

# RICHLAND COUNTY

Clinton Langreck, County Administrator

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May 5, 2021

## NOTICE OF MEETING

Please be advised that the Richland Rules and Resolutions Committee will convene at 1:00 p.m., Thursday, May 6<sup>th</sup>, 2021, via teleconferencing at the webex.com link found below:

<https://richlandcounty.my.webex.com/webappng/sites/richlandcounty.my/meeting/download/f9204a0bef1f43f4a8a8b85a95c6354f?siteurl=richlandcounty.my&MTID=mf3512d4bc0101bfd493f20bc2b29313d>

Thursday, March 6th, 2021; 1:00 pm Central Time (US & Canada)

Meeting number: 142 304 7952

Password: richland

Join by phone: +1-408-418-9388 United States Toll

Access code: 142 304 7952 #

### Agenda:

1. Call to Order
2. Proof of Notification
3. Agenda Approval
4. Previous Meeting Minutes
5. Changes to the County Committee Structure Document
6. Retirement Recognition
7. Review of Ethics Ordinance
8. Future Agenda Items
9. Adjournment

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Rules and Resolutions Committee.

CC: Committee Members, Richland Observer, WRCO, Valley Sentinel, Bulletin Board and Our Files

**RULES AND RESOLUTIONS COMMITTEE  
AND ETHICS BOARD**

March 4, 2021

The Rules and Resolutions Committee and Ethics Board met on Thursday, March 4, 2021, at 1:00 p.m. virtually.

Committee members present included: Shaun Murphy-Lopez, Chad Cosgrove, Kerry Severson, Melissa Luck and Donald Seep.

Also present was: Victor Vlasak, County Clerk and Clinton Langreck, County Administrator.

Committee Chair Murphy-Lopez called the meeting to order.

Administrator Langreck confirmed Proof of Notification.

Motion by Cosgrove, second by Severson for approval of the Agenda. Motion carried.

Motion by Luck, second by Seep for approval of the minutes for the February 4<sup>th</sup> meeting of the Rules and Resolutions Committee and Ethics Board. Motion carried.

**County Board Rules – Rule 6 – Appointments** – The Committee discussed situations where a previous County employee is interested in serving on a committee that oversees a department where they previously worked. Below is proposed language to be added to Rule 6:

No supervisor or citizen members shall serve on a committee, board or commission charged with oversight of a department in which the supervisor, or citizen member served the department as an employee, without having separate from employment with the department two years prior to their assignment to such committee, board or commission.

Motion by Seep, second by Cosgrove to present a Resolution for approval to add the proposed language to Rule 6 of the County Board Rules. Motion by Seep to amend the motion to change the separation period to “three” years except for boards, commissions or committees which by statute have staggered terms; but in all cases no member shall serve for than six years. Motion to amend the motion failed due to the lack of a second.

Roll call vote on the original motion to add the proposed language to Rule 6. AYES: Seep, Cosgrove. NOES: Luck, Murphy-Lopez, Severson. Ayes 2. Noes 3. Total 5. Motion declared defeated.

**Women’s History Month** – Motion by Luck, second by Cosgrove to present a resolution to the County Board designating March, 2021 as Women’s History Month in Richland County. Motion carried.

**Municipal Elected Officials Service Recognition** – Motion by Seep, second by Cosgrove to present a resolution to the County Board recognizing long serving municipal elected officials who have served 40 years or more. Motion carried.

**Survey on County Board Size** – Chair Murphy-Lopez noted that redistricting may be delayed for two years due to the late release of 2020 census numbers. Motion by Seep, second by Severson to postpone indefinitely the development of a survey asking County Board members to give their input on the future size of the Richland County Board. Motion carried.

**Retiring Employees Recognition** – Chair Murphy-Lopez noted that the issue arose in the Highway Department. Highway Commissioner Petrick is compiling a list of retirees in the department. Corporation Counsel Southwick will be drafting a resolution commemorating the retired employees service.

**Future Agenda Items** – None

Motion by Cosgrove, second by Severson to adjourn to Thursday, April 1<sup>st</sup> at 1:00 p.m. in the County Board room. Motion carried. The meeting adjourned at 2:04 p.m.

Victor V. Vlasak  
Richland County Clerk

## Richland County Committee

### Agenda Item Cover

#### Agenda Item Name: Changes to the County Committee Structure Document

|  |                            |                       |   |
|--|----------------------------|-----------------------|---|
| <b>Department</b>                            | Administration             | <b>Presented By:</b>  | Administrator                           |
| <b>Date of Meeting:</b>                      | May 6 <sup>th</sup> , 2021 | <b>Action Needed:</b> | Vote                                    |
| <b>Disclosure:</b>                           | Open Session               | <b>Authority:</b>     | Structure C                             |
| <b>Date submitted:</b>                       | May 6 <sup>th</sup> , 2021 | <b>Referred by:</b>   | Administrator Transition Committee      |
| <b>Action needed by no later than (date)</b> | N/A                        | <b>Resolution</b>     | N/A, <u>needed</u> , prepared, reviewed |

#### Recommendation and/or action language:

Motion to ... recommend resolution to the county board regarding changes, recommended by the Administrator Transition Committee, to the Richland County Committee Structure (as presented, with amendments).

#### Background: *(preferred one page or less with focus on options and decision points)*

As part of the transition to the Administrator form of county government, the Administrator Transition Committee has reviewed the Richland County Committee Structure document and is bringing forward recommendations to the Rules and Resolutions committee for consideration.

A drafted document of proposed changes is attached with underlined additions and stricken deletions. Amendments are recommended for the following committees, boards or commissions:

1. Finance and Personnel Committee
2. Law Enforcement and Judiciary Committee
3. Revolving Loan Committee

#### Attachments and References:

|                                 |  |
|---------------------------------|--|
| Draft Proposed Changes May 2021 |  |
|                                 |  |

#### Financial Review:

(please check one)

|                                     |                      |                       |  |
|-------------------------------------|----------------------|-----------------------|--|
| <input type="checkbox"/>            | In adopted budget    | Fund Number           |  |
| <input type="checkbox"/>            | Apportionment needed | Requested Fund Number |  |
| <input type="checkbox"/>            | Other funding Source |                       |  |
| <input checked="" type="checkbox"/> | No financial impact  |                       |  |

*(summary of current and future impacts)*

No foreseeable financial impacts

#### Approval:

#### Review:

*Clinton Langreck*

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Administrator, or Elected Office (if applicable)

**Richland County Committee**

**Agenda Item Cover**

## **RICHLAND COUNTY BOARD COMMITTEE STRUCTURE**

(Amended: October 27, 2020)

### **AGRICULTURE AND EXTENSION EDUCATION COMMITTEE**

- A. Five members.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. Functions in accordance with section 59.87, Wisconsin Statutes and as follows.
- D. Provide oversight and advice on the hiring of professionally qualified persons to the University Extension Program staff in cooperation with University Extension. Vacancies and additions to the staff shall be filed in the same manner.
  - 1. To make available the necessary facilities and conduct programs in:
    - a. Professional and liberal education.
    - b. Human resources development.
    - c. Economic and environmental development.
    - d. Extension work provided for in an act of Congress and all acts supplementary thereto.
    - e. Any other extension work authorized by local, State or Federal legislation.
    - f. Examine and audit all claims arising under the Dog License Law, Chapter 174, Wisconsin Statutes.

### **AMERICANS WITH DISABILITY ACT COMPLIANCE COMMITTEE**

- 1. 7 members composed as follows:
  - (a) the County Board Chair;
  - (b) the Vice Chair of the County Board;
  - (c) one Supervisor;
  - (d) one disabled individual;
  - (e) a representative from the business or non-profit community;
  - (f) a representative from education;
  - (g) a representative from the medical/health profession.
- 2. The committee shall hear appeals from action taken by the Americans With Disability Coordinator.
- 3. Members shall be appointed by the County Board after it receives nominations from the Committee on Committees.
- 4. Members shall be paid mileage and per diems for their attendance.

## **AUDIT COMMITTEE**

- A. This committee shall consist of three people.
- B. The three members of this committee shall be selected by the Committee on Committees for appointment by the County Board.
- C. This committee shall review and approve all expense vouchers for the County Board of Supervisors and the various departments of the County, except for the Social Services Department, Pine Valley Healthcare and Highway Department for which the Audit Committee shall review the department summary sheets.

## **CHILD SUPPORT COMMITTEE**

- A. Three members.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. Provide oversight and advice to the Child Support Agent in the implementation of Public Law 93-647 which sets forth a system for the collection of child support payments from parents who have abandoned their families and do not voluntarily contribute to the support of their children.

## **CITY LIBRARY BOARD**

The number of Supervisors appointed to this Board shall be determined annually in accordance with Wisconsin Statutes § 43.60 (3). Any Supervisor appointed to this Board shall be appointed by the County Board Chair, subject to approval of the County Board.

## **COMMISSION ON AGING AND DISABILITY BOARD**

- 1. This committee shall consist of eleven members as follows:
  - a. At least 51% of the members shall be at least 60 years old;
  - b. At least 2 members representing adults with disabilities;
  - c. At least 1 member representing adults challenged by mental health and/or substance abuse disorders;
  - d. At least 1 member representing disabled youth transitioning into adult services;
  - e. At least 1 member representing service providers;
  - f. At least 2 members shall be County Board Supervisors.
- 2. 6 of the initial appointments shall be for 2 years and 5 shall be for 1 year. All subsequent appointments shall be for 2 years.
- 3. Appointments to the Commission shall be made in the usual manner with nominations being made by the Committee on Committees, appointments being made by the County Board Chair subject to approval by the County Board.

4. The Commission on Aging and Disability is the citizen advisory body of the Richland County Aging and Disability Resource Center Unit and Health and Human services Board in matters relating to those citizens over age 60 and those citizens over age 18 and under 60 who are disabled physically, developmentally, and/or challenged by mental health or substance abuse disabilities in Richland County.
5. The Powers and Duties of the Commission on Aging and Disability are:
  - a. Advise the Aging and Disability Resource Center Unit on the development and implementation of the County Aging Plan and ADRC Service Plan.
  - b. Provide financial oversight for the Aging and Disability Resource Center Unit.
  - c. Ensure that the terms of the Aging and Disability Resource Center state/county/Area Agency on Aging contract are fulfilled.
  - d. Collect information on the needs of older adults and adults with disabilities and make recommendations to Aging and Disability Resource Center Unit Staff.
  - e. Monitor progress on implementation of the Aging and Disability Resource Center Unit Plan.
  - f. Serve as an advisory group and approve a Community Options Plan for participation in the program and plan updates as they are made.
  - g. Educate older people and adults with disabilities on issues of importance to them.
  - h. Advocate for the rights of older people to the Area Agency on Aging – District I, Aging and Disability Resource Center Unit, Legislators and other elected officials of the County, State and Federal governments and to older populations.
  - i. Advocate for the rights of adults with disabilities to the Aging and Disability Resource Center Unit, Legislators and other elected officials of the County, State and Federal governments and to adult populations.
  - j. React to and comment on concerns transmitted from the Health and Human Services Board and Aging and Disability Resource Center Unit.
  - k. Assure input from consumers, service providers, and local constituents in the general policies, procedures, practices, and goals of the Aging and Disability Resource Center Unit.
  - l. Study specific problems facing elders and adults with disabilities and make recommendations to the County Board, Health and Human Services Board and Aging and Disability Resource Center Unit.
  - m. Review and advise the Health and Human Services Board and Aging and Disability Resource Center Unit on budgetary and programmatic issues.
  - n. Report to local adult and senior clubs and other adult and senior organizations on information and issues relevant to senior citizens and adults with disabilities.
  - o. Serve on committees as needed.
  - p. Attend regular Commission on Aging and Disability meetings.

## **COMMITTEE ON COMMITTEES**

- A. Seven members.
- B. The chairman and vice-chairman are automatic members of this committee with the five additional members being elected by the Board for a two (2) year term.
- C. The duties of this committee are to recommend for appointment by the County Board, the Supervisors and/or citizen members to staff the committee, boards and commissions are required by Wisconsin Statutes and Board Resolution.



## **COMPREHENSIVE COMMUNITY SERVICES COORDINATION COMMITTEE**

1. Nine members.
2. The Committee shall consist of the following members:
  - a. 2 employees of the Richland County Department of Health and Human Services who are responsible for mental health and substance abuse services;
  - b. 1 service provider(s);
  - c. 1 community mental health and substance abuse advocate(s);
  - d. 4 consumers;
  - e. 1 family members and interested citizens.
3. At least one-third of the members of the Committee shall be consumers and no more than one-third of the members may be County employees or providers of mental health or substance abuse services.
4. The duties of the Committee are:

Review and make recommendations regarding: the initial and any revised Comprehensive Community Services Plan; Comprehensive Community Services quality improvement plan; personnel policies and other policies, practices or information that the Community Services Program and protection of consumer rights.
5. The Committee shall meet at least quarterly.
6. Members shall serve 3-year staggered terms after serving a 2-year initial appointment.
7. All members, except County employees, shall be paid mileage and a per diem for their attendance.

## **CONTINUOUS**

- A. One County Supervisor member.
- B. Represent Richland County on the Long Term Care District Governing Board, which governs the 8-county long term care district which provides care maintenance organization functions to the citizens of the 8-county members of the long term care district.
- C. Richland County could possibly appoint more members of the Long Term Care District Governing Board in that four members of that board must represent target populations served by the care management organization and three members are to serve as at-large representatives who are residents of one of the counties forming the long term care district with medical or business expertise helpful to the care management organization.

## **CRIMINAL JUSTICE COORDINATING COMMITTEE**

- A. Thirteen member consisting of the following:

Circuit Court Judge  
Director of the Department of Health and Human Services  
District Attorney  
Sheriff  
Chief of Police of the City of Richland Center  
One County Board Supervisor  
Mayor of the City of Richland Center  
Public Defender  
Probation Agent  
Director of Passages  
Child Support Administrator  
Clerk of Circuit Court  
President of the Richland County Ministerial Association

- B. Study the Richland County juvenile and criminal justice system; identify deficiencies and formulate policy, plans and programs for change; communicate and present planning, financial, operational, managerial and programmatic recommendations to the agencies which administer the juvenile and criminal justice system in Richland County; provide coordinated leadership necessary to establish cohesive policies which are based on research, evaluation and monitoring of policy decisions and program implementations for innovative corrections programs for adult and juvenile offenders; review, evaluate and make policy recommendations on vital criminal justice system issues.
- C. All members except the County Board Supervisor member may designate an alternate to attend a meeting or meetings of the Committee;
- D. The term of all members shall be 6 years from January 1, 2017, and
- E. The following members or their designees are entitled to be paid a per diem and mileage for their attendance at meetings of the Committee;

County Board Supervisor;  
Mayor of the City of Richland Center;  
Director of Passages;  
President of the Richland County Ministerial Association.

## **ECONOMIC DEVELOPMENT**

A 3-member Board for Economic Development consisting of the County Board Chair, the Mayor and a representative of Southwest Partners. The duties of the Board are set forth in paragraph 2 of the Agreement.

## **ECONOMIC DEVELOPMENT – ROTATING ADVISORY BOARD**

A non-voting Rotating Advisory Board of Economic Development. The composition and duties of this Board are set forth in paragraphs 1 and 2 of the Economic Development Agreement.

