

SHEBOYGAN COUNTY ORDINANCE NO. 07 (2014/15)

Re: **Incorporating Child Support Agency into Health and Human Services Department**

WHEREAS, Wis. Stat. § 59.53(5) requires that each county establish a child support agency, but it does not require that the child support agency must be a stand-alone entity, and

WHEREAS, Wis. Stat. §§ 46.22(1)(c) and 46.23(3)(b) provide that county boards may transfer to the county health and human services department such other powers and duties, including other departments, to the jurisdiction of the health and human services department, if appropriate, and

WHEREAS, based on an assessment by the Sheboygan County Health and Human Services Department, a copy of which is on file with the Clerk, opportunities made available to the County as a consequence of Act 10 and in conjunction with an impending retirement, Sheboygan County is able to restructure the manner in which it provides child and spousal support, paternity establishment, and enforcement services so as to take advantage of the similar resources and mission of the Health and Human Services Department through a consolidation of the Child Support Agency as a component part of the Health and Human Services Department;

NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1. **Amending Section 2.12(3)(b)**. Section 2.12(3)(b) of the Sheboygan County Code of Ordinances is hereby amended as follows (additions indicated by redlining):

- (3)(b) To serve as liaison for the Health and Human Services Department, including administration of child support services as required pursuant to Wis. Stat. § 59.53(5), and the Veterans' Service Office and in that capacity to confer with them from time to time concerning the operation of their offices.

Section 2. **Amending Section 2.12(6)(a)**. Section 2.12(6)(a) of the Sheboygan County Code of Ordinances is hereby amended as follows (deletions indicated by strikeouts):

- (6)(a) To serve as liaison between the Sheriff, Clerk of Courts, ~~Child Support Enforcement Agency~~, District Attorney, Coroner, and Circuit Court Commissioner and in that capacity to confer with them from time to time concerning the operation of their offices and Departments.

Section 3. **Incorporating Child Support Agency into Health and Human Services Department**. Chapter 10 of the Sheboygan County Code of Ordinances is amended as follows (additions indicated by redlining, deletions by strikeouts; only those portions affected appear):

10.02 PURPOSE. The purpose of the Department is to develop a comprehensive range of human services which shall include health care, public health services, mental illness treatment, developmental disabilities services, general relief, income maintenance, probation and parole services, alcohol and drug abuse services, services to children, youth and aging, family counseling, exceptional educational services and manpower services. Its programs responsibilities shall include providing community services and facilities for the prevention and amelioration of social, mental, and physical disabilities.

It is intended that this Department shall exercise the powers and duties of a County Department of Developmental Disabilities under Wis. Stat. § 51.437, a County Department of Social Services under Wis. Stat. § 46.22, a County Department of Community Programs under Wis. Stat. § 51.42, a Board of Health under Wis. Stat. § 250.01(4)(a), and a Child Support Enforcement Agency under Wis. Stat. § 59.53(5).

10.03 HEALTH AND HUMAN SERVICES COMMITTEE. The Health and Human Services Department shall be administered by a Human Services Committee composed of nine (9) persons of recognized ability and demonstrated interest in human services. Six (6) members shall be County Board of Supervisors and three (3) members shall be consumers of services or citizens at large. A good faith effort shall be made to appoint a registered nurse and a physician to the Committee. ~~Such~~ County Board members shall be appointed by the Executive Committee and confirmed by the County Board of Supervisors. Citizen members shall be approved by the County Administrator and confirmed by the County Board of Supervisors.

10.04 TERM OF OFFICE. The term of office of any citizen member of the Committee shall be three (3) years but of the members first appointed, at least 1/3 shall be appointed for one (1) year; 1/3 for two (2) years and the remainder for three (3) years, all with an April term ending date to coincide with the County Board's Organizational meetings; the staggered terms to be indicated at the time of appointment. County Board Supervisors' terms, however, shall terminate upon ~~their failure to hold such office~~ the end of the County Board legislative session.

10.06 REMOVAL. A County Supervisor Health and Human Services Committee member may be removed from office for cause by a 2/3 vote of the County Board of Supervisors ~~participating in the appointment~~, on due notice in writing and hearing of the charges against the member. A citizen member may be removed by the County Administrator for cause.

10.07 DUTIES. The County Health and Human Services Committee shall exercise the powers and duties as provided at Wis. Stat. § 46.23(5m).

