

**Shelby City Council Member
Violet Arth Dukes!!! –Bought
and Paid For???!!! –Accused
of Criminal Conflict of
Interest-Self Dealing!!!
–Case Seems Clear–Where is
District Attorney Mike
Miller?? –Report, arguendo,
research and associations by
Robert A. Williams**

Editor's Note: Shelby City Council Member Violet Arth Dukes and Shelby Mayor Stan Anthony are already involved in a Civil Court Lawsuit brought against them by Mr. Willie Green arising out of alleged defamatory statements they made that were printed by the Shelby Star regarding actions they took while operating under their authority as City of Shelby officers. Normally such "official" actions that are reasonable and lawful render Dukes and Anthony immune from prosecution. However, if such actions are made with a malicious or criminal intent, such immunity is lost. Shelby City Manager Rick Howell is learning that lesson the hard way as we speak. It appears Dukes and Anthony are heading in that same direction. Likely joined by others on the City Shelby Council in the near future. But those are stories for other article(s).

Mr. Willie A. Green Sr. has been busy checking up on the shenanigans of Councilwoman Violet Arth Dukes and the others

on the City Council, City Manager Rick Howell, Mayor Stan Anthony and the other Shelby Council members. And so have I. This article starts with Councilwoman Violet Dukes and other articles will be written about most of the others previously noted. You will be hearing about seemingly rigged zoning change requests, fixed code violations, retaliation against competition, Escort Services, selective prostitution prosecutions, malicious prosecutions and other forms of corruption that swarms around most, maybe all, of Shelby's leadership. I almost didn't know where to start. So..., ladies first.

Violet Arth Dukes' vocation, where she gets her "official paycheck, is the Marketing Coordinator for the Cleveland County Arts Council. Mrs. Dukes ran against incumbent Shelby City Councilman Dennis Bailey in 2017, winning the Shelby Ward 4 seat. Violet Dukes was sworn into office at the December 4, 2017 Shelby City Council meeting. (Perhaps, outgoing Council member Dennis Bailey should be thanking his "lucky stars" that Violet Arth Dukes is being prosecuted for wrongdoing instead of him.)

At present the major issue with the Shelby City Council Member Violet Dukes is the \$30,000 (and maybe more) payments made by the City of Shelby to the Cleveland County Arts Council that are specifically earmarked for Marketing and events. Which is exactly the job that Shelby Councilman Violet Dukes holds with the Arts Council. Some call this a conflict of interest. The law calls it "criminal self-dealing." But, more on that later.

The following list of the Cleveland County Arts Council staff. Board and the Board of the Uptown Shelby Association, along with the City of Shelby leadership are Violet Arth Dukes alleged "Partners in Crime." Violet Dukes and her cohorts on the Shelby City of Council would certainly NOT be as successful in ripping off the taxpayers of Shelby and Cleveland County without the help of everybody named in these lists. We have underlined the names of certain individuals

that, in one way or another, are of particular interest in the research of this and other articles in this series. Folks, if you know anybody on this list, call them after you read these articles and ask them “What the Hell is going on with the City of Shelby and the Arts council?”

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Curtis Bailey- Uptown Olive Oil & More + Uptown Sweets & Treats

Lacey Beam- Rutherford County

Scott Sharp- Edward Jones

April Crotts – Cleveland County representative

Rick Howell- City Manager, City of Shelby

Foothills Farmers' Market

liaison

Bill Watson- Cleveland County Chamber of Commerce

liaison

Richard Hooker- Cleveland County Business Development Center

liaison

David Causby- City Council, City of Shelby

liaison

Earl Scruggs Center

liaison

Don Gibson Theatre

liaison

Cleveland County Arts Council

liaison

First, let us provide the verified allegations that Mr. Willie Green has accused Councilwoman Violet Dukes of. There are several allegations up to now and likely more to come from Mr. Green. Then, I will provide what I turned up in my independent investigation.

5/20/2020 Mr. Green sends a message to Violet Dukes:

The message is based on the following link:

<https://www.cityofshelby.com/home/showdocument?id=5545>

Councilwoman Violet Dukes,

The purpose of this email is to go on the record to inform you that you are in violation of N.C. Statute of Criminal Self-Dealing. And because you are in violation of the law, you should immediately do one of three things; (a) either resign from the (Shelby) City Council (b) you can request your employer to refund the \$15,000 grant the City Council awarded

the Arts Council (plus another \$15,000 awarded this past week) or (c) you can resign from your job with the Arts Council.

During the July 16, 2018, City Council meeting, you informed the Council that you wished to be excused from voting on the \$15,000 grant request from the Cleveland County Arts Council, due to your employment with the organization and possible conflict of interest. The Council granted you your excusal and proceeded to approve the funding request to the Arts Council. According to N.C. General Statute, simply excusing yourself from voting does not solve the problem of you violating N.C. Criminal Self-Dealing Statute. According to the UNC School of Government Distinguished Professor of Public Law and Government, Frayda Bluestein June 26, 2015, blog article Coates' Canons Blog: The North Carolina Criminal Self-Dealing Statute (G.S. 14-234): Five Things You Should Know. She states, "When it comes to elected board members does not avoid liability by merely being excused from voting on a contract..." But excusing the interested member from voting doesn't solve the problem. The statute makes clear that an official can violate the statute even if he or she is excused from voting on the contract. If the board approves the contract, even with the interested board member not voting, that member is still in a position to interpret or make decisions on the contract, therefore the violation still occurs."