#### **EMERGENCY MANAGEMENT COMMITTEE**

- A. Three members.
- B. County Board Chairman and the Vice-Chair shall automatically be members with the remaining members to be selected by the Committee on Committees for appointment by the County Board.
- C. The County Board Chairman shall designate which member of this committee shall serve as chairman of the committee, in accordance with section 166.03(4)(C), Wisconsin Statutes.
- D. Control and make the spending decisions as to State and Federal funds granted to the Local Emergency Planning Committee.
- E. Members of this Committee are also members of the Local Emergency Planning Committee.

#### **FAIR AND RECYCLING COMMITTEE**

- A. Seven members, four of whom shall be Supervisors and three of whom shall be citizen members.
- B. Members shall be nominated by the Committee on Committees and approved by the County Board.
- C. Manage and control the operation, maintenance and use of the County Fairgrounds and buildings.
- D. Manage and control the operation of the annual County Fair.
- E. Establish all fees relating to the use of the Fairgrounds, including entrance fees, rental fees, parking fees and all other fees or rental charges relating to the use of the Fairgrounds, for during the time of the County Fair and for all other times. The Fair Committee shall annually report all fees as a committee report to the County Board prior to the County Fair.
- F. Attend to all security matters relating to the Fairgrounds.
- G. Carry out all the duties assigned to counties as set forth in 1989 Wisconsin Act 335.
- H. Deal with all matters, including the development of a budget, relating to the solid waste disposal and recycling needs of the citizens of Richland County.
- I. Provide oversight and advice on all Clean Sweep Programs to be carried out in Richland County.

#### **FINANCE AND PERSONNEL COMMITTEE**

- A. Seven members. For the initial term, 3 of the members shall have a term of 1 year, 4 of the members shall have a term of 2 years. The Committee shall decide the length of each appointee's initial term. After the initial term, all terms shall be for 2 years.
- B. Selected by the Committee on Committees for appointment by the County Board except that the County Board Chair and the Vice-Chair shall be automatic members of the Committee.
- C. To supervise all financial matters of the County Board for the purpose of keeping expenditures under control and within the budget adopted by the County Board. To invest monies, and to have responsibility for financial audits by outside auditors. To provide insurance coverage for all County property and administer all property, liability and worker's compensation policies.
- D. ~~Annually prepare a budget for the County for submission to the County Board for its approval at the annual meeting. Work with the County Administrator in the preparation of the annual county budget.~~
- E. The committee shall advise and supervise County administrative affairs in general with a view of bringing about proper coordination and cooperation between the various departments and agencies in the County to the end that the best business practices may be observed; that due efficiency may be maintained; and that the interests of the citizens of the County may best be served.
- F. This committee shall handle all matters relating to debt service issues.

- G. This committee shall initially consider all claims made against Richland County, except claims arising under the Dog License Law, Chapter 174, Wisconsin Statutes, and shall make a recommendation to the County Board as to how to dispose of each such claim.
- H. Assist with issues that may arise out of the offices of the County Clerk, County Treasurer and Register of Deeds.
- I. Sell all tax deed property in the manner prescribed by the Wisconsin Statutes and as deemed appropriate by the Committee and without further approval by the County Board.
- J. Administer the Revolving Loan Fund account in accordance with the procedures manual.
- K. Make fund transfers between budget lines within the budgets of individual departments or committees in the annual County budget.
- L. The County Administrator shall r~~Recommend~~ to the Committee all proposals of lowering or raising the salary ranges, fixing the salaries, sick leave, vacation periods, holidays, working conditions, insurance for County employees, fringe benefits and leaves of absence shall be referred to the Personnel Committee only after consideration and recommendation by the concerned department head and committee. The Personnel Committee shall review and analyze such proposals and make such recommendations to the County Board as it determines appropriate.
- M. ~~The committee~~The County Administrator shall from time to time conduct or cause to be conducted Job Analysis and Evaluations and a study of the table of operations, ~~and~~ and report to the Committee. ~~If~~ and then said recommendation shall be submitted to the County Board for action.
- N. The committee shall, after recommendation by the concerned department head and committee, set working conditions, grant leaves of absence, grant promotions, settle grievances, and establish personnel rules, regulations and policy.
- O. The committee together with such professional assistance as may be provided by the County Board, shall represent the County in collective bargaining and all other situations and procedures covered by section 111.70, Wisconsin Statutes, including the applications and interpretation of all collective bargaining agreements. The County Board shall have authority to approve or reject any and all agreements of any employee bargaining units.
- P. This committee shall review, examine and recommend to the County for approval the amount of bonds of various county officers and employees.
- Q. Supervise the activities, functions, duties and powers of all elected and appointed officials' departments in Richland County.
- ~~R. Administer County's Federal and State Family and Medical Leave Act policies and forms.~~
- ~~S. The Committee will administer the County's deferred compensation program.~~
- ~~T.R.~~ T.R. Maintain a written self evaluation for approval by the County Board to ensure that the County's delivery of services and programs is in compliance with the Americans with Disabilities Act.
- ~~U.S.~~ U.S. Administer and review the procedure for the filing of complaints under the Americans With Disabilities Act and develop a written self-evaluation for the purpose of bringing the County's hiring and appointment procedures into compliance with the Americans With Disabilities Act.
- ~~V.T.~~ V.T. The Committee shall administer the personnel aspects of Courthouse security.
- ~~W. Study and make recommendations to the County Board regarding future telephone needs of all County departments.~~
- ~~X.U.~~ X.U. Authorize all expenditures from the Video-Conferencing Fund.

## HEALTH AND HUMAN SERVICES BOARD

- A. 7 members, 4 of whom shall be County Board Supervisors and 3 of whom to be non-Supervisors. At least 1 member shall be an individual who receives or has received human services or shall be a family member of such an individual. Of the 7 members, 1 shall be a physician, 1 shall be a registered nurse; 1 shall be a consumer/family member.
- B. To operate a program for the providing of services to the mentally ill, developmentally disabled and alcohol and other drug dependent citizens of Richland County, in accordance with section 51.42 and 51.437, Wisconsin Statutes.
- C. Perform the duties set forth in Chapter 251, Wisconsin Statutes, and such other duties as may be imposed upon it by the County Board.
- D. Exercise those powers and perform those duties set forth in section 46.22(2), Wisconsin Statutes, and such other duties as may be set forth in County Ordinances or Resolutions.
- E. The Board may enter into contracts on behalf of Richland County which involve the expenditure of not more than \$30,000 either at one time or within the course of one year, without prior County Board approval.
- F. Administer the use and maintenance and security of the Richland County Community Services Building and parking lot.
- G. Supervise and act as the County liaison between State and National Agencies relating to Senior Citizens funding and program activities including the Older Americans Act activities.

#### **HIDDEN VALLEY BOARD**

- A. One member.
- B. Appointment must be a member of the County Board.

#### **HIGHWAY & TRANSPORTATION COMMITTEE**

- A. Five County Board Members elected by the Board for a one (1) year term.
- B. The duties of the committee shall be to function pursuant to the provisions of section 83.015, Wisconsin Statutes, and be responsible for other duties as may be imposed by the County Board. Some of these duties are to purchase and sell county road machinery, enter into highway contracts in the name of the county, direct the expenditure of the highway maintenance and construction funds, audit highway payrolls and material claims, administer the Town Road highway payrolls and material claims, administer the Town Road Standards Law for compliance with the Minimum Design Standards and to enter into agreements with the State Division of Highways for maintenance of State Trunk Highways in the county. It shall keep in repair and have complete management of the highway buildings and grounds.
- C. Attend to all security matters relating to all buildings and grounds utilized by the County Highway Department.

#### **HOUSING AUTHORITY**

- A. Five members all of whom are appointed by the County Board and not more than two of whom shall be County Board Supervisors.
- B. Receive funds and administer programs in Richland County of the U.S. Housing and Urban Development Department (HUD), except HUD's Block Grant program.

- C. Per Resolution No. 78-72, the members of the Housing Authority also constitute the membership of the Community Development Block Grant Committee which administers HUD's Block Grant Program in Richland County.

## **JOINT AMBULANCE COMMITTEE**

- 1. 16 members, consisting of 1 from each of the 10 participating towns, 1 each from the Village of Boaz and the Village of Yuba, 1 from the City Council of the City of Richland Center and the Mayor and 2 County Board Supervisors;
- 2. Provide oversight and advice regarding the operation of the County Ambulance Service.

## **LAND CONSERVATION COMMITTEE**

- A. Six members, one of whom shall be the chairperson of the Farm Service Agency Committee or other Farm Service Agency Committee member designated by the chairperson of the Farm Service Agency Committee.
- A. The remaining five members of the committee shall be selected by the Committee on Committees for appointment by the County Board. Two of the members shall be members of the Agriculture and Extension Education Committee.
- B. Perform the functions required by Chapter 92 of the Wisconsin Statutes as repealed and recreated by Chapter 346, Laws of 1981.
- C. Provide oversight and advice regarding the functions and activities of the Richland County Department of Land Conservation.
  - 1. The Richland County Land Conservation Committee shall submit its long range plan and annual plan to the County Board for review and approval by the County Board.
  - 2. Approval of the annual plan by the County Board shall constitute approval of all proposed Land Conservation committee activities and programs set forth in the annual plan, except as provided in paragraph (e) below.
  - 3. The Chairperson of the Land Conservation Committee, or his or her designated representative, is authorized to sign contracts, memoranda of understanding or other agreements which have been approved by the Land Conservation Committee relating to Land Conservation Committee activities and programs, provided that these documents relate specifically to activities and programs described in the annual plan.
  - 4. The Land Conservation Committee shall ensure that its annual plan contains specific and measurable objectives and procedures.
  - 5. Notwithstanding any annual plan approval, the Land Conservation Committee may not undertake any new projects whose overall costs exceed \$30,000.00 excluding priority watershed projects as designated by the State of Wisconsin, without County Board approval.
  - 6. If, during the course of the year, the Land Conservation Committee desires to undertake any activity or program not identified in the annual plan for the year, the Land Conservation Committee may make a special request for County Board approval of the activity or program, but may not undertake that activity or program without prior County Board approval.

7. Reviewing all applications received by the County Clerk under the Farmland Preservation Tax credit Act (Chapter 91, Wisconsin Statutes) and making recommendations as to each such application to the County Board.
- D. Manage the Ash Creek Community Forest.
- E. Attend to all security matters relating to all land and buildings utilized by the Land Conservation Committee.

## **LAND INFORMATION COUNCIL**

- A. Eight members consisting of the following: The Register of Deeds, The County Treasurer, The Real Property Tax Lister, A County Board Supervisor, The County Surveyor, The Zoning Administrator, A realtor employed in Richland County, and A public safety representative employed in Richland County
- B. Members shall be appointed by the County Board Chair, after receiving the advice of the Committee on Committees, subject to confirmation by the County Board by motion.
- C. All terms shall be for 2 years, coinciding with County Board terms.
- D. The Council shall meet only after direction to do so by the Zoning and Land Information Committee.
- E. Citizen members shall be paid the per diem and mileage paid to Supervisors for attendance at committee meetings. No additional compensation shall be paid to full-time County officers or employees for attendance at meetings of the Council. The County Surveyor shall be compensated in accordance with the Surveyor's contract with the County. The Supervisor member shall be paid the standard per diem and mileage for attendance at committee meetings.
- F. The Council shall review the priorities, needs, policies and expenditures of the Land Information Office and advise the County on matters affecting the Land Information Office.

## **LAW ENFORCEMENT AND JUDICIARY COMMITTEE**

- A. Five members.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. ~~To confer with and supervise~~Provide oversight and advice for the needs, powers and duties of the Sheriff of Richland County, his deputies and employees, and attend to the supervision of the jail.
- D. To audit all bills for expenditures within the department.
- E. ~~To Provide oversight and advice on~~ service and ~~maintain~~maintenance of all equipment relative to the department.
- F. Present to the Board any suggestions the Committee may have concerning law enforcement and other duties required by the Sheriff's Department.
- G. ~~Have charge~~Provide oversight and advice of all matters pertaining to the operation of the Police Radio System.
- H. Receive, investigate and make recommendations to the County Board as to matters relating to the administration of the court system in Richland County.
- I. This committee shall deal with matters relating to the Richland County Circuit Court, the Law Library, the Family Court Commissioner, the Register in Probate, the Clerk of Circuit Court, the District Attorney, the Corporation Counsel, the Probation and Parole Office and any other matters that may relate to the court system in Richland County.
- J. Make appropriations from the Jail Assessment Fund for construction, remodeling, repair or improvement of the County Jail, without approval from the County Board.
- K. ~~Supervise~~Provide oversight and advice for the operations of the Coroner's Office.
- L. ~~Supervise~~Provide oversight and advice for the security and maintenance and rental of the County's radio towers and the accompanying building and surrounding fenced grounds.

- M. ~~Supervise~~ Provide oversight and advice for the operation of the County's 911 emergency telephone response system.

### **LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**

There are currently 24 members of the LEPC, including the 3 members of the Emergency Management Committee. The composition of this Committee is fluid in that current practice is that anyone who wishes to be a member of the LEPC can be. The Rules and Resolutions Committee is concerned about the size of the LEPC. Furthermore, Federal Law, the Superfund Amendments and Reauthorization Act (SARA), requires LEPCs to have at least one member from each of the following 5 Groups:

- |          |  |
|----------|--|
| Group 1: | Elected state official<br>Elected local official   |
| Group 2: | Law enforcement<br>Civil defense<br>Firefighting<br>First aid<br>Health service<br>Hospital<br>Transportation<br>Local environmental organizations |
| Group 3: | Broadcast media<br>Print media   |
| Group 4: | Community groups   |
| Group 5: | Owners and operators of facilities subject to the requirements of Sara<br>Title III  |

### **LONE ROCK LIBRARY BOARD**

The number of Supervisors appointed to this Board shall be determined annually in accordance with Wisconsin Statutes § 43.60 (3). Any Supervisor appointed to this Board shall be appointed by the County Board Chair, subject to approval of the County Board.

### **MISSISSIPPI VALLEY HEALTH SERVICES COMMISSION**

1. One member from Richland County who shall be a County Board Supervisor member of the Health and Human Services Board.
2. Serve as the County's representatives on the Board of this non-profit corporation formed by various county governments to own and operate Lakeview Health Care Center, which accommodates nursing home residents who have specialized physical and mental health needs that are complicated by the residents' challenging behaviors.

### **NEIGHBORHOOD HOUSING SERVICES OF SOUTHWEST WISCONSIN**

- A. One member of this Board shall be appointed by the County Board in the usual manner for committee appointments.



- B. This Board establishes the operating policies for the Neighborhood Housing Services of Richland County, Inc., which is a nonprofit organization dedicated to constructing, remodeling and rehabilitating residential housing throughout Richland County.

#### **NUTRITION ADVISORY COUNCIL**

- A. 7 members, one of which shall be a County Board Supervisor who is as member of the Health and Human Services Board.
- B. Of the remaining 6 members, 1 member from each meal site, including 1 member who is a representative of a person receiving home delivery meals and 1 member who is a representative from the volunteers who deliver meals. One-half of the members shall consist of Nutrition Program participants. The remaining members shall provide for broad representation from public and private agencies that are knowledgeable and interested in senior dining and home-delivered meals programs.
- C. Make recommendations regarding food preferences of participants in the Senior Nutrition Program, the hours which a meal site is to be open, what furnishings may be helpful in regard to handicapped or disabled persons; what, if any, additional services should be provided at meal sites; conduct yearly site reviews; provide support and assistance to the Nutrition Program; promote the meal sites to the general public.
- D. Advise Senior Nutrition Program staff on all matters relating to the delivery of nutrition and nutrition-supportive services.
- E. Set policy regarding the delivery of Nutrition Program services, representation of participants and development and support of the Senior Nutrition Program.

