

**Minutes of the Village of Pinehurst Historic Preservation Commission's Special Meeting  
On November 15, 2012**

The November 15, 2012 special meeting of the Village of Pinehurst Historic Preservation Commission (the "Commission") was called to order by Mr. Howard Warren, Chairman, at 3 PM. Present at the meeting were Chairman Warren, Commissioner James Lewis, Commissioner Frank Thigpen (via telephone), Commissioner Nancy Smith, Commissioner Carl Holstein, Commissioner Joyce Franke and Commissioner Patrick Duffy, and Mr. John Carmichael, attorney. The sole purpose of the special meeting was to consult with the Commission's attorney, Mr. Carmichael, regarding the Commission's response to the November 1, 2012 Order of the Village of Pinehurst Board of Adjustment that reversed the Commission's decision to deny the Village of Pinehurst's Application for a Certificate of Appropriateness for proposed improvements to the Village Green, and directed the Commission to issue the Certificate of Appropriateness.

The Commission went into closed session. Mr. Carmichael discussed the Order entered by the Board of Adjustment, and the Commission's options. More specifically, Mr. Carmichael stated that the Commission's options were to accept the Order in its current form, appeal the Order to Superior Court or accept a settlement offer tendered by the Village of Pinehurst and the Board of Adjustment. Mr. Carmichael stated that the settlement offer is that the Board of Adjustment will amend the Order to remove the phrase "arbitrary and capricious" in return for the Commission's agreement not to appeal the Order, as revised, to Superior Court.

Mr. Carmichael provided his opinion to the Commission members with respect to each option, and the Commissioners discussed each option in detail. At the conclusion of the Commissioners' discussion, the Commission, by a unanimous vote, decided to accept the settlement offer and to not appeal the Order, as revised, to Superior Court. Additionally, the Commission agreed to issue the Certificate of Appropriateness to the Village of Pinehurst at its December meeting after the revised Order is entered by the Board of Adjustment.

The special meeting was adjourned.  
Submitted by,  
John Carmichael, Historic Commission Attorney