



1 **B. PURPOSE OF THE STAKEHOLDER PROCESS**

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3 The purpose of the stakeholder process is to enable the Winston-Salem/Forsyth County Tree  
4 Ordinance Stakeholder committee to work in collaboration toward the development of tree  
5 conservation and maintenance standards within the City-County Unified Development  
6 Ordinances (hereinafter referred to as a ‘tree ordinance.’).

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8 There are two major goals of the stakeholder process: 1) to provide the committee with a process  
9 of discovery, information sharing and education; 2) to provide the committee with a direct role in  
10 negotiating agreements that resolve the issues and balance the interests relative to a tree  
11 ordinance in Winston-Salem and Forsyth County.

12  
13 Agreements resulting from the stakeholder process will form the basis of tree preservation  
14 standards within the City-County Unified Development Ordinances. (See Section K, below for  
15 information on the committee’s final product).

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18 **C. PURPOSE OF THE CHARTER**

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20 The purpose of the charter is to define and govern the discussion and negotiation process in  
21 connection with discussing and developing a tree ordinance. Any committee member may  
22 propose changes to the charter by informing the facilitator, who will put the proposal on the  
23 agenda of the next appropriate committee meeting. Changes to the charter will be made by  
24 consensus of the committee.

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27 **D. GEOGRAPHIC AREA COVERED BY THE STAKEHOLDER PROCESS**

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29 The geographic area to be considered for a tree ordinance under this stakeholder process will be  
30 the City of Winston-Salem, its extraterritorial planning jurisdiction and all unincorporated areas  
31 of Forsyth County.

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**E. STAKEHOLDER PARTICIPANTS**

*1. Committee Members and Alternates*

The committee consists of a broad range of stakeholders who represent various interests related to tree preservation. The committee will consist of primary and alternate members. In the event that a primary member cannot attend a meeting, he/she may be represented by the alternate member of his/her choosing without concurrence of the committee. Alternate members are encouraged to attend committee meetings along with the primary member, but should be fully briefed by the primary member before attending any meetings as the sole representative.

**Primary Committee Members**

- |                   |   |
|-------------------|---|
| Keith Huff        | City of Winston-Salem, Stormwater                 |
| James Mitchell    | City of Winston-Salem, Vegetation Management      |
| Glynis Jordan     | City-County Planning Board                        |
| Lynda Schwan      | City-County Planning Board                        |
| Jamie Moore       | Community Appearance Commission                   |
| Bob Ragland       | Forsyth County Environmental Affairs              |
| Keith Rogers      | Keith Rogers Homes                                |
| Paul McGill       | McGill Realty                                     |
| Tamieka White     | Neighbors for Better Neighborhoods                |
| Elizabeth O'Meara | Sierra Club                                       |
| Ken Fleming       | Winston-Salem Chamber of Commerce                 |
| Evie Katsoudas    | Winston-Salem Chamber of Commerce                 |
| Glenn Cobb        | Winston-Salem Regional Association of Realtors    |
| Melynda Dunigan   | Winston-Salem Neighborhood Alliance               |
| Fred Holbrook     | Winston-Salem/Forsyth County Inspections Division |

1 **Alternate committee Members**

- 2 Steven Lyda Forsyth Co. Environmental Affairs  
3 Nancy Gould Winston-Salem Homebuilders Association  
4 David Vorsteg Winston-Salem Neighborhood Alliance  
5 Kaila Hires Winston-Salem Neighborhood Alliance  
6 Laura Phail Sierra Club  
7 Ronnie Grubbs Winston-Salem/Forsyth County Inspections Division

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9 **2. Resource Advisors**

10 Persons with expertise in the subject areas under discussion may attend committee meetings  
11 and participate in selected discussion topics when officially requested by the committee. The  
12 resource advisory will be held to the same ground rules and participation standards as  
13 committee members. Resource advisors, however, will not participate in decision-making  
14 processes. The facilitator will also ensure that resource advisors do not dominate committee  
15 discussions.

