

RICHLAND COUNTY

Rules & Strategic Planning Standing Committee

October 5, 2022

NOTICE OF MEETING

Please be advised that the Richland County Rules and Strategic Planning Standing Committee will convene at 10:00 a.m., Thursday, October 6th, 2022 in the County Board Room at 181 W. Seminary Street via videoconference and teleconference using the following information:

WebEx Videoconference:

<https://richlandcounty.my.webex.com/richlandcounty.my/j.php?MTID=m90c12385e9eebccbdd05d5bd37aeebdf>

Meeting number: 2555 193 7693, Password: Richland

WebEx Teleconference: WebEx teleconference phone number: 650-479-3208, Access code: 2555 193 7693#

If you have any trouble accessing the meeting, please contact MIS Director Barbara Scott at 608-649-5922 (phone) or barbara.scott@co.richland.wi.us (email), or Rules & Strategic Planning Committee Chair Shaun Murphy-Lopez at 608-462-3715 (phone/text) or shaun.murphy@co.richland.wi.us (email).

Agenda:

1. Call to order
2. Proof of notification
3. Agenda approval
4. Public comments
Topics raised in comments received from the public may be placed on a future agenda for consideration.
5. Approval of minutes
6. Ethics review*
7. Comprehensive plan review*
8. Future agenda items
9. Adjournment

*Meeting materials for items marked with an asterisk may be found at

<https://administrator.co.richland.wi.us/minutes/rules-strategic-planning.shtml>.

CC: Committee Members, County Board, Department Heads, Richland Observer, WRCO, Valley Sentinel, Courthouse Bulletin Board

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 Strategic Planning Standing Committee.

Richland County

Rules & Strategic Planning Standing Committee

September 1st, 2022

The Rules and Strategic Planning Standing Committee met on Thursday, September 1st, 2022, at 10:00 a.m. in the County Board Room at 181 W. Seminary Street via videoconference and teleconference.

Committee members present included: Committee Chair Shaun Murphy-Lopez, Ingrid Glasbrenner, Linda Gentes, Chad Cosgrove, Bob Frank and Marty Brewer with Don Seep by WebEx.

Absent: Julie Fleming, Danielle Rudersdorf and Don Seep.

Department heads, staff and public present were: County Administrator Clint Langreck, Administrative Assistant Cheryl Dull, with Gabe Schmitt from MIS running the teleconferencing. Those logged in by videoconference or teleconference: Joanne Krulatz.

1. **Call to Order** - Committee Chair Murphy-Lopez called the meeting to order at 10:04 a.m.
2. **Proof of Notification** - Chair Murphy-Lopez confirmed that the meeting had been properly noticed.
3. **Agenda Approval** - Moved by Supervisor Cosgrove to approve the agenda as presented, seconded by Supervisor Frank. All voting aye, motion carried.
4. **Public comments** - Chair Murphy-Lopez invited any public to make comments. No public comments.
5. **Approval of minutes** – Moved by Supervisor Frank to approve as presented, 2nd by Supervisor Glasbrenner. All voting aye, motion carried.
6. **Capital improvement program** – Administrator Langreck reviewed the Capital Improvement plan and asked that it be accepted as presented and fund the capital projects in short term borrowing. Discussion followed on bathroom projects at parks and should Pier Park be moved to 2023 from 2024 because it has more frequently use. It was told to the committee that Pier Park bathrooms being in floodplain pose a challenge to repair or replacement. Supervisor Gentes will reach out to Supervisor Severson and Chair Murphy-Lopez will reach out to Cathy Cooper concerning the Pier Park bathroom. Moved by Supervisor Brewer to accept the Capital improvement plan, changing the priority of the Pier Park bathroom to 2023 and move the plan on to Finance and Personnel Standing Committee, 2nd by Supervisor Gentes. All voting aye, motion carried.
7. **Ethics review** – Chair Murphy-Lopez reviewed the documentation provided including his research from other Counties. Supervisor Glasbrenner liked the layout of Sauk and Crawford Counties Ordinance. Discussion followed on what to add:

Closed Session section - Moved by Supervisor Frank to put the closed session policy language from Crawford and Iowa into the Ordinance, 2nd by Supervisor Cosgrove. All voting aye, motion carried.

Contracting Policy section - Moved by Supervisor Glasbrenner to use the Crawford & Sauk County contracting language with some changes. *“An official or employee or a business in which an official or employee holds a 10% or greater interest may not enter into a contract with the County or the formation of a contract or contracts with the County or the receipts or disbursements of more than \$15,000 in any year.”*, 2nd by Supervisor Frank. All voting aye, motion carried.
8. **Per diems for County Board member attendance at partner committees, conferences, and trainings** – Chair Murphy-Lopez presented at the last meeting the committee agreed upon proposing language to add to the Board Rules. He reviewed from Item 08, languages in (b) and (d) that he proposed to strike or add. Moved by Supervisor Frank to postpone until a salary proposal has been researched and drafted, 2nd by Supervisor Cosgrove. Discussion followed concerning salaried pay if there is low meeting attendance, special meetings about normal, etc. Clerk Kalish will research salaries or per diems from other Counties. All voting aye, motion carried.
9. **Comprehensive plan review** – Chair Murphy-Lopez stated the committee needs to come up with a scope and a budget for the reviewing the plan. Before the next meeting the committee should review the current Comprehensive Plan and be prepared to discuss the Strengths, Weaknesses, Opportunities and Threats.
10. **County Board meeting date change** – Chair Murphy-Lopez reviewed the results from the survey. Supervisor Glasbrenner stated she did not take the survey but her answer would be yes to all choices. Results are, 13 say current time worked best with 4th Monday and Tuesday coming in 2nd. Supervisor Brewer stated

Richland County

Rules & Strategic Planning Standing Committee

we are doing this due to the City having conflicting meeting times. Moved by Supervisor Murphy-Lopez to forward a board rule change to County Board to meet on the 4th Monday at 7:00 pm of each month with the exception that are already in County Board rules staying in place, effective for the 2024 - 2025 term, 2nd by Supervisor Glasbrenner.

Moved by Supervisor Gentes to amend the motion that the in the exceptions, the annual meeting shall be held the last Monday of October. 2nd by Supervisor Glasbrenner. All voting aye on the amendment, motion carried.

Moved by Murphy-Lopez to amend the motion, to include language that says 'except for the organizational meeting which shall be held the 3rd Tuesday in April in even number years', 2nd by Cosgrove. All voting aye on the amendment, motion carried.

Roll call vote requested on the amended motion. All voting aye, motion carried.

11. **Future agenda items** – Glasbrenner – process for appointment of county board chair.
12. **Adjournment** – Next meeting will be held Thursday, October 6th @ 10:00 a.m. in the County Board room. Moved by Supervisor Frank to adjourn at 12:06 pm, seconded by Supervisor Glasbrenner. All voting aye, motion carried.

Minutes respectfully submitted by
Cheryl Dull
Assistant to the County Administrator

Agenda Item Name: Ethics Review

Department	County Board	Presented By:	Shaun Murphy-Lopez
Date of Meeting:	October 6 th , 2022	Action Needed:	Motion
Disclosure:	Open Session	Authority:	Committee Structure, Letter B5
Date submitted:	October 5 th , 2022	Referred by:	n/a

Recommendation and/or action language: Motion to recommend elements to be included in a new draft ethics ordinance, for the Committee's consideration at a future meeting.

Background:

At the August meeting of the Rules & Strategic Planning Committee the committee reviewed:

- Richland County's current ethics ordinance (No. 06-28) which covers employees, as shown in Attachment A.
- State Statute 19.59 which 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.
- Adjacent counties with more far-reaching ethics ordinances including Crawford, Iowa, and Sauk Counties, as shown in Attachment C.

At the September meeting the committee:

- Reviewed the layout of the chart below
- Generated reasons we might want to revise the County's current ethics ordinance
- Made recommendations for closed session and contracting policies, to be included in a new draft ethics ordinance

The following chart lays out choices for the committee to develop a new ethics ordinance. Headings for three sections have been added:

1. Introduction
2. Subjects
3. Process

A new column has also been added that includes recommendations made by the committee at the September meeting.

Richland County Rules & Strategic Planning Standing Committee

Topic	Current Ordinance	Option A	Option B	Option C	Committee Recommendation
Introduction					
Governing Body	Ethics Board, 5 supervisor members of the County Board nominated by the Committee on Committees . . .	Rules & Strategic Planning Standing Committee	A committee of the County Board which has been assigned the duties of the Ethics Board	Crawford/Sauk County example: <i>There is hereby created an Ethics Inquiry Board to consist of 3 members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, appointed by the County Board Chairperson with the approval of the County Board. The members of the Ethics Inquiry Board shall be residents of the county and shall not be County public officials or employees during the time of appointment, and shall serve staggered 3-year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this code. The Corporation Counsel shall provide legal advice, secretarial service and assistance to the Board.</i>	
Purpose of Ethics	N/A	Crawford County example (see sections 4.55, 4.56, 4.57, 4.58 in Attachment D)	Iowa County example (see section 701.07 in Attachment D)	Sauk County example (see sections 36.01, 36.02, 36.03 in Attachment D)	
Positions Covered	Part-time and full-time employees, except elected officials, Highway Commissioner, Corporation Counsel	Crawford/Sauk County example: <i>All County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.</i>	Iowa County example: <i>All county officials (i.e., any person holding a county elected office), county employees (i.e., any person holding a full- or part-time position with the county, other than a county official), and citizen member (i.e., a person appointed to any position by the</i>		

Richland County Rules & Strategic Planning Standing Committee

			<i>County board, who is neither an elected county officeholder nor a county employee)</i>		
Subjects					
Closed Session Policy	n/a	Crawford/Iowa County example: <i>No County official may disclose any information discussed, debated or acted upon in a closed session of the County Board or its standing committees.</i>			9/1/22: <i>No County official may disclose any information discussed, debated or acted upon in a closed session of the County Board or its standing committees.</i>
Contracting Policy	n/a	Crawford/Sauk County example: <i>An official or employee or a business in which an official or employee holds a 10% or greater interest may not enter into a contract with the County involving a payment or payments of more than \$1,000 amount within a 12-month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the County Clerk and reported such interest to the County Board. Further, pursuant to §946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract or contracts with Crawford County involving the receipts or disbursements of more than \$15,000 in any year.</i>			9/1/22: <i>An official or employee or a business in which an official or employee holds a 10% or greater interest may not enter into a contract with the County or the formation of a contract or contracts with Richland County involving the receipts or disbursements of more than \$15,000 in any year.</i>
Email Policy					

