

ROCK COUNTY, WISCONSIN

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Lori Stottler, Rock County Clerk

PROCEEDINGS OF THE ROCK COUNTY BOARD OF SUPERVISORS

Janesville, Wisconsin
February 26, 2015

The Rock County Board of Supervisors met pursuant to adjournment on February 26, 2015, at 6:00 P.M. in the Courthouse at Janesville, Wisconsin.

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

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

QUORUM PRESENT

4. Adoption of Agenda.

Supervisors Peer and Arnold 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 – February 12, 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. Accepting High Intensity Drug Trafficking Area (HIDTA) Grant and Amending the Sheriff's Budget
 2. Authorizing Purchase of Replacement Pursuit Vehicle and Amending the Rock County Sheriff's Budget
 3. Carryover of 2014 Budget Appropriations to 2015
 4. Amending the 2015 Budget to Accept Treatment Alternative Program Funding and Creating 1.0 FTE Master Social Worker, a .4 FTE Psychiatric Technician and a .2 FTE Registered Nurse
 - B. Bills Over \$10,000 – No Roll Call
 - C. Encumbrances Over \$10,000 – Roll Call
 - D. Contracts – Roll Call
 1. Retaining Architectural Firm to Prepare Plans and Specifications for a Maintenance Storage Building at the Complex
 2. Awarding Contract to Replace the Cooling Tower at the Courthouse
 3. Awarding Contract to Replace the Cooling Tower at the Jail
 4. Awarding Contract to Renovate Two E-Unit Shower Rooms at the Jail

5. To Ratify the 2015 Labor Agreement Between Rock County and AFSCME, Local 1258 (Rock Haven)
6. To Ratify the 2015 Labor Agreement Between Rock County and AFSCME, Local 2489
- E. Executive Session: Per Section 19.85(1)(b), Wis. Stats. –the County Board will consider a motion to go into executive session to hold a Step 5 grievance hearing to review the dismissal of a County employee(*).

(*) The County employee has the right to demand this hearing be held in open session. Per Section 19.85(1)(a), Wis. Stats. –to deliberate and reach a decision on the Step 5 grievance hearing heard by the County Board.

13. ADJOURNMENT

5. Approval of Minutes of February 12, 2015

Supervisors Bostwick and Dowd moved the approval of the minutes of February 12, 2015 as presented. ADOPTED as presented by acclamation.

7. Citizen Participation, Communications and Announcements

Ty Bollerud, Janesville addressed the Board regarding his opinions on Prescription Drug roundup programs.

Robert (Bob) S. Buchanan, Janesville, addressed the Board to give gratitude and recognition to HR Director David O’Connell. David O’Connell was a champion and friend of employees of Rock County and “put the human in Human Resources”. Last night, on the Sly radio show, Marv Vike gave a very nice memorial to Mr. O’Connell and that can be listened to on the internet if interested. Mr. Buchanan is the Local 1077 President that represents the Department of Public Works and General Services.

Madeline Maurer, Orfordville, addressed the Board to encourage them to postpone item 12.E in memory of Mr. O’Connell.

Randall Schneider, Janesville, addressed the Board to encourage the Board to find in favor of Ms. Rhonda Landvatter. He thanked Rhonda for her hard work and dedication to the County as he has worked with Ms. Landvatter for twenty-four years. She has always been a trusted co-worker who he would like to see put back on his team.

Sheila JaDoul, Janesville, addressed the Board to both encourage the Board to find in favor of Ms. Rhonda Lanvatter and also supports delaying the hearing to a later date. Ms. JaDoul is the AFSCME Local 2489 President who represents the Courthouse staff, DPW Secretaries and 911 Communications staff. She gave tribute to Dave O’Connell and wanted to see the Board honor his memory.

Carla Quirk, Janesville, addressed the Board to encourage them to postpone item 12.E regarding the wrongful termination of Ms. Landvatter. She announced that she was the Local AFSCME 2489 Vice President and Chief Steward. She believed Mr. O’Connell was a true friend and ally of Rock County staff.

Anders Dowd, Janesville, addressed the Board to encourage them to postpone item 12.E due to the passing of Mr. O’Connell.

County Administrator, Josh Smith, gave an update on the Rock Haven Nursing Home situation. We are compliant and new residents are being accepted. He believes there are six beds open at this time. The consultant will begin work next Tuesday.

12.A.1. Accepting High Intensity Drug Trafficking Area (HIDTA) Grant and Amending the Sheriff’s Budget Resolution No. 15-2B-208

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this 26th day of February, 2015 to approve and authorize the acceptance of \$11,623 of HIDTA grant funds and to authorize the Sheriff to sign the award documents.