(<https://canons.sog.unc.edu/the-north-carolina-criminal-self-dealing-statute-g-s-14-234-five-things-you-should-know/>)

What makes your decision even more egregious and criminal is your refusal to follow protocol in seeking the opinion of the City Attorney before the Council had open discussions and voted to approve the grant funds. If you recall, my efforts to purchase the North Shelby School from CCS, my wife – who serves on the CCS School Board – first sought the legal opinion of Colin Shive, the school's attorney, before the school board hearing. Attorney Shive gave my wife, the right

legal advice and understanding of the General Statute Conflict of Interest Law. He informed her that before any discussions or vote by the school board could take place on my proposal to purchase North Shelby School, Dena (Green) would have to step down from the school board, and just excusing herself from the discussion and vote would still be in violation of the law. Attorney Shive's legal opinion further supports Professor Bluestein's interpretation of the law. In your case, you failed to seek legal advice from City Attorney Yelton, and there is nothing in the minutes of the meeting to state that you did seek legal advice. Professor Bluestein also addresses this in her September 16, 2009 blog titled, Coates' Canons Blog: Excusing Board Members From Voting. She stated, "the board should create a local process that provides for obtaining an opinion from the local attorney. Information should be provided to the attorney in advance of the vote and he or she should render an opinion to the entire board." (<https://canons.sog.unc.edu/excusing-board-members-from-voting/>)

As I continue reading through the City Council minutes of meetings and reading articles related to Councilmembers, I am amazed at the blatant corruption and discriminatory practices that are happening in plain sight by our public officers and elected officials. Councilmembers like yourself are using your elected position to receive financial benefits and deciding who can and cannot do business in Shelby. This behavior from our public officials should not be happening, but it explains why we do not have any major black-owned companies and what happens to any minority businesses who dare try to compete with members of the Council businesses.

My asking of you is to do the right thing and either resign or refund the taxpayers our \$15,000. I await your decision.

Councilman Webber and Councilman Hopper, I am providing you with more proof of the corruption in the City of Shelby's leadership that took place before you were elected. Either you

can remain quiet and take part in what's going on, or you can separate yourself and bring about change that will give minorities the same and equal opportunities in Shelby as others currently have. What is it going to take for you two to start speaking out on behalf of the community about discrimination (as you said is taken place with the County) and corruption taking place within the City Council that you now serve? It is time you start doing the right thing and not the popular thing.

Willie A. Green, Sr

My research of Mr. Green's allegations of corruption as described and identified with Violet Dukes, and thoroughly and correctly annotated are 100% correct. But, don't believe me or Mr. Green. Look them up for yourself.

Also. since Mr. Green presented his message included above to Council member Violet Dukes and copied All of the Shelby City "leadership, there has been a whirlwind; no, a tornado, of phony excuses, denials, false information, words twisted and turned, all manner of hokum and bullshit to try to deceive the public into believing that Violet Dukes-or anybody else-has done anything wrong. The old time Shelby "Whispering campaign" as some have labeled it has been working overtime.

Of course, they start by saying that Willie Green is just an "uppity" N-word. That is always the starting point. A "Race-Card" moment!! Then they say that Robert A. Williams, he ain't nothing but a crazy liar. They always say that too. But, when those asking the "leadership" try to dig a little past the ad hominem attacks, other deception and lies come out in full force.

'Oh," they say, there was no "direct benefit" to Violet Dukes from that \$30,000(+) the Shelby City Council voted unanimously to give the Arts Council while Violet was a City Council person. But the Council earmarked the money to Marketing and

Events and Violet Dukes job, and paycheck, comes exactly from marketing and events. So, that phony excuse was quickly dropped and forgotten about. It had to be dropped and forgotten. The facts and the truth were too widely known and obvious.

The latest phony excuse is, "Well," the money given to the Arts Council was a "Grant" and not a "contract." But that phony excuse was given too quickly and without any thought. The City of Shelby's own Grant Policy, with-in the policy itself, uses both words, "Grant" and "Contract" interchangeably. A "grant" is a "contract" and a "contract" is a "Grant" for the purposes of their very own Grant Policy.

And, that is the last I heard from the silly gossip coming out of the Shelby City Hall. One can only assume that the lawsuits Mr. Green filed against Shelby City Manager

Rick Howell in his individual capacity, as well as similar lawsuits filed against Council member Violet Dukes and Mayor Stan Anthony in their individual capacity, on top of Superior Court Judge W. Todd Pomeroy's ruling that Rick Howell's malicious and criminal intent stripped away Howell's immunity from prosecution and will do the same for Violet Dukes and Stan Anthony may be sinking in the feeble and corrupt brains of the Shelby City leadership. Who, most likely, are smart enough to finally heed their new attorney's warnings to them, "Shut the Hell up!!!"

Folks, stay tuned for more regarding the many alleged "torts" and crimes of Violet Dukes, Rick Howell and Stan Anthony. And don't be surprised to hear that David White and Eric Hendrick may be the next people to be visited by a Sheriff's Deputy knocking on their door with a lawsuit against them. Somewhere along the line it is expected that Rev. Charles Webber and Andrew Hopper will be resigning from the Shelby City Council. And followed soon thereafter by David Causby. JMO!

Anyway folks, my next article or articles in this particular

series will describe some foul-smelling “stuff” regarding Councilmen David White and Eric Hendrix. In a separate article as this article has become too long already.

And folks, don't forget this important fact; Crimes are supposed to be prosecuted by District Attorney Mike Miller's office. And Where is the DA? You can bet I will copy DA Mike Miller with this article. The Attorney General Josh Stein too. Two peas in a pod. Neither one will prosecute real political related crimes.