

Article Excerpts Depicting “**Town & Others Tried To Help**” Theme

The Manure	Articles Where This Appeared	Manure Meter Index	The Truth
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It is important to note that the . . .

Town & Others Tried to Help, . . .

as evidenced by the . . .

a) Involvement Of The Mayor, Town Council And Town Staff			
Title of Article: “ <u>Town May Settle Lot Dispute</u> ”	DTH-03	7	<p>This was a RUSE, intended to GIVE THE IMPRESSSION the Town of Chapel Hill had undertaken earnest efforts to help, when in fact the converse was true.</p> <p>The Town of Chapel Hill took NO CONSTRUCTIVE ACTION to address the Root cause of the problem (The Unlawful Blockade) and FAILED TO CARRY OUT ITS fundamental RESPONSIBILITY to enforce its LAWS and provisions of its issued PERMITS.</p> <p>The solution to the problem was SIMPLE – The Town should have IMMEDIATELY COMPELLED PH Craig to remove the parking lot barriers, which were in violation of the operative Special Use Permit, and direct him to seek any civil claims through legal due process, AS THEY HAD DONE DURING THE 19 MONTHS PRIOR!</p> <p>The Town of Chapel Hill squelched the valet parking by WITHDRAWING ITS APPROVAL of bagging 3 meters on Robeson St and STONEWALLING APPROVALS for the reconfiguration of the back parking lot, as well as the newly acquired stacked valet lots on Robeson St.</p>

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<p>Title of Article: “<u><i>Town May Settle Lot Dispute</i></u>”</p>	<p>DTH-03</p>	<p>7</p>	<p>NOTHING of substance or any helpful value ever came from the Town of Chapel Hill’s actions. Everything done was to make it APPEAR as though they were taking action</p> <p>The parking dispute did NOT resolve, as the article suggested. Nothing constructive resulted from the noted public hearing.</p> <p>The provision of spaces to select Courtyard tenants is a vague statement, but if it refers to the Cameron St. meters, this was a canard in that: (1) it did nothing to improve parking for patrons of The Courtyard of Chapel Hill; (2) it was only temporary; and (3) these meters are seldom used, ergo the gesture was not meaningful</p> <p>The Chapel Hill Town Council made no attempt to communicate with Spencer Young.</p>
<p>“<i>Everybody’s working to get some resolution [to the parking impasse]</i>”</p>	<p>CHN-02</p>	<p>10</p>	<p>There is NO TRUTH WHATSOEVER to this statement – a more accurate statement would be “MANY CORRUPT INDIVIDUALS ARE DEVISING CREATIVE WAYS TO GIVE THE IMPRESSION THAT THE TOWN IS EARNESTLY WORKING TO FACILITATE A RESOLUTION, WHEN IN REALITY THEY ARE TRYING TO ENSURE THE PARKING LOT IMPASSE CONTINUES TO FESTER UNRESOLVED UNTIL THE SUBJECT PROPERTY IS ECONOMICALLY DESTABILIZED.</p>

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<p><i>Despite mediation by the Town, despite pleas to the Town Council, despite negotiations and ultimatums, letters and e-mails, construction tape and more, the two haven't come to an accommodation.</i></p>	<p>HS-10</p>	10	<p>The mediation was established to give the impression that: (1) the Town was earnestly trying to resolve the matter; and (2) Mr. Craig was willing to negotiate. The reality was that there was no truth to this</p> <p>Throughout his career on Wall Street, Mr. Young negotiated hundreds of complex contract agreements, however with regard to Mr. Craig, there were no terms that he would agree to. On countless occasions Mr. Craig would agree to a lease agreement only to later renege when it came time to sign the agreement.</p> <p>Womble Carlyle, representing Mr. Young, had never encountered such a profound bad faith, and they articulated their dismay in a scathing letter to Mr. Craig’s attorney.</p>
<p><i>“In October, tenant Lex Alexander greeted with the Town Council for more help. Mayor Kevin Foy said the situation is beyond the Town Council. “This is the type of dispute that Superior Court would handle” he said.</i></p>	<p>N&O-08</p>		<p>False – false – false. Lex Alexander’s appearance before the Town Council was staged to appear as though he was seeking resolution; however, the opposite was true – it was all an act. He had long ago planned to leave The Courtyard Of Chapel Hill and subsidized his move by withholding rent</p> <p>Mayor Kevin Foy’s statement reflected an instance of profound incompetence. The Town Of Chapel Hill issued a Special Use Permit for dedicated parking and they simply failed to correct a blatant unlawful violation, manifested in the form of a crude blockade. As the Town Of Chapel Hill had done in the previous 19 months, they should have ensured parking lot was unobstructed and directed Mr. Craig to seek recourse through legal due process.</p>

