

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
CLOSED SESSION –July 10, 2012
395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
6:00 P.M**

MINUTES

During the Work Session of the Pinehurst Village Council held at 6:00 p.m., Tuesday, July 10, 2012 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina, Councilmember Strickland 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, and pursuant to NCGS 143-318.11 (a) (6), to consider the qualifications, competence, performance, character, fitness and conditions of appointment of an individual public employee. The motion was seconded by Councilmember Cashion 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
Mrs. Andrea Correll, Planning Director
Mrs. Molly Goodman, Senior Planner

MAYOR NANCY ROY FIORILLO CALLED THE MEETING TO ORDER.

The Council, the Village Manager, the Planning Director, Senior Planner Molly Goodman and the Village Attorney discussed the status of litigation between the Village of Pinehurst and Mike McCrann, and the potential for an appeal of the decision of the Historic Preservation Commission regarding the Village Center Enhancements. The Village Attorney reported that counsel for the plaintiff, McCrann, had requested that the defendants consent to mediation in this litigation. The Village Attorney explained that all of the defendants had declined to participate in mediation, noting that the defendants had prevailed on all claims at the Superior Court level, and the Superior Court judge had found that the plaintiffs had no standing in the case. Therefore, it makes no sense to negotiate a potential settlement with a party that has no standing in the case.

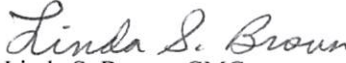
The Village Attorney also discussed with the Council the options the Council has with regard to the recent decision of the Historic Preservation Commission, to not issue a Certificate of Appropriateness for the proposed Village Center Enhancements (expanded sand parking lot and Tufts Memorial Park).

ADJOURNMENT.

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

The Closed Session adjourned at approximately 6:55 p.m.

Respectfully Submitted,


Linda S. Brown, CMC
Village Clerk