

# RICHLAND COUNTY

## Rules & Strategic Planning Standing Committee

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January 31, 2023

### NOTICE OF MEETING

Please be advised that the Richland County Rules and Strategic Planning Standing Committee will convene at 10:00 a.m., Thursday, February 2<sup>nd</sup>, 2023 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](mailto: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](mailto:shaun.murphy@co.richland.wi.us) (email).

#### **Agenda:**

1. Call to order
2. Proof of notification
3. Agenda approval
4. Approval of minutes
5. Public comments  
*Topics raised in comments received from the public may be placed on a future agenda for consideration.*
6. Comprehensive plan RFP questions and answers\*
7. Draft ethics ordinance\*
8. Update on Joint Meeting with Richland Center Common Council and RED Board\*
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

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**January 5th, 2023**

The Rules and Strategic Planning Standing Committee met on Thursday, January 5<sup>th</sup>, 2023, at 10:00 a.m. in the County Board Room at 181 W. Seminary Street via videoconference and teleconference.

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

Absent: Julie Fleming.

Department heads, staff and public present were: County Administrator Clint Langreck by WebEx, Administrative Assistant Cheryl Dull, with John Couey and Josh from MIS running the teleconferencing.

1. **Call to Order** - Committee Chair Murphy-Lopez called the meeting to order at 10:05 a.m.
2. **Proof of Notification** - Chair Murphy-Lopez confirmed that the meeting had been properly noticed.
3. **Agenda Approval** - Moved by Supervisor Cosgrove to approve the agenda as presented, seconded by Supervisor Glasbrenner. All voting aye, motion carried.
4. **Approval of minutes** – Moved by Supervisor Gentes to approve as presented, 2<sup>nd</sup> by Supervisor Frank. All voting aye, motion carried.
5. **Public comments** - Chair Murphy-Lopez invited any public to make comments. Alan Lins asked to speak to item 08b. He would like to urge the City and the RED Board that if there are any issues or concerns in the future that a joint meeting be held.
6. **Comprehensive plan RFP** – Chair Murphy-Lopez will send out the RFP's (Request for Proposal) to multiple vendors compiled from research. The cost was not specified in the RFP, vendors must provide that. Time frame requirements are specified in the RFP. Supervisor Frank, Gentes and Rudersdorf would like hard copies and if it can be available in large print Seep would like one of the Proposals. Moved by Supervisor Cosgrove to issue a Request for Proposals for services to update Richland County's comprehensive plan with the change in the request for copies, 2<sup>nd</sup> by Supervisor Glasbrenner. All voting aye, motion carried.
7. **Condolences for the family of Gaylord Deets** – Chair Murphy-Lopez reached out to the family and has prepared an Ordinance. Moved by Supervisor Gentes to recommend a resolution to the Richland County Board expressing condolences to the family of Gaylord Deets, former County Board Supervisor, 2<sup>nd</sup> by Supervisor Cosgrove. All voting aye, motion carried.
8. **Committee Structure Changes** -
  - a. **Public Safety Standing Committee name change** – Chair Murphy-Lopez reviewed that the Public Safety Committee would like their name changed. See attached minutes 08a. They have requested the name change to be "Public Safety and Judiciary Committee". Chair Murphy-Lopez also made updates the Housing Authority removing C. in purpose, Land and Zoning Standing Committee removing 4. and renumber 5-6, modifications to the Richland Economic Development Board purpose, and Rules and Strategic Planning Standing Committee adding D.

Moved by Supervisor Glasbrenner to recommend to the County Board amending the Committee Structure document to reflect several changes and refer to the Richland Economic Development Board the issue of changing the terms of the agreement between the County and City of Richland Center, 2<sup>nd</sup> by Supervisor Cosgrove. All voting aye, motion carried.
  - b. **Richland Economic Development Board committee description and agreement** – Chair Murphy-Lopez reviewed a Resolution approved by the City of Richland Center in December. After discussion and following the changes at the Finance & Personnel Standing Committee this week, it was decided to schedule a meeting with Rules and Strategic Planning Committee and the City Council, or one of their committees, concerning their request to withdraw and invite the Richland Economic Development Board.

