

Resolution 79-2018
GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT # 79-2018

Ordinance amendment to amend the Oneida County code to reflect the integration of the ADRC with the Dept. on Aging.

Ordinance Amendment offered by the Administration Committee

WHEREAS, On Friday, August 31, 2018 Oneida County received an email from the DHS Office for Resource Center Development (ORCD) notifying us of their "intent to award" an Aging and Disability Resource Center (ADRC) contract to Oneida County starting January 1, 2019, and

WHEREAS, this means Oneida County is officially leaving the ADRC of the Northwoods, with a total integration of our aging services and ADRC services into one agency that will be called, *The Aging & Disability Resource Center (ADRC) of Oneida County*, and

WHEREAS, as a result of this integration the Oneida County Code needs to be updated to accurately reflect the roles and duties of the ADRC of Oneida County; and

WHEREAS, the Health and Aging Committee supports these changes.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 1.02, 1.295, 1.296, 2.31, 2.40, 11.06 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

1.02 OFFICIALS

...

Official	How Appointed	Term
Department on Aging Director Aging and Disability Resource Center (ADRC) Director	Commission on Aging <u>Health and</u> <u>ADRC Committee</u> subject to confirmation by County Board	Indefinite, §59.07(93), 46.82 & <u>§46.283</u> , Stats.

[The remainder of section 1.02 remains unchanged]

1.295 AGING AND DISABILITY RESOURCE CENTER (ADRC) DIRECTOR

Administers all services as an Aging Unit §46.82(5) and a Resource Center §46.283 under the jurisdiction of the Health and ADRC Committee.

1.296 PUBLIC HEALTH DIRECTOR/HEALTH OFFICER

- (1) Appointment and Term refer to section 1.02 of the General Code of Oneida County
(2) Duties: See, 11.09 of this general code.

2.31 RULES GOVERNING COUNTY BOARD COMMITTEES, BOARDS AND COMMISSIONS.

[Sections 2.31(1) - (6) remain unchanged]

(7) COMMITTEES OF JURISDICTION, REPORTS.

- (a) DESIGNATION OF COMMITTEE OF JURISDICTION. (Am. #13-94; #37-94; #53-97; #29-2000; #31-2000; #03-2001; #86-2009; #34-2014, Am. #54-2015) The elected officials and department heads of the County shall report to the following committees of jurisdiction and are encouraged to meet with such committees on a regular basis, and shall meet when specifically requested:

Elective County Official	Committee of Jurisdiction
...	
Aging Unit Director	Aging and Health <u>Health & ADRC</u>

[The remainder of 2.31 is to remain unchanged]

2.40 HEALTH AND AGING ADRC COMMITTEE. (Rep. & recr. #55-2011)

For purposes of Health Department agenda items the Committee shall have the following composition and duties:

(1) APPOINTMENT.

- (a) The County Board Chair shall appoint four (4) County Board members and three (3) lay persons, subject to confirmation by the County Board, who shall act as the County Board of Health under Ch. 251, Wis. Stats. A good faith effort shall be made to appoint a registered nurse, a physician and another citizen of the County who have a demonstrated interest or competence in the field of public health or community health. These members are part of the Health and Aging Committee for purposes of Board of Health agenda items only.
- (b) Staggered Terms of Appointments. To comply with §251.03(4), Wis. Stats., initially, one of the lay persons shall be appointed for a term of three (3) years, one for a term of two (2) years and one for a term of one year. Thereafter, their successors shall be appointed or reappointed for three (3) -year terms.

(2) POWERS AND DUTIES.

- (a) The Board of Health shall act as the County Board of Health for purposes of compliance with Ch. 251, Wis. Stats.

(b) Lay persons of the Board of Health shall have voting privileges and shall be entitled to reimbursement for expenses under §3.10 of this General Code as if they were members of the County Board.