BE IT FURTHER RESOLVED that the 2015 Sheriff’s budget be amended as follows:

| Account/ Description | Budget 01/01/15 | Increase (Decrease) | Amended Budget |
|-------------------------|--------------------|------------------------|-------------------|
|-------------------------|--------------------|------------------------|-------------------|

Source of Funds

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| | | | |
|--|-----|----------|----------|
| 21-2140-2015-42100 Federal Aid Use of Funds | \$0 | \$11,623 | \$11,623 |
| 21-2140-2015-61210 Overtime | \$0 | \$ 4,900 | \$ 4,900 |
| 21-2140-2015-63908 Investigative Expenses | \$0 | \$ 1,000 | \$ 1,000 |
| 21-2140-2015-64200 Training Expense | \$0 | \$ 323 | \$ 323 |
| 21-2140-2015-65331 Equipment Lease | \$0 | \$ 3,500 | \$ 3,500 |
| 21-2140-2015-67160 Capital Assets \$500-\$4,999 | \$0 | \$ 1,900 | \$ 1,900 |

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

12.A.2. Authorizing Purchase of Replacement Pursuit Vehicle and Amending the Rock County Sheriff's Budget Resolution No. 15-2B-209

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this 26th day of February, 2015 that a Purchase Order be issued to Ewald Automotive of Oconomowoc, Wisconsin, in the amount of \$24,722.00, for the purchase of a 2015 Dodge Charger to replace Squad #4.

BE IT FURTHER RESOLVED that payment be made to the vendor upon receipt and acceptance by the Rock County Sheriff.

BE IT FURTHER RESOLVED that the Sheriff's Office 2015 budget be amended as follows:

| Account/ Description | Budget 01/01/15 | Increase (Decrease) | Amended Budget |
|--|--------------------|------------------------|-------------------|
| Source of Funds | | | |
| 21-2190-0000-46205 Insurance Proceeds | \$0 | \$21,722 | \$ 21,722 |
| 21-2190-0000-47000 Transfer In | \$351,000 | \$ 3,000 | \$354,000 |
| Use of Funds | | | |
| 21-2190-0000-67105 Motor Vehicles | \$351,000 | \$24,722 | \$375,722 |

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

12.A.3. Carryover of 2014 Budget Appropriations to 2015 Resolution No. 15-2B-210

NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly assembled this 26th day of February, 2015 that the 2015 Budget be amended as follows:

| DEPARTMENT | BUDGET AT 1/1/15 | AMOUNT OF INCREASE | AMENDED BUDGET |
|--|---------------------|-----------------------|-------------------|
| Finance Department | | | |
| 05-1500-0000-64200 Training | 4,000 | 6,500 | 10,500 |
| 05-1500-0000-47013 Supp. Appr. From Pr. Yr. C/O | -0- | 6,500 | 6,500 |
| Corporation Counsel | | | |
| 06-1620-0000-63202 | -0- | 3,711 | 3,711 |

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|------------------------------|---------|---------|---------|
| Law Books | | | |
| 06-1620-0000-63300 | 2,000 | 364 | 2,364 |
| Travel | | | |
| 06-1620-0000-64200 | 4,750 | 952 | 5,702 |
| Training | | | |
| 06-1620-0000-47013 | -0- | 5,027 | 5,027 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Information Technology | | | |
| 07-1430-0000-62491 | 188,979 | 49,561 | 238,540 |
| Software Maintenance | | | |
| 07-1430-0000-64200 | 43,000 | 1,200 | 44,200 |
| Training | | | |
| 07-1430-0000-47013 | -0- | 50,761 | 50,761 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 07-1438-0000-67130 | -0- | 11,850 | 11,850 |
| Terminals & PCs | | | |
| 07-1438-0000-47013 | -0- | 11,850 | 11,850 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Surveyor | | | |
| 13-1730-0000-63100 | 180 | 7,836 | 8,016 |
| Office Supplies | | | |
| 13-1730-0000-47013 | -0- | 7,836 | 7,836 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| County Clerk | | | |
| 14-1410-0000-64200 | 2,400 | 600 | 3,000 |
| Training | | | |
| 14-1410-0000-47013 | -0- | 600 | 600 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 14-1411-0000-63100 | 3,500 | 2,500 | 6,000 |
| Office Supplies | | | |
| 14-1411-0000-63103 | 17,000 | 5,000 | 22,000 |
| Legal Forms | | | |
| 14-1411-0000-47013 | -0- | 7,500 | 7,500 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Treasurer | | | |
| 15-1540-0000-67160 | -0- | 11,660 | 11,660 |
| Capital Assets | | | |
| 15-1540-0000-47013 | -0- | 11,660 | 11,660 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| General Services | | | |
| 18-1811-0000-67200 | 39,828 | 20,000 | 59,828 |
| Capital Improvements | | | |
| 18-1811-0000-47013 | -0- | 20,000 | 20,000 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 18-1815-0000-67200 | 161,000 | 137,810 | 298,810 |
| Capital Improvements | | | |
| 18-1815-0000-47013 | -0- | 137,810 | 137,810 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 18-1837-0000-63500 | 100,000 | 12,181 | 112,181 |
| Repair & Maintenance | | | |
| 18-1837-0000-67200 | 506,560 | 88,230 | 594,790 |
| Capital Improvements | | | |
| 18-1837-0000-47013 | -0- | 100,411 | 100,411 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 18-1842-0000-67200 | 350,600 | 429,336 | 779,936 |
| Capital Improvements | | | |

