

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
CLOSED SESSION –November 15, 2011
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, November 15, 2011 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 and pursuant to NCGS 143-318.11(a) (5) to instruct the Village staff with regard to the position to be taken by the Village with regard to the potential acquisition of real property. 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
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 and the Village Attorney discussed the status of litigation/claims involving the Village of Pinehurst and Doug Regan, the Village of Pinehurst and Mike McCrann, the Village of Pinehurst and John and Lydia Boesch. Regarding the Doug Regan matter, the Village Attorney reported that the business does not appear to be operating out of the residence any longer, and the yard has been cleaned up considerably. Mr. Newman reported that with regard to the Mike McCrann matter, he would be filing a motion to dismiss within two weeks. Mr. Newman also explained the rationale regarding his recommendation that the Village Council not object to the amount specified as attorney fees in the Boesch matter (\$10,000), as it would cost more than that to contest an award of those fees in the US Court of Appeals. The Council agreed with Mr. Newman's recommendation in the Boesch matter.

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 Thurman and carried unanimously.

The Closed Session adjourned at approximately 11:45 a.m.

Respectfully Submitted,

Linda S. Brown

Linda S. Brown, CMC
Village Clerk