

PROCEEDINGS OF THE
ROCK COUNTY BOARD OF SUPERVISORS

Janesville, Wisconsin
May 27, 2010

The Rock County Board of Supervisors met pursuant to adjournment on May 27, 2010 at 6:00 P.M. in the Courthouse at Janesville, Wisconsin.

Chair Podzilni called the meeting to order. Supervisor Jensen gave the invocation.

3. Roll Call. At roll call, Supervisors Peer, Arnold, Innis, Beaver, Heidenreich, Kuznacic, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni were present. Supervisor Knudson was absent. PRESENT – 28. ABSENT – 1.

QUORUM PRESENT

4. Adoption of Agenda.

Supervisors Arnold and Peer moved to the Agenda as presented. Chair Podzilni informed the board that Items 12.G through 12.K would be moved up and taken after item 8.D. ADOPTED as presented. Agenda is as follows:

1. CALL TO ORDER
2. INVOCATION & PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF AGENDA
5. APPROVAL OF MINUTES – May 13, 2010
6. PUBLIC HEARING
7. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS
8. NOMINATIONS, APPOINTMENTS AND CONFIRMATION
 - A. Confirmation of Appointment of Director of Human Resources
 - B. Appointments to the Criminal Justice Coordinating Council
 - C. Appointment to the Community Action Program
 - D. Alternate Appointment to the Marsh Country Health Alliance Commission
9. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE
10. REPORTS
 - A. Rock Haven Follow-Up Information and Questions – Sherry Gunderson
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - A. Supplementary Appropriations and Budget Changes – Roll Call
 1. Authorizing 2010 Farmland Preservation Program Planning Grant
 - B. Bills Over \$10,000 – No Roll Call
 - C. Encumbrances Over \$10,000 – Roll Call
 - D. Contracts – Roll Call
 1. Authorizing Submission of Edward Byrne Memorial Justice Assistance Grant and Application and Authorizing Interagency Agreement with Beloit and Janesville
 2. Awarding Contract for Carver Roehl Park Culvert Project
 - E. Authorizing the Issuance and Awarding the Sale of \$5,815,000 Taxable General Obligation Promissory Notes (Recovery Zone Economic Development Bonds-

Direct Pay); Providing the Form of the Notes; and Levying a Tax in Connection Therewith (Copies of the final resolution will be provided at the meeting.) Roll Call

- F. Abolishing the Office of Coroner and Establishing a Medical Examiner System
- G. Confirming the Induction of Reverend Dr. Floyd Prude Jr. and Wayne Flury to the Rock County Hall of Honor
- H. Commending Jill Nordeng
- I. Commending Administrative Secretary Jane M. Colby
- J. To Recognize Trudy Slatter
- K. To Recognize Virgil Parker
- L. Rescinding Resolution 10-5A-039 and Re-establishing the Salary for Rock County Sheriff for the 2011-2014 Term
- M. **EXECUTIVE SESSION:** Per Section 19.85(1)(g), Wis. Stats. – Conferring with Legal Counsel Regarding Pending Litigation

13. ADJOURNMENT

5. Approval of Minutes of May 13, 2010.

Supervisors Jensen and Bostwick moved the approval of the minutes of May 13, 2010 as presented. ADOPTED as presented by acclamation.

7. Citizen Participation, Communications and Announcements.

James Driscoll, Beloit; William Breidenstein, Janesville; Jill Costerisan, Janesville; Tony Farrell, Sr., Janesville; Julie Spangler, Janesville; Ronnie E. Thomas, Janesville; Alice Smit, Janesville; Jim Joiner, Janesville; Lou Smit, Janesville; Richard Costerisan, Siren; James Keach, Janesville; Jason Dowd, Beloit; Don Robinson, Janesville; Douglas S. Lueck, Janesville; Paul Lembrich, Janesville; Brent Arnold, Evansville; and Jenifer Keach spoke in opposition to Item 12.F. of “Abolishing the Office of Coroner and Establishing a Medical Examiner System.”

Kay Deupree, Janesville, spoke in favor of Item 12.F. of “Abolishing the Office of Coroner and Establishing a Medical Examiner System.”

Steven Job, Janesville, spoke to the Board regarding a need for a comprehensive ordinance regulating open burning in Rock County.

Supervisor Wopat announced a “resource fair” at Peoples Church auditorium on Thursday, June 10th, from 2-4pm. The Rock County Criminal Justice Committee invites formerly incarcerated men and women to raise awareness of the resources available to them as they re-enter the community. Service providers will be in attendance from all sectors, including healthcare, education, housing, AODA, faith, labor, mental health, and various non-profit organizations.