(c) The Board of Health shall be considered the County Board of Health for purposes of compliance with Ch. 251, Wis. Stats. The Board of Health shall have the minimum powers and duties of a County Board of Health as set forth in §251.04, Wis. Stats. Subject to approval by the County Board, the Board of Health may adopt such additional regulations as it determines are necessary to protect and improve public health in the County, provided such regulations are no less stringent than and do not conflict with State statutes and rules of the State Department of Health and Family Services.

(3) ADDITIONAL PROVISIONS. See Ch. 11 of this General Code for additional provisions pertaining to the Health and Aging Committee and Health Department.

~~For Department on Aging agenda items the Committee shall have the following composition and duties. For purposes of Aging & Disability Resource Center (ADRC) agenda items the committee shall have the following composition and duties:~~

(4) COMPOSITION AND APPOINTMENT. (Am. #114-2008) In addition to the four (4) County Board Supervisors, the Health and Aging ADRC Committee shall have five (5)-7 ~~older individuals~~, citizen members appointed by the County Board Chair, subject to confirmation by the County Board. ~~Older individuals~~ adults shall constitute at least 50 percent of the membership of this commission committee. Two (2) citizen members shall represent older adults; one (1) citizen member shall represent persons with physical disabilities; one (1) citizen member shall represent persons with developmental disabilities; and one (1) citizen member shall be an at-large member representing the community in general. Individuals who are elected to any office may not constitute 50 percent or more of the membership of this commission committee.

(5) TERM. The term of office of the ~~older individuals members~~ of the Health and Aging Committee shall be for two (2) years. No member shall serve more than three (3) consecutive terms.

(6) ORGANIZATION. The Health and Aging ADRC Committee may adopt its own bylaws and procedures for handling ~~Department on Aging~~ ADRC policy and procedures ~~provided they are not inconsistent with the bylaws of the Area Agency on Aging.~~

(7) ~~AREA AGENCY ON AGING.~~ The Health and Aging Committee shall elect a member to the Board of Directors to the Area Agency on Aging in the planning and service area. ~~Such member shall advise the Area Agency on Aging of the Health and Aging Committee's selection of priorities as listed in the State Operating Plan under Title III.~~

~~(7)-(8)~~ POWERS AND DUTIES. (Am. #103-99) The Health and Aging ADRC Committee ~~on~~ shall, in addition to the powers and duties identified in subsections (a) through (k) set forth below, have and exercise the powers and duties identified in §46.82(4)(d), and §46.283(6) Wis. Stats., and shall direct the Oneida County Aging Unit Aging & Disability Resource Center, hereby identified as the "Oneida County Department on Aging" "ADRC of Oneida County" with respect to the powers and duties of the aging unit under §46.82(3), 46.283(3) and 46.283(4) Wis. Stats., as amended from time to time, ~~and as is more particularly set forth in subsection (7), below.~~

~~(a) Act as the clearinghouse for all County (public and private) programs on aging and the Area Agency on Aging.~~

~~(b) Provide current information on the ages, income, population and demographic characteristics of the elderly in the County to the Area Agency on Aging.~~

- (c) ~~Delineate areas which need services, and utilize existing community programs through community cooperation and coordination which will provide an efficient method for delivery of services.~~
- (d) ~~Indicate the need for particular legislation with back-up data.~~
- (e) ~~Make available to County Supervisors the information and research relating to the effects of proposed legislation.~~
- (f) ~~Act as the mechanism through which the voices of the older person can be heard on any issue relating to the well being and enhancing the function of the program.~~
- (g) ~~Establish subcommittees to encourage community involvement, but in keeping with the purposes and objectives of the Commission.~~
- (h) ~~In cooperation with the Area Agency on Aging, encourage the development of new and expanded programs for older adults consistent with delineated areas of need.~~
- (i) ~~Cooperate with the Area Agency on Aging, related public and private agencies and the senior citizens in planning efforts.~~
- (j) ~~Make an annual report of its activities to the County Board and make such other reports as the County Board from time to time may require.~~
- (k) ~~Prepare annually a budget for necessary and reasonable expenditures to be incurred by the Commission in accomplishing its goals and mandates subject to review and approval of the County Board.~~

(9 8) PER DIEM AND EXPENSES. Members of the Health and Aging Commission ADRC Committee that act on the Department of Aging ADRC agenda items shall receive per diem, mileage and other necessary expenses incurred in performing their duties under §3.10 of this General Code.

