

PROCEEDINGS OF THE
ROCK COUNTY BOARD OF SUPERVISORS

Janesville, Wisconsin
January 26, 2012

The Rock County Board of Supervisors met pursuant to adjournment on January 26, 2012, at 6:00 P.M. in the Courthouse at Janesville, Wisconsin.

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

3. Roll Call. At roll call, Supervisors Peer, Innis, Beaver, Heidenreich, Mawhinney, Fox, Diestler, Yankee, Gustina, Bussie, Thomas, Knudson, Kraft, Fell, Fizzell, Sanders, Brill, Wiedenfeld, Bostwick, Sweeney, Collins, Yoss and Podzilni were present. Supervisors Arnold, Combs, Thompson, Jensen, Wopat and Owens were absent. PRESENT – 23. ABSENT – 6.

QUORUM PRESENT

4. Adoption of Agenda.

Supervisors Bostwick and Thomas moved to the Agenda as presented. 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 – January 12, 2012
6. PUBLIC HEARING
7. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS
8. NOMINATIONS, APPOINTMENTS AND CONFIRMATION
 - A. Appointment to Local Emergency Planning Committee
9. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE
10. REPORTS
 - A. Beloit Gaming Facility / Intergovernmental Agreement
 - B. 2011 Wisconsin Counties Association Annual Report
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - A. Supplementary Appropriations and Budget Changes – Roll Call
 1. Awarding a Contract for Lighting Improvements – Shop Phase 1 and Amending the Public Works Department Budget
 2. Amending the 2012 Council on Aging Budget to Adjust Title III and State Pharmaceutical Assistance Program Allocations
 - B. Bills Over \$10,000 – No Roll Call
 - C. Encumbrances Over \$10,000 – Roll Call
 - D. Contracts – Roll Call
 1. Authorizing Purchase of Data Center Uninterruptible Power Supply
 2. Authorization of a Contract for Drug Court Mental Health Provider
 - E. Recognizing Deputy Jeffrey DuCharme
 - F. Authorizing Submission of Grant Application for Beloit Area Sewer Service Area Planning
13. ADJOURNMENT

5. Approval of Minutes of January 12, 2012.

Supervisors Mawhinney and Brill moved the approval of the minutes of January 12, 2012 as presented. ADOPTED as presented by acclamation.

7. Citizen Participation, Communications and Announcements.

No citizens addressed the board.

Chair Podzilni announced that January Birthdays include Supervisors Innis and Heidenreich. He also announced that Supervisor Arnold is doing well after minor surgery.

Supervisor Gustina gave an update on Supervisors Owens medical condition and gave the address to send get well cards.

8.A. Appointment to Local Emergency Planning Committee.

NEW APPOINTMENT: Jim Stute
County Extension Agent
UW Extension

EFFECTIVE DATE: January 26, 2012

Supervisors Knudson and Bussie moved the above appointment. ADOPTED by acclamation.

10.A. Beloit Gaming Facility/Intergovernmental Agreement.

Beloit Leadership presented the draft Intergovernmental Agreement of the Ho-Chunk Nation, City of Beloit and Rock County. Leadership included: City Council President-Kevin Leavy, City Council Vice President – James VanDeBogart, City Manager-Larry Arft, City Attorney-Tom Casper and Assistant to the City Manager – Beth Jacobsen. Ho-Chunk Nation leadership included President-John Greendeer, Vice President-Greg Blackdeer, Representatives John Holst and Susan Weber. Several people invested in the project were present in the audience.

President Leavy introduced President Greendeer who presented opening comments. He shared his enthusiasm for the Agreement and the possibility that exists in such a broad project. He stated that he realizes that the centerpiece of this project is the IGA (Intergovernmental Agreement) and he is confident that this presentation is a good opportunity to gather opinion and concerns as they move forward.

President Leavy introduced City Manager Larry Arft who will present the IGA and explain the “what’s in it for us” elements that many are waiting to hear about. Mr. Arft welcomed the Ho-Chunk Nation to the community and explained that the Ho-Chunk Nation has sovereign rights that need to be defined, that the “relationship” is critical, and definitions need to be carefully planned and documented in regards to the property and business opportunities. The framework for that is the Intergovernmental Agreement which spells out Land Uses, Codes, Ordinances and On-Site regulation, etc.