Moved by Supervisor Frank to have a meeting with the City Council or a Committee of the Council as soon as possible arranged by the County Administrator and the City Administrator with an invitation extended to the RED Board, 2<sup>nd</sup> by Supervisor Glasbrenner. All voting aye, motion carried.

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9. **Strategic plan next steps** – Chair Murphy-Lopez had previously spoken to Administrator Langreck if he would prioritize our focus for the next year. Reference presentation 09A Work Plan. While reviewing the Work Plan, discussion followed on how other options other than those selected would affect the work flow in the Administrators office.

Moved by Supervisor Glasbrenner to recommend the 2023-2024 strategic planning priorities to the County Board as proposed with a Resolution, 2nd by Frank. All voting aye, motion carried.

10. **Ethics review** – Chair Murphy-Lopez presented all the changes to the Ethics Policy that have been discussed and approved.

Enforcement – Chair Murphy-Lopez reviewed current wording and wording from Crawford/Sauk (Attachment 10) and Iowa County (Attachment 10b). Discussion followed.

Moved by Supervisor Gentes to update the Enforcement section to read as follows;

*“Violation of any provision of this code should raise conscientious questions for an employee, official or citizen member of a board concerned as to whether voluntary resignation or other action is indicated to promote the best interests of Richland County. If the Ethics Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Ethics Board shall refer its findings and recommendation to the County Board.*

*The Board may recommend that the officer, employee or citizen member conform his or her conduct to the Ethics Code or recommend that they be censured, suspended, removed from office, 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 Corporation Council or District Attorney to commence enforcement.”*; 2nd by Supervisor Frank. All voting aye, motion carried.

Governing Body – Discussion followed about optional wording.

Moved by Supervisor Glasbrenner to use *“A committee of the County Board which has been assigned the duties of the Ethics Board.”*, 2nd by Supervisor Cosgrove. All voting aye, motion carried.

Purpose of Ethics – Discussion followed on a Purpose meeting.

Moved by Supervisor Frank to read as follows;

*“(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 Richland County 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 Richland 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 Richland County.*

*(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*

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*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.*", 2<sup>nd</sup> by Supervisor Glasbrenner. All voting aye, motion carried.

Positions covered – Discussion followed.

Moved by Murphy-Lopez to read as follows; *"All County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees."*, 2<sup>nd</sup> Cosgrove. All voting aye, motion carried.

Definitions – Review of definitions next month after Chair Murphy-Lopez compiles all the definitions that have been established into 1 section.

Moved by Supervisor Rudersdorf to compile all the recommendations from the last 5 meetings and draft an Ordinance for the Committees consideration at the Februarys meeting, 2<sup>nd</sup> by Supervisor Frank. All voting aye, motion carried.

Public Property and definitions will be covered at the next meeting.

**11. Future agenda items** – none.

**12. Adjournment** – Next meeting will be held Thursday, February 2nd @ 10:00 a.m. in the County Board room. Moved by Supervisor Frank to adjourn at 11:49 a.m., seconded by Supervisor Cosgrove. All voting aye, motion carried.

Minutes respectfully submitted by  
Cheryl Dull  
Assistant to the County Administrator

## Richland County Rules & Strategic Planning Standing Committee

**Agenda Item Name:** Comprehensive plan RFP questions and answers

<b>Department</b>	County Board	<b>Presented By:</b>	Shaun Murphy-Lopez
<b>Date of Meeting:</b>	2/2/23	<b>Action Needed:</b>	Motion
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<a href="#">D</a>
<b>Date submitted:</b>	1/31/23	<b>Referred by:</b>	None

**Recommendation and/or action language:** Motion to approve answers to questions submitted by vendors for the comprehensive plan RFP, and send these answers to the email addresses listed below, as well as post the answers to the County's website.

