



BOARD OF SUPERVISORS

Minutes - April 27, 2023

CALL TO ORDER: The Rock County Board of Supervisors met, pursuant to adjournment, on April 13, 2023, at 6:01 p.m. in the Courthouse at Janesville, Wisconsin.

INVOCATION & PLEDGE OF ALLEGIANCE: Chair Rich Bostwick called the meeting to order. Supervisor Podzilni gave the invocation.

ROLL CALL: At roll call, Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman, Zoril and Bostwick were present. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. PRESENT – 23. ABSENT – 5. VACANT - 1.

CONSENT AGENDA:

Consent agenda was read. Chair Bostwick asked for objections and questions about the items on the consent agenda. Supervisor Zoril requested the following items pulled from the consent agenda:

4.B. Approval of Minutes – April 13, 2023, 4.D.2 Recognizing Economic Support Staff, 4.D.3 Recognizing Human Services Administrative Professionals, 4.D.4 To Recognize Jane Matzke, 4.D.5 Recognizing David Davis, 4.D.6 Proclaiming April 30 – May 7 as Small Business Week, 4.E.1 Authorizing Double Fill of Chief Deputy Position, and 4.E.3 For Reclassification of 1.0 FTE Administrative Services Supervisor And 3.0 FTE Job Center Support Specialists. With no other objections or questions, the remaining items on the consent agenda were approved.

ADOPTION OF AGENDA:

NOMINATIONS, APPOINTMENTS AND CONFIRMATION:

RECOGNITION OF COUNTY EMPLOYEES OR OTHERS:

Proclaiming Correctional Employees Week:

Resolution No. R-2023-190

OTHER:

Authorizing Reclassification of Three (3) 0.4 FTE Child Support Clerical Workers to One (1) 1.0 FTE Child Support Clerk Typist III:

Resolution No. R-2023-196

Authorizing a Letter of Intent to Purchase Eleven (11) Vehicles for the Sheriff's Office Fleet:
Resolution No. R-2023-198

APPROVAL OF MINUTES – April 13, 2023:

Supervisors Bomkamp and Crary moved to approve the minutes. Supervisor Zoril and Woodman moved to amend the public comment from Sherry Oja as follows: *Sherry Oja, Finance Director, ~~spoke~~ in response to inaccurate information in a Facebook post spoke to ensure the public and the county board that there is not a financial fiasco and that the county is in a very stable financial position.* Amendment APPROVED on the following roll call vote. Supervisors Beaver, Farrell, Fox, Mawhinney, Pennycook, Rashkin, Schneider, Towns, Whitledge, Wilson, Winter, Woodman and Zoril voted in favor. Supervisors Brien, Bomkamp, Crary, Peer, Podzilni, Schulz, Stevens, Sutterlin, Sweeney and Bostwick voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 13. NOES - 10. ABSENT – 5. VACANT - 1.

Minutes APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Towns, Whitledge, Wilson, Winter, Woodman, Zoril and Bostwick voted in favor. Supervisor Sweeney voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 22. NOES – 1. ABSENT -5. VACANT - 1.

PUBLIC HEARING: None

CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS:

Jim Blouin spoke about DEI training, supporting the constitution and Mike Zoril. Gary Keller spoke in support of Mike Zoril. Sheila Williams spoke about the board following rules and the board's actions at the last meeting. Dennis Wendt spoke against the appointment of Wes Davis to District 22. Tom Simpson asked the board to be hesitant about the appointment to District 22. Craig Keller spoke about disappointment in the selection of District 22 appointee and issue with DEI training. Charles Vialobo spoke about racism. Sally Horton spoke against all racism. Bill Mitchell spoke about violations of freedom of speech and in support of Mike Zoril. Lisa Burnside spoke on free speech, reverse discrimination and in support of Michael Zoril.