The location of the proposed Casino is on the west side of I-39/90 and Colley Road in Beloit WI. This site that includes roughly 32 acres is the original Trust site acquired by a private development partner that was affiliated with an earlier Beloit Gaming application. This land is adjacent to property owned by the City of Beloit. The Ho-Chunk Nation is applying to take the property into Trust to build a Class III Gaming Facility that includes a hotel, conference center, restaurants and fuel services.

The IGA as it remains under review contains a number of changes based on continued negotiations via the input of several stakeholders. The recitals include legal steps for approval and implementation of the Gaming facility. The State negotiations should go well due to the Ho-Chunk Nation already having several facilities in the State of Wisconsin currently conducting Class III gaming. The Ho-Chunk Nation has adopted a Constitution already adopted by the Secretary of the Interior in 1994 and already has an established relationship which is critical to the process of reviewing and approving the Federal Trust Application being submitted by the Nation. The Governor of Wisconsin would need to concur in the Secretary of Interior’s determination as well as the local support of the community.

This project is significant in ways of economic development for this community in terms of nearly 2,000 jobs largely held by local residents. The Ho-Chunk Nation does not have a high rate of residency in this area. In the construction market, there is potential for an investment of

between \$150-200 million dollars over a three year period to build this site out. This project includes a large annual operating budget that will flow through the local community and has the potential to serve as an anchor for other outside development opportunity of businesses who may seek to locate close to the casino by way of lodging, retails, food industry and recreation, which could result in large fiscal impact to this community. Mr. Arft cited Elgin, IL and Dubuque, IA as facility examples to see this type of impact for jobs and economic development.

The Commitments of the City and County are clearly defined within the IGA and support of the Gaming Compact is defined in section 2.5 stating that the County and the City will only support one Class III Gaming facility. The Nation has committed to an infrastructure payment of \$2 million to build the road improvements for traffic flow. There is also a development agreement to be further negotiated that covers infrastructure.

Net win payments are proposed to be paid at a rate of 2% of net win with no offset payable monthly by the 15th following one quarter of operation. The County split is proposed at 30% which will be paid by the City of Beloit in a timely manner.

The City and County will provide general local services to the Ho-Chunk Nation and they agree to pay the costs associated with those services as set by ordinance subject to water, sewer, police, and fire. However, they do not pay taxes on the property. The tribe agrees to contribute to debt service on improvements, therefore, the residents will not be charged although the City does front some of the costs to those improvements. There is no County responsibility on the infrastructure in terms of signalization, road relocation, green construction, etc. There is a provision defined in 3.6.4 stating construction in a manner that honors heritage, culture and Mother Earth as it relates to treatment of natural resources and the environment.

The Nation indicated in the IGA their intent to make charitable contributions to the community as well as provide services in compulsive gambling. The Nation shall enjoy sovereign control. The Nation Sovereignty language indicates that no City or County law, ordinance, code, resolution or regulation shall be applicable to the Nation Trust Property. Some provisions exist in the area of tobacco sales, fuel sales and daycare in that they remain competitive regionally and follow state regulatory standards.

Termination of this agreement may only be carried out through negotiations and is effective only upon termination of the Class III Gaming at the property or the termination of the Gaming Compact. Waiver of Immunity and Dispute Resolution language is included in the IGA to assist all parties in resolving conflicts that may arise from such agreements.

The draft can be found on the City of Beloit Website at www.ci.beloit.wi.us. In a final comment, Mr. Arft explained that the City has consulted outside council the law firm of Dickinson Wright based in Michigan, and specializes in Native American Gaming matters. The extent of the document met with positive favor.

Discussion followed and County Board Supervisors asked multiple questions surrounding the topics of jobs, viability, green construction, timing of the project and ancestral connections to the property.

10.B. 2011 Wisconsin Counties Association Annual Report.

Chair Podzilni introduced the video as the Annual Report of the Wisconsin Counties Association. He expressed value for the organization and encouraged Board Supervisors to utilize the resources available to the County via annual membership. Chair Podzilni is one of twenty-two Board Members on the WCA Board of Directors and had a cameo appearance in the video. The promotional piece ran four minutes.