Richland County Rules & Strategic Planning Standing Committee

Topic	Current Ordinance	Option A	Option B	Option C	Committee Recommendation
Financial Interest Policy	Cannot have a financial or other personal interest which is in conflict with the proper discharge of his or her duties, or disclose or use confidential information concerning Richland County to promote a private financial interest.	Crawford/Sauk County examples: <i>A member of the County Board who has a financial interest in any proposed action before the County Board shall disclose the nature and extent of such interest to the County Clerk and the County Board prior to or during the initial discussion of such action and shall refrain from participating in the discussion of and/or voting on such action. A member of the County Board shall request to be excused by the Board or Committee chairperson for the duration of any deliberations concerning such action in which the member has a financial interest. Any other official or employee who has a financial interest in any proposed action before the County Board, and who participates in discussion with or gives an official opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board.</i>	Iowa County example: <i>A county official who has a substantial financial interest in a matter pending before the body of which he or she is a member shall disclose the nature of the interest. The disclosure shall be made on the record before the body, or if there is no formal record, in writing to the body.</i>		
Financial Interest Definition	n/a	Crawford County example: <i>Any interest which yields, directly or indirectly, a monetary or other material benefit to the</i>	Iowa County example: <i>Any interest required to be placed on a disclosure statement by s. 701.21 of this ordinance</i>		

Richland County Rules & Strategic Planning Standing Committee

		<i>County officer or employee or to any person employing or retaining services of the County officer or employee.</i>			
Gift Policy	No gifts may be accepted by people who have dealings with Richland County	<p>Crawford County example: No official or employee shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to his knowledge is interested in business dealings with the County nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence him in the discharge of his duties or grant in the discharge of his duties any improper favor, service or thing of value.</p> <p>EXCEPTION. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.</p>	<p>Iowa County example: No county official, county employee or citizen member may solicit or accept from any person directly or indirectly, anything of value if it could reasonably be expected to influence official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the county official, county employee or citizen member.</p>	<p>Sauk County example: An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or is provided to such official or employee because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.</p>	

Richland County Rules & Strategic Planning Standing Committee

Topic	Current Ordinance	Option A	Option B	Option C	Committee Recommendation
Gift Definition	Estimated market value of \$100 or more	Crawford/Sauk County examples: <i>Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the State or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.</i>	Iowa County example: <i>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 county, fees and expenses which are permitted and reported under s. 701.16, political contributions which are reported under chapter 11, Wis. Stats., hospitality extended for a purpose unrelated to county business by a person other than an organization or anything having a value of less than \$13 per occurrence or \$39 in total during a calendar year.</i>		
Nepotism Policy	While not in ordinance, the County has a policy on nepotism in the Employee Handbook	Crawford County example: <i>(1) No person shall be employed, promoted, or transferred to any department, division, or work unit when, as a result, the employee would be directly supervising or receiving direct supervision from a related person. (2) "Related person" shall</i>			

Richland County Rules & Strategic Planning Standing Committee

		<i>mean spouse, parents, children, siblings, grandparents, grandchildren, father-in-law, mother-in-law, stepchildren, stepparents and any person sharing the employee's residence.</i>			
Privileged Information Policy	Cannot disclose or use confidential information concerning Richland County to promote a private financial interest.	Crawford/Sauk County example: <i>An official or employee shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.</i>	Iowa County example: <i>No county official or employee may intentionally use or disclose information gained in the course of or by reason of her or his official position or activities in any way that could result in the receipt of anything of value for herself or himself, for a member of her or his immediate family, or for any other person or legal entity if the information has not been communicated to the public or is not a public record.</i>		
Privileged Information Definition	n/a	Crawford/Sauk County example: <i>Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or</i>			

Richland County Rules & Strategic Planning Standing Committee

		<i>custom as privileged.</i>			
Immediate Family Definition	n/a	Crawford/Sauk County example: <i>An official's or employee's spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half of the support of the official or receives that level of support from the official or employee.</i>			
Public Property Policy	n/a	Crawford/Sauk County example: <i>An official or employee shall not use, or knowingly permit the use, of County services or County-owned vehicles, equipment, materials for unauthorized nongovernmental purposes or for unauthorized personal convenience or for profit, unless such services or use are available to the public generally and consistent with practices and policies of the County.</i>			
Social Media Policy	While not in ordinance, the County has a policy on social media adopted in 2014 (see Attachment 07E from 9/1/22 meeting)				

Richland County Rules & Strategic Planning Standing Committee

Topic	Current Ordinance	Option A	Option B	Option C	Committee Recommendation
Ethics Ordinance Process					
Advisory Opinions	Shall 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.	Crawford/Sauk County example: <i>Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Ch. 19, Wis. Stats. However, such records may be made public with the consent of the applicant.</i>	Iowa County example: <i>(see 701.24 in Attachment D)</i>		
Complaint Procedure	See 8 (a) through (f) in Attachment A.	Crawford/Sauk County example: <i>The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall</i>	Iowa County example: <i>All complaints regarding violations of this ordinance shall be made in writing and submitted to the county clerk who shall deliver them to the chairperson of the ethics board.</i>		

Richland County Rules & Strategic Planning Standing Committee

		<i>forward a copy of the complaint to the accused officer or employee and the Ethics Inquiry Board within ten days. If no action on the verified complaint is taken by the Ethics Inquiry Board within 30 days, the complaint shall be dismissed.</i>			
Investigation Procedure	<i>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</i>	Crawford/Sauk County example: (see section 4.69 (3), (4), (5) (b) and (c))	Iowa County example: (see sections 701.22 and 701.23 in Attachment D)		
Enforcement	<i>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. 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 DA.</i> <i>Penalties for violations, which shall be determined by the Ethics Board, shall</i>	Crawford/Sauk County example: <i>If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Ethics Inquiry Board shall refer its findings and recommendation to the County Board, or in the case of an employee, to the Personnel Committee. The Board may make the following recommendations:</i> <i>1. Recommend that the County Board</i>	Iowa County example: (see section 701.26 in Attachment D)		

Richland County Rules & Strategic Planning Standing Committee

	include a) <i>Withholding of the payment of salary or expense from the violator, and/or b) A forfeiture of not less than \$100 or more than \$1,000 for each violation of the Ordinance, plus Court costs.</i>	order the officer or employee to conform his or her conduct to the Ethics Code or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action. 2. The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of §19.59 Wis. Stats.			
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Attachments and References:

Attachment A: Current Ethics Ordinance	Attachment B: State Statute 19.59
Attachment C: Other County Ordinances	

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:

Department Head

Administrator, or Elected Office (if applicable)

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-

nomie 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.

CODE OF ETHICS

(Cr. Ord. #171-2013; Rep. & recr. Ord. #193-2015)

4.55 DECLARATION OF POLICY. (Rep. & recr. Ord. #193-2015)

To ensure that the public can have complete confidence in the integrity of Crawford County Government, each elected official and employee shall respect and adhere to the fundamental principles of ethical service. The proper operation of County government demands that:

- (1) Crawford County officials and employees be independent, impartial and responsible to the people;
- (2) Decisions be made in the proper channels of the County governmental structure;
- (3) County offices should not be used for personal gain;
- (4) County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

4.56 PURPOSE. (Rep. & recr. Ord. #193-2015)

The purpose of this code is to establish ethical standards of conduct for all County officials and employees by identifying those acts or actions that are not compatible with the best interest of the County. Because representatives of the County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as County officials and employees retain their rights as citizens to personal and economic interests. Therefore, the standards of ethical conduct for County officials and employees must distinguish between minor and inconsequential conflicts which are unavoidable and those conflicts which are substantial and material. The provisions of this code, and such rules and regulations which may be established, are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

4.57 RESPONSIBILITY OF PUBLIC OFFICE. (Rep. & recr. Ord. #193-2015)

Public officials and employees are agents of the public and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the constitution of this State and carry out impartially the laws of the nation, State and County and to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern. Their conduct should be above reproach so as to foster respect for all government.

4.58 DEDICATED SERVICE. (Rep. & recr. Ord. #193-2015)

Officials and employees shall adhere to the rules of work and performance established as the standard for their positions by the appropriate authority. Officials and employees shall not exceed their authority or breach the law or ask others to do so, and they shall work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

4.59 COVERAGE. (Rep. & recr. Ord. #193-2015)

This code governs all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and all other County employees.

4.60 EXEMPTIONS. (Rep. & recr. Ord. #193-2015)

Political contributions which are reported under Ch. 11, Wis. Stats., are exempt from the provisions of this code.

4.61 DEFINITIONS. (Cr. Ord. #193-2015)

- (1) PERSON. Any individual, corporation, partnership, joint venture, association or organization.
- (2) FINANCIAL INTEREST. Any interest which yields, directly or indirectly, a monetary or other material benefit to the County officer or employee or to any person employing or retaining services of the County officer or employee.
- (3) ANYTHING OF VALUE. Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the State or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.
- (4) PRIVILEGED INFORMATION. Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.
- (5) OFFICIAL. All County department heads or directors, County supervisors, and all other County elected and appointed officers, except judges and district attorneys.
- (6) EMPLOYEE. All persons filling an allocated position of County employment and all members of boards, committees, and commissions.
- (7) IMMEDIATE FAMILY. An official's or employee's spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half of the support of the official or receives that level of support from the official or employee.

4.62 FAIR AND EQUAL TREATMENT. (Cr. Ord. #193-2015)

- (1) USE OF PUBLIC PROPERTY. An official or employee shall not use, or knowingly permit the use, of County services or County-owned vehicles, equipment, materials for unauthorized nongovernmental purposes or for unauthorized personal convenience or for profit, unless such services or use are available to the public generally and consistent with practices and policies of the County.
- (2) OBLIGATIONS TO CITIZENS. An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

This section does not affect the duty of County supervisors to diligently represent their constituency.