#### **PARK BOARD/CITY**

- A. One Supervisor is, by tradition, appointed to this Board by the Chairman of the County Board, subject to approval by the County Board, and this Supervisor shall be selected from the Supervisor members of the County Parks Commission.

#### **PARKS COMMISSION/COUNTY**

- A. Seven members, of which four shall be County Board Supervisors.
- B. Selected by the Committee on Committee for appointment by the County Board.
- C. Term of seven (7) years, expiring in the month of June; County Board Supervisors' terms subject to reelection by the County Board.
- D. President to be County Board Supervisor.
- E. Provide oversight and advice regarding the activities of the County Parks. Operate, maintain and improve the County Park System in accordance with Wisconsin State Statutes 27.02 through 27.06.
- F. To deal with all matters relating to the development, operation and maintenance of the Lone Rock to City of Richland Center railroad corridor as a recreational trail.
- G. Attend to all security matters relating to County Parks.

## **PINE VALLEY COMMUNITY VILLAGE BOARD OF TRUSTEES**

- A. Five members, of which four of whom shall be County Board Supervisors and one shall be a citizen of Richland County who shall be a medical professional (meaning a doctor or a nurse).
- B. All members shall, in accordance with section 46.18(1), Wisconsin Statutes, be chosen by ballot by the County Board.
- C. The duties of the Board are, as set forth in section 46.18, Wisconsin Statutes, to manage Richland County's nursing home, Pine Valley Healthcare and Rehabilitation Center, subject to regulations approved by the County Board, after the County Board has received the recommendations of the Board of Trustees.
- D. Administer the physical plant and grounds at Pine Valley Healthcare and Rehabilitation Center.
- E. Attend to all security matters relating to building and grounds at Pine Valley Healthcare & Rehabilitation Center.

## **PROPERTY, BUILDING AND GROUNDS COMMITTEE**

- A. Five members, all of whom shall be County Board Supervisors.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. Provide oversight and advice regarding the operation, maintenance and janitor service of all County buildings not specifically assigned by Statutes, or by action of the Board, to other agencies or departments in the County. This Committee shall have no authority regarding the physical plant and grounds at Pine Valley Healthcare and Rehabilitation Center.
- D. Cause to be prepared a perpetual inventory of the real estate and buildings owned by the County.
- E. Recommend utilization and repair policies of all public lands, buildings, recreation sites, access sites inclusive of all short term public holdings of the County with the exception of the highway buildings and land.
- F. Make an annual inspection of inventories and buildings so they can establish policies related thereto.
- G. Effect the appraisal of real property to be sold by the County.
- H. Develop a facilities plan and a transition plan for approval by the County Board relative to bringing all County owned or operated buildings and facilities into compliance with the Americans with Disabilities Act.
- I. Review and make the final decision on requests by citizens and citizen groups to use major portions of the Courthouse and/or the Courthouse grounds.
- J. Deal with all structural aspects of Courthouse security.
- K. Attend to all security matters relating to the Courthouse building and grounds and the Courthouse parking lot.

## **REVOLVING LOAN FUND COMMITTEE**

- ~~A. Seven citizen members, at least one of whom shall be a banker and at least one of whom shall be an accountant. The Committee shall consist of individuals representative of broad community interests, and having special expertise and knowledge of commercial lending and economic developments processes.~~
- ~~A. Members shall be appointed by the Finance Committee.~~

- ~~B. The Committee shall review, select and recommend loan applications to the Finance Committee for final approval. The Committee shall also make policy recommendations to the Finance Committee for the administration of the Richland County Revolving Loan Program.~~
- ~~C. Three members shall constitute a quorum of the Committee.~~
- ~~D. Perform the duties set forth in the Richland County Revolving Loan Fund Manual dated July, 1998.~~
- ~~E. This Committee is not subject to the 6 years of continuous service rule.~~

## **RULES AND RESOLUTIONS COMMITTEE AND ETHICS BOARD**

- A. Five members.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. Review and recommend any changes regarding the Rules of the County Board and Committee Structure resolution.
- D. Review and introduce any Resolutions not sponsored by a County committee for action by the County Board.
- E. To study the operation and organization of all County Departments, and prepare a report or reports for the County Board with recommendations for County operation and organization.
- F. Deal with the disposal or destruction of County records under Ordinance No. 99-11.
- G. Administer and enforce the Code of Ethics set forth in Ordinance No. 06-28 as that Ordinance has been or may be amended.

## **SOUTHWEST BADGER RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL INC**

- 1. Two Supervisor member of the Land Conservation Committee, and an alternate who shall also be a Supervisor member of the Land Conservation Committee, shall be appointed by the Chair of the Land Conservation Committee. Only Supervisors who are sitting members of the Land Conservation Committee are eligible to serve on this body.
- 2. The duties of these Supervisors shall be set forth in the Bylaws for the Southwest Badger Resource Conservation and Development Council, Inc.

## **SOUTHWEST WISCONSIN COMMUNITY ACTION PROGRAM**

Two County Board Supervisor shall be appointed to serve on this Board.

## **SOUTHWEST WISCONSIN LIBRARY SYSTEM BOARD**

Two members, one of whom shall be a County Board Supervisor and one who shall be a citizen member selected by the Committee on Committees for appointment by the County Board.

## **SOUTHWEST WISCONSIN REGIONAL PLANNING COMMISSION**

- A. One member of this commission shall be appointed by the County Board in the usual manner for committee appointment.
- B. This Commission has the powers and duties set forth in section 66.945, Wisconsin Statutes.
- C. Richland County is a member of this Commission by virtue of Resolution No. 12, which was adopted by the County Board on April 16, 1969.

#### **SYMONS NATATORIUM BOARD**

- A. Two County Board Supervisors and the Chairman of the County Board, or his or her designee, shall be appointed to this Board.
- B. This Board exists by virtue of an inter-governmental agreement entered into between Richland County and the City of Richland Center, in accordance with section "Wisconsin Statutes, section 66.0301".
- C. The powers and duties of this Board are set forth in an Agreement which was approved by the County Board by Resolution No. 87-19, which was adopted on March 17, 1987.
- D. Attend to all security matters relating to the Symons Natatorium and the surrounding grounds and the parking lot used by the Natatorium.

#### **TRANSPORTATION CO-ORDINATING COMMITTEE**

- A. Eleven members appointed by the County Board under Rule 5 of the Rules of the Board, three of whom shall be County Board Supervisors; members must represent at least the following: The Board of Trustees of Pine Valley Healthcare and Rehabilitation Center; transportation providers' public, proprietary and non-profit; elderly and disabled citizen advocates, consumer and agency advocates.
- B. Three year terms with one-third of the first appointments to be for a one year term with one-third of the first appointments to be for a two year term and one-third of the first appointments to be for a three year term.
- C. The Committee shall have at least the following duties:
  - 1. Monitor the expenditures of transportation funds being expended on transportation services for the elderly and disabled in service areas.
  - 2. Review passenger transportation plans for service areas.
  - 3. Review and commend on county aid applications under section 85.21, Wisconsin Statutes.
  - 4. Review and commend on capital assistance applications under section 85.22, Wisconsin Statutes.
  - 5. Act as an informational resource for local transportation provider regarding the requirements of the Americans with disabilities act of 1990, 42 USC 12101 et seq.
  - 6. Act on requests by local public bodies to be designated as co-coordinators of transportation services for elderly and disabled persons for the purpose of becoming eligible for assistance under the Federal sec. 16 program.
  - 7. Apply for an accept Federal section 16(b) two grants for purchasing specialized vehicles for transporting elderly and/or disabled citizens of the County.
  - 8. Assists the establishment of goals, priorities and objectives for the
    - a. transportation planning process in Richland County.

9. Understands and provides input related to coordinated work efforts in meeting the transportation needs of Richland County.
10. Understands, analyzes and provides input on transportation studies, plans and programming recommendations required under State and Federal law, and as requested by the Southwest Wisconsin Regional Planning Commission.
11. Provides transportation-related information to local governments and other interested organizations and persons to enhance transportation system development, co-ordination and efficiency.
12. Reviews and recommends transportation improvement projects to local governments which support and enhance inter-county and intra-county transportation serving the Richland County area.
13. Reviews and prioritizes transportation service and/or program projects to submit to the Wisconsin Department of Transportation and the Richland County Board.
14. Makes recommendations to the local, State and Federal governmental agencies and the Southwest Wisconsin Regional Planning Commission regarding any necessary actions relating to the continuing transportation planning process.
15. Provides general review, guidance and co-ordination of the transportation planning process in Richland County.

#### **TRI-COUNTY AIRPORT COMMISSION**

- A. Seven members, two of whom shall be appointed by the Chairman of the County Board, after receiving the advice of the Committee on Committees and subject to approval of the County Board; four members shall be appointed by the Iowa County Board of Supervisors and the Sauk County Board of Supervisors, all in accordance with section 11.14(2), Wisconsin Statutes. The seventh member, who shall be a regular Airport user at the time of his/her appointment, shall be appointed by the six members. Richland County's member of the Tri-County Airport Commission must at all times be a sitting County Board Supervisor and the term of Richland County's member of the Commission shall end immediately upon those persons ceasing to be County Board Supervisors.
- B. The Commission shall manage and operate the Tri-County Airport in Lone Rock, in accordance with sections 114.11 through 114.141, Wisconsin Statutes and Richland County Ordinance No. 83-3, which was adopted on July 19, 1983.

#### **U.W. PLATTEVILLE-RICHLAND COMMITTEE**

- A. Five members.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. Provide oversight and advice regarding the operation, maintenance of all county buildings and land covered in the agreement with the University of Wisconsin Center System that the County is responsible for.
- D. Provide oversight and advice regarding the operation and maintenance of the Food Service System.

#### **VETERANS SERVICE COMMISSION**

- A. 5 member, at least 3 of whom shall be Supervisors.
- B. The initial term shall be a 1-year term for one new seat and a 2-year term for one new seat. After completion of the initial term, members are appointed for a 3-year term by the County Board Chair per Wisconsin Statutes, section 45.81 (1).
- C. Carry out the duties set forth in Wisconsin Statutes, section 45.81 (3).
- D. Provide oversight and advice regarding the Veterans Service Department, and

## **VIOLA LIBRARY BOARD**

The number of Supervisors appointed to this Board shall be determined annually in accordance with Wisconsin Statutes § 43.60 (3). Any Supervisor appointed to this Board shall be appointed by the County Board Chair, subject to approval of the County Board.

## **ZONING AND LAND INFORMATION COMMITTEE**

- A. Five members. For the initial term, 2 of the members shall have a term of 1 year, 3 of the members shall have a term of 2 years. The Committee shall decide the length of each appointee's initial term. All terms shall be for 2 years.
- B. Selected by the Committee on Committees for appointment by the County Board.
- C. Establish policy and enforce the County Zoning Ordinance in cooperation with the Corporation Counsel.
  - 1. Richland County Zoning Ordinance
  - 2. Richland County Land Division Ordinance
  - 3. Shoreland/Wetland Ordinance
  - 4. Floodplain Ordinance
  - 5. Tri-County Airport Ordinance
  - 6. County Addressing Ordinance
  - 7. Richland County non-metallic Mining Ordinance
- D. Make recommendations to the County Board in all matters relating to exclusive agricultural zoning as provided in Chapter 91, Wisconsin Statutes.
- E. Act as a liaison representative on issues concerning the Lower Wisconsin Riverway Program.
- F. Administer the Richland County Comprehensive Plan.
- G. Provide oversight and advice regarding the activities of the Richland County Land Information office members and acknowledge that any additional budgeted property tax dollars to be spent for land records modernization will require specific approval by the County Board.
- H. Supervise the activities of County Surveyor.

## Richland County Committee

### Agenda Item Cover

**Agenda Item Name:** Changes to the County Committee Structure Document

|  |                            |                       |                                 |
|--|----------------------------|-----------------------|---------------------------------|
| <b>Department</b>                            | Administration             | <b>Presented By:</b>  | Administrator                   |
| <b>Date of Meeting:</b>                      | May 6 <sup>th</sup> , 2021 | <b>Action Needed:</b> | Vote                            |
| <b>Disclosure:</b>                           | Open Session               | <b>Authority:</b>     | Structure E                     |
| <b>Date submitted:</b>                       | May 6 <sup>th</sup> , 2021 | <b>Referred by:</b>   |                                 |
| <b>Action needed by no later than (date)</b> | N/A                        | <b>Resolution</b>     | N/A, <u>prepared</u> , reviewed |

**Recommendation and/or action language:**

Motion to ... recommend resolution to the county board to recognize the retirements of Kathy Sutton, Benjamin Southwick, and Victor Vlasak for their many years of service to Richland County.

**Background:** *(preferred one page or less with focus on options and decision points)*

Recommending resolution to the County Board to recognize these listed, retired employees for their exceptional longevity in service to the community:

Victor Vlasak  
Hired 8/16/1982 as Accounting Supervisor/Deputy County Clerk  
Appointed 4/1/1988 as County Clerk  
Retired 4/30/2021 as County Clerk

Ben Southwick  
Hired 1/1/1975 as Corp Counsel  
Retired 3/16/21 as Corp Counsel

Kathy Sutton  
Hired 7/23/1990 in Child Support  
Retired 6/29/2018 as Lead Caseworker in Child Support

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**Attachments and References:**

|                      |  |
|----------------------|--|
| Resolutions Attached |  |
|                      |  |

**Financial Review:**

*(please check one)*

|                                     |                      |                       |  |
|-------------------------------------|----------------------|-----------------------|--|
| <input type="checkbox"/>            | In adopted budget    | Fund Number           |  |
| <input type="checkbox"/>            | Apportionment needed | Requested Fund Number |  |
| <input type="checkbox"/>            | Other funding Source |                       |  |
| <input checked="" type="checkbox"/> | No financial impact  |                       |  |

*(summary of current and future impacts)*

No foreseeable financial impacts

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**Approval:**

**Review:**

*Clinton Langreck*

**Richland County Committee**

**Agenda Item Cover**

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Department Head

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Administrator, or Elected Office (if applicable)

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**RESOLUTION NO. 21-**

A Resolution Recognizing The Retirement Of An Employee Of The Child Support Agency.

WHEREAS Ms. Kathy Sutton was hired on July 30, 1990 and she retired as the Lead Caseworker in the Child Support Agency on June 29, 2018, and

WHEREAS the County Board wants to express its sincere appreciation to Ms. Kathy Sutton for her almost 28 years of dedicated service to Richland County.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby expresses its sincere appreciation to Ms. Kathy Sutton for her almost 28 years of dedicated service in the Child Support Agency, and

BE IT FURTHER RESOLVED that the County Board wishes Ms. Sutton a long and happy retirement, and

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this Resolution to:

Ms. Kathy Sutton  
26130 County Hwy Y  
Richland Center, WI 53581

**RESOLUTION NO. 21-**

A Resolution Recognizing The Retirement Of An Employee Of The County Clerk's Office.