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| 18-1842-0000-47013 | -0- | 429,336 | 429,336 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 18-1843-0000-67200 | 750,000 | 706,675 | 1,456,675 |
| Capital Improvements | | | |
| 18-1843-0000-47013 | -0- | 706,675 | 706,675 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 18-1849-0000-67200 | -0- | 542,814 | 542,814 |
| Capital Improvements | | | |
| 18-1849-0000-47013 | -0- | 542,814 | 542,814 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Employee Recognition | | | |
| 19-1932-0000-64904 | 7,500 | 1,715 | 9,215 |
| Sundry Expense | | | |
| 19-1932-0000-47013 | -0- | 1,715 | 1,715 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Employee Wellness | | | |
| 19-1933-0000-64904 | 6,000 | 3,680 | 9,680 |
| Sundry Expense | | | |
| 19-1933-0000-47013 | -0- | 3,680 | 3,680 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Sheriff's Office | | | |
| 21-2100-0000-63405 | 30,810 | 9,300 | 40,110 |
| Security Supplies | | | |
| 21-2100-0000-63900 | 31,151 | 6,342 | 37,493 |
| Ammunition and Range Supplies | | | |
| 21-2100-0000-63904 | 17,613 | 598 | 18,211 |
| Policing/1 st Aid Supplies | | | |
| 21-2100-0000-64424 | 4,075 | 443 | 4,518 |
| Employee Recognition | | | |
| 21-2100-0000-67160 | 19,455 | 1,705 | 21,160 |
| Capital Assets | | | |
| 21-2100-0000-47013 | -0- | 18,388 | 18,388 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 21-2500-0000-67161 | -0- | 7,825 | 7,825 |
| Capital Assets over \$5,000 | | | |
| 21-2500-0000-47013 | -0- | 7,825 | 7,825 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 21-2540-0000-67105 | -0- | 9,271 | 9,271 |
| Motor Vehicles | | | |
| 21-2540-0000-47013 | -0- | 9,271 | 9,271 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Circuit Courts | | | |
| 22-1200-0000-62122 | 175,000 | 10,000 | 185,000 |
| Attorney Fees | | | |
| 22-1200-0000-62500 | 50,000 | 21,000 | 71,000 |
| Juror Fees | | | |
| 22-1200-0000-62502 | 8,200 | 2,500 | 10,700 |
| Witness Fees | | | |
| 22-1200-0000-63100 | 6,000 | 3,000 | 9,000 |
| Office Supplies | | | |
| 22-1200-0000-63901 | -0- | 17,500 | 17,500 |
| Juror's Meals | | | |
| 22-1200-0000-47013 | -0- | 54,000 | 54,000 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Clerk of Circuit Court | | | |
| 22-1209-0000-64200 | 2,000 | 1,645 | 3,645 |