4.63 CONFLICTS OF INTEREST. (Cr. Ord. #193-2015)

- (1) RECEIPT OF GIFTS, FAVORS AND GRATUITIES PROHIBITED. No official or employee shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to his

knowledge is interested in business dealings with the County nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence him in the discharge of his duties or grant in the discharge of his duties any improper favor, service or thing of value.

- (2) EXCEPTION. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.
- (3) BUSINESS INTEREST. An official or employee shall not engage in any business or transaction or act in regard to any financial interest, direct or indirect, which:
 - (a) Is incompatible with the proper discharge of his or her official duties for the benefit of the public;
 - (b) Is contrary to the provisions of this code; or
 - (c) May impair his or her independence of judgment or action in the performance of his or her official duties.
- (4) EMPLOYMENT. An official or employee shall not engage in or accept any private employment or render any service for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided. An employee shall obtain prior approval from their Department Head, or in the case of a Department Head, from the applicable oversight committee, before engaging in outside employment.
- (5) REPRESENTING PRIVATE INTERESTS BEFORE COUNTY AGENCIES IN COURTS. No official or employee whose salary is paid in whole or in part by the County shall appear in behalf of private interests before any agency of the County. He shall not represent private interests in any action or proceeding against the interests of the County in any litigation to which the County is a party. This section shall not be construed as prohibiting the appearance of officials or employees when subpoenaed as witnesses by parties involved in litigation which also may involve the County. A supervisor may appear before County agencies on behalf of constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations. However, no supervisor or other official or employee shall accept a retainer or compensation that is contingent upon a specific action by a County agent.
- (6) CONTRACTING. An official or employee or a business in which an official or employee holds a 10% or greater interest may not enter into a contract with the County involving a payment or payments of more than \$1,000 amount within a 12-month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the County Clerk and reported such interest to the County Board. Further, pursuant to §946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract or contracts with Crawford County involving the receipts or disbursements of more than \$15,000 in any year.

4.64 FINANCIAL INTEREST IN LEGISLATION. (Cr. Ord. #193-2015)

A member of the County Board who has a financial interest in any proposed action before the County Board shall disclose the nature and extent of such interest to the County Clerk and the County Board prior to or during the initial discussion of such action and shall refrain from participating in the discussion of and/or voting on such action. A member of the County Board shall request to be excused by the Board or Committee chairperson for the duration of any deliberations concerning such action in which the member has a financial interest. Any other official or employee who has a financial interest in any proposed action before the County Board, and who participates in discussion with or gives an official opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board.

4.65 DISCLOSURE OF PRIVILEGED INFORMATION. (Cr. Ord. #193-2015)

An official or employee shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.

4.66 DISCLOSURE BY COUNTY OFFICIALS OF MATTERS PERTAINING TO A CLOSED SESSION PROHIBITED. (Cr. Ord. #193-2015)

No County official may disclose any information discussed, debated or acted upon in a closed session of the Crawford County Board or its standing committees.

4.67 NEPOTISM. (Cr. Ord. #193-2015)

- (1) No person shall be employed, promoted, or transferred to any department, division, or work unit when, as a result, the employee would be directly supervising or receiving direct supervision from a related person.
- (2) "Related person" shall mean spouse, parents, children, siblings, grandparents, grandchildren, father-in-law, mother-in-law, stepchildren, stepparents and any person sharing the employee's residence.

4.68 STATE STATUTES INCORPORATED. (Cr. Ord. #193-2015)

- (1) STATUTES INCORPORATED BY REFERENCE. The following sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:
 - §19.01 (Oaths and Bonds)
 - §19.21 (Custody and Delivery of Official Property and Records)
 - §19.81-§19.89 (Open Meetings of Governmental Bodies)
 - §19.59 (Codes of Ethics for Local Government Officials, Employees and Candidates)
- (2) VIOLATION OF INCORPORATED STATUTES. Officials shall comply with the sections of the Wisconsin Statutes incorporated in this code and failure to do so shall constitute a violation of this code.

4.69 INVESTIGATIONS AND ENFORCEMENT. (Cr. Ord. #193-2015)

- (1) ADVISORY OPINIONS. Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Ch. 19, Wis. Stats. However, such records may be made public with the consent of the applicant.
- (2) COMPLAINTS. The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to the accused officer or employee and the Ethics Inquiry Board within 10 days. If no action on the verified complaint is taken by the Ethics Inquiry Board within 30 days, the complaint shall be dismissed.

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- (3) **PRELIMINARY INVESTIGATIONS.** Following the receipt of a verified complaint, the Ethics Inquiry Board may make preliminary investigations with respect to alleged violation of this code. A preliminary investigation shall not be initiated unless the accused officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights. If the Ethics Inquiry Board finds probable cause to believe the allegations contained in the complaint, the complaint shall be referred to hearing pursuant to subsections (5)(a) and (5)(c) below before the Ethics Inquiry Board.
- (4) **TIME LIMITATIONS.** The Ethics Inquiry Board may investigate any complaint properly filed with it. However, no action may be taken on any complaint which is filed more than one year after a violation of the Ethics Code is alleged to have occurred.
- (5) **ETHICS INQUIRY BOARD.** There is hereby created an Ethics Inquiry Board to consist of 3 members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, appointed by the County Board Chairperson with the approval of the County Board. The members of the Ethics Inquiry Board shall be residents of Crawford County and shall not be County public officials or employees during the time of appointment, and shall serve staggered 3-year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this code. The Corporation Counsel shall provide legal advice, secretarial service and assistance to the Board. The Board shall be entitled to mileage and per diem payments for meetings and hearings of the Board on the same basis as provided other Crawford County boards, committees or commissions.
- (a) **Powers and Duties.** The Ethics Inquiry Board shall be responsible for investigating a complaint, and conducting a fact finding hearing pursuant to subparagraph (5)(c) below, in any case where the Ethics Inquiry Board has found that probable cause exists for believing the allegations of a complaint referred to the Board after preliminary review pursuant to subparagraphs (2) through (4) above.
- (b) **Burden of Proof.** The burden of proving a violation alleged in the complaint shall be on the complainant. Violations shall be proved by evidence that is clear, satisfactory and convincing.
- (c) **Hearing.** The Ethics Inquiry Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Inquiry Board may request, a hearing before the Board. The Board shall keep a record of the hearing. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under §885.01, Wis. Stats.
1. Within 10 work days of the conclusion of the hearing, the Board shall file its written findings and recommendations signed by all participating Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. If the Board determines that no violation of the Code of Ethics has occurred, it shall dismiss the complaint, and if requested to do so by the accused, issue a public statement.
 2. No recommendation of the Board becomes effective until 20 work days after it is issued, or while an application for rehearing or rehearing before the Board is pending, or the Board has announced its final determination on rehearing.
- (d) **Enforcement and Penalties.** If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Ethics Inquiry Board shall refer its findings and recommendation to the County Board, or in the case of an employee, to the Personnel Committee. The Board may make the following recommendations:
1. Recommend that the County Board order the officer or employee to conform his or her conduct to the Ethics Code or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee may

also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.

2. The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of §19.59 Wis. Stats.

Ordinance No. 701

ETHICS CODE

- 701.01 Title.
- 701.02 Authority.
- 701.03 Definitions.
- 701.04 Application of Chapter.
- 701.05 Administration.
- 701.06 Certain County Transactions Prohibited.
- 701.07 Declaration of Policy.
- 701.08 Standard of Conduct; Use of Public Position to Obtain Private Benefit Prohibited.
- 701.09 Standard of Conduct; Solicitation or Acceptance of anything of Value.
- 701.10 Standard of Conduct; Conflict of Interest Prohibited.
- 701.11 Mileage Reimbursement Eligibility.
- 701.12 Standard of Conduct; Use or Disclosure of Information Gained in Course of Official Activities
- 701.13 Impermissible Use of Public Office.
- 701.14 Standard of Conduct; Representation for Compensation by County Official Before County Entities.
- 701.15 Standard of Conduct; Representation by Citizen Members and Employees Before County Entities.
- 701.16 Standard of Conduct; Receipt and Retention of Anything of Value Unrelated to Official Duties.
- 701.17 Standard of Conduct; Receipt and Retention of Anything of Value for the Benefit of the County.
- 701.18 Standard of Conduct; Receipts from Political Committees.
- 701.19 Standard of Conduct; Disclosure by County Officials.
- 701.20 Standard of Conduct; Disclosure by County Officials of Matters Pertaining to a Closed Session Prohibited
- 702.21 Complaints.
- 701.22 Procedure Before the Board.
- 701.23 Closed Session.
- 701.24 Advisory Opinions.
- 701.25 Open Records.
- 701.26 Sanctions.
- 701.27 Severability.

701.01 TITLE. This ordinance may be cited as the Iowa County Ethics Code.

701.02 AUTHORITY. This ordinance is enacted under the authority of Section 19.59, Wis. Stats.

701.03 DEFINITIONS. (1) Except as expressly modified in this chapter, words and phrases used in this chapter have meanings set forth in s. 19.42, Wis. Stats.:

(a) *Administrative agency* means any board, commission, committee, task force or other entity which is listed in chapter 15.

(b) *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 county, fees and expenses which are permitted and reported under s. 701.16, political contributions which are reported under chapter 11, Wis. Stats., hospitality extended for a purposes unrelated to county business by a person other than an organization or anything having a value of less than \$13 per occurrence or \$39 in total during a calendar year.

(c) *Board* shall mean the Iowa County Ethics Board created by Section 702 of the Iowa County Code of Ordinances.

(d) *Business* shall mean any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making or nonprofit-making activities.

(e) *Citizen* or *citizen member* refers to a person appointed to any position by the County Board, who is neither an elected county officeholder nor a county employee.

(f) *County employee* shall refer to any person holding a full- or part-time position with Iowa County, other than a county official.

(g) *County official* shall mean any person holding a county elected office.

(h) *Department* shall mean any department of county government having its own budget.

(i) *Elected official* shall mean any person who holds an elected position and whose salary is funded in full or in part by Iowa County.