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17 **3. Secondary Stakeholders**

18 Persons and organizations with an interest in tree conservation and discussions of the  
19 committee will be kept informed through regular postings of committee meeting summaries,  
20 meeting agendas, and other information deemed relevant by the committee. People and  
21 organizations listed as secondary stakeholders may attend meetings and address the  
22 committee during established public comment periods. They are also encouraged to contact  
23 committee members to as a means for providing input into the committee's deliberations. An  
24 up-to-date list of organizations included as secondary stakeholders will be kept by the  
25 facilitator and the City/County Planning Department.

26

27 **4. Other Interested Parties**

28 The committee is intended to be representative of the public through the committee members'  
29 own organizations or affiliations as well as through their work with other groups. Any  
30 individual who has an interest in the tree ordinance process may attend meetings and address  
31 the committee during established public comment periods on meeting agendas. All

1 committee meetings are open to observation by the public. A ten-minute public comment  
2 period at the beginning of each meeting will be provided, and public speakers will have time  
3 limits set by the facilitator to allow as much participation as possible within the allotted time.  
4 The committee will not normally attempt to respond to public or media comments or  
5 questions at the meeting in which they were made.  
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## 8 **F. RESPONSIBILITIES OF COMMITTEE MEMBERS**

### 10 ***1. Conduct of committee members***

11 All committee members agree to operate in good faith at all times. Acting in good faith  
12 means disclosing interests, needs, actions, and issues in a timely manner and committing to  
13 the goals of the committee's process. Acting in good faith also means respecting the interests,  
14 needs, and concerns and time commitments of others. Good faith also entails giving the  
15 committee every reasonable chance to reach its goal before pursuing other alternatives. Good  
16 faith describes a state of mind denoting honesty of purpose, freedom from intention to  
17 defraud, and being faithful to these obligations.  
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### 19 ***2. Constituent Representation***

20 Committee members will be expected to represent the interests of (1) themselves,  
21 (2) organizations that have authorized the committee member to represent them, or (3)  
22 groups of constituents from a similar interest category. Ideas presented within committee  
23 discussions will not be assumed to be the official position of the organizations or groups  
24 represented nor of the committee unless specifically stated to be so. Committee members  
25 have the responsibility to keep the general public informed about important outcomes of the  
26 committee's process and about the committee's process itself.  
27

### 28 ***3. Attending Meetings***

29 Each primary committee member is expected to attend committee meetings. However, in rare  
30 circumstances, teleconferencing may be available. Primary committee members are expected  
31 to fully participate in each meeting, which includes being present for substantially all of the

1 meeting. In the event that neither the primary committee member nor the alternate committee  
2 member is able to attend a meeting of the committee, and the primary committee member is  
3 not in agreement with any actions taken by the committee during his/her absence, that  
4 member has until the meeting summary review at the next meeting to register his/her  
5 dissatisfaction with actions taken. A reasonable amount of time will be devoted to old  
6 business at meetings. E-mail may be used to expedite this process.

7  
8 Attendance of primary members is important as an expression of continued interest, to keep  
9 pace with ongoing discussions, and to properly represent an organization or group. An  
10 organization or interest representative will not meet the committees' minimum attendance  
11 standards if:

- 12 1) The primary member misses more than three meetings in any seven-meeting period, or
- 13 2) Both the primary and alternate committee members simultaneously miss three  
14 consecutive meetings.

15  
16 If standard 1) is not met by the primary member, but the alternate has met standard 1), then  
17 the primary and the alternate will be asked to switch roles. Otherwise, or if standard 2) is not  
18 met, then the represented organization or group will be contacted by the facilitator, informed  
19 of the standard, and invited to address the attendance problems including appointing a  
20 different person as primary member. The original primary and alternate members will also be  
21 contacted by the facilitator to inform them of the attendance action.