(10) AGING UNIT; POWERS AND DUTIES. (Cr. #103-99)

- (a) ~~Powers and Duties.~~ In accordance with State statutes, rules promulgated by the State of Wisconsin, Department of Health and Family Services, and relevant provisions of 42 USC 3001 to 3057n and as directed by the County Board, the Oneida County Department of Aging Unit shall have the duties set forth at §46.82(3)(a), Wis. Stats.
- (b) ~~Other Powers and Duties.~~ The Department on Aging may perform any other general functions necessary to administer services for older individuals as authorized by §46.82(3)(b), Wis. Stats., as amended from time to time.

(9) NUTRITION ADVISORY COUNCIL: The Health and ADRC Committee shall oversee the Nutrition Advisory Council. The State of Wisconsin requires all county aging units receiving Older Americans Act grant funds to have a Senior Nutrition Advisory Council to represent participants and the communities served and operate in a an advisory capacity to the Senior Nutrition Program. The council shall be composed of five (5) members appointed by the County Board Chairman and the Health and ADRC Committee, subject to confirmation by the County Board. Of such members, more than half shall be nutrition participants and the remainder shall be broadly representative of the major public and private agencies and organizations in the County related to aging, local government officials and other persons who are knowledgeable and experienced in the special needs of the elderly.

11.06 TITLE VII NUTRITION PROGRAM. RESERVED

(1) NUTRITION COUNCIL. (Am. #55-2011) The Nutrition Council shall be composed of 7 members appointed by the County Board Chairman and the Health and Aging Committee, subject to confirmation by the County Board. Of such members, more than half shall be nutrition participants and the remainder shall be broadly representative of the major public and private agencies and organizations in the County related to aging, local government officials and other persons who are knowledgeable and experienced in the special needs of the elderly.

(2) PROGRAM DEVELOPMENT. The County Board shall develop a Title VII nutrition program in cooperation with other counties including, but not limited because of enumeration, Florence, Forest, Vilas, Lincoln and Portage Counties, and the District 7 Area Agency on Aging.

Approved by the Administration Committee this _____ day of _____, 2018.

Consent Agenda Item: _____ YES ☒ NO

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

The County Board has the legal authority to adopt: Yes ☒ No _____ as reviewed by the Corporation Counsel, _____, Date: 11/6/18

Offered and passage moved by:

D. J. [Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
Supervisor

21 Ayes

0 Nays

0 Absent

0 Abstain

☒ Enacted

by the County Board of Supervisors this 13 day of Nov, 2018.

Defeated

[Signature]
Tracy Hartman, County Clerk

[Signature]
David Hintz, County Board Chair

Resolution # 79-2018

Supervisors	AYE	NAY	ABS	ABSTAIN
Mott	X			
Ives	X			
Sorensen	X			
Holewinski	X			
Pence	X			
Krolczyk	X			
Almekinder	X			
Paszak	X			
Timmons	X			
Winkler	X			
Fried	X			
Fisher	X			
Metropulos	X			
Oettinger	X			
Kelly	X			
Cushing	X			
Schreier	X			
VanRaalte	X			
Liebert	X			
Jensen	X			
Hintz	X			
TOTALS	21			
TAGS				
Meredith Weitz				
Ben Kebusiak	X			

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Resolution # 79 – 2018/General Code Ordinance Amendment

#79-2018: Offered by the Supervisors of the Administration Committee to amend the Oneida County Code to reflect the integration of the ADRC with the Department on Aging.