(j) *Organization* means any legal entity other than an individual or body politic.

(k) *Respondent* means a person against whom has been filed a complaint alleging a violation of this chapter.

(l) *Substantial financial interest* means any interest required to be placed on a disclosure statement by s. 701.21 of this ordinance.

701.04 APPLICATION OF CHAPTER. 1 This ordinance shall apply to all county officials and county employees.

701.05 ADMINISTRATION. The Iowa County Ethics Board shall be the administrative body with respect to the enforcement of the provisions of this ordinance. The board may call upon the Iowa County Administrative Offices for staff assistance as the need arises. The corporation counsel shall provide such legal assistance as the board requires.

701.06 CERTAIN COUNTY TRANSACTIONS PROHIBITED. (1) The county shall not have or seek to have a business or financial relationship with a county official which would potentially place the official in violation of s. 946.13, Wis. Stats., or any provision of this chapter.

(2) It shall be the duty of the department head overseeing negotiations and requests for bids or proposals or other proposed transactions to assure compliance with this section.

701.07 DECLARATION OF POLICY. (1) The proper operation of representative government requires that county officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all County of Iowa officials and employees. The purpose of this code is to assist county officials and employees in avoiding conflicts between their personal interest and their public responsibilities in order to improve standards of public service and promote and strengthen the faith and confidence of the people of Iowa County in their county public officials and employees and to provide for disclosure by county officials and managerial employees of substantial financial interests in matters affecting the county. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best interests of the County of Iowa.

(2) The county board hereby reaffirms that each county official and employee occupies a position of public trust that requires adherence to a high standard of conduct. Any effort to realize substantial personal gain through official conduct is a violation of that trust. This code of ethics does not prevent any county public official from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of his or her duties to this county. The county board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as county officials retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for county officials need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that county officials may need to engage in employment, professional or business activities, other than official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments which activities or investments do not conflict with the specific provisions of this code.

701.08 STANDARD OF CONDUCT; USE OF PUBLIC POSITION TO OBTAIN PRIVATE BENEFIT PROHIBITED. No county official, county employee or citizen member 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.

701.09 STANDARD OF CONDUCT; SOLICITATION OR ACCEPTANCE OF ANYTHING OF VALUE. No county official, county employee or citizen member may solicit or accept from any person directly or indirectly, anything of value if it could reasonably be expected to influence official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the county official, county employee or citizen member.

701.10 STANDARD OF CONDUCT; CONFLICT OF INTEREST PROHIBITED. No county official, county employee or citizen member may: (a) 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. (b) 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.

701.11 MILEAGE REIMBURSEMENT ELIGIBILITY. A county board supervisor is eligible for reimbursement of only that mileage actually traveled in attending those meetings for which she or he is also eligible for a meeting payment.

701.12 STANDARD OF CONDUCT; USE OR DISCLOSURE OF INFORMATION GAINED IN COURSE OF OFFICIAL ACTIVITIES. No county official or employee may intentionally use or disclose information gained in the course of or by reason of her or his official position or activities in any way that could result in the receipt of anything of value for herself or himself, for a member of her or his immediate family, or for any other person or legal entity if the information has not been communicated to the public or is not a public record.

701.13 IMPERMISSIBLE USE OF PUBLIC OFFICE. No county official or county employee shall use or attempt to use his or her public office or employment to influence or gain unlawful benefits, advantages or privileges personally or for others.

701.14 STANDARD OF CONDUCT; REPRESENTATION FOR COMPENSATION BY COUNTY OFFICIAL BEFORE COUNTY ENTITIES. (1) No county official shall appear on behalf of private interests for compensation, before any county entity nor represent private interests in any action or proceedings against the county.

(a) This subsection shall not apply:

1. In a contested case which involves a party other than the county with interests adverse to those represented by the public official or employee; or
2. At an open hearing before a body other than the county board or a committee of the county board, at which a stenographic or tape record is maintained; or
3. In a matter that involves only ministerial action by the department; or
4. To representation by an elected official acting in his or her official capacity.

(2) This section shall not be construed to limit in any fashion whatsoever an elected official's business or professional partner's or associate's right to practice or appear before a county entity, provided, however, the elected official does not participate in any vote or in the decision-making process.

(3) Nothing in this section shall be construed to prohibit an elected official from representing herself or himself before any county entity, including the one of which he or she is member.

701.15 STANDARD OF CONDUCT; REPRESENTATION BY CITIZEN MEMBERS AND EMPLOYEES BEFORE COUNTY ENTITIES.

(1) No county employee or citizen member shall appear on behalf of private interests with or without compensation before any entity for or with which the person works nor appear on behalf of private interests with or without compensation in any action or proceeding against the county.

(a) This subsection shall not apply to matters involving employee appearances before any county entity as a representative of a collective bargaining unit, whether on behalf of the unit or a county employee represented by the unit.

(2) This section shall not be construed to prohibit a citizen member from dealing directly with staff of the agency on behalf of private interests, for compensation or otherwise, provided that if the representation is for compensation, that fact is contemporaneously disclosed, in writing, to the affected county department or agency.

(3) This section shall not be construed to limit in any fashion whatsoever a citizen member's or employee's business or professional partner's or associate's right to practice or appear before the administrative agency.

(4) Nothing in this section shall be construed to prohibit a citizen member or employee from representing herself or himself before any county entity, including the one of which he or she is a member.

701.16 STANDARD OF CONDUCT; RECEIPT AND RETENTION OF ANYTHING OF VALUE UNRELATED TO OFFICIAL DUTIES.

(1) County officials, employees and citizen members may receive and retain anything of value if the activity or occasion on or for which it is given is unrelated from his or her use of the county's time, information, facilities, equipment, services or supplies not generally available to all residents of the county and he or she 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 her or his position and was paid for a purpose unrelated to a matter being considered by or affecting the county. Such persons may accept and retain from persons or entities other than the county the cost of reimbursement of actual and reasonable expenses related to speaking engagements whether or not the same arise from their county roles or positions.

701.17 STANDARD OF CONDUCT; RECEIPT AND RETENTION OF ANYTHING OF VALUE FOR THE BENEFIT OF THE COUNTY.

County officials, employees and citizen members may accept and retain anything of value which consists of transportation, lodging, meals, food or beverage, or reimbursement therefore, if the official, employee or citizen member can show by clear and convincing evidence that the same was incurred or received primarily for the benefit of the county and not primarily for his or her private benefit or that of any other person. It is prima facie evidence that the acceptance of anything of value consisting of the enumerated items or services is primarily for the benefit of the county (a) when received by an official, employee or citizen member in connection with a speech or other presentation being given by the county official, employee or citizen member; (b) when received by an official,

employee or citizen member attending a government-related function where the same or similar items or services are provided free of direct charge to all attendees; or (c) when received by an official employee or citizen member in a situation where the county would have to assume the costs of the item or service if not otherwise provided.

701.18 STANDARD OF CONDUCT; RECEIPTS FROM POLITICAL COMMITTEES. Notwithstanding any other provision of this chapter, county officials may receive and retain from a political committee under Ch. 11, Wis. Stats., transportation, lodging, meals, food or beverages, or reimbursement therefor, or payment or reimbursement of costs permitted and reported in accordance with Ch. 11, Wis. Stats.

701.19 STANDARD OF CONDUCT; DISCLOSURE BY COUNTY OFFICIALS. A county official who has a substantial financial interest in a matter pending before the body of which he or she is a member shall disclose the nature of the interest. The disclosure shall be made on the record before the body, or if there is no formal record, in writing to the body.

701.20 STANDARD OF CONDUCT; DISCLOSURE BY COUNTY OFFICIALS OF MATTERS PERTAINING TO A CLOSED SESSION PROHIBITED. No county official may disclose any information discussed debated or acted upon in a closed session of the Iowa County Board or its standing committees.

701.21 COMPLAINTS. All complaints regarding violations of this ordinance shall be made in writing and submitted to the county clerk who shall deliver them to the chairperson of the ethics board.

701.22 PROCEDURE BEFORE THE BOARD. Upon receipt of a complaint, the board shall: (1) Cause notice to be given to the respondent. Such a notice shall contain a specification of the charges against the respondent as well as a notice that the respondent may file a written statement of his or position with the board.

(2) Schedule and hold hearings on the complaint.

(3) Hear the respondent's position and the testimony of witnesses, if any.

(4) Permit the respondent and the complainant to call such witnesses as either desires and to cross-examine the witnesses of the other.

(5) Consider the evidence presented and make findings thereon.

(6) By its chairperson or his or her designee, make rulings on motions and objections made by any party in such a manner as to assure due process protection to the parties.

(7) Based upon the evidence presented to it, determine whether or not to seek imposition of a forfeiture pursuant to the penalty provisions of this ordinance. If a forfeiture is deemed advisable, the board may direct the corporation counsel to start an action in the name of the county against the violator.

(8) When deciding to seek the imposition of a forfeiture, the board shall at the time of notifying the corporation counsel, serve notice by mail upon the respondent to the effect that a forfeiture will be sought against the respondent, specifying the amount and that court action may be avoided if the amount specified is paid within 30 days of the date of the notice.

(9) If a person against whom the board decides to seek imposition of a forfeiture fails to pay the amount specified by the board within 30 days of the date of the notice, the corporation counsel shall initiate an action for the collection of the forfeiture in the circuit court for the County of Iowa.

701.23 CLOSED SESSION. Pursuant to sec. 19.85(1)(a) and (f), Wis. Stats., the board shall conduct its hearings in closed session unless the person complained of requests open hearings.

701.24 ADVISORY OPINIONS. (1) Any person subject to the provisions of this ordinance, either personally or on behalf of an organization or governmental body, may at any time request of the board 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 the ethics board an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. The ethics board 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. The ethics board may authorize the corporation counsel to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in sub. (3), neither the corporation counsel nor a member or agent of the ethics board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion. The board shall annually publish a synopsis of any advisory opinions it has issued, after first reviewing such material with the corporation counsel to ensure that all individual identifying material has been deleted.

(2) It is prima facie evidence of intent to comply with the Iowa County ethics code or any amendment of the same when a person refers a matter to the ethics board and abides by the advisory opinion, if the material facts are as stated in the opinion request.