22  
23 If a primary committee member anticipates an extended absence (e.g., medical leave) and  
24 informs the committee, then the primary member may continue as the primary member upon  
25 return if the alternate attends the meetings and keeps the primary member up to date on the  
26 committee's progress.

#### 27 28 **4. Preparing for Meetings**

29 Committee members shall read appropriate materials and arrive prepared to work. Materials  
30 presented for discussion should be distributed at least one week in advance of the meeting or  
31 longer, as practical.

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**5. Keeping Constituents Informed**

Committee members are expected to actively keep their constituents informed. Members will have final meeting summaries and flip-chart summaries available to them for keeping constituents informed.

**6. Interacting with the Media and Elected Officials**

Official communication by the committee with the news media will be handled by committee spokespeople, Glynis Jordan and Melynda Dunigan. This does not limit other committee members from speaking with the media. Committee members understand that success in reaching broadly accepted tree standards will require a cooperative and constructive negotiation forum where ideas and proposals can be freely offered and discussed and compromises can be explored, adjusted and approved. Committee members further understand that any committee member or represented organization seeking to gain advantage external to the committees’ process through political means or the media will severely inhibit or close this cooperative forum.

Committee members will not employ external tactics to the detriment of the committees’ process or other committee members’ interests. The restriction does not limit anyone from discussing their own interests and the interests of the groups and organizations they represent with the media or with elected officials. It does not restrict committee members from providing regular reports and their opinions to elected officials even if these reports are open to the public. Further, this restriction does not prohibit committee members from continuing their normal activities even if related to tree preservation and/or implementing city and county governance.

Committee members agree not to negotiate through the media and will avoid making public statements that take issues out of context, sensationalize, or that may disrupt the good-faith negotiations that this charter is intended to ensure. Committee members will also advise the leadership of organizations they represent that their organization should respect the spirit and guidelines of this charter.

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**7. *Understanding and Abiding by the Charter***

Committee members are expected to read, fully understand, and conduct themselves in accordance with the requirements of this charter.

**G. RESPONSIBILITIES OF THE FACILITATOR**

Steve Smutko at NC State University will provide facilitation services to the committees under contract to the Winston-Salem Neighborhood Alliance. The facilitator has the primary role of promoting the success of the collaborative process by guiding meetings to stay within the bounds set by this charter. The facilitator will help committee members identify goals, issues and interests; solve problems creatively; and resolve issues. The facilitator works for the process and not on behalf of the Neighborhood Alliance or any stakeholder. The facilitator will not express his views on any substantive issues and will be solely concerned with the process of the group.

**1. *General Roles and Responsibilities***

The roles and responsibilities of the Facilitator includes:

- Facilitating meetings in a manner consistent with interest-based negotiations and this charter;
- Coordinating logistics with City/County Planning staff;
- Keeping attendance records of all committee members at meetings and notifying the committee when the minimum attendance standards are not being met;
- Helping the committee stay on task and on process;
- Protecting committee members and their ideas from attack, while ensuring that provocative issues are not avoided, but are discussed in a candid and respectful manner;
- Helping committee members to concisely describe their interests;

- 1 • Helping committee members find innovative and workable solutions;
- 2 • Helping committee members reach consensus through the use of interest-based
- 3 negotiations;
- 4 • Providing for equitable participation by all committee members;
- 5 • Working, both at and between meetings, with committee members to assist in the free
- 6 exchange of ideas between the members and to resolve any impasses that may arise;
- 7 • Periodically surveying a sampling of committee members to assess fairness,
- 8 meaningfulness and efficiency of the process;
- 9 • Keeping confidential information disclosed to them by committee members or others
- 10 in confidence;
- 11 • Maintaining a working document that summarizes the current status of the committees’
- 12 progress and assisting in the development of the administrative record to support the
- 13 agreement process and related analysis and requirements;
- 14 • Maintaining a list of significant topics on which the committee(s) have reached
- 15 consensus or have failed to reach consensus;
- 16 • Maintaining an action-item register and tracking completion;
- 17 • Acting as contact point and spokespersons for the stakeholder process and its progress
- 18 (except when otherwise agreed to by the committees) for the public and the media;
- 19 • Assist the City/County Planning Department in preparing the committees’ Final
- 20 Report.