WHEREAS Mr. Victor Vlasak was hired on April 01, 1988 as the Deputy Clerk and he retired on April 30, 2021 having also served as the County Clerk and Administrative Coordinator, and

WHEREAS the County Board wants to express its sincere appreciation to Mr. Victor Vlasak for his 33 years of dedicated service to Richland County.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby expresses its sincere appreciation to Mr. Victor Vlasak for his 33 years of dedicated service in the Clerk Office, and

BE IT FURTHER RESOLVED that the County Board wishes Mr. Vlasak a long and happy retirement, and

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this Resolution to:

Mr. Victor Vlasak  
1233 N Church St  
Richland Center, WI 53581

**RESOLUTION NO. 21-**

A Resolution Recognizing The Retirement Of An Employee Of The Corporation Counsel's Office.

WHEREAS Mr. Benjamin Southwick was hired on January 01, 1975 as the first Richland County Corporation Counsel and he retired on March 16, 2021, and

WHEREAS the County Board wants to express its sincere appreciation to Mr. Benjamin Southwick for his 46 years of dedicated service to Richland County.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby expresses its sincere appreciation to Mr. Benjamin Southwick for his 46 years of dedicated service as Corporation Counsel, and

BE IT FURTHER RESOLVED that the County Board wishes Mr. Southwick a long and happy retirement, and

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this Resolution to:

Ben Southwick  
660 N Church St  
Richland Center, WI 53581

## Richland County Rules & Resolutions Committee

### Agenda Item Cover

**Agenda Item Name:** Ethics Review

|                         |                            |                       |                               |
|-------------------------|----------------------------|-----------------------|-------------------------------|
| <b>Department</b>       | County Board               | <b>Presented By:</b>  | Shaun Murphy-Lopez            |
| <b>Date of Meeting:</b> | May 6 <sup>th</sup> , 2021 | <b>Action Needed:</b> |                               |
| <b>Disclosure:</b>      | Open Session               | <b>Authority:</b>     | Committee Structure, Letter G |
| <b>Date submitted:</b>  | May 5 <sup>th</sup> , 2021 | <b>Referred by:</b>   | n/a                           |

**Recommendation and/or action language:** Recommend a motion to direct Interim Corporation Counsel to research peer county ethics ordinances and training opportunities and return to the committee with a report.

#### **Background:**

The Richland County Committee Structure document gives the Rules & Resolutions Committee and Ethics Board the responsibility to “Administer and enforce the Code of Ethics set forth in Ordinance No. 06-28 as that Ordinance has been or may be amended.” After adoption in 2006, it was amended in 2007 and 2010, as shown in Attachment A.

The ordinance applies only to County employees, although State Statute 19.59 permits a local ordinance to also apply to local public officials such as elective officers, appointed officers, and a county administrator, as shown in Attachment B.

The Wisconsin Counties Association has published guidance on conflicts of interest and ethics in the Wisconsin County Official’s Handbook, as shown in Attachment C.

Given this background, the committee may wish to recommend to the County Board an ordinance update that includes public officials. Researching other ordinances would inform this possibility. Similarly, researching trainings may inform the County Board’s upcoming Strategic Plan, which is likely to include a section on education.

Wisconsin Counties Association Attorney Andrew Phillips also recommended in a recent webinar on parliamentary procedure that County Board rules make clear how to abstain in matters where a conflict of interest may occur. Our current County Board rule #9 does not set an expectation for how abstention votes may be cast.

#### **Attachments and References:**

|  |                                   |
|--|-----------------------------------|
| Attachment A: Ethics Ordinance                     | Attachment B: State Statute 19.59 |
| Attachment C: Wisconsin County Official’s Handbook |                                   |

#### **Financial Review:**

(please check one)

|                                     |                      |                       |  |
|-------------------------------------|----------------------|-----------------------|--|
| <input type="checkbox"/>            | In adopted budget    | Fund Number           |  |
| <input type="checkbox"/>            | Apportionment needed | Requested Fund Number |  |
| <input type="checkbox"/>            | Other funding Source |                       |  |
| <input checked="" type="checkbox"/> | No financial impact  |                       |  |

**Approval:**

**Review:**

**Richland County Rules & Resolutions Committee**

**Agenda Item Cover**

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Department Head

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Administrator, or Elected Office (if applicable)

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## ORDINANCE NO. 06-28

An Ordinance Establishing A Code Of Ethics For County Employees And Creating An Ethics Board.

The Richland County Board of Supervisors does ordain as follows:

1. The authority for this Ordinance is Wisconsin Statutes, sections 19.59 (1m) through (6).
2. As used in this Ordinance, "County employee" means any County employee, unionized or non-unionized, who works either full-time for the County, one-half time for the County or who is eligible for the State of Wisconsin's retirement program and who is also eligible to participate in the County's group health insurance program, excluding the following positions which are subject to the ethics regulations set forth in Wisconsin Statutes, sections 19.59 (a) through (d):
  - (a) County Board Supervisors;
  - (b) All other elected County officials;
  - (c) The County Highway Commissioner;
  - (d) The Corporation Counsel.
3. No County employee shall:
  - (a) Use or attempt to use his or her position to secure any preferential or unlawful rights or advantages for himself or herself or others.
  - (b) Have a financial or other personal interest which is in conflict with the proper discharge of his or her duties.
  - (c) Disclose or use confidential information concerning Richland County to promote a private financial interest.
  - (d) Accept any substantial gift, in any form, from a person who has business dealings with Richland County.
4. The section of the Committee Structure Resolution under the heading "ETHICS COMMITTEE" is amended to read as follows:
 

"ETHICS BOARD"

  - A. 5 members
  - B. Members shall be County Board Supervisors nominated by the Committee on Committees and appointed by the County Board Chair subject to approval by the County Board.
  - C. Duties and procedures are as set forth in An Ordinance Establishing A Code of Ethics For County Employees And Creating An Ethics Board which was adopted by the County Board at its October 31, 2006 session.
5. The Ethics Board shall have the following powers and duties:
  - (a) Receive, review and investigate complaints regarding alleged violations of this Ordinance. The Board may conduct hearings.
  - (b) Decide, after hearing, whether the Ordinance has been violated and determine the penalty for the violation or violations.
  - (c) Issue advisory opinions, with the assistance of the Corporation Counsel. The identity of the requestor for an advisory opinion shall not be made public without the consent of the requestor nor shall an advisory opinion be made public without the consent of the requestor. However, a summary of an advisory opinion which does not disclose the identity of the individuals involved in the opinion may be made public.
6. Penalties for violations of this Ordinance, which shall be determined by the Ethics Board, include:
  - (a) Withholding of the payment of salary or expenses from the violator, and/or
  - (b) A forfeiture of not less than \$100.00 or more than \$1,000.00 for each violation of the Ordinance, plus Court costs.
7. Violations of this Ordinance shall be prosecuted by the Corporation Counsel at the direction of the Ethics Board.
8. The following procedures are hereby established for the operation of the Ethics Board:
  - (a) All complaints of the ethics violations must be in writing and must contain the following information:
    - i. The name of the alleged offender;
    - ii. The approximate date of the alleged offense, if applicable;
    - iii. The nature of the alleged offense;
    - iv. Any supporting facts known to the complaining party;
    - v. The date on which the complaint is being submitted.



- (b) While persons filing complaints of ethics violations are encouraged to identify themselves in the complaint, anonymous complaints will be accepted.
  - (c) Complaints shall be filed with or mailed to the County Clerk, who shall send copies of the complaint to the Ethics Board within 5 days of receiving the complaint.
  - (d) The County Clerk shall make copies of the County's ethics complaint form available to all Department heads; the County Clerk shall distribute a copy of the form as well as a copy of this Ordinance and a copy of the Handbook Personnel Policies to each new County employee whose position is covered by the Handbook, as well as to any other County employee who requests a copy of the ethics complaint form.
  - (e) The County's ethics complaint form is only suggested and ethics complaints which comply with this Ordinance but which are not on the form shall still be considered by the Ethics Board.
  - (f) After a complaint has been received by the Ethics Board, the Board shall:
    - i. Hold its first meeting on the complaint not later than 30 days from its receipt of the complaint; this first meeting shall be a closed session with the Corporation Counsel; the Board shall then decide whether to investigate the complaint further or drop the matter;
    - ii. If the Board decides to investigate the complaint further, it shall hear from the alleged violator; this hearing shall be in compliance with the requirements of the Open Meetings Law.
    - iii. If, after having investigated the matter and having heard from the alleged violator, the Ethics Board shall decide if this Ordinance has been violated and the appropriate penalty to assess against the violator or violators. The matter shall then be referred to the Corporation Counsel for prosecution, if necessary. In appropriate cases, the Board shall report possible violations of the criminal law to the District Attorney.
  - (g) Nothing in these procedures shall prevent the Ethics Board from investigating a possible violation of this Ordinance by a motion made by a member of the Board and adopted by the Ethics Board.
9. Resolution No. 82-105, which was adopted by the County Board on December 14, 1982 and Resolution No. 88-70, which was adopted by the County Board on September 27, 1988, are hereby repealed.
10. This Ordinance shall be in full force and effect immediately upon its passage and publication.

Dated: October 31, 2006  
Passed: October 31, 2006  
Published: November 16, 2006

ORDINANCE OFFERED BY THE RULES AND  
RESOLUTIONS COMMITTEE

Ann M. Greenheck, Chairman  
Richland County Board of Supervisors

ATTEST:  
Victor V. Vlasak  
Richland County Clerk

|                   | FOR | AGAINST |
|-------------------|-----|---------|
| Fred Clary        | X   |         |
| Daniel J. Carroll | X   |         |
| Larry D. Wyman    | X   |         |
| Glenn L. Ferguson | X   |         |
| Warren C. Pfeil   | X   |         |

ORDINANCE NO. 07-7

An Ordinance Amending The County's Code Of Ethics Ordinance.

The Richland County Board of Supervisors does hereby ordain as follows:

1. Ordinance No. 2006-28, which was adopted by the County Board on October 31, 2006 and which is entitled An Ordinance Establishing A Code Of Ethics For County Employees And Creating An Ethics Board, is hereby amended as follows:
2. New section 3 is created as follows:
3. As used in this Ordinance, "any substantial gift" means any item, items or service which have an estimated market value of \$100 or more."
3. Paragraphs (a) and (b) of section 8 are amended by adding the following underlined words and deleting the following crossed-out words:
8. The following procedures are hereby established for the operation of the Ethics Board:
  - (a) All complaints of the ethics violations must be in writing and must contain the following information:
    - i. The name of the alleged offender;
    - ii. The approximate date of the alleged offense, if applicable;
    - iii. the nature of the alleged offense;
    - iv. Any supporting facts known to the complaining party;
    - v. The date on which the complaint is being submitted.
    - vi. The name of the person filing the complaint.

~~(b)--While persons filing complaints of ethics violations are encouraged to identify themselves in the complaint, anonymous complaints will be accepted.~~

- 4. Paragraphs (c) through (g) of section 8 are relettered as (b) through (f).
- 5. Sections 3 through 10 are hereby renumbered 4 through 11.
- 6. This Ordinance shall be effective immediately upon its passage and publication.

|                                     |                                       |             |
|-------------------------------------|---------------------------------------|-------------|
| Dated: March 20, 2007               | ORDINANCE OFFERED BY THE ETHICS BOARD |             |
| Passed: March 20, 2007              |                                       |             |
| Published: March 29, 2007           |                                       | FOR AGAINST |
| Ann M. Greenheck, Chairman          | David J. Daughenbaugh                 | X           |
| Richland County Board of Superviors | Bette M. Cook                         | X           |
|                                     | Warren C. Pfeil                       | X           |
| ATTEST:                             | Jeanetta Kirkpatrick                  | X           |
| Victor V. Vlasak                    | Daniel J. Carroll                     | X           |
| Richland County Clerk               |                                       |             |

ORDINANCE NO. 10-8

An Ordinance Amending Ordinance No. 06-28 Relating To Establishing A Code Of Ethics For County Employees.

The Richland County Board of Supervisors does hereby ordain as follows:

- 1. Ordinance No. 06-28 which was adopted by the Richland County Board of Supervisors on October 31, 2006 and which is entitled "An Ordinance Establishing A Code Of Ethics For County Employees And Creating An Ethics Board", as amended to date, is hereby further amended as follows:

"Rules and Resolutions Committee And Ethics Board" is substituted for "Ethics Board" and "Ethics Committee" throughout the Ordinance, except the title to the Ordinance shall remain the same.

- 2. BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon its passage and publication.

|                                      |  |             |
|--------------------------------------|--|-------------|
| Dated: June 15, 2010                 | ORDINANCE OFFERED BY THE RULES AND     |             |
| Passed: June 15, 2010                | RESOLUTIONS COMMITTEE AND ETHICS BOARD |             |
| Published: June 24, 2010             |  | FOR AGAINST |
| Ann M. Greenheck, Chairman           | Larry D. Wyman                         | X           |
| Richland County Board of Supervisors | Betty M. Cook                          | X           |
|                                      | Warren C. Pfeil                        | X           |
| ATTEST:                              | Lawrence Sowle                         | X           |
| Victor V. Vlasak                     |  |             |
| Richland County Clerk                |  |             |



## CHAPTER 19

## GENERAL DUTIES OF PUBLIC OFFICIALS

SUBCHAPTER I  
OFFICIAL OATHS AND BONDS

- 19.01 Oaths and bonds.
- 19.015 Actions by the state, municipality or district.
- 19.02 Actions by individuals.
- 19.03 Security for costs; notice of action.
- 19.04 Other actions on same bond.
- 19.05 Execution; lien of judgment.
- 19.06 Sureties, how relieved.
- 19.07 Bonds of public officers and employees.
- 19.10 Oaths.
- 19.11 Official bonds.
- 19.12 Bond premiums payable from public funds.

SUBCHAPTER II  
PUBLIC RECORDS AND PROPERTY

- 19.21 Custody and delivery of official property and records.
- 19.22 Proceedings to compel the delivery of official property.
- 19.23 Transfer of records or materials to historical society.
- 19.24 Refusal to deliver money, etc., to successor.
- 19.25 State officers may require searches, etc., without fees.
- 19.31 Declaration of policy.
- 19.32 Definitions.
- 19.33 Legal custodians.
- 19.34 Procedural information; access times and locations.
- 19.345 Time computation.
- 19.35 Access to records; fees.
- 19.356 Notice to record subject; right of action.
- 19.36 Limitations upon access and withholding.
- 19.37 Enforcement and penalties.
- 19.39 Interpretation by attorney general.

SUBCHAPTER III  
CODE OF ETHICS FOR PUBLIC  
OFFICIALS AND EMPLOYEES

- 19.41 Declaration of policy.
- 19.42 Definitions.
- 19.43 Financial disclosure.
- 19.44 Form of statement.
- 19.45 Standards of conduct; state public officials.
- 19.451 Discounts at certain stadiums.
- 19.46 Conflict of interest prohibited; exception.

- 19.47 Operation.
- 19.48 Duties of the ethics commission.
- 19.49 Administration; enforcement.
- 19.50 Unauthorized release of records or information.
- 19.55 Public inspection of records.
- 19.552 Action to compel compliance.
- 19.554 Petition for enforcement.
- 19.56 Honorariums, fees and expenses.
- 19.57 Conferences, visits and economic development activities.
- 19.575 Tourism activities.
- 19.579 Civil penalties.
- 19.58 Criminal penalties.
- 19.59 Codes of ethics for local government officials, employees and candidates.

SUBCHAPTER IV  
PERSONAL INFORMATION PRACTICES

- 19.62 Definitions.
- 19.65 Rules of conduct; employee training; and security.
- 19.67 Data collection.
- 19.68 Collection of personally identifiable information from Internet users.
- 19.69 Computer matching.
- 19.70 Rights of data subject to challenge; authority corrections.
- 19.71 Sale of names or addresses.
- 19.77 Summary of case law and attorney general opinions.
- 19.80 Penalties.