The following submitted written comments: Manuel Carares submitted comments on diversity education training and stand against racism. Al Jewer submitted comments on Bugtussle and broadband rollout. Jenny Hopple submitted comments on Supervisor Zoril's conduct. Brenda Kendell submitted comments supporting the resolution using funds from the sale of the job center to reduce borrowing. Cindy Bovee submitted comments on Supervisor Whitledge's resolution and the board's actions at the last meeting. Steven Brown submitted a comment asking a question about recalling a County Board Supervisor. Gayle Hotchkiss submitted comments about Stand Against Illegal Immigration Week and Stand Against Racism. Henry Bunts submitted concerns about the wage grid. Sheryl Hengeveld submitted comments on the appointment process for District 22. Neil Pierce submitted concerns about the wage grid. Angel Rodriguez submitted comments on racism and YWCA.

Supervisor Sweeney congratulated James Otterstein, Rock County Economic Development Manager, on receiving the Blackhawk Golden Brick Award. Supervisor Rashkin spoke about the Stand Against

Racism event in Beloit. Supervisor Peer gave information about Katrina Harwood, Rock County Public Health Officer, teaching modernizing local public health at a national conference in July. Supervisor Zoril requested the resolution to address Rock Haven's financial crisis to be placed on the agenda for the next meeting. Clerk Tollefson gave a reminder for Municipal Clerks Week. Supervisor Mawhinney thanked the County Clerk for the excellent job for all the services that she provides for us. Chair Bostwick gave information about the Wisconsin Counties Association Conference.

NOMINATIONS, APPOINTMENTS AND CONFIRMATION:

Appointment to District 22: Supervisors Wilson and Stevens moved the appointment of Wes Davis. Supervisor Zoril and Schneider moved to amend to Mike Schwarz. Not allowed by rules, the chair makes the appointment. Appointments are not amendable. Supervisor Zoril asked for point of inquiry concerning the board process for appointments. Supervisor Zoril called point of order for Chair Bostwick's determination. Chair Bostwick concurred with the interpretation from Corporation Council Greenlee that the rules are clear that the chair makes the appointment and the appointment is not amendable. Appointment APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Mawhinney, Peer, Podzilni, Rashkin, Schulz, Stevens, Sutterlin, Sweeney, Towns, Wilson, and Bostwick voted in favor. Supervisors Fox, Pennycook, Schneider, Whitledge, Winter, Woodman and Zoril voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES - 16. NOES - 7. ABSENT - 5. VACANT - 1.

Appointments to the Human Services Board:

Supervisors Brien and Crary moved the appointments. Appointments APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisor Davis' voting switch was set to absent; no vote was recorded. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES - 22. NOES - 1. ABSENT - 6.

RECOGNITION OF COUNTY EMPLOYEES OR OTHERS:

Recognizing Economic Support Staff:

Resolution No. R-2023-191

Supervisors Sweeney and Woodman moved the resolution. Supervisor Zoril called point of order - the resolution was not submitted in proper form because a board supervisor did not submit the resolution. Chair Bostwick ruled, based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions. Resolution APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisor Davis' voting switch was set to absent; no vote was recorded. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES - 22. NOES - 1. ABSENT - 6.

Recognizing Human Services Administrative Professionals:

Resolution No. R-2023-192

Supervisors Crary and Wilson moved the resolution. Supervisor Zoril called point of order - Same reason as the last item. (The resolution was not submitted in proper form because a board supervisor did not submit the resolution.) Chair Bostwick ruled the same as on the last item. (Based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions.) Resolution APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisor Davis' voting switch was set to absent; no vote was recorded. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 22. NOES – 1. ABSENT -6.

To Recognize Jane Matzke:

Resolution No. R-2023-193

Supervisors Mawhinney and Bomkamp moved the resolution. Supervisor Zoril called point of order - Same reason as the last time. (The resolution was not submitted in proper form because a board supervisor did not submit the resolution.) Chair Bostwick ruled the same as on the last item. (Based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions.) Resolution APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisor Davis' voting switch was set to absent; no vote was recorded. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 22. NOES – 1. ABSENT -6.

Recognizing David Davis:

Resolution No. R-2023-194

Supervisors Mawhinney and Peer moved the resolution. Supervisor Zoril called point of order - Same reason as last time. (The resolution was not submitted in proper form because a board supervisor did not submit the resolution.) Chair Bostwick ruled the same as on the last item. (Based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions.) Resolution APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisor Davis' voting switch was set to absent; no vote was recorded. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 22. NOES – 1. ABSENT -6.