(3) The ethics board may make an advisory opinion public with the consent of the individual requesting the 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 section 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 ethics board or corporation counsel in connection with the request for an advisory opinion.

(4) The board is expressly authorized to issue advisory opinions interpreting those provisions of chapter 19 of the Wisconsin Statutes which are expressly incorporated in this ordinance.

701.25 OPEN RECORDS. All records of the board shall be open to public inspection at any time except that the names of individuals and identifying matter which clearly discloses the identity of any individual shall be kept confidential, and copies of such records shall be altered to remove any such identifying information.

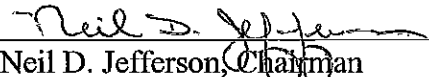
701.26 SANCTIONS. (1) Violation of any provision of this code should raise conscientious questions for the official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the County of Iowa. If the ethics board determines that an official or employee has violated any provision of this code, the board may, as part of its report to the county board, make any of the following recommendations:

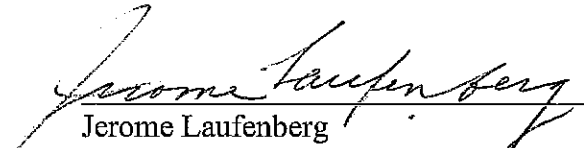
- (a) In the case of an official who is an elected county board supervisor, that the county board consider sanctioning, reprimanding, censuring or expelling the person;
- (b) In the case of a citizen member, the county board or other appointing authority consider removing the person from the administrative agency;
- (c) In the case of an employee, that the employee's appointing authority consider imposing discipline, up to and including discharge of the employee.


(2) In addition to the sanctions available under sub. (1), any official or employee violating the provisions of this section shall be subject to a non-reimbursable forfeiture of not more than one hundred dollars (\$100).


701.27 SEVERABILITY. The provisions of this chapter are severable. If any provision of this chapter is held to be invalid or unconstitutional or if the application of any provision of this chapter to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provisions or applications. It is hereby declared to be the intent of the county board that this chapter would have been adopted had any invalid or unconstitutional provisions or applications not been included herein.


Respectfully submitted for consideration by the Committee on Salary & Personnel, Neil D. Jefferson, Chairman.


Neil D. Jefferson, Chairman


Jerome Laufenberg



David Gollon


Thomas Paull


Diane McGuire

**COMMITTEE ON SALARY &
PERSONNEL**

Adopted this 9th day of November, 1999.


Richard Scullion
Iowa County Chairman

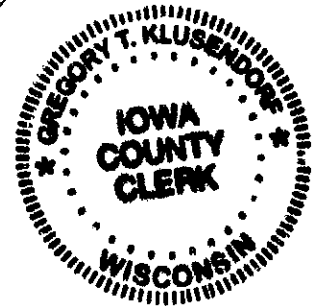
ATTEST:

Gregory Klusendorf
Gregory Klusendorf
Iowa County Clerk

CERTIFICATION OF ADOPTION

This is to certify that the above resolution was duly adopted by the County Board of Iowa County on the 9th day of November, 1999.

Gregory Klusendorf
Gregory Klusendorf
Iowa County Clerk
Iowa County, Wisconsin



CHAPTER 36 CODE OF ETHICS¹

Sec. 36.01. Declaration of policy.

To ensure that the public can have complete confidence in the integrity of Sauk County Government, each elected official and employee shall respect and adhere to the fundamental principles of ethical service. The proper operation of County government demands that:

- (1) Sauk County officials and employees be independent, impartial and responsible to the people;
- (2) decisions be made in the proper channels of the County governmental structure;
- (3) County offices should not be used for personal gain;
- (4) County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

In recognition of these fundamental principles, there is hereby created a Code of Ethics.

Sec. 36.02. Purpose.

The purpose of this Code is to establish ethical standards of conduct for all County officials and employees by identifying those acts or actions that are not compatible with the best interest of the County. Because representatives of the County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as County officials and employees retain their rights as citizens to personal and economic interests. Therefore, the standards of ethical conduct for County officials and employees must distinguish between minor and inconsequential conflicts which are unavoidable and those conflicts which are substantial and material. The provisions of this Code, and such rules and regulations which may be established, are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

Sec. 36.03. Responsibility of public office.

County officials and employees are agents of public purpose and hold office to serve the public interest. They are bound to uphold the Constitution of the United States, the Constitution of the State of Wisconsin and to carry out efficiently and impartially all laws of the United States, the State of Wisconsin, and the Ordinances of Sauk County. Further, they are bound to observe in their official acts, the standards of ethics set forth in this Code and to faithfully discharge the duties of their office. The public interest must be their primary concern.

Sec. 36.04. Coverage.

This Code governs all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.

¹Editor's note(s)—As amended by the Sauk County Board of Supervisors on June 20, 2000, Ord. No. 132-00.

Sec. 36.05. Exemptions.

Political contributions which are reported under Wis. Stats. ch. 11, are exempt from the provisions of this Code.

Sec. 36.06. Definitions.

Anything of value. Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the state or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this Code.

Employee. All persons filling an allocated position of County employment and all members of boards, committees, and commissions.

Financial interest. Any interest which yields, directly or indirectly, a monetary or other material benefit to the County officer or employee or to any person employing or retaining services of the County officer or employee.

Immediate family. An official's or employee's spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half of the support of the official or receives that level of support from the official or employee.

Official. All County department heads or directors, County supervisors, and all other County elected officers, except judges and district attorneys.

Person. Any individual, corporation, partnership, joint venture, association or organization.

Privileged information. Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.

Sec. 36.07. Fair and equal treatment.

- (1) *Use of public property.* An official or employee shall not use, or knowingly permit the use, of County services or County-owned vehicles, equipment, materials for unauthorized non-governmental purposes or for unauthorized personal convenience or for profit, unless such services or use are available to the public generally and consistent with practices and policies of the County.
- (2) *Obligations to citizens.* An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County supervisors to diligently represent their constituency.

Sec. 36.08. Conflicts of interest.

- (1) *Receipt of gifts and gratuities prohibited.* An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair his or her independence of judgment or action in the performance of his or her official duties.
- (2) *Exception.* It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.

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- (3) *Business interest.* An official or employee shall not engage in any business or transaction or act in regard to any financial interest, direct or indirect, which:
 - (a) Is incompatible with the proper discharge of his or her official duties for the benefit of the public;
 - (b) Is contrary to the provisions of this Code; or
 - (c) May impair his or her independence of judgment or action in the performance of his or her official duties.
 - (4) *Employment.* An official or employee shall not engage in or accept any private employment or render any service for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided. An employee shall obtain prior approval from their Department Head, or in the case of a Department Head, from the applicable oversight committee, before engaging in outside employment.
 - (5) *Contracting.* An official or employee or a business in which an official or employee holds a ten percent or greater interest, may not enter into a contract with the County involving a payment or payments of more than \$1,000.00 amount within a 12-month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the County Clerk and reported such interest to the County Board. Further, pursuant to Wis. Stats. § 946.13, an official or employee is prohibited from participating in the formation of a contract or contracts with Sauk County involving the receipts or disbursements of more than \$15,000.00 in any year.

Sec. 36.09. Financial interest in legislation.

A member of the County Board who has a financial interest in any proposed action before the County Board shall disclose the nature and extent of such interest to the County Clerk and the County Board prior to or during the initial discussion of such action and shall refrain from participating in the discussion of and/or voting on such action. A member of the County Board shall request to be excused by the Board or Committee chairperson for the duration of any deliberations concerning such action in which the member has a financial interest. Any other official or employee who has a financial interest in any proposed action before the County Board, and who participates in discussion with or gives an official opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board.

Sec. 36.10. Disclosure of privileged information.

An official or employee shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.

Sec. 36.11. Gifts and favors.

An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or is provided to such official or employee because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.

Sec. 36.12. State statutes incorporated.

- (1) *Statutes incorporated by reference.* The following sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:

Wis. Stats. § 19.01 (Oaths and Bonds).

Wis. Stats. § 19.21 (Custody and Delivery of Official Property and Records).

Wis. Stats. §§ 19.81—19.89 (Open Meetings of Governmental Bodies).

Wis. Stats. § 19.59 (Codes of Ethics for Local Government Officials, Employees and Candidates).

- (2) *Violation of incorporated statutes.* Officials shall comply with the sections of the Wisconsin Statutes incorporated in this Code and failure to do so shall constitute a violation of this Code of Ethics.

Sec. 36.13. Investigations and enforcement.

- (1) *Advisory opinions.* Any person governed by this code of ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Wis. Stats. ch. 19. However, such records may be made public with the consent of the applicant.
- (2) *Complaints.* The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to the accused officer or employee and the Ethics Inquiry Board within ten days. If no action on the verified complaint is taken by the Ethics Inquiry Board within 30 days, the complaint shall be dismissed.
- (3) *Preliminary investigations.* Following the receipt of a verified complaint, the Ethics Inquiry Board may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights. If the Ethics Inquiry Board finds probable cause to believe the allegations contained in the complaint, the complaint shall be referred to hearing pursuant to Section 36.13(5) below before the Ethics Inquiry Board.
- (4) *Time limitations.* The Ethics Inquiry Board may investigate any complaint properly filed with it. However, no action may be taken on any complaint which is filed more than one year after a violation of the Ethics Code is alleged to have occurred.
- (5) *Ethics Inquiry Board.* There is hereby created an Ethics Inquiry Board to consist of three members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, appointed by the County Board Chairperson with the approval of the County Board. The members of the Ethics Inquiry Board shall be residents of the Sauk County and shall not be County Public Officials during the time of appointment, and shall serve staggered three year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this ordinance. The Corporation Counsel shall provide legal advice, secretarial service and assistance to the Board. The Board shall be entitled to mileage and per diem payments for meetings and hearings of the Board on the same basis as provided other Sauk County Boards, Committees or Commissions.
- (a) *Powers and duties.* The Ethics Inquiry Board shall be responsible for investigating a complaint, and conducting a fact finding hearing pursuant to Section 36.13(5)(c) below, in any case where the Ethics Inquiry Board has found that probable cause exists for believing the allegations of a complaint referred to the Board after preliminary review pursuant to Section 36.13(2) through (4) above.

