

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: WEDNESDAY, February 16, 2005

SUBJECT: CLOSED SESSION

ATTACHMENTS: NONE

SUMMARY OF REQUEST:

The Board is requested to go into Closed Session for the following reasons:

1. NCGS 143-318.11(a)(3): To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. To consult with an attorney employed or retained by the public body in order to consider and give instructions to the attorney with respect to the following proceeding:

*Henderson County Hospital Corporation d/b/a Margaret R. Pardee
Memorial Hospital and Henderson County,
Petitioner,*

v.

*North Carolina Department of Health and Human Services, Division
of Facility Services, Certificate of Need Section,
Respondent,*

and

*Brevard MRI at Transylvania Community Hospital, L.L.C.,
Respondent-Intervenor*

*In the Office of Administrative Hearings
04 DHR 1555*