacts across the Staff, and they breach the Village's Code of Ethics.

Deleted: The Council having heard the statements of Council Member Lydia Boesch, Village Police Chief Glen Webb and Village Human Resources Director Angie Kantor, and having received the advice Village Attorney Michael Newman, I move that the Council

Council Member Kevin Drum

I move that the Council, having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman, reprimand Council Member Kevin Drum for his actions in the unreasonably and inappropriately disrespectful content and tone of his communications with members of the Pinehurst Business Partners, which breach the Village's Code of Ethics.

Deleted: The Council having heard the statements of Council Member Kevin Drum, Katrin Franklin and Jim Nash, and having read email messages from Kevin Drum dated September 16 through October 3, 2021, and having received the advice of Village Attorney Michael Newman,

From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Oct 12 Motions
Date: October 11, 2021 at 2:43 PM
To: John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Will Glen, Angie, Katrin and Jim be there tomorrow?
 Should it be that the Council has "read" their statements rather than "heard"?

Jane

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12. Please advise if you have suggestions
 John

John Strickland
 Mayor

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
 I failed to add John to my response.

Jeff


Jeff Sanborn
 Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions



Is this better?



. . .

| Jett

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Oct 12 Motions
Date: October 11, 2021 at 2:43 PM
To: John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Will Glen, Angie, Katrin and Jim be there tomorrow?
 Should it be that the Council has "read" their statements rather than "heard"?

Jane
 Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12. Please advise if you have suggestions
 John

John Strickland
 Mayor

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
 I failed to add John to my response.

Jeff


0611

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff

From: Jeff Sanborn <jsanborn@vopnc.org> 

Subject: RE: Oct 12 Motions


Date: October 11, 2021 at 2:48 PM



To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>, Mike Newman <michaeln@vancampnlaw.com>

Cc: Judy Davis <jdavis@vopnc.org>

JS

Good point. I do not expect Angie and Glen to be there, though Angie may be because you will be talking about my annual evaluation in closed session during the work session.

Jeff Sanborn
Village Manager
Village of Pinehurst
395 Magnolia Road, Pinehurst, NC 28374
910-295-1900 x 1101  jsanborn@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors  Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Monday, October 11, 2021 2:43 PM
To: John Strickland <jstrickland@vopnc.org>; Mike Newman <michaeln@vancampnlaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Oct 12 Motions

Will Glen, Angie, Katrin and Jim be there tomorrow?
Should it be that the Council has "read" their statements rather than "heard"?

Jane
Jane Hogeman
Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancampnlaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline one of a time the two problems using the information from the two

can upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
Mayor

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff

From: Jeff Sanborn <jsanborn@vopnc.org>

Subject: RE: Oct 12 Motions

Date: October 11, 2021 at 2:48 PM

To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>, Mike Newman <michaeln@vancamplaw.com>

Cc: Judy Davis <jdavis@vopnc.org>

JS

Good point. I do not expect Angie and Glen to be there, though Angie may be because you will be talking about my annual evaluation in closed session during the work session.

From: Jane Hogeman <jhogeman@vopnc.org>

Sent: Monday, October 11, 2021 2:43 PM

To: John Strickland <jstrickland@vopnc.org>; Mike Newman <michaeln@vancamplaw.com>

Cc: Judy Davis <jdavis@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>

Subject: Re: Oct 12 Motions

Will Glen, Angie, Katrin and Jim be there tomorrow?

Should it be that the Council has "read" their statements rather than "heard"?

Jane

Jane Hogeman

Council Member

From: John Strickland <jstrickland@vopnc.org>

Sent: Monday, October 11, 2021 2:38 PM

To: Mike Newman <michaeln@vancamplaw.com>

Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>

Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland

Mayor

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.


Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Oct 12 Motions
Date: October 11, 2021 at 2:55 PM
To: Jeff Sanborn jsanborn@vopnc.org, John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org

JH

I changed it to "had" because Lydia and Kevin will likely speak.

Jane

From: Jeff Sanborn jsanborn@vopnc.org
Sent: Monday, October 11, 2021 2:48 PM
To: Jane Hogeman jhogeman@vopnc.org; John Strickland jstrickland@vopnc.org; Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org
Subject: RE: Oct 12 Motions

Good point. I do not expect Angie and Glen to be there, though Angie may be because you will be talking about my annual evaluation in closed session during the work session.

From: Jane Hogeman jhogeman@vopnc.org
Sent: Monday, October 11, 2021 2:43 PM
To: John Strickland jstrickland@vopnc.org; Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org; Jeff Sanborn jsanborn@vopnc.org
Subject: Re: Oct 12 Motions

Will Glen, Angie, Katrin and Jim be there tomorrow?
Should it be that the Council has "read" their statements rather than "heard"?

Jane
Jane Hogeman
Council Member

From: John Strickland jstrickland@vopnc.org
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org; Jane Hogeman jhogeman@vopnc.org; Jeff Sanborn jsanborn@vopnc.org
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will

call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
Mayor

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager


From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?