### Background:

At the December County Board meeting, Resolution 22-127 authorized the Rules & Strategic Planning Committee to issue a Request for Proposals (RFP) for a comprehensive plan update. The RFP is included as an attachment. The RFP was issued on January 5<sup>th</sup> and emailed to the following potential vendors, as well as posted on the County's website.

<b>Firm/Organization</b>	<b>Contact Person</b>	<b>Email Address</b>
<a href="#">Ayres Associates</a>	Keri Scheuerell	<a href="mailto:scheuerellk@ayresassociates.com">scheuerellk@ayresassociates.com</a>
<a href="#">Community Planning &amp; Consulting</a>	Jeff Sanders	<a href="mailto:jeffs@communityplanningandconsulting.com">jeffs@communityplanningandconsulting.com</a>
<a href="#">Foth</a>	Jeff Muenkel	<a href="mailto:jeff.muenkel@foth.com">jeff.muenkel@foth.com</a>
<a href="#">JSD</a>	Kelly Kloepping, Jan Schroeder	<a href="mailto:kelly.kloepping@jsdinc.com">kelly.kloepping@jsdinc.com</a> , <a href="mailto:jan.schroeder@jsdinc.com">jan.schroeder@jsdinc.com</a>
<a href="#">Kimley Horn</a>	Audry Camacho	<a href="mailto:Audry.Camacho@kimley-horn.com">Audry.Camacho@kimley-horn.com</a>
<a href="#">Martenson &amp; Eisele</a>	Wally Seddlar	<a href="mailto:wallys@martenson-eisele.com">wallys@martenson-eisele.com</a>
<a href="#">Mead &amp; Hunt</a>		
MSA Professional Services	Jason Valerius	<a href="mailto:jvalerius@msa-ps.com">jvalerius@msa-ps.com</a>
<a href="#">Redevelopment Resources</a>	Kristen Fish-Peterson	<a href="mailto:kristen@redevelopment-resources.com">kristen@redevelopment-resources.com</a>
<a href="#">SEH</a>	Brea Grace, Karl Weissenborn	<a href="mailto:bgrace@sehinc.com">bgrace@sehinc.com</a> , <a href="mailto:kweissenborn@sehinc.com">kweissenborn@sehinc.com</a>
<a href="#">Smith Group</a>		
<a href="#">Southwest Regional Planning Commission</a>	Troy Maggied	<a href="mailto:t.maggied@swwrpc.org">t.maggied@swwrpc.org</a>
<a href="#">Teska</a>	Lee Brown	<a href="mailto:lbrown@teskaassociates.com">lbrown@teskaassociates.com</a>
<a href="#">Vandewalle &amp; Associates</a>	*will not submit proposal*	
<a href="#">Vierbicher</a>	Mark Steward	<a href="mailto:mste@vierbicher.com">mste@vierbicher.com</a>

The following questions were submitted by vendors. Proposed answers are shown in red. The committee may wish to amend the proposed answers before approval.

1. Please provide more guidance on the "outside community groups" noted in *Engaging the Community* section of the RFP. We have a variety of tools and processes for public engagement but they are most effective when we know the quantity of attendees or groups involved. **We have not yet determined outside community groups to engage as part of the plan. We hope to do this in partnership with the selected vendor, and we foresee this information being included in the**

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written participation plan. In your proposal you may describe the types of tools and processes you would like to use along with their approximate quantity. The types and quantities may be altered during negotiations.