12.A.1. Awarding a Contract for Lighting Improvements – Shop Phase 1 and Amending the Public Works Department Budget. Resolution No. 12-1B-567

NOW, THEREFORE, BE IT RESOLVED, that the Public Works Department is hereby authorized by the Rock County Board of Supervisors convened this 26th day of January, 2012 to award the bid for the installation of the replacement shop and garage lighting at DPW to the lowest responsible bidder, Richter Electric of Janesville, WI in the amount of \$98,996; and, BE IT FURTHER RESOLVED, that the Department of Public Works' budget is amended to authorize and carry forward \$55,000 of budgeted funds and \$43,996 of savings on other DPW

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building projects from the 2011 budget to the DPW Lighting Improvements-Shop Phase I project as follows:

<u>A/C-Description</u>	<u>Budget At 01/01/2012</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
Building & Grounds Cost Pool			
41-4350-4270-67171	\$100,000	\$98,996	\$198,996
Capital Assets \$1,000 or More			
41-4350-4270-68109	(\$100,000)	(\$98,996)	(\$198,996)
Allocated Capital Assets			

Supervisors Yankee and Fox moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Innis, Beaver, Heidenreich, Mawhinney, Fox, Diestler, Yankee, Gustina, Bussie, Thomas, Knudson, Kraft, Fell, Fizzell, Sanders, Brill, Wiedenfeld, Bostwick, Sweeney, Collins, Yoss and Podzilni voted in favor. Supervisors Arnold, Combs, Thompson, Jensen, Wopat and Owens were absent. AYES – 23. NOES – 0. ABSENT – 6.

12.A.2. Amending the 2012 Council on Aging Budget to Adjust Title III and State Pharmaceutical Assistance Program Allocations. Resolution No. 12-1B-568

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this day of 26th day of January, 2012 does hereby amend the Adopted 2012 Rock County Council on Aging budget as follows:

<u>Account/Description</u>	<u>Budget at 01/01/2012</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<u>Title III-B (Supportive Services)</u>			
<u>Source of Funds</u>			
30-3901-0000-42100	125,649	1,204	126,853
Federal Aid			
<u>Use of Funds</u>			
30-3901-0000-62129	12,580	1,605	14,185
Other Legal Services			
30-3901-0000-68000			
Cost Allocations	(30,189)	(401)	(30,590)
<u>Title III-C-1 Congregate Meals</u>			
<u>Source of Funds</u>			
30-3903-0000-42100	278,024	(308)	277,716
Federal Aid			
30-3903-0000-42102	41,221	(4,046)	37,175
Federal Aid - NSIP			
<u>Use of Funds</u>			
30-3903-0000-62105	118,467	(4,046)	114,421
Contracted Food Services			
30-3903-0000-64124	8,000	(308)	7,692
Consumable Supplies			
<u>Title III-C-2 Delivered Meals</u>			
<u>Source of Funds</u>			
30-3904-0000-42100	95,839	(1,016)	94,823
Federal Funds			
<u>Use of Funds</u>			
30-3904-0000- 63308	39,227	(1,016)	38,211
Volunteer Mileage			
<u>Title III-D Preventive Health</u>			
<u>Source of Funds</u>			
30-3908-0000-42100	8,352	(11)	8,341
Federal Aid			
<u>Use of Funds</u>			
30-3908-0000-62625	6,502	(11)	6,491

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Outreach Service

Title III-E NFCSP

Source of Funds

30-3915-0000-42100	60,169	605	60,774
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Federal Aid

Use of Funds

30-3915-0000-62624	30,189	401	30,590
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Title III-B

30-3915-0000-63200	500	204	704
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Publications/Subscriptions/Dues

State Pharmacy Assistance Program

Source of Funds

30-3962-0000-42200	11,572	(1,605)	9,967
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State Aid

Use of Funds

30-3962-0000-62119	11,572	(1,605)	9,967
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Other Contracted Services

Supervisors Thomas and Yoss moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Innis, Beaver, Heidenreich, Mawhinney, Fox, Diestler, Yankee, Gustina, Bussie, Thomas, Knudson, Kraft, Fell, Fizzell, Sanders, Brill, Wiedenfeld, Bostwick, Sweeney, Collins, Yoss and Podzilni voted in favor. Supervisors Arnold, Combs, Thompson, Jensen, Wopat and Owens were absent. AYES – 23. NOES – 0. ABSENT – 6.

12.B. Approval of Bills Over \$10,000.00. Resolution No. 12-1B-569

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors at its regular meeting on January 26, 2012, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same.

Carevoyant Inc.	Information Technology	Contracted Services	\$48,225.00
CESA 2	Sheriff's Office	Contracted Services	\$16,103.91
Core BTS Inc.	Information Technology	Contracted Services	\$84,628.64
Rehab Resources	DD Board	Contracted Services	\$10,905.47

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

12.C. Approval of Encumbrances Over \$10,000.00. Resolution No. 12-1B-570

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors at its regular meeting on January 26, 2012, approves payment and authorizes and directs the County Clerk and County Treasurer to pay the same, upon acceptance by the department head.