Jeff





Oct 12
Motions.docx

From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Oct 12 Motions
Date: October 11, 2021 at 2:55 PM
To: Jeff Sanborn jsanborn@vopnc.org, John Strickland jstrickland@vopnc.org, Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org

I changed it to "had" because Lydia and Kevin will likely speak.

Jane
 Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Jeff Sanborn <jsanborn@vopnc.org>
Sent: Monday, October 11, 2021 2:48 PM
To: Jane Hogeman <jhogeman@vopnc.org>; John Strickland <jstrickland@vopnc.org>; Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>
Subject: RE: Oct 12 Motions

Good point. I do not expect Angie and Glen to be there, though Angie may be because you will be talking about my annual evaluation in closed session during the work session.

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Monday, October 11, 2021 2:43 PM
To: John Strickland <jstrickland@vopnc.org>; Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Oct 12 Motions

Will Glen, Angie, Katrin and Jim be there tomorrow?
 Should it be that the Council has "read" their statements rather than "heard"?

Jane
 Jane Hogeman
 Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>

Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>

Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions
John

John Strickland
Mayor

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff



Oct 12
Motions.docx

From: John Strickland jstrickland@vopnc.org
Subject: Fwd: Council policies and ethics issues
Date: October 11, 2021 at 4:01 PM
To: Jane Hogeman jhogeman@vopnc.org, Judy Davis jdavis@vopnc.org, John Strickland jstrickland@vopnc.org

For your quick review, but let me know if I have missed anything and I will work it in.

Begin forwarded message:

From: John Strickland <jstrickland@vopnc.org>
Date: October 11, 2021 at 3:59:21 PM EDT
To: John Strickland <jstrickland@vopnc.org>
Subject: Council policies and ethics issues

Group: during the last several days I have become increasingly aware that Village staff and members of the public are confused and concerned about two issues which involve members of the Village Council and, therefore, the Village Council itself. First, there is continuing uncertainty, and rumor, about the employment status of our Village Manager based on the contact initiated by Lydia Boesch to senior staff and others. And second, there is concern especially in the business community about relations with Village government based on recent interaction with Kevin Drum. Both of these problems have occurred due to violations of Council and/or ethical policies.

In order for the Council to respond appropriately to these concerns, I have submitted information to the Village Attorney, Mike Newman, regarding each of these situations. Mike has agreed to attend tomorrow's Council meeting and guide a discussion of these problems during Other Business on our Regular meeting agenda. I will shortly forward to you the documents which have been submitted to Mike. You will already have other emails from recent weeks which relate to these matters. I hope that the discussion will reach a conclusion as to what Council action, if any, should be taken. And I especially hope the discussion will deter rumors, innuendos, and action by Council members which violate our policies and good ethical behavior.

Sincerely,
John



From: Jane Hogeman jhogeman@vopnc.org
Subject: Re: Council policies and ethics issues
Date: October 11, 2021 at 4:03 PM
To: John Strickland jstrickland@vopnc.org, Judy Davis jdavis@vopnc.org

Thank you, John.

This looks good to me.

Jane

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 4:01 PM
To: Jane Hogeman <jhogeman@vopnc.org>; Judy Davis <jdavis@vopnc.org>; John Strickland <jstrickland@vopnc.org>
Subject: Fwd: Council policies and ethics issues

For your quick review, but let me know if I have missed anything and I will work it in.

John Strickland
Mayor

Begin forwarded message:

From: John Strickland <jstrickland@vopnc.org>
Date: October 11, 2021 at 3:59:21 PM EDT
To: John Strickland <jstrickland@vopnc.org>
Subject: Council policies and ethics issues

Group: during the last several days I have become increasingly aware that Village staff and members of the public are confused and concerned about two issues which involve members of the Village Council and, therefore, the Village Council itself. First, there is continuing uncertainty, and rumor, about the employment status of our Village Manager based on the contact initiated by Lydia Boesch to senior staff and others. And second, there is concern especially in the business community about relations with Village government based on recent interaction with Kevin Drum. Both of these problems have occurred due to violations of Council and/or ethical policies.

In order for the Council to respond appropriately to these concerns, I have submitted information to the Village Attorney, Mike Newman, regarding each of these situations. Mike has agreed to attend tomorrow's Council meeting and guide a discussion of these problems during Other Business on our Regular meeting agenda. I will shortly forward to you the documents which have been submitted to Mike. You will already have other emails from recent weeks which relate to these matters. I hope that the discussion will reach a conclusion as to what Council action, if any, should be taken. And I especially hope the discussion will deter rumors, innuendos, and action by Council members which violate our policies and good ethical behavior.