2. How does the county want to engage townships? This is a unique relationship due to tension created by semi-independent townships reliant on county services. General guidance on what the county wants or needs from townships will be helpful in developing the proposal. Townships are a potential stakeholder group but we do not foresee the selected vendor meeting individually with a representative/s from each town board. The towns have a quarterly meeting in Richland County. We foresee the possibility of a member of the Rules & Strategic Planning Committee and a representative of the vendor going to a quarterly meeting to update them about the comprehensive planning process and gather their feedback at that meeting.
3. In addition to the general guidance in bullet #2, specific guidance is needed regarding land use and townships. Section 66.1001(2)(h) of WI Statutes requires a future land use map that will be used to guide future development in the county and part (3)(j) of the statutes require future zoning decisions to be consistent with this map. Statutes give the county authority to develop this map, however in southwestern Wisconsin the culture is often deferential to township decisions. Please provide guidance on how the county would like townships engaged around future land use decisions. We anticipate future land use will be an issue that arises during the community engagement process. The focus for the vendor should be describing the existing shared decision-making process regarding future land use, with an eye toward including higher level goals and strategies around this process over the 10 to 20 years planning horizon. We do not anticipate engaging with each of the 16 towns to create individual future land use maps on a parcel-by-parcel basis.
4. Will the county entertain a later completion date than the one proposed in the RFP? No, we would like the plan to be completed within a 12-month period before the next County Board is selected in the April 2024 election.
5. Has the County performed a public opinion survey of amenities or services for County residents since the last comprehensive plan update? We are not aware of any such public opinion survey. If so, may we please have a link or emailed copy?
6. For electronic delivery of proposal, is usb drive or emailed link preferred? Either option is acceptable.
7. When will answers to these questions be posted online? Per the timeline in the RFP, these will be posted online on February 2<sup>nd</sup>.
8. What is your budget or budget limit for the project? Per the budget section in the RFP, the County has not set a budget for this project.
9. Who will be the project coordinator and point of contact during the project for the County? This project will be jointly coordinated by the County Administrator and Chair of the Rules & Strategic Planning Committee. Regarding administrative matters, such as invoicing and working with County staff to gather information, the County Administrator will be the direct point of contact. Regarding committee feedback, the chair of the Rules & Strategic Planning Committee will be the direct point of contact. Will that person have the capacity to coordinate and consolidate committee feedback on draft materials? Draft materials will need to be submitted to the chair of the committee with enough lead time for committee review before each monthly meeting. The chair will coordinate the collection of feedback and facilitate the committee decision-making process, ensuring the vendor has a clear sense of direction from the committee. The committee typically takes collective action during meetings to approve materials as presented

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or with amendments. When there is conflicting committee feedback, these conflicts will be resolved using parliamentary procedure.

10. Is the Committee willing and able to participate in virtual/online working meetings via Teams/Zoom or similar? **Yes, our preferred virtual platform is WebEx.**
11. Does the scope include updating the Comp. Plans for each of the Villages and Towns referenced in the RFP? **No.**

### Attachments and References:

Attachment: RFP	
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### Financial Review:

(please check one)

	In adopted budget	Fund Number	
	Apportionment needed	Requested Fund Number	
X	Other funding Source	ARPA funding, as approved by the Finance & Personnel Committee in December	
	No financial impact		

**Approval:**

**Review:**

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

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



## **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 17,304 (2020 census). The area is 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.

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

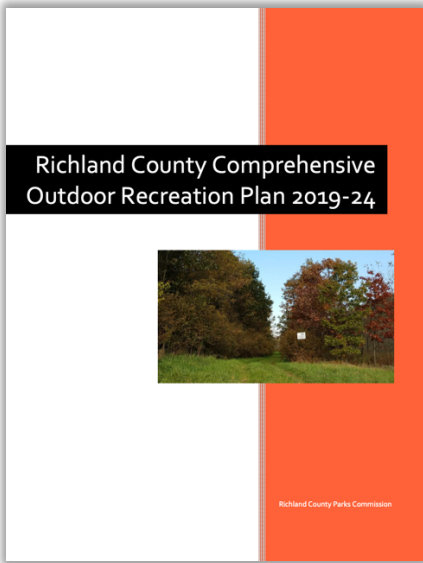
Project management is sought to keep plan's development on schedule for completion by March 19, 2024. Potential vendors should describe how they propose to manage the project with Richland County's 9-member Rules & Strategic Planning Committee. This committee meets on the first Thursday of each month 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	5
Relevance of firm/organization profile to the project	10
Project understanding and scope of work	25
Resumes of individuals	5
Other relevant projects, including references and links to documents	20
Schedule	10
Budget	25
<b>Total</b>	<b>100</b>

