

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
September 7, 2004**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 10:30 A.M., September 7, 2004, in the Sullivan Conference Room, 301 W. Jefferson Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1, Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5 (entered late). Also present: Fran McCarroll, Clerk of the Board, Shirley Million, Administrative Coordinator, David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

RECESS TO EXECUTIVE SESSION

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried that the Board recess into Executive Session, pursuant to listed statutory authority, to consider the following items.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION -- ARS §38-431.03(A)(3) AND (A)(4)

Compromise Cases

Jorge Castillo	Sahara Caudillo	Aaron Disanti
Juan Hernandez Flores	Daniel Herrera	Tammy Leight
Francisca Mora	Justin Nadeau	Christel Robinette
Kirsten Sexton	Don Staniel	
Barbara Caldwell, Outside Counsel		

Write-Off Cases

William L. Scovel	Shawn R. Bullock	Melissa D. Villalobos
Barbara Torbet	Victor Corral	Michael E. Gipson
Michael E. Gipson	Joseph T. Durate	Victor Brown
James McDonnell	Frank M. King	Eugene E. Verville
Gina M. Bush	Gilbert M. Ortega	Ernest L. Hopper
Samuel J. Willis	Maria Cordova	Jose Cordova
Barbara Caldwell, Outside Counsel		

RECORDS OR INFORMATION EXEMPT BY LAW FROM PUBLIC INSPECTION -- ARS §38-431.03(A)(2)

Maricopa Integrated Health System Physician Credentialing

Christopher Keller, Chief Counsel, Division of County Counsel
Tim Casey, Outside Counsel, Snell and Wilmer
Ted Shaw, MIHS, CEO
Tom Manos, Maricopa County Chief Financial Officer/Transition Team Leader
James Kennedy, M.D., Maricopa Integrated Health System, Director of Medical Affairs
Ed Fenstermacher, M.D., Maricopa Integrated Health System, HP Medical Director
William Ellert, M.D., President, Maricopa Integrated Health System Medical Staff
Jaya M. Raj, M.D., President-Elect, MIHS Medical Staff

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**RECORDS OR INFORMATION EXEMPT BY LAW FROM PUBLIC INSPECTION; LEGAL ADVICE;
PENDING OR CONTEMPLATED LITIGATION -- ARS §38-431.03(A)(2),(A)(3), and (A)(4).**

MIHS Physician Re-credentialing / Re-appointment: OB/GYN Department

Christopher Keller, Chief Counsel, Division of County Counsel
Tim Casey, Outside Counsel, Snell and Wilmer
Ted Shaw, MIHS, CEO
Tom Manos, Maricopa County Chief Financial Officer/Transition Team Leader
James Kennedy, M.D., Maricopa Integrated Health System, Director of Medical Affairs
Jaya M. Raj, M.D., President-Elect, MIHS Medical Staff

LEGAL ADVICE-- ARS §38-431.03 (A)(3)

Legal Advice regarding use of lease covenants or deed restriction in IGAs, property leases or on prior county deed restricted property.

Christopher Keller, Chief Counsel, Division of County Counsel
Tim Casey, Outside Counsel, Snell and Wilmer
Bill Sims, Outside Counsel
Tom Manos, Maricopa County Chief Financial Officer/Transition Team Leader

(Clerk's Note: This item was moved to the end of the meeting, after the short open meeting section.)

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) and (A)(4)**

Arizona Motorsports Park, L.L.C., claim

Chris Keller, Chief Counsel, Division of County Counsel
Peter Crowley, Risk Manager
Joy Rich, Chief Regional Development Services Officer
Terry Eckhardt, Deputy County Attorney, Division of County Counsel
Richard Stewart, Deputy County Attorney, Division of County Counsel

BOARD RECONVENED IN OPEN SESSION

At 1:00 p.m. the Chairman reconvened the Board in open session for discussion and/or action on the following item. The Clerk notified anyone waiting outside the boardroom of this action.

POSSIBLE ACTION

MIHS PHYSICIAN RE-CREDENTIALING / RE-APPOINTMENT: OB/GYN DEPARTMENT

Motion was made by Supervisor Stapley and seconded by Supervisor Brock to approve the re-appointment and credentialing of Dr. Chris Carey to MIHS OB/GYN Department. Motion passed on a majority vote (3-2) with Supervisors Stapley, Brock and Wilcox voting "aye" and Supervisors Kunasek and Wilson voting "no."

Following the vote, the Chairman called for a 10-minute break. Chairman Kunasek left the meeting at this time, turning the gavel over to Supervisor Wilson as acting chairman.

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EXECUTIVE SESSION RECONVENED

Supervisor Wilson reconvened the Board in Executive Session at 1:15 p.m. to consider the following item. Supervisor Brock had not yet returned to the meeting.

LEGAL ADVICE- ARS §38-431.03 (A)(3)

LEGAL ADVICE REGARDING USE OF LEASE COVENANTS OR DEED RESTRICTION IN IGAS, PROPERTY LEASES OR ON PRIOR COUNTY DEED RESTRICTED PROPERTY.

Christopher Keller, Chief Counsel, Division of County Counsel
Tim Casey, Outside Counsel, Snell and Wilmer
Bill Sims, Outside Counsel
Tom Manos, Maricopa County Chief Financial Officer/Transition Team Leader

MEETING ADJOURNED

After consideration of the above items in executive session, and there being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board