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- (b) *Burden of proof.* The burden of proving a violation alleged in the complaint shall be on the complainant. Violations shall be proved by evidence that is clear, satisfactory and convincing.
 - (c) *Hearing.* The Ethics Inquiry Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Inquiry Board may request, a hearing before the Board. The Board shall keep a record of the hearing. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Wis. Stats. § 885.01.
 - (i) Within ten work days of the conclusion of the hearing, the Board shall file its written findings and recommendations signed by all participating Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. If the Board determines that no violation of the Code of Ethics has occurred, it shall dismiss the complaint, and if requested to do so by the accused, issue a public statement.
 - (ii) No recommendation of the Board becomes effective until 20 work days after it is issued, or while an application for rehearing or rehearing before the Board is pending, or the Board has announced its final determination on rehearing.
 - (d) *Enforcement and penalties.* If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Ethics Inquiry Board shall refer its findings and recommendation to the County Board, or in the case of an employee, to the Administrative Coordinator. The Board may make the following recommendations:
 - (i) Recommend that the County Board order the officer or employee to conform his or her conduct to the ethics code or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.
 - (ii) The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of Wis. Stats. § 19.59.

Richland County Rules & Strategic Planning Standing Committee

Agenda Item Name: Comprehensive plan review

Department	County Board	Presented By:	Shaun Murphy-Lopez
Date of Meeting:	10/6/22	Action Needed:	n/a
Disclosure:	Open Session	Authority:	C?
Date submitted:	10/5/22	Referred by:	None

Recommendation and/or action language: Motion to adopt the Strengths, Weaknesses, Opportunities, and Threats findings and use those findings to develop a scope and budget for consideration at a future meeting.

Background:

At today's meeting the committee will complete a Strengths, Weaknesses, Opportunities, Threats (SWOT) analysis regarding the County's current comprehensive plan. The goal of a SWOT analysis is to generate ideas for a scope and budget to update the comprehensive plan. To prepare for that analysis, committee members should review the comprehensive plan: <https://www.swwrpc.org/our-work/comprehensive-plans> (using that link, scroll down to "Richland County Plan" to download the plan) as well as the summary presentation Supervisor Glasbrenner gave to the committee at our August 4th meeting (see Attachment A). Supervisor Glasbrenner also has a paper copy of the comprehensive plan available for review.

Attachments and References:

Attachment A: Overview of Comprehensive Plan	
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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:

Department Head

Administrator, or Elected Office (if applicable)

The background features abstract, overlapping green geometric shapes in various shades of green, creating a modern and dynamic feel. The shapes are primarily triangles and polygons, some solid and some semi-transparent, arranged in a way that suggests movement and depth.

Overview of the RICHLAND COUNTY COMPREHENSIVE PLAN

Adopted July 17, 2007/Effective January 1, 2010

Link to digital copy of plan

[Comprehensive Plans | Southwestern Wisconsin Regional Planning Commission \(swwrpc.org\)](http://swwrpc.org)

Wisconsin Comprehensive Planning Law

Statute [66.1001](#)

- ▶ As outlined in Statute 66.1001, a comprehensive plan must include the following elements:
 1. Issues and Opportunities
 2. Utilities and Community Facilities
 3. Agricultural, Natural and Cultural Resources
 4. Housing
 5. Transportation
 6. Economic Development
 7. Intergovernmental Cooperation
 8. Land Use
 9. Implementation

- ▶ In addition to the 9 elements required per statute, 14 Local Comprehensive Planning Goals were established. These are referenced throughout the document.

Wisconsin Comprehensive Planning Law

Statute [66.1001](#)

- ▶ Consistency Requirement: any enactments or amendments to the following must be consistent with the comprehensive plan
 - ▶ Official mapping
 - ▶ Land division
 - ▶ Zoning ordinances
- ▶ Plan Update
 - ▶ Required every 10 years
 - ▶ Not specified how to update other than must include the same level of public involvement as when plan was originally adopted
- ▶ Public Involvement: Law requires one public hearing prior to adoption or amendment

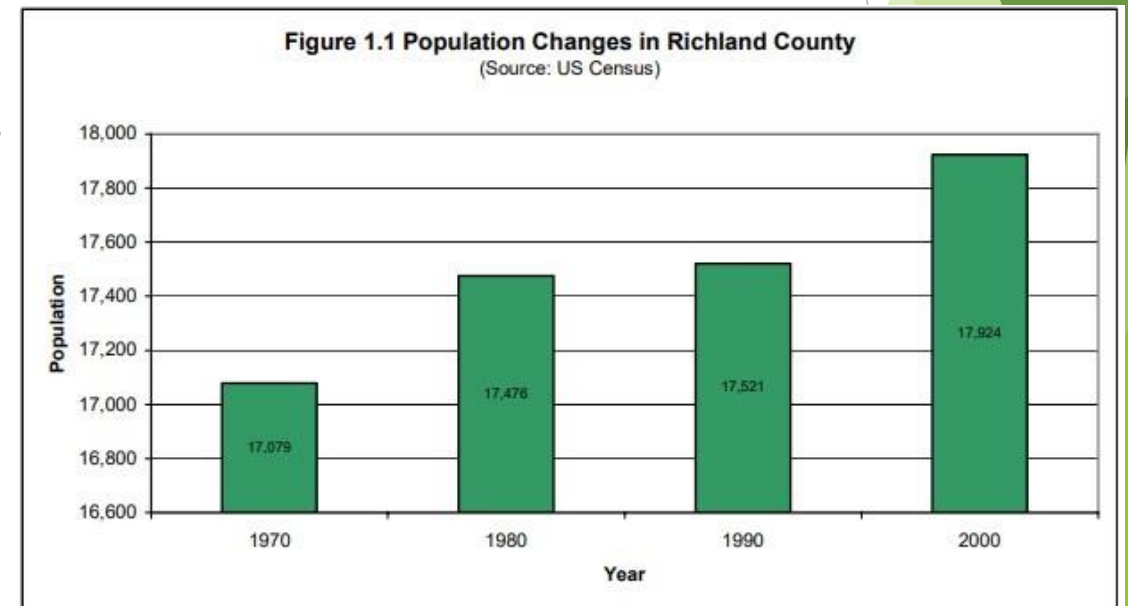
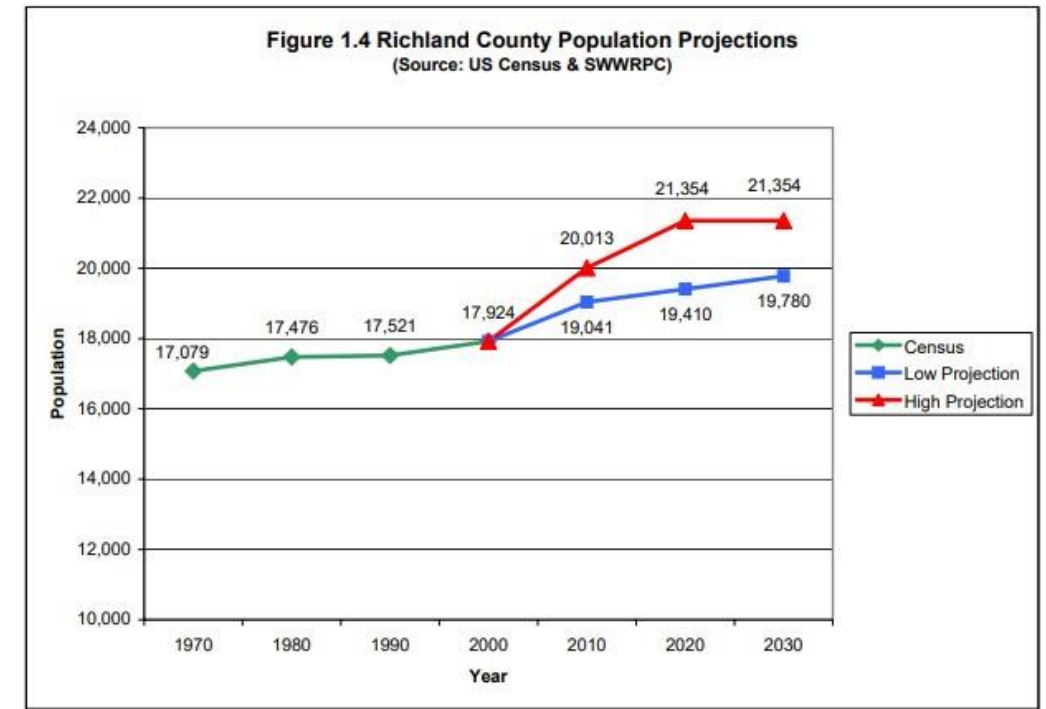
Richland County Comprehensive Plan Content Overview:

1. Issues and Opportunities: basic background information for the process of planning and general demographics for Richland County

- Goals: (specific to Richland County)
 - Protect and improve the health, safety, and welfare of residents in Richland County.
 - Preserve and enhance the quality of life for the residents of Richland County.
 - Protect and preserve the community character of Richland County.
- Entities involved in developing the comprehensive plan included:
 - Southwest Wisconsin Regional Planning Commission
 - U-W Extension, Richland County
 - Richland County Zoning and Land Use Department
 - Town, Village, City Plan Commission
 - County Zoning and Land Use Committee
 - Town, Village, City, County Board/Council

1. Issues and Opportunities:

- Data included:
 - Population statistics, population changes, age distribution, and population distribution by age groups
 - Population projections, educational attainments, and labor force projections
- Identifies the community vision statement
- Outlines the Public Participation Plan per statute requirements
- Details the Community Survey results
- Maps include: participating jurisdictions and population changes



2. Utilities and Community Facilities: The purpose of this section is to inventory, map, and forecast utilities and community facilities in Richland County.

