The Lake County Board of Commissioners met in Regular Session on Wednesday, December 21, 2011 at 10:00 a.m. The following members were present: Chairman Dan Shoun, Vice Chair Commissioner Winters and Commissioner Ken Kestner. Also present: Legal Counsel James Bailey and Administrative Assistant Denise Thorsted.

Additions: Snow Plow Equipment, possible action
Deletions: UPS decision

10:00 a.m. – PUBLIC COMMENT:
No public comment was received.

10:30 a.m. – Public Hearing/Property Vacation
Hearing open: 10:30 a.m.

Commissioner Shoun confirmed that there had been three written objections submitted on this matter and one verbal objection prior to this hearing. No letters or verbal communications had been received in favor of this vacation request other than the person(s) requesting. Lake County Road Master Rick DuMillieu had also submitted a letter that was added to the record.

Al and Barb Strain were present for this hearing (as well as having submitted an opposition letter prior to this hearing) and confirmed that by allowing this vacation, they would loose access to their property.

Mr. Pardee asked to provide information regarding this hearing and began by giving the steps taken on this matter to date. A vacation request was received from Lakeview Redi-Mix in September asking to close off a portion of “L” Street which was currently an unconstructed/undeveloped street that ran adjacent to their property. The only adjacent land owner to this street was Mr. and Mrs. Strain.

On November 2, 2011, the Board passed Resolution #11-11-02 that began the vacation notification process. Notices had been sent and published. Road Master had reviewed this request and was now before the Board for decision.

No additional input was received at this time.
Hearing Closed: 10:32 a.m.

Legal Counsel provided an overview on vacation request processes and gave reasons for granting or not granting the vacation request. Commissioner Winters stated that he was “leaning” toward denial as only opposition was presented during the open hearing.
Commissioner Kestner felt that for future development approval could be limited if the vacation was granted. Commissioner Shoun agreed.

Commissioner Winters moved to deny the property vacation request submitted by Lakeview Redi-Mix for vacating a portion of “L” Street as proposed. Commissioner Kestner second. Discussion: Legal Counsel clarified that a decision in favor of vacating could not be reversed but a denial could be revisited at a future time if more information was to be presented. Motion carried.

Other Business:
Klamath/Lake IGA:
Legal Counsel confirmed that this was a standard agreement.

Commissioner Winters moved to approve the Intergovernmental Agreement between Klamath and Lake Counties Community Corrections/Parole and Probation Management to be paid up to $28,000 per year. Commissioner Kestner second. Motion carried.

State of Oregon IGA #4613:
Legal Counsel confirmed that this was a standard/routine agreement.

Commissioner Winters moved to approve the Intergovernmental Agreement #4613 between the State of Oregon and Lake County as presented. Commissioner Kestner second. Motion carried.

Oregon Department of Revenue Service Agreement #2648:
Legal Counsel stated that typographical errors had been made would be corrected prior to submission of the final agreement.

Commissioner Winters moved to approve the Department of Revenue County/State Corporation Collection service Agreement #2648 with correction stated. Commissioner Kestner second. Motion carried.

Board of Property Tax Appeals Appointments:
Commissioner Winters moved to approve the appointment(s) of Commissioner Ken Kestner (Liaison), Randy Utley and Chris Wade to the Board of Property Tax Appeals for the year 2012. Commissioner Shoun second. Motion carried.

Meeting Minutes:
Commissioner Kestner moved to approve the November 22. 2011 Work Session Meeting Minutes as presented. Commissioner Winters second. Motion carried.

Commissioner Kestner moved to approve the November 29. 2011 Work Session Meeting Minutes as presented. Commissioner Winters second. Motion carried.

Commissioner Kestner moved to approve the December 6. 2011 Work Session Meeting Minutes as presented. Commissioner Winters second. Motion carried.
Commissioner Kestner moved to approve the December 7, 2011 Regular Session Meeting Minutes as presented. Commissioner Winters second. Motion carried.

Additions:
Snow Plow Equipment:
Road Master Rick DuMilieu provided photographs of equipment to be discussed for potential purchase. All equipment was Oregon Department of Transportation surplus equipment with a price of $8,500 per unit (five units were to be considered) as well as an oil tanker. Mr. DuMilieu confirmed that a mechanic had been sent to view each of the snow plows and testing had been conducted on each. He had also had the opportunity to drive each as well. There was a potential for one of these unit to be purchased for the Lake County Airport. Discussion followed on equipment included and condition of these potential purchases.