SUBCHAPTER V  
OPEN MEETINGS OF GOVERNMENTAL BODIES

- 19.81 Declaration of policy.
- 19.82 Definitions.
- 19.83 Meetings of governmental bodies.
- 19.84 Public notice.
- 19.85 Exemptions.
- 19.851 Closed sessions by ethics or elections commission.
- 19.86 Notice of collective bargaining negotiations.
- 19.87 Legislative meetings.
- 19.88 Ballots, votes and records.
- 19.89 Exclusion of members.
- 19.90 Use of equipment in open session.
- 19.96 Penalty.
- 19.97 Enforcement.
- 19.98 Interpretation by attorney general.

## SUBCHAPTER I

## OFFICIAL OATHS AND BONDS

**19.01 Oaths and bonds.** (1) FORM OF OATH. Every official oath required by [article IV, section 28](#), of the constitution or by any statute shall be in writing, subscribed and sworn to and except as provided otherwise by s. [757.02](#) and [SCR 40.15](#), shall be in substantially the following form:

STATE OF WISCONSIN,  
County of ....

I, the undersigned, who have been elected (or appointed) to the office of ....., but have not yet entered upon the duties thereof, swear (or affirm) that I will support the constitution of the United States and the constitution of the state of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability. So help me God.

....

Subscribed and sworn to before me this .... day of ....., .... (year)  
.....(Signature).....

**(1m) FORM OF ORAL OATH.** If it is desired to administer the official oath orally in addition to the written oath prescribed above, it shall be in substantially the following form:

I, ....., swear (or affirm) that I will support the constitution of the United States and the constitution of the state of Wisconsin, and

will faithfully and impartially discharge the duties of the office of .... to the best of my ability. So help me God.

**(2) FORM OF BOND.** (a) Every official bond required of any public officer shall be in substantially the following form:

We, the undersigned, jointly and severally, undertake and agree that ....., who has been elected (or appointed) to the office of ....., will faithfully discharge the duties of the office according to law, and will pay to the parties entitled to receive the same, such damages, not exceeding in the aggregate .... dollars, as may be suffered by them in consequence of the failure of .... to discharge the duties of the office.

Dated ....., .... (year)

....(Principal).....

....(Surety).....

(b) Any further or additional official bond lawfully required of any public officer shall be in the same form and it shall not affect or impair any official bond previously given by the officer for the same or any other official term. Where such bond is in excess of the sum of \$25,000, the officer may give 2 or more bonds.

**(2m) EFFECT OF GIVING BOND.** Any bond purportedly given as an official bond by a public officer, of whom an official bond is required, shall be deemed to be an official bond and shall be deemed as to both principal and surety to contain all the conditions and provisions required in sub. (2), regardless of its form or word-

the request is denied by the authority having custody of the record or part of the record.

**(1n) NOTICE OF CLAIM.** Sections 893.80 and 893.82 do not apply to actions commenced under this section.

**(2) COSTS, FEES AND DAMAGES.** (a) Except as provided in this paragraph, the court shall award reasonable attorney fees, damages of not less than \$100, and other actual costs to the requester if the requester prevails in whole or in substantial part in any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (a). If the requester is a committed or incarcerated person, the requester is not entitled to any minimum amount of damages, but the court may award damages. Costs and fees shall be paid by the authority affected or the unit of government of which it is a part, or by the unit of government by which the legal custodian under s. 19.33 is employed and may not become a personal liability of any public official.

(b) In any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (am), if the court finds that the authority acted in a willful or intentional manner, the court shall award the individual actual damages sustained by the individual as a consequence of the failure.

**(3) PUNITIVE DAMAGES.** If a court finds that an authority or legal custodian under s. 19.33 has arbitrarily and capriciously denied or delayed response to a request or charged excessive fees, the court may award punitive damages to the requester.

**(4) PENALTY.** Any authority which or legal custodian under s. 19.33 who arbitrarily and capriciously denies or delays response to a request or charges excessive fees may be required to forfeit not more than \$1,000. Forfeitures under this section shall be enforced by action on behalf of the state by the attorney general or by the district attorney of any county where a violation occurs. In actions brought by the attorney general, the court shall award any forfeiture recovered together with reasonable costs to the state; and in actions brought by the district attorney, the court shall award any forfeiture recovered together with reasonable costs to the county.

**History:** 1981 c. 335, 391; 1991 a. 269 s. 43d; 1995 a. 158; 1997 a. 94.

A party seeking fees under sub. (2) must show that the prosecution of an action could reasonably be regarded as necessary to obtain the information and that a “causal nexus” exists between that action and the agency’s surrender of the information. *State ex rel. Vaughan v. Faust*, 143 Wis. 2d 868, 422 N.W.2d 898 (Ct. App. 1988).

If an agency exercises due diligence but is unable to respond timely to a records request, the plaintiff must show that a mandamus action was necessary to secure the records release to qualify for award of fees and costs under sub. (2). *Racine Education Association v. Racine Board of Education*, 145 Wis. 2d 518, 427 N.W.2d 414 (Ct. App. 1988).

Assuming sub. (1) (a) applies before mandamus is issued, the trial court retains discretion to refuse counsel’s participation in an *in camera* inspection. *Milwaukee Journal v. Call*, 153 Wis. 2d 313, 450 N.W.2d 515 (Ct. App. 1989).

If the trial court has an incomplete knowledge of the contents of the public records sought, it must conduct an *in camera* inspection to determine what may be disclosed following a custodian’s refusal. *State ex rel. Morke v. Donnelly*, 155 Wis. 2d 521, 455 N.W.2d 893 (1990).

A *pro se* litigant is not entitled to attorney fees. *State ex rel. Young v. Shaw*, 165 Wis. 2d 276, 477 N.W.2d 340 (Ct. App. 1991).

A favorable judgment or order is not a necessary condition precedent for finding that a party prevailed against an agency under sub. (2). A causal nexus must be shown between the prosecution of the mandamus action and the release of the requested information. *Eau Claire Press Co. v. Gordon*, 176 Wis. 2d 154, 499 N.W.2d 918 (Ct. App. 1993).

Actions brought under the open meetings and open records laws are exempt from the notice provisions of s. 893.80 (1), 1993 stats. *Auchinleck v. Town of LaGrange*, 200 Wis. 2d 585, 547 N.W.2d 587 (1996), 94–2809.

An inmate’s right to mandamus under this section is subject to s. 801.02 (7), which requires exhaustion of administrative remedies before an action may be commenced. *Moore v. Stahowiak*, 212 Wis. 2d 744, 569 N.W.2d 711 (Ct. App. 1997), 96–2547.

When requests are complex, municipalities should be afforded reasonable latitude in time for their responses. An authority should not be subjected to the burden and expense of a premature public records lawsuit while it is attempting in good faith to respond, or to determine how to respond, to a request. What constitutes a reasonable time for a response by an authority depends on the nature of the request, the staff and other resources available to the authority to process the request, the extent of the request, and other related considerations. *WIREdata, Inc. v. Village of Sussex*, 2008 WI 69, 310 Wis. 2d 397, 751 N.W.2d 736, 05–1473.

The legislature did not intend to allow a record requester to control or appeal a mandamus action brought by the attorney general under sub. (1) (b). Sub. (1) outlines two distinct courses of action when a records request is denied, dictates distinct courses of action, and prescribes different remedies for each course. Nothing suggests that a requester is hiring the attorney general as a sort of private counsel to proceed with the case, or that the requester would be a named plaintiff in the case with the attorney

general appearing as counsel of record when proceeding under sub. (1) (b). *State v. Zien*, 2008 WI App 153, 314 Wis. 2d 340, 761 N.W.2d 15, 07–1930.

This section unambiguously limits punitive damages claims under sub. (3) to mandamus actions. The mandamus court decides whether there is a violation and, if so, whether it caused actual damages. Then, the mandamus court may consider whether punitive damages should be awarded under sub. (3). *The Capital Times Company v. Doyle*, 2011 WI App 137, 337 Wis. 2d 544, 607 N.W.2d 666, 10–1687.

Under the broad terms of s. 51.30 (7), the confidentiality requirements created under s. 51.30 generally apply to “treatment records” in criminal not guilty by reason of insanity cases. All conditional release plans in NGI cases are, by statutory definition, treatment records. They are “created in the course of providing services to individuals for mental illness,” and thus should be deemed confidential. An order of placement in an NGI case is not a “treatment record.” *La Crosse Tribune v. Circuit Court for La Crosse County*, 2012 WI App 42, 340 Wis. 2d 663, 814 N.W.2d 867, 10–3120.

The plaintiff newspaper argued that s. 19.88 (3), of the open meetings law, which requires “the motions and roll call votes of each meeting of a governmental body shall be recorded, preserved and open to public inspection,” in turn, required the defendant commission to record and disclose the information the newspaper requested under the open records law. The newspaper could not seek relief under the public records law for the commission’s alleged violation of the open meetings law and could not recover reasonable attorney fees, damages, and other actual costs under sub. (2) for an alleged violation of the open meetings law. *The Journal Times v. City of Racine Board of Police and Fire Commissioners*, 2015 WI 56, 362 Wis. 2d 577, 866 N.W.2d 563, 13–1715.

A record custodian should not automatically be subject to potential liability under sub. (2) (a) for actively providing information, which it is not required to do in response to a public records request, to a requester when no record exists. While it might be a better course to inform a requester that no record exists, the language of the public records law does not specifically require such a response. *The Journal Times v. City of Racine Board of Police and Fire Commissioners*, 2015 WI 56, 362 Wis. 2d 577, 866 N.W.2d 563, 13–1715.

Actual damages are the liability of the agency. Punitive damages and forfeitures can be the liability of either the agency or the legal custodian, or both. Section 895.46 (1) (a) probably provides indemnification for punitive damages assessed against a custodian, but not for forfeitures. 72 Atty. Gen. 99.

**19.39 Interpretation by attorney general.** Any person may request advice from the attorney general as to the applicability of this subchapter under any circumstances. The attorney general may respond to such a request.

**History:** 1981 c. 335.

### SUBCHAPTER III

#### CODE OF ETHICS FOR PUBLIC OFFICIALS AND EMPLOYEES

**19.41 Declaration of policy.** (1) It is declared that high moral and ethical standards among state public officials and state employees are essential to the conduct of free government; that the legislature believes that a code of ethics for the guidance of state public officials and state employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the people of this state in their state public officials and state employees.

(2) It is the intent of the legislature that in its operations the commission shall protect to the fullest extent possible the rights of individuals affected.

**History:** 1973 c. 90; Stats. 1973 s. 11.01; 1973 c. 334 s. 33; Stats. 1973 s. 19.41; 1977 c. 277; 2015 a. 118 s. 266 (10).

#### 19.42 Definitions. In this subchapter:

(1) “Anything of value” means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation and expenses paid by the state, fees and expenses which are permitted and reported under s. 19.56, political contributions which are reported under ch. 11, or hospitality extended for a purpose unrelated to state business by a person other than an organization.

(2) “Associated,” when used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer, or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10 percent of the outstanding equity or of which an individual or a member of his or her immediate family is an authorized representative or agent.

(3m) “Candidate,” except as otherwise provided, has the meaning given in s. 11.0101 (1).

(3s) “Candidate for local public office” means any individual who files nomination papers and a declaration of candidacy under s. 8.21 or who is nominated at a caucus under s. 8.05 (1) for the purpose of appearing on the ballot for election as a local public official or any individual who is nominated for the purpose of appearing on the ballot for election as a local public official through the write-in process or by appointment to fill a vacancy in nomination and who files a declaration of candidacy under s. 8.21.

(4) “Candidate for state public office” means any individual who files nomination papers and a declaration of candidacy under s. 8.21 or who is nominated at a caucus under s. 8.05 (1) for the purpose of appearing on the ballot for election as a state public official or any individual who is nominated for the purpose of appearing on the ballot for election as a state public official through the write-in process or by appointment to fill a vacancy in nomination and who files a declaration of candidacy under s. 8.21.

(4g) “Clearly identified,” when used in reference to a communication containing a reference to a person, means one of the following:

- (a) The person’s name appears.
- (b) A photograph or drawing of the person appears.
- (c) The identity of the person is apparent by unambiguous reference.

(4p) “Commission” means the ethics commission.

(4r) “Communication” means a message transmitted by means of a printed advertisement, billboard, handbill, sample ballot, radio or television advertisement, telephone call, or any medium that may be utilized for the purpose of disseminating or broadcasting a message, but not including a poll conducted solely for the purpose of identifying or collecting data concerning the attitudes or preferences of electors.

(5) “Department” means the legislature, the University of Wisconsin System, any authority or public corporation created and regulated by an act of the legislature and any office, department, independent agency or legislative service agency created under ch. 13, 14 or 15, any technical college district or any constitutional office other than a judicial office. In the case of a district attorney, “department” means the department of administration unless the context otherwise requires.

(5m) “Elective office” means an office regularly filled by vote of the people.

(6) “Gift” means the payment or receipt of anything of value without valuable consideration.

(7) “Immediate family” means:

- (a) An individual’s spouse; and
- (b) An individual’s relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one-half of his or her support.

(7m) “Income” has the meaning given under section 61 of the internal revenue code.

(7s) “Internal revenue code” has the meanings given under s. 71.01 (6).

(7u) “Local governmental unit” means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.

(7w) “Local public office” means any of the following offices, except an office specified in sub. (13):

- (a) An elective office of a local governmental unit.
- (b) A county administrator or administrative coordinator or a city or village manager.
- (c) An appointive office or position of a local governmental unit in which an individual serves for a specified term, except a

position limited to the exercise of ministerial action or a position filled by an independent contractor.

(cm) The position of member of the board of directors of a local exposition district under subch. II of ch. 229 not serving for a specified term.

(d) An appointive office or position of a local government which is filled by the governing body of the local government or the executive or administrative head of the local government and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial action or a position filled by an independent contractor.

(e) The position of member of the Milwaukee County mental health board as created under s. 51.41 (1d).

(7x) “Local public official” means an individual holding a local public office.

(8) “Ministerial action” means an action that an individual performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, without regard to the exercise of the individual’s own judgment as to the propriety of the action being taken.

(9) “Nominee” means any individual who is nominated by the governor for appointment to a state public office and whose nomination requires the advice and consent of the senate.

(10) “Official required to file” means:

- (a) A member or employee of the elections commission.
- (ab) A member or employee of the ethics commission.
- (b) A member of a technical college district board or district director of a technical college, or any individual occupying the position of assistant, associate or deputy district director of a technical college.
- (c) A state public official identified under s. 20.923 except an official holding a state public office identified under s. 20.923 (6) (h).
- (d) A state public official whose appointment to state public office requires the advice and consent of the senate, except a member of the board of directors of the Bradley Center Sports and Entertainment Corporation created under ch. 232.
- (e) An individual appointed by the governor or the state superintendent of public instruction pursuant to s. 17.20 (2) other than a trustee of any private higher educational institution receiving state appropriations.

(f) An auditor for the legislative audit bureau.

(g) The chief clerk and sergeant at arms of each house of the legislature.

(h) The members and employees of the Wisconsin Housing and Economic Development Authority, except clerical employees.

(i) A municipal judge.

(j) A member or the executive director of the judicial commission.

(k) A division administrator of an office created under ch. 14 or a department or independent agency created or continued under ch. 15.