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## 22 **2. Meeting Summaries**

23 The facilitator, with the assistance of City/County Planning Department staff, will develop  
24 meeting summaries within 14 days following the committee meetings and will notify  
25 committee members of their availability. E-mail will be the primary form of information  
26 dispersal and correspondence within the committee with the option of having material faxed  
27 or mailed to those who do not have email access. Summaries shall include an attendance  
28 record, a summary of actions taken at the meeting, and other information pertaining to the

1 deliberations. In general, discussion of new substantive issues will not commence until the  
2 summary of the preceding meeting is approved. Unless a committee member requests  
3 additional review time, the approved-as-edited meeting summary will be considered final.  
4 These final meeting summaries prepared by the facilitator and reviewed by the committees  
5 are the official meeting summaries.

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7 **3. *Agendas***

8 At the end of each meeting, the committee will specify a tentative agenda for the following  
9 meeting. The facilitator will develop draft meeting agendas prior to each meeting. Final  
10 agendas including any added topics will be approved by the committees at the start of each  
11 meeting and will include opportunities for public comment as required by this charter.

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13 **4. *Roster***

14 The facilitator will maintain a roster listing the names and contact information for committee  
15 members. Only the committee member's name and organization will be made available to the  
16 public. Other contact information (i.e., mailing addresses, email address, phone numbers,  
17 etc.) will only be made available to other committee members after approval of the  
18 committee member.

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20 **5. *Speaking with the Media and Public***

21 In speaking with the media or in other public venues, the facilitator will not address specific  
22 positions held by committee members, or negatively characterize the committee, committee  
23 members, represented organizations, their interests, or the committees' process. The  
24 facilitator will restrict comments to the committees' process and/or "on background" with  
25 reporters.

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27 **H. APPOINTMENT, REPLACEMENT, OR DISMISSAL OF COMMITTEE MEMBERS**

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29 **1. *New Member Appointments.***

30 A strong effort was made during the forming of the committee to encourage participation by  
31 representatives from all the various interests in the affected area. While it is certainly the

1 committee's desire to be inclusive and sensitive to the many various interests, the committee  
2 recognizes the need to remain focused and moving ahead if the committee's goal is to be  
3 achieved. When evaluating potential new members, the committee should first ensure that the  
4 interests that the potential new member would represent cannot reasonably be covered by an  
5 existing committee member. If the committee decides there is in fact a need to have  
6 additional interests represented, then the committee will identify potential candidates and  
7 review their qualifications (e.g. past experience in collaborative team processes, knowledge  
8 about the issues and the interests they represent, communications mechanisms for sharing  
9 information, etc.). The committee will decide by consensus if a particular candidate should  
10 be added to the committee. Once added to the committee, new members are expected to  
11 spend extra time prior to their first full meeting educating themselves on the committee's  
12 history, operations and expectations in the same fashion as is required for replacement  
13 committee members. New members must make every effort to minimize the impact of their  
14 addition on the committee's progress toward its goal. Once the active negotiations have  
15 begun, new members will not be added unless the committee decides by consensus that the  
16 specifics of the trial balloons under consideration significantly impact previously unidentified  
17 interest groups.

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19 ***2. Voluntary Withdrawal and Replacement Appointments.***

20 If a committee member withdraws from the committee, he/she may appoint a replacement  
21 (typically their alternate) from the same organization without concurrence of the committee.  
22 If the member is unable to appoint a replacement from his/her organization, the facilitator  
23 may appoint a replacement member from the same interest category so long as such  
24 replacement is acceptable to the committee members. Replacement members are expected to  
25 take the initiative and spend extra time prior to their first committee meeting reading through  
26 past meeting summaries and this charter and talking with the facilitators and other committee  
27 members to be sure they understand the state of the committee's activities, how the  
28 committee operates and what will be expected of them. Replacement members should strive  
29 to minimize the impact of the loss of the member they're replacing on the committee's  
30 progress toward its goal.