****Proclaiming April 30 – May 7 as Small Business Week:**

Supervisors Stevens and Sutterlin moved the resolution. Supervisor Zoril called point of order - the resolution was not submitted in compliance with board Rule III. D. that items to be included on the Agenda shall be in the office of the County Administrator no later than Wednesday at noon the week preceding the meeting. Chair Bostwick sustained. Supervisor Stevens explained that the resolution had been submitted three weeks prior. Supervisor Zoril called point of order - continued discussion on sustained ruling. Chair sustained.

INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE:

Supervisor Farrell introduced a resolution - *Amending Board Rules section F. - Appeal process to bring a resolution that failed in committee to the full board.*

REPORTS:

Rock County Sheriff's Office. Special Weapons and Tactics (SWAT) Team:

Report given by Captain Mark Thompson.

NEW BUSINESS:

SUPPLEMENTARY APPROPRIATIONS AND BUDGET CHANGES - ROLL CALL:

Amending the 2023 Budget to Utilize Funds from the Job Center Sale Proceeds to Reduce 2023 Borrowing:

Resolution No. R-2023-199

Resolution moved by Supervisors Fox and Schulz. Supervisor Zoril and Schneider moved to increase the amount of the sale of the Job Center sale proceeds from \$400,000 to \$814,000. Supervisor Zoril and Schneider amended their amendment to reduce the \$814,000 to \$614,000. Amendment FAILED on the following roll call vote. Supervisors Beaver, Brien, Farrell, Peer, Pennycook, Schneider, Whitledge, Woodman and Zoril voted in favor. Supervisors Bomkamp, Crary, Fox, Mawhinney, Podzilni, Rashkin, Schulz, Stevens, Sutterlin, Sweeney, Towns, Wilson, Winter and Bostwick voted against. Supervisor Davis' voting switch was set to absent; no vote was recorded. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 9. NOES – 14. ABSENT - 6. Supervisor Davis wished to abstain. Supervisor Zoril called point of order - all supervisors must vote unless there is a conflict. Resolution APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Davis, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schneider, Schulz, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman, Zoril and Bostwick voted in favor. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 24. NOES – 0. ABSENT - 5.

***Reclassify Funding Source for Resolution No. R-2022-98:**

Resolution No. R-2023-201

Supervisors Zoril and Woodman moved the resolution. Supervisor Mawhinney called point of order - resolution failed in county board staff committee and the copy of the resolution in the packet is missing the five signatures to bring it to the full county board. Corporation Counsel stated the rules do not require the specific resolution with the five signatures be distributed with the agenda packet. (The resolution was submitted with five signatures at a previous meeting.) Resolution FAILED on the following roll call vote. Supervisors Beaver, Davis, Pennycook, Schneider, Whitledge and Zoril voted in favor. Supervisor Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Podzilni, Rashkin, Schulz, Stevens, Sutterlin, Sweeney, Towns, Wilson, Winter, Woodman and Bostwick voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 6. NOES – 18. ABSENT - 5.

CONTRACTS – ROLL CALL:

Approving The 2023 Compensation Study. And Amending The Personnel Policy Wage Appendix:

Resolution No. R-2023-200

Supervisors Wilson and Mawhinney moved the resolution. APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Davis, Farrell, Fox, Mawhinney, Peer, Pennycook, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisors Podzilni and Zoril voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 22. NOES – 2. ABSENT - 5.

Amending Chapter 18 of the Rock County Ordinances:

Ordinance No. O-2022-3

Supervisors Towns and Wilson moved the ordinance. Supervisor Mawhinney and Stevens move to amend the ordinance to change April 10, 2023 to January 1, 2022.

Supervisors Zoril and Winter called the question to end debate. Supervisor Stevens asked to abstain.

Supervisor Zoril called point of order - supervisors must vote unless they have a conflict of interest.

Chair sustained. Calling the question to end debate FAILED on the following roll call vote.

Supervisors Brien, Farrell, Mawhinney, Peer, Pennycook, Podzilni, Schulz, Sweeney, Whitledge, Winter, Zoril and Bostwick voted in favor. Supervisor Beaver, Bomkamp, Crary, Davis, Fox, Rashkin, Schneider, Stevens, Sutterlin, Towns, Wilson and Woodman voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 12. NOES – 12. ABSENT - 5. Supervisor Mawhinney asked for unanimous consent to withdraw the motion to amend from the floor.