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------------	------------------------------	--------------------	-----------

the . . .

b) Assistance Of The Orange County Board Of Commissioners			
<i>“The town stepped in three months ago, and now the Orange County commissioners are trying to help.”</i>	CHN-02	10	The Town of Chapel Hill FAILED to do something very simple – enforce compliance with their issued permits and compel the immediate correction of violations.
<i>“The Orange County Board of Commissioners agreed to lease Young about 60 parking spaces at the Skills Development Center and the Visitor’s Bureau, just across Robeson Street from The Courtyard.”</i>	CHN-02	7	The County Commissioners help was also a ruse for the following reasons: (1) it required the unfettered implementation of valet parking (which the town impeded by rescinding the bagging of three parking meters for the valet station on Robeson Street, citing it didn’t want to take sides in a civil dispute (this was disingenuous because rescission of the bagged meters did just that); and (2) the arrangement covered ONLY six months, which in NO WAY represents a permanent solution, which is what was needed.
<i>“County weighs in on dispute. Stopgap measure provides off-site weekend parking”</i>	CHN-02		
<i>“Public officials have tried to help. . . . The Orange County Government has offered 60 nearby parking spaces for a low cost lease . . .”</i>	CHN-04		In being prevented from viably implementing valet parking, the offer of parking spaces on the weekend was effectively WORTHLESS.

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<p><i>Title of Article: The Courtyard Gets County Parking Help. The Orange County Board of Commissioners agreed to lease Young its lot at the Skills Development Center and the Visitors Bureau, right across Roberson street from The Courtyard. For a monthly fee of \$125, Young will use about 60 spaces in the counties lot on Friday Saturday and Sunday nights from 5 p.m. to midnight for the next six months</i></p>	N&O-06	7	<p>The Town of Chapel Hill FAILED to do something very simple – enforce compliance with their issued permits and compel the immediate correction of violations.</p>
<p><i>The Courtyard has been operating with 23 on- site parking spaces, plus 35 on spots owned by the town, a block away on Cameron Avenue. Orange County also recently made 60 spaces available for valet parking at the nearby Skills Development Center</i></p>	N&O-07		<p>The County Commissioners help was also a ruse for the following reasons: (1) it required the unfettered implementation of valet parking (which the town impeded by rescinding the bagging of three parking meters for the valet station on Robeson Street, citing it didn't want to take sides in a civil dispute (this was disingenuous because rescission of the bagged meters did just that); and (2) the arrangement covered ONLY six months, which in NO WAY represents a permanent solution, which is what was needed.</p>
<p><i>The Orange County government has offered 60 nearby parking spaces for a low cost lease, but only for valet parking.</i></p>	N&O-08		<p>In being prevented from viably implementing valet parking, the offer of parking spaces on the weekend was effectively WORTHLESS.</p>

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As well as the . . .

c) Support of the Chapel Hill Downtown Partnership.			
<p><i>“Business leaders have intervened.”</i> <i>The Chapel Hill downtown partnership even paid for legal mediation, to no avail.</i></p>	<p>CHN-04 N&O-08 N&O-12</p>	<p style="font-size: 2em;">8</p>	<p>The only person who legitimately tried to resolve the parking imbroglio was Liz Parham, Director of The Chapel Hill Downtown Partnership, who was promoted out of her position, as it was an effective way to reward her for a job well done, but more importantly to remove her as a resource for Spencer Young to permanently resolve the parking impasse. It was Ms. Parham who alerted Mr. Young to the nearby parking lots being put up for sale, which he ultimately purchased, so they could be converted for use as stacked valet parking lots.</p>
<p><i>“... the Chapel Hill Downtown Partnership helped arrange mediation between feuding property owners Young and Craig.”</i></p>	<p>HS-03</p>	<p style="font-size: 2em;">5</p>	<p>The mediation was a charade to give the impression that the Town was trying to help resolve the parking lot blockade, when all it had to do was to IMMEDIATELY compel correcting the violation by removing the unlawful impediments to parking, and urge Mr. Craig to seek recourse through the courts, AS IT HAD DONE FOR THE 19 MONTHS PRIOR.</p>

