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RESOLUTION # 87-2011

Resolution offered by Supervisor Ted Cushing (District 21).

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, 2007 Wisconsin Act 20 authorized expansion of the long-term care program known as Family Care; and

WHEREAS, expansion of the Family Care program, in some form, is anticipated for the geographic region comprising Forest County, Oneida County, Taylor County and Vilas County; and

WHEREAS, before the Family Care program can be implemented, it is first necessary to create and operate an Aging and Disability Resource Center (“ADRC”) serving the area and populations to be served by the Family Care program; and

WHEREAS, the Counties of Forest, Oneida, Taylor and Vilas (individually “a County” and collectively “the Counties”), together with Forest County Potawatomi Community, Lac du Flambeau Band of Lake Superior Chippewa Indians and Sokaogon Chippewa Community (individually “a Tribe” and collectively “Tribes”) have formed a consortium (“Planning Consortium”) for purposes of planning for the creation and operation of an ADRC under Wis. Stat. § 46.283; and

WHEREAS, Wis. Stat. § 46.283(1) authorizes counties and tribes to jointly operate an ADRC; and

WHEREAS, Wis. Stat. § 46.2895 authorizes the creation of a legal entity known as a Long Term Care District that may become certified as an ADRC and thereafter enter into a contract with the Department of Health Services (“Department”) for the provision of ADRC services within the District’s geographic boundaries; and

WHEREAS, a Long Term Care District is created by counties and tribes via resolution but operates independently of the forming counties and tribes and, therefore, imposes no financial or legal liability upon the counties and tribes that form the District; and

WHEREAS, the Long Term Care District service model retains public oversight through the appointment of a governing board by the participating counties and tribes; and

WHEREAS, this Resolution will not take effect until such time as each County and Tribe has passed a resolution in substantially similar form and content to this Resolution; and

WHEREAS, this Resolution is intended to supersede Resolution #40-2011 (which previously enacted the ADRC in a different legal form) and the intergovernmental agreement that was attached thereto.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that:

1. This document is intended to serve as the enabling resolution required under Wis. Stat. § 46.2895(1) to form a Long Term Care District.
2. Oneida County declares that a need exists for a Long Term Care District to fulfill the functions of an ADRC as enumerated in Wis. Stat. § 46.283.
3. The purpose of the Long Term Care District is to operate, under contract with the Department, an ADRC under Wis. Stat. § 46.283.
4. The Long Term Care District Governing Board shall be comprised of fifteen (15) voting members, of which eight (8) members represent the target populations

served by the ADRC and one (1) member is appointed by each of the Counties and Tribes. The initial Board members are set forth on the attached Board Roster and such members are hereby appointed to the Board. The Long-Term Care District Governing Board shall have the ability to exercise the powers granted herein and by statute upon passage of a resolution substantially similar to this Resolution by all Counties and Tribes.

- 5. The members of the Long Term Care District Board shall serve the terms established in the District's by-laws, policy and/or resolution, subject to any requirements established in statute. The length of the terms and method of staggering shall be communicated to the Counties and Tribes.
- 6. The District shall be authorized to undertake all actions necessary to complete the District's formation and organization. Such activities shall include, without limitation, authorization to enter into a contract with the Department to operate an ADRC and enact by-laws consistent with statute and this Resolution.
- 7. A copy of this resolution will be sent to the Secretaries of the State Departments of Administration, Health Services and Revenue as required under Wis. Stat. § 46.2895(1)(a)2.

BE IT FURTHER RESOLVED, that Resolution #40-2011 is hereby superseded by this resolution and intergovernmental agreement attached to Resolution #40-2011 is hereby revoked.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____

Approved by Ted Cushing (District 21) this _____ day of _____, 2011.

Offered and passage moved by: _____
Supervisor

Seconded by: _____
Supervisor

_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

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_____ Adopted

by the County Board of Supervisors this _____ day _____, 2011.

_____ Defeated

Mary Bartelt, County Clerk

Ted Cushing, County Board Chair