Amendment removed by unanimous consent.

Supervisor Beaver and Stevens moved to amend the resolution to state the following (underlined items added) "... employees hired on or after April 10, 2023." (line 28).

Supervisor Zoril moved to send the resolution back to committee because there was no supervisor on the resolution. FAILED due to the lack of a second. Supervisor Zoril called point of order - the resolution was not submitted in proper form because a board supervisor did not submit the resolution. Chair Bostwick ruled the same as previous items. (Based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions.)

Amendment APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman, Zoril and Bostwick voted in favor. Supervisor Davis voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 23. NOES – 1. ABSENT - 5.

Ordinance APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Davis, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 23. NOES – 1. ABSENT - 5.

Authorizing Double Fill of Chief Deputy Position:

Resolution No. R-2023-195

Supervisor Bomkamp and Whitledge moved the resolution. Supervisor Zoril called point of order - the resolution was not submitted in proper form because a board supervisor did not submit the resolution and an issue of separation of powers with the sheriff. Chair Bostwick ruled, based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions and there is not a separation of powers issue. The county board still retains budgetary oversight. Supervisor Zoril moved to appeal the decision. Appeal FAILED due to the lack of a second.

Supervisors Beaver, Bomkamp, Brien, Crary, Davis, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schulz, Schneider, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman and Bostwick voted in favor. Supervisor Zoril voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 23. NOES – 1. ABSENT - 5.

For Reclassification of 1.0 FTE Administrative Services Supervisor And 3.0 FTE Job Center Support Specialists:

Resolution No. R-2023-197

Supervisors Crary and Wilson moved the resolution. Supervisor Zoril called point of order - the resolution was not submitted in proper form because a board supervisor did not submit the resolution. Chair Bostwick ruled, based on Corporation Counsel's interpretation of Rule III. J. and Rule III. E., that department heads are allowed to submit resolutions. Supervisor Zoril and Pennycook moved to table the item to the next board meeting. Motion to table FAILED on the following roll call vote.

Supervisors Beaver, Crary, Pennycook, Schneider, Sutterlin, Whitledge, Winter, Woodman, Zoril and Bostwick voted in favor. Supervisors Bomkamp, Brien, Farrell, Davis, Fox, Mawhinney, Peer, Podzilni, Rashkin, Schulz, Stevens, Sweeney, Towns and Wilson voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 10. NOES – 14. ABSENT - 5.

Resolution APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Davis, Farrell, Fox, Mawhinney, Peer, Podzilni, Rashkin, Schulz, Stevens, Sutterlin, Sweeney, Towns, Wilson, Woodman and Bostwick voted in favor. Supervisors Pennycook, Schneider, Whitledge, Winter and Zoril voted against. Supervisors Clasen, Cullen, Knudson, Leavy and Richard were absent. AYES – 19. NOES – 5. ABSENT - 5.

EXECUTIVE SESSION: Per Section 19.85(1)(g), Wis. Stats. – Conferring with Legal Counsel Concerning Strategy to be Adopted by the Board Regarding Litigation in which it is, or is Likely to Become Involved:

Supervisors Fox and Bomkamp moved to go into Executive Session at 9:34 p.m. APPROVED on the following roll call vote. Supervisors Beaver, Bomkamp, Brien, Crary, Davis, Farrell, Fox, Mawhinney, Peer, Pennycook, Podzilni, Rashkin, Schneider, Schulz, Stevens, Sutterlin, Sweeney, Towns, Whitledge, Wilson, Winter, Woodman, Zoril and Bostwick voted in favor. Supervisors Clasen, Cullen, Knudson, Leavy, and Richard were absent. AYES–24. NOES-0. ABSENT – 5.

ADJOURNMENT: Supervisors Fox and Whitledge moved to exit Executive Session and adjourn at 10:40 p.m. to Thursday, May 11, 2023, at 6:00 p.m. APPROVED by acclamation.

Prepared by Lisa Tollefson, County Clerk and Jaymee Stephens, Deputy County Clerk.