

ROCK COUNTY, WISCONSIN

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Lori Stottler, Rock County Clerk

PROCEEDINGS OF THE ROCK COUNTY BOARD OF SUPERVISORS

Janesville, Wisconsin
February 12, 2015

The Rock County Board of Supervisors met pursuant to adjournment on February 12, 2015, at 6:00 P.M. in the Courthouse at Janesville, Wisconsin.

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

3. Roll Call. At roll call, Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni were present. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. PRESENT – 25. ABSENT – 4. VACANT – 0.

QUORUM PRESENT

4. Adoption of Agenda.
Supervisors Arnold and Peer moved the Agenda 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-January 22, 2015
 6. PUBLIC HEARING
 7. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS
 8. NOMINATIONS, APPOINTMENTS AND CONFIRMATION
 9. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE
 10. REPORTS
 11. UNFINISHED BUSINESS
 12. NEW BUSINESS
 - A. Supplementary Appropriations and Budget Changes – Roll Call
 1. Amending the 2015 Budget to Accept Brighter Futures Initiative Funding
 - B. Bills Over \$10,000 – No Roll Call
 - C. Encumbrances Over \$10,000 – Roll Call
 - D. Contracts – Roll Call
 1. Authorizing Purchase of Budgeted Network Servers
 2. Authorizing Option to Purchase Agreements for the Purchase of Agricultural Conservation Easements (PACE) Program
 3. Retaining Architectural Firm to Prepare Plans and Specifications for a Maintenance Storage Building at the Complex
 4. Authorizing Contract for Nursing Home Consulting Service
 5. Awarding Contract for Rock County 4-H Fairgrounds Craig Center Boiler Replacement
 - E. Adoption of the Rock County Parks, Outdoor Recreation and Open Space (POROS) Plan
 - F. Re-Allocate Director of Nursing Position
 - G. Claim

- H. Guidelines and Review Procedures on Upcoming 5th Step Grievance
- I. Executive Session: Per Section 19.85(1)(g), Wis. Stats. – Confer with Legal Counsel Regarding Possible Litigation

13. ADJOURNMENT

5. Approval of Minutes of January 22, 2015

Supervisors Zajac and Arnold moved the approval of the minutes of January 22, 2015 as presented. ADOPTED as presented by acclamation.

7. Citizen and Participation, Communications and Announcements

Ty Bollerud, Janesville, addressed the Board about renewable energy.

Supervisor Dowd acknowledged and welcomed the Beloit Memorial Students present to observe the Board meeting as a part of their civics course.

Supervisor Kraft shared a short report on the Rock County Rx Roundup Program. In 2006, 288 pounds of prescription drugs were dropped off for proper disposal. Every year that amount has grown and in 2004, 5,659.5 pounds of drugs were collected. This program has gained strength over time and has an annual cost of \$18,460.

12.A.1. Amending the 2015 Budget to Accept Brighter Futures Initiative Funding

Resolution No. 15-2A-198

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this 12th day of February, 2015, does hereby accept of \$36,771 in Brighter Futures Initiative funding and the Human Services Department budget for 2015 be amended as follows:

<u>Account/Description</u>	<u>Budget</u> <u>1/1/15</u>	<u>Increase</u> <u>(Decrease)</u>	<u>Amended</u> <u>Budget</u>
Source of Funds			
36-3641-0000-42100 Federal Aid	0	36,771	36,771
Use of Funds			
36-3641-0000-64604 Program Expense	0	36,771	36,771

Supervisors Knudson and Grahn moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

12.B. Approval of Bills Over \$10,000.00 Resolution No. 15-2A-199

NOW, THEREFORE, BE IT RESOLVED the Rock County Board of Supervisors at its regular meeting on February 12, 2015, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same.

Blackhawk Tech. College	Sheriff	Contracted Services	\$12,507.74
Dane Co. Medical Examiners	Coroner	Contracted Services	19,890.53
Energy Services Inc.	HSD	Contracted Services	38,841.83
Community Action of Rock Co.	HSD	Contracted Services	12,231.70
Jvl Mobilizing 4 Change	HSD	Contracted Services	13,232.36
Rosecrance	HSD	Contracted Services	12,000.00
Community Action of Rock Co.	HSD	Contracted Services	16,378.17
Community Action of Rock Co.	HSD	Contracted Services	17,076.11
Intrado Systems Corp.	911	Contracted Services	19,250.00
Gen. Communications Inc.	911	Contracted Services	317,361.00
Spillman Technologies, Inc.	Info. Tech	Contracted Services	81,088.00
Simplex Grinnell LP	Gen. Services	Contracted Services	10,320.00

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

12.C. Approval of Encumbrances Over \$10,000.00 Resolution No. 15-2A-200

NOW, THEREFORE, BE IT RESOLVED, the Rock County Board of Supervisors at its regular meeting on February 12, 2015, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same, upon acceptance by the Department Head.

