

RICHLAND COUNTY

Rules & Strategic Planning Standing Committee

November 30, 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, December 1st, 2022 in the County Board Room at 181 W. Seminary Street. If you would like to join remotely using **WebEx Videoconference**, **WebEx Teleconference**, or **by Phone** you can find meeting access information

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

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*
8. Housing Authority responsibilities*
9. Future agenda items
10. 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

November 3rd, 2022

The Rules and Strategic Planning Standing Committee met on Thursday, November 3rd, 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, Julie Fleming and Marty Brewer with Don Seep by WebEx.

Absent: Bob Frank & Danielle Rudersdorf

Department heads, staff and public present were: County Administrator Clint Langreck, Administrative Assistant Cheryl Dull, with John Couey 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 10:03 a.m.
2. **Proof of Notification** - Chair Murphy-Lopez confirmed that the meeting had been properly noticed.
3. **Agenda Approval** - Moved by Supervisor Brewer to approve the agenda as presented, seconded by Supervisor Seep. All voting aye, motion carried.
4. **Public comments** - Chair Murphy-Lopez invited any public to make comments. None.
5. **Approval of minutes** – Moved by Supervisor Gentes to approve as presented, 2nd by Supervisor Glasbrenner. All voting aye, motion carried.
6. **Ethics review** – Chair Murphy-Lopez reviewed what changes have been made a previous meetings and today the Committee will be starting with Nepotism. He reviewed the portions from Crawford County's Ethics Ordinance and the Richland County Employee Handbook. Discussion followed on the Employee Handbook and if that language should be added to the Ethics Ordinance.

Moved by Supervisor Cosgrove to insert into the Ethics Ordinance Nepotism Section, "*Refer to the Employee Handbook*", 2nd by Supervisor Glasbrenner with discussion. Discussion followed on if County Board Supervisors have any supervisor duties. All voting aye, motion carried.

Discussion followed on the Privileged Information Policy section. The current Ordinance language was reviewed along with Crawford, Sauk & Iowa County language and definitions in those.

Moved by Supervisor Murphy-Lopez to move forward with Crawford/Sauk County language concerning 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.*" and Privileged Information Definition "*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.*", 2nd by Supervisor Glasbrenner.

Moved to amend by Cosgrove to add Immediate Family Definition "*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.*" from Crawford/Sauk county, 2nd by Gentes calling for discussion. 6 voting aye on amendment, Supervisor Gentes voting opposed, motion carried 6-1.

All voting aye on motion as amended, motion carried.

Discussion followed on the Public Property Policy section and related definition. Language from Crawford/Sauk County was reviewed. Extensive discussion followed on personnel use of County owned vehicles.

Moved by Supervisor Murphy-Lopez to forward this policy to all the standing committees of the County to get their opinion, 2nd by Supervisor Fleming. 6 voting aye, Supervisor Seep voting opposed, motion carried 6-1.

7. **Comprehensive plan scope and budget** – Chair Murphy-Lopez reviewed the discussion and SWOT analyses completed at last month's meeting. He presented what other Counties are doing by RFP (request for proposal) to update their plan, who did it and the cost to complete it. Chair Murphy-Lopez reviewed a draft of an RFP for

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a new Comprehensive Plan he had prepared. See 07b. Discussion followed on potential companies that would submit a proposal and funding source.

Moved by Supervisor Glasbrenner to adopt a draft RFP for an update of the comprehensive plan and refer the RFP to Finance & Personnel Committee for consideration of funding from the American Rescue Plan Act, 2nd by Supervisor Fleming. All voting aye, motion carried.

- 8. Strategic Plan Progress** – Administrator Langreck reviewed what has been completed in the plan thus far. Discussion followed on the schedule of review which was to be completed every 3 months as wrote into the Plan, when it will be reviewed next, preparing the presentation to County Board for December and updates to the public. Administrator Langreck will add a “Reviewed” schedule to the bottom of the Plan.

Moved by Supervisor Murphy-Lopez to adopt the Work Plan as present by Administrator Langreck today, 2nd by Supervisor Glasbrenner. All voting aye, motion carried.

- 9. Future agenda items** – Seep – Update from Administrator Langreck in regard to evaluation of department heads. Chair Murphy-Lopez will refer it to Finance & Personnel Standing Committee.

- 10. Adjournment** – Next meeting will be held Thursday, December 1st @ 10:00 a.m. in the County Board room. Moved by Supervisor Fleming to adjourn at 11:46, seconded by Supervisor Gentes. 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:	December 1 st , 2022	Action Needed:	Motion
Disclosure:	Open Session	Authority:	Committee Structure, Letter B5
Date submitted:	November 30 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.
- Adjacent counties with more far-reaching ethics ordinances including Crawford, Iowa, and Sauk Counties, as shown in Attachment B.

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

At the October meeting the committee:

- Reviewed headings for 3 sections: 1) Introduction, 2) Subjects, 3) Process
- A new column for recommendations made by the committee
- Made recommendations for financial interest policy and definition
- Made recommendations for gift policy and definition

At the November meeting the committee:

- Made recommendations for nepotism policy
- Made recommendations for the privileged information policy and definition
- Referred an example public property policy to standing committees for their feedback

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</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</i>		

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		<i>heads, and other County employees.</i>	<i>than a county official), and citizen member (i.e., a person appointed to any position by the 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					

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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>		10/6/22: <i>A county official or employee who has a financial interest in a matter pending before a body shall disclose the nature of the interest and may not discuss the matter unless invited by the body. A county official may not vote on a matter in which they have a financial interest.</i>
Financial Interest Definition	n/a	Crawford County example: <i>Any interest which yields, directly or</i>	Iowa County example: <i>Any interest required to be placed on a disclosure</i>		10/6/22: <i>Any interest which yields, directly or indirectly, a monetary or other</i>

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		<i>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.</i>	<i>statement by s. 701.21 of this ordinance</i>		<i>material benefit to the 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	Crawford County example: <i>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. 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.</i>	Iowa County example: <i>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.</i>	Sauk County example: <i>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.</i>	10/6/22: <i>An official or employee shall not accept, from any person or organization directly or indirectly, a gift or anything of value without full payment, if it could reasonably be expected to influence their 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.</i>

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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>		10/6/22: <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>
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</i>			11/2/22: <i>Refer to the Employee Handbook</i>

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		<i>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.</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>		11/2/22: <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>
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</i>			11/2/22: <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 custom as privileged.</i>

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		<i>decision, lawful orders, ordinances, resolution or 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>			11/2/22: <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>			11/2/22: <i>Referred to Standing Committees for input on the Crawford/Sauk County example.</i>
Social Media Policy	While not in ordinance, the County has a policy on social media adopted in				

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	2014 (see Attachment 07E from 9/1/22 meeting)				
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: (see 701.24 in Attachment B)		
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</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>		

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		<i>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.</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: <i>(see section 4.69 (3), (4), (5) (b) and (c))</i>	Iowa County example: <i>(see sections 701.22 and 701.23 in Attachment B)</i>		
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</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</i>	Iowa County example: <i>(see section 701.26 in Attachment B)</i>		

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	<p><i>the criminal law to the DA.</i></p> <p><i>Penalties for violations, which shall be determined by the Ethics Board, shall include a) 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></p>	<p><i>Committee. The Board may make the following recommendations:</i></p> <p><i>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.</i></p> <p><i>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.</i></p>			
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Attachments and References:

Attachment A: Current Ethics Ordinance	Attachment B: Other County Ordinances
Attachment C: Computer Policy	Attachment D: Social Media Policy

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		

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.

