

CLOSED MINUTES

RELEASE

August 5, 2013 – Haywood Regional Medical Center

August 19, 2013 – Haywood Regional Medical Center

September 16, 2013 – Haywood Regional Medical Center

October 7, 2013 – Haywood Regional Medical Center

APPROVE AND RELEASE

March 17, 2014 – Closed Session Minutes

April 7, 2014 – Worker's Compensation

June 16, 2014 – Haywood Regional Medical Center

APPROVE BUT NOT RELEASE

February 17, 2014 – Chamber of Commerce

February 17, 2014 – Haywood Regional Medical Center – county funds after sale

February 17, 2014 – Compensation for Realtor

March 3, 2014 – Haywood Regional Medical Center – county funds after sale

March 17, 2014 – Evergreen – natural gas

March 17, 2014 – Worker's Compensation

March 17, 2014 – Haywood Regional Medical Center – county funds after sale

March 17, 2014 – tax foreclosure sale

April 7, 2014 – Haywood Regional Medical Center – county funds after sale

May 5, 2014 – Government Channel Advertisement

May 5, 2014 – County Manager discussion

May 19, 2014 - Haywood Regional Medical Center

June 2, 2014 – Haywood Regional Medical Center

August 18, 2014 – personnel

August 18, 2014 – Consolidated Waste Services

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 5, 2013**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Vice Chairman Kirkpatrick explained that there would be a Public Hearing on August 22 at HRMC related to the sale, lease or conveyance of the hospital. This action would have to be approved by the County. Discussion was held related to utilizing bonds to pay debt.

As Vice Chairman Kirkpatrick is on the HRMC Board, he cannot disclose certain information. Chairman Swanger suggested having some type of confidentiality agreement for the Board members and requisite staff so that all pertinent information could be considered.

County Attorney Killian will review any document that is presented for signature by HRMC related to confidentiality and advise accordingly.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.


CLERK


CHAIRMAN

RELEASED

Oct 6, 2014

Date

Mark Swanson

Chairman

[Signature]

Clerk

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
AUGUST 19, 2013**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Janie Sinacore-Jaberg, President and CEO, MedWest Haywood; Mark Clasby, Board Chair; David Waylin, Stroudwater Associates

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

A letter was presented from Stroudwater Associates that granted permission for the Commissioners and related staff to discuss information about the affiliation process currently underway at MedWest. Information was presented by David Waylin related to the process of obtaining bids from potential partners, as well as highlighting certain requirements (or pillars) from all the bidders. Three (3) bidders responded and formal presentations will be made to the MedWest Board. Site visits both at MedWest and the bidder locations will be completed by early September.

Follow up information will be presented during closed session on September 16th. Mr. Killian advised everyone present that this information should be kept confidential due to the sensitive nature of this process.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Chairman

Clerk

Mark Swanger

[Signature]

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
SEPTEMBER 16, 2013**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Janie Sinacore-Jaberg, President and CEO, MedWest Haywood; Mark Clasby, Board Chair

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Mr. Clasby and Ms. Sinacore-Jaberg updated members on the activities since the last discussion. Site visits to Danville, VA and Gallatin, TN for Duke Life Point were conducted. Additional site visits to WestCare were completed. Mr. Clasby noted that best and final proposals were due this week and that the Executive Committee would meet Thursday morning to review.

Additional meetings of the MedWest Board would be on September 24; HRMC Board on September 26 and WestCare Board on October 1. All boards will be provided with the final proposals.

Mr. Clasby and Ms. Sinacore-Jaberg noted that the next steps would be to have a formal vote related to a possible partner - this may occur in October. Ms. Sinacore-Jaberg shared that the physician base appears to be on-board with the gain of a financial partner.

County Attorney Killian was involved in discussion about possible options for the county, and in particular regarding the possible distribution of sale proceeds. Mr. Killian again advised that this information is confidential and should not be shared.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Chairman

Clerk

Mark Swang

[Signature]

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
OCTOBER 7, 2013**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Marty Stamey, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Amie Owens

OTHERS PRESENT: Mark Clasby, MedWest Board Chair, Frank Powers, HRMC Board Chair and Jeff Summer, Stroudwater Associates

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Mr. Summer prepared and distributed a spreadsheet illustrating estimated net proceeds for HRMC and provided description and explanation for all line items.

Chairman Swanger questioned the responsibilities of the county following a sale of the hospital. Mr. Summer explained that Ms. Davis would have access to a monitoring mechanism similar to an escrow account. Provisions would be included in any agreement to allow for County access to financial information.