Campbell Properties	HSD	Contracted Services	\$ 16,000.00
SGTS	Gen. Services	Contracted Services	20,077.04
Rock River Marina	Sheriff	Contracted Services	25,200.00
JP Morgan Chase Bank, NA	DPW	Contracted Services	15,000.00
Tricor Inc.	DPW	Contracted Services	11,000.00
Pathway Health	Rock Haven	Contracted Services	73,927.00
<u>Pre-Approved Encumbrances</u>			
Samuels Group	Gen. Services	Contracted Services	11,820.42

Supervisors Kraft and Fox moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

12.D.1. Authorizing Purchase of Budgeted Network Servers Resolution No. 15-2A-201

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this 12th day of February, 2015 that a Purchase Order for a Cisco enclosure and Cisco blade servers be issued to NETech Corp. of Madison, WI in the amount of \$70,784.10. BE IT FURTHER RESOLVED that payment be made to the vendor upon approval and acceptance by the Finance Committee.

Supervisors Fox and Kraft moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

12.D.2. Authorizing Option to Purchase Agreements for the Purchase of Agricultural Conservation Easements (PACE) Program Resolution No. 15-2A-202

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this 12th day of February, 2015, does by enactment of this Resolution, authorize a Rock County – Option to Purchase Agreement – Agricultural Conservation Easement for the Morton, Francis, Kraus and Oberdeck properties, subject to all terms and conditions stated therein.

Supervisors Arnold and Pleasant moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

12.D.3. Retaining Architectural Firm to Prepare Plans and Specifications for a Maintenance Storage Building at the Complex Resolution No. 15-2A-203

NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly assembled this 12th day of February, 2015, that Angus Young Architects of Janesville be retained to prepare plans and specifications for a maintenance storage building at the Rock County Complex for General Services in the amount of \$9,999.00; and, BE IT FURTHER RESOLVED that a reimbursable expense and design contingency be established in an amount not to exceed of \$1,300.00.

Supervisors Brill and Zajac moved the above resolution. Supervisors Davis and Brill moved that the resolution be sent back to committee for further review. ADOPTED by acclamation.

12.D.4. Authorizing Contract for Nursing Home Consulting Service Resolution No. 15-2A-204

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 12th day of February, 2015, does hereby authorize a contract with Pathway Health in an amount not

to exceed \$73,927.

BE IT FURTHER RESOLVED, the 2015 budget be amended as follows:

<u>Account/Description</u>	<u>Budget 2/2/15</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
Source of Funds			
32-8000-9500-46400	\$74,770	\$73,927	\$148,697
Funds Forwarded From Prior Year			
Use of Funds			
32-8000-9500-62104	\$13,000	\$73,927	\$86,927
Consulting Services			

Supervisors Grahn and Pleasant moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

12.D.5. Awarding Contract for Rock County 4-H Fairgrounds Craig Center Boiler Replacement

Resolution No. 15-2A-205

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this 12th day of February, 2015, issue a Purchase Order to Tri-Cor Mechanical, Janesville, WI, the lowest responsible bidder in the amount of \$10,149.00 to replace the Craig Center boiler at the Rock County Fairgrounds.

BE IT FURTHER RESOLVED that payment be made to the vendor upon approval and acceptance by the Agriculture and Extension Committee.

Supervisors Dowd and Davis moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

12.E. Adoption of the Rock County Parks, Outdoor Recreation and Open Space (POROS) Plan

Resolution No. 15-2A-206

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors on this 12th day of February, 2015, hereby adopts the 2015-2020 Rock County Parks, Outdoor Recreation, and Open Space Plan chapter twelve of the Rock County Comprehensive Plan 2035; and,

BE IT FURTHER RESOLVED that the Rock County Board of Supervisors shall pursue the implementation of the Rock County Parks, Outdoor Recreation and Open Space Plan as opportunities and resources are presented and available.

