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3 **RESOLUTION: Authorization to Proceed with Contract to**
4 **Form and Join Income Maintenance**
5 **Administration Consortium**
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8 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**
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10 **WHEREAS**, under current law, pursuant to § 49.78, Wis Stats, the State Department of Health Services
11 (“DHS”) has delegated certain duties and responsibilities related to the administration of the Income Maintenance
12 Program to counties; and
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14 **WHEREAS**, under current law, §§ 46.031 and 49.78, Wis Stats, require Winnebago County to enter into a
15 contract with DHS for the provision of Income Maintenance Program administration services; and
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17 **WHEREAS**, as part of the Governor’s budget proposal for the 2011-2013 biennium, 2011 Assembly Bill 40,
18 the Governor proposed that beginning in calendar year 2012, responsibility for administration of the Income
19 Maintenance Program be transferred from counties to DHS; and
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21 **WHEREAS**, counties across Wisconsin registered objections to the Governor’s proposal and offered an
22 alternative whereby counties would work cooperatively in creating regional consortia, which would be responsible for
23 Income Maintenance Program administration services; and
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25 **WHEREAS**, counties offered the Legislature an alternative to the Governor’s complete DHS takeover of
26 Income Maintenance Program administration, which proposal allowed, among other things, for the creation of
27 consortia over the course of the 2011-2013 biennium and a gradual phase-in of consortia-based contracts to replace
28 the individual county contracts for Income Maintenance Program administration services; and
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30 **WHEREAS**, the Legislature’s Joint Committee on Finance accepted the counties’ alternative proposal, in
31 part, and rejected the complete DHS takeover of Income Maintenance Program administration services; and
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33 **WHEREAS**, 2011 Wisconsin Act 32, the Biennial Budget Bill, modifies current law relating to the
34 authorization for DHS to enter into contracts with individual counties in relation to Income Maintenance Program
35 administration services and, instead, authorizes the formation of county-based regional consortia and further
36 authorizes the consortia to enter into a contract with DHS related to the provision of the services; and
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38 **WHEREAS**, 2011 Wisconsin Act 32 specifically provides that “. . . each county with a population of less
39 than 750,000 shall participate in a multicounty consortium that is approved by the department. . .” and, Further, that
40 “. . . [b]y October 31, 2011, the department shall approve multicounty consortia. . .;” and
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42 **WHEREAS**, 2011 Wisconsin Act 32 further provides that “[t]he department may not approve more than 10
43 multicounty consortia. . .;” and
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45 **WHEREAS**, 2011 Wisconsin Act 32 further provides that “[i]f a county with a population of less than
46 750,000 does not participate in a multicounty consortium or the department determines that a multicounty consortium
47 does not satisfy the department’s performance requirements, the department shall assume responsibility for
48 administering income maintenance programs in that county or in the geographical area of the multicounty
49 consortium. . .;” and
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51 **WHEREAS**, 2011 Wisconsin Act 32 further provides that, without regard to whether a county chooses to
52 allow DHS to take over Income Maintenance Program administration services or join a consortium that will provide
53 the services, Winnebago County is required to maintain a tax levy contribution to the system at an amount not less
54 than the amount contributed in 2009; and
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56 **WHEREAS**, as a result of 2011 Wisconsin Act 32, Winnebago County is faced with a choice of either fully
57 relinquishing all responsibility for Income Maintenance Program administration services to DHS or joining a multi-
58 county consortium consistent with the requirements established in 2011 Wisconsin Act 32; and
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WHEREAS, Winnebago County believes it to be in the best interests of the citizens and employees of Winnebago County to join a multi-county consortium related to the provision of Income Maintenance Program administration services consistent with the requirements established in 2011 Wisconsin Act 32; and

WHEREAS, joining a multi-county consortium for purposes of the provision of Income Maintenance Program administration services will require that Winnebago County enter into a contract or series of contracts with the other counties that make up the consortium; and

WHEREAS, the contracts with other counties will establish, among other things, the following: (1) financial responsibility for the consortium; (2) financial accountability among consortium members; (3) individual county responsibilities related to the provision of services; (4) methods for service level accountability among consortium members; and (5) overall responsibility for the contract that will be entered into by and among the multi-county consortium and DHS; and

WHEREAS, the intent of this Resolution is to authorize the Winnebago County Executive to enter into any and all contracts or other documents necessary to create, form, authorize and/or operate the multi-county consortium of which Winnebago County will be a member; and

WHEREAS, this Resolution shall be interpreted liberally in favor of authorizing the Winnebago County Executive to take all actions necessary to effectuate the intent of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors, that Winnebago County does hereby declare its intent to join a multi-county consortium led by Outagamie County consistent with the requirements set forth in 2011 Wisconsin Act 32.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors, that Winnebago County hereby authorizes its County Executive to enter into any and all contracts or other documents necessary to create, form, authorize and/or operate the multi-county consortium of which Winnebago County will be a member.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors, that Winnebago County hereby authorizes its County Executive to take any and all actions necessary to effectuate the intent of this Resolution..

Submitted by:

HUMAN SERVICES BOARD

Committee Vote: **6-0**

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

Committee Vote: **4-0**

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Vote Required for Passage:
Majority of Those Present

Approved by the Winnebago County Executive this _____ day of August, 2011.

Mark L Harris
Winnebago County Executive