Mr. DuMilieu confirmed that he was seeking approval to purchase the five snow plows and one oil tanker. Commissioner Winters confirmed with Mr. DuMilieu that training would take place with the individual to operate the snow plow at the Airport. Mr. DuMilieu agreed and added that there was concern currently at the Airport regarding snow build up, especially with Merci Flights. If weather was bad, the Road Department would not be available to aid the Airport as needed. Allocation of funding for potential purchase at Airport was discussed.

Commissioner Winters moved to approve the purchase of an oil tanker and snow plow equipment (not to exceed 5 units) as needed per the Lake County Road Master with one unit to be retained for the Lake County Airport for determination of funding. Commissioner Kestner second. Motion carried.

Legal Updates:
Legal Counsel addressed the possible issue of trespassing that had arisen during the above property vacation request hearing. It was confirmed that there were no obligations by this Board to review statements submitted during the above property vacation request process that trespassing had occurred on Mr. Strain’s property by the individual(s) that had requested the vacation. Discussion followed on improvements/development that had occurred and potential issues with encroachment. Legal Counsel stated there could potentially be issues with “adverse position”. Legal Counsel was directed to forward a letter to the property owner on this matter.

Legal Counsel provided an update on the property vacation issue in New Pine Creek and confirmed that Attorney Dave Vandenberg had forwarded the order to be presented to the Court on this matter. Confirmation had not yet been received that this order had been signed by the Court.

Convene into Executive Session 192.660 (2) (h): 10:53 a.m.
Reconvene from Executive Session: 11:01 a.m.

Commissioner Winters gave an update on a meeting attended the previous afternoon with individuals to discuss road involved in the BLM Travel Management Plan. This group was working to inventory and identify roads that were in need of remaining open. These roads would then be added to the BLM maps for public input. Commissioner Winters added that the group was working to hold advertised meetings in the Adel and Summer Lake areas (and possibly in the Christmas Valley area).
As there were potential costs for these meetings (such as advertising), Commissioner Winters asked for consensus before moving forward. Legal Counsel confirmed that there was not a conflict of interest or any other issue with Commissioner Winters working on this matter.

Consensus by the Lake County Board of Commissioners was given for Commissioner Winters to move forward with holding public input meetings.

Commissioner Shoun provided information received regarding the Forestland Restoration Projects recommendations that had been submitted for funding. If the request submitted by the Stewardship group was awarded, the Forest Service (Fremont-Winema specifically) would receive $1 million per year for the next ten years for restoration activities. Announcement on awarding of funding was expected in early January. Discussion followed.

Recess: 11:10 a.m.
Resume: 1:10 p.m. @ Lake County Mental Health

1:00 p.m. – Mental Health Discussion. Dr. Bruce Goldberg and Mike Bonetto
(Session was held via video conferencing at the Lake County Mental Health Facility).
Introductions were given by individuals in attendance: Lake County Mental Health Director Jack Breazeal, OHA Director & Policy Dr. Bruce Goldberg, the Governor’s Healthcare Policy Advisor Mike Benetto, OHA Director of Local Government Affairs Bobby L. Green and Governor’s Communications Karynn Fish (via video conference) and Director Kevin Campbell and Susan Montgomery of Greater Oregon Behavioral Health Inc.

Also in attendance were: from Lake District Hospital Chief Financial Officer Ken Landau, Lakeview Center for Change Director Barbara Vandenberg, Lake County Public Health Director Mary Wilke, North Lake Clinic Pat Widenoja and Lisa Cahill FNP Warner Mountain Medical Clinic.

Dr. Goldberg began the discussion by providing information regarding the Governor’s vision and direction regarding the health care transformation to Community Care Organizations (CCO) in the State of Oregon. This transition was being made mainly due to the raising costs of health care. Governor Kitzhaber felt that a lot could be gained by reducing the need for care and by simply keeping people healthy. During the past Legislative session, House Bill 3650 had passed with strong bipartisan support pushing toward the change for CCO’s to be developed within local communities (for Medicaid recipients).

CCO’s were described as being local community based organizations that were to be responsible for Medicaid funding (mental health and fiscal health). This responsibility included the management of those finances and be accountable for outcomes. The CCO’s were to be designed to have local governance over them from three entities: those taking financial risk/interest, those providing the health care delivery system (doctors, hospitals, mental health providers) and those receiving services.