(L) The executive director, executive assistant to the executive director, internal auditor, chief investment officer, chief financial officer, chief legal counsel, chief risk officer and investment directors of the investment board.

(n) The chief executive officer and members of the board of directors of the University of Wisconsin Hospitals and Clinics Authority.

(o) The chief executive officer and members of the board of directors of the Fox River Navigational System Authority.

(q) The executive director and members of the board of directors of the Wisconsin Aerospace Authority.

(r) The employees and members of the board of directors of the Lower Fox River Remediation Authority.



(sm) The employees of the Wisconsin Economic Development Corporation and the members of the board of directors of the Wisconsin Economic Development Corporation employed in the private sector who are appointed by the speaker of the assembly and the senate majority leader.

(11) “Organization” means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.

(11m) “Political party” means a political organization under whose name individuals who seek elective public office appear on the ballot at any election or any national, state, or local unit or affiliate of that organization.

(12) “Security” has the meaning given under s. 551.102 (28), except that the term does not include a certificate of deposit or a deposit in a savings and loan association, savings bank, credit union or similar association organized under the laws of any state.

(13) “State public office” means:

(a) All positions to which individuals are regularly appointed by the governor, except the position of trustee of any private higher educational institution receiving state appropriations and the position of member of the district board of a local professional baseball park district created under subch. III of ch. 229 and the position of member of the district board of a local cultural arts district created under subch. V of ch. 229.

(b) The positions of associate and assistant vice presidents of the University of Wisconsin System.

(c) All positions identified under s. 20.923 (2), (4), (6) (f) to (h), (7), and (8) to (10), except clerical positions.

(cm) The president and vice presidents of the University of Wisconsin System and the chancellors and vice chancellors of all University of Wisconsin institutions, the University of Wisconsin Colleges, and the University of Wisconsin–Extension.

(e) The chief clerk and sergeant at arms of each house of the legislature or a full-time, permanent employee occupying the position of auditor for the legislative audit bureau.

(f) A member of a technical college district board or district director of a technical college, or any position designated as assistant, associate or deputy district director of a technical college.

(g) The members and employees of the Wisconsin Housing and Economic Development Authority, except clerical employees.

(h) A municipal judge.

(i) A member or the executive director of the judicial commission.

(j) A division administrator of an office created under ch. 14 or a department or independent agency created or continued under ch. 15.

(k) The executive director, executive assistant to the executive director, internal auditor, chief investment officer, chief financial officer, chief legal counsel, chief risk officer and investment directors of the investment board.

(m) The chief executive officer and members of the board of directors of the University of Wisconsin Hospitals and Clinics Authority.

(n) The chief executive officer and members of the board of directors of the Fox River Navigational System Authority.

(om) The employees of the Wisconsin Economic Development Corporation and the members of the board of directors of the Wisconsin Economic Development Corporation employed in the private sector who are appointed by the speaker of the assembly and the senate majority leader.

(p) All members of the elections commission and all members of the ethics commission.

(14) “State public official” means any individual holding a state public office.

**History:** 1973 c. 90; Stats. 1973 s. 11.02; 1973 c. 333; 1973 c. 334 ss. 33, 57; Stats. 1973 s. 19.42; 1977 c. 29, 223, 277; 1977 c. 447 ss. 35, 209; 1979 c. 34, 177, 221; 1981 c. 20, 269, 349, 391; 1983 a. 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 166

ss. 1 to 4, 16; 1983 a. 484, 538; 1985 a. 26; 1985 a. 29 s. 3202 (46); 1985 a. 304; 1987 a. 72, 119; 1987 a. 312 s. 17; 1987 a. 340, 365, 399, 403; 1989 a. 31, 338; 1991 a. 39, 189, 221, 269; 1993 a. 16, 263, 399; 1995 a. 27, 56, 274; 1997 a. 27; 1997 a. 237 ss. 19m, 722q; 1997 a. 298; 1999 a. 42, 65; 2001 a. 16, 104, 109; 2003 a. 39; 2005 a. 335; 2007 a. 1, 20, 196; 2009 a. 28; 2011 a. 7, 10, 32, 229; 2013 a. 20 ss. 193o, 193q, 2365m, 9448; 2013 a. 203; 2015 a. 117, 118, 196, 261.

**Cross-reference:** See also s. ETH 16.02, Wis. adm. code.

**Law Revision Committee Note, 1983:** This bill establishes consistency in the usage of the terms “person”, “individual” and “organization” in the code of ethics for state public officials. The term “person” is the broadest of these terms, and refers to any legal entity. The use of the term “person” in the bill is consistent with the definition of the word in s. 990.01 (26), stats., which provides that “person” includes all partnerships, associations and bodies politic or corporate”. The term “organization” is narrower, and is defined in s. 19.42 (11), stats., as “any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic”. “Individual”, although not specifically defined in the current statutes or in this bill, is used consistently in this bill to refer to natural persons.

The term “income” is used several times in the code of ethics for state public officials. This bill clarifies the current definition of income by providing a specific cross-reference to the internal revenue code and by providing that the definition refers to the most recent version of the internal revenue code which has been adopted by the legislature for state income tax purposes.

When person holds 2 government positions, one included in and the other exempted from the definition of state public official, the applicability of subch. III depends upon the capacity in which the person acted. 64 Atty. Gen. 143.

**19.43 Financial disclosure.** (1) Each individual who in January of any year is an official required to file shall file with the commission no later than April 30 of that year a statement of economic interests meeting each of the requirements of s. 19.44 (1). The information contained on the statement shall be current as of December 31 of the preceding year.

(2) An official required to file shall file with the commission a statement of economic interests meeting each of the requirements of s. 19.44 (1) no later than 21 days following the date he or she assumes office if the official has not previously filed a statement of economic interests with the commission during that year. The information on the statement shall be current as per the date he or she assumes office.

(3) A nominee shall file with the commission a statement of economic interests meeting each of the requirements of s. 19.44 (1) within 21 days of being nominated unless the nominee has previously filed a statement of economic interests with the commission during that year. The information on the statement shall be current as per the date he or she was nominated. Following the receipt of a nominee’s statement of economic interests, the commission shall forward copies of such statement to the members of the committee of the senate to which the nomination is referred.

(4) A candidate for state public office shall file with the commission a statement of economic interests meeting each of the requirements of s. 19.44 (1) no later than 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the office which the candidate seeks, or no later than 4:30 p.m. on the next business day after the last day whenever that candidate is granted an extension of time for filing nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15 (1), or 8.20 (8) (a); no later than 4:30 p.m. on the 5th day after notification of nomination is mailed or personally delivered to the candidate by the municipal clerk in the case of a candidate who is nominated at a caucus; or no later than 4:30 p.m. on the 3rd day after notification of nomination is mailed or personally delivered to the candidate by the appropriate official or agency in the case of a write-in candidate or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a). The information contained on the statement shall be current as of December 31 of the year preceding the filing deadline. Before certifying the name of any candidate for state public office under s. 7.08 (2) (a), the elections commission, municipal clerk, or board of election commissioners shall ascertain whether that candidate has complied with this subsection. If not, the elections commission, municipal clerk, or board of election commissioners may not certify the candidate’s name for ballot placement.

(5) Each member of the investment board and each employee of the investment board who is a state public official shall complete and file with the commission a quarterly report of economic transactions no later than the last day of the month following the

(c) A state public official may receive and retain from the state or on behalf of the state transportation, lodging, meals, food or beverage, or reimbursement therefor or payment or reimbursement of actual and reasonable costs that the official can show by clear and convincing evidence were incurred or received on behalf of the state of Wisconsin and primarily for the benefit of the state and not primarily for the private benefit of the official or any other person.

(d) A state public official may receive and retain from a political committee under ch. 11 transportation, lodging, meals, food or beverage, or reimbursement therefor or payment or reimbursement of costs permitted and reported in accordance with ch. 11.

(e) A state public official who is an officer or employee of the Wisconsin Economic Development Corporation may solicit, receive and retain on behalf of the state anything of value for the purpose of any of the following:

1. The sponsorship by the Wisconsin Economic Development Corporation of a trip to a foreign country primarily to promote trade between that country and this state that the Wisconsin Economic Development Corporation can demonstrate through clear and convincing evidence is primarily for the benefit of this state.

2. Hosting individuals in order to promote business, economic development, tourism or conferences sponsored by multi-state, national or international associations of governments or governmental officials.

(em) A state public official who is an officer or employee of the department of tourism may solicit, receive and retain on behalf of the state anything of value for the purpose of hosting individuals in order to promote tourism.

(f) A state public official or a local public official may receive and retain from the Wisconsin Economic Development Corporation anything of value which the Wisconsin Economic Development Corporation is authorized to provide under par. (e) and may receive and retain from the department of tourism anything of value which the department of tourism is authorized to provide under par. (em).

(4) If a state public official receives a payment not authorized by this subchapter, in cash or otherwise, for a published work or a talk or meeting, the official may not retain it. If practicable, the official shall deposit it with the department or municipality with which he or she is associated or, in the case of a justice or judge of a court of record, with the director of state courts. If that is not practicable, the official shall return it or its equivalent to the payor or convey it to the state or to a charitable organization other than one with which he or she is associated.

**History:** 1977 c. 277; 1983 a. 61, 538; 1985 a. 203; 1989 a. 31, 338; 1991 a. 39; 1995 a. 27 ss. 455 to 457, 9116 (5); 2011 a. 32; 2015 a. 118 s. 266 (10); 2017 a. 112.

The interaction of s. 19.56 with the prohibition against furnishing anything of pecuniary value to state officials under s. 13.625 is discussed. 80 Atty. Gen. 205.

**19.57 Conferences, visits and economic development activities.** The Wisconsin Economic Development Corporation shall file a report with the commission no later than April 30 annually, specifying the source and amount of anything of value received by the Wisconsin Economic Development Corporation during the preceding calendar year for a purpose specified in s. 19.56 (3) (e), and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

**History:** 1991 a. 39; 1995 a. 27 s. 9116 (5); 2011 a. 32; 2015 a. 118 s. 266 (10).

**19.575 Tourism activities.** The department of tourism shall file a report with the commission no later than April 30 annually, specifying the source and amount of anything of value received by the department of tourism during the preceding calendar year for a purpose specified in s. 19.56 (3) (em) and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

**History:** 1995 a. 27; 2015 a. 118 s. 266 (10).

**19.579 Civil penalties.** (1) Except as provided in sub. (2), any person who violates this subchapter may be required to forfeit not more than \$500 for each violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other provision of this subchapter. If the court determines that the accused has realized economic gain as a result of the violation, the court may, in addition, order the accused to forfeit the amount gained as a result of the violation. In addition, if the court determines that a state public official has violated s. 19.45 (13), the court may order the official to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained. If the court determines that a state public official has violated s. 19.45 (13) and no political contribution, service, or other thing of value was obtained, the court may order the official to forfeit an amount equal to the maximum contribution authorized under s. 11.1101 (1) for the office held or sought by the official, whichever amount is greater. The attorney general, when so requested by the commission, shall institute proceedings to recover any forfeiture incurred under this section which is not paid by the person against whom it is assessed.

(2) Any person who violates s. 19.45 (13) may be required to forfeit not more than \$5,000.

**History:** 2003 a. 39; 2007 a. 1 ss. 121, 130, 131; 2015 a. 117; 2015 a. 118 s. 266 (10).

**19.58 Criminal penalties.** (1) (a) Any person who intentionally violates any provision of this subchapter except s. 19.45 (13) or 19.59 (1) (br), or a code of ethics adopted or established under s. 19.45 (11) (a) or (b), shall be fined not less than \$100 nor more than \$5,000 or imprisoned not more than one year in the county jail or both.

(b) Any person who intentionally violates s. 19.45 (13) or 19.59 (1) (br) is guilty of a Class I felony.

(2) The penalties under sub. (1) do not limit the power of either house of the legislature to discipline its own members or to impeach a public official, or limit the power of a department to discipline its state public officials or employees.

(3) In this section “intentionally” has the meaning given under s. 939.23.

(4) A person who violates s. 19.50 may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

**History:** 1973 c. 90; Stats. 1973 s. 11.10; 1973 c. 334 ss. 33, 57, 58; Stats. 1973 s. 19.50; 1975 c. 200; 1977 c. 277 ss. 34, 37; Stats. 1977 s. 19.58; 2003 a. 39; 2015 a. 118.

**19.59 Codes of ethics for local government officials, employees and candidates.** (1) (a) No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. A violation of this paragraph includes the acceptance of free or discounted admissions to a professional baseball or football game by a member of the district board of a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229. This paragraph does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by ch. 11. This paragraph does not prohibit a local public official from obtaining anything of value from the Wisconsin Economic Development Corporation or the department of tourism, as provided under s. 19.56 (3) (f).

(b) No person may offer or give to a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. This paragraph does not prohibit a local public official from engaging in outside employment.

(br) No local public official or candidate for local public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any committee registered under ch. 11, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.

(c) Except as otherwise provided in par. (d), no local public official may:

1. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.

2. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

(d) Paragraph (c) does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.

(f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 289.33 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 289.33, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.

(g) 1. In this paragraph:

a. "District" means a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229.

b. "District board member" means a member of the district board of a district.

2. No district board member may accept or retain any transportation, lodging, meals, food or beverage, or reimbursement therefor, except in accordance with this paragraph.

3. A district board member may receive and retain reimbursement or payment of actual and reasonable expenses for a published work or for the presentation of a talk or participation in a meeting related to processes, proposals and issues affecting a district if the payment or reimbursement is paid or arranged by the organizer of the event or the publisher of the work.

4. A district board member may receive and retain anything of value if the activity or occasion for which it is given is unrelated to the member's use of the time, facilities, services or supplies of the district not generally available to all residents of the district and the member can show by clear and convincing evidence that the payment or reimbursement was unrelated to and did not arise from the recipient's holding or having held a public office and was paid for a purpose unrelated to the purposes specified in subd. 3.

5. A district board member may receive and retain from the district or on behalf of the district transportation, lodging, meals, food or beverage, or reimbursement therefor or payment or reimbursement of actual and reasonable costs that the member can show by clear and convincing evidence were incurred or received on behalf of the district and primarily for the benefit of the district and not primarily for the private benefit of the member or any other person.

6. No district board member may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person, if the information has not been communicated to the public or is not public information.

7. No district board member may use or attempt to use the position held by the member to influence or gain unlawful benefits, advantages or privileges personally or for others.

8. No district board member, member of a district board member's immediate family, nor any organization with which the district board member or a member of the district board member's immediate family owns or controls at least 10 percent of the outstanding equity, voting rights, or outstanding indebtedness may enter into any contract or lease involving a payment or payments of more than \$3,000 within a 12-month period, in whole or in part derived from district funds unless the district board member has first made written disclosure of the nature and extent of such relationship or interest to the commission and to the district. Any contract or lease entered into in violation of this subdivision may be voided by the district in an action commenced within 3 years of the date on which the commission, or the district, knew or should have known that a violation of this subdivision had occurred. This subdivision does not affect the application of s. 946.13.

9. No former district board member, for 12 months following the date on which he or she ceases to be a district board member, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of the district with which he or she was associated as a district board member within 12 months prior to the date on which he or she ceased to be a district board member.

10. No former district board member, for 12 months following the date on which he or she ceases to be a district board member, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of a district with which he or she was associated as a district board member in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former member's responsibility as a district board member within 12 months prior to the date on which he or she ceased to be a member.