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1        **3. *Dismissal of Committee Members or Alternates***

2        Committee members and alternates acknowledge the importance of understanding this  
3        charter and communicating effectively with the organizations they represent. They also  
4        acknowledge that the success of the entire committee depends on their personal commitment  
5        to reach consensus and to conduct themselves according to the basic principles set out in this  
6        charter. Any committee member or alternate can be dismissed from the committee if the  
7        committee determines by consensus that the member or alternate’s actions or the official  
8        actions of the organization they represent have been substantially contrary to the committee’s  
9        charter.

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12        **I. GROUND RULES**

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14        In order to have the most efficient and effective process possible, Team Members will follow  
15        these basic ground rules:

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17        **1. *Discussion Ground Rules During the Meetings***

- 18        • Raise hand to be recognized by the Facilitator.
- 19        • Speak one at a time in meetings as recognized by the Facilitator. Everyone will  
20        participate, but none will dominate.
- 21        • Be concise and stick to the topics on the meeting agenda. Honor a two-minute time  
22        limit for statements and responses unless the Facilitator allows more time.
- 23        • Speak only on one topic per entry (no laundry lists).
- 24        • Speak to the whole group when talking.
- 25        • Avoid side conversations.
- 26        • Avoid off-topic questions.
- 27        • Treat each other, the organizations represented in the Team, and the Team itself with  
28        respect at all times.

- 1       • Refrain from interrupting.
- 2       • Monitor your own participation – everyone should participate, but none should
- 3       dominate.
- 4       • Adhere to the agenda and time schedule with diligence.
- 5       • Put cell phones on “vibrate” and leave the room when a call is received.
- 6       • Be prepared to start on time.

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## 8       **2. Protocol Reminders**

- 9       • Recognize that everyone’s interests are important.
- 10      • Avoid repetitiveness (i.e., one-track-mind behavior).
- 11      • Agree that it is okay to disagree, and disagree without being disagreeable.
- 12      • Avoid “cheap shots” and/or sarcasm.
- 13      • Refrain from hostility and antagonism.
- 14      • Leave personal agendas and “baggage” at the door; put personal differences aside in
- 15      the interest of a successful Team.
- 16      • Focus on the problem, not the person.

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## 18      **3. Process Ground Rules Throughout the Stakeholder Process**

- 19      • Adhere to the charter.
- 20      • Review information and stay informed.
- 21      • Work as team players and share all relevant information. Ask if they do not
- 22      understand.
- 23      • Encourage free thinking. Offer mutually beneficial solutions.
- 24      • Encourage candid, frank discussions. Be honest and tactful. Avoid surprises.

- 1 • Openly express any disagreement or concern with all other Team Members. Focus on
- 2 the problem, not the person.
- 3 • Actively strive to see the other points of view.
- 4 • Follow through on commitments.
- 5 • Share information discussed in the meeting with the organizations / constituents
- 6 represented and bring back to the Team the opinions and actions of their constituencies
- 7 as appropriate.
- 8 • Communicate the requirements of this charter with the organizations they represent to
- 9 minimize the possibility of actions contrary to the charter.
- 10 • Commit to issues in which they have an interest.
- 11 • Support and actively engage in the Teams' decision process.

## 14 **J. DECISION PROCESS**

### 16 *1. An Understanding of Consensus*

17 The committee will measure their level of agreement by consensus, and, unless otherwise  
18 prescribed in this charter, committee decisions will be made only with the consensus of all  
19 primary committee members (or their alternate committee member if the primary committee  
20 member is not in attendance) represented at the meeting. Committee members may be asked  
21 to “live with” something that is not their preferred ideal (consensus does not mean everyone  
22 gets everything they want), but recognize that it is a fair decision considering the many  
23 participating interests. Consensus is the methodology that allows collaborative problem  
24 solving to work. The rule prevents domination by the majority, allows building of trust and  
25 the sharing of information, especially under conditions of conflict. Consensus does not mean  
26 that everyone will be equally happy with the outcome, but all do accept that the decision is  
27 the best that could be made at the time.

