

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
CLOSED SESSION –September 28, 2010
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, September 28, 2010 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 Thurman and carried unanimously. The following people were present:

Ms. Virginia F. Fallon, Mayor
Ms. Joan M. Thurman, Mayor Pro-Tem
Mr. Douglas A. Lapins, Councilmember
Mr. Mark W. Parson, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Mr. Michael J. Newman, Village Attorney

MAYOR VIRGINIA F. FALLON CALLED THE MEETING TO ORDER.

The Council, the Village Manager and the Village Attorney discussed anticipated litigation between Mr. Mike McCrann and the Village of Pinehurst, a recent order from Judge Tilley in the Boesch (2) case related to the annexation of Pinewild, a claim between the Kryder family and Moore County which Mr. Newman had discussed with the County Attorney, and Mr. Newman's recent discussions with Christine Arato of the National Park Service. Mr. McCrann has until Thursday, September 30, 2010 to file his appeal. He will file a motion to appeal and dismiss the order of Judge Tilley, which must have been filed by the Judge by mistake, as the litigation was dismissed over a year ago and there was no basis to assess legal fees against the Village. The Council agreed with the Village Attorney that the Village would not reimburse the Kryder family for any expenses they have incurred as a result of water running through their yard from a broken Moore County Public Utilities water line. Mr. Newman finally reported that he had talked several times with Ms. Christine Arato of the National Park Service regarding the Historic Landmark Designation for the Village of Pinehurst, and that he would attempt to arrange a conference call involving Mayor Fallon, himself and National Park Service staff to further continue this dialogue.

ADJOURNMENT.

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

The Closed Session adjourned at approximately 12:45 p.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk