

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
CLOSED SESSION –October 11, 2011
395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
4:30 P.M**

MINUTES

During the Work Session of the Pinehurst Village Council held at 4:30 p.m. Tuesday, October 11, 2011 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina, Councilmember Parson 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) (5) to instruct the staff of the village with regard to the material terms of a proposed contract to acquire real property. The motion was seconded by Councilmember Fiorillo and carried unanimously. The following people were present:

Ms. Virginia F. Fallon, Mayor
Ms. Joan M. Thurman, Mayor Pro-Tem
Mrs. Nancy Roy Fiorillo, Councilmember
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, Assistant Village Manager Jeff Batton, Village Engineer Mike Apke, Senior Planner Bruce Gould and the Village Attorney discussed the position to be taken by village staff in the negotiation for road right of way with the owners of the Pinecrest Inn. After that discussion, Mr. Batton, Mr. Apke and Mr. Gould left the meeting room. The Village Attorney then briefed the Council on the status of both instances of litigation between Mr. Mike McCrann and the Village of Pinehurst. Mr. Newman said he expected Mr. McCrann to file for an appeal to the North Carolina Supreme Court of the North Carolina Court of Appeals decision which was unanimously in the favor of the Village of Pinehurst. Mr. Newman also stated that the Village of Pinehurst, the Village Chapel, and Pinehurst, LLC, all planned to file for a dismissal of Mr. McCrann's latest lawsuit as soon as possible.

ADJOURNMENT.

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

The Closed Session adjourned at approximately 5:30 pm.

Respectfully Submitted,

Linda S. Brown

Linda S. Brown, CMC
Village Clerk