11. No former district board member may, for compensation, act on behalf of any party other than the district with which he or she was associated as a district board member in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding in which the former member participated personally and substantially as a district board member.

**(1m)** In addition to the requirements of sub. (1), any county, city, village or town may enact an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices.

**(2)** An ordinance enacted under this section shall specify the positions to which it applies. The ordinance may apply to members of the immediate family of individuals who hold positions or who are candidates for positions to which the ordinance applies.

**(3)** An ordinance enacted under this section may contain any of the following provisions:

(a) A requirement for local public officials, other employees of the county or municipality and candidates for local public office to identify any of the economic interests specified in s. 19.44.

(b) A provision directing the county or municipal clerk or board of election commissioners to omit the name of any candidate from an election ballot who fails to disclose his or her eco-



conomic interests in accordance with the requirements of the ordinance.

(c) A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any local public official or other employee of the county or municipality who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(d) A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon complaint by any person. The ordinance may empower the board to issue opinions upon request. Records of the board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection if the ordinance so provides.

(e) Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of local public officials and other employees of the county or municipality or on the part of former local public officials or former employees of the county or municipality.

(f) A provision prescribing a forfeiture for violation of the ordinance in an amount not exceeding \$1,000 for each offense. A minimum forfeiture not exceeding \$100 for each offense may also be prescribed.

(4) This section may not be construed to limit the authority of a county, city, village or town to regulate the conduct of its officials and employees to the extent that it has authority to regulate that conduct under the constitution or other laws.

(5) (a) Any individual, either personally or on behalf of an organization or governmental body, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit, an advisory opinion regarding the propriety of any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. The county or municipal ethics board or the county corporation counsel or attorney shall review a request for an advisory opinion and may advise the person making the request. Advisory opinions and requests therefor shall be in writing. It is prima facie evidence of intent to comply with this section or any ordinance enacted under this section when a person refers a matter to a county or municipal ethics board or a county corporation counsel or attorney for a local governmental unit and abides by the advisory opinion, if the material facts are as stated in the opinion request. A county or municipal ethics board may authorize a county corporation counsel or attorney to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in par. (b), neither a county corporation counsel or attorney for a local governmental unit nor a member or agent of a county or municipal ethics board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

(b) A county or municipal ethics board, county corporation counsel or attorney for a local governmental unit replying to a request for an advisory opinion may make the opinion public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this subsection after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion

requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the county or municipal ethics board, the county corporation counsel or the attorney for the local governmental unit in connection with the request for an advisory opinion.

(6) Any county corporation counsel, attorney for a local governmental unit or statewide association of local governmental units may request the commission to issue an opinion concerning the interpretation of this section. The commission shall review such a request and may advise the person making the request.

(7) (a) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that the accused has violated sub. (1) (br), the court may, in addition, order the accused to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained.

(b) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that a local public official has violated sub. (1) (br) and no political contribution, service or other thing of value was obtained, the court may, in addition, order the accused to forfeit an amount equal to the maximum contribution authorized under s. 11.1101 (1) for the office held or sought by the official, whichever amount is greater.

(8) (a) Subsection (1) shall be enforced in the name and on behalf of the state by action of the district attorney of any county wherein a violation may occur, upon the verified complaint of any person.

(b) In addition and supplementary to the remedy provided in sub. (7), the district attorney may commence an action, separately or in conjunction with an action brought to obtain the remedy provided in sub. (7), to obtain such other legal or equitable relief, including but not limited to mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

(c) If the district attorney fails to commence an action to enforce sub. (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the district attorney refuses to commence such an action, the person making the complaint may petition the attorney general to act upon the complaint. The attorney general may then bring an action under par. (a) or (b), or both.

(cm) No complaint alleging a violation of sub. (1) (br) may be filed during the period beginning 120 days before a general or spring election, or during the period commencing on the date of the order of a special election under s. 8.50, and ending on the date of that election, against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.

(cn) If the district attorney for the county in which a violation of sub. (1) (br) is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), the district attorney shall, within 30 days after receipt of the complaint, either commence an investigation of the allegations contained in the complaint or dismiss the complaint. If the district attorney dismisses the complaint, with or without investigation, the district attorney shall notify the complainant in writing. Upon receiving notification of the dismissal, the complainant may then file the complaint with the attorney general or the district attorney for a county that is adjacent to the county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution.

(d) If the district attorney prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the county wherein the violation occurs. If the attorney general prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the state.

**History:** 1979 c. 120; 1981 c. 149; 1981 c. 335 s. 26; 1983 a. 166 s. 16; 1991 a. 39, 269; 1995 a. 56, 227; 1999 a. 167; 2001 a. 109; 2003 a. 39; 2007 a. 1; 2015 a. 117; 2015 a. 118 ss. 204, 266 (10); 2017 a. 112.

# WISCONSIN COUNTY OFFICIALS HANDBOOK

7th Edition

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# Contents

## **INTRODUCTION**

|  |   |
|--|---|
| Getting Started on the County Board..... | 9 |
|--|---|

## **ORGANIZATION**

|  |    |
|--|----|
| County Government Structure.....             | 17 |
| <i>Issue Focus: County Board Rules</i> ..... | 29 |
| County Departments & Offices.....            | 37 |

## **LAWS OF GOVERNING**

|                                       |     |
|---------------------------------------|-----|
| Wisconsin Open Meetings Law .....     | 73  |
| The Wisconsin Public Records Law..... | 85  |
| Conflicts of Interest & Ethics.....   | 103 |
| Public Bidding Requirements .....     | 113 |

## **MEETING GUIDELINES**

|  |     |
|--|-----|
| A Few FAQs on Parliamentary Procedure.....                             | 119 |
| <i>Issue Focus: Participation in Meetings via Teleconference</i> ..... | 129 |
| Agendas & Minutes for County Meetings.....                             | 135 |

## **OPERATIONS**

|   |     |
|---|-----|
| County Budgets & Financial Management.....            | 141 |
| Personnel .....                                       | 153 |
| <i>Issue Focus: Wisconsin Retirement System</i> ..... | 169 |
| <i>Issue Focus: Employee Health Benefits</i> .....    | 173 |

## **ENGAGEMENT**

|                                  |     |
|----------------------------------|-----|
| Interacting with the Media ..... | 181 |
|----------------------------------|-----|

## **RESOURCES**

|                        |     |
|------------------------|-----|
| Online Resources ..... | 187 |
|------------------------|-----|

## **REFERENCES**

|   |     |
|---|-----|
| <i>Appendix I: “Call to Order” columns</i> .....            | 191 |
| <i>Appendix II: Basic Information on Motions</i> .....      | 235 |
| <i>Appendix III: County Department Services Lists</i> ..... | 237 |

# Conflicts of Interest & Ethics

■ *Atty. Andrew T. Phillips and Atty. Bennett J. Conard, von Briesen & Roper, S.C.*

## CONFLICT OF INTEREST

State law prohibits public officials and public employees from using their official position for personal gain. Specifically, Wis. Stat. § 946.13 prohibits a public officer from negotiating, bidding for, or entering into a contract in which he or she has a private monetary interest if, at the same time, he or she has a role to play in an official capacity in the making of that contract or performs in regard to that contract some official function requiring the exercise of discretion. Any public officer or public employee who violates Wis. Stat. § 946.13 is guilty of a Class I felony.

Wis. Stat. § 946.13 is directed not at corruption but at conduct presenting an opportunity for corruption. Because a public officer's judgment may be impaired when the officer transacts government business in which he or she has a personal economic interest, the statute attempts to prevent public officers from succumbing to temptation by making it illegal for them to enter into relationships that are fraught with the potential danger of advancing a private interest rather than a public good.<sup>1</sup>

There are several exceptions to the prohibition in Wis. Stat. § 946.13. The most common exception is contracts that do not involve receipts and disbursements by the state or its political subdivision aggregating more than \$15,000 in any year.<sup>2</sup>

Court cases and attorney general opinions addressing various applications of the statute have concluded the following:

- ❑ A county board supervisor who votes to pay vouchers for county purchases from a store owned by the supervisor violates Wis. Stat. § 946.13.<sup>3</sup> However, the supervisor can avoid a violation by abstaining from voting on the vouchers related to his business.
- ❑ A village board member may not accept a community development block grant program loan in excess of the statutory sum or perform work for a third person who has obtained a loan under the program in excess of the statutory sum.<sup>4</sup>
- ❑ A county board supervisor violates Wis. Stat. § 946.13 by selling land owned by the supervisor to the county where the value of the sale exceeds the statutory limit.<sup>5</sup>
- ❑ A county board member, employed by a law firm that is retained by a third party to negotiate the purchase of a county facility, may avoid a violation through abstention from acting on the contract in an official capacity and through noninvolvement in negotiating, bidding, or entering the contract with the county on behalf of the third party.<sup>6</sup>
- ❑ A contract does not have to be in existence for a violation to occur. Because negotiation ordinarily precedes the formation of a contract, and it is these pre-contractual bargaining relationships that raise the specter of self-interest if one of the parties is also a public official, the negotiation itself may trigger a violation.<sup>7</sup>

## Conflicts of Interests & Ethics

A contract entered into in violation of Wis. Stat. § 946.13 is void and the state or the political subdivision on whose behalf the contract was made incurs no subsequent liability.

The attorney general's office has provided guidance on how an official can avoid violating Wis. Stat. § 946.13, such as:

- ❑ Abstaining from voting on or debating the contract or any matter relating to the contract;
- ❑ Refraining from personally or by agent negotiating or entering into the contract in a private capacity;
- ❑ Refraining from performing in regard to the contract some official function requiring the exercise of discretion.<sup>8</sup>

However, abstaining from voting does not avoid a violation of Wis. Stat. § 946.13(1)(a) because a violation only requires authority to act, not actual action.<sup>9</sup> For example, where the county board as a whole must decide whether to purchase land, a county board supervisor would violate Wis. Stat. § 946.13(1)(a) if land owned by the supervisor's partnership was sold to the county for a purchase price in excess of \$15,000.<sup>10</sup> Even though the supervisor abstains from all deliberations and voting on the contract, he/she has authority to act on the contract as a supervisor while also having a private monetary interest in the contract. In addition, performance of an official function requiring the exercise of an official's discretion with regard to the contract either before or after execution violates Wis. Stat. § 946.13.<sup>11</sup>

## ETHICS FOR LOCAL GOVERNMENT OFFICIALS

Wis. Stat. § 19.59 sets forth a code of ethics for local public officials. A "local public official" is defined as a person who holds "local public office." "Local public office" as defined by Wis. Stat. § 19.42(7w) includes:

- ❑ An elective office of a local governmental unit such as a county.
- ❑ A county administrator or administrative coordinator.
- ❑ An appointive office or position of a local governmental unit in which an individual serves for a specified term, except a position limited to the exercise of ministerial action or a position filled by an independent contractor.
- ❑ An appointive office or position of a local government that is filled by the governing body of the local government or the executive or administrative head of the local government and in which the incumbent serves at the pleasure of the appointing authority.<sup>12</sup>

The code of ethics for local public officials prohibits the following actions:

1. A local public official cannot use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself, his or her immediate family, or for an organization with which he or she is associated.<sup>13</sup>

"Immediate family" is defined as an individual's spouse and an individual's relative by marriage, lineal descent, or adoption who receives, directly or indirectly, more than one-half of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one-half of his or her support.<sup>14</sup>

An individual is "associated" with an organization if the individual or a member of his or her immediate family is a director, officer, or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity or of which an individual or a member of his or her immediate family is an authorized representative or agent.<sup>15</sup>

However, a local public official is not prohibited from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by Wis. Stats. § Chapter 11. A local public official may also receive and retain from the Wisconsin Economic Development Corporation and the Department of Tourism anything of value that the organizations are authorized to provide by Wis. Stats. Chap. 19.<sup>16</sup>

Moreover, public officials may communicate their public role to potential customers or clients in their private capacity. A recent Wisconsin Ethics Commission (WEC) Opinion concluded that an attorney may include a description of their public service in a biography or resume so long as it is in the same style and prominence as the attorney's other positions and experience. However, public officials must still avoid using their position as a significant selling point in advertisements as this would likely qualify as the public official seeking to obtain financial gain by use of their official title (Note: WEC replaced the Government Accountability Board (GAB) on June 30, 2016. GAB also previously replaced the State Ethics Board. Currently, WEC oversees the administration of state government ethics in Wisconsin, and accordingly adopted the ethics opinions previously issued by GAB and WEC).<sup>17</sup>

2. A public official cannot solicit or accept from any person, directly or indirectly, anything of value if it could be reasonably expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local official.<sup>18</sup>
  - ❑ "Anything of value" includes money, property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not cover "hospitality" unrelated to government business.
  - ❑ A local public official is permitted to engage in outside employment.<sup>19</sup>
  - ❑ In interpreting a parallel statute applicable to state officials (Wis. Stat. § 19.45(3)), WEC interprets "expected to influence" in the following manner: "It would be unreasonable to expect a gift of not more than \$25 to influence an individual's judgment. It would be unreasonable to expect a favor or service from an individual or from an organization without any special interest in the actions of a public body to influence an official affiliated with that body."<sup>20</sup>

## Conflicts of Interests & Ethics

3. No local public official may give or withhold his or her vote or influence or refrain from taking official action with respect to any proposed or pending matter upon condition that any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to a candidate, a political party, or any committee registered under Ch. 11.<sup>21</sup>
4. No local public official may take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.<sup>22</sup>
  - In interpreting parallel state statute applicable to state officials (Wis. Stat. § 19.46(1)(a)), WEC issued a memorandum indicating that a state official may participate in an action "...even though the action will affect the official or an organization with which the official is associated..." as long as:
    - The official's action affects a whole class of similarly situated interests;
    - Neither the official's interest nor the interest of a business or organization with which the official is associated is significant when compared to all affected interests in the class; and
    - The effect of the official's actions on the interests of the official, or of the related business or organization, is neither significantly greater nor less than upon other members of the class.<sup>23</sup>
    - For example, the WEC advised that a state legislator who was also an attorney could vote on a joint resolution regarding a constitutional amendment that would prohibit the Supreme Court from assessing lawyers to pay for legal services for the indigent. WEC concluded that legislator's interest in the subject of the joint resolution is insignificant when compared to the entire class of 15,000 licensed Wisconsin lawyers— all of whom would be equally affected by the proposal.<sup>24</sup>
  - WEC has also advised:
    - If a matter before the board is reasonably likely to have more than a trivial, insignificant, or insubstantial financial impact on a supervisor, then the supervisor should abstain from discussion, deliberation, and votes on the matter.
    - If the matter before the board will have no effect or only a trivial, insignificant, or insubstantial financial effect on a supervisor, then the supervisor may participate.
    - If reasonable people cannot foresee the effect of a board of supervisors' action on a supervisor's financial interests, or disagree about whether the effect will be positive, negative, or will be substantial or insignificant, then the supervisor's financial interest is too speculative to deny the supervisor's participation in related discussion, deliberation, and votes. The supervisor may participate unless, in the supervisor's judgment, to do so would undermine public confidence in the decision or in government.<sup>25</sup>

5. No local public official may use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.<sup>26</sup>

Wis. Stat. § 19.59 does not prohibit a local public official from taking any action concerning the lawful payment of salaries, employee benefits, or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.<sup>27</sup>

The application of the ethics statute to local officials creates problems in the insurance arena. For example, WEC analyzed the statute in the following manner in dealing with insurance issues:

- ❑ 2000 Wis. Eth. Bd. 02 – In the case of a county board supervisor selected as a member of an insurance company's board of directors by the company's organizer, the supervisor should not participate in county board consideration, discussion, or votes to award a contract to the company, or to change county policy to permit the purchase of services from the company.
- ❑ 2000 Wis. Eth. Bd. 04 – On the other hand, WEC advises that in the case of a local official who has been elected to serve on the board of directors of a municipal mutual insurance corporation by a government approved process, to represent the local government's interests on the board, Wis. Stat. § 19.59 does not bar the official from participating in the local government's consideration, discussion, or votes to award a contract to, or change government policy to permit the purchase of services from the corporation.

