

**WRITTEN STATEMENT FOR CLOSING A MEETING  
UNDER THE OPEN MEETINGS ACT**

Date: 7/21/15 Time: 1:15pm Location: MHCC  
 Motion to close meeting made by: Anthony McCann Seconded by Tom Saquella

**Vote to Close Session:**

| Name                                | Aye                                 | Nay                      | Abstain                  | Absent                              |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Van Mitchell, Secretary             | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Alfred Redmer, Jr.,<br>Commissioner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Ben Steffen                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Anthony McCann                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Linda Sue Comer                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Michelle A. Gourdine,<br>M.D.       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Thomas Saquella                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Kenneth Apfel                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):**

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:**

§3-305(b) (7) to consult with counsel to obtain advice related to potential litigation \_\_\_\_\_

§3-305(b) (14) to discuss evaluation of bids for marketing RFP, which, if discussed publicly would adversely impact the competitive bidding process for this award \_\_\_\_\_

§3-305(b) ( ) \_\_\_\_\_

This statement is made by Al Redmer, Presiding Officer,  SIGNATURE

**WORKSHEET FOR USE IN CLOSED SESSION (CHECKLIST OF DISCLOSURES TO BE MADE IN MINUTES OF NEXT REGULAR MEETING- NOT A PART OF THE CLOSING STATEMENT)**

**PERSONS ATTENDING CLOSED SESSION:** Ken Apfel, Michele Gourdine, Sam Malhotra, Van Mitchell, Al Redmer, Tom Saquella, Ben Steffen, Jonathan Kromm, Robbyn Lewis, Carolyn Quattrocki, Andrew Ratner, Sarah Rice

**TOPICS ACTUALLY DISCUSSED** Pending litigation; marketing RFP

**ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES:** Members Apfel, Gourdine, Malhotra, Redmer, Saquella and Steffen voted unanimously to approve terms of settlement with Noridian Healthcare Solutions. Secretary Mitchell did not participate in the discussion regarding the Noridian settlement, nor did he participate in the vote regarding that settlement.

**TIME CLOSED SESSION ADJOURNED:** 1:45pm

**PLACE OF CLOSED SESSION** MHCC

**PURPOSE OF CLOSED SESSION:** \_\_\_\_\_

**STATUTORY AUTHORITY FOR THE CLOSED SESSION:** §3-305(b) ( ); ( ); ( )

**MEMBERS WHO VOTED TO CLOSE:** Ken Apfel, Michelle Gourdine, Sam Malhotra, Al Redmer, Tom Saquella, Ben Steffen