8.A. Confirmation of Appointment of Director of Human Resources.

Resolution No. 10-5B-048

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors assembled this 27th day of May, 2010, confirms the appointment of David J. O’Connell as Human Resources Director in accordance with the attached conditions of employment.

Supervisors Kraft and Peer moved the above appointment. ADOPTED by acclamation.

8.B. Appointments to the Criminal Justice Coordinating Council.

NEW APPOINTMENTS:	Max Arriaga 402 Cherry Street Janesville WI 53548	Patrick Cork DHS Area Administration 2187 N Stevens Rhineland WI 54501
	Neil Deupree 419 S Franklin Street Janesville WI 53548	George Smith Jr. 112 Lord Street Edgerton WI 53534

Alternate

Laura Kleber
SE Regional Office
141 NW Barstow St.
Waukesha WI 53188

Alternate

George Smith
2107 Colony Court, Apt. C
Beloit WI 53511

EFFECTIVE DATE: June 1, 2010

Supervisors Wopat and Collins moved the above appointments. ADOPTED by acclamation.

8.C. Appointment to the Community Action Program.

NEW APPOINTMENT: Supervisor Katie Kuznacic

EFFECTIVE DATE: May 27, 2010

Supervisors Bussie and Combs moved the above appointment. ADOPTED by acclamation. Supervisor Fizzell opposed.

8.D. Alternate Appointment to the Marsh Country Health Alliance Commission.

NEW APPOINTMENT: Supervisor Terry N. Thomas

EFFECTIVE DATE: Immediately (May 27, 2010)

Supervisors Wopat and Kuznacic moved the above appointment. ADOPTED by acclamation.

9. Introduction of New Resolutions or Ordinances by Supervisors for referral to appropriate Committee

Supervisor Bostwick introduced two resolutions:

Resolution to Support and Promote Eco-Friendly Practices:

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors does hereby support and promote eco-friendly practices in the county which preserve and improve the quality of water and soil for future generations, and, affirm the work of these departments, and, the county board requests annual progress reports by these departments on activities that preserve and protect soil and water quality.

Resolution Encouraging Rock County to "Go Green":

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors does hereby encourage the citizens and staff of Rock County to "Go Green" by improving awareness of green initiatives and programs so that they may be implemented on county projects and by participating in education efforts that support green practices.

BE IT FURTHER RESOLVED, that Rock County is encouraged to explore whether utilizing more energy efficient building materials and techniques may both save money and result in more environmentally friendly activities.

BE IT FURTHER RESOLVED, that Rock County departments are requested to perform internal audits of ways to improve energy efficiency and report back with recommendations and initiatives that have already taken place.

Chair Podzilni informed Supervisor Bostwick that he would forward to appropriate committee.

10.A. Rock Haven Follow-Up Information and Questions – Sherry Gunderson.

Sherry was present to answer questions from the Board pertaining to the report presented at the May 13th Board of Supervisors meeting. Recommendations regarding Rock Haven Nursing Home will be forthcoming, hopefully for the June 10th meeting.

12.A.1. Authorizing 2010 Farmland and Preservation Program Planning Grant.

Resolution No. 10-5B-049

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010 does hereby accept the 2010 Farmland Preservation Program Planning Grant agreement for \$30,000 from the Department of Agriculture, Trade and

Consumer Protection and authorizes the County Board Chair to sign the respective grant agreement of behalf of the County of Rock.
 BE IT FURTHER RESOLVED, that the 2010 Planning & Development Department Budget be amended as follows:

<u>A/C-Description</u>	<u>Budget 05/01/2010</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<u>Source of Funds</u>			
64-6405-0000-42200/ State Aid	- 0 -	30,000	30,000
<u>Use of Funds</u>			
64-6405-0000-63110/ Administration Expense	- 0 -	25,650	25,650
64-6405-0000-63104/ Printing & Duplicating	- 0 -	2,750	2,750
64-6405-0000-63107/ Public & Legal Notices	- 0 -	150	150
64-6405-0000-63300/ Sundry Expense	- 0 -	1,450	1,450

Supervisors Sweeney and Combs moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Innis, Beaver, Heidenreich, Kuznacic, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni voted in favor. Supervisor Knudson was absent. AYES – 28. NOES – 0. ABSENT – 1.