Board of Regents	Human Services	Contracted Services	\$56,250.00
Children's Service	Human Services	Contracted Services	\$100,144.00
Society of WI			
Community Action Inc. Of Rock & Walworth	Human Services	Contracted Services	\$121,500.00
Community Action Inc. Of Rock & Walworth	Human Services	Contracted Services	\$81,800.00
Compsych		Contracted Services	\$19,744.32
Compsych		Contracted Services	\$21,703.68
Willis of WI Inc.	Human Resources	Contracted Services	\$30,000.00
Latino Service	Human Services	Contracted Services	\$17,821.00
Providers Coalition			
Richter Electric Inc.	DPW	Contracted Services	\$98,996.00
Rock Communities Youth Network	Human Services	Contracted Services	\$11,682.00
Service Master	Human Services	Contracted Services	\$47,076.60

Commercial Cleaning

Supervisors Mawhinney and Peer moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Innis, Beaver, Heidenreich, Mawhinney, Fox, Diestler, Yankee, Gustina, Bussie, Thomas, Knudson, Kraft, Fell, Fizzell, Sanders, Brill, Wiedenfeld, Bostwick, Sweeney, Collins, Yoss and Podzilni voted in favor. Supervisors Arnold, Combs, Thompson, Jensen, Wopat and Owens were absent. AYES – 23. NOES – 0. ABSENT – 6.

12.D.1. Authorizing Purchase of Data Center Uninterruptible Power Supply.

Resolution No. 12-1B-571

NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly assembled this 26th day of January, 2012 that a Purchase Order for a replacement data center UPS be issued to Quality Power Solutions in the amount of \$67,745.

Supervisors Mawhinney and Diestler moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Innis, Beaver, Heidenreich, Mawhinney, Fox, Diestler, Yankee, Gustina, Bussie, Thomas, Knudson, Kraft, Fell, Fizzell, Sanders, Brill, Wiedenfeld, Bostwick, Sweeney, Collins, Yoss and Podzilni voted in favor. Supervisors Arnold, Combs, Thompson, Jensen, Wopat and Owens were absent. AYES – 23. NOES – 0. ABSENT – 6.

12.D.2. Authorization of a Contract for Drug Court Mental Health Provider.

Resolution No. 12-1B-552

NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly assembled this 26th day of January, 2012 does hereby authorize a contract with Crossroads Counseling Center to provide services to drug court participants with co-occurring disorders for an amount not to exceed the remaining amount of the 2009 Drug Enhancement Grant.

Supervisors Collins and Fizzell moved the above resolution. ADOPTED on the following roll call vote. Supervisors Peer, Innis, Beaver, Heidenreich, Mawhinney, Fox, Diestler, Yankee, Gustina, Bussie, Thomas, Knudson, Kraft, Fell, Fizzell, Sanders, Brill, Wiedenfeld, Bostwick, Sweeney, Collins, Yoss and Podzilni voted in favor. Supervisors Arnold, Combs, Thompson, Jensen, Wopat and Owens were absent. AYES – 23. NOES – 0. ABSENT – 6.

12.E. Recognizing Deputy Jeffrey DuCharme. Resolution No. 12-1B-572

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this 26th day of January, 2012, does hereby recognize Deputy Jeffrey DuCharme for his 20 years of faithful service and recommends that a sincere expression of appreciation be given to Deputy Jeffrey DuCharme along with best wishes for the future.

BE IT FURTHER RESOLVED, that the County Clerk be authorized and directed to furnish a copy of this resolution to Deputy Jeffrey DuCharme.

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

12.F. Authorizing Submission of Grant Application for Beloit Area Sewer Service Area Planning. Resolution No. 12-1B-573

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this 26th day of January, 2012, does hereby authorize Rock County Planning and Development Agency to submit a grant application for up to \$20,000 of incremental DNR funding in 2012 and 2013 for Metropolitan Sewer Service Area Planning.

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

13. Adjournment.

Supervisors Bostwick and Gustina moved to adjourn at 7:31pm to Thursday, February 9, 2012 at 6:00 P.M. ADOPTED by acclamation.

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NOT OFFICIAL UNTIL APPROVED BY THE COUNTY BOARD.