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| Training | | | |
| 22-1209-0000-67160 | -0- | 2,547 | 2,547 |
| Capital Assets | | | |
| 22-1209-0000-47013 | -0- | 4,192 | 4,192 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Communications Center | | | |
| 23-2400-0000-62119 | 14,272 | 1,300 | 15,572 |
| Other Contracted Services | | | |
| 23-2400-0000-64200 | 26,400 | 10,000 | 36,400 |
| Training | | | |
| 23-2400-0000-67161 | 106,985 | 390,573 | 497,558 |
| Capital Assets-\$5,000/More | | | |
| 23-2400-0000-47013 | -0- | 401,873 | 401,873 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| District Attorney | | | |
| 24-1610-0000-62126 | 4,000 | 3,500 | 7,500 |
| Officer Fees | | | |
| 24-1610-0000-62501 | 3,500 | 3,500 | 7,000 |
| Reporter Fees | | | |
| 24-1610-0000-64200 | 4,000 | 1,200 | 5,200 |
| Training | | | |
| 24-1610-0000-47013 | -0- | 8,200 | 8,200 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Medical Examiner | | | |
| 28-2650-0000-61100 | 220,082 | 22,989 | 243,071 |
| Regular Wages | | | |
| 28-2650-0000-61510 | 15,410 | 4,260 | 19,670 |
| Retirement | | | |
| 28-2650-0000-62119 | 3,000 | 1,000 | 4,000 |
| Other Contracted Services | | | |
| 28-2650-0000-67160 | -0- | 10,298 | 10,298 |
| Capital Assets | | | |
| 28-2650-0000-47013 | -0- | 38,547 | 38,547 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Council on Aging | | | |
| 30-3905-0000-67105 | 92,000 | 104,570 | 196,570 |
| Motor Vehicles | | | |
| 30-3905-0000-47013 | -0- | 104,570 | 104,570 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Child Support | | | |
| 34-3850-0000-64200 | 3,500 | 1,900 | 5,400 |
| Training | | | |
| 34-3850-0000-47013 | -0- | 1,900 | 1,900 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services-Overhead | | | |
| 36-3602-0000-62491 | 95,875 | 22,145 | 118,020 |
| Software Maintenance | | | |
| 36-3602-0000-63100 | 69,288 | 5,000 | 74,288 |
| Office Supplies | | | |
| 36-3602-0000-64701 | 9,250 | 105,000 | 114,250 |
| Software Purchase | | | |
| 36-3602-0000-67130 | -0- | 3,600 | 3,600 |
| Terminals & PCs | | | |
| 36-3602-0000-67200 | -0- | 11,000 | 11,000 |
| Capital Improvements | | | |
| 36-3602-0000-47013 | -0- | 146,745 | 146,745 |

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| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services-Child Protective Services | | | |
| 36-3634-0000-67130 | -0- | 11,540 | 11,540 |
| Terminals & PCs | | | |
| 36-3634-0000-47013 | -0- | 11,540 | 11,540 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services-Youth Services Center | | | |
| 36-3664-0000-62491 | 4,800 | 4,800 | 9,600 |
| Software Maintenance | | | |
| 36-3664-0000-63400 | 40,759 | 3,975 | 44,737 |
| Operating Supplies | | | |
| 36-3664-0000-67130 | -0- | 600 | 600 |
| Terminals & PCs | | | |
| 36-3664-0000-67160 | -0- | 2,500 | 2,500 |
| Capital Assets under \$5,000 | | | |
| 36-3664-0000-67200 | -0- | 22,632 | 22,632 |
| Capital Improvements | | | |
| 36-3664-0000-47013 | -0- | 34,507 | 34,507 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services -Long Term Support | | | |
| 36-3666-0000-67130 | -0- | 600 | 600 |
| Terminals & PCs | | | |
| 36-3666-0000-47013 | -0- | 600 | 600 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services-Crisis Intervention | | | |
| 36-3689-0000-67130 | -0- | 5,800 | 5,800 |
| Terminals & PCs | | | |
| 36-3689-0000-47013 | -0- | 5,800 | 5,800 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services-Outpatient Mental Health | | | |
| 36-3690-0000-67200 | -0- | 1,000 | 1,000 |
| Capital Improvements | | | |
| 36-3690-0000-47103 | -0- | 1,000 | 1,000 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Children & Family Intervention Services | | | |
| 36-3697-0000-67130 | -0- | 11,700 | 11,700 |
| Terminals & PCs | | | |
| 36-3697-0000-47013 | -0- | 11,700 | 11,700 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Human Services-Community Support Program | | | |
| 36-3706-0000-67130 | -0- | 100 | 100 |
| Terminals & PCs | | | |
| 36-3706-0000-67200 | -0- | 1,000 | 1,000 |
| Capital Improvements | | | |
| 36-3706-0000-47013 | -0- | 1,100 | 1,100 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Public Works-Highway Division | | | |
| Administration | | | |
| 41-4300-4110-63805 | 45,000 | 9,000 | 54,000 |
| County Aid for Road Construction | | | |
| 41-4330-4110-47013 | -0- | 9,000 | 9,000 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| County Highway Bridge Aid | | | |
| 41-4300-4182-63803 | 60,000 | 30,000 | 90,000 |
| County Aid for Bridges | | | |
| 41-4300-4182-47013 | -0- | 30,000 | 30,000 |