Dr. Goldberg provided information also on meetings and planning that had occurred through the Health Policy Commission to date to review items such as: global budget, outcome levels CCO’s were to be held to, criteria and governance, and looking at better coordination of Medicare and Medicaid patients. A draft implementation proposal was been submitted the
previous day to the Legislature and hopes were to finalize some plans by the end of January with the first CCO’s up and running by July, 2012.

Dr. Goldberg and Mr. Benetto appreciated the opportunity to have this discussion with so many involved and interested parties. Mr. Benetto added information regarding timelines for CCO’s moving forward. Information gathering was to continue through the end of the year with the final recommendation to be made by the Health Policy Board for the February Legislative Session. Mr. Benetto encouraged those present to visit website www.health.oregon.gov for additional and updated information.

Mr. Landau stated that Lake District Hospital was concerned about meeting January deadline regarding the upcoming payment and software changes. Dr. Goldberg confirmed that the payment question was not related to the new CCO structure and that is was in relation to Senate Bill 204 (not related to transformation). This bill had mandated that payments (such as in Oregon Health Plan payments) be made via “Medicaid Methodology”. Dr. Goldberg understood that timelines were short, but unfortunately they were the law and would be in effect January 1, 2012. Discussion followed.

Mr. Breazeal inquired as to whether or not the “fee for service” under the new CCO plan would go away. Dr. Goldberg explained not necessarily as it would be up to the CCO how best to pay health care providers within that CCO. Mr. Campbell added that 92% of the Medicaid members in Lake County were “fee for service” providers and felt that the transition to managed care was where the anxiety was coming from. Discussion followed.

Dr. Goldberg confirmed that as of July 1, 2012 there was not expected to be a CCO in every portion of the State and this transition would only occur when communities were ready to make the change. If communities were not ready to move in the CCO direction, they would not be forced into it. Conversation continued on benefits to CCOs, billing codes and fees, and the initial set up of local CCOs.

Commissioner Winters expressed concern for funding being received in “one pot” and being able to distribute and cover all of the mandated services properly without the funding being properly identified. Dr. Goldberg explained that in moving into the CCOs, the State would be moving away from mandated services and instead focusing on outcomes. This would allow each CCO to meet outcomes set the best way possible with using a “flexible pool of dollars”.

Commissioner Winters asked if the Board of Commissioners were to remain as the local Mental Health and Public Health authority. Dr. Goldberg said that he could see the transition to CCOs bringing a change to the local authority but that it would allow for the County to make decision on how much risk they wanted to take and what role they wanted to have in the CCO management. Discussion continued.

Following conversation, Mr. Campbell stated that counties would need assistance on gathering data regarding historical expenditures by provider type within the counties of rural Oregon. Until that information could be gathered conversations with providers would be difficult on what potential payment amounts would be. Mr. Campbell agreed to be in contact with Mr. Green and Dr. Goldberg on obtaining this information.

Mrs. Widenoja confirmed that her clinic was in the northern end of Lake County and inquired as to which CCO North Lake Clinic would belong. Mrs. Widenoja expressed concern
that many patients from her area traveled to the central Oregon area for care. Dr. Goldberg confirmed that not all CCOs would follow a County’s geography or boundary and that it might make more sense for the Medicaid recipients in the North Lake area belong to a CCO in central Oregon. Discussion followed on meeting the needs of individual communities.

Mr. Breazeal expressed concern that there were no set criteria in terms of a date for belonging to a CCO as this would create hesitancy in Lake County to move in this direction. Mr. Goldberg explained how and by whom CCO were to be approved. As long as the criteria were met, approval would be granted. Discussion followed on criteria and outcome based reimbursements.

Following the close of the video conference with Dr. Goldberg, Mr. Green, Mr. Benetto and Ms. Fish, conversation continued on current management of healthcare in Lake County and potential of developing a CCO. Those in attendance agreed to continue holding discussion in the future and potential efforts moving forward to engage medical providers and individuals to bring a CCO into a realization for Lake County. Following dialogue, an additional meeting was set for January 26th @ 12:30 p.m. at Lake County Mental Health.

There being nothing further to come before the Board, the Lake County Board of Commissioners Regular Session adjourned at 3:33 p.m.

Respectfully Submitted

[Signature]

Denise Thorsted
Administrative Assistant

Board Approval,

[Signature]  [Signature]  [Signature]

Dan Shoun  Bradley J. Winters  Ken Kestner
Chairman  Vice Chairman  Commissioner

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