

1 178-072019

2 **RESOLUTION: Authorize the Dissolution of Lakeland Care District Pursuant to §46.2895(13), Wis Stats**

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5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, Lakeland Care District (LCD) is a long-term care district formed by Fond du Lac, Manitowoc,
7 and Winnebago Counties by resolution pursuant to §46.2895, Wis Stats, for the purposes of delivering family care
8 services as a managed care organization (MCO) under the State of Wisconsin’s Family Care Program; and

9 **WHEREAS**, 2015 Wisconsin Act 215 amended §46.2895, Wis Stats, to allow a long-term care district such
10 as LCD to organize a nonstock corporation under §181, Wis Stats, and transfer all assets, liabilities, contracts,
11 permits, and certifications that are currently held by a long-term care district to a newly-formed nonstock corporation
12 subject to the approval of the Department of Health Services (DHS) and Office of Commissioner of Insurance (OCI);
13 and

14 **WHEREAS**, in July 2016, LCD’s Board of Directors adopted a resolution indicating its intent to organize a
15 nonstock corporation and transfer all assets, liabilities, contracts, permits, and certifications that were currently held
16 by LCD to a newly-formed nonstock corporation; and

17 **WHEREAS**, the nonstock corporation, Lakeland Care Inc (LCI) was created in August 2016 to succeed LCD
18 following approval from DHS and OCI; and

19 **WHEREAS**, in November 2016, DHS and OCI approved the transfer of all assets, liabilities, contracts,
20 permits, and certifications of LCD to LCI and certified the corporation as an MCO effective January 1, 2017; and

21 **WHEREAS**, as of January 1, 2017, LCD has no continuing business operations and undertakes no activities
22 related to the purpose for which it was formed, which was to contract with DHS for the provision of family care
23 services; and

24 **WHEREAS**, the final step of winding down LCD’s operations is the dissolution of the district, which requires
25 joint action by LCD’s Board and the county boards that formed the district pursuant to §46.2895(13), Wis Stats; and

26 **WHEREAS**, this Resolution is intended to act as Winnebago County’s official action authorizing the
27 dissolution of LCD; and

28 **WHEREAS**, the dissolution of LCD will have no impact on the operations of LCI and will not otherwise
29 impact, financially or otherwise, the operations of Winnebago County; and

30 **WHEREAS**, the Secretary of DHS may rely on this Resolution as action on the part of Winnebago County
31 authorizing dissolution of LCD.

32 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
33 authorizes the dissolution of Lakeland Care District pursuant to §46.2895(13), Wis Stats.

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Respectfully submitted by:

36 Committee Vote: _____

LARRY LAUTENSCHLAGER, District 19

37 Vote Required for Passage: **Majority of Those Present**

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39 Approved by the Winnebago County Executive this _____ day of _____, 2019.

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Mark L Harris
Winnebago County Executive