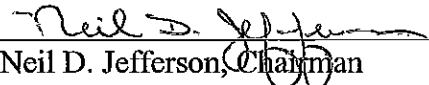
701.26 SANCTIONS. (1) Violation of any provision of this code should raise conscientious questions for the official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the County of Iowa. If the ethics board determines that an official 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:

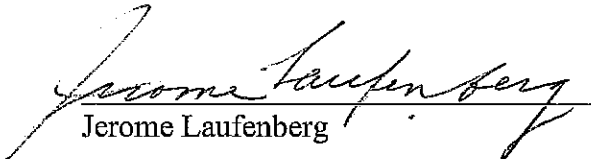
- (a) In the case of an official who is an elected county board supervisor, that the county board consider sanctioning, reprimanding, censuring or expelling the person;
- (b) In the case of a citizen member, the county board or other appointing authority consider removing the person from the administrative 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

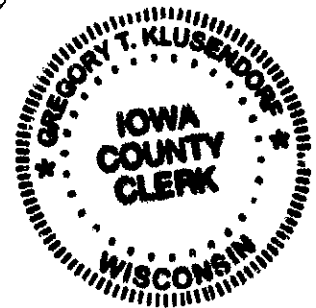
ATTEST:

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 Computer Policy



Updated 03/2018

Introduction

Richland County provides a variety of technological resources to its employees to improve public service and maximize efficiency. The purpose of this policy is to advise users regarding the use of the County's information technology resources and the information that is created, transmitted, received, or stored on these resources. Information technology resources include, but are not limited to, desktop and laptop computers, tablets and iPads, the local and wide area networks, application software, data, Electronic mail, Internet access, printers, copiers, fax machines, digital camera, digital voice recorders, video conferencing systems, voice mail, cellular phones, telephones and Security Cameras.

The Management Information Systems (MIS) Personnel will assist Department Heads or Designee in developing procedures for utilizing County Information Technology resources within the guidelines of the Richland County Information Technology Policy. The MIS staff will report to Richland County Finance & Personnel Committee.

All employees who have access to County information technology resources are required to attend orientation, read, and comply with the County's policy. Signed computer policy sheets shall be filed with the County Clerks Office. Failure to comply may result in disciplinary action as per County Handbook of Personnel Policies.

Any department whose computers and peripherals are on a State or Federal mandated network and utilizing state equipment may be subject to the computer policies of the overseeing agency. Those State or Federal Policies would supersede this policy.

General Use

Information technology resources are the property of Richland County and should be used for valid County business in an effort to improve public service and efficiency. Although occasional and limited personal use is acceptable, particularly in the case of emergencies, employees may **not** use any information technology resources in any way that:

- interferes with an employee's work performance
- denigrates the credibility or reputation of the County
 - Prohibited activity includes:
 - Political Activity
 - Pornography
 - Sexist Material
 - Racist Material
 - Any illegal act
 - Any other inappropriate behavior
- interferes with County contractual relationships
- disrupts service to the public
- relates to political causes not related to County business, or
- is intended for personal monetary gain

The County reserves the right to monitor Internet use, email, and other information stored on County computing resources to ensure that public resources are not being wasted or misused and to ensure that the County's information systems are operating as efficiently as possible.

Employees should not expect privacy with respect to information stored on County information technology resources. The County has the right and the ability to access all computer files, including email messages, Internet activity, and voice mail files without prior notification. The County may scan messages for the presence of viruses or to maintain system integrity. Supervisors or management also may access an employee's computer files, email messages, internet activity or voice mail files if there is a suspicion of

wrong doing, even if there is no other business related purpose for doing so.

Employees who are terminated, suspended or laid off do not have rights to the contents of their computer files, voice mail messages, or email messages and are not allowed access to the voice mail or email system.

Access and Passwords

Access is granted to individual users to secure information and maintain accountability. Passwords, codes, and user names are the means by which an individual's access is granted and security is maintained. The use of passwords and codes to gain access to another person's files is prohibited. To preserve security:

- limit computer access to properly authorized individuals
- verify that the individual doing computer maintenance is authorized to do so
- protect passwords and change them every 180 days
- when choosing a password, refrain from using persons, places or things that are closely identified with the user
- refrain from sharing passwords or posting them in public view
- change passwords if they become known to others
- refrain from using another employee's sign-on
- sign off or log off when the PC or terminal is not in use or utilize screen saver with password protection.
- County computers will have administrative accounts setup by MIS Staff.

Unauthorized access will be recorded and investigated. Any suspected misuse should be reported to a supervisor.

Software

All software is provided on County computers to facilitate efficient support and compliance with copyright laws and license agreements. Only licensed and approved Richland County software will be supported. The installation and use of personal software, including screen savers, on County computers is prohibited unless specifically authorized by the Department Head or designee in consultation with MIS Staff.

Duplication of County-owned software through any medium (e.g., DVD, CD-ROM writer, diskettes, or flash drives) for personal use or unauthorized distribution is prohibited. Users will not engage in any acts of software piracy. The Department head or designee shall ensure that all software installed is properly licensed.

All computers will have anti-virus software installed. This software is to remain activated at all times. MIS Staff or designee of MIS Staff will ensure that the software is updated as appropriate.

Data

Data requires proper management to permit effective decision-making and to conduct business in a timely and effective manner. Electronically stored data and information, including email, is a corporate asset. Richland County employees should strive to protect the integrity, accuracy, and confidentiality of data, as well as protect data from unauthorized access, use or destruction. The following data practices shall be followed:

- Refrain from accessing and using data and information in unauthorized ways.
- Handle confidential, copyrighted and licensed data and information appropriately.
- Develop and maintain data according to established County standards.
- Follow procedures for dissemination of data.
- Inform supervised staff of County data policies and proper data practices.
- Department Head or designee will ensure that computer files are properly backed up. This procedure will be reviewed by MIS Staff.
- All users will ensure that any material to be discarded that contains sensitive or confidential

information, in whole or part, will be properly destroyed according to open records standards.

All information and data generated or gathered by a user, in the course of their employment and/or utilizing County owned assets, shall be the exclusive property of Richland County Government.

Cloud Based Computing Services

The county has approved using Google Documents and Drop Box. These are the only cloud computing options to be used and the following procedures and rules must be followed when using them.