Sincerely,
John

From: Judy Davis jdavis@vopnc.org
Subject: Re: Council policies and ethics issues
Date: October 11, 2021 at 4:13 PM
To: Jane Hogeman jhogeman@vopnc.org, John Strickland jstrickland@vopnc.org

JD

Thank you, John. Looks good as well.

Should 1st sentence of 2nd para be connected to the copy that follows?

Judy

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Monday, October 11, 2021 4:03 PM
To: John Strickland <jstrickland@vopnc.org>; Judy Davis <jdavis@vopnc.org>
Subject: Re: Council policies and ethics issues

Thank you, John.

This looks good to me.

Jane

Jane Hogeman
 Council Member

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 4:01 PM
To: Jane Hogeman <jhogeman@vopnc.org>; Judy Davis <jdavis@vopnc.org>; John Strickland <jstrickland@vopnc.org>
Subject: Fwd: Council policies and ethics issues

For your quick review, but let me know if I have missed anything and I will work it in.

John Strickland
 Mayor

Begin forwarded message:

From: John Strickland <jstrickland@vopnc.org>
Date: October 11, 2021 at 3:59:21 PM EDT
To: John Strickland <jstrickland@vopnc.org>
Subject: Council policies and ethics issues

Group: during the last several days I have become increasingly aware that Village staff and members of the public are confused and concerned about two issues which involve members of the Village Council and, therefore, the Village Council itself. First, there is continuing uncertainty, and rumor, about the employment status of our Village Manager based on the contact initiated by Lydia Boesch to senior staff and others. And second, there is concern especially in the business community about relations with Village government based on recent interaction with Kevin Drum. Both of these problems have occurred due to violations of Council and/or ethical policies.

In order for the Council to respond appropriately to these concerns, I have submitted information to the Village Attorney, Mike Newman, regarding each of these situations.

Mike has agreed to attend tomorrow's Council meeting and guide a discussion of these problems during Other Business on our Regular meeting agenda. I will shortly forward to you the documents which have been submitted to Mike. You will already have other emails from recent weeks which relate to these matters. I hope that the discussion will reach a conclusion as to what Council action, if any, should be taken. And I especially hope the discussion will deter rumors, innuendoes, and action by Council members

action, if any, should be taken. And I especially hope the discussion will deter rumors, innuendos, and action by Council members which violate our policies and good ethical behavior.

Sincerely,
John

From: John Strickland jstrickland@vopnc.org 

Subject: Documents pertaining to Tuesday's Discussion concerning Kevin Drum

Date: October 11, 2021 at 4:28 PM

To: CouncilMembers CouncilMembers@vopnc.org, Mike Newman michaeln@vancamplaw.com, Jeff Sanborn jsanborn@vopnc.org



Ethics Policy-
Council.pdf



Jim Nash
Statement.pdf



Katrin Franklin
Statement.pdf

From: Jane Hogeman jhogeman@vopnc.org
Subject: Fw: (EMAIL THREAD 4) Notice of Threatening Emails from PBP Member Business and Village Council Member
Date: October 11, 2021 at 4:47 PM
To: John Strickland jstrickland@vopnc.org

From: contact@pinehurstbusinesspartners.com
 <contact@pinehurstbusinesspartners.com>
Sent: Friday, September 24, 2021 4:42 PM
To: John Strickland <jstrickland@vopnc.org>; Lydia Boesch <lboesch@vopnc.org>; Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; abbymgibson@gmail.com <abbymgibson@gmail.com>; amanda@pinehurstlivingmagazine.com <amanda@pinehurstlivingmagazine.com>; greg@pinehurstlivingmagazine.com <greg@pinehurstlivingmagazine.com>; holly@kirk tours.com <holly@kirk tours.com>; info@thebumpandbaby.com <info@thebumpandbaby.com>; josephb@spoton.com <josephb@spoton.com>; mldavis8@ncsu.edu <mldavis8@ncsu.edu>; pinehurst@discoverymap.com <pinehurst@discoverymap.com>; raekinney99@gmail.com <raekinney99@gmail.com>; sbharrison@earthlink.net <sbharrison@earthlink.net>
Subject: (EMAIL THREAD 4) Notice of Threatening Emails from PBP Member Business and Village Council Member

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

Subject: Re: The Shoppe Girls: Fri-nally back at diVine Lounge!!! 🍷
Date: 2021-09-23 12:10
From: contact@pinehurstbusinesspartners.com
To: Kevin Drum <KDrum@drumandquill.com>
Cc: abbymgibson@gmail.com, amanda@pinehurstlivingmagazine.com, greg@pinehurstlivingmagazine.com, holly@kirk tours.com, info@thebumpandbaby.com, josephb@spoton.com, mldavis8@ncsu.edu, pinehurst@discoverymap.com, raekinney99@gmail.com

Rae Anne is a member of Pinehurst Business Partners.

Thanks,

K

On 2021-09-22 20:46, Kevin Drum wrote:

Now your promoting bands? Are you lost? Your the president of a member marketing association ?