Mr. Summer explained potential post-closing costs and accounting mechanisms. Chairman Swanger questioned performance requirements and who has enforcement rights. County Attorney Killian will research the options presented related to proceeds from a sale and the county's role in enforcement and use of proceeds.

Mr. Clasby explained the next steps including presentation to all involved boards (WestCare, HRMC and MedWest). If purchase is approved, then a memorandum of understanding will be executed and due diligence performed. Approval will be required by the Attorney General; will be at least early 2014 before any resolution is possible.

County Attorney Killian will continue research related to county interests. Mr. Killian again advised that this information is confidential and should not be shared.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Ensley seconded and the motion carried unanimously.





CLERK

CHAIRMAN

RELEASED	
Date	<u>October 6, 2014</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
MARCH 17, 2014**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick III, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells

MEMBERS ABSENT: None

STAFF PRESENT: Interim County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian III, Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT:

GENERAL STATUTE: Closed Session Minutes §143-318.11(a)(1)

SUBJECT: Closed Session Minutes

DISCUSSION:

Chairman Swanger reviewed the list of closed session minutes to be approved and released, and the list of minutes to be approved and not released. The Board concurred.

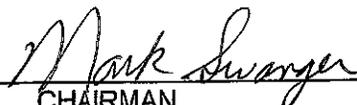
Attorney Killian advised the Board that the County has received some inquiries concerning prior closed sessions. He then read a statement that will be read into the minutes following this closed session.

OPEN SESSION:

Vice Chairman Kirkpatrick made a motion to return to open session. Commissioner Upton seconded and the motion carried unanimously.



CLERK



CHAIRMAN

RELEASED	
Date	<u>October 6, 2014</u>
Chairman	<u>Mark Swanger</u>
Clerk	<u>[Signature]</u>

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
APRIL 7, 2014**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners Bill L. Upton, L. Kevin Ensley and Michael T. Sorrells.

MEMBERS ABSENT: None

STAFF PRESENT: Interim County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III and Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Worker's Compensation case - Shiffler

DISCUSSION:

Mr. Dove stated that Andrew Kaplan, worker's compensation attorney, was on standby by phone to explain the worker's compensation case of Betty Shiffler. Mr. Kaplan was called and after discussion of the case, he recommended the following settlement based on the facts of the case, on total exposure and risk of long term payment:

\$50,000 settlement, \$1275.00 in mediation fees, \$2400.00 in medical fees set aside for Medicare, and \$402.75 per week until the settlement is made with the Industrial Commission.

It was agreed unanimously to accept this settlement.

OPEN SESSION:

Commissioner Upton made a motion to return to open session. Commissioner Sorrells seconded and the motion carried unanimously.


CLERK


CHAIRMAN

RELEASED

October 6, 2014

Date

Mark Swanger

Chairman

[Signature]

Clerk

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
CLOSED SESSION MINUTES
JUNE 16, 2014**

MEMBERS PRESENT: Chairman Mark S. Swanger, Vice-Chairman J.W. "Kirk" Kirkpatrick, Commissioners L. Kevin Ensley, Michael T. Sorrells and Bill L. Upton

MEMBERS ABSENT: None

STAFF PRESENT: County Manager/Clerk to the Board Ira Dove, Finance Director Julie Davis, County Attorney Leon M. "Chip" Killian, III. Executive Assistant/Deputy Clerk Candace Way

OTHERS PRESENT: None

GENERAL STATUTE: Attorney/Client Privilege §143-318.11(a)(3)

SUBJECT: Haywood Regional Medical Center

DISCUSSION:

Mr. Killian updated the Board with the most recent status of the hospital. He said that he had been corresponding with Tom Stukes, and that we are back to BOCC approval of the APA on July 21, HRMC approval on July 24, and a July 31 closing date.

He read an email that he had sent to Mr. Stukes explaining the County procedure on posting Board approved documents, further noting that Mr. Stukes had expressed a concern with the APA being posted on line.

A discussion was held about this concern, and it was decided to post online for ten days and then take it down. A hard copy of the APA will be available in the Manager's office.

OPEN SESSION:

Commissioner Sorrells made a motion to return to open session and Commissioner Upton seconded. The motion carried unanimously.



CLERK



CHAIRMAN

RELEASED

October 6, 2014

Date

Chairman

Clerk

Mark Swartz