- All accounts where county data is kept must be created using the County's Google Docs county account or MIS administered Dropbox accounts. Only addresses ending in @co.richland.wi.us will be used for setting up such accounts.
- Cloud computing may not be used for information that is restricted/confidential, private, personal or sensitive in nature.
- No information that is subject to HIPAA should ever be placed in the cloud.
- All records/data must be retained according to the data retention policies
- MIS department shall be the administrators of all cloud based services accounts.

Hardware

Computing hardware is very expensive and should be maintained and preserved. The following measures shall be implemented to preserve your computing hardware:

- Whenever possible, secure rooms in which computer equipment is located.
- In public or other highly accessible areas, computing resources should be secured to deter and prevent theft.
- A separate electrical outlet should be used for each computer.
- Locate computer hardware away from windows.
- Keep computer hardware free of dust and dirt.
- Flash Drives should be encrypted if they contain county files.
- All laptops containing client data shall be encrypted.
- Laptops will only be transported in cases.
- iPads will always have cases.
- Cellular Phones will have protective cases.
- Sign-ons will be locked out after three unsuccessful entry attempts.

Computer equipment will not be removed from the Richland County Government premises without prior authorization of the Department Head or designee. Users will not modify County computer equipment in any manner including, but not limited to, attaching external disk drives, changing the amount of memory in the computer, attaching/installing any peripheral device. All computer maintenance shall be done by the MIS department. Users shall not change or disable administrator accounts.

Whenever possible all portable computing equipment (laptop computers, iPads, Tablets, Cellular Phones, cameras, flash drives, projectors, etc.) will be maintained under the direct supervision of the user that they are issued to. The County owned equipment will not be utilized by anyone who is not a county or leased employee unless special permission is obtained from MIS Staff. The equipment must never be left unattended in locations such as airports, and hotel lobbies. When the equipment must be left unsupervised, it must be made as inconspicuous as possible (i.e.: do not leave the computer sitting on the seat of an unattended vehicle). Wherever practical, the computer or equipment shall be secured with the supplied security device(s). Employees taking any computer equipment out of the office must have permission from their department head.

No computer hardware can be installed without MIS Staff knowledge and consent. Computer equipment

also should not be located or reassigned without such consent. Any flash drives must be approved and scanned for viruses prior to connecting to Richland County's Network for any resources.

No personal hardware, even if purchased by an employee specifically for his/her office computer, may be installed or connected without prior authorization of the MIS Staff.

Electronic Mail (E-mail)

E-mail is intended to facilitate effective communication. E-mail correspondence and communication should reflect appropriate workplace conduct and enhance employee performance. Messages stored on the County's computer network are the property of the County and may be accessed by authorized personnel to monitor workplace efficiency and productivity. Employees should understand that E-mail messages, including those that have been deleted or erased from their own files, may be backed up or recorded and stored centrally for system security and investigative purposes. Furthermore, contents of E-mail messages may be subject to subpoenas and Open Records Laws at all times.

Like all other communications on the County computer network, employees should be aware that electronic mail messages sent within the County network or Internet using Richland County's computer equipment are not private communications. Employees do not have a right to privacy with respect to email messages. All E-mail messages are the property of the County.

MIS Staff, Department Heads or their designee may access your E-mail for reasons including, but not limited to, the following:

- to find lost messages
- to assist employees, at their request or consent, in the performance of job duties
- to comply with investigation into suspected criminal acts or violations of this policy
- to recover from system failures or other emergencies
- to ensure that Richland County computing resources are being used for County business
- to comply with Open Records Requests

E-mail messages should not be used for personal gain, partisan political messages, the harassment of others, or any illegal activity. Users should also avoid sending and receiving email that could be construed as scandalous, defamatory, libelous, sexually explicit, obscene, or in violation of intellectual property rights such as copyrights and trademarks. Users are prohibited from using county E-mail resources for solicitation for charitable contributions and sales of products from one user to another. "Chain Letter" E-mails will not be created or forwarded. Users may not send E-mail messages with the sender's identity forged or send E-mail anonymously.

All E-mail should be viewed as being written under a County letterhead. Employees should refrain from discussing topics or conveying opinions that they would not put in written form or share with a wider audience. Users will carefully review all E-mail prior to sending it to ensure that their meaning is clear and not subject to interpretation. Humor and sarcasm can be easily misinterpreted in an E-mail and should be avoided. Keep in mind that public record laws generally apply to electronic transmissions in the same manner as they would to paper transmissions.

Excluding the MIS Staff, Department Head or designee, users will not utilize or access E-mail accounts belonging to any other user. No HIPAA or confidential information shall be emailed without using encryption.

In order to create and maintain a unified electronic mail system throughout Richland County Government, all new users of Richland County Government computers who have been authorized by their Department Head or designee to obtain an individual business E-mail account or any Departments wishing to establish a single Department E-mail account, shall use the official Richland County Government address

“@co.richland.wi.us”. The Personnel / Finance Committee of the Richland County Board has the authority to waive this requirement exempting County Departments, who through their affiliations, must use another official Government E-mail address (such as Federal, State, City, or University), or in any situation where it is not in the best interest of Richland County to have a Department use the official County address. Symons Recreation Center shall continue to utilize @symonsrec.com. Richland County Board Supervisors who choose to use email shall use the firstname.lastname@co.richland.wi.us.

Furthermore, to establish and maintain a unified E-mail addressing system throughout Richland County Government, all users are to be listed by first name.lastname. In the event of like names, the user will be listed by firstname.mi.lastname.

All printing or listings that include E-mail addresses are to incorporate the official Richland County Government E-mail addresses.

Upon Department Head / Supervisor Helpdesk request an E-mail account shall be created or deleted. These requests do require a one week prior notification. When an employee has terminated employment with the County the accounts can be forwarded for 60 days. After 60 days the old accounts will be deleted. If an E-mail account is inactive and not checked for 6 months the account will be deleted.

E-mail Storage and Retention

As part of Richland County’s on-going commitment to ensure full compliance with the State’s Open Records law, the County implemented a Barracuda Email Archiver. All Emails are retained for a period of 7 years. The date that a message is deleted from the archiver is set for 7 years from the original send/receive date. If users need emails retained past years they will need to be done manually.

Open Records

For E-mails created and distributed within the same agency, the record “original” is generally considered to be the one that is held by the creator of the message. All other copies within the agency may be destroyed at will unless there is a legal or County requirement for the recipient to document the County activity. E-mail becomes a record to the recipients if they take action or make decisions based upon its content, or if it constitutes part of a case file or other record series, or if there are specific programmatic or legal requirements for the information to be retained. Client specific E-mails shall be printed and retained in the case file at the discretion of the Department manager.

For E-mails received from outside the agency and that are classified as public records, at least one addressee within the receiving agency must retain the E-mail as the receiving agency’s “original.”

If messages and attachments are edited and forwarded, then the forwarding person is considered to have a new “original” and is responsible for its retention.

When there is a pending open records request or a likelihood of litigation, audit, or investigation, regularly scheduled dispositions must be suspended until the risk is settled or until legal advice has been obtained concerning disposition.

