

Resolution 17-2019
 GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
 ORDINANCE AMENDMENT # 3-2014

Ordinance amendment to split the Health and Aging & Disability Resource Center (ADRC) committee into a Board of Health and an ADRC Committee.

Ordinance Amendment offered by the Health and ADRC Committee

WHEREAS, the Oneida County Code was amended in 2011 to merge the Board of Health with the ADRC committee (formerly the Commission on Aging); and

WHEREAS, both of these committees have state mandated requirements for a certain number of citizen members with guidelines as to what citizens qualify for those positions; and

WHEREAS, due to these state requirements the citizen members required for the Board of Health issues do not correlate with the citizen members required for ADRC requirements; and

WHEREAS, the Health and ADRC committee has made many attempts during the past eight years to structure the meetings to accommodate the two differing departments with different citizen membership; and

WHEREAS, the Health Department, the ADRC of Oneida County, and the Health and ADRC Committee have determined that a single committee does not operate effectively and recommend splitting the Health and ADRC committee into two separate committees.

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existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.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, 2.30, 2.31, & 2.40, 2.57, 11.08, 11.09, 11.13 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

1.02 OFFICIALS

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

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| Official | How Appointed | Term |
|--|--|----------------------------|
| <u>Public Health Director/Health Officer</u> | Health and ADRC Committee Board of Health subject to confirmation by County Board | Indefinite, §141.05, Stats |

46 [the remainder of section 1.02 remains unchanged]

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48 1.295 AGING AND DISABILITY RESOURCE CENTER (ADRC) DIRECTOR

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

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53 2.30 COMMITTEES . (Rep. & recr. #55-2011)

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(1) APPOINTED.

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(a) Enumerated. (Am. #62-93; #44-94; #29-2000; #31-2000; #4-2007; #48-2011) The following standing committees shall be appointed by the Chair at the organizational meeting of the Board in the year she/he is elected and shall consist of the number of members listed herein. The Chair may appoint a Committee on Committees to assist him/her. All appointed committee members shall serve 2-year terms and be County Board supervisors, except where State law provides for other non-Board members, all State mandated non-County Board members will be selected using the process set out in paragraph (3) below:

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| <u>Health & Aging ADRC Committee</u> | <u>(4) County Board Supervisors, the Health and Aging ADRC Committee shall have five (5) older individuals (age 60 or older), citizen members appointed by the County Board Chair, subject to confirmation by the County Board.</u> |
| ... | |
| <u>Board of Health</u> | <u>4 County Board members and 3 lay persons, subject to confirmation by the County Board, who shall act as the County Board of Health under Ch. 251, Wis. Stats.</u> |

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2.31 RULES GOVERNING COUNTY BOARD COMMITTEES, BOARDS AND COMMISSIONS.

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

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(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

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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 | Health & ADRC Committee |
| ... | |
| Public Health Director/ Health Officer | <u>Health and ADRC Board of Health</u> |
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[The remainder of 2.31 is to remain unchanged]

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

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

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~~(1) APPOINTMENT.~~

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~~(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.~~

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~~(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.~~

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~~(2) POWERS AND DUTIES.~~

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

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~~(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.~~

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~~(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.~~

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

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119 For purposes of The Aging & Disability Resource Center Committee (ADRC
120 Committee) ~~agenda items the committee~~ shall have the following composition
121 and duties:
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123 (4) COMPOSITION AND APPOINTMENT. (Am. #114-2008) In addition to the ~~four~~
124 (4) County Board Supervisors, the ~~Health and Aging~~ ADRC Committee shall
125 have five (5), citizen members appointed by the County Board Chair, subject to
126 confirmation by the County Board. Older adults (age 60 or older) shall
127 constitute at least 50 percent of the membership of this ~~commission~~ committee.
128 Two (2) citizen members shall represent older adults (age 60 or older) ; one (1)
129 citizen member shall represent persons with physical disabilities; one (1) citizen
130 member shall represent persons with developmental disabilities; and one (1)
131 citizen member shall be an at-large member representing the community in
132 general. Individuals who are elected to any office may not constitute 50
133 percent or more of the membership of this commission committee.
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135 (5) TERM. The term of office of the members of the ~~Health and Aging~~ ADRC
136 Committee shall be for two (2) years. No member shall serve more than three
137 (3) consecutive terms.
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139 (6) ORGANIZATION. The ~~Health and~~ ADRC Committee may adopt its own bylaws
140 and procedures for handling ADRC policy and procedures.
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143 (7) POWERS AND DUTIES. (Am. #103-99) The ~~Health and~~ ADRC Committee
144 shall, in addition to the powers and duties identified in subsections (a) through
145 (k) set forth below, have and exercise the powers and duties identified in
146 §46.82(4)(d), and §46.283(6) Wis. Stats., and shall direct the Oneida County
147 Aging & Disability Resource Center, hereby identified as the "ADRC of Oneida
148 County" with respect to the powers and duties under §46.82(3), 46.283(3) and
149 46.283(4) Wis. Stats., as amended from time to time.

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

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

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2.57 BOARD OF HEALTH

~~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~~ Board of Health and Health Department.

11.08 HEALTH DEPARTMENT. (Rep. & recr. #19-98; Am. #55-2011)

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(3) GOVERNANCE. The Health Department shall be governed by the ~~Health and Aging Committee~~ Board of Health which is appointed pursuant to § ~~2.40~~ 2.57 of this General Code.

[the remainder of section 11.08 remains unchanged]

11.09 HEALTH DEPARTMENT DIRECTOR. (Rep. & recr. #19-98; Am. #55-2011)

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(1) DUTIES. The Health Department Director shall have the qualifications and duties as provided in §251.06, Wis. Stats., and as may be authorized by the ~~Health and Aging Committee~~ Board of Health and, where required, as approved by the County Board.

11.13 COUNTY PUBLIC HEALTH ORDINANCE. (Cr. #22-86)

(1) GENERAL PROVISIONS. The purpose of this section is to prohibit, abate, suppress and prevent all acts, practices, conduct, uses of property and all other things detrimental or liable to be detrimental to the health of the inhabitants of the County.

(2) DEFINITIONS.

County Health Officer. The position of a local health officer in the Oneida County Health Department who meets the minimum qualifications set forth in Wis. Stats., §251.06 as they pertain to Oneida County. (Cr. #61-2003)

Health Committee. (Am. #55-2011) The Health Committee shall mean the ~~County Health and Aging Committee~~ Board of Health or their authorized representative.

[the remainder of section 11.13 remains unchanged]

Approved by the Administration Committee this 7th day of January, 2019.

Consent Agenda Item: YES NO

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

The County Board has the legal authority to adopt: Yes No _____ as reviewed by the Corporation Counsel, _____, Date: 1/7/19

Offered and passage moved by: _____
Supervisor

Supervisor

Supervisor

Supervisor

_____ Ayes

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_____ Nays

_____ Absent

_____ Abstain

_____ Enacted

by the County Board of Supervisors this ____ day of _____, 2019.

_____ Defeated

Tracy Hartman, County Clerk

David Hintz, County Board Chair

**ONEIDA COUNTY
FISCAL IMPACT
ADRC Committee Separate from Health Committee
2019 Wage and Fringe Rates**

Based on 4 Supervisors and 12 Meetings

| | <u>Annual Cost</u> |
|----------|---------------------|
| Per Diem | 2,040 |
| Fringes | 160 |
| Mileage | <u>1,058</u> |
| | <u><u>3,258</u></u> |

Not currently funded in the 2019 budget. Cost only includes committee meetings and does not include attendance at committee related conferences or trainings.