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| Supp. Appr. From Pr. Yr. C/O | | | |
| County Highway Bridge Maintenance | | | |
| 41-4300-4324-61171 | 22,000 | 13,824 | 35,824 |
| Field Wages | | | |
| 41-4300-4324-63602 | 484 | 203 | 687 |
| Consumable Tools | | | |
| 41-4300-4324-63701 | 4,200 | 2,724 | 6,924 |
| Crushed Stone and Gravel | | | |
| 41-4300-4324-63705 | 3,150 | 3,075 | 6,225 |
| Asphalt | | | |
| 41-4300-4324-64900 | 10,400 | 37,212 | 47,612 |
| Other Supplies & Expense | | | |
| 41-4300-4324-65341 | 15,600 | 13,772 | 29,372 |
| Machinery Lease | | | |
| 41-4300-4324-47013 | -0- | 70,810 | 70,810 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| County Highway Grader Patching | | | |
| 41-4300-4326-61171 | 14,600 | 5,605 | 20,205 |
| Field Wages | | | |
| 41-4300-4326-63705 | 75,750 | 63,333 | 139,083 |
| Asphalt | | | |
| 41-4300-4326-65341 | 18,600 | 18,976 | 37,576 |
| Machinery Lease | | | |
| 41-4300-4326-47013 | -0- | 87,914 | 87,914 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Road Construction | | | |
| 41-4300-4328-63705 | 1,077,650 | 605,559 | 1,683,209 |
| Asphalt | | | |
| 41-4300-4328-47013 | -0- | 605,559 | 605,559 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Federal Aid Construction | | | |
| 41-4330-4340-62119 | 19,790 | 6,887,526 | 6,907,316 |
| Other Contracted Services | | | |
| 41-4330-4340-47013 | -0- | 6,887,526 | 6,887,526 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Buildings & Grounds Cost Pool | | | |
| 41-4350-4270-67161 | 536,000 | 143,708 | 679,708 |
| Capital Assets-\$5,000/More | | | |
| 41-4350-4270-68109 | (536,000) | (143,708) | (679,708) |
| Allocated Capital Assets | | | |
| Acquisition of Capital Assets | | | |
| 41-4350-4280-67110 | 1,557,000 | 277,550 | 1,834,550 |
| Capital Equipment | | | |
| 41-4350-4280-68109 | (1,557,000) | (277,550) | (1,834,550) |
| Allocated Capital Equipment | | | |
| Public Works - Parks | | | |
| 41-4551-4110-62104 | -0- | 4,500 | 4,500 |
| Consulting Services | | | |
| 41-4551-4110-47013 | -0- | 4,500 | 4,500 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| 41-4592-4800-67200 | 365,000 | 50,286 | 415,286 |
| Capital Improvements | | | |
| 41-4592-4800-47013 | -0- | 50,286 | 50,286 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Public Works-Airport | | | |
| 41-4453-4453-67200 | 2,800 | 10,350 | 13,150 |

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| Capital Improvements | | | |
| 41-4453-4453-47013 | -0- | 10,350 | 10,350 |
| Supp. Appr. From Pr. Yr. C/O | | | |
| Planning & Development | | | |
| 64-6400-0000-63100 | 725 | 2,150 | 2,875 |
| Office Supplies | | | |
| 64-6400-0000-63300 | 1,060 | 2,300 | 3,360 |
| Travel | | | |
| 64-6400-0000-64200 | 210 | 1,000 | 1,210 |
| Training | | | |
| 64-6400-0000-63200 | 303 | 1,000 | 1,303 |
| Publications/Subscriptions/Dues | | | |
| 64-6400-0000-47013 | -0- | 6,450 | 6,450 |
| Supp. Appr. From Pr. Yr. C/O | | | |

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

12.A.4. Amending the 2015 Budget to Accept Treatment Alternative Program Funding and Creating 1.0 FTE Master Social Worker, a .4 FTE Psychiatric Technician and a .2 FTE Registered Nurse
NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this 26th day of February, 2015, does hereby authorize the acceptance of \$225,000 for the Treatment Alternative Program; and,
BE IT FURTHER RESOLVED, that the creation of 1.0 FTE Master Level Social Worker, .2 FTE Registered nurse, .4 FTE Psychiatric Technician are approved.
BE IT FURTHER RESOLVED, that the Human Services Department budget for 2015 be amended as follows:

| <u>Account/Description</u> | <u>Budget</u> <u>2/2/15</u> | <u>Increase</u> <u>(Decrease)</u> | <u>Amended</u> <u>Budget</u> |
|------------------------------|--------------------------------|--------------------------------------|---------------------------------|
| Source of Funds | | | |
| 36-3696-0000-42100 | 0 | 225,000 | 225,000 |
| TAP Federal Aid | | | |
| Use of Funds | | | |
| 36-3690-0000-61100 | 2,233,025 | 115,465 | 2,348,490 |
| MH/AODA Regular Wages | | | |
| 36-3690-0000-61400 | 156,899 | 8,833 | 165,732 |
| MH/AODA FICA | | | |
| 36-3690-0000-61510 | 139,855 | 6,212 | 146,067 |
| MH/AODA Retirement | | | |
| 36-3690-0000-61610 | 487,233 | 21,800 | 509,033 |
| MH/AODA Health Insurance | | | |
| 36-3690-0000-61620 | 12,903 | 539 | 13,442 |
| MH/AODA Dental Insurance | | | |
| 36-3690-0000-61630 | 549 | 5 | 554 |
| MH/AODA Life Insurance | | | |
| 36-3690-0000-68377 | 0 | (152,854) | (152,854) |
| TAP Allocation | | | |
| 36-3696-0000-62176 | 0 | 24,000 | 24,000 |
| TAP Laboratory | | | |
| 36-3696-0000-64604 | 0 | 30,396 | 30,396 |

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| | | | |
|-----------------------|---|---------|---------|
| TAP Program Expense | | | |
| 36-3696-0000-67130 | 0 | 2,000 | 2,000 |
| TAP Terminals and PCs | | | |
| 36-3696-0000-68208 | 0 | 168,604 | 168,604 |
| TAP Allocated MH/AODA | | | |

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

12.B. Approval of Bills over \$10,000 Resolution No. 15-2B-212

NOW, THEREFORE, BE IT RESOLVED, the Rock County Board of Supervisors at its regular meeting on February 26, 2015, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same.

| | | | |
|-----------------------------|----------------|---------------------|--------------|
| Catholic Charities | Human Services | Contracted Services | \$ 14,780.70 |
| Centers of Medicare & Medic | Rock Haven | Contracted Services | 88,627.50 |

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

12.C. Approval of Encumbrances Over \$10,000.00 Resolution No. 15-2B-213

NOW, THEREFORE, BE IT RESOLVED, the Rock County Board of Supervisors at its regular meeting on February 26, 2015, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same, upon acceptance by the department head.

| | | | |
|---------------------------------|-----------------|---------------------|------------|
| Childrens Service Society of WI | Human Services | Contracted Services | 121,655.00 |
| Rock Walworth Comprehensive | Human Services | Contracted Services | 48,056.00 |
| King Consulting | Human Services | Contracted Services | 33,386.00 |
| O'Brien and Assoc. Inc. | Human Services | Contracted Services | 63,844.00 |
| Marcus, Jeffrey A. | Human Services | Contracted Services | 70,000.00 |
| The Psychology Clinic Inc. | Human Services | Contracted Services | 20,000.00 |
| Cerner Corp. | Info Technology | Contracted Services | 13,195.32 |
| Fidlar Companies | Reg. of Deeds | Contracted Services | 221,758.00 |

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

12.D.1. 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 26th 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 \$1,300.00.

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

12.D.2. Awarding Contract to Replace the Cooling Tower at the Courthouse Resolution No. 15-2B-214

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this 26th day of February, 2015, that a contract to replace the cooling tower at the Courthouse be awarded to the low bidder, General Heating of Madison, WI, in the amount of \$88,000.00.

BE IT FURTHER RESOLVED that a project contingency in the amount of \$5,000.00 be established to cover change orders authorized by the General Services Committee.

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

12.D.3. Awarding Contract to Replace the Cooling Tower at the Jail Resolution No. 15-2B-215
NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this 26th day of February, 2015, that a contract to replace the cooling tower at the Jail be awarded to the low bidder, Tri-Cor Mechanical of Janesville, WI, in the amount of \$83,900.00.

BE IT FURTHER RESOLVED that a project contingency in the amount of \$5,000.00 be established to cover any change orders authorized by the General Services Committee.

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

12.D.4. Awarding Contract to Renovate Two E-Unit Shower Rooms at the Jail
Resolution No. 15-2B-216

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this 26th day of February, 2015, that a contract for the renovation of the two shower rooms in E-Unit be awarded to the low bidder, Gilbank Construction of Clinton, WI, in the amount of \$29,700.00; and BE IT FURTHER RESOLVED that a project contingency in the amount of \$5,000.00 be established to cover any change orders authorized by the General Services Committee.

