

2

Lydia Boesch

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Friday, October 8, 2021 2:28 PM
To: Jeff Sanborn; Mike Newman; John Strickland
Cc: Judy Davis
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

Thank you, Mike.

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

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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

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3

Lydia Boesch

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Friday, October 8, 2021 3:22 PM
To: Jeff Sanborn; John Strickland
Cc: Judy Davis; Jane Hogeman
Subject: Revised Draft (Censure Resolution of Lydia Boesch)
Attachments: RESOLUTION OF CENSURE FOR COUNCIL MEMBER LYDIA BOESCH.FINAL.docx

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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
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Pinehurst, NC 28370
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Lydia Boesch

4

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Friday, October 8, 2021 4:31 PM
To: John Strickland; Mike Newman
Cc: Jeff Sanborn; Judy Davis
Subject: Re: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

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

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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:

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2. Statement of Police Chief Glenn Webb;
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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
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Pinehurst, NC 28370
Fax : 910-235-0233
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michaeln@vancamlaw.com

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<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>

Lydia Boesch

From: John Strickland <jstrickland@vopnc.org>
Sent: Friday, October 8, 2021 5:17 PM
To: Mike Newman
Cc: Jeff Sanborn; Judy Davis; Jane Hogeman
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

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

Lydia Boesch

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Saturday, October 9, 2021 6:39 AM
To: John Strickland
Cc: Jeff Sanborn; Judy Davis; Jane Hogeman
Subject: RE: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

6

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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
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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

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6. I will announce the result of each vote.

Lydia Boesch

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Saturday, October 9, 2021 9:36 AM
To: John Strickland; Mike Newman
Cc: Jeff Sanborn; Judy Davis
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

①

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

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From: John Strickland <jstrickland@vopnc.org>
Sent: Saturday, October 9, 2021 8:02 AM
To: Mike Newman <michaeln@vancamlaw.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@vancamlaw.com> wrote:

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Lydia Boesch

From: Judy Davis <jdavis@vopnc.org>
Sent: Saturday, October 9, 2021 10:52 AM
To: John Strickland
Cc: Jane Hogeman; Mike Newman; Jeff Sanborn
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

8

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

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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.

Lydia Boesch

From: Jane Hogeman <jhogeman@vopnc.org>
Sent: Saturday, October 9, 2021 12:06 PM
To: Judy Davis; John Strickland
Cc: Mike Newman; Jeff Sanborn
Subject: Re: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

9

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
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395 Magnolia Rd, Pinehurst, NC 28374
(910) 295-1900 ✉ jhogeman@vopnc.org ✉ www.vopnc.org

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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>
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Judy

Sent from my iPhone

Judy Davis
Council Member

Lydia Boesch

10

From: Mike Newman <michaeln@vancamplaw.com>
Sent: Saturday, October 9, 2021 2:50 PM
To: Jane Hogeman; Judy Davis; John Strickland
Cc: Jeff Sanborn
Subject: RE: Procedure: Requested Censure Resolutions for Kevin Drum and Lydia Boesch

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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
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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>
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Jane

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Council Member