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

12.F. Re-Allocate Director of Nursing Position Resolution No. 15-2A-207

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors assembled this 12th day of February, 2015 hereby authorize that the classification of Director of Nursing be reallocated from Pay Range 29(\$69,937.56-\$85,048.31) to Pay Range 31(\$74,727.22-\$90,706.90).

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

12.G. Claim

CLAIMANT: Frontier

DATE OF INCIDENT: 12/29/2013

AMOUNT CLAIMED: \$19,353.93

NATURE OF CLAIM: Rock County salting truck struck an aerial Frontier cable and pulled down two Utility poles causing damage to Frontier property.

RECOMMENDATION: WMMIC has approved the claim and determined the County liable for damages in the amount requested.

Supervisors Brill and Bussie moved to approve the claim. ADOPTED by acclamation.

12.H. Guidelines and Review Procedures on the Upcoming 5th Step Grievance

Corporation Counsel, Jeff Kuglitsch, presented to the Board regarding a 5th Step Grievance that will be coming before the County Board at their February 26, 2015 general meeting and noted it will likely take place in open session. He explained to the Board that Act 10 created section 66.0509(1m) stats and requires the County to establish a grievance system. Under the new law, only three (3) things are grievable: Termination, Discipline or Workplace Safety.

The Statutes state that "An appeal process in which the highest level of appeal is the governing body of the local government unit" and therefore, the County Board acts as our final decision maker. The steps of grievance procedures under the new law are: Supervisor, Department Head, Human Resources Director, Independent Hearing Officer (IHO) and County Board. The grievance at hand is the first 5th step grievance to come before the County Board and has some general rules as set forth in the Rock County Ordinance Ch. 18, Section 8 Grievance Procedure.

All County Board Supervisors were provided with the Rock County Ordinance Ch. 18, Section 8 Grievance Procedure, the Decision of the Impartial Hearing Officer and the Written Notice of Appeal. The Board was told it has two weeks to read the document and also review the transcripts and attachments that are available in the County Clerk's office and should be prepared to make a decision on February 26, 2015.

The County Board Chair will preside over the 5th Step Grievance. The County Board as a whole serves as the "jury" and the decision must be by majority vote of those present at the appeal. Each side will have 20 minutes as determined by the County Board Chair. The Appealing party goes first, then the responding party, and then rebuttal is allowed if either party reserved such time in their 20 minutes. Nick will keep two separate time clocks for each party. Once the parties have presented, the County Board will deliberate in executive session (parties will be excluded from those deliberations).

The County Board's consideration of appeal will be limited to:

- Review of the IHO's written decision
- The Appealing Party's reasons why the decision is wrong
- The response by the other party along with oral presentations made by the parties.

Additional information allowed ONLY by the County Board Chair, if relevant and neither party was aware of or could have been expected to be aware of prior to the IHO's decision.

The decision shall not be overturned unless the Board finds by a majority vote:

- The hearing was not conducted fairly
- There was fraud or corruption on the part of the hearing officer, or
- The hearing officer made an error in fact or law

The County Board has these options:

- Sustain the Independent Hearing Officer's decision
- Render a new decision
- Any other action the County Board believes is appropriate

A written order will be prepared by the County Board Chair and a copy will be delivered to the grievant within 10 days following the County Board's decision. This is the FINAL administrative appeal.

12.I. **EXECUTIVE SESSION:** Per Section 19.85(1)(e), Wis. Stats. Update on Collective Bargaining and Per Section 19.85(1)(c) Wis. Stats. to Consider Compensation of County Employees. Supervisors Gustina and Davis moved to go into Executive Session at 6:34pm. ADOPTED on the following roll call vote. Supervisors Peer, Arnold, Grahn, Beaver, Heidenreich, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Knudson, Kraft, Fell, Garrett, Pleasant, Nash, Brill, Wiedenfeld, Schulz, Zajac, Addie, Dowd, Brien and Podzilni voted in favor. Supervisors Mawhinney, Thomas, Bostwick and Sweeney were absent. AYES – 25. NOES – 0. ABSENT – 4.

Supervisors Gustina and Peer moved to go out of Executive Session at 7:37pm. ADOPTED by acclamation.

13. Adjournment.

Supervisors Arnold and Heidenreich moved to adjourn at 7:38pm to Thursday, February 26, 2015 at 6:00 P.M. ADOPTED by acclamation.

Proceedings of the Rock County Board of Supervisors
February 12, 2015

A handwritten signature in cursive script, reading "Lorena R. Stottler".

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