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

12.D.5. To Ratify the 2015 Labor Agreement Between Rock County and AFSCME, Local 1258
Rock Haven Resolution No. 15-2B-217

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 26th day of February, 2015 does hereby ratify the terms and conditions of the 2015 labor agreement with AFSCME, Local 1258 (Rock Haven).

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

12.D.6. To Ratify the 2015 Labor Agreement Between Rock County and AFSCME, Local 2489
Resolution No. 15-2B-218

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this 26th day of February, 2015 does hereby ratify the terms and conditions of the 2015 labor agreement with AFSCME, Local 2489.

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

12.E. Executive Session:

Per Section 19.85(1)(b), Wis. Stats. – the County Board will consider a motion to go into executive session to hold a Step 5 grievance hearing to review the dismissal of a County employee (*).

(*) The County employee has the right to demand this hearing be held in open session.

Per Section 19.85(1)(a), Wis. Stats. – to deliberate and reach a decision on the Step 5 grievance hearing heard by the County Board. Mr. Dennis Hughes, representing Ms. Rhonda Landvatter did request the Step 5 Grievance hearing to be held in open session.

Chair Podzilni reviewed the purpose and boundaries of the hearing that will be held in open session and explained that each side will have a total of 20 minutes to present their arguments and testimony. He invited Mr. Hughes to begin, letting him know that he could reserve any of his twenty minutes for rebuttal. Mr. Hughes asked if the County Board members were free to make a motion based on the public comment heard earlier.

Supervisors Knudson and Zajac moved to postpone the hearing to the March 12 meeting. Discussion followed. Roll Call was requested. Corporation Counsel explained that per our County Ordinance, the County Board is supposed to hear all step 5 grievances within 60 days of filing such grievance with the County Clerk. The grievance was filed on January 8th, so postponing to March 12 would be beyond the 60 days and the County Board would be violating their own Ordinance. Mr. Hughes rebutted that the County Ordinance also expects the decision of the Independent Hearing Officer (IHO) to be given within 30 days and the decision wasn't issued for 54 days, and he has no intention on challenging that delay. In that regard, he would also not challenge the postponement give the circumstances.

Supervisors Dowd and Brien motioned to amend the motion to postpone the hearing to March 5th, which would require a special Board meeting of the County Board. Discussion followed. MOTION FAILED on the following roll call vote. Supervisors Davis, Thomas, Knudson, Brill, Wiedenfeld, Schulz, Zajac, Bostwick, Dowd and Brien voted in favor. Supervisors Peer, Arnold, Grahn, Fox, Richard, Driscoll, Gustina, Bussie, Kraft, Fell, Garrett, Pleasant, Sweeney, Addie and Podzilni voted in opposition. Supervisors Beaver, Heidenreich, Mawhinney and Nash were absent. AYES – 10. NOES – 15. ABSENT – 4.

The original MOTION FAILED on the following roll call vote. Supervisors Davis, Knudson, Wiedenfeld, Schulz, Zajac, Bostwick, Dowd and Addie voted in favor. Supervisors Peer, Arnold, Grahn, Fox, Richard, Driscoll, Gustina, Bussie, Thomas, Kraft, Fell, Garrett, Pleasant, Brill, Sweeney, Addie and Podzilni voted in opposition. Supervisors Beaver, Heidenreich, Mawhinney and Nash were absent. AYES – 8. NOES – 17. ABSENT – 4.

Supervisor Brien requested a 5 minute recess. Granted. The board reconvened at 6:55pm. Chair Podzilni announced that the Board would deliberate in closed session after this hearing and in all probability a decision will not be announced this evening.

Mr. Hughes began his comments: Rhonda Landvatter is a 51 year old single mother that has served Rock County for over 27 years. In that time, she has not received a discipline beyond a written reprimand. In the new youth services building, she has served as a central control room worker for over 20 years without incident that led to discipline. In 1994, she was diagnosed with a medical condition and has been on a work restriction ever since that limits her to working no more than 8.5 hours consecutively. We believe that this is the real reason why the County is acting arbitrarily and capriciously to terminate her. In most other cases, workers at the Youth Services Center are mandated to work overtime.