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------------	------------------------------	--------------------	-----------

This included . . .

d) Sponsorship of a Mediation Between the Disputing Parties,			
<i>“Despite a full day of mediation on Aug 15, no progress has been made in the conflict between Craig and Young”</i>	DTH-04	7	This mediation was also a ruse intended to: (1) ameliorate the demonstrative bad faith earlier exhibited by PH Craig; (2) offset the cantankerous reputation Mr. Craig had with many others; and (3) give the impression that the Town of Chapel Hill was genuinely trying to facilitate a resolution. A pre-condition to agreeing to mediate was that both parties would agree to a deal structure that started with a lease, which had a buy-out option at the end of the term. Young agreed to many such structures during the mediation, while PH Craig maintained his record for bad faith in refusing to agree to any deal that entailed the sale of the property – even if it could only occur upon his passing at the then fair market value. Offering and making a payment of \$375 to Mr. Young for his share of the Mediator’s fee was also a RUSE. A pre-condition to this mediation was that Mr. Young and Mr. Craig would both have to be amenable to some form of a lease arrangement with a purchase option. At the mediation, Mr. Young agreed to these terms, but Mr. Craig DID NOT. And the \$375 paled in comparison to Mr. Young’s total cost exceeding \$5,000 associated with this mediation. The mediation was canard intended to mitigate legal exposure to the Town of Chapel Hill, and the attorney representing Mr. Young at the time was Bill Brian of Kennedy Covington, who was deeply conflicted, as this law firm also has often served as legal counsel to the Town of Chapel Hill.
<i>“Craig said the two parties ‘got absolutely nowhere and nothing changed’ during mediation.”</i>	DTH-03		
<i>“In August, the [Downtown] Partnership offered to help the two owners come to a solution by hiring a mediator”</i>	DTH-03		
<i>“The Chapel Hill Downtown Partnership even paid for legal mediation, to no avail.”</i>	CHN-04		

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<i>“... despite efforts by the Chapel Hill Downtown Partnership to mediate a resolution to the conflicts between Craig and Young”</i>	DTH-05	7	<p>This mediation was a ruse intended to: (1) ameliorate the demonstrative bad faith earlier exhibited by PH Craig; (2) offset the cantankerous reputation Mr. Craig had with many others; and (3) give the impression that the Town of Chapel Hill was genuinely trying to facilitate a resolution. A pre-condition to agreeing to mediate was that both parties would agree to a deal structure that started with a lease, which had a buy-out option at the end of the term. Young agreed to many such structures during the mediation, while PH Craig maintained his record for bad faith in refusing to agree to any deal that entailed the sale of the property – even if it could only occur upon his passing at the then fair market value. Offering and making a payment of \$375 to Mr. Young for his share of the Mediator’s fee was also a RUSE. A pre-condition to this mediation was that Mr. Young and Mr. Craig would both have to be amenable to some form of a lease arrangement with a purchase option. At the mediation, Mr. Young agreed to these terms, but Mr. Craig DID NOT. And the \$375 paled in comparison to Mr. Young’s total cost exceeding \$5,000 associated with this mediation. The mediation was canard intended to mitigate legal exposure to the Town of Chapel Hill, and the attorney representing Mr. Young at the time was Bill Brian of Kennedy Covington, who was deeply conflicted, as this law firm also has often served as legal counsel to the Town of Chapel Hill.</p>
<i>Title of Article: “Shopping Center Parking in Limbo – Mediation Fails to Settle Feud Between Property Owners”</i>	HS-03	10	
<i>“... the Chapel Hill Downtown Partnership helped arrange mediation between feuding property owners Young and Craig.”</i>	HS-03	5	
<i>“The Downtown Partnership first discussed offering to pay for mediation during an Aug. 15 Executive Committee meeting, eventually deciding to offer up to 10 session hours at \$75 per hour. Executive Director Liz Parham confirmed that the agency paid \$750 for one day of mediation with Mark Morris, Executive Director of the Alternative Dispute Resolution Institute at the NC Central University School of Law.”</i>	HS-03		

