

MINUTES FOR APRIL 30, 2012
COLUMBUS, KANSAS, CHEROKEE COUNTY
OFFICE OF THE COUNTY CLERK
CRYSTAL L. GATEWOOD

The Cherokee County Commissioners met April 30, 2012. Commissioners Collins, Garner, and Hilderbrand were present. The Pledge of Allegiance was said by all present. Commissioner Collins made a motion to approve the minutes for April 23, 2012 as presented by Cherokee County Clerk Crystal Gatewood; his motion was seconded by Commissioner Garner with Commissioners Hilderbrand, Collins, and Garner voting in favor. Commissioners Hilderbrand, Collins and Garner, and County Clerk Gatewood signed off on the minutes. The commission reported that the summary judgment for the tax sale is scheduled for May 23, 2012 so the date of the next tax sale should be set for sometime in July 2012.

EXECUTIVE SESSIONS

The County Counselor requested Executive Session for Attorney/Client Privilege for Pending Litigation. Commissioner Hilderbrand made the motion to go into **Executive Session via-telephone for Attorney/Client Privilege regarding Penn Gaming** for twenty minutes with himself, Commissioners Collins and Garner, the County Counselor, David Cooper, and Teresa Watson; his motion was seconded by Commissioner Collins with Commissioners Collins, Garner, and Hilderbrand voting in favor. They went out at 11:35 AM and returned at 11:55 AM.

MOTIONS MADE BY COMMISSION

Commissioner Collins made the motion to pass and approve **Resolution #4-2012 for passage encouraging the Governor of the State of Kansas to carefully consider any changes in the Medicaid or Health Care provisions for persons with intellectual and developmental disabilities...**; his motion was seconded by Commissioner Garner with Commissioners Garner and Collins voting in favor, and Commissioner Hilderbrand voting in opposition. A copy of the resolution is attached these minutes.

OTHER BUSINESS

Leonard Vanatta of Road and Bridge came before the commission and gave his weekly Road and Bridge report. He reported that 7929 Coal Valley Road had brush under the bridge, not too many of the county roads were underwater, and a tree was down from the weekend storms. The Weaver Bridge project was delayed due to the storms in the county and the Neosho River receded quickly. During the recent storms lightening took out their radio repeater and a new one had to be ordered out of Joplin, Missouri and he estimates the cost to the county will be about \$1,300.00 and it should be here today or tomorrow. Representatives from Caterpillar came before the commission and gave them a heads up on some new road machinery the commission might want to look over if the commission could set aside a three day trip with the

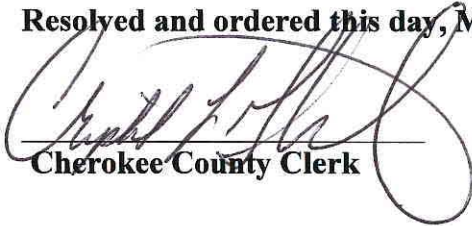
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representatives from Caterpillar sometime in September or October of this year, and they agreed to let the commission know a definite date when they get that information. Leonard also reported that the Quapaw Tribe is working on Prairie Road. The commission asked Leonard to make sure the Rainbow Bridge area was cleaned up for the Grand Opening of the Kansas Route 66 Historic Byway ribbon cutting being held May 5, 2012 at 1:00 PM at the bridge. Sheriff David Groves was also present and he will handle the traffic in the area. The commission thanked everyone for coming in.

ADJOURNMENT

Commissioner Collins made a motion to adjourn the meeting at 12:03 PM; his motion was seconded by Commissioner Garner with Commissioners Hilderbrand, Garner, and Collins voting in favor. The next Cherokee County Commission meeting will be held May 7, 2012 at 9:00 AM in the Cherokee County Courthouse in Columbus, Kansas.

Resolved and ordered this day, May 7, 2012


Cherokee County Clerk


Commissioner


Commissioner


Commissioner

4-2012
RESOLUTION Number 2012 -
CHEROKEE COUNTY KANSAS

A RESOLUTION ENCOURAGING THE GOVERNOR OF THE STATE OF KANSAS TO CAREFULLY CONSIDER ANY CHANGE IN THE MEDICAID OR HEALTH CARE PROVISIONS FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, TO REMOVE LONG-TERM CARE SERVICES FOR SAID PERSONS FROM THE PROPOSED PRIVATIZED MANAGE CARE PLAN, AND TO CONTINUE PRESENT STATE/COUNTY-APPOINTED CDDO ADMINISTRATION OF THIS SERVICE DELIVERY SYSTEM.

WHEREAS, Article 7 of the Kansas Constitution establishes that the state shall care for and support persons with intellectual and developmental disabilities, and;

WHEREAS, the Developmental Disability Reform Act of 1995 and Article 64 of the Kansas Administrative Regulations establishes that services for persons with intellectual and developmental disabilities shall be provided by means of a system of contracts between state of Kansas and county-appointed Community Developmental Disability Organizations (CDDOs), who in turn contract with private service providers, and;

WHEREAS, the current public-private contracting structure provides efficient, effective, and privatized, Medicaid waiver home and community based service delivery with less than 3% administrative payment to CDDOs, and;

WHEREAS, the proposed privatization with three managed care vendors calls into question which administrative entity and appeal structure is ultimately responsible for long-term care services and supports for persons with intellectual and developmental disabilities, and;

WHEREAS, the life-long need for long-term services and supports for persons with intellectual and developmental disabilities is not reduced by providing enhanced medical and behavioral health care coordination, health homes, and preventative healthcare, and;

WHEREAS, persons with intellectual and developmental disabilities can benefit from plans to provide enhanced medical/behavioral healthcare coordination, health homes, and preventative healthcare to improve health outcomes, and;

NOW, THEREFORE BE IT RESOVLED BY THE BOARD OF CHEROKEE COUNTY COMMISSIONERS, CHEROKEE COUNTY, KANSAS THAT;

The Commissioners hereby urge the Governor's administration to:

1. Remove the system of long-term care for individuals with intellectual and developmental disabilities from the implementation of Medicaid managed care, and;
2. Maintain the current state/community developmental disability contracting, administration, dispute resolution, and appeal system, and;
3. Include intellectual and developmental disabilities in proposed Medicaid managed care plans for integrated medical/behavioral healthcare coordination, health homes, and preventative healthcare to improve health outcomes, and;
4. Protect vulnerable Kansans by thorough and open vetting of potential managed care vendors for history of Medicaid fraud/abuse of public funds, customer satisfaction/timely reimbursement

for services delivered, and historical performance of improved health and financial savings outcomes.

5. This Resolution shall take effect and be in for on and after its adoption.

PASSED and ADOPTED by the Board of Commissioners of CHEROKEE County, Kansas this 30th day of April, 2012.

BOARD OF COUNTY COMMISSIONERS
OF CHEROKEE COUNTY, KANSAS

By: Richard Hilderbrand
Chairperson

By: Jack Warner
Member

By: Patrick W. Collins
Member

ATTEST:

Crystal Gatewood

Crystal Gatewood, County Clerk