Sent from my iPhone:

Kevin Drum, Brand Evangelist
Drum & Quill

Cocktails and Kitchen

[40 Chinquapin Road](#)

[Pinehurst, NC 28374](#)

[\(910\)295-3193](#)

[DrumandQuill.com](#)

[KDrum@DrumandQuill.com](#)

On Sep 22, 2021, at 11:44 PM, contact@pinehurstbusinesspartners.com wrote:

Hey, all!

Please see the latest newsletter from The Shoppe Girls attached!

Xoxo,

Katrin & Team

Katrin Franklin, Bump & Baby, LLC//Piggy + Co Southern Pines

Holly Kirk, Kirk Tours & Limousine

Rae Anne Kinney, Pinescone Cafe (2 Locations!)

Meghan Davis, Cooper & Bailey's

Abby Gibson, Elizabeth Darcy

Amanda Jakl, Pinehurst Living Magazine//Purple Thistle Kitchen & Co.

Laura Byers, Discovery Map of the Sandhills & Western NC

Joe Bologna, Spot On Small Business Solutions

From:

Sent: Tuesday, September 21, 2021 9:24 PM

To:

Subject: Fri-nally back at diVine Lounge!!! 🍷



<diVine-09-24.jpg>



From: Jane Hogeman jhogeman@vopnc.org
Subject: Fw: Notice of Threatening Emails from PBP Member Business and Village Council Member
Date: October 11, 2021 at 5:07 PM
To: CouncilMembers CouncilMembers@vopnc.org, Jeff Sanborn jsanborn@vopnc.org, Michael Newman (michaeln@vancamplaw.com) michaeln@vancamplaw.com

All:

These are the emails referred to in John's message. There are 8 emails being forwarded.

Jane

Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: contact@pinehurstbusinesspartners.com
 <contact@pinehurstbusinesspartners.com>
Sent: Friday, September 24, 2021 4:39 PM
To: John Strickland <jstrickland@vopnc.org>
Cc: Lydia Boesch <lboesch@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Judy Davis <jdavis@vopnc.org>; abbymgibson@gmail.com <abbymgibson@gmail.com>; amanda@pinehurstlivingmagazine.com <amanda@pinehurstlivingmagazine.com>; greg@pinehurstlivingmagazine.com <greg@pinehurstlivingmagazine.com>; holly@kirktrips.com <holly@kirktrips.com>; info@thebumpandbaby.com <info@thebumpandbaby.com>; josephb@spoton.com <josephb@spoton.com>; mldavis8@ncsu.edu <mldavis8@ncsu.edu>; pinehurst@discoverymap.com <pinehurst@discoverymap.com>; raekinney99@gmail.com <raekinney99@gmail.com>; sbharrison@earthlink.net <sbharrison@earthlink.net>
Subject: Notice of Threatening Emails from PBP Member Business and Village Council Member

Hey, Village Council!

I am writing this email to make a public statement about harassing emails I am receiving from Village Council Member and Candidate, Kevin Drum. For this reason, he is excluded from this message.

Jim Nash of Duneberry hosted a meet and greet for Village Council Candidate Patrick Pizzella yesterday at his store, and sent out an email blast to his newsletter subscribers, including Pinehurst Business Partners. It is our policy to share emails and newsletters of our paid members.

Pinehurst Business Partners has always supported the Village Council and its candidates; seeing as both organizations both seek to enrich and engage Pinehurst, NC residents, visitors, and business owners. Many of you have spoken with the Pinehurst Business

visitors, and business owners. Many of you have spoken with the Pinehurst Business Partners board both during campaigning and since, and I think we all agree the growing relationship is positive and heartfelt. Our board meetings are open to the public, and our monthly mixers are also public; although we appreciate businesses that choose to be a paid member, we do not turn anyone away.

The previous President, Marty McKenzie, often held political meet and greets and debates. Our board has chosen to not do that, but we do support any Village Council candidate getting to know their constituents. After Kevin's initial email, I realized that he may not have known that we have always supported the Village Council - himself included, even though he used us to campaign during the last election - so I sent an email to each individual running for Village Council, reminding them that we encourage them to get to know the village businesses. Kevin never responded to that email, but Jeff Morgan and Emily Stack have. Emily Stack had already contacted PBP about meeting and chatting with the board, and Jeff Morgan reached out to me later that day in person. Upon sending the original email blast, I have been aggressively berated by Kevin Drum. In the following emails, I am putting on the record our conversation, as he is making threats now about my business, my home, and my position with Pinehurst Business Partners. The board has been briefed on this entire situation, copied on all emails, and are also copied on this email to you. Please excuse the mess; I will send the emails to you in order and label them, although the timeline is not nearly as significant as his language and threats to my business, personal life, and the mention of my home. He has also phoned various members of the board, as late as 10pm, using abusive language and tenor.