Examples of E-mail messages that may have continuing value as records:

- Approve or authorize actions or expenditures
- Formal communications between staff, such as correspondence or memoranda relating to official business
- Signify policy change or determination
- Create a precedent

- Involve negotiations on behalf of Richland County
- Have value for other people in the work unit as a whole.

Examples of E-mail messages that are NOT records:

- Items distributed for information value only, such as news bulletins, meeting notices, and copies of documents
- Those items created solely as part of the preparation of other documents
- Personal Messages and announcements
- Junk mail, spam
- Listservs or other similar E-mail lists
- Announcements of a general nature: Invitations to events, holiday parties, etc.
- Routine business activities (incoming and outgoing): “Is the meeting still on?”; “Enclosed is the copy of...”; Thank You’s; etc
- Limited value E-mail messages – messages of a generally routine administrative value, need not be kept longer than six months, and include such things as requests for information about programs and services, hours of service, brochures, etc. All requests can be deleted after request is satisfied.

The County will retain and maintain, in a searchable form, a copy of all E-mails for at least seven (7) years. Each communication may be subject to open records analysis and release (if appropriate), if a request is made, which encompasses the communication.

Internet

This policy shall apply to anyone utilizing Richland County Government’s Internet access systems.

Richland County Government's Internet access is intended to further the business purposes of Richland County Government; incidental personal use of the Internet access is permissible.

Richland County Government reserves the right to monitor, filter, and/or review, at any time, all Internet utilization via Richland County Government's Internet access. Richland County Government further reserves the right to reveal any Internet access related information to any party that it deems appropriate. The use of encryption, the labeling of a communication as private, the deletion of a communication, or any other such process or action, shall not diminish Richland County Government’s rights in any manner.

Richland County Government will disclose Internet access information to any party that it may be required to by law or regulation. This may include law enforcement search warrants and discovery requests in civil litigation.

Excluding incidental use, users will not access any material that is not directly relevant to their assigned duties.

Users will not post any comments or statements on any web page or send any messages to Internet newsgroups that are not directly relevant to their assigned duties and authorized by the Department Head or designee.

Users will not enter any Internet chat rooms, chat channels, or bulletin boards not directly relevant to their assigned duties.

The use of Internet blogs on County computers is discouraged unless such use is necessary in the performance of an individual’s job responsibilities. Blogging activities on a County computer are subject to all other provisions of this policy and all other policies of the County.

Users who access any Internet sites for which a charge or fee is involved, without the written consent of the individual’s Department Head or Manager, shall be responsible for any and all

payments associated with visiting that site.

Due to the drain on resources, users will not utilize or subscribe to any services that "broadcast" material via the Internet not directly relevant to their assigned duties. This includes listening to music or radio stations via the Internet, or streaming TV, sports, or movies via the internet. Due to the potential for security breaches, users will not download software from the Internet unless prior approval has been obtained from the MIS Staff. Downloading screen-savers, desktop themes, and/or games from the Internet is strictly prohibited.

Each user is responsible for ensuring that their use of Richland County Government's Internet access is consistent with this policy, any other applicable County or Departmental policy, and appropriate business practices. Internet sites containing jokes, pornography, sexist material, racist material, defamatory material, obscene material, pirated software, or any other inappropriate material shall not be accessed. Further, the Internet access system shall not be used for any purpose in violation of law or regulation.

Richland County Government's Internet access will not be utilized for any commercial activity that is not in furtherance of Richland County Government business.

Users should be mindful that Internet sites they visit collect information about visitors. This information will link the user to Richland County Government. Users will not visit any site that might in any way cause damage to Richland County Government's image or reputation.

Users should be aware that much of the material available on the Internet is copyrighted or trademarked. Other than viewing publicly available material, users will not use any material found on the Internet in any manner without first establishing that such use would not be in violation of a copyright or trademark.

- Internet access is provided to County employees to use as a resource to perform their jobs more effectively and efficiently. It is important to remember that use of the Internet can be monitored by authorized personnel. Employees represent Richland County and should conduct themselves appropriately.

The Internet should **not** be used to:

- access web sites that are not work related, except occasional personal use
- access a web site or location on the Internet where a fee is charged without the explicit consent of an employee's supervisor
- access or distribute sexually explicit, pornographic or other indecent or obscene material
- interfere or disrupt other County network users, services, or equipment
- obtain copies of, or modify files that are private, confidential, or not open to public inspection
- violate copyright and trademark laws and regulation

Barracuda Internet Filter

Richland County uses a barracuda Internet filter to enforce Internet usage policies by blocking access to Web sites and Internet applications that are not related to County business. It also helps eliminate and prevent spyware and other forms of malware. The County pays a subscription to Barracuda to keep the filter updated and effective. There are lists created within the device that allow for some customization based on job need. Any change to the filter lists are subject to approval by the Finance / Personnel Committee.

Web Page

The official Richland County Government Internet web site at <http://co.richland.wi.us> is for the official business use of Richland County Government only.

Any user or Department which plans to develop pages on the official County web site must receive clearance through persons so designated by the Finance / Personnel Committee of the Richland County Board.

All Departments and/or users that wish to have data uplinked to the established web pages on the official web site must do so through the designated staff.

The accuracy and currency of information is critical to the utility of the Richland County Web page because users expect this information to be the most current and reliable information available. Departments should make every effort to maintain the most accurate and reliable information available on the Internet. MIS Staff will provide advice and support to County departments to maintain their Internet information.

Revised 02/01/2011

Reviewed and updated 06/07/2016

Reviewed and updated 03/20/2018

I have read the Richland County Computer Policy rules and guidelines.

Name: (please print) _____

Department: _____

Signature: _____ Date: _____ Employees are asked

to sign this statement and separate it from the Richland County Computer Policy.

All employees should review and sign the new computer policy and the page with the signature should be sent to the County Coordinator-Victor Vlasak who will place the signature page in the Personnel files

<p style="text-align: center;">Richland County SOCIAL MEDIA POLICY</p>	
Date of Approval: 03/18/2014	Date Policy is Effective: 03/18/2014
Responsible Person: MIS Director	Author: Barbara Scott
Reference: Social Media Policy- Attorney Mike Fischer, Quarles & Brady; Richland County Sheriff's Department Policy #521; Richland County Health & Human Services Policy AA5.15	Approved By: Finance Committee

Purpose

Richland County accepts the use of social media and internet access related activities as a new and potentially valuable means of better serving the citizens of Richland County. The purpose of this policy is to establish procedures for the acceptable use of social media by employees of Richland County. Social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for the appropriate use of social media.

Policy

It is the policy of the Richland County that all staff shall follow three basic principles when participating in online activities, whether work-related or personal: Be Respectful, Be Honest and Accurate, and Post Only Appropriate and Respectful Content.

Staff shall refrain from accessing social media while on work time or on the equipment provided, unless it is work-related as authorized by your manager or is consistent with the Richland County Computer Policy.

