

**From:** Roger Stancil  
**Sent:** Monday, January 29, 2018 11:03 PM  
**To:** Allen Buansi; Donna Bell; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Town Council; Michael Parker; Nancy Oates; Pam Hemminger; Rachel Schaevitz; Roger Stancil; Ross Tompkins  
**Cc:** Loryn Clark; Aaron Frank; Ben Hitchings; Amy Harvey; Beth Vazquez; Carolyn Worsley; Catherine Lazorko; Christina Strauch; Dwight Bassett; Flo Miller; Mary Jane Nirdlinger; Rae Buckley; Ralph Karpinos; Ran Northam; Roger Stancil; Sabrina Oliver  
**Subject:** Council Question: Item 3: Ethics Guidelines

**Council Question:** In Aaron Frank's memo re: ethics guideline for the HDC, we see mention of the "Model Ordinance" as a preferred substitute for scattered provisions in the existing LUMO. Can you provide more info on what this Model Ordinance is?

**Staff Response:** *The North Carolina State Historic Preservation Office offers a "Model Preservation Ordinance" as a recommended Ordinance for use by Local Government Historic Preservation Commissions, such as the Town's Historic District Commission. The Model Ordinance provides a framework for the establishment, powers and duties, and operation of a Commission, similar to the existing framework provided within the LUMO. The Model Ordinance has been updated to reflect and recommend best practices across the state. The Model Ordinance is available online at the following link: <http://www.hpo.ncdcr.gov/ModelPreservationCommissionOrdinance.pdf>*

**Council Question:** In the case that an individual member goes to the Town attorney, seeks advice on whether to excuse himself/herself due to a potential conflict and is, in fact, advised to excuse himself/herself, would the Town attorney disclose his recommendation to the entire board, if the individual member in question did not excuse herself/himself?

**Town Attorney Response:** *My advice to an individual board member to excuse himself/herself would be private. For those board meetings which I do not attend, I would not likely know if a member declined to follow that advice until after the fact. If I later learned that a member of a Town advisory board, whom I advised to excuse himself/herself, did not follow that advice, it would be a matter that I would need to consider reporting to the Town Council, the body with appointment authority. The Council would then consider how to deal with the situation.*