

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
CLOSED SESSION –January 24, 2012  
395 MAGNOLIA ROAD  
CONFERENCE ROOM  
PINEHURST, NORTH CAROLINA  
9:00 A.M**

**MINUTES**

During the Work Session of the Pinehurst Village Council held at 9:00 a.m., Tuesday, January 24, 2012 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina, Councilmember Lapins moved to recess the work session and enter into a closed session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council. The motion was seconded by Councilmember Strickland and carried unanimously. The following people were present:

Ms. Nancy Roy Fiorillo, Mayor  
Mr. Douglas A. Lapins, Mayor Pro-Tem  
Mr. John R. Cashion, Councilmember  
Mr. Mark W. Parson, Councilmember  
Mr. John C. Strickland, Councilmember  
Mr. Andrew M. Wilkison, Village Manager  
Mr. Michael J. Newman, Village Attorney

**MAYOR NANCY ROY FIORILLO CALLED THE MEETING TO ORDER.**

The Council, the Village Manager and the Village Attorney discussed the status of the litigation between Mr. Mike McCrann and the Village of Pinehurst; legal proceedings regarding the Traditions of Old Town Development, and the claim concerning the Village of Pinehurst by Mrs. Rose Swaringen. Regarding the McCrann litigation, Mr. Newman reported that he fully expected McCrann and the other plaintiffs to appeal the Superior Court decision in favor of the Village and the other defendants. Mr. Newman reported that he felt that sometime in February, the foreclosure proceedings regarding Traditions of Old Town will be at a point where he will be able to gain permission for the Village to remove downed tree protection fencing and other nuisance materials from the property. Lastly, Mr. Newman reported that he had fully reviewed the complaint of Mrs. Swaringen with the Village Manager and he did not feel that the Village had any liability with regard to her complaint about high water pressure at her residence.

**ADJOURNMENT.**

Upon the conclusion of the Closed Session, Councilmember Lapins moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Strickland and carried unanimously.

The Closed Session adjourned at approximately 11:50 a.m.

Respectfully Submitted,

Linda S. Brown, CMC  
Village Clerk