- Goals:
 - Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.
 - Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.
- Lists utilities and community facility policies for each jurisdiction (town, village, city) in Richland County
- Includes descriptions and/or lists of sanitary sewer services, stormwater management, water supply, landfills, police/fire/rescue services, power plants and transmission lines, and the following facilities:
 - Solid waste disposal and recycling,
 - Telecommunication
 - Healthcare
 - Childcare
 - Library
 - Education (Primary, Secondary, and Higher); also includes school enrollment projections
- Maps of school districts and utility and community facilities

3. Agricultural, Natural & Cultural Resources: Compiles objectives, policies, goals, maps and programs for the conservation, and promotion of effective management, of the resources listed above

Agricultural Resources:

- Goal: The protection of economically productive areas, including farmland and forests
- Lists agricultural policies for each jurisdiction (town, village, city) in Richland County
- Includes agricultural data such as:
 - Trends in Farm Numbers
 - Trends in Dairy Farms
 - Farmland Sales
 - Population divided by Urban and Rural
 - Agricultural Infrastructure by Town
- Also included are soils map and description of conflicts and threats to agriculture

Table 3.1.2 Trends in Farm Numbers 1987 – 2002

Richland County	1987	1992	1997	2002
Farms (number)	1,165	1,094	1,032	1,358
Land in farms (acres)	291,181	270,930	238,266	257,807
Average size of farm (acres)	250	248	231	190
Number of farms by size – 1 to 9 acres	45	33	25	22
Number of farms by size – 10 to 49 acres	70	105	111	243
Number of farms by size – 50 to 179 acres	413	398	426	620
Number of farms by size – 180 to 499 acres	538	466	382	392
Number of farms by size – 500 to 999 acres	88	77	70	62
Number of farms by size – 1,000 acres or more	11	15	18	19
Total cropland (farms)	1,088	1,033	947	1,218
Total cropland (acres)	154,123	144,947	127,714	133,343

(Source: 1997, 2002, US Census of Agriculture)

Table 3.1.3 Trends in Dairy Farms 1987 – 2002

Richland County	1987	1992	1997	2002
Milk cows (farms)	650	497	350	249
Milk cows (number)	26,652	20,889	18,686	15,263

(Source: 1997, 2002, US Census of Agriculture)

3. Agricultural, Natural & Cultural Resources: Compiles objectives, policies, goals, maps and programs for the conservation, and promotion of effective management, of the resources listed above

Natural Resources:

- Goals: Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources. Protection of economically productive areas, including farmland and forests.
- Lists natural resource policies for each jurisdiction (town, village, city) in Richland County
- Includes description and lists, by town, of:
 - Important natural resources and the methods of communication and cooperation on natural resources
 - Non-point source pollution (NPSP) reduction strategies and overall water resource protection
 - Potential groundwater contaminants
 - Protection actions of: drinking water and wellheads; surface water; wetlands; landscapes/natural habitat; wildlife; light, air, and noise pollution; quarries; and viewsheds
 - Flood mitigation/prevention
 - Records of rare species
 - Forest resources sustainability and strategies
 - Recreational amenities
- Maps of water resources, depth to water table, flood frequency, slopes, environmental corridors, and more

3. Agricultural, Natural & Cultural Resources: Compiles objectives, policies, goals, maps and programs for the conservation, and promotion of effective management, of the resources listed above

Cultural Resources:

- Goal: Preservation of cultural, historic, and archaeological sites.
- Lists cultural resource policies for each jurisdiction (town, village, city) in Richland County
- Includes brief history of Richland County and lists, by town, of:
 - Historic markers
 - Programs and special events
 - Cultural resource threats
 - Lost cultural resources
- Map of cultural resources, including churches, cemeteries, and historical Native American Mounds

3.3.4 A BRIEF HISTORY OF RICHLAND COUNTY

The quotation below is taken from *History of Crawford and Richland Counties, Wisconsin* - Union Publishing Company - Springfield, IL - 1884.

An article published in the Richland county Observer, written by W M Fogo, thus speaks of the capabilities of the county: While the county is well adapted to almost everything known to agricultural economy, its best hold is stock raising. No section of the State is better adapted to it; the hills and valleys and crystal brooks affording convenient range, protection and water. Until recent years the farmers have paid but little attention to this industry, but latterly they are engaging in it extensively, and there are numerous fine herds and flocks, which are rapidly increasing in number and quality as the years roll on.

The industries of the county are farming, in all its various forms; butter and cheese-making; lumbering, principally in fine hard woods; milling, manufacturing of various kinds, and nearly all of the varied mechanic arts and employments. There are some twenty grist, thirty saw, and two woolen mills within the county. Many good water powers exist all over the county, quite a number of which remain to be improved. The villages of the county are: Richland Centre, Lone Rock, Sextonville, Richland City, Orion, Eagle Corners, Port Andrew, Excelsior, Boaz, Viola, West Lima, Spring Valley, Woodstock, Rockbridge, Stahwart, Cazenovia, Loyd and Ithaca.

The first school that was taught in the county, we are led to believe, was in the year 1847, by a man from Pennsylvania, but whose name has entirely escaped the memory of our informants. This pioneer school was held in a room of the house of Peter Kinder, in Richwood town, and is believed to have been a subscription one as no records are extant, showing the formation of a school district so early. However, in 1849, a building was erected for the accommodation of a district school on the land now owned by Mr Garner,

4. Housing: Assesses the current housing stock of Richland County and identifies policies and programs to help meet existing and forecasted housing demand

- Goal: Provide an adequate supply of affordable housing for individuals of all income levels throughout the community.
- Lists housing policies for each jurisdiction (town, village, city) in Richland County
- Housing Data (from U.S. Census Bureau) included:
 - Housing statistics
 - New home starts and household projections
 - Total housing units by category (owner occupied, renter occupied, vacant) and percent change from 1990-2000
 - Year structures (age of homes)
 - Housing unit types
 - Value of specified owner-occupied units
 - Housing affordability characteristics (percent of household income, gross rent, etc.)
- Housing-related community survey results
- Description of homeowner and rental assistance
- Maps of Housing Unit Change

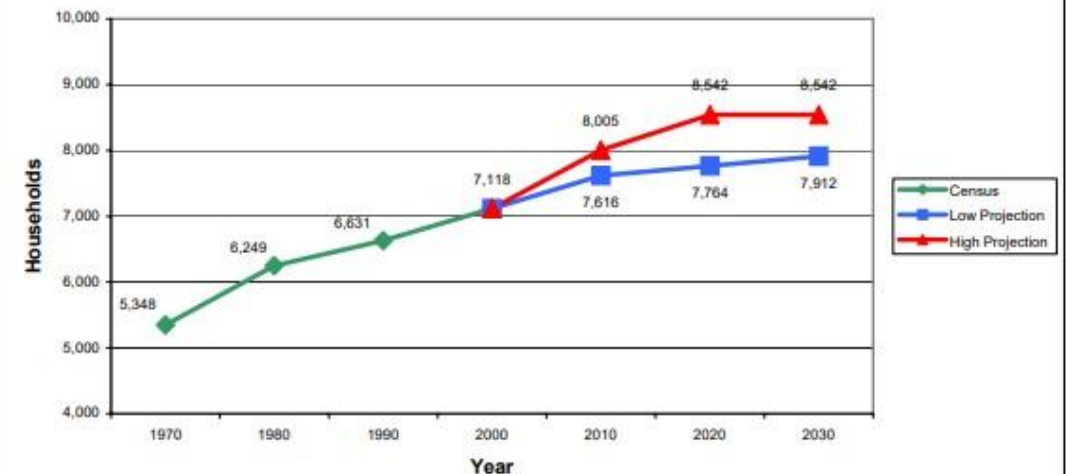
Table 4.2 Housing Statistics

Housing	Richland County Number	Wisconsin Number
Total Households (1970) *	5,348	1,328,804
Total Households (1980)	6,249	1,652,261
Total Households (1990)	6,631	2,055,774
Total Households (2000)	7,118	2,084,544
People per Household (1970)	3.2	3.3
People per Household (1980)	2.8	2.8
People per Household (1990)	2.6	2.4
People per Household (2000)	2.5	2.6
Housing Units 1970 **	5,928	1,473,000
Housing Units 1980	6,984	1,863,897
Housing Units 1990	7,325	1,822,118
Housing Units 2000	8,164	2,321,144
*Total Households equal the number of occupied housing units		
**Total Housing Units are all those available, including occupied and vacant units.		

(Source: US Census)

Figure 4.2 Richland County Household Projections

(Source: US Census & SSWRPC)



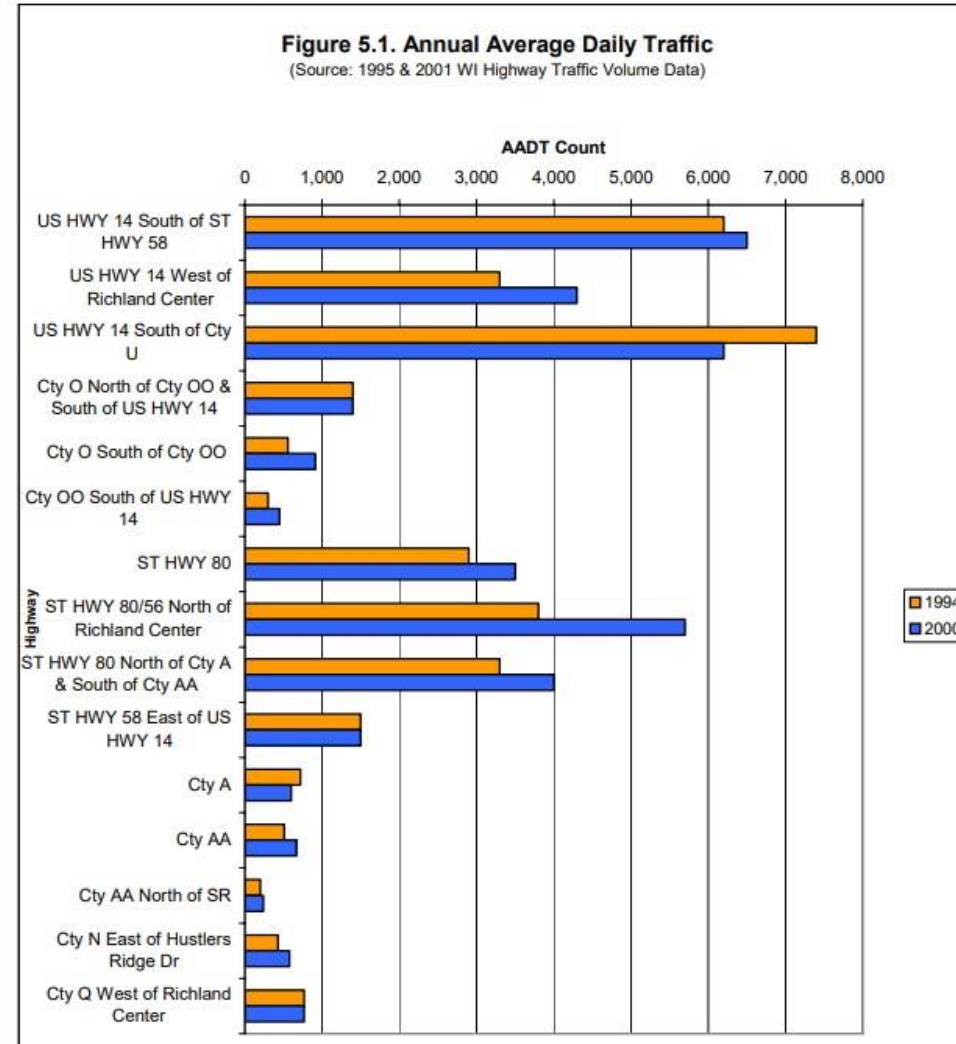
5. Transportation: Summarizes the local transportation system and provides a 20-year jurisdictional plan to serve as a resource guide and implementation tool