## 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](mailto:cheryl.dull@co.richland.wi.us)

## Submittal of Proposals

Five 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](mailto:cheryl.dull@co.richland.wi.us)

## Budget

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. The 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 Rules & Strategic Planning Standing Committee

**Agenda Item Name:** Draft ethics ordinance

<b>Department</b>	County Board	<b>Presented By:</b>	Shaun Murphy-Lopez
<b>Date of Meeting:</b>	2/2/23	<b>Action Needed:</b>	Motion
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<a href="#">Committee Structure, Letter B5</a>
<b>Date submitted:</b>	1/31/23	<b>Referred by:</b>	n/a

**Recommendation and/or action language:** Motion to recommend referring a draft ethics ordinance to Corporation Counsel for his review.

### 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

At the December meeting the committee:

- Made recommendations for referral to social media policy
- Made recommendations regarding advisory opinions
- Made recommendations regarding complaint and investigation procedure

At the January meeting the committee:

- Made recommendations for enforcement, governing body, purpose of ethics, and positions covered
- Directed the drafting of an ordinance for the committee's review

## Richland County Rules & Strategic Planning Standing Committee

Responses from the November meeting referral regarding the public property policy were the following:

- Sheriff Porter sent his department's vehicle use policy – see Attachment C.
- Pine Valley Administrator Rislow sent the following response on December 20<sup>th</sup>:

*“Your email was discussed at last night’s PV/CS meeting. I’m sorry to say that the draft language got mixed reviews. There was no strong indication of support for it, or against it. They did have a question to pose, though, related to PV’s truck/plow. Maybe twice in the 20-plus years Steve Alexander has been in maintenance at Pine Valley, he has taken the truck/plow home after work. And each time it was when a severe snow storm was in the forecast – and Steve needed to ensure he himself would be able to get to PV, as he was responsible for getting Pine Valley’s lots plowed out. Each time this was ok’d through the PV administrator. He has also used the truck (during severe snow weather), to pick up an employee at their residence to take them to work – as having enough caregivers in the building on such days – is a necessity – otherwise PV could be accused of neglect. This particular use of the truck also hasn’t happened very often. Does the rules committee feel such uses going forward (if approved by the campus administrator) would fall within the proposed rule language as being allowed?”*

A draft ethics ordinance is attached for the committee's review – see Attachment D. After the committee's amendments are incorporated, it is recommended for referral to Corporation Counsel for his review.

Topic	Current Ordinance	Option A	Option B	Option C	Committee Recommendation
<b>Introduction</b>					
<b>Governing Body</b>	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</i>	1/5/23: <i>A committee of the County Board which has been assigned the duties of the Ethics Board</i>

## Richland County Rules & Strategic Planning Standing Committee

				<i>the implementation of this code. The Corporation Counsel shall provide legal advice, secretarial service and assistance to the Board.</i>	
<b>Purpose of Ethics</b>	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)	<p>1/5/23: The proper operation of representative government requires that county officials and employees be independent, impartial, and responsible to the people; that government decision 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 Richland County 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 Richland 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 Richland County.</p> <p>The County Board hereby reaffirms that each county official and employee occupies a position of public</p>

## Richland County Rules & Strategic Planning Standing Committee

					<p><i>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 their 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.</i></p>
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## Richland County Rules & Strategic Planning Standing Committee

<b>Positions Covered</b>	Part-time and full-time employees, except elected officials, Highway Commissioner, Corporation Counsel	Crawford/Sauk County example: <i>All County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.</i>	Iowa County example: <i>All county officials (i.e., any person holding a county elected office), county employees (i.e., any person holding a full- or part-time position with the county, other than a county official), and citizen member (i.e., a person appointed to any position by the County board, who is neither an elected county officeholder nor a county employee)</i>		<i>All County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.</i>
<b>Subjects</b>					
<b>Closed Session Policy</b>	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>
<b>Contracting Policy</b>	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.</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>

## Richland County Rules & Strategic Planning Standing Committee

		<i>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>			
<b>Email Policy</b>					12/1/22: No action taken
<b>Topic</b>	<b>Current Ordinance</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Committee Recommendation</b>
<b>Financial Interest Policy</b>	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: 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	Iowa County example: 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.		10/6/22: 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.