Procedure

All Richland County work-related social media sites or pages shall be previously approved by the appropriate Department Head. Work-related social media pages shall clearly indicate that they are maintained by Richland County and shall have department contact information prominently displayed. Staff conducting online activities, whether work-related or personal, shall:

1. **Be Respectful:** Always be fair and courteous to fellow employees, members, clients, providers or people who work on the behalf of Richland County. You are more likely to resolve work-related complaints by speaking directly with your co-worker or a member of management than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages customers, members, associates or suppliers, or that might constitute harassment or bullying. Avoid reckless or irresponsible behavior. These behaviors could provide grounds for impeaching an employee's testimony in criminal proceedings or you may be subject to civil litigation.

Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation (defamation of character) or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law.

2. Be Honest and Accurate: Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings may be searched. Never post any information or rumors that you know to be false about Richland County, fellow employees, members, clients, providers, or people working on the behalf of Richland County.
3. Post Only Appropriate and Respectful Content:
 - a. Staff shall maintain the confidentiality of Richland private or confidential client information. Confidential client information shall be protected by observing applicable Wisconsin statutes, Department of Health Services Administrative Codes, and the Health Insurance Portability and Accountability Act (HIPAA) as referred to in AA2.1 Confidentiality of Client Records Policy. Work related communications with clients via social media is not permitted.
 - b. Staff shall not use Richland County email addresses to register on social networks, blogs or other online tools utilized for personal use.
 - c. Staff shall not create a link from their personal blog, website or other social networking site to a Richland County website. Exceptions may be granted by the Department Head.
 - d. If you do publish a blog or post online related to the work you do or subjects associated with Richland County, express only your personal opinions and include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Richland County". Never represent yourself as a spokesperson for Richland County. Be clear and open about the fact that you are an employee and that your views do not represent those of Richland County, fellow employees, members, clients, providers or people working on the behalf of Richland County.
 - e. Staff should be aware that privacy settings on social media sites are constantly in flux and should never assume that personal information posted on such sites is protected.
 - f. Staff should expect that any information created, transmitted, downloaded, exchanged, or discussed in a published online forum may be accessed by Richland County or local law enforcement at any time without prior notice.

Ultimately, you are solely responsible for what you post online. Inappropriate postings may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or

unlawful conduct will not be tolerated. Any postings that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, clients, providers, people who work on the behalf of Richland County or Richland County legitimate business interests may result in disciplinary action up to and including termination.

Richland County encourages staff to report violations of this policy to the appropriate Department Head and prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation shall be subject to disciplinary action up to and including termination.

Potential Work-Related Uses of Social Media:

1. Social media is a valuable investigative tool when seeking evidence or information about (for example, but not limited too):
 - Reports and investigations.
 - Violations of protective supervision conditions.
 - Violations of programmatic eligibility requirements (financial programs).
 - Family finding activities.
 - Photo or evidence of abuse/neglect/delinquency/fraud.
2. Social media can be used for community outreach and engagement by:
 - Providing prevention tips.
 - Offering online reporting opportunities.
 - Soliciting tips about open investigations.
3. Social media can be used to make time-sensitive notifications related to:
 - Disasters or weather emergencies.
 - Public Health announcements.
 - Missing or endangered persons.
 - Agency sponsored events.
 - Employment and/or volunteer opportunities.

Creating Work-Related Social Media Sites:

1. Obtain prior authorization to create a work-related social media site from the Department Head.
2. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presences on the website.
3. When possible, the page(s) should link to the official Richland website.
4. Page(s) shall be designed for the target audience(s).
5. Content is subject to open record laws and relevant record management and retention schedules apply.
6. Content shall not include statements about the guilt or innocence of any alleged maltreater, nor the details of any alleged victim, comments concerning clients, or other pending investigations or complaints.

7. Page(s) shall state that the opinions expressed by visitors to the page(s) do not reflect the opinions of Richland County Government.
8. Page(s) shall clearly indicate that posted comments will be monitored and Richland County Staff and they reserve the right to remove obscenities, off topic comments, personal attacks, or any other inappropriate postings.
9. Page(s) shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
10. Page(s) shall abide by copyright, trademark, and service mark restrictions.
11. Page(s) shall exclude political or private business activity.
12. The Richland County MIS Department shall be notified and given administrative permissions to all official Richland County websites, Facebook sites, and any other social media sites.

Definitions

Internet Access Activities: any activity that is generated by first establishing an internet connection or accessing an existing internet connection for the purpose of accessing, communicating, and/ or contributing to the worldwide web in which activity then becomes subject to the public forum and therefore subject to open records laws. The technology used to gain such access or carry out such activities is wide and varied and therefore not equipment dependent or limited.

Blog: A self published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “web log.”

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site; including photographs or videos.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: All means of communicating or posting information or content of any sort to the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Richland County, as well as any other form of electronic communication.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

History

Annual Review Dates

I have read the Richland County Social Media Policy rules and guidelines.

Name: (please print) _____

Department: _____

Signature: _____ Date: _____

Employees are asked to sign this statement and separate it from the Richland County
Computer Policy.

Department Heads/Supervisors will collect the signed statements and they will be
placed in the respective personnel files.

Richland County Rules & Strategic Planning Standing Committee

Agenda Item Name: Comprehensive plan resolution

Department	County Board	Presented By:	Shaun Murphy-Lopez
Date of Meeting:	12/1/22	Action Needed:	Motion
Disclosure:	Open Session	Authority:	C?
Date submitted:	11/30/22	Referred by:	None

Recommendation and/or action language: Motion to forward a resolution to the County Board to move forward with issuing a Request for Proposals for services to update Richland County's comprehensive plan.

Background:

At October's meeting the committee adopted the findings of a Strengths, Weaknesses, Opportunities, Threats (SWOT) analysis regarding the County's current comprehensive plan and its update:

- The largest **strength** of the existing plan was **data**
- The largest **weakness** was of the existing plan was **implementation**
- The largest **opportunity** for an update of the plan was **existing and potential groups**
- The largest **threat** toward completing the plan was **money**

The committee also approved the development of a scope and budget.

At November's meeting the committee reviewed a draft Request for Proposals (RFP) and budgets for other comprehensive plans (\$15,000 to \$80,000). The committee approved forwarding the comprehensive plan to the Finance & Personnel Committee for funding from the American Rescue Plan Act (ARPA). ARPA funding was approved by that committee at their November 14th meeting.

The draft RFP is attached and a draft resolution for the committee's consideration is below.

A Resolution Authorizing the Issuance of a Request for Proposals to Update the County's Comprehensive Plan

WHEREAS, the County's comprehensive plan was last updated in 2006, and

WHEREAS, state statute 66.1001 requires the comprehensive plan be updated every 10 years, and

WHEREAS, the County's strategic plan set a goal of updating the comprehensive plan by 2024, and

WHEREAS, the Rules & Strategic Planning Committee completed a *Strengths Weaknesses Opportunities Threats* analysis of the comprehensive plan at its October meeting, and

WHEREAS, the biggest strength of the existing plan was data, the biggest weakness was implementation, the biggest opportunity of a future plan is community groups, and the biggest threat is money, and

WHEREAS, an RFP has been developed to address these findings, and

WHEREAS, the plan is intended to inform decision-making and guide the county's development over the next 10 to 20 years, and

WHEREAS, the Finance and Personnel Committee has approved funding the comprehensive plan update with American Rescue Plan Act funding.