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<i>Title of Article: Chapel Hill Parking Lot Now a No Man's Land. The blockading of the parking lot, which Young calls Machiavellian has hobbled commerce, bothered customers and involved public officials in a private matter</i>	N&O-08	7	The parking lot blockade was in fact Machiavellian because it was all staged to economically destabilize The Courtyard of Chapel Hill and prevent a resolution . . . when in reality, the solution was very simple – immediately compel compliance with the special use permit by removing the unlawful barriers and direct PH Craig to seek any recourse he feels he deserves through the courts
<i>Craig's friend Bob page acknowledges that both men are strong-willed, but he thinks they could work a deal if Young would come to the table.</i>	N&O-08	9	<p>Completely FALSE. As articulated by wamble Carlyle, Mr. Young’s legal counsel, PH Craig exhibited profound bad faith and it became clear after numerous instances of renegeing on agreed on contract terms that Mr. Craig was not going to agree to ANY contract at ANY terms.</p> <p>Constant intimations suggesting Spencer Young was stubborn throughout the negotiations is a fantastic boldface lie</p>

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e) Comprehensive Downtown Parking Study.			
<i>“The Downtown Partnership is paying for a comprehensive parking study to address resident and business concerns of access to free parking, although there are already more than 3,000 spots downtown.”</i>	DTH-05	3	The results of this study were never provided, nor otherwise made available to Spencer Young. And in no way was this study and used to resolve the parking lot blockade.
Title of Article: “Nonprofit Enters Parking Fracas”	HS-02	7	This mediation was a ruse intended to: (1) ameliorate the demonstrative bad faith earlier exhibited by PH Craig; (2) change the cantankerous reputation Mr. Craig had with many others; and (3) give the impression that the Town of Chapel Hill was genuinely trying to facilitate a resolution. A pre-condition to this mediation was that Mr. Young and Mr. Craig would both have to be amenable to some form of a lease arrangement with a purchase option. At the mediation, Mr. Young agreed to these terms, but Mr. Craig DID NOT. And the \$375 paled in comparison to Mr. Young’s total cost exceeding \$5,000 associated with this mediation. The mediation was canard intended to mitigate legal exposure to the Town of Chapel Hill.
<i>“[The Chapel Hill Downtown] Partnership may pay for mediator in downtown dispute”</i>	HS-02		
<i>“. . . the nonprofit [organization] may be getting involved in one of the town’s long-runing conflicts.”</i>	HS-02		
<i>“Members of the Downtown Partnership’s Executive Committee discussed a plan Wednesday night to foot the bill for mediation”</i>	HS-02		
<i>“Parham estimated that contracting a third-party mediator would cost about \$75 an hour. Executive committee member George Draper suggested capping any offer at 10 hours.”</i>	HS-02		

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<i>“We’re at a standoff between two parties and no one is going to give either way”, said Executive Committee member Andrea Rohrbacher. “I think it’s a good gesture on our part. Even if they don’t accept, it’s a good gesture.”</i>	HS-02	10	<p>This mediation was a ruse intended to: (1) ameliorate the demonstrative bad faith earlier exhibited by PH Craig; (2) change the cantankerous reputation Mr. Craig had with many others; and (3) give the impression that the Town of Chapel Hill was genuinely trying to facilitate a resolution.</p> <p>A pre-condition to this mediation was that Mr. Young and Mr. Craig would both have to be amenable to some form of a lease arrangement with a purchase option. At the mediation, Mr. Young agreed to these terms, but Mr. Craig DID NOT. And the \$375 paled in comparison to Mr. Young’s total cost exceeding \$5,000 associated with this mediation.</p> <p>The mediation was canard intended to mitigate legal exposure to the Town of Chapel Hill.</p>
<i>“Chapel Hill Parking May Improve – Report of Parking Study[commissioned by the Chapel Hill Downtown Partnership] has Seven Initiatives to Help Much-Lamented Conditions Downtown . . . [including talks with The Courtyard owner Spencer Young that may lead to a new lot on Graham Street</i>	HS-07	6	
Title of Article: “<u>Council to Speed Parking Solution</u>”	HS-08	9	
<i>“The Chapel Hill Town Council has agreed to expedite the review of a proposed solution to downtown’s most well-known parking challenge.”</i>	HS-08	7	<p>This was an exercise in mental masturbation. The solution was simple – the Town Of Chapel Hill merely had been in force compliance with its special use permit, and they fail to do so in a profoundly incompetent or corrupt manner</p>

