

Lincoln County Board of Supervisors
Meeting: December 18, 2012

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, 801 N. Sales Street, Merrill, WI, in session assembled pursuant to law. Chair Lussow called the meeting to order at 6:00 p.m. Pledge of allegiance followed. Roll was called with the following present: Alber (arrived at 6:02 p.m.), Bailey, Bloomer, Breitenmoser, Caylor, Giese, Gilk, Lee, Loka, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Saal, Vander Sanden, Weaver, Woller, and Zeitz (20). Excused: Fox.

4. a. Announcements – Ramona Pampuch has resigned her seat as County Supervisor for District 4. Advertising for this vacancy will be done after the first of the year.

b. Service Recognitions for December 2012:

20 Years – Laurie Kriewald, Finance Department (November)

Diana Petruzates, Clerk of Courts

30 Years – Marjorie Johnson, Land Information & Conservation Department

35 Years – Melvin Doering, Highway Department

c. Appointments & Re-Appointments:

1. M/S Bailey/Alber to approve the re-appointment of Bruce Gerdes to the Veterans Service Commission, term to expire November 2015. Motion carried on a voice vote.

5. Approval of Journal – M/S Caylor/Woller to approve the minutes as printed. Motion carried on a voice vote.

6. a. Letters, Petitions – In packet. Supervisor Zeitz presented supporting documentation to be included with the Pine River resolution.

b. Memorials – None

7. Reports of Standing & Special Committees:

a. 2012 Year-To-Date Budget Report – Finance Director – Dan Leydet - In packet.

b. Administrative Coordinator's Written Report - November - Randy Scholz - In packet.

c. Administrative & Legislative Committee – North Central Community Services Program (Gary Bezucha)

8. Resolutions and Ordinances for Board Action

1. a. Resolution 2012-12-52

Designation of Public Depositories

WHEREAS, provisions in Chapter 34 and Chapter 59 of Wisconsin Statutes require that counties designate public depositories;

NOW, THEREFORE BE IT RESOLVED, that the following banking institutions shall be and are hereby designated, until further action, as public depositories for all public monies coming into the hands of the Treasurer of Lincoln County, State of Wisconsin:

Citizens Bank, Tomahawk, WI 54487

Lincoln Community Bank, Merrill, WI 54452

BMO Harris Bank, Merrill, WI 54452

River Valley State Bank, Merrill, WI 54452

Park City Credit Union, Merrill, WI 54452

Merrill Federal Savings & Loan, Merrill, WI 54452

State Investment Pool, Madison, WI 53707

BMO Financial Group BMO Harris Bank NA, Wausau, WI 54401

Tomahawk Community Bank, Tomahawk, WI 54487

NOW, THEREFORE BE IT ALSO RESOLVED, that the list of bank accounts on the accompanying schedule be approved for use by Lincoln County.

Dated this 18th day of December, 2012.

Introduced by: Finance and Insurance Committee Committee Action: Passed (3-0) on December 7, 2012

Fiscal Impact: N/A

Lincoln County
Bank Accounts
2012

<u>Account Description</u>	<u>Explanation</u>	<u>Account Number</u>	<u>Bank Name</u>
Clerk of Court	Cert. Of Deposit	4534023710	CITIZENS BANK
Health Insurance Savings Account	Variable Interest Rate	4515666487	CITIZENS BANK
Health Insurance Fund Ckg (WPS)	Records Health Ins. Transactions	4526233376	CITIZENS BANK
Health Insurance Investment Account	Health Ins Investments	C120422	CITIZENS BANK
Pine Crest Donation Fund	Donations	330-893	LINCOLN COMMUNITY BANK
Pine Crest Custodial Patient	Resident Trust Fund	306-237	LINCOLN COMMUNITY BANK
Petty Cash Ckng - Pine Crest	Petty Cash Checking	308662	LINCOLN COMMUNITY BANK
Bank Transfer - Pinecrest	Electronic Transfer to County	306894	LINCOLN COMMUNITY BANK
County of Lincoln-COPS Grant	BVP Grants	132679	LINCOLN COMMUNITY BANK
Pine Crest-Special Fund	Special Purchases	330842	LINCOLN COMMUNITY BANK
General Fund Investment	County Investment	83500-01	LOCAL GOV INVESTMENT POOL
Clerk of Court Dept. Cash	Bonds	0023542475	OFFICE OF STATE TREASURER
Dept. Investment Landfill Closure	Closure Trust	43-V332-01-1	BMO HARRIS BANK
Dept. Investment LTC Landfill	Long-Term Care Trust	43-V331-01-3	BMO FINANCIAL GROUP BMO HARRIS BANK
Contingency Cash - 51.347 Bd.	Immediate need checking	22785-41	BMO FINANCIAL GROUP BMO HARRIS BANK
Lincoln Industries Savings	Mandatory Savings Acct	22785-00	PARK CITY CREDIT UNION
General Fund Investment	Cert. Of Deposit	700437882	PARK CITY CREDIT UNION
Clerk of Court	Cert. Of Deposit	3-99-28359	RIVER VALLEY STATE BANK
Non Metallic Mining Bond Acct	Non Metallic Mining Bonds	500374202	RIVER VALLEY STATE BANK
Sheriff's Dept. - Huber	Monitor Inmates Money	100399781	RIVER VALLEY STATE BANK
Payroll Account	Imprest Payroll Account	100121659	RIVER VALLEY STATE BANK
Treasurer's Cash	County's Main Cash Account	3101797	RIVER VALLEY STATE BANK
Social Services-Rep Payee	SS Representative Payee	100117619	RIVER VALLEY STATE BANK
Dept of Social Services	COP Risk Reserve	39706354	RIVER VALLEY STATE BANK
Dept of Social Services	Trust Account	100173845	RIVER VALLEY STATE BANK
CDBG Loan Account	CDBG Economic Development	100182763	RIVER VALLEY STATE BANK
Cash - Section 125 Flex	Flex 125 checking	100208851	RIVER VALLEY STATE BANK

M/S Caylor/Lee to adopt Resolution 2012-12-52. Discussion followed. M/S Zeitz/Bailey to amend the resolution to delete the State Investment Pool, Madison, WI 53707 from the listing. Roll call on the amendment as follows: Aye's – Bailey, Bloomer, Gilk, and Zeitz (4). No's – Alber, Breitenmoser, Caylor, Giese, Lee, Loka, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Saal, Vander Sanden, Weaver and Woller (16). Amendment defeated 4 – 16. Following discussion, action on the original motion to adopt carried on a majority voice vote.

b. Resolution 2012-12-53

Approve Filling Authorized Position in Corporation Counsel Department – Program Assistant
 WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and
 WHEREAS the Administrative Coordinator has recommended filling the vacant position, and
 WHEREAS the Lincoln A & L Committee and Personnel Committee approved filling the authorized vacant position
 NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the A & L Committee and Personnel Committee and approves filling the authorized vacant position:

Fiscal Impact:

Savings from reducing position from full-time to 60% time

Dated this 18th day of December, 2012

Introduced by: A & L Committee Date Passed: December 10, 2012 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: December 3, 2012 Committee Vote: Unanimous

M/S Alber/Saal to adopt Resolution 2012-12-53. Following discussion, motion carried on a voice vote.

c. Resolution 2012-12-54

Approve Filling Authorized Position in Social Services Department – Staff Aid for Lincoln Industry

WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and

WHEREAS the Administrative Coordinator has recommended filling the vacant position, and

WHEREAS the Lincoln Social Services Committee and Personnel Committee approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Social Services Committee and Personnel Committee and approves filling the authorized vacant position:

Fiscal Impact:

Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 18th day of December, 2012

Introduced by: Social Services Committee Date Passed: November 20, 2012 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: December 3, 2012 Committee Vote: Unanimous

M/S Giese/Pike to adopt Resolution 2012-12-54. Following discussion, motion carried on a voice vote.

d. Resolution 2012-12-55

Approve Filling Authorized Position in Clerk of Courts Department – Deputy Clerk of Courts

WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and

WHEREAS the Administrative Coordinator has recommended filling the vacant position, and

WHEREAS the Lincoln County EMS/Judicial Committee and Personnel Committee approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the EMS/Judicial Committee and Personnel Committee and approves filling the authorized vacant position:

Fiscal Impact: Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 18th day of December, 2012

Introduced by: EMS/Judicial Committee Date Passed: November 28, 2012 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: December 3, 2012 Committee Vote: Unanimous

M/S Caylor/Woller to adopt Resolution 2012-12-55. Following discussion, motion carried on a voice vote.

e. Resolution 2012-12-56

Approve Filling Authorized Position in Highway Department – Highway Worker

WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and

WHEREAS this position will be shared between the Highway Department and Forestry Department, and

WHEREAS the Administrative Coordinator has recommended filling the vacant position, and

WHEREAS the Lincoln County Highway Committee and Personnel Committee approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Highway Committee and Personnel Committee and approves filling the authorized vacant position:

Fiscal Impact:

Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 18th day of December, 2012

Introduced by: Highway Committee Date Passed: November 1, 2012 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: December 3, 2012 Committee Vote: Unanimous

M/S Pike/Bailey to adopt Resolution 2012-12-56. Following discussion, motion carried on a voice vote.

f. Resolution 2012-12-57

Supporting Adequate Funding for Rail Preservation

WHEREAS, Lincoln County is a member of the Northwoods Rail Transit Commission; and

WHEREAS, the Northwoods Rail Transit Commission's mission statement is: "To sustain and enhance safe, reliable and efficient rail service critical to the businesses, communities, and economies in northern Wisconsin and the Upper Peninsula of Michigan"; and

WHEREAS, rail lines in northern Wisconsin have been reduced and eliminated over the years, forcing increasingly heavier truck traffic to move goods from point to point; and

WHEREAS, the Wisconsin Department of Transportation oversees surface transportation as part of their statutory authority; and

WHEREAS, the Wisconsin Department of Transportation created a Freight Railroad Preservation Program to help communities and shippers preserve freight rail service during an era when widespread railroad bankruptcies and line abandonments threatened the availability of rail service in Wisconsin; and
 WHEREAS, the Freight Rail Preservation Program provides grants to local units of government, industries, and railroads for the purpose of preserving essential rail lines and rehabilitating them following purchase, and
 WHEREAS, the 2009-2011 state budget provided \$60 million for the biennium in bonding authority for the Freight Rail Preservation Program, and
 WHEREAS, the 2011-2013 state biennium budget for the Freight Rail Preservation Program was reduced to \$30 million, and
 WHEREAS, the Northwoods Rail Transit Commission has gone on record supporting increased funding for the Freight Rail Preservation Program.

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Supervisors, supports increasing funding from the \$30 million in the 2011-2013 biennium budget to \$90 million in the 2013-2015 biennium budget for the Freight Rail Preservation Program, and

BE IT FURTHER RESOLVED, that copies of this resolution are sent to Governor Scott Walker, Secretary of Transportation Mark Gottlieb, Lincoln County's State Senator, Lincoln County's State Representative[s]) and the Northwoods Rail Transit Commission.

Fiscal Impact: Cost on local industry and roads unknown

Dated this 18th day of December, 2012

Introduced by: Administrative & Legislative Committee Date Passed: December 10, 2012

Committee Vote: Unanimous

M/S Rankin/Nelson to adopt Resolution 2012-12-57. Following discussion, motion carried on a voice vote.

g. Resolution 2012-12-58

Adopting a New Joint County Contract for the 51.42 System between Lincoln, Langlade and Marathon Counties
 WHEREAS, Lincoln, Langlade and Marathon Counties, under authority of secs. 51.42(3)(a) and 51.437(4g), Wis. Stats have, for many years, provided services under a joint contract with North Central Community Services Programs ; and

WHEREAS, in early 2012 the North Central Community Service Program (NCCSP) Board formed a Contract Review Committee, with representation from all three counties, to review the Joint County Contract with the intent to correct portions of the contract that were no longer contemporary, make the contract compatible with the NCCSP Bylaws, and to ensure the contract is compatible with current statutes; and

WHEREAS, the Contract Review committee has completed their review and has recommended to the NCCSP Board certain changes be made to the Joint County Contract; and

WHEREAS, the NCCSP Board, at its' 9/27/12 meeting, has approved the changes as presented by the Contract Review Committee and since then, the County Boards of Marathon and Langlade Counties have also approved the new Joint Contract.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors, on the recommendation of the Administrative & Legislative Committee, does hereby adopt the "JOINT COUNTY CONTRACT AMONG LANGLADE, LINCOLN & MARATHON COUNTIES" attached hereto and incorporated by reference under which services will continue to be provided to each County by the North Central Community Services Program Board as delineated in the contract.

Dated this 18th day of December, 2012.

Introduced by: Administrative & Legislative Committee Passed 5-0 on 12/10/12

Fiscal Impact: annual budget is approved by County Board each year

JOINT COUNTY CONTRACT

Among

Langlade, Lincoln & Marathon Counties

*"Agreement For The Joint Sponsorship Of A
Community Program For Services To The Mentally
Disabled"*

Developed

By

The ~~Three County Governance Committee~~ Executive Committee of the
North Central Community Services Program Board

January 2008 September 27, 2012

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JOINT COUNTY CONTRACT

Langlade, Lincoln and Marathon Counties agree to continue sponsorship of the multicounty department of community programs known as North Central Community Services Program, which the Counties established to administer a community mental health, developmental disabilities, alcoholism and drug abuse program pursuant to the terms of Section 51.42 of the Wisconsin Statutes (hereinafter referred to as the "North Central Community Services Program" or "NCCSP"), on the following terms:

I. INTRODUCTION/PURPOSE

This contract of the Counties is based on the following policies and mandates of the State of Wisconsin as found in the Wisconsin Statutes:

A. **Legislative Policy.** The Wisconsin Legislature has stated in Wisconsin Statutes that it is the policy of the State to assure the provision of a full range of treatment and rehabilitation services in the state for all mental disorders and developmental disabilities and for mental illness, alcoholism and other drug abuse.

B. **Legislative Purpose.** To carry out the policy of the State of Wisconsin the Legislature enacted Section 51.42 of the Wisconsin Statutes stating its purpose as follows:

The purpose and intent of this section is to enable and to encourage counties to develop a comprehensive range of services offering continuity of care; to utilize and expand existing governmental, voluntary and private community resources for provision of services to prevent or ameliorate mental disabilities, including but not limited to mental illness, mental retardation, alcoholism and drug abuse; to provide for the integration of administration of those services and facilities organized under this section through the establishment of a unified governing and policy-making board of directors; and to authorize state consultative services, reviews and establishment of standards and grants-in-aid for such programs of services and facilities.

C. **County Responsibility.** The Legislature has decreed that the county boards of supervisors have the primary responsibility for the well-being, treatment and care of the mentally ill, developmentally disabled, alcoholic and other drug dependent citizens residing within their respective counties and the families of the developmentally disabled, insofar as the usual resultant family stresses bear on the well-being of the developmentally disabled, and ensuring that those individuals in need of such emergency services found within their respective counties receive immediate emergency services.

D. **Required County Program -Mental Health.** In § 51.42 of the Statutes the Legislature has required that the county board of supervisors of every county, or the county boards of supervisors of two or more contiguous counties, shall establish a county department of community programs on a single-county or multicounty basis to administer a community mental health, developmental disabilities, alcoholism and drug abuse program, make appropriations to operate the program and authorize the county department of community programs to apply for grants-in-aid under § 51.423 of the Statutes.

~~E. **Required County Program -Developmentally Disabled.** In § 51.437 of the Statutes the Legislature has required that every county board of supervisors shall establish a county department of developmental disabilities services on a single-county or multicounty basis to furnish services within its county.~~

~~F. **Transfer of Powers.** The Legislature also provided that a county board of supervisors may transfer powers and duties of a county department of developmental disabilities services under § 51.437 to the county department of community programs under § 51.42.~~

GE. **Multicounty Contract Requirement.** Section 51.42(3)(c) of the Statutes provides that no grant-in-aid may be made to a multicounty department of community programs until a detailed contractual agreement between the counties which established the multicounty department of community programs is entered into and approved by the secretary of the Wisconsin Department of Health and Social Services. It is the intent of Langlade, Lincoln and Marathon Counties that this agreement satisfy the requirements of § 51.42(3)(c) of the Wisconsin Statutes.

~~F. **Prior Joint County Contracts Superseded.** The Agreement supersedes all previous agreements between Lincoln, Langlade and Marathon Counties concerning the establishment of the North Central Community Services Program, including the Joint County Human Services Agreement entered in July of 1983, the updated Joint County Contract entered in 1986, and the updated Joint County Agreement entered in 2008.~~

II. BACKGROUND

The establishment of the North Central Community Services Program (NCCSP) was based on the following State and County enactments:

~~A. **Wisconsin Law Enactment.** Section 51.42 of the Wisconsin Statutes was enacted by the Wisconsin Legislature in Section 361 of Chapter 125 of the Laws of 1974 creating the liability of the counties to provide programs of treatment and rehabilitative services for mental illness, developmental disabilities, alcoholism and other drug abuse.~~

— B. — **County Community Program Establishment.** Langlade, Lincoln and Marathon Counties each passed resolutions to combine with the others to establish the Community Mental Health Program to provide services in mental health, mental retardation, alcoholism and drug abuse pursuant to § 51.42 of the Statutes. The Boards of Supervisors of Langlade and Lincoln Counties passed their resolutions on March 14, 1972 and the Board of Supervisors of Marathon County passed its resolution on March 17, 1972. The resolutions each also provided for the creation of the Community Mental Health, Mental Retardation, Alcoholism and Drug Abuse Board as the board of directors to be the governing and policy-making board for the Community Mental Health Program. The County resolutions provide for the election of 12 directors to the board by Marathon County and one director each to the board by Langlade and Lincoln Counties and for other provisions regarding the election and terms of office of board members. In July of 1972 the Counties enacted resolutions providing that the Marathon County Board of Supervisors would elect 10 members and the Langlade and Lincoln County Boards of Supervisors would elect two members each to the Community Mental Health, Mental Retardation, Alcoholism and Drug Abuse Board of Directors.

— C. — **Developmental Disabilities Program.** In 1973 the Legislature passed the Developmental Disabilities Act which allowed Counties to form separate Developmental Disabilities Services programs or to provide the services through the Community Services Program under § 51.42 of the Statutes. Only Lincoln County chose to form a separate Developmental Disabilities Services Program. This agreement reflects the fact that Langlade, Lincoln and Marathon Counties have joined together under this agreement to provide services for the mentally ill, alcoholic and drug abusers and only Langlade and Marathon Counties have joined together under this agreement to provide services for the developmentally disabled.

— D. — **Marathon County Nursing Home.** On November 13, 1973 the Marathon County Board of Supervisors passed a resolution providing for the governance of its Nursing Homes by the Community Mental Health, Developmental Disabilities, Alcoholism and Drug Abuse Board.

— In December, 2006, the NCCSP Board appointed a Nursing Home Operations Committee to oversee the governance of the Marathon County Nursing Home (Mount View Care Center). This Nursing Home Operations Committee shall report to the NCCSP Board, and shall also, as may be requested from time to time, report to the Marathon County Board of Supervisors.

— E. — **Designated Protective Services Agencies.** The Chairpersons of the County Boards of Supervisors in each of the Counties has designated agencies under § 55.02 of the Statutes to be responsible for the provision of protective services as follows:

— 1. — **Langlade County.** In Langlade County the Chairperson of the County Board of Supervisors has designated the Langlade County Department of Social Services as

~~the Protective Services Agency responsible for those residents of Langlade County suffering from physical disabilities and the infirmities of aging and NCCSP as the Protective Services Agency responsible for those residents of Langlade County experiencing mental illness, alcoholism and other drug abuse and developmental disabilities.~~

~~2. Lincoln County. In Lincoln County the Chairperson of the County Board of Supervisors has designated the Lincoln County Department of Social Services as the Protective Services Agency responsible for those residents of Lincoln County suffering from physical disabilities and the infirmities of aging, the Lincoln County 51,437 Board as the Protective Services Agency responsible for those adult residents who are developmentally disabled and NCCSP as the Protective Services Agency responsible for those residents experiencing mental illness and alcoholism and other drug abuse.~~

~~3. Marathon County. In Marathon County the Chairperson of the County Board of Supervisors has designated the Marathon County Department of Social Services as the Protective Services Agency responsible for those residents of Marathon County suffering from physical disabilities and the infirmities of aging who do not become incompetent while residing in a nursing home facility operated by NCCSP and NCCSP as the Protective Services Agency responsible for those residents of Marathon County experiencing mental illness, alcoholism and other drug abuse, developmental disabilities and the infirmities of aging if the person becomes incapacitated due to infirmities of aging while residing in a nursing home facility operated by NCCSP.~~

~~F. Initial Joint County Contract. In July of 1983 the three Counties entered into a Joint County Human Services Agreement for the continued sponsorship of the Community Program under a more detailed contract than the provisions of the earlier County Board resolutions. In 1986 the Counties entered into an updated Joint County Contract which this Contract supersedes. In 1995 the Counties entered into an updated Joint County Contract which this Contract supersedes.~~

III. PROGRAM DUTIES

The North Central Community Services Program shall perform the duties listed below as well as all other duties provided by Wisconsin Statutes.

A. **Contracts For Services.** NCCSP shall enter into contracts to render services to or secure services from other agencies or resources, including out of state agencies or resources.

B. **Contracts For Facilities.** NCCSP shall enter into contracts for the use of any facility as an approved public treatment facility for the treatment of alcoholics if NCCSP deems it to be an effective and economical course to follow.

C. **Contract For Legal Services.** NCCSP shall contract for legal services from

private legal counsel. The interest of each of the Counties shall be represented by its Corporation Counsel and the interests of NCCSP shall be represented by its contracted private counsel to avoid conflicts of interest which would otherwise occur.

D. **Developmental Disabilities Program.** NCCSP shall plan for and establish a community developmental disabilities program to deliver services under § 51.437 for Laclede and Marathon counties.

E. **Provision of Services.** NCCSP shall, within the limits of available State and federal funds and of County funds appropriated to match and overmatch State funds, offer the following services and facilities to provide for the program needs of persons suffering from mental disabilities:

1. Collaborative and cooperative services with public health and other groups for programs of prevention.
2. Comprehensive diagnostic and evaluation services.
3. Inpatient and outpatient care and treatment, residential facilities, partial hospitalization, emergency care and supportive transitional services.
4. Related research and staff in-service training, except that NCCSP shall consult the county department of developmental disabilities services under § 51.437 in Lincoln County in developing in-service training on emergency detention and emergency protective placement procedures before providing these services to Lincoln County.
5. Continuous planning, development and evaluation of programs and services for all population groups.
6. Ensure that pregnant women are given first priority for services for alcohol and drug abuse if funding is insufficient to meet the needs of all eligible individuals.

F. **Prepare Local Plan.** NCCSP shall prepare a plan and budget as required by the Department of Health and Family Service.

G. **Program Implementation.** Under the supervision of its ~~Program Director~~ Chief Executive Officer (as defined pursuant to Article VI of this Agreement), using qualified personnel with training or experience, or both, in mental health, developmental disabilities, or in alcoholism or drug abuse, NCCSP shall be responsible for the planning and implementation of programs relating to mental health, developmental disabilities, alcoholism and drug abuse.

H. **Budget.** NCCSP shall submit a proposed budget covering services based on the Local Plan for the succeeding calendar year to the county boards of supervisors of

Langlade, Lincoln and Marathon Counties no later than September 30 for approval by the County boards of supervisors and inclusion as part of the proposed County budgets.

NCCSP shall submit a final budget to DHSS.

I. **Costs of Services.** NCCSP shall determine the cost of all services it purchases based on standards and requirements prescribed by law.

J. **Reports and Surveys.** NCCSP shall conduct all surveys and prepare and submit all reports required by law or administrative regulations.

K. **Authorize Care.** NCCSP shall authorize all care of any patient in a state, local or private facility for which it is responsible.

IVIII. PROGRAM POWERS

A. **Provision of Care.** Within the limits of available State and County appropriations and maximum available funding from other sources, NCCSP may offer the following services and facilities to provide for the program needs of persons experiencing mental disabilities:

1. Pre-care, aftercare and rehabilitation and habilitation services.
2. Professional consultation.
3. Public informational and educational services.
4. Provide treatment and services specified in a conditional release plan approved by a court to a county resident conditionally released under § 971.17 of the statutes and subject to the State's obligation to reimburse NCCSP for the treatment and services provided.

B. **Service Allocation.** NCCSP may allocate services among recipients based on the availability of its limited resources.

C. **Real Property.** NCCSP may own, lease or manage real property for the purposes of operating a treatment facility.

D. **Other County Health Care.** NCCSP may administer other County health care programs or institutions that any of the three County boards of supervisors may designate, but the budget for such designated program or institution shall be separated from the general budget of NCCSP and the designating county shall fund such program or institution operations by separate appropriation.

E. **Conflicts of Interests.** NCCSP shall adopt and enforce a policy to avoid conflicts of interest.

F. **Bylaws.** NCCSP shall adopt Bylaws to govern its operation and shall file Bylaws and any amendments with the County Clerk of each of the three Counties within thirty (30) days of adoption.

G. **Legal Services.** NCCSP shall contract for private professional legal services to represent its interests and to provide for its legal services needs. This provision shall satisfy the requirement of the Statutes at § 51.42(3)(ar)1. that the Corporation Counsel of each of the Counties notify NCCSP that he or she is unable to provide in a timely manner the professional legal services needed .by NCCSP to carry out its duties. More importantly this provision will avoid potential conflicts by acknowledging that legal counsel contracted by NCCSP shall represent the interests of NCCSP as they relate to all three Counties and shall not represent the interests of any of the three Counties separately. The interests of the individual Counties shall be represented by each County's Corporation Counsel.

IV. NORTH CENTRAL COMMUNITY SERVICES PROGRAMS BOARD

A. **Appointment of North Central Community Services Programs Board.** The County Boards of Supervisors of Langlade, Lincoln and Marathon Counties or other appointing authorities authorized by law have appointed and shall continue to appoint a governing and policy-making board to be known as the North Central Community Services Program Board (NCCSP Board).

B. **Board Composition.** The North Central Community Services Program Board shall be composed of fourteen (14) member directors appointed as follows: Ten (10) directors shall be residents of Marathon County and be appointed by the Marathon County Board of Supervisors; two (2) directors shall be residents of Langlade County and be appointed by the Langlade County Board of Supervisors; and two (2) directors shall be residents of Lincoln County and be appointed by the Lincoln County Board of Supervisors.

C. **Board Representation.** All persons appointed to the NCCSP Board shall represent the interests of all constituencies in participating in the governance of the NCCSP but the County Boards of Supervisors shall in making appointments to the NCCSP Board seek representation from the following interest groups: mentally ill; developmentally disabled; alcoholic and drug dependent. At least one (1) director shall be an individual who receives or has received mental disabilities services or a family member of such individual. To assure this representation the Chairs of the County Board of Supervisors of the respective Counties shall confer with the ~~Program Director~~ Chief Executive Officer of NCCSP to ascertain the representation needs of the Board before selecting nominees and shall submit names and background information of nominees to the ~~Program Director~~ Chief Executive Officer for review prior to submitting nominees to the County Board of Supervisors.

D. **Appointment of County Supervisors.** No more than seven (7) members of the NCCSP Board may be County Supervisors. At least one (1) but not more than 3 from any one County of the appointees from each of the three Counties shall be a member of the respective County's Board of Supervisors and shall be designated as the appointing County's Board of Supervisors member. At any time that a County's Board of Supervisors designated member or members of the NCCSP Board are no longer County Board Supervisors, the appointing County Board of Supervisors shall immediately appoint a successor Supervisor or Supervisors to be a member or members of the NCCSP Board. Any removed director shall receive due notice in writing of removal from the NCCSP Board.

E. **Term of Office.** Each NCCSP director shall hold office for a term of three (3) years. Directors shall serve staggered terms with one-third (1/3) of the members appointed each year.

F. **Removal for Cause.** Any NCCSP director may be removed from office for cause on recommendation of the NCCSP Board to the appointing County's Board of Supervisors and a two-thirds (2/3) vote of the appointing County's Board of Supervisors. The director must receive due notice in writing and a hearing on the charges against the director. Four (4) or more absences during a twelve (12) month period from regularly scheduled Board meetings shall be considered cause for recommendation of removal.

G. **Removal of County Supervisor Directors.** Any NCCSP director who was a member of a county board of supervisors at the time of appointment and who is not reelected to that office may be removed as a director of NCCSP upon due notice in writing to such director.

GH. **Vacancies.** Any vacancy on the NCCSP Board shall be filled for the remainder of the term in the manner that the original appointment was made.

HI. **Other Appointing Authority.** In any instance in this section where appointment or removal is indicated to be made by the Chair of the County Board of Supervisors or by the County Board of Supervisors it is intended that appointment may be made by other appointing or removing authorities as authorized by law.

IV. POWERS OF THE NCCSP BOARD

A. **General Powers.** The NCCSP Board shall assume all of the powers and duties of North Central Community Services Program, subject to rules promulgated under Wisconsin Administrative Code and Wisconsin Statute 51.42.

B. **Additional Powers and Duties.** The NCCSP Board shall do all of the following:

1. Establish long-range goals and intermediate-range plans, detail priorities and estimate costs.
2. Develop coordination of local services and continuity of care where indicated.
3. Utilize available resources and develop new resources to carry out the legislative mandate of providing services for persons experiencing mental disabilities and the mission of the organization.
4. Appoint a ~~Program Director~~Chief Executive Officer, on the basis of recognized and demonstrated interest in and knowledge of the problems of mental health, developmental disabilities, alcoholism and drug addiction, human services and/or health care management with due regard to training, experience, executive and administrative ability, and general qualification and fitness for the performance of the duties of the ~~Program Director~~Chief Executive Officer and subject to confirmation by the County Boards of Supervisors of Langlade, Lincoln and Marathon Counties.
5. ~~Fix the salaries of~~Set personnel policies related to salaries of employees of NCCSP.

6. Prepare a proposed budget described in paragraph III. H. above and a final budget for submission to DHFS.

7. Appoint committees consisting of County residents to advise the NCCSP Board as it deems necessary.

8. Develop NCCSP Board bylaws and operating procedures.

9. Comply with State requirements.

10. Assist in arranging cooperative working agreements with service providers.

11. Evaluate ~~service delivery~~ the quality of service delivery.

12. Appoint members of the Medical Staff.

13. Determine whether services are to be provided directly by NCCSP or contracted for with other providers and make such contracts for services.

14. Any other duties specified in 51.42 statute.

VHVI. PROGRAM DIRECTOR/CHIEF EXECUTIVE OFFICER

~~The Program Director~~ Chief Executive Officer of the North Central Community Services Program shall have all of the administrative and executive powers and duties of managing, operating, maintaining and improving the programs of NCCSP, subject to such delegation of authority as is not inconsistent with powers and duties granted to NCCSP or its Board and rules promulgated by DHFS. The Chief Executive Officer shall fill the role of the "county community programs director" under Section 51.42 of the Wisconsin Statutes.

A. **Powers and Duties.** In consultation and agreement with the NCCSP Board, ~~the Program Director~~ Chief Executive Officer shall:

1. Prepare an annual comprehensive plan and budget of all funds necessary for the programs and services of NCCSP. This plan shall establish priorities and objectives for the year as well as any modifications of long range objectives.

2. Prepare intermediate range plans.

3. Prepare an annual report of the operation of the Program and other reports that 1) the secretary of DHFS or 2) the County Boards of Supervisors require.

4. Make recommendations to the NCCSP Board for personnel policies related to and the salaries of employees and changes in program services.

5. Allocate services among recipients to reflect the availability of limited resources.

6. Comply with State requirements.

VII. FINANCIAL

The following general provisions shall apply to the financial affairs of NCCSP:

- A. **Accounting Period.** NCCSP shall use the calendar year as its accounting period.
- B. **Accounting Practices.** NCCSP shall follow generally accepted accounting principles.
- C. **Annual Audit.** NCCSP through the Finance, Personnel and Property Committee shall retain an independent certified public accounting firm to annually audit the financial records of NCCSP. The audit shall be conducted in accordance with generally accepted auditing standards, government auditing standards and requirements of the American Institute of Certified Public Accountants. On or before April 30 of each year NCCSP shall provide each County with a copy of the annual audit report with a balance sheet which separately reflects each County's equity fund balance. Unless NCCSP is notified to the contrary by a County the Annual Financial Statement shall be deemed accepted by the County ninety (90) days after its receipt by the County.
- D. **County Appropriations.** County appropriations for operations, reserves and capital purchases shall be determined through a budget development process which follows the procedures detailed in this section.
 1. **Community Program Human Services Program.** The Human Services Program Community Program is the program of services for disability groups experiencing mental illness, developmental disabilities, alcoholism and other drug abuse. Operations and capital budgets for the Community Human Services Program shall be prepared and approved by the North Central Community Services Program Board and provided to each of the three Counties as requests for funding approval. A determination of operating reserve needs shall also be made each year by the NCCSP Board and communicated to the three Counties.
 - a. **Operations Budget.** An operations budget shall be prepared for the multicounty Community Human Services Program which projects all revenues and expenses for the next calendar year. Appropriations required from funding Counties for operations for the Community Human Services Program shall be determined through a process which allocates the revenue and expense items of the budget according to the following provisions and arrives at net appropriations needed from each County for the ensuing calendar year:
 - 1) Each County will propose an allocation amount to North Central Health Care by July 1. If North Central Health Care requests to exceed this number, a request must be brought to the appropriate County officials by August 15.

- 2) ~~Each County shall submit a budget that conforms to the final number. A budget shall be submitted for each county that conforms to the final number.~~
- 3) In the event a program adjustment is proposed to respond to the modified County allocation, the advantages and disadvantages of this ~~reduction adjustment~~ must be brought to the affected County.

Program Revenue

Addendums. Addendums are defined as program funding received from the State of Wisconsin and which are received with designations that the funding will be used for specifically identified groups or individuals. ~~Addendums will be separated between Developmentally Disabled (DD) programs and the other disability service programs based on the designations of the addendums. The DD addendums will be divided between Langlade and Marathon Counties based on the following: addendums related to the Community Integration Programs (CIP) will be allocated based on the number of clients enrolled in CIP in each of the two Counties and other addendums related to DD programs shall be allocated in proportion to the most recent population of the two Counties from the State of Wisconsin Blue Book.~~

Addendums related to ~~the other disability service~~ programs shall be allocated among the three Counties based on the most recent census figures with updated five (5) year mid census figures from the State of Wisconsin Blue Book (such allocation method shall be hereinafter referred to as the "Appropriate Allocation Methodology").

Third Party Collections. Third party collections for all disability groups shall be first allocated to the respective Counties based on third party collections specifically identified with services separately provided in individual Counties. Third party collections provided in any of the Counties as a part of the common services available to all of the Counties, such as inpatient services, shall be allocated based on most recent census percentages stated above the Appropriate Allocation Methodology.

State Base County Allocation. The State Base County Allocation (BCA) shall be divided ~~into two parts, one for the DD program area which shall be 37% of the total projected annual BCA for the three Counties and one for the other disability group program area which shall be 63% of the total.~~ The amount allocated to DD services shall be split between Langlade and Marathon Counties based on most recent census figures. ~~The amount allocated to other disability group programs (63%) will be divided among the three Counties based on most recent census percentages shown above among the three (3) counties based on the Appropriate Allocation Methodology.~~

Other Revenue

Other revenue which is generated from provision of services not directly related to disability group programs shall be allocated ~~only to Marathon County as such revenue currently is generated from unique services provided to Marathon County. In the event like services are provided to either of the other two Counties the revenue generated will be allocated to the County for which the services are provided to each county based on the Appropriate Allocation Methodology.~~

NCHC Nursing Home Revenues. Notwithstanding any other provision contained in this Agreement, revenues derived from the operation of NCHC's nursing facility or skilled nursing facility ("NCHC Nursing Facilities") shall be allocated exclusively to Marathon County and neither Langlade nor Lincoln County shall receive allocation of any such revenues. NCHC Nursing Facility revenues shall include revenues attributable to all programs provided by NCHC Nursing Facilities, including but not limited to, post acute care and rehabilitation services and programs, ventilator program and services, dementia care program and related services, long term care programs and services, respite care program and services, short term or long term residential programs, care and services, and any other programs or services provided in connection with NCHC Nursing Facilities.

Program Expenses

Expenses of operating the programs shall be allocated to each of the three Counties in a manner that is consistent with the allocation of program revenues.

Other Expenses

Other expenses shall also be allocated in a manner that is consistent with the allocation of other revenue which at present shall be allocated only to Marathon County.

b. Reserves Determination. The amount of reserves needed for the operation of the program shall be reviewed by the NCCSP Board annually and the amount of reserves needed for the next calendar year shall be projected. Reserves shall be the amount of current assets in excess of current liabilities determined by the Board to be needed to fund cash flow requirements generated by current operations and future contingencies in addition to designated funds contingencies on the balance sheet. In the event reserves are not determined to be adequate NCCSP shall request a reserve appropriation from the three Counties in the same proportion as the operation appropriation requested of the three Counties for the same calendar year. The reserve appropriations shall be paid to NCCSP in equal quarterly installments at the same time as the operations appropriations are paid. Any reserves determined by the NCCSP Board to be in excess of those necessary for the operation of the Program shall be repaid to the three Counties. This reserve policy is established in consultation with the finance directors of each county and recommended by the Finance, Personnel & Property Committee for

approval by the NCCSP Board.

c. Capital Budget. A capital budget shall be prepared to provide for the capital needs of the Community Program for continued operation. The capital needs amount shall be allocated to the three Counties based on the county in which the capital asset will be located. The capital appropriation request to each County shall individually identify capital assets with a purchase price of more than ~~\$25,000~~ \$30,000 each. Other capital assets of lesser cost shall be grouped together in the capital appropriation request.

2. Ownership and Depreciation. Capital assets purchased by NCCSP with capital appropriations shall be owned by the County providing the appropriation but shall be carried on the books of NCCSP and depreciation amounts for capital assets shall be included in program operating expenses. Each County's fund balance account shall be increased for the amount of the capital appropriation provided for the purchase of capital assets by NCCSP.

3. Insurance Coverage. Counties shall be responsible for site (real property) insurance for their respective facilities. NCHC shall be responsible for all other necessary and appropriate insurance coverage.

4. Reconciliation. On or before April 30 of each year NCCSP shall determine the operating results for the preceding calendar year. The net excess revenue or expense shall be allocated to each County's fund balance.