12.B. Approval of Bills Over \$10,000.00. Resolution No. 10-5B-050
 NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors at its regular meeting on May 27, 2010, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same.

Board of Regents	UW Extension	Contracted Services	\$91,086.00
Ewald Automotive Group	Sheriff's Office	Contracted Services	\$20,305.50
Highline Corporation	Information Technology	Contracted Services	\$33,293.00
Superl Inc.	General Services	Contracted Services	\$30,240.00

Supervisors Mawhinney and Kraft moved the above resolution. ADOPTED by acclamation.

12.D.1. Authorizing Submission of Edward Byrne Memorial Justice Assistance Grant Application and Authorizing Interagency Agreement With Beloit and Janesville.

Resolution No. 10-5B-051

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010 does hereby approve and authorize the submission of an Edward Byrne Memorial Justice Assistance Grant application, and the Chair of the Rock County Board of Supervisors is hereby authorized to sign all necessary documents on behalf of the County of Rock; and,
 BE IT FURTHER RESOLVED, that the Chair of the Rock County Board of Supervisors and the County Clerk are hereby directed to execute an Interagency Agreement with the City of Beloit and the City of Janesville that designates Rock County as the grant fiscal agent and specifies how grant proceeds will be shared should the application be funded.

Supervisors Collins and Wiedenfeld moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Innis, Beaver, Heidenreich, Kuznacic, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni voted in favor. Supervisor Knudson was absent. AYES – 28. NOES – 0. ABSENT – 1.

12.D.2. Awarding Contract for Carver Roehl Park Culvert Project. Resolution No. 10-5B-052 NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010 issue a Purchase Order to Odling Construction of Delavan, Wisconsin, in the amount of \$67,625 for contract for the base bid to reconstruct the culvert and \$12,920 for alternate #1 to install a third culvert pipe at the entrance to Carver Roehl Park.

Supervisors Bussie and Yankee moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Innis, Beaver, Heidenreich, Kuznacic, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni voted in favor. Supervisor Knudson was absent. AYES – 28. NOES – 0. ABSENT – 1.

12.E. Authorizing the Issuance and Awarding the Sale of \$5,815,000 Taxable General Obligation Promissory Notes (Recovery Zone Economic Development Bonds-Direct Pay); Providing the Form of the Notes; and Levying a Tax in Connection Therewith Roll Call. Resolution No. 10-5B-053

WHEREAS, the County Board hereby finds and determines that it is necessary, desirable and in the best interests of Rock County, Wisconsin (the "County") to raise funds for the purpose of paying the costs of County capital improvements projects in 2009 and 2010 including improvements to the HCC Complex, Rock Haven, the Courthouse, the highway building, the airport, parks and highways; equipment acquisition; and information technology upgrades and updates (the "Project") and there are insufficient funds on hand to pay said costs;

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the County Board that it is desirable and in the best interest of the County to take steps necessary to irrevocably designate the Notes to be qualified "Recovery Zone Economic Development Bonds" within the meaning of Subsection 1400U-2(b) of the Internal Revenue Code of 1986, as amended, (the "Code") and the applicable regulations promulgated under the Code (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Notes, payable to the County by the Secretary of the United States Department of the Treasury; and

WHEREAS, by virtue of designating the Notes to be qualified Recovery Zone Economic Development Bonds, a category of Build America Bonds, the interest on the Notes will be includable in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County that: Authorization of the Notes. For the purpose of paying the cost of the Project there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of FIVE MILLION EIGHT HUNDRED FIFTEEN THOUSAND DOLLARS (\$5,815,000) from Stern Brothers & Co., Kansas City, Missouri (the "Purchaser"), in accordance with the terms and conditions of its purchase proposal attached hereto as Exhibit A and incorporated herein by this reference.

Sale of the Notes. To evidence such indebtedness, the County Board Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for and on behalf of and in the name of the County, taxable general obligation promissory notes aggregating the principal amount of FIVE MILLION EIGHT HUNDRED FIFTEEN THOUSAND DOLLARS (\$5,815,000) (the "Notes"), for the sum of FIVE MILLION SEVEN HUNDRED TWENTY-ONE THOUSAND THREE HUNDRED TWENTY-NINE DOLLARS (\$5,721,329.00), plus accrued interest to the date of delivery.

Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes (Recovery Zone Economic Development Bonds – Direct Pay)"; shall be dated June 15, 2010; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature serially on September 1 of each year, in the years and principal amounts as follows:

<u>Years of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2011	\$165,000	1.350%
2012	790,000	1.600
2013	410,000	2.150
2014	700,000	2.700
2015	700,000	3.100
2016	725,000	3.500
2017	775,000	3.750
2018	775,000	4.100
2019	775,000	4.300

Interest is payable commencing on March 1, 2011 and semi-annually thereafter on September 1 and March 1 of each year.

Designation of Purchaser as Agent. The County hereby designates the Purchaser as its agent for purposes of distributing the Final Official Statement relating to the Notes to any participating underwriter in compliance with Rule 15c2-12 of the Securities and Exchange Commission.

Redemption Provisions.

A. Optional Redemption. At the option of the County, the Notes maturing on September 1, 2018 and thereafter are subject to redemption prior to maturity on September 1, 2017 or on any interest payment date thereafter. Said Notes are redeemable as a whole or in part, in inverse order of maturity and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

B. Extraordinary Redemption. Upon the occurrence of an Extraordinary Event, the County may elect to prepay the Notes, in whole or in part, on any date for which timely notice of redemption can be given at a redemption price of par plus accrued interest to the date of redemption. An "Extraordinary Event" is defined as the occurrence of a material adverse change to Sections 54AA, 1400U-2 or 6431 of the Code (as such Sections were added by Sections 1401 and 1531 of the American Recovery and Reinvestment Act of 2009 pertaining to "Recovery Zone Economic Development Bonds") pursuant to which the County's 45% direct payment credit from the United States Treasury is reduced or eliminated.

Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged and a direct annual irrepealable tax is hereby levied upon all taxable property of the County. Said direct annual irrepealable tax shall be levied in the years and amounts as follows:

<u>Levy Year</u>	<u>Amount</u>	<u>Levy Year</u>	<u>Amount</u>
2010	\$387,626.44	2015	\$844,537.50
2011	971,592.50	2016	869,162.50
2012	578,952.50	2017	840,100.00
2013	860,137.50	2018	808,325.00
2014	841,237.50		

The aforesaid direct annual irrepealable tax hereby levied shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax herein above levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created herein.

Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from every other County fund or account designated "Debt Service Fund Account for \$5,815,000 Taxable General Obligation Promissory Notes (Recovery Zone Economic Development Bonds – Direct Pay), dated June 15, 2010." There shall be deposited in

said fund account any premium plus accrued interest paid on the Notes at the time of delivery to the Purchaser, all money raised by taxation pursuant to Section 7 hereof; all direct payment interest credits received by the County as described in Section 11 hereof not otherwise deposited into the general fund of the County as provided in Section 11 hereof and all other sums as may be necessary to pay interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and be disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

Arbitrage Covenant; Exemption from Rebate. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

The County anticipates that the Notes will qualify as a "construction issue" within the meaning of Section 148(f)(4)(C) of the Code and thereby qualify for the construction expenditure exemption from rebate set forth in said section of the Code. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, with respect to said exemption from the rebate requirements, and said County Clerk or other officer is hereby authorized to make any election on behalf of the County in order to comply with the rebate requirements of the Code. If, for any reason, the County does not meet the requirements for any exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such rebate requirements.

The County hereby covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

Qualified Recovery Zone Economic Development Bond Designation and Covenants Related Thereto; Allocation of Recovery Zone Bond Volume Cap to the Notes; and Compliance with Federal Tax Laws and Prevailing Wage Requirements. The County hereby irrevocably elects to have Section 54AA of the Code apply to the Notes so that the Notes are treated as Build America Bonds as that term is defined in Section 54AA(d) of the Code. The Notes are hereby designated qualified Recovery Zone Economic Development Bonds within the meaning of Subsection 1400U-2(b) of the Code and eligible for receipt of the direct pay interest credit under Section 6431 of the Code. The County hereby allocates to the Notes \$5,815,000 of the volume cap for Recovery Zone Economic Development Bonds received by it pursuant to Section 1400U-1(a)(3) of the Code and Internal Revenue Service Notice 2009-50. The County hereby covenants to comply with the requirements of Section 1400U-2 of the Code and Section 54AA of the Code (to the extent applicable) in order to assure eligibility of the County for receipt of the direct pay interest credit as provided in Section 6431 of the Code. The County hereby further covenants that all such direct pay interest credits received by the County shall be (i) deposited to the general

