

RESOLUTION 2010-51

6-23-10

**RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE
AUTHORIZING ENTERING INTO A CONTRACT WITH THE VILLAGES OF MT.
PLEASANT, CALEDONIA AND NORTH BAY IN REGARD TO
CONSOLIDATED PUBLIC HEALTH SERVICES**

WHEREAS, the Village of Sturtevant currently receives public health services from the Caledonia/Mt. Pleasant Health Department but Sturtevant has no representation on that Board of Health; and

WHEREAS, the Villages of Sturtevant, Mt. Pleasant, Caledonia and North Bay have been discussing, exploring and negotiating in regard to the consolidation of public health services for over a year; and

WHEREAS, the Village Board of Sturtevant has determined that it would be in the best interests of the Village to consolidate public health services with the Villages of Sturtevant, Caledonia, Mt. Pleasant and North Bay.

NOW THEREFORE, the Village Board of the Village of Sturtevant, Racine County, Wisconsin does hereby resolve:

1. That the execution of a contract with the Villages of Mt. Pleasant, Caledonia, and North Bay for public health services beginning January 1, 2011 as set forth in Exhibit A which is attached hereto and incorporated herein is authorized and approved subject to final review and approval by the Village Administrator.
2. That the Village President and the Village Clerk are authorized to sign any agreements or other documents necessary to carry out the intent of this resolution.
3. That the separate Village Of Sturtevant Board of Health is hereby terminated effective January 1, 2011 and at that time the Central Racine County Health Department and its Board of Health shall serve that function for the Village of Sturtevant and the Village Administrator shall take appropriate steps to present amendments to the Village Ordinances as may be appropriate.
4. That the authorizations contained in this resolution are contingent on authorization of said contract by the Villages of Mt. Pleasant, Caledonia, and North Bay

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 6th day of July, 2010.

Village of Sturtevant

By _____
Steven Jansen, President

Attest _____
Mary Cole, Village Clerk

AGREEMENT

THIS AGREEMENT is made and entered into as of the date last executed by any of the parties, among the VILLAGE OF CALEDONIA, a municipal body (hereinafter referred to as “Caledonia”), VILLAGE OF MT. PLEASANT, a municipal body (hereinafter referred to as “Mt. Pleasant”), VILLAGE OF STURTEVANT, a municipal body (hereinafter referred to as “Sturtevant”), and VILLAGE OF NORTH BAY, a municipal body (hereinafter referred to as “North Bay”).

RECITALS

WHEREAS, Caledonia and Mt. Pleasant are villages located in Racine County which have an Intermunicipal Agreement for a joint board of health and joint health department (hereinafter referred to as the “Caledonia/Mt. Pleasant Board of Health” and the “Caledonia/Mt. Pleasant Health Department”); and

WHEREAS, Sturtevant and North Bay are villages located in Racine County and each has a village board of health which was established prior to January 1, 1994, and each currently contracts with Caledonia and Mt. Pleasant to receive services from the Caledonia/Mt. Pleasant Health Department; and

WHEREAS, Caledonia, Mt. Pleasant, Sturtevant and North Bay are each authorized by statute to establish a local board of health and a local health department, and are further authorized to enter into intermunicipal agreements with respect to providing health services; and

WHEREAS, in order to: 1) provide a high level of top quality health services at a low cost to their respective communities, 2) provide for representation by Sturtevant and North Bay on the joint board of health, and 3) create a stable health department structure, Caledonia, Mt. Pleasant, Sturtevant and North Bay propose to enter into an intermunicipal agreement pursuant to Wis. Stat. Sections 66.0301 and 251.09, providing for the establishment, governance, financing and management of a joint local board of health and joint local health department to provide health services to all four communities;

NOW, THEREFORE, for and in consideration of the mutual covenants herein set forth, the parties agree as follows:

1. **Authority.** This Agreement is entered into pursuant to the authority set forth in Wis. Stat. Sections 66.0301, 251.09, and 251.02(3r).
2. **Creation of Joint Local Board of Health and Joint Local Health Department.** Caledonia, Mt. Pleasant, Sturtevant and North Bay agree to create a joint local

board of health to exercise the powers and perform the duties of a local board of health in each of the municipalities. Caledonia, Mt. Pleasant, Sturtevant and North Bay hereby create a joint local health department, per Wis. Stat. Section 251.02(3r), that shall be designated “Central Racine County Health Department” (“hereinafter referred to as “Health Department”).

- a. Members. Pursuant to Wis. Stat. Section 251.03(4r), the parties determine that the Board of Health shall be made up of the following 9 members:
 - i. Medical Advisor (1), appointed and confirmed by Board of Health
 - ii. Health Officer (1), appointed and confirmed by Board of Health
 - iii. Mt. Pleasant Trustee (1), appointed by the Village President
 - iv. Caledonia Trustee (1), appointed by the Village President
 - v. North Bay Trustee or citizen (1), appointed by the Village President
 - vi. Sturtevant Trustee, employee or citizen (1), appointed by the Village President
 - vii. Mt. Pleasant citizen, preferably a registered nurse (1), appointed by the Village President
 - viii. Caledonia citizen, preferably a registered nurse (1), appointed by the Village President
 - ix. Citizen member-at-large (1), appointed by Health Officer, confirmed by Board of Health

The Board of Health shall elect a chairperson, vice-chairperson and secretary.