5. Budget Timetable. On or before September 30 of each year NCCSP shall provide each County with final budget requests for operating and capital appropriations.

6. Appropriation Payment. ~~On the first business day following February 15, May 15, August 15 and November 15 each County shall pay to NCCSP one fourth (1/4) of the County's annual appropriation approved by the respective County Boards of Supervisors. Each county shall pay to NCCSP one fourth (1/4) of the county's annual approved appropriation per quarter.~~

7. Collections from Service Recipients. The collection procedures utilized by NCCSP to collect charges from service recipients shall be consistent with established policies and procedures and State laws and administrative regulations applicable to collections.

8. Other Programs. Budgets shall be prepared which separately account for revenue and expenses for other County health care programs and institutions administered by NCCSP under the authority of Wis. Stat. 51.42(3)(b) and paragraph IV. D. above. Operational and capital contributions by a County for which NCCSP is administering another County health care program or institution shall be determined under the provisions of the separate agreement between NCCSP and the authorizing County.

IXVIII. WITHDRAWAL

In the event any of the Counties which are parties to this agreement wish to withdraw from the joint sponsorship arrangement under this agreement the following provisions shall be complied with:

A. Notice. A withdrawing County shall provide written notice to the other Counties at least one (1) full calendar year in advance of the effective withdrawal date along with a copy of the resolution adopted by its Board of Supervisors approving the withdrawal. The effective termination date will be calculated as the first day of the next calendar year following the full calendar year of the written withdrawal notice.

B. Continuation of Sponsorship. The joint sponsorship arrangement under this agreement shall survive the voluntary withdrawal of any County if the remaining Counties choose to continue the joint sponsorship. In the event of continuance the termination date of the withdrawing County's participation in the Program shall be determined as indicated above and within six (6) months following the termination date the equity fund balance of the withdrawing County shall be determined. Payment to the withdrawing County shall be made during the twelve (12) months following the termination date. Payment shall be made first in property owned by that County but carried on the books of NCCSP at its depreciated value, and the remainder, if any, shall be paid from cash or other assets. If the withdrawing County's equity fund balance account is less than the depreciated value of the property owned by that County but carried on the books of NCCSP then that County shall appropriate an additional amount to NCCSP to cover this deficit.

C. Liquidation. On any withdrawal not subject to continuance as provided in paragraph B above, the Program shall wind-up its affairs with the Counties continuing to share costs of the Program in the same manner as existing immediately prior to the withdrawal notice. The operations shall be terminated as soon as reasonably possible as determined by NCCSP. The net equity fund balance of each County shall be determined as of the date operations terminate. NCCSP shall then proceed to liquidate all assets except property and equipment and satisfy all liabilities. When liquidation has been completed the remaining net assets shall be distributed based upon the proportion of each County's equity fund balance as of the date of termination of operations. The net assets distributed shall first be the property and equipment attributable to each County, and the remainder, if any, shall be paid from cash or other assets. If a County's equity fund account is less than the depreciated value of the property and equipment owned by that County but carried on the books of NCCSP then that County shall appropriate an additional amount to NCCSP to cover this deficit.

XIX. MISCELLANEOUS

A. Precedence of Agreement. The terms of this agreement, when adopted by the County Boards of Supervisors of Langlade, Lincoln and Marathon Counties and executed

shall take precedence over and supersede all prior resolutions and agreements which may conflict with this agreement.

B. Relationship to Funding County Boards. The funding County Boards of Supervisors shall annually review and approve NCCSP's plan and budget, which budget shall provide for appropriations by the funding Counties in accord with the provisions of section VIII of this agreement.

1. The Finance Director for each County and the Chief Financial Officer for North Central Health Care will meet on a quarterly basis to evaluate and update on the status of the County and the financial stability of North Central Health Care.

C. Other Arrangements. No funding County shall enter into any agreement with NCCSP which financially benefits such County at the expense of any of the other funding Counties.

D. Term of Agreement. The term of this agreement shall continue from calendar year to calendar year automatically unless the Counties mutually agree to terminate this agreement by affirmative vote of each of the County Boards of Supervisors of the three Counties, subject to the provisions of Article IX above.

Effective as of ~~January 1, 2008~~ September 27, 2012

LANGLADE COUNTY

BY: _____
Michael Klimoski David J. Solin
County Board of Supervisors Chair

BY: _____
Kathryn Jacob
County Clerk

LINCOLN COUNTY

BY: _____
Curtis Powell
Robert Lussow
County Board of Supervisors Chair

BY: _____
Robert Kunkel Sheila Pudelko
County Clerk

MARATHON COUNTY

20

BY: _____
Keith Langenhahn Gary Wyman
County Board of Supervisors Chair

BY: _____
Nan Kottke
County Clerk

BY: _____
Mort McBain Brad Karger
County Administrator

M/S Alber/Weaver to adopt Resolution 2012-12-58. Following discussion, motion carried on a voice vote.

9. Reports of Claims – None

10. M/S Caylor/Vander Sanden to approve the mileage and per diem for this meeting. Motion carried on a voice vote.

The Board recognized outgoing County Clerk Sheila Pudelko for all the work she did while County Clerk.

11. Next County Board Meeting: Tuesday January 15, 2013, at 6:00 p.m., at the Lincoln County Service Center, County Board Room, 801 N. Sales St., Merrill, WI.

12. M/S Nelson/Plant to adjourn. Motion carried on a voice vote. Meeting adjourned at 6:51 p.m.

I, Sheila Pudelko, County Clerk in and for said Lincoln County, Wisconsin do hereby certify the within and foregoing is a true and accurate recital of all proceedings by and before the Board of Supervisors at their regular meeting, December 18, 2012.

Sheila Pudelko, County Clerk