fund of the County, but only in replenishment of and to the extent that general fund monies have been appropriated and irrevocably deposited in the Debt Service Fund Account created by Section 8 hereof, or (ii) deposited into the Debt Service Fund Account created by Section 8 hereof in order to offset the tax levy required for the Notes. The County hereby further covenants that, to the extent possible under state law and consistent with the proceedings authorizing the Notes, it will comply with whatever Federal law is adopted in the future, which applies to the Notes and affects the status of the Notes as "qualified" Recovery Zone Economic Development Bonds. The County hereby further covenants and agrees that it will comply with the federal Davis Bacon prevailing wage requirements (as determined by the Secretary of the United States Department of Labor in accordance with Subchapter IV of Chapter 31 of Title 40 of the United State Code) in connection with the Project to the extent those requirements are applicable to the County by virtue of the issuance of the Notes.

Persons Treated as Owners; Transfer of Notes. The County Clerk shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the County Board Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The 15th day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County maintained by the County Clerk at the close of business on the corresponding record date.

Utilization of The Depository Trust Company Book-Entry-Only-System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County has heretofore agreed to the applicable provisions set forth in the DTC Blanket Issuer Letter of Representation and the Finance Director has executed such Letter of Representation and delivered it to the DTC on behalf of the County.

Execution of the Notes. The Notes shall be issued in typewritten form, one Note for each maturity, executed on behalf of the County by the manual or facsimile signatures of the County Board Chairperson and County Clerk (except that one of the foregoing signatures shall be manual), sealed with its official or corporate seal, if any, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Payment of the Notes. The principal of and interest on the Notes shall be paid by the County Treasurer or his or her agent in lawful money of the United States.

Continuing Disclosure. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of its Continuing Disclosure Certificate, which the County will execute and deliver on the Closing Date. Any Noteholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section.

Financial Advisory Services. The Financial Advisory Services Agreement with Wisconsin Public Finance Professionals, LLC attached hereto as Exhibit C is hereby approved and the County officers indicated as signatories to the agreement are hereby authorized to execute the same.

Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted this 27th day of May, 2010.

J. Russell Podzilni, County Board Chairperson

ATTEST:

Lorena R. Stottler, County Clerk

Supervisors Mawhinney and Diestler moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Innis, Beaver, Heidenreich, Kuznacic, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni voted in favor. Supervisor Knudson was absent. AYES – 28. NOES – 0. ABSENT – 1.

12.F. Abolishing the Office of the Coroner and Establishing a Medical Examiner System.
Resolution No. 10-4A-535

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010, does hereby abolish the position of the coroner and establish a medical examiner system, effective January 3, 2011.

Supervisors Beaver and Peer moved the above resolution. Supervisors Fizzell and Thomas moved to Amend the resolution as follows:
Beginning with line 14, eliminate and replace with the following:

*14 determine the structure and staffing of the office, and,
15*

*16 WHEREAS, the discontinuance of an elected office is a matter for consideration by the
17 citizens authorized to elect that office.*

18

*19 NOW, THEREFORE BE IT RESOLVED, that the Rock County Board of Supervisors duly
20 assembled this 27th day of May, 2010, does hereby request that a referendum on the issue of
21 abolishing the Office of Coroner and replacing it with a Medical Examiner System be put
22 before the electors of Rock County in a general election.*

Much discussion occurred. Supervisors Mawhinney and Diestler moved to call the question. Vote to call the question PASSED on the following roll call vote. Supervisors Peer, Arnold, Beaver, Heidenreich, Kuznacic, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni voted in favor. Supervisors Innis and Fox voted in opposition. Supervisor Knudson was absent. AYES – 26. NOES – 2. ABSENT – 1.

Amendment ADOPTED on the following roll call vote. Supervisors Heidenreich, Kuznacic, Thomas, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, and Owens voted in favor. Supervisors Peer, Arnold, Innis, Beaver, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Kraft, Mawhinney and Podzilni voted in opposition. Supervisor Knudson was absent. AYES – 15. NOES – 13. ABSENT – 1.

More discussion occurred on the floor before voting on the motion as amended. ADOPTED on the following roll call vote. Supervisors Innis, Heidenreich, Kuznacic, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins,

Owens voted in favor. Supervisors Peer, Arnold, Beaver, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Mawhinney and Podzilni voted in opposition. Supervisor Knudson was absent. AYES – 17. NOES – 11. ABSENT – 1.

12.G. Confirming the Induction of Reverend Dr. Floyd Prude Jr. and Wayne Flury To The Rock County Hall of Honor. Resolution No. 10-5B-054

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010 that the nomination of Reverend Dr. Floyd Prude Jr. and Wayne Flury as the 2010 Hall of Honor Inductees be confirmed.