Richland County Rules & Strategic Planning Standing Committee

NOW THEREFORE BE IT RESOLVED, the Rules & Strategic Planning Committee is authorized to issue an RFP for a comprehensive plan update, and

BE IT FURTHER RESOLVED, the Rules & Strategic Planning Committee shall return to the County Board to request approval for vendor selection.

Attachments and References:

Attachment: RFP	
-----------------	--

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)



COUNTY
Richland
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REQUEST FOR PROPOSALS **Richland County, Wisconsin**

Comprehensive Plan Update

Rules & Strategic Planning Committee

Issued: January 5, 2023

Proposals Due: February 16, 2023 by 4:00pm CST

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Purpose and Need

Richland County last completed a comprehensive plan in 2006, which can be found at <https://www.swwrpc.org/our-work/comprehensive-plans>. Wisconsin statute 66.1001 requires updates every 10 years. The County Board's [Strategic Plan](#) sets as a goal the completion of a new comprehensive plan by 2024. [The Rules & Strategic Planning Committee](#) completed a *Strengths Weaknesses Opportunities Threats* analysis of the comprehensive plan at its October 6, 2022 meeting. The findings were that the biggest strength of the existing plan was data, the biggest weakness was implementation, the biggest opportunity of a future plan is community groups, and the biggest threat is money. An update of the comprehensive plan should address these findings, as detailed in the Scope of Work and Budget sections of this Request for Proposals (RFP). The plan is intended to inform decision-making and guide the county's development over the next 10 to 20 years.

Community Background

Richland County is located in Southwest Wisconsin [between Madison and La Crosse](#) with a population of [approximately 17,304 \(2020 census\)](#). The area is [aging, rural, and scenic](#), with a high senior population and a gradual transition from agricultural to recreational land use. [It was founded in 1842 and named for the high quality of its soil.](#) Richland County is known for its history of dairy farming and beautiful [steep hills and deep valleys](#), as well as [numerous](#) high-quality trout streams and [excellent](#) deer hunting [opportunities](#).

~~Richland Center is the county's largest and only city, as well as the seat of county government. The County is governed by a 21-member Board of Supervisors with a full-time Administrator. Richland County also has 5 incorporated villages (Boaz, Cazenovia, Lone Rock, Viola, and Yuba) and 16 townships (Akan, Bloom, Buena Vista, Dayton, Eagle, Forest, Henrietta, Ithaca, Marshall, Orion, Richland, Richwood, Rockbridge, Sylvan, Westford, and Willow), each with its own elected board and comprehensive plan.~~

[Tourism is growing in the county. Rural, small-town attractions such as the Galaxie Skate Center, Eagle Cave, the Starlite 14 drive-in movie theater, orchards, and a winery are complemented with the nationally renowned A.D. German Warehouse. Richland Center is the birthplace of Frank Lloyd Wright, who designed the Warehouse, which is listed on the National Register of Historic Places. The outdoor Woodman Aquatic Center opened in 2020, and Richland Center is home to Symons Recreation Complex, which has an indoor pool, fitness classes, an exercise room, and racquetball courts. The Richland Center Auditorium is operated by the Richland County Performing Arts Council, which is restoring the first municipal auditorium built in Wisconsin.](#)

Some of the largest employers include Schreiber, Rockwell, S & S Cycle, Richland County, the Richland Hospital, and the Richland School District. [Nearby Cardinal Glass is also a large source of employment. Immigrants from other countries recruited by some employers have recently begun arriving in the county.](#) Richland Center is also home to the UW-Richland campus, which is owned by the County and operated by the UW-System. [The campus was opened in 1967 and has featured an active international student program.](#) The county has two nursing homes – Pine

Valley Community Village (owned and operated by Richland County) and Schmitt Woodland Hills. The Wisconsin State Riverway borders the southern edge of the county, with five additional County-owned public park lands throughout (i.e., Ash Creek Community Forest, Pier County Park, Pine River Recreational Trail, Rifle Range, Viola County Park). Housing development has recently begun in Richland Center and Viola.

Richland Center is the county's largest and only city, as well as the seat of county government. The County is governed by a 21-member Board of Supervisors with a full-time Administrator and approximately 300 employees. Richland County also has 5 incorporated villages (Boaz, Cazenovia, Lone Rock, Viola, and Yuba) and 16 townships (Akan, Bloom, Buena Vista, Dayton, Eagle, Forest, Henrietta, Ithaca, Marshall, Orion, Richland, Richwood, Rockbridge, Sylvan, Westford, and Willow), each with its own elected board and comprehensive plan.

Scope of Work

Working with the Rules & Strategic Planning Committee as the reviewing body, a vendor is sought to provide the following services to Richland County:

1. Managing the project
2. Summarizing existing plans
3. Updating data
4. Engaging the community
5. Developing an updated comprehensive plan

If applicable, interested vendors should note any proposed deviations or additional services in their scope of work.

Managing the Project

Project management is sought to keep plan's development on schedule for completion by March 19, 2024. Potential vendors should describe how they propose to manage the project with Richland County's 9-member Rules & Strategic Planning Committee. This committee meets on the first Thursday of each month at 10am with a remote attendance option, and is expected to be the managing/reviewing body for the development of the updated plan. The Richland County Board of Supervisors will be the adopting body for the updated plan.

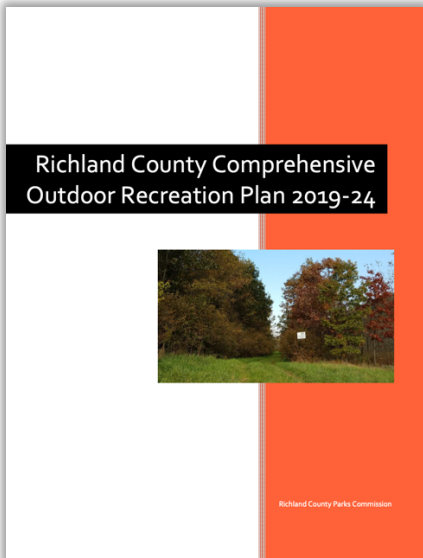
Summarizing Existing Plans

Richland County has several existing plans that guide the work of the organization. Potential vendors should describe how they propose to summarize existing plans, and how those plans will be tied to the development of the updated comprehensive plan. Potential plans may include:

- A.D. German Warehouse visioning report
- Capital improvement plan
- City of Richland Center comprehensive plan
- County comprehensive plan

- Five-year financial plan
- Hazard mitigation plan
- Housing and workforce study
- Land and water resource management plan
- Outdoor recreation plan (see image below)
- Strategic plan
- UW-Richland Campus plan

A vendor should also be prepared to summarize existing [zoning related ordinances](#).