If a local public official violates the ethics code, criminal penalties could apply if the violation is found to be intentional. The penalty for intentionally violating Wis. Stat. § 19.59(1)(a), (b), or (c) is a fine of not less than \$100 or more than \$5,000; imprisonment of not more than one year in the county jail; or both.<sup>28</sup> Any person who intentionally violates Wis. Stat. § 19.59(1)(br) is guilty of a Class I felony punishable by a fine not to exceed \$10,000 or imprisonment not to exceed three years and six months.

One sure way for an official to insulate him or herself from liability under the ethics statute is to take advantage of the mechanism in the statutes that allows for requests for advisory opinions. In short, an individual may request an advisory opinion, in writing, either personally or on behalf of an organization or governmental body pursuant to Wis. Stat. § 19.59(5)(a). Such request should be directed to the county ethics board, if there is one or, in the absence of a county ethics board, a county corporation counsel or attorney for a local governmental unit.

An official is presumed to have complied with Wis. Stat. § 19.59, or any ordinance enacted under Wis. Stat. § 19.59, when the official complies with an advisory opinion that the official received from a county ethics board, a county corporation counsel, or an attorney for a local governmental unit (assuming the material facts presented by the official are accurate).

## Conflicts of Interests & Ethics

Pursuant to Wis. Stat. § 19.59(6), WEC must review (but is not required to respond to) opinion requests concerning the statutory local code of ethics submitted by certain requestors:

- ❑ Any county corporation counsel.
- ❑ Any attorney for a local governmental unit.
- ❑ Any "statewide association of local governmental units."

### COUNTY ETHICS CODES (WIS. STAT. § 19.59(1M)-(4))

Any county, city, village, or town may enact an ordinance establishing a code of ethics for public officials, employees of the county or municipality, and candidates for county or municipal elective offices.

Any such ordinance must specify the positions to which it applies. The ordinance may apply to members of the immediate family of individuals who hold positions or who are candidates for positions to which the ordinance applies. An ethics ordinance may contain any of the following provisions:

- ❑ A requirement for local public officials, other employees of the county or municipality, and candidates for local public office to identify any of the economic interests specified in Wis. Stat. § 19.44.
- ❑ A provision directing the county or municipal clerk or board of election commissioners to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests as required by the ordinance.
- ❑ A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any local public official or other employee of the county or municipality who fails to disclose his or her economic interests as required by the ordinance.
- ❑ A provision granting administration and civil enforcement of the ordinance to an ethics board. The ethics board is appointed in the manner specified in the ordinance.
- ❑ Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of local public officials and other employees of the county or municipality, or on the part of former local public officials or former employees of the county or municipality.
- ❑ A provision prescribing a forfeiture for violation of the ordinance in an amount not to exceed \$1,000 for each offense. A minimum forfeiture not to exceed \$100 for each offense may also be prescribed.

### INCOMPATIBILITY OF PUBLIC OFFICES

*COMMON LAW DOCTRINE THAT EXISTS INDEPENDENT OF ANY STATUTORY CONFLICT OF INTEREST.*

Two offices or positions are incompatible if there are potential conflicts of interest between the duties of the offices or positions.

#### General Tests for Incompatibility

- ❑ If one of the offices or a position is subordinate to the duties of the other in one or more significant ways, such as being subject to the disciplinary, appointment, or removal power of the superior office

or position, or the superior office regulates the compensation of the other, then the two may be said to be incompatible.

- ❑ The mere physical inability of a person to perform the duties of both offices or the position and the office does not, of itself, have any bearing on incompatibility. Rather, incompatibility is determined based on the character of the offices, not the physical condition or ability of the individual holding the position and the office or the two offices.
- ❑ Where the existence of the second office precludes the continued existence of the first office or position, no incompatibility exists. For example, if several school districts were dissolved and consolidated into a newly-created district, a school board member of any of the dissolved districts could ordinarily become a school board member of the newly-formed school district.
- ❑ A situation that involves two different persons in two different positions does not raise questions of incompatibility of offices and positions (i.e., one spouse occupies an office or position and the other spouse assumes an apparently incompatible office or position). Although the incompatibility doctrine is not implicated, there may be serious potential conflicts of interest.<sup>29</sup>
- ❑ When an individual accepts an office that is incompatible with the one he or she presently holds, the consequences are severe. The individual vacates the first office by operation of law.<sup>30</sup>

#### Offices Found to be Incompatible

- ❑ County supervisor and county employee. Wis. Stat. § 59.10(4) provides that "[n]o county officer or employee is eligible for election or appointment to the office of supervisor, but a supervisor may also be a member of a committee, board or commission appointed by the county executive or county administrator or appointed or created by the county board, a town board, a mosquito control district, the common council of his or her city, the board of trustees of his or her village or the board of trustees of a county institution appointed under s. 46.18."
- ❑ County supervisor and county administrative coordinator.<sup>31</sup>
- ❑ Public office and a position. Conflict can exist between a public office and a position; for example, the office of alderperson was found to be incompatible with the position of residential appraiser in assessor's office.<sup>32</sup>
- ❑ County board member and county/city hospital board member.<sup>33</sup>
- ❑ Town clerk and town treasurer.<sup>34</sup>
- ❑ School board member and school district employee.<sup>35</sup>
- ❑ Town board member and sanitary district commission member.<sup>36</sup>
- ❑ Office of coroner and deputy coroner, and the position of city police officer.<sup>37</sup>

#### Offices Found to be Compatible

- ❑ Office of county supervisor and position of assistant state public defender.<sup>38</sup>
- ❑ Register of deeds and office of school board member.<sup>39</sup>
- ❑ Offices of county assessor and town supervisor.<sup>40</sup>



## Conflicts of Interests & Ethics

- ❑ Village president and supervisory deputy sheriff.<sup>41</sup>
- ❑ School board member and chairperson of town board – probably compatible.<sup>42</sup>
- ❑ School board member and position as unpaid coach in the school district – likely compatible.<sup>43</sup>

### Endnotes

- 1 *State v. Venema*, 2002 WI App 202, ¶ 13, 257 Wis. 2d 491, 650 N.W.2d 898.
- 2 Wis. Stat. § 946.13(2)(a).
- 3 OAG 42-87.
- 4 76 Op. Att’y. Gen. 278 (1987).
- 5 OAG 22-87.
- 6 75 Op. Att’y. Gen. 172 (1986).
- 7 *Venema*, 2002 WI App 202.
- 8 52 Op. Att’y. Gen. 367 (1963).
- 9 *Venema*, 2002 WI App at ¶ 11, n. 3; 76 Op. Att’y Gen. at 93.
- 10 76 Op. Att’y Gen. 90 (1987).
- 11 63 Op. Att’y. Gen. 44 (1974).
- 12 The statute excludes a clerical position, a position limited to the exercise of ministerial action or a position filled by an independent contractor.
- 13 Wis. Stat. § 19.59(1)(a).
- 14 Wis. Stat. § 19.42(7).
- 15 Wis. Stat. § 19.42(2).
- 16 Wis. Stat. § 19.56(3)(f).
- 17 2017 ETH 01.
- 18 Wis. Stat. § 19.59(1)(b).
- 19 *Id.*
- 20 The local ethics code for public officials does not include a provision parallel to Wis. Stat. § 19.56 allowing state elected officials to “retain reasonable compensation, for a published work or for the presentation of a talk or participation in a meeting” related to a topic of legislative, administrative, executive or judicial processes or proposals.
- 21 Wis. Stat. § 19.59(1)(br).
- 22 Wis. Stat. § 19.59(1)(c)1.
- 23 See Wisconsin Ethics Board memorandum Private Interest in Official Action (November 1, 1989).
- 24 2008 GAB 02.
- 25 2007 GAB 09.
- 26 Wis. Stat. § 19.59(1)(c)2.
- 27 Wis. Stat. 19.59(1)(d).
- 28 Wis. Stat. § 19.58(1)(a).
- 29 See *Otradovec v. City of Green Bay*, 118 Wis. 2d 393, 347 N.W.2d 614 (Ct. App. 1984); 58 Op. Att’y. Gen. 247 (1969); 74 Op. Att’y. Gen. 50 (1985); 76 Op. Att’y. Gen. 156 (1987).
- 30 *State v. Jones*, 130 Wis. 572, 110 N.W. 431 (1907); but see also *Otradovec v. City of Green Bay*, 118 Wis. 2d 393, 347 N.W.2d 614 (Ct. App. 1984)(the public officer can choose which position to keep).
- 31 OAG 01-11.
- 32 *Otradovec v. City of Green Bay*, 118 Wis. 2d 393, 347 N.W. 2d 614 (Ct. App. 1984).
- 33 66 Op. Att’y. Gen. 145 (1977).
- 34 68 Op. Att’y. Gen. 393 (1970).
- 35 Unpublished Op. Att’y. Gen. May 31, 1985; See also *Tarpo v. Bowman Public School District No. 4*, 232 N.W.2d 67 (N.D. 1975); *Vistocky v. City Council of City of Garfield*, 273 A. 2d 597 (1971).
- 36 69 Op. Att’y. Gen. 108 (1980).
- 37 78 Op. Att’y. Gen. 178 (1989).
- 38 75 Op. Att’y. Gen. 178 (1986).
- 39 Unpublished Op. Att’y. Gen. (1977).
- 40 63 Op. Att’y. Gen. 599 (1974).
- 41 76 Op. Att’y. Gen. 156 (1974).
- 42 74 Op. Att’y. Gen. 50 (1985).
- 43 2006 Wis. Eth. Bd. 01.

# Richland County Rules & Resolutions Committee & Ethics Board

## Agenda Item Cover

**Agenda Item Name:** Adjourn to a new Calendar date and time

|                         |                            |                       |                    |
|-------------------------|----------------------------|-----------------------|--------------------|
| <b>Department</b>       | County Board               | <b>Presented By:</b>  | Shaun Murphy-Lopez |
| <b>Date of Meeting:</b> | May 6 <sup>th</sup> , 2021 | <b>Action Needed:</b> | Vote               |
| <b>Disclosure:</b>      | Open                       | <b>Authority:</b>     | n/a                |
| <b>Date submitted:</b>  | May 5 <sup>th</sup> , 2021 | <b>Referred by:</b>   | n/a                |

### Recommendation and/or action language:

Recommend a motion to adjourn 6 to a new meeting date and time for the remainder of the term.

### Background:

The committee has begun to meet in person at the County Board room, but there is a standing conflict between this committee and the Board of Adjustment, which has traditionally used the County Board room on the first Thursday of each month at 1 p.m. Using the calendar in the attachment, the committee can choose a new meeting date and time so future meetings may be held in the County Board room.

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### Attachments and References:

|  |
|--|
| Attachment – Committee/Commission/Board calendar |
|--|

### Financial Review:

(please check one)

|                                     |                      |                       |  |
|-------------------------------------|----------------------|-----------------------|--|
| <input type="checkbox"/>            | In adopted budget    | Fund Number           |  |
| <input type="checkbox"/>            | Apportionment needed | Requested Fund Number |  |
| <input type="checkbox"/>            | Other funding Source |                       |  |
| <input checked="" type="checkbox"/> | No financial impact  |                       |  |

*(summary of current and future impacts)*

### Approval:

### Review:

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Department Head

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Administrator, or Elected Office (if applicable)

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**This Schedule is only a tracker and is not policy, meetings may deviate based on needs of the bodies or discretion of the chairs. Please always reference agendas. (Last update - 6 Apr 2021)**

| <b>RICHLAND COUNTY</b><br><b>MONTHLY MEETING SCHEDULE FOR COMMITTEES, COMMISSIONS AND BOARDS</b> |                           |   |   |                                    |
|--|---------------------------|---|---|------------------------------------|
|  | MONDAY                    | TUESDAY   | WEDNESDAY   | THURSDAY                           |
| WK 1   |                           |   | Ag and Extension Edu - 1PM  |                                    |
|  |                           | Finance and Personnel - 1PM   |   | Rules and Resolutions - 1PM        |
|  | Zoning and Land Info-3PM  |   | Transportation Cord (Qrt) - 3PM                                   | Board of Adjustments - 1PM         |
|  | County Parks-5:30PM       |   | Highway and Transportation - 5:30PM                               | Property, Buildings, Grounds - 3PM |
| WK 2   |                           |   |   |                                    |
|  | UW Platt.-Richland-1:15PM |   | <b>COUNTY BOARD MAIL-OUT</b><br>(Wednesday before Board Meeting)  | Health+Human Services - 10:30AM    |
|  | Land Conservation - 4PM   | City Park Board - 5PM   | Comm on Aging and Dis - 1PM                                       | Law Enforcement Judiciary 8:30AM   |
|  | Symons Natatorium - 7PM   | County Board -December  |   |                                    |
| WK 3   |                           |   | Hidden Valleys Board - 11AM                                       |                                    |
|  | Auditing Committee - 9AM  |   | Fair and Recycling - 5PM  |                                    |
|  | RED Economic Dev - 1PM    | <b>County Board - 7PM</b><br>(except: October is last Tuesday<br>, and no meeting in November and<br>December is 2nd Tuesday) | SW WI Library System - 5PM  | Veterans Service Commission- 10am  |
|  | City Library Board - 5PM  |   | <b>Joint Ambulance - 7PM (Quarterly)</b><br>Feb,May, Aug and Nov) | Tri-County Airport - 11AM          |
| WK 4/5   |                           |   |   |                                    |
|  |                           |   |   |                                    |
|  |                           | County Board -October   |   |                                    |
|  | OFF WEEK                  | OFF WEEK  | OFF WEEK  | OFF WEEK                           |

#### COMMITTEES, COMMISSIONS AND BOARDS THAT MEET AS NEEDED

Americans with Disability Act Compliance Committee

**Child Support Committee**

City/County Ad Hoc Committee

**Committee on Committees**

Community Development Block Grant Housing Regional Board

Community Development Block Grant Revolving Loan Regional Board

Courthouse Security Committee

Criminal Justice Coordinating Committee

CST Coordinating Committee

**Emergency Management Committee**

Joint Ambulance Subcommittee

Mississippi Valley Health Services Commission

Neighborhood Housing Services of Southwest Wisconsin

Nutrition Advisory Council

Richland County Housing Authority

Southwest Wisconsin Community Action Program

**County Board - Strategic Planning**

Viola Library Board

**! ALL MEETING TIMES AND DATES ARE SUBJECT TO CHANGE!**

|                             | <u>Teleconference Access</u> | <u>Teleconf. Access + In-Person</u> |
|-----------------------------|------------------------------|-------------------------------------|
| <b>WebEx, MIS Support</b>   | <b>Red</b>                   | Red Background with White           |
| Posting Recording           | <b>Orange</b>                | Orange Background with White        |
| <b>Zoom, no MIS Support</b> | <b>Green</b>                 | Green Background with White         |
| Posting Recording           | <b>Blue</b>                  | Blue Background with White          |