Supervisors Wiedenfeld and Thomas moved the above resolution. ADOPTED by acclamation.

12.H. Commending Jill Nordeng. Resolution No. 10-5B-055

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010 does hereby recognize Jill Nordeng for over 36 years of dedicated service to the citizens of Rock County and wishes her well in her future endeavors. BE IT FURTHER RESOLVED, that the County Clerk be directed to furnish a copy of this resolution to Jill Nordeng.

Supervisors Thomas and Bussie moved the above resolution. ADOPTED by acclamation.

12.I. Commending Administrative Secretary Jane M. Colby. Resolution No. 10-5B-056

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010, does hereby recognize Administrative Secretary Jane Colby for her 37 years of faithful service and recommends that a sincere expression of appreciation be given to Jane Colby along with best wishes for the future; and, BE IT FURTHER RESOLVED, that the County Clerk be authorized and directed to furnish a copy of this resolution to Jane M. Colby.

Supervisors Collins and Owens moved the above resolution. ADOPTED by acclamation.

12.J. To Recognize Trudy Slatter. Resolution No. 10-5B-057

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010, does hereby recognize Trudy Slatter for her 16 years of service and extend best wishes to her in her future endeavors; and BE IT FURTHER RESOLVED that the County Clerk be authorized and directed to furnish a copy of this resolution to Trudy Slatter.

Supervisors Bishop and Fizzell moved the above resolution. ADOPTED by acclamation.

12.K. To Recognize Virgil Parker. Resolution No. 10-5B-058

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 27th day of May, 2010, does hereby recognize Virgil Parker for his combined 23 years of service and extend best wishes to him in his future endeavors; and BE IT FURTHER RESOLVED that the County Clerk be authorized and directed to furnish a copy of this resolution to Virgil Parker.

Supervisors Bishop and Fizzell moved the above resolution. ADOPTED by acclamation.

12.L. Rescinding Resolution 10-5A-039 and Re-establishing the Salary for Rock County Sheriff for the 2011-2014 term. Resolution No. 10-5B.059

NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors in session this 27th day of May, 2010, that they rescind Resolution 10-5A-039 and furthermore that they set the increase in salary for the Rock County Sheriff as per the below schedule: 0% effective January 1, 2011, a one-time lump sum payment of \$5,000 added to the base effective January 1, 2012, 2%, effective January 1, 2013, and 2%, effective January 1, 2014 to be paid over a period of 26 regular pay periods throughout each year.

SHERIFF:

<u>01/01/2011</u>	<u>01/01/2012</u>	<u>01/01/2013</u>	<u>01/01/2014</u>
\$93,826.40	\$98,826.40	\$100,802.93	\$102,818.99

BE IT FURTHER RESOLVED, that the Rock County Sheriff shall be eligible to participate in all the benefits available to appointed department heads, under the same terms and conditions, including the health and dental plans, as may be modified from time to time.

Supervisors Wopat and Collins moved the above Resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Heidenreich, Kuznacic, Fox, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, and Podzilni voted in favor. Supervisors Innis, Beaver, Diestler, Yankee, Gustina, Bussie, Combs and Mawhinney voted in opposition. Supervisor Knudson was absent. AYES – 20. NOES – 8. ABSENT – 1.

12.M. **EXECUTIVE SESSION:** Per Section 19.85(1)(g), Wis. Stats. – Conferring with
Legal Counsel Regarding Pending Litigation

Supervisors Sweeney and Combs moved to go into Executive Session. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Innis, Beaver, Heidenreich, Kuznacic, Fox, Diestler, Yankee, Gustina, Bussie, Combs, Thomas, Kraft, Bishop, Fizzell, Johnson, Thompson, Brill, Wiedenfeld, Jensen, Wopat, Bostwick, Sweeney, Collins, Owens, Mawhinney and Podzilni voted in favor. Supervisor Knudson was absent. AYES – 28. NOES – 0. ABSENT – 1.

Supervisors Collins and Thomas moved to go out of Executive Session. ADOPTED by acclamation.

13. Adjournment.

Supervisors Combs and Bostwick moved to adjourn at 9:37pm to Thursday, June 10, 2010 at 6:00 P.M. ADOPTED by acclamation.

Prepared by Lorena R. Stottler, County Clerk
NOT OFFICIAL UNTIL APPROVED BY THE COUNTY BOARD.