

Amy Harvey

From: Jeanette Coffin
Sent: Monday, October 11, 2021 9:18 AM
To: Gray, Virginia
Cc: Colleen Willger; Adam Searing; Allen Buansi; Amy Ryan; Andrew Creech; Camille Berry; Hongbin Gu; Jeanne Brown; Jeffrey Hoagland; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Paris Miller-Foushee; Robert Beasley; Tai Huynh; Vimala Rajendran; Zachary Boyce; Amy Harvey; Ann Anderson; Carolyn Worsley; Laura Selmer; Loryn Clark; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: [Nextstepchalt] Advisory Board Recusal for Landuse Decisions

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin
Office Assistant
[Town of Chapel Hill Manager's Office](#)
[405 Martin Luther King Jr. Blvd.](#)
[Chapel Hill, NC 27514](#)
(o) 919-968-2743 | (f) 919-969-2063

From: Gray, Virginia [mailto:vagray@email.unc.edu]
Sent: Friday, October 8, 2021 8:14 PM
To: Nextstepchalt <nextstepchalt@gaggle.email>; Town Council <mayorandcouncil@townofchapelhill.org>
Subject: Re: [Nextstepchalt] Advisory Board Recusal for Landuse Decisions

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Good for you, Will. These seem to be very sensible principles. I hope the Council will agree.
Virginia

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From: Will Raymond via Nextstepchalt <nextstepchalt+campaign_at_willraymond.org@gaggle.email>
Sent: Friday, October 8, 2021 5:03:18 PM

To: mayorandcouncil@townofchapelhill.org <mayorandcouncil@townofchapelhill.org>

Subject: [Nextstepchalt] Advisory Board Recusal for Landuse Decisions

Dear Council,

You are being asked to modify the rules for Advisory Board members involved in land-use decisions that directly affect their bottom line.

As you know, there has been substantial concern by the public with sitting members of key advisory panels who have a self-interest in the projects before them.

There was the Sawmill project, where the board member who owned the land and was going to develop this project had the opportunity to sit on the front row and make comments to the board which she had stepped away from to "recuse" herself.

We also have the more recent example of the CDC Chair, an employee of the Aura developers, who also created a clear appearance of impact by her behavior.

With these two and many other examples to fall back on, I suggest the following amendments to the Council's Advisory Board ETHICAL guidelines and rules to not only create the appearance of fairness but to shutter any whiff of corruption.

1. Recusal - a member, like CDC Chair Dancy, who has a direct interest in an application should be excused from the meeting completely. Any testimony the member has to give as part of their interest (in this case, Ms. Dancy's job), should be done prior to the meeting where a decision is made. The decision involving their project should be made in their complete absence.

2. A board member with a direct interest in the outcome of a project cannot give testimony or make comments before any other board. A board member who wishes to give testimony or make comments to other boards sitting in judgement of their project must resign from the board they serve on.

They cannot reapply or be appointed for a period no shorter than 2 years after resigning for the purpose of recusing themselves from the decision-making process that serves to better their own personal interest.

So, to make it simple.

If a board member wants to usher a project they benefit from through the board they belong to, they cannot participate in the evaluation of the project but can make their case before their own board. To give a reasonable distance between their plea on behalf of their own interests and the decision, they should be completely absent from the meeting the decision is made at.

If a board member wants to argue their case before other boards that might not appreciate the distinction between that board members service, say Ms. Dancy's being known to the Stormwater Board as the Chair of the important CDC, then they must resign their position.

There should be zero confusion as to whose interest they are serving. Having them resign benefits both the community and the board member themselves by drawing a bright line between actions made for their personal benefit and those made in service to the community.

In both cases, the Council if they adopt these suggestions, is creating a clear firewall.

Many folks in town see the current process as corrupting of good governance.

Personally, if I served on the Council I would make a tougher rule saying that anyone with a substantial self-interest in the decisions boards make cannot serve on a board.

Simply, they would have to choose which team they belonged to and accept that to maintain trust, especially given checkered recent history, must have ethical guidelines that are clear and enforceable.

Thank you for taking this under consideration. I look forward to an extensive discussion of the ethics behind either justifying the propriety of folks who stand to make money from their board's decisions serve on that board or a defense of good governance and democracy by drawing clear and measurable ethical guidelines.

Will Raymond

encl:

Proposed policy -

<https://chapelhill.legistar.com/View.ashx?M=F&ID=9876372&GUID=CD629BBF-6341-4C15-BC6D-E049DED91B57>

General discussion -

<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5165096&GUID=1DCD48C4-F86D-47C8-B026-1DFD6D72BD40&Options=&Search=>

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