Updating Data

The biggest strength of the existing plan was found to be its data. Potential vendors should describe how they propose to select data to update (with input from the Rules & Strategic Planning Committee), and how that data will be tied to the development of the updated comprehensive plan. The updated plan should review or analyze data in the past plan, to be used to improve the accuracy of the new plan. New data sets to evaluate may also be proposed. While County staff will be available to assist the selected vendor by sharing and updating relevant data, analysis of the data, including any mapping in GIS, will be a responsibility of the selected vendor.

Engaging the Community

The biggest opportunity for updating the plan was found to be outside community groups. Potential vendors should describe how they propose to engage the community, using methods such as workshops, meetings, tabling at community events, and online surveys. A written public participation plan will be required to fulfill Comprehensive Planning Law 66.1001, and this plan will be proposed for adoption by the Richland County Board of Supervisors before community engagement begins. After community engagement is completed, a report should be written to describe the key themes and results.

Developing an Updated Comprehensive Plan

The biggest weaknesses of the existing comprehensive plan were found to be implementation followed by usability. Potential vendors should describe how they will develop an updated comprehensive plan that is both implementation-focused and usable. The County desires a more public friendly, modern, brief, and graphically rich plan. Measureable Goals, strategies, and actions should be clearly stated throughout the plan and summarized in an easy-to-reference chart/s. Priority levels and responsible parties for actions are desired.

Potential vendors should also describe how they propose to develop goals, strategies, and actions in a manner that is directly connected to the results of community engagement.

Vendors are encouraged to bring their own expertise and identify any topics that were not revealed in the community engagement process.

The County also desires to use goals, strategies, and actions to facilitate a more robust, proactive capital improvement program.

Comprehensive Planning Law 66.1001 details nine required elements for a comprehensive plan. Potential vendors should describe how they propose to include all nine elements in an updated plan (i.e., separate or combined chapters).

Potential vendors should be prepared to present draft and final plans to the Rules & Strategic Planning Committee and County Board of Supervisors for review and adoption. Remote attendance at some meetings is a possibility.

Proposal Requirements

Potential vendors should limit their proposal to 40 pages (or 20 pages front and back) including cover pages, cover letters, section breaks, and all required elements including the following:

- Firm/organization profile
- Project understanding and scope of work with deliverables
- Resumes of individuals proposed to work on the project, including relevant experience
- Descriptions of similar projects, including references and links to final project documents
- Schedule (schedule for project completion is 12 months – see Timeline section of this RFP)
- Budget, including fully loaded rates and number of hours by task for each individual, and a “not to exceed” dollar amount.

Selection Criteria

Proposals will be evaluated based on the following criteria:

Criteria	Possible Points
40-page limit	<u>510</u>

Relevance of firm/organization profile to the project	10
Project understanding and scope of work	25
Resumes of individuals	510
Other relevant projects, including references and links to documents	2010
Schedule	10
Budget	25
Total	100

Timeline

RFP Distribution	January 5, 2023
Written Questions Due	January 26, 2023
County Responses Due	February 2, 2023
Proposal Submittal Deadline	February 16, 2023 (4pm, CST)
County Review of Proposals by Rules & Strategic Planning Committee	March 2, 2023
Interviews by Rules & Strategic Planning Committee (if necessary):	March 9, 2023
Approval of Vendor Selection by County Board	March 21, 2023
Notice to Proceed	March 22, 2023
Adoption of the Updated Comprehensive Plan by the County Board	March 19, 2024

Submittal of Questions

All questions or desired clarifications must be submitted in writing to the Rules & Strategic Planning Committee using the contact information provided below. Phone calls are not allowed. All questions and answers will be posted to the County's website and sent to those who submitted questions.

Rules & Strategic Planning Committee
 Attn: Cheryl Dull, Administrative Assistant
 181 West Seminary Street
 Richland Center, WI 53581
cheryl.dull@co.richland.wi.us

Submittal of Proposals

Nine hard copies and one electronic copy of the proposal shall be submitted to the Rules & Strategic Planning Committee using the contact information provided below. Proposals are due

Thursday, February 16, 2023 at 4pm CST. Proposals received after this deadline will not be considered.

Rules & Strategic Planning Committee
Attn: Cheryl Dull, Administrative Assistant
181 West Seminary Street
Richland Center, WI 53581
cheryl.dull@co.richland.wi.us

Budget

~~Richland County has allocated \$xx,xxx for this project.~~ Budget control is of utmost concern with this project. The selected vendor should be prepared to submit monthly invoices showing time and expenses incurred to the Rules & Strategic Planning Committee for review and approval. While the County has not set a budget for this project, vendors should be prepared to propose a competitive budget compared with recently completed comprehensive plans in communities similar to Richland County.

Terms and Conditions

1. Richland County does not discriminate on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability, sexual orientation, or any other legally protected status in the selection of vendors.
2. The County will enter into negotiations with a vendor based on the County's selection team recommendations. Negotiations will be conducted beginning with the vendor ranked first. If a contract that is satisfactory and advantageous to the County can be negotiated at a price considered fair and reasonable, the award will be made to that vendor. Otherwise, negotiations with the vendor ranked first will be formally terminated and negotiations conducted with the vendor ranked second, and so on until a contract can be negotiated at a fair and reasonable price.
3. The County reserves the right to reject any or all proposals, to divide responsibilities among one or more applicants or firms, to waive formalities, and to select the individual or firm which, in the County's sole judgment, can best perform the scope of services required.
4. Ownership of all data, material, and documentation originated and prepared for the County pursuant to the RFP shall belong to the County and be subject to public inspection in accordance with the Freedom of Information Act (FOIA). Trade secrets or proprietary information submitted by potential vendors shall not be subject to public disclosure under (FOIA) unless otherwise required by law or a court. Potential vendors may label staff rates as proprietary information.
5. The County is not liable for any costs incurred by any potential vendor in connection with this RFP or any response by any potential vendor to this RFP. The expenses incurred by a potential vendor in the preparation, submission, and presentation of the proposal are the sole responsibility of the potential vendor and may not be charged to

the County, regardless of whether or not a potential vendor's proposal is ultimately selected by the County for completion of the work detailed in this RFP.

6. ~~Each potential vendor should carefully read and review all such items and should address such items in its proposal. However, t~~he final description of the services and/or specifications to be provided to the County under this RFP is subject to negotiations with the successful vendor, and final approval of the County.
7. The vendor shall maintain, during the life of the negotiated contract, public liability and property damage insurance to cover claims for injuries, including accidental death, as well as from claims for property damages that may arise from the performance of work under the contract.

Richland County Committee

Agenda Item Cover

Agenda Item Name: Requesting dissolving of CDBG Committee Functions from the Housing Authority Committee

Department	Administration	Presented By:	Administrator
Date of Meeting:	01 December 2022	Action Needed:	Vote
Disclosure:	Open Session	Authority:	Structure B.3
Date submitted:	30 November 2022	Referred by:	F+P November 14th
Action needed by no later than (date)	N/A	Resolution	<u>N/A</u> , prepared, reviewed

Recommendation and/or action language:

Motion to... dissolve of the existing CDBG Committee with reduction of Paragraph C. of the Housing Authority functions.