1 Consensus requires sharing of information, which leads to mutual education, which, in turn,  
2 provides the basis for crafting workable and acceptable alternatives. Consensus promotes  
3 joint thinking of a diverse group and leads to creative solutions. Also, because parties  
4 participate in the deliberation, they understand the reasoning behind the recommendations  
5 and are willing to support them. The goal is to make decisions based on open discussions and  
6 use an approach that is flexible, specific to the situation, and does not usually require a  
7 formal voting mechanism. The Facilitators will be responsible for closing a discussion,  
8 identifying consensus, and moving forward in a timely manner. If there is doubt that  
9 consensus exists, then any primary committee member (or alternate if the primary member is  
10 not present) can request a test of consensus.

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12 In making decisions, each committee member will indicate his/her concurrence on a specific  
13 proposal using a five-point scale. The scale allows committee members to clearly  
14 communicate their intentions, assess the degree of agreement that exists, and register their  
15 dissatisfaction without holding up the rest of the committee. The five-point scale is as  
16 follows:

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18 1 – **Endorsement** (i.e. Member likes it).  
19 2 – **Endorsement with Minor Point of Contention** (i.e. Basically, member likes it).  
20 3 – **Agreement with Minor Reservations** (i.e. Member can live with it).  
21 4 – **Stand Aside with Major Reservations**  
22 a. Do not have sufficient information to agree with this proposal/provision  
23 b. Formal disagreement, but will not block the proposal/provision  
24 5 – **Block** Member will not support proposal, support a final agreement, or work with  
25 stakeholder process. Blocking means that the member may work outside the committee  
26 process to meet his interests.

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28 The facilitator will measure the committee’s consensus on a given proposal by open polling  
29 of the committee members present. Ratings will not be considered from any alternates or  
30 interested parties present when determining the committee’s level of consensus. The levels of  
31 consensus are:

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- Consensus - All committee members present rate the proposal as a 1, 2 or 3.
- Consensus with Major Reservations – All committee members present rate the proposal as a 1, 2 or 3, except at least one committee member rates it as a 4.
- No Consensus - Any committee member present rates the proposal as a 5.

When measuring consensus for very important decisions (e.g. the committee’s final recommendations), the facilitators will typically conduct a role call allowing each committee member to rate the proposal in question one at a time and acknowledging the committee member’s rating.

**K. THE COMMITTEE’S FINAL PRODUCT**

The committee’s final product will be a written report including at least the following sections:

**1. Background on the committee**

Brief descriptions of the committee and its chronology, the agencies and organizations that make up the committee, and the relationship between the committee’s activities and the development of tree conservation and maintenance standards for inclusion in the city/county Unified Development Ordinances.

**2. Consensus Agreement**

A set of concisely worded recommendations, arrived at through the committee’s consensus decision-making process, that will be used as the basis for developing ordinance language on tree conservation and maintenance standards for inclusion in the City/County Unified Development Ordinances.

**3. Ordinances**

Tree ordinances as drafted by the City-County Planning Department and approved by the committee.

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**4. Summary of Recommendations for Which Consensus was not Achieved**

A set of concisely worded recommendations that the committee discussed, but for which no consensus could be reached. For each recommendation, the names of dissenting member organizations will be identified.

**L. SCHEDULE AND DURATION**

The committee will meet periodically at times and locations of their choosing. The committee will work toward a final report to be delivered to the City/County Planning Department by MONTH, DAY, YEAR.

The committee may continue meeting after MONTH, DAY, YEAR if it so chooses.

**M. CHANGES TO THE CHARTER**

Changes to the charter can be made at any meeting of the committee by the consensus procedure described in Section J.