I don't expect or desire any action, necessarily, I just want everyone to be aware. Besides Kevin, the feedback about this has been outstanding, and many businesses emailed that they planned to attend Duneberry's event and love that we encourage open communication between the businesses and candidates.

I greatly appreciate each of you and your unwavering support over the years and I am embarrassed this has happened.

At Kevin Drum's request, we are returning his Membership Application and checks for Membership fees and the Holly Arts & Crafts Festival when we receive them. He has also been taken off of all of our email lists.

With love,
Katrin

From: Jane Hogeman jhogeman@vopnc.org
Subject: Additional emails
Date: October 11, 2021 at 5:23 PM
To: Judy Davis jdavis@vopnc.org, John Strickland jstrickland@vopnc.org



On October 6 John forwarded to me and the two Jeffs two more emails between Katrin and Kevin that Judy sent to John on October 5. These emails were dated October 3.

These should be circulated, but Judy or John, you may have them in their original format.

Jane



**Code of Ethics for the
Village Council of the Village of Pinehurst, North Carolina**

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this Village, and with obeying the law, and

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Village of Pinehurst, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Village Council do hereby adopt the following General Principles and Code of Ethics to guide the Village Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Council members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Council members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens.
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Council members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Council members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official

must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Village Council and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Council members should obey all laws applicable to their official actions as members of the board. Council members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, Council members should feel free to assert policy positions and opinions without fear of reprisal from fellow council members or citizens. To declare that a council member is behaving unethically because one disagrees with that council member on a question of policy (and not because of the council member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Council members should endeavor to keep up to date, through the village attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Section 2. Council members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values.
- Behaving consistently and with respect toward everyone with whom they interact.
- Exhibiting trustworthiness.
- Living as if they are on duty as elected officials regardless of where they are or what they are doing.
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner.
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others.
- Disclosing contracts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves.
- Treating other council members and the public with respect and honoring the opinions of others even when the council members disagree with those opinions.
- Not reaching conclusions on issues until all sides have been heard.
- Showing respect for their offices and not behaving in ways that reflect badly on those offices.
- Recognizing that they are part of a larger group and acting accordingly.

- Recognizing that individual council members are not generally allowed to act on behalf of the council but may only do so if the council specifically authorizes it, and the council must take official action as a body.

Section 3. a. Council members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the council member's action would conclude that the action was inappropriate.

Section 3. b. If a Council member believes that his or her actions, while legal and ethical, may be misunderstood, the members should seek the advice of the village attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Council members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned. Council members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the council has authority.

Council members should be willing to bear their fair share of the council's workload. To the extent appropriate, they should be willing to put the council's interests ahead of their own.

Section 5. Council members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to council members or their employees.

In order to ensure strict compliance with the laws concerning openness, council members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the council are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

October 10, 2021

Mike Newman, Esq.
Attorney for Village of Pinehurst (VOP)
c/o John Strickland, Major VOP

Dear Mr. Newman:

It was requested that I write you concerning my knowledge and interaction with VOP Council member Kevin Drum over the last few weeks.

In August, I was asked by one of the members of Patrick Pizzella's campaign if I would host a Meet and Greet for him – Pat's wife shops in our retail store and Pat has been a frequent visitor to the store...I enthusiastically agreed to host an event at our store in the Village on September 23, 2021 at 5:00 PM.

Since many Meet and Greets were planned around Pinehurst, I decided to keep the invitation list to those mainly in the Historical Village or that are a stakeholder in the Village. As a member of Pinehurst Business Partners I asked Katrin (President) if she would announce the event as they do any other PBP activity/event of members. Email Invitations went out to two email lists Katrin has access to, of mainly Historical Village people. The first emailing was September 16th and 17th and a reminder to these lists again on September 23rd.

On the 16th shortly after the invite went out, I was made aware by Katrin that both Kevin Drum and Lydia Boesch (VOP Council members) had contacted her and objected to PBP promoting my Meet and Greet for candidate Pizzella. I was copied only in correspondence where my name or store name was used. I believe you have copies of all the various emails including additional emails and record of in-person confrontations between Katrin, Kevin Drum and Lydia Boesch.

Kevin Drum also contacted me directly on September 16th stating:

"So this is not a Business Partners Meeting this has a campaign fundraiser? I will attend a Pinehurst Business Partners Meeting but not sure if this is both or just a fundraiser for a candidate?"

To which I DID NOT reply.

He again wrote me the same day with:

"I am trying to get a answer since this is from the board of Pinehurst Business Partners is this a Pinehurst Business Partners Meeting or is this a third party fundraiser? I'm so confused on what this is? I want to attend all Pinehurst Business Partners Meetings but not interested in attending a trade organization fundraiser for a candidate."

So Jim what is this? It looks like a official meeting of Pinehurst Busiess Partners? Is that correct? Ot is the database being used to support a candidate in the form of a Pinehurst Busiess Partners era Meeting? As I member I want clarity?"

