

**MINUTES**  
**TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS**  
**October 23, 2008 - SPECIAL CLOSED SESSION**

The Board of Commissioners of Transylvania County met in special session on Thursday, October 23, 2008 at 6:30 p.m. in the Administration Building Conference Room.

Commissioners present were Lynn Bullock, Chairman Jason Chappell, David Guice, Daryle Hogsed and Vice-Chairman Kelvin Phillips. Also present were County Manager Artie Wilson, County Attorney Curtis Potter and Clerk to the Board Trisha McLeod.

**CALL TO ORDER**

Chairman Jason Chappell presiding called the meeting to order at 6:35 p.m.

**Commissioner Phillips moved to enter into Closed Session per North Carolina General Statute 143-318.11 (a) (3), Attorney-Client Privilege, to discuss the pending litigation matter of Transylvania County versus Michael D. Baxley and Charlotte Baxley's Training Facility, seconded by Commissioner Hogsed and unanimously carried.**

**CLOSED SESSION**

Pursuant to North Carolina General Statute 143-318.11 (a) (3) Attorney-Client Privilege, to discuss the pending litigation matter of Transylvania County versus Michael D. Baxley and Charlotte Baxley's Training Facility, closed session was entered into. Present were Chairman Chappell, Commissioners Bullock, Guice, Hogsed and Phillips, County Manager Artie Wilson, County Attorney Curtis Potter and Clerk to the Board Trisha McLeod.

Commissioners discussed the pending litigation matter of Transylvania County versus Michael D. Baxley and Charlotte Baxley's Training Facility and directed staff on how to proceed.

**Chairman Chappell moved to leave Closed Session, seconded by Commissioner Hogsed and unanimously carried.**

**OPEN SESSION**

**Chairman Chappell moved to seal the Minutes of the Closed Session, seconded by Commissioner Phillips and unanimously approved.**

## ADJOURNMENT

There being no further business to come before the Board, **Chairman Chappell moved to adjourn the meeting, seconded by Commissioner Hogsed and unanimously approved.**

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Jason R. Chappell, Chairman  
Board of County Commissioners

ATTEST:

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Trisha D. McLeod  
Clerk to the Board