The Grievance procedure in section 18.806 of the Rock County Personnel Ordinance states that in a step 4 Independent Hearing, "The County has the burden of proof in termination grievance to show that its actions were not arbitrary and capricious." The opinion of the IHO states on page 23 and 24 that "the County acted in an arbitrary and capricious manner." The IHO, therefore, found that the burden was not met. The IHO found that the County acted arbitrarily and capriciously in writing the disciplinary decision itself because the decision states that the termination was necessary because Ms. Landvatter had previously been suspended. However, Ms. Landvatter had never been suspended in 27 years of employment with Rock County.

The IHO has a great deal of power to determine the fate of an employee grievance, but the IHO does not have the power to sustain the decision of the County when the County has failed to meet its burden of proof. The IHO found the County acted arbitrarily and capriciously; therefore, the IHO made a mistake of law in finding that the County met its burden and is sustaining the County's decision.

We request that this decision be overturned and the employee be reinstated with back pay. Mr. Hughes reserved the remainder of his 20 minutes for rebuttal if necessary. (he reserved 17 minutes of his time).

Mrs. Alyx Brandenburg, a Human Resources manager represented the County in this step 5 Grievance hearing. Mrs. Brandenburg has been the Human Resources representative for the Youth Services Center for the last year and a half, and has been involved with this termination and grievance throughout the entire process.

The County's position is that the act of allowing a civilian into the secure portion of the Youth Services Center was so egregious that it warranted termination. She walked through the termination and grievance process and highlighted some key facts.

It was outlined in her termination letter that Ms. Landvatter violated work rules as they pertain to attentiveness to duty and judgment for the incident that occurred on September 3, 2014. During the termination meeting, Mr. Hughes and Ms. Landvatter did not argue any facts of the termination letter.

Under the County's Personnel Ordinance, all grievances regarding termination are initiated at the third step of the grievance procedure and in this case, the termination decision was sustained at Step 3 by HR Director, Dave O'Connell.

Mrs. Brandenburg explained how the Independent Hearing Officer was selected and how the Step 4 hearing was conducted. She defined arbitrary and capricious as "a decision which was made on unreasonable grounds or without any proper consideration of circumstances." The standard required of the party with the burden of proof in all cases is a preponderance of the evidence. Preponderance of the evidence means "the greater weight of the evidence – superior evidentiary weight that though not sufficient to free the mind wholly from doubt, is still sufficient to incline a fair and impartial mind to one side of the issue rather than the other."

The question for the IHO therefore, "was the County's action in terminating Rhonda Landvatter made on unreasonable grounds or without any proper consideration or circumstances?"

Mrs. Brandenburg went on to go through several findings of the Independent Hearing Officer that were pertinent to the Board's decision. She also defends many items that were listed in Mr. Hughes' appeal. This argument lasted roughly 15 minutes.

Mrs. Brandenburg concluded that based on the information shared tonight, the Independent Hearing Officer was correct in his assessment that the County's termination decision was NOT arbitrary and capricious based on preponderance of evidence. The County would ask that the County Board sustain the Impartial Hearing Officer's decision and affirm the result of the Step 4 Grievance.

Mr. Hughes returned to the podium to dispute the facts as presented. He stated that HR omitted the fact that this breach did not harm, danger or breach confidentiality with anyone in the facility. They also omitted that the breach was an inmate's mother who posed no threat. Mr. Hughes rebutted for roughly 15 minutes. He concluded by stating that the County Board should overturn this discipline for three reasons. First, the hearing was not conducted fairly. Two, there was fraud or corruption on the part of the IHO. And third, the IHO made errors of fact or law. Mr. Hughes stated that in this case, there is evidence to support a vote to overturn the IHO's decision for all three reasons.

Chair Podzilni thanked both parties for their testimony and asked for a motion from the floor to move into executive session per section 19.85(1)(a) of Wisconsin Statutes to deliberate and reach a decision on the Step 5 grievance hearing heard by the County Board. Supervisors Grahn and Peer motioned to go into Executive Session. Motion PASSED on the following roll call vote: Supervisors Peer, Arnold, Grahn, Fox, Richard, Driscoll, Gustina, Bussie, Davis, Thomas, Knudson, Kraft, Fell, Garrett, Pleasant, Brill, Wiedenfeld, Schulz, Zajac, Bostwick, Sweeney, Addie, Dowd, Brien, and Podzilni voted in favor. Supervisors Beaver, Heidenreich, Mawhinney, and Nash were absent. PRESENT – 25. ABSENT – 4. VACANT – 0.

Supervisors Zajac and Fox moved to go out of Executive Session. ADOPTED by acclamation.

13. Adjournment.

Supervisors Arnold and Richard moved to adjourn at 9:18pm to Thursday, March 12, 2015 at 6:00 P.M. ADOPTED by acclamation.

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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.