[bty he is not a member of PBP]

I responded with:

"Kevin: I was asked by an unrelated third-party if we would host a Meet & Greet for Pat for Village merchants and others who work in the Village, which I agreed to host. Since I don't have an email list for the Village, I asked PBP if they would announce our activity as they do for all other PBP members who have various events in their stores. This is a DuneBerry event to introduce a new candidate to anyone interested to come. This is not in any way a PBP meeting nor a fundraiser. It is my understanding PBP made the same offer to all candidates that are PBP members, or any Village merchant who is a PBP member and wishes to host a candidates Meet & Greet - all could be announced by PBP to PBP members if they wish to do a similar activity. PBP is doing what it normally does in passing along event information of their members - DuneBerry or any business should be able to host these type of Meet and Greets if they so choose...Hopefully this clarifies this situation."

On Septmeber 23rd Kevin again wrote me:

"It does finally - its not a official meeting of the Pinehurst Busiess Partners - finally my questions is answered. And no a offer was not made to all candidate until I complained this is not a function of the busiess partners mailing list so this not true - it happened after I commented.

Now Katrin just emailed me and insulted me so I will not be attending.

But agree - you should be able to host anything for anyone anytime but organizations that are supposed to work for all - not just one - for all - usually dont use their lists in this way so I will not request a meet a greet promoted through Pinehurst Busiess Partners becuase I domino think its a proper.

I dont want to be hypocrite so I dont think this invitation should have occurred wiht all board members names on the bottom as it did and I think its extremely bad form.

Hope you have a successful event and next zi will be emailing Katrin about her insulting email which again is improper."

To which I still have NOT replied.

[bty all the misspellings in the *italicized* Drum emails herein were his]

I have been trying to give Katrin sound advise through this entire ordeal, as has her PBP Board members, who are all in 100% support of her and everything she has done in this manner.

Because I was copied on correspondence which my name or business name was used, I am privy to most of the abuse heaped in Katrin by Kevin Drum. I am personally appalled at the repeated bullying, threats, abuse and name calling as-well-as calling for her resignation as President of PBP – this is unconscionable behavior for any Village merchant to another merchant, let alone coming from a VOP Council member. I feel Kevin's behavior is also a very bad reflection on the entire VOP admin/council and its unbelievable he would do this during a re-election campaign. There should be rules of conduct and decorum for VOP Council and they should be enforced! One of His four points to his campaign promise is "Civility" [*politeness and courtesy in behavior or speech*] He just failed the Civility test! A growing number of people in the community now know about this and the awareness is growing...for my two cents, it needs to be dealt with in the sternest way possible without delay.

I am available any time if you wish clarity on any of these matters.

Respectfully,

Jim Nash, Owner
DuneBerry Resort Wear
Resident of Pinehurst
JRNash@DuneBerry.com
(231) 645-2526

From: contact@pinehurstbusinesspartners.com

Date: October 7, 2021 at 9:13:33 PM EDT

To: John Strickland <jstrickland@vopnc.org>

Cc: Jane Hogeman <jhogeman@vopnc.org>, Judy Davis <jdavis@vopnc.org>, Lydia Boesch <lboesch@vopnc.org>, abbymgibson@gmail.com, amanda@pinehurstlivingmagazine.com, greg@pinehurstlivingmagazine.com, Holly Kirk <holly@kirktours.com>, Info@thebumpandbaby.com, josephb@spoton.com, mldavis8@ncsu.edu, pinehurst@discoverymap.com, raekinney99@gmail.com, sbharrison@earthlink.net

Subject: Pinehurst Business Partners: A Request for Support

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Newman,

I hope this email serves as a small glimpse into the past few weeks for the Pinehurst Business Partners board and I.

As you may know, it is within our policy to share any member emails and newsletters, to which I did on Thursday, September 16th, when I shared a member business's email regarding a Meet and Greet for Village Council candidate, Patrick Pizzella. The responses rolled in, in either interest or appreciation. It has always been a value of Pinehurst Business Partners to share and support Village Center ongoings, and we are especially proud of our growing relationship and partnership with the Village of Pinehurst. Most Village Council candidates and elected members have spent time chatting with the board and members, speaking at public meetings, etc. It is not uncommon for community members to announce and discuss their candidacy at our meetings and it is important to us that our member businesses and residents have access to these types of relationships within their community, demystifying the gap between town government and its constituents.

Less than one hour after sending the email blast, I was berated by business owner and Village Council member and candidate, Kevin Drum. Over the next few weeks, the emails intensified, with name calling and language in unparalleled unprofessionalism. Kevin Drum threatened to "expose lies", "tell The Pilot", "tell everyone", "force a resignation", on and on. You will see the volatile nature of these emails in the copies that I have provided to the Village Council. When Kevin Drum did not receive a response from me that was to his liking, despite my time and effort to be kind and informative, he emailed or phoned other members of the board or neighboring member businesses, often late at night, to question and harass them, seemingly in hopes of escalating the issue to reflect his mission to "take over" the board.