## Richland County Rules & Strategic Planning Standing Committee

		<i>opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board.</i>			
<b>Financial Interest Definition</b>	n/a	Crawford County example: <i>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.</i>	Iowa County example: <i>Any interest required to be placed on a disclosure statement by s. 701.21 of this ordinance</i>		10/6/22: <i>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.</i>
<b>Gift Policy</b>	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</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>	<i>Sauk County example: An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or is provided to such official or employee because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.</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>

## Richland County Rules & Strategic Planning Standing Committee

		<i>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>			
<b>Topic</b>	<b>Current Ordinance</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Committee Recommendation</b>
<b>Gift Definition</b>	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>
<b>Nepotism Policy</b>	While not in ordinance, the County has a	Crawford County example: <i>(1) No person shall be</i>			11/2/22: <i>Refer to the Employee Handbook</i>

## Richland County Rules & Strategic Planning Standing Committee

	policy on nepotism in the Employee Handbook	<i>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.</i>			
<b>Privileged Information Policy</b>	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>
<b>Privileged Information Definition</b>	n/a	Crawford/Sauk County example: <i>Any</i>			11/2/22: <i>Any written or oral material related to County government</i>

## Richland County Rules & Strategic Planning Standing Committee

		<i>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>			<i>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>
<b>Immediate Family Definition</b>	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>
<b>Public Property Policy</b>	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</i>			11/2/22: <i>Referred to Standing Committees for input on the Crawford/Sauk County example.</i>

## Richland County Rules & Strategic Planning Standing Committee

		<i>practices and policies of the County.</i>			
<b>Social Media Policy</b>	While not in ordinance, the County has a policy on social media adopted in 2014				12/1/22: Refer to social media policy
<b>Topic</b>	<b>Current Ordinance</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Committee Recommendation</b>
<b>Ethics Ordinance Process</b>					
<b>Advisory Opinions</b>	Shall issue advisory opinions with the assistance of the Corporation Counsel. The identity of the requestor for an advisory opinion shall not be made public without the consent of the requestor nor shall an advisory opinion be made public without the consent of the requestor. However, a summary of an advisory opinion which does not disclose the identity of the individuals involved in the opinion may be made public.	Crawford/Sauk County example: <i>Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Ch. 19, Wis. Stats. However, such records may be made public with the consent of the applicant.</i>	Iowa County example: <i>(see 701.24 in Attachment B)</i>		12/1/22: <i>Shall issue advisory opinions with the assistance of the Corporation Counsel. Any person governed by this Code of Ethics may apply in writing to the Ethics Board 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 Ethics Board'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>
<b>Complaint Procedure</b>	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</i>	Iowa County example: <i>All complaints regarding violations of this ordinance shall be made in writing and submitted to the</i>		12/1/22: <i>1. The Corporation Counsel or County Clerk shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a</i>

## Richland County Rules & Strategic Planning Standing Committee

		<i>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.</i>	<i>county clerk who shall deliver them to the chairperson of the ethics board.</i>		<p><i>violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel or County Clerk 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 60 days, the complaint shall be dismissed.</i></p> <p><i>2. Complaints shall include: 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.</i></p>
<b>Investigation Procedure</b>	<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>	<b>Crawford/Sauk County example:</b> <i>(see section 4.69 (3), (4), (5) (b) and (c))</i>	<b>Iowa County example:</b> <i>(see sections 701.22 and 701.23 in Attachment B)</i>		<p>12/1/22:</p> <p><i>3. 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 sections 5 and 6 below before the Ethics Inquiry Board.</i></p>

## Richland County Rules & Strategic Planning Standing Committee

					<p><i>4. 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.</i></p> <p><i>5. The Ethics Inquiry Board shall be responsible for investigating a complaint, and conducting a fact finding hearing pursuant to section 6 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 sections 1 and 4 above.</i></p> <p><i>6. 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.</i></p> <p><i>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</i></p>
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## Richland County Rules & Strategic Planning Standing Committee