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

Requesting this task to the housing authority be removed and the CDBG Committee responsibilities be dissolved from the Housing Authority Committee. If future CDBG programs are implemented the county may stand up a committee as needed.

HOUSING AUTHORITY

(reports to HHS & Veterans Standing Committee)

A. Five members with three citizen members recommended by the Administrator for appointment and confirmed by the County Board, and two County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.

B. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) for staff who will receive funds and administer programs in Richland County of the U.S. Housing and Urban Development Department (HUD), except HUD's Block Grant program.

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

[Further background presented to Finance and Personnel on 14 November 2022]

The Richland County housing authority has acted as curator of funds of a legacy CDBG program that has concluded, and has acted as secretary of the County CDBG Committee. Both the county and housing authority have sought guidance from state and federal agencies, and it is our understanding these funds purpose and disposition have outlasted the intended program. At this point these funds are considered "de-federalized" and available for use at the County's discretion. I am requesting these funds be returned to Richland County with intentions to use these funds in continuing County support of Richland Economic Development. I will be requesting that Richland Economic Development prioritize community and workforce housing in Richland County.

Amount recalled:

\$87,710.15	Account #8559 existing balance (31 Aug 2022)
<u>-\$13,156.52</u>	Retained by the Richland County Housing Authority in recognition of historic administrative fees provided in service of the CDBG program

Richland County Committee

Agenda Item Cover

\$74,553.63 Total amount to return to Richland County

With this request the county would ask that RCHA to please include any interest in properties which may have been serviced by, or are indebted to, the program. The County will assume any and all responsibility for the administration of these assets and any necessary title and recording work. The County will take ownership of any outstanding loans or grants, including obtaining necessary title reports or negotiations with the homeowners.

Minutes from F+P 14 Nov 2022:

- 6. Discussion and possible action on recalling CDBG Funds from Housing Authority and dissolving of Committee:** Administrator Langreck reviewed the request to recall the defunct CDBG Funds. These funds have outlasted the intended purpose and can now be used at the Counties discretion. Administrator Langreck is recommending that the balance of \$74,553.63 be allocated to Richland Economic Development. The County will assume any and all responsibility for the administration of these assets and any necessary title and recording work. Moved by Supervisor Gottschall to recommend resolution to the Richland County Board, to request recall of Defunct CDBG Funds from the Richland County Housing Authority and to dissolve of the existing CDBG Committee (via recommendation to Rules and Strategic Planning), 2nd by Supervisor Manning. Discussion followed on what administration of these asset would entitle. All voting aye, motion carried.

Attachments and References:

Letter to Richland County Housing Authority	
DRAFT Resolution	

Financial Review:

(please check one)

<input checked="" type="checkbox"/>	In adopted budget	Fund Number	General Fund for 2023
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input type="checkbox"/>	No financial impact		

(summary of current and future impacts)

Approval:

Review:

Clinton Langreck

Department Head

Administrator, or Elected Office (if applicable)



Richland County Administrator's Office

Clinton Langreck, Administrator

PO Box 310

Richland Center, WI 53581-0310

Office: (608) 647-2197 Phone: (608) 649-5960 FAX: (608) 647-6134

Email: clinton.langreck@co.richland.wi.us

To: Richland County Housing Authority – Sandy Cook Executive Director

Subject: Recall of Defunct CDBG Funds and Dissolving of CDBG Committee

Date: 2 November 2022

Director Cook,

This letter shall serve as notice that the funds designated for the defunct CDBG "BLOCK GRANT PROGRAM" are hereby recalled. Both the county and housing authority have sought guidance from state and federal agencies, and it is our understanding these funds purpose and disposition have outlasted the intended program. At this point these funds are considered "defederalized" and available for use at the County's discretion. I am requesting these funds be returned to Richland County with intentions to use these funds in continuing County support of Richland Economic Development. I will be requesting that Richland Economic Development prioritize community and workforce housing in Richland County.

Amount recalled:

\$87,710.15 Account #8559 existing balance (31 Aug 2022)

-\$13,156.52 Retained by the Richland County Housing Authority in recognition of historic administrative fees provided in service of the CDBG program

\$74,553.63 Total amount to return to Richland County

Instructions for transfer — please release a check from the 8559 account payable to the Richland County Treasurer.

Transfer of properties and mortgages — With this request please include any interest in properties which may have been serviced by, or are indebted to, the program. The County will assume any and all responsibility for the administration of these assets and any necessary title and recording work. The County will take ownership of any outstanding loans or grants, including obtaining necessary title reports or negotiations with the homeowners. Please provide the county with all property, loan and mortgage files (or copies of) at the time of the transaction.



Richland County Administrator's Office

Clinton Langreck, Administrator

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Richland Center, WI 53581-0310

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Email: clinton.langreck@co.richland.wi.us

I will be working with the Richland County, Rules and Strategic Planning Committee to consider dissolving the CDBG Committee function of the Housing Authority Committee at this time. This function was established through Resolution No. 78-72 and will require both committee and County Board action. If a CDBG Committee is needed for future block grant projects, the county will take action to recreate the body as needs arise.

Thank you for your time and assistance on this project Director Cook.

CC:

Marty Brewer — Board Chair

Bill Moilien – Johnson Block; Audit Supervisor

RESOLUTION NO. 22 - __

Resolution Recalling CDBG Funds and Dissolving CDBG Committee

WHEREAS, The Richland County housing authority has acted as curator of funds of a legacy Community Development Block Grant (CDBG) program that has concluded, and has acted as secretary of the County CDBG Committee; and

WHEREAS, and it is our understanding these funds purpose and disposition have outlasted the intended program and funds are considered “de-federalized” and available for use at the County’s discretion; and

WHEREAS, the purpose of the CDBG committee will have been exhausted with the return of these funds but may be recreated by the County when in need to meet future CDBG opportunities, and

WHEREAS, the Richland County Rules and Strategic Planning Committee has taken action to recommend dissolving the CDBG committee under the Richland County Housing Authority.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors, that the CDBG funds in the amount of \$74,553.63 are hereby recalled by Richland County with intentions to use these funds in continuing County support of Richland Economic Development; and

BE IT FURTHER RESOLVED that these funds should be returned through the Richland County Treasurer by no later than January 31st, 2023, and

BE IT FURTHER RESOLVED that his recall shall include any interest in properties which may have been serviced by, or are indebted to, the program; and

BE IT FURTHER RESOLVED that this Resolution shall be effective upon passage and publication.

VOTE ON FOREGOING RESOLUTION

RESOLUTION OFFERED BY
FINANCE AND PERSONNEL STANDING
COMMITTEE (November 7th, 2022)

AYES _____ NOES _____

RESOLUTION _____

DEREK S. KALISH
COUNTY CLERK

DATED DECEMBER 13th, 2022

	FOR	AGAINST
Marty Brewer		
Shaun Murphey-Lopez		
David Turk		
Melissa Luck		
Mar Couey		
Steve Carrow		
Gary Manning		
Tim Gottschall		
Steve Williamson		