~~(a) Shall determine administrative and program policies within limits established by the Wisconsin Department of Health and Social Services (the "DEPARTMENT"). Policy decisions not reserved by~~

~~statute for the Department may be delegated by its Secretary to the County Health and Human Services Committee.~~

- ~~(b) — Shall establish priorities in addition to those mandated by the Department.~~
- ~~(c) — Shall determine whether state mandated services are provided or purchased or contracted for with local providers, and monitor the performance of such contracts. Purchase of services contracts shall be subject to the conditions specified in sec. 46.036, Stats.~~
- ~~(d) — Shall determine, subject to the budgetary approval of the County Board of Supervisors and with the advice of the County Health and Human Services Director whether services are to be provided directly by the County Department of Health and Human Services or contracted for with other providers and make such contracts. The County Board of Supervisors may at any time elect to require the approval of any such contract by the County Board of Supervisors.~~
- ~~(e) — Shall represent human service agencies, professionals and consumers of services in negotiations with the state and federal governments.~~
- ~~(f) — Shall appoint a County Health and Human Services Director on the basis of recognized and demonstrated interest in and knowledge of human services problems, with due regard to training, experience, executive and administrative ability and general qualification and fitness for the performance of the duties of the County Health and Human Services Director. The appointment shall be subject to the personnel policies and procedures established from time to time by the County Board.~~
- ~~(g) — Shall appoint advisory committees for the purpose of receiving community, professional or technical information concerning particular policy considerations. Members of Advisory Committees shall serve without compensation except that they shall be entitled to out-of-pocket costs and reimbursement for meals and mileage, all as in accordance with Chapter 45 of the Sheboygan County Code of Ordinances.~~
- ~~(h) — Shall determine the number and location of any outstations when appropriate to meet service demands.~~
- ~~(i) — May recommend the removal of the County Health and Human Services Director for cause to the County Board and the County Board may remove the County Health and Human Services Director for cause by a 2/3 vote, on due notice in writing and hearing of the charges against the County Health and Human Services Director.~~

- ~~(j) — Shall develop County Health and Human Services Committee organization and operating procedures.~~
- ~~(k) — Shall oversee the operation of one or more service delivery programs.~~
- ~~(l) — Shall evaluate services delivery.~~
- ~~(m) — May perform such other general functions necessary to administer its programs authorized herein.~~
- ~~(n) — Shall submit a proposed budget in accordance with Wis. Stat. § 46.031(l) for authorized services. Notwithstanding the categorization of or limits specified for funds allocated under Wis. Stat. §§ 49.51(l)(d) or 51.423(2) with the approval of the Department of Health and Social Services, the County Health and Human Services Committee may expend these funds consistent with any service provided under Wis. Stat. §§ 49.52(l)(d) or 51.42.~~
- ~~(o) — Shall cooperate to the extent feasible with the school board, health planning agencies, law enforcement agencies, and other human service agencies, committees and planning bodies in Sheboygan County.~~
- ~~(p) — Shall comply with State requirements.~~
- ~~(q) — Shall have charge of operations and space utilization for the building known as the Health and Human Services Building.~~
- ~~(r) — Shall carry out such other duties as may from time to time be delegated to it by the County Board of Supervisors.~~

10.08 **PROGRAM HEALTH AND HUMAN SERVICES DIRECTOR.** The County Health and Human Services Director appointed under Section 10.07(6) of this Code shall: Wis. Stat. § 46.23(6m) by the County Administrator shall have the powers and duties as set forth under Wis. Stat. § 46.23(6m). In addition thereto, the County Health and Human Services Director shall supervise the Child Support Enforcement Agency programs required under Wis. Stat. § 59.53(5).

- ~~(a) — Have all of the administrative and executive powers and duties of managing, operating, maintaining and improving the programs of the County Health and Human Services Department, subject to the rules promulgated by the Department of Health and Social Services under Wisconsin law. In consultation with the County Health and Human Services Board and subject to its approval, the County Health and Human Services Director shall prepare:

 - ~~(1) — An annual comprehensive plan and budget of all funds necessary for the program and services authorized by this section in which priorities and objectives for the year are~~~~

~~established as well as any modifications of long-range objectives.~~

~~(2) Intermediate-range plans and budget.~~

~~(3) Such other reports as are required by the Secretary and the County Board of Supervisors.~~

~~(b) Make recommendations to the County Health and Human Services Board for:~~

~~(1) Personnel and salaries of employees.~~

~~(2) Changes in the organization and management of the program.~~

~~(3) Changes in program services.~~

~~(c) Comply with State requirement.~~

~~(d) Carry out such other duties as may be required by the Health and Human Services Board.~~

Section 4 **Effective Date.** The herein Ordinance shall take effect on January 1, 2015.

Respectfully submitted this 21st day of October, 2014.

HEALTH & HUMAN SERVICES COMMITTEE*

Kris Wheeler
Kris Wheeler, Chairperson

Vernon C. Koch
Vernon C. Koch, Vice-Chairperson

Jacob Van Dixhorn
Jacob Van Dixhorn, Secretary

James Baumgart
James Baumgart

Brian C. Hoffmann
Brian C. Hoffmann

Roger R. Otten
Roger R. Otten

Opposed to Introduction:

ENACTED 11.04.2014

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