					<p>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.</p> <p>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.</p>
<b>Enforcement</b>	<p>If, after having investigated the matter and having heard from the alleged violator, the Ethics Board shall decide if this Ordinance has been violated and the appropriate penalty to assess against the violator. The matter shall then be referred to the Corporation Counsel for prosecution, if necessary. In appropriate cases, the Board shall report possible violations of the criminal law to the DA.</p> <p>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.</p>	<p>Crawford/Sauk County example: 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:</p> <p>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.</p>	<p>Iowa County example: (see section 701.26 in Attachment B)</p>		<p>1/5/23: Violation of any provisions of this code should raise conscientious questions for the official, citizen member, or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of Richland County. If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, Ethics Board shall refer its findings and recommendation to the County Board. The Board may recommend that:</p> <p>1. The County Board order the individual to conform his or her conduct to the Ethics Code or recommend that they 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.</p>

## Richland County Rules & Strategic Planning Standing Committee

		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.			2. The Ethics Inquiry Board may also refer the matter to the Corporation Counsel or District Attorney to commence enforcement.
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### Attachments and References:

Attachment A: Current Ethics Ordinance	Attachment B: Other County Ordinances
Attachment C: Sheriff Vehicle Policy	Attachment D: Draft Ethics Ordinance

### 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  
(if applicable)

\_\_\_\_\_  
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

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

ATTEST:  
 Victor V. Vlasak  
 Richland County Clerk

#### 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  
 Passed: March 20, 2007  
 Published: March 29, 2007

ORDINANCE OFFERED BY THE ETHICS BOARD

FOR AGAINST

Ann M. Greenheck, Chairman  
 Richland County Board of Supervisors

David J. Daughenbaugh	X
Bette M. Cook	X
Warren C. Pfeil	X
Jeanetta Kirkpatrick	X
Daniel J. Carroll	X

ATTEST:  
 Victor V. Vlasak  
 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  
 Passed: June 15, 2010  
 Published: June 24, 2010

ORDINANCE OFFERED BY THE RULES AND  
 RESOLUTIONS COMMITTEE AND ETHICS BOARD

FOR AGAINST

Ann M. Greenheck, Chairman  
 Richland County Board of Supervisors

Larry D. Wyman	X
Betty M. Cook	X
Warren C. Pfeil	X
Lawrence Sowle	X

ATTEST:  
 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.

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#### **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

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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.

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#### **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

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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;

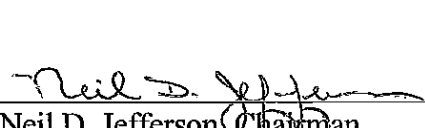
(b) In the case of a citizen member, the county board or other appointing authority consider removing the person from the administrative agency;

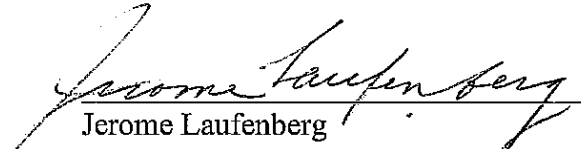
(c) In the case of an employee, that the employee's appointing authority consider imposing discipline, up to and including discharge of the employee.


(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

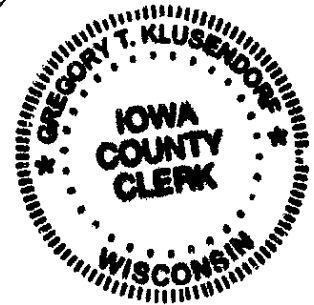
ATTEST:

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 ETHICS<sup>1</sup>

### 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.

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

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### **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:

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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.