- b. Powers and Duties. The Board of Health shall constitute the policy-making body for the Health Department, and shall exercise authority over financial and personnel matters, as set forth below. The Board of Health shall be responsible for operating and maintaining at least a Level II Health Department to jointly serve the four Villages. The Board of Health shall have the powers and perform such duties as are prescribed in Wis. Stat. Sections 251.04 and 251.05, except as otherwise specifically provided in this agreement or in joint ordinances adopted by Caledonia, Mt. Pleasant, Sturtevant, and North Bay.
- c. Budget and Financial Oversight. The Board of Health shall annually develop and adopt a budget. Each Village shall be responsible for its share of the budget, in accordance with the methodology as set forth below. By September 1st of each year, the Board of Health shall forward a copy of its adopted budget to each Village. Any increase in the levy portion of the budget exceeding 3% of the prior year’s budget levy shall require the approval of all four Villages. At year end, any unspent portion of the approved budget shall go to the Health Department’s fund balance. The Board of Health shall have the authority to approve capital expenditures less than \$25,000 if using monies in the current fund balance. For capital expenditures of \$25,000 or more, or where a capital

expenditure requires additional funding from the Villages, the approval of all four Villages shall be required. Funding for additional personnel shall require the approval of all four Villages.

- d. Fiscal Agent. The Village of Caledonia shall be the fiscal agent for the Health Department. Responsibilities include assistance with budget preparation, processing of purchase orders, payroll, employee benefits administration, compliance with State and Federal employment-related standards, and procurement of insurance policies, including comprehensive general liability coverage, bodily injury coverage, property damage coverage, auto coverage, health insurance, and worker's compensation coverage.
- e. Financing. The Villages shall share all the costs of the Health Department based on per capita financing (using the Wisconsin Department of Administration's ("DOA") population estimate for each Village from the preceding year). Department of Correction population will not be counted as part of the Village of Sturtevant population estimate. Attached as Exhibit A, and incorporated herein by reference, are the percentage allocations for the Villages for fiscal year 2011, based upon the DOA's 2009 population estimates. The percentage allocations shown on Exhibit A will be revised to reflect the 2010 population estimates that are expected to be released by the DOA to the public on or before October 10, 2010. On or before January 15 of each year during the term of this agreement, the Villages shall forward to Caledonia at least half their respective shares of the operating budget for that year. On or before July 15 of each year during the term of this agreement, the Villages shall forward to Caledonia the second half of their respective shares of the operating budget for that year.
- f. Personnel. Subject to the appropriations in the budget, the Board of Health shall have authority to employ and determine the compensation of such personnel for the Health Department, and may employ the services and fix the compensation of such other agents or consultants as the Board of Health deems necessary or convenient for the operation and management of the Health Department. The Board of Health and the Health Officer shall have the authority to terminate the employment of such personnel as set forth below, subject to any applicable laws, rules, regulations and agreements with respect to the same. All personnel will be considered as employees of Caledonia for reporting purposes, and shall operate under and be subject to the Caledonia Personnel Policy Manual, unless otherwise stated below. To meet this standard:
 - i. The Health Officer shall be appointed by the Board of Health pursuant to Wis. Stat. Section 251.06(4)(c). The Health Officer shall meet the qualifications set forth in Wis. Stat. Section 251.06.

- ii. The Health Officer shall report to the Board of Health, which shall be responsible for performing evaluations of the Health Officer on a schedule to be determined by it.
 - iii. The Board of Health shall be responsible for all employment decisions pertaining to the Health Officer.
 - iv. The Board of Health shall approve all Health Department hires. Per Wis. Stat. Section 254.04(8), the Board of Health shall employ qualified public health professionals. The Health Officer, as an employee of and manager for the Village of Caledonia and per Wis. Stat. Section 251.06(3)(e), shall appoint all necessary subordinate personnel, ensure they meet appropriate qualifications, and have supervisory authority over all subordinate personnel. When possible, a Board of Health member shall be part of the interview panel for new hires.
 - v. Board of Health members shall be indemnified and held harmless by the four villages for actions taken within the scope of their responsibilities. Board of Health members shall be covered by a Public Officials/Governmental Entity Policy. In addition, the Board of Health and Health Department shall be added as additional insureds on each Village's general liability policy.
 - vi. With approval of the Board of Health, the Health Officer may discipline, suspend and terminate staff. All written discipline shall be reviewed by the Board of Health Personnel Committee. All suspensions and terminations shall be reviewed by the Board of Health Personnel Committee and approved by the Board of Health.
 - vii. Complaints and Grievances. The Board of Health shall work with the Village of Caledonia to ensure that its employment-related policies and procedures are consistent with applicable Personnel Manual (and collective bargaining agreements if applicable).
3. **Operations.** The Board of Health shall have authority to enter into contracts as are necessary or convenient for the management and operation of the Health Department, provided, however that funding has been included as part of the approved budget. All contracts shall be reviewed by the Board of Health attorney prior to signing. All operations of the Health Department shall be conducted in accordance with the requirement and standards of the applicable statutes, ordinances, orders, rules and regulations. The Board of Health shall be responsible to see that all required reports are filed and submitted as required.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the dates indicated below.

Dated this ____ day of _____, 2010.

Dated this ____ day of _____, 2010.

VILLAGE OF CALEDONIA

VILLAGE OF MT. PLEASANT

By: _____
President

By: _____
President

Attest: _____
Clerk

Attest: _____
Clerk

Dated this ____ day of _____, 2010.

Dated this ____ day of _____, 2010.

VILLAGE OF STURTEVANT

VILLAGE OF NORTH BAY

By: _____
President

By: _____
President

Attest: _____
Clerk

Attest: _____
Clerk

Exhibit A
Fiscal Year 2011 Percentage Allocations by Village

	2009 DOA Estimates	% Allocation
Caledonia	25,200	44.900%
Mt. Pleasant	26,100	46.503%
Sturtevant*	4,582	8.164%
North Bay	243	0.433%
TOTAL	56,125	

*Of the 6,391 estimated population, 1809 are institutionalized and will not be counted in percentage allocations