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<i>“Members of the Council as well as the Chapel Hill Downtown Partnership were in favor of moving Craig’s request along. Liz Parham, Executive Director of The Downtown Partnership, said that Young has already moved on from the original permit by acquiring lots on Graham Street . . .</i>	HS-08	7	This too was an exercise in mental masturbation. The solution was simple – the Town Of Chapel Hill merely had been in force compliance with its special use permit, and they fail to do so in a profoundly incompetent or corrupt manner
<i>“Craig was happy the Town agreed to expedite review of his request.”</i>	HS-08		

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------------	------------------------------	--------------------	-----------

In response to a lack of progress toward a resolution, . . .

f) The Town Provided Parking Spaces For Courtyard Employees				
<i>The Town bagged meters for 35 on-street parking spaces on Cameron Avenue, reserving them for Courtyard employees.”</i>	CHN-02	7	The Town of Chapel Hill FAILED to do execute on what was most important – ENFORCE THEIR OWN LAWS and COMPEL THE IMMEDIATE CORRECTION OF VIOLATIONS OF PERMITS it issues.	
<i>“Public officials have tried to help. They bagged 35 parking meters on nearby Cameron Avenue for Courtyard employees.”</i>	CHN-04		Bagging meters for employees did NOT work and did NOT address the problem of parking for patrons – importantly, employees were not to use this parking lot anyway, so this was merely “window-dressing” that provided NO benefit.	
<i>“The Town is letting employees use the metered spaces on Cameron Avenue and is providing a shuttle”</i>	DTH-03			There are OBVIOUS INCONSISTENCIES with this that reveal this to be a CANARD: (1) NO REPRESENTATIVE OF THE TOWN contacted Spencer Young concerning this, for his feedback or input; (2) the issue was NOT parking for EMPLOYEES, but for PATRONS and (3) there was NO SHUTTLE service offered.
<i>“Town traffic engineer Kumar Nepalli said those spaces would be reserved until Young can find a permanent alternative.”</i>	CHN-02			
<i>“[Liz Parham said:]We did work with the Town on temporary parking on Cameron Avenue, and it worked, but it was temporary”</i>	DTH-04	8	The results of this “parking study” were NOT made available to Spencer Young.	
<i>Parham’s group is working on a parking study now. She emphasized the importance of finding alternative solutions.</i>	DTH-04	7		

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<i>Public officials have tried to help. They bagged 35 parking meters on nearby Cameron Avenue for Courtyard employees.</i>	N&O-08	7	The Town of Chapel Hill FAILED to do execute on what was most important – ENFORCE THEIR OWN LAWS and COMPEL THE IMMEDIATE CORRECTION OF VIOLATIONS OF PERMITS it issues.
<i>“Mayor Kevin Foy said he and the [Town] Council would refer the situation to town staff and then ask for recommendations. He did indicate that “maybe it’s time for us to bring enforcement action.”</i>	DTH-03	9	Bagging meters for employees did NOT work and did NOT address the problem of parking for patrons – importantly, employees were not to use this parking lot anyway, so this was merely “window-dressing” that provided NO benefit.
<i>Title of Article: “ Parking Dispute May Resolve”</i>	DTH-05	6	There are OBVIOUS INCONSISTENCIES with this that reveal this to be a CANARD: (1) NO REPRESENTATIVE OF THE TOWN contacted Spencer Young concerning this, for his feedback or input; (2) the issue was NOT parking for EMPLOYEES, but for PATRONS and (3) there was NO SHUTTLE service offered.
<i>“. . .the Council has also issued parking permits.”</i>	DTH-05	4	The results of this “parking study” were NOT made available to Spencer Young.
<i>“The Council had already given patrons of the Courtyard, which includes LocoPops and coffee and wine shop 3 cups, several spaces to help ease what owners have said is a threat to business.”</i>	DTH-05	3	

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------------	------------------------------	--------------------	-----------

And entertained . . .

g) Consideration To Rescind The Operative Special Use (Parking) Permit.			
<i>“The Chapel Hill Town Council heard plans at a public hearing Monday which could create up to 130 parking spots off South Robeson Road”</i>	DTH-05	7	The public hearing to release PH Craig from the SUP was also a ruse. Nothing ever came of this, and PH Craig had no intention of proceeding, for it would be costly to retrofit his parking lot.
<i>“The application gives Mr. Craig an ability to move forward too, and we think that’s really important.”[said Liz Parham].</i>	DTH-05	4	Mr. Craig did not moved forward with his application.
<i>“Parham suggested that the Council rezone even more space than Radway [representing PH Craig] proposed from residential to downtown [commercial] zoning.”</i>	DTH-05	3	No rezoning has occurred.