# Vehicle Use

## 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the County of Richland to provide assigned take-home vehicles.

## 703.2 POLICY

The Richland County Sheriff's Office provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

## 703.3 USE OF VEHICLES

### 703.3.1 SHIFT ASSIGNED VEHICLES

The Shift Sergeant shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

### 703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Sergeant. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

### 703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

# Richland County Sheriff's Office

## LE Policy Manual

### *Vehicle Use*

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All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### 703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. Deputies who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

#### 703.3.5 MOBILE DIGITAL COMPUTER

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify Dispatch. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

#### 703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Sheriff, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Chief Deputy approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 703.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

#### 703.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than County personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

## **Vehicle Use**

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### **703.3.9 ALCOHOL**

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

### **703.3.10 PARKING**

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in designated stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor.

### **703.3.11 ACCESSORIES AND/OR MODIFICATIONS**

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the chief deputy..

### **703.3.12 CIVILIAN MEMBER USE**

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

## **703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Sheriff. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

### **703.4.1 ON-DUTY USE**

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Sheriff or the authorized designee.

### **703.4.2 UNSCHEDULED TAKE-HOME USE**

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Richland County limits.
- (d) Off-street parking will be available at the member's residence.

# Richland County Sheriff's Office

## LE Policy Manual

### Vehicle Use

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- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### 703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the County of Richland is a prime consideration for assignment of a take-home vehicle. Members who reside outside the County of Richland may be required to secure the vehicle at a designated location or the Department at the discretion of the Sheriff.

At the discretion of the Sheriff, department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a County vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Sheriff or a Chief Deputy gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
  - 1. In circumstances when a member has been placed on call by the Sheriff or Chief Deputys and there is a high probability that the member will be called back to duty.
  - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
  - 3. When the member has received permission from the Sheriff or Chief Deputys.
  - 4. When the vehicle is being used by the Sheriff, Chief Deputys or members who are in on-call administrative positions.
  - 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.

# Richland County Sheriff's Office

## LE Policy Manual

### Vehicle Use

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- (e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
  - (a) No key should be left in the vehicle if it won't be occupied for at least 4 hours except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging), or the vehicle will be secured in a locked building.
  - (b) All weapons shall be secured while the vehicle is unattended.
  - (c) All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Sheriff or the authorized designee. If the vehicle is not secured inside a locked garage and the deputy assigned to the squad will not be able to personally monitor the vehicle for a period greater than 24 hours, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
  - 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
  - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

#### 703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Richland County Sheriff's Office or while off-duty, a deputy shall not initiate enforcement actions except in those circumstances where a potential threat to life or of bodily harm exists (Wis. Stat. § 175.40(6m)(a)) (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Deputies driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Deputies should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### 703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

## *Vehicle Use*

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- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for extended maintenance.
- (g) Supervisors shall make, at a minimum, every other month inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

### **703.5 UNMARKED VEHICLES**

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the division for that purpose. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also be recorded with the Shift Sergeant on the shift assignment roster.

### **703.6 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic crash or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic crash report shall be filed with the agency having jurisdiction (see the Traffic Crash Response and Reporting Policy).

Damage to any department vehicle that was not caused by a traffic crash shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Sergeant. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

### **703.7 ATTIRE AND APPEARANCE**

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

## **Richland County Rules & Strategic Planning Standing Committee**

### **An Ordinance Creating a Code of Ethics and Repealing Ordinances No. 06-28, 07-7, 10-8**

The Richland County Board of Supervisors does ordain as follows:

#### **1. Repeal of Prior Ordinances**

Ordinance Nos. 06-28, 07-7, and 10-8 concerning the establishment of a code of ethics are repealed.

#### **2. Purpose of Code of Ethics**

The purpose of the code of ethics is as follows:

- a. The proper operation of representative government requires that county officials (*defined in section 3*) be independent, impartial, and responsible to the people; that government decision 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 an Ethics Code for all Richland County officials and employees. The purpose of this code is to assist county officials 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 Richland County in their county public officials and to provide for disclosure by county officials 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 Richland County.
- b. The County Board hereby reaffirms that each county official 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 their 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.

#### **3. Positions Covered**

This ordinance shall apply to all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.

#### **4. Governing Body**

The Ethics Board shall carry out this ordinance, and shall be a committee of the County Board which has been assigned the duties of the Ethics Board.

## Richland County Rules & Strategic Planning