- Goals:
 - Encouragement of neighborhood designs that support a range of transportation choices.
 - Provide an integrated, efficient, and economical transportation system that affords mobility, convenience, safety, and meets the needs of all citizens, including transit-dependent and disabled citizens.
- Lists transportation policies for each jurisdiction (town, village, city) in Richland County
- Includes responses listed, by town, to questions on:
 - Most satisfactory and unsatisfactory aspects of transportation system
 - Transportation safety concerns and locations
 - Access management standards for new business development
 - Growth impacts to transportation
 - Transportation services for elderly/disabled
 - Bicycles, pedestrians, and trails
 - Economic development and transportation
 - Capital Improvement Programs and transportation funding

5. Transportation: Summarizes the local transportation system and provides a 20-year jurisdictional plan to serve as a resource guide and implementation tool

- Other information:
 - U.S. Census Department of Workforce Development data and anticipated impacts on transportation
 - Commuting patterns, traffic counts, descriptions of transportation users, maintenance and improvement state funding
 - Maps of functional classification of roads, average daily traffic by jurisdiction, pavement rating by jurisdiction, bicycling conditions, and WisDOT Improvement Program

Figure 5.1.Average Annual Daily Traffic Comparison



Source: WisDOT. Graph created by SWWRPC.

6. Economic Development: identifies the policies, goals, objectives and resources designed to help guide your community towards a future of better economic well-being

- Goals:
 - Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities.
 - Provide adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.
 - Promote the redevelopment of land with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
 - Build community identity by revitalizing main streets and enforcing design standards.
 - Protect economically productive areas, including farmland and forests.
- Lists economic development policies for each jurisdiction (town, village, city) in Richland County

Table 6.4 Richland County Income Statistics

Income	Richland County 1990	Richland County 2000	State of Wisconsin 1990	State of Wisconsin 2000
Per Capita Income	\$10,287	\$17,042	\$13,276	\$21,271
Median Family Income	\$26,161	\$41,705	\$35,082	\$52,911
Median Household Income	\$21,946	\$33,998	\$29,442	\$43,791
Individuals Below Poverty	13.2%	10.1%	10.4%	8.7%

Source: US Census Bureau (2000)

6. Economic Development: identifies the policies, goals, objectives and resources designed to help guide your community towards a future of better economic well-being

- Includes the following data:
 - Analysis of economic base, including Richland County's top employers, employment by industry, and income statistics
 - Analysis of the labor force, including in-commute and out-commute numbers
 - Analysis of new business and industry desired, including countywide strengths and weaknesses by town
 - Analysis of business and industry parks, including current parks, light manufacturing and building site availability, community consensus for manufacturing locations, and locations of environmentally contaminated sites
- Lists of manufacturers, business patterns (by trade), employment status, and employment by industry for jurisdictions
- Maps of median household income and industrial parks

7. Intergovernmental Cooperation: examines what intergovernmental cooperation Richland County is engaged in today and what they may consider in the future

- Goals: Encouragement of coordination and cooperation among nearby units of government
- Lists intergovernmental cooperation policies for each jurisdiction (town, village, city) in Richland County
- Identifies existing and potential areas of cooperation for each jurisdiction of:
 - Currently shared services
 - Potential shared services
- Identifies existing and potential conflicts between jurisdictions and lists quality of jurisdictional relationships

8. Land Use: analyzes how the land is currently being used and what development constraints exist; also discusses future land use needs and develops goals and policies to guide land use decisions

- Goals: lists all 14 “Smart Growth Planning” goals as the land use element is a compilation of all other elements in the comprehensive plan
- Lists land use policies for each jurisdiction (town, village, city) in Richland County
- Existing Land Use
 - Lists and graphs Richland County land use by major classifications (Residential, Agriculture, Ag-forest, Forest, etc.)
 - Reports desirable and undesirable land use types by town
 - Town parcel counts (per 2004)
 - Maps of land use by jurisdiction
- Land Use Trends
 - Lists Land Use Assessment Statistics (starting in 1979 and spaced thereafter) and average value of new homes constructed in Richland County from 2002-2004

8. Land Use: analyzes how the land is currently being used and what development constraints exist; also discusses future land use needs and develops goals and policies to guide land use decisions

- Future Land Use
 - Data collected on percent change in land area, per land use classification (used to help predict future land area needed)
 - Forecasted future land area needed for 2010, 2015, 2020, 2025, 2030
 - Maps showing proposed development areas for towns
 - Discussion of development limitations
 - Includes town preferences on minimum lot size, subdivision criteria, and density standards
 - Lists driveway and access standards, density standards and maximum lot size by town
 - Other limitations reference chapter 3 when discussing items such as soil classifications, depth to water table, slopes, etc.
- Lists, by town, opportunities for redevelopment and existing and potential land use conflicts

9. Implementation: explains how the comprehensive plan will be utilized to guide future growth and development in Richland County

- Includes goals, objectives, and policy recommendations to guide implementation of the plan for the next 20 years
- Discussion of various items such as consistency among elements of the plan, amendments to the plan, and measuring progress
 - Of note: *Planning Commission to review Comprehensive Plan every 2 years*
- Outlines the application procedures for re-zoning in zoned towns and discusses land division classifications

○ Vision Statement:

To preserve, protect and enhance the quality of life for every resident and visitor as expressed through the comprehensive planning effort of each distinct jurisdiction in Richland County.

We envision respecting each jurisdictions' creativity, integrity and independence. We recognize the utmost value that participants have placed on the quality of Richland County's natural resources, agriculture, volunteerism and the commitment to improve opportunities for the county's young people. The County's future will include added opportunities for employment, entertainment, shopping and tolerance.

Richland County in 2030 will have cleaner air and water, a more diverse employment base, including small and large businesses that provide recreation, shopping, and socializing opportunities.

NATURAL RESOURCES, ECOLOGICAL FEATURES AND RECREATION

The vision embraces preserving the unique features, hillsides, natural areas and rural flavor of Richland County. Richland County will protect and take steps to ensure clean water for the County. Management and growth of recreational opportunities will attract visitors and new residents to Richland County and provide healthy avenues for play and tourism.

ECONOMY, EDUCATION

Richland Center will remain the major employment base in Richland County and more employment will be available in the future, as individuals and prospective businesses learn about the work ethic and the quality of life in Richland County. Downtown Richland Center will have renovated attractive buildings full of interesting, small businesses that will provide important shopping and social experiences for residents and visitors. A new metropolitan sewage treatment plant will be built to serve Richland Center that handles industrial expansion and addresses the aesthetic and odor concerns of residents. Commercial growth outside Richland Center will take place in and around the other municipalities and villages. The County will continue to have family farms and non-farm businesses that allow residents to create economic opportunities for themselves. These businesses will be consistent with and enhance the rural character of the area with an appropriate transportation system.

The school districts of Richland County will continue to be independent and a source of community pride and local activity. Each school will identify programs to provide an educated and culturally competent workforce for the future and hands on experience in art, athletics and technology.

GOVERNMENT, ATTITUDE

A function of government is to preserve the value of taxable land into the future. The tax base of Richland County will be expanded in 2025 because the jurisdictions and County will ensure that the tax base is protected by controlled growth and good land use decisions.

Volunteerism will continue to grow among our residents and the increased interaction between all residents will result in a more tolerant, accepting community.

9. Implementation: explains how the comprehensive plan will be utilized to guide future growth and development in Richland County

- Summarizes goals for each of the 9 elements in the plan
- Lists the enforcement actions potentially needed to fully implement county and town land use policies
- Discusses implementation measures for development proposals to ensure compliance with relevant jurisdiction's goals and policies

ISSUES	IMPLEMENTATION ACTION	GOVERNMENT UNIT	IMPLEMENTATION DATE
Town driveway ordinances to address placement, shared driveways, compliance upon transfer, and culverts to control runoff	Create or modify driveway ordinances	Towns	
Town/historical preservation	Create or modify historic preservation ordinance	Towns	
Town property maintenance ordinance (E.g. junk car ordinance)	Create or modify property maintenance ordinance	Towns	
Dog (control) ordinance	Create dog control ordinance	Town of Bloom	
Density ordinance	Create density ordinance	Town of Orion	
Cropland fragmentation	Amend County Zoning Code	County	June 2009
Home based businesses	Amend County Zoning Code	County	June 2009
Individual site design	Amend County Zoning Code	County	June 2009
Lot size for residential use	Amend County Zoning Code	County	June 2009
(Cell) Towers	Create County Ordinance	County	June 2009
Livestock Siting	Create County Ordinance	County	June 2009
Developers bonding	Amend Land Division Ordinance	County	June 2009
Cluster Conservation subdivision	Amend Land Division Ordinance	County	June 2009