Most of Kevin Drum's questions, or rather, intimidating accusations, could be answered by regular attendance to meetings and membership, which he does not historically participate in. Averaging 1-2 meetings a year, which are held monthly, and having never attended a board meeting (even when he was the Village of Pinehurst Council Member liaison for the Pinehurst Business Partners organization) or voting session, I can see why he understands so little about


our organization and its Mission Vision Values. Despite my lengthy replies, Kevin Drum remained irate and inconsolable, and instructed me to cancel his 2021 Membership application and check (which had been remitted in mid September, instead of January/February like the rest of our paying and participating members.) A few days later, he called an event committee member and left her a voicemail instructing her to cash his check. The following day, he made an appearance at our September monthly mixer held at a member business, and was friendly, interested, and engaged in conversation. Caring less about formality, and with the positive feedback at the meeting, the board approved to accept this apparent change of heart. We were hopeful this was behind us, and I emailed him with "welcome" information about our website, events, and initiatives, and a thank-you for stepping into more of a participative role. That email was, however, once again, met with total disdain and disrespect, as if he had no recollection of the previous directives to cancel his membership or his friendly demeanor at the meeting just a few nights previous. Seeing that this vicious cycle was likely to continue, I chose not to respond to him and spoke directly with John Strickland, Jane Hogeman, and Jeff Batton, instead.

It is here that I leave you with this letter.

Thank you for your time and attention to this matter.

Katrin Franklin, President
Pinehurst Business Partners
3 Market Square
Pinehurst, NC 28374
910-420-865
www.pinehurstbusinesspartners.com



From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Oct 12 Motions
Date: October 12, 2021 at 6:21 AM
To: John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

This approach is fine. I will be there. Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way.

I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671 ✉ jstrickland@vopnc.org ✉ www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. ✨ Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors ✨ Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn <jсанborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.


Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff

From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Oct 12 Motions
Date: October 12, 2021 at 6:33 AM
To: John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org, Jeff Sanborn jsanborn@vopnc.org



CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Just a thought: the phrase “having received the advice of the Village Attorney...,” might better read “and having confirmed through the Village Attorney that the Council possesses the authority to address perceived transgressions by Council members of the Code of Ethics for the Village Council...” Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way.

I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671 ✉ jstrickland@vopnc.org ✉ www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. ✉ Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors ✉ Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff

From: John Strickland jstrickland@vopnc.org 
Subject: Re: Oct 12 Motions
Date: October 12, 2021 at 6:41 AM
To: Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Good morning, Mike. Thank you for the update.
John

Sent from my iPhone

On Oct 12, 2021, at 6:33 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Just a thought: the phrase “having received the advice of the Village Attorney...,” might better read “and having confirmed through the Village Attorney that the Council possesses the authority to address perceived transgressions by Council members of the Code of Ethics for the Village Council....” Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from

the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671

<image001.png>
jstrickland@vopnc.org
 <image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn <j-sanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
 I failed to add John to my response.

Jeff

Jeff Sanborn
 Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

|



Jeff





From: John Strickland jstrickland@vopnc.org 
Subject: Re: Oct 12 Motions
Date: October 12, 2021 at 6:42 AM
To: Mike Newman michaeln@vancamplaw.com
Cc: Judy Davis jdavis@vopnc.org, Jane Hogeman jhogeman@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Good morning, Mike. Thank you for the update.
John

Sent from my iPhone

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671  jstrickland@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  *Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors*  *Values: Service, Initiative, Teamwork, Improvement.*

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

On Oct 12, 2021, at 6:33 AM, Mike Newman <michaeln@vancamplaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Just a thought: the phrase “having received the advice of the Village Attorney...,” might better read “and having confirmed through the Village Attorney that the Council possesses the authority to address perceived transgressions by Council members of the Code of Ethics for the Village Council...” Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM

Sent: Monday, October 11, 2021 2:00 PM

To: Mike Newman <michaeln@vancamplaw.com>

Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>

Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way. I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671

<image001.png>
jstrickland@vopnc.org
<image001.png>
www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

<image001.png>

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors

<image001.png>

Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn <j-sanborn@vopnc.org>

Date: October 11, 2021 at 1:27:54 PM EDT

To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>

Subject: FW: Oct 12 Motions

Sent:

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn

Sent: Monday, October 11, 2021 1:24 PM


To: Jane Hogeman <jhogeman@vopnc.org>

Subject: Oct 12 Motions

Is this better?

Jeff







From: Jane Hogeman jhogeman@vopnc.org 
Subject: Re: Oct 12 Motions
Date: October 12, 2021 at 10:02 AM
To: Mike Newman michaeln@vancamplaw.com, John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

Thank you, Mike.

I have updated the draft motions to include your suggestions, and Jeff's from yesterday.

Jane

Jane Hogeman
 Council Member
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors  Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Tuesday, October 12, 2021 6:33 AM
To: John Strickland <jstrickland@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: RE: Oct 12 Motions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Just a thought: the phrase "having received the advice of the Village Attorney..." might better read "and having confirmed through the Village Attorney that the Council possesses the authority to address perceived transgressions by Council members of the Code of Ethics for the Village Council..." Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, disseminate, distribute, or take any action in reliance on the contents of this information. If you have received this in error, please notify the sender immediately by e-mail.

print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way.

I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
 Mayor
 Village of Pinehurst
 395 Magnolia Rd, Pinehurst, NC 28374
 (910) 420-1671 🌿 jstrickland@vopnc.org 🌿 www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. 🌿 Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors 🌿 Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn <jsanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
 I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager


From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff



Oct 12
Motions.docx

From: Mike Newman michaeln@vancamplaw.com 
Subject: RE: Oct 12 Motions
Date: October 12, 2021 at 10:05 AM
To: Jane Hogeman jhogeman@vopnc.org, John Strickland jstrickland@vopnc.org
Cc: Judy Davis jdavis@vopnc.org, Jeff Sanborn jsanborn@vopnc.org

MN

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks!

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com



CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.



From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Tuesday, October 12, 2021 10:02 AM
To: Mike Newman <michaeln@vancamplaw.com>; John Strickland <jstrickland@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Re: Oct 12 Motions

Thank you, Mike.

I have updated the draft motions to include your suggestions, and Jeff's from yesterday.

Jane

Jane Hogeman
Council Member
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 295-1900  jhogeman@vopnc.org  www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.  Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors  Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Tuesday, October 12, 2021 6:33 AM
To: John Strickland <jstrickland@vopnc.org>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: RE: Oct 12 Motions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Just a thought: the phrase “having received the advice of the Village Attorney...,” might better read “and having confirmed through the Village Attorney that the Council possesses the authority to address perceived transgressions by Council members of the Code of Ethics for the Village Council...” Thanks.

Michael J. Newman
VanCamp, Meacham & Newman, PLLC
Two Regional Circle
P. O. Box 1389
Pinehurst, NC 28370
Fax : 910-235-0233
Main : 910-295-2525
michaeln@vancamplaw.com

CONFIDENTIALITY NOTICE - This message is intended exclusively for the individual or entity to which it is addressed and may be a communication to or from an attorney, client or the courts. As such it is privileged and may contain confidential or proprietary information. If you have received this in error and/or are not the intended recipient, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender by email and delete all copies of this message. Failure to comply with this notice may result in legal action.

From: John Strickland <jstrickland@vopnc.org>
Sent: Monday, October 11, 2021 2:38 PM
To: Mike Newman <michaeln@vancamplaw.com>
Cc: Judy Davis <jdavis@vopnc.org>; Jane Hogeman <jhogeman@vopnc.org>; Jeff Sanborn <jsanborn@vopnc.org>
Subject: Fwd: Oct 12 Motions

Mike, we are proceeding tomorrow on a slightly different path. Rather than distribute and vote on the censure motion, we have discussed today using a simpler motion after to be made after Council discussion. In your absence, Jane and Jeff have authored these, to be found in the attachment below. I hope they are satisfactory to you. I will be circulating the two statements and the ethics policy for each case to the Council members, Jeff Sanborn and you.

The procedure remains basically the same. I will open the subject in Other Business. I will call upon you to outline, one at a time, the two problems, using the information from the two resolutions you prepared. I will then ask Lydia or Kevin to make whatever comments they wish, followed by comments from other Council members. There may be some back and forth among Council members, and I will try to manage that in a fair way.

I will call for a motion and second and ask for a vote. I do not want to postpone this decision to another time. I feel that Village government and residents are best served by having these situations dealt with on October 12.

Please advise if you have suggestions

John

John Strickland
Mayor
Village of Pinehurst
395 Magnolia Rd, Pinehurst, NC 28374
(910) 420-1671 ✉ jstrickland@vopnc.org ✉ www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. ✿ Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors ✿ Values: Service, Initiative, Teamwork, Improvement.

Pursuant to North Carolina General Statutes, Chapter 132, et.seq., this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to requests for review.

Begin forwarded message:

From: Jeff Sanborn <j-sanborn@vopnc.org>
Date: October 11, 2021 at 1:27:54 PM EDT
To: Jane Hogeman <jhogeman@vopnc.org>, John Strickland <jstrickland@vopnc.org>
Subject: FW: Oct 12 Motions

Sorry,
I failed to add John to my response.

Jeff

Jeff Sanborn
Village Manager

From: Jeff Sanborn
Sent: Monday, October 11, 2021 1:24 PM
To: Jane Hogeman <jhogeman@vopnc.org>
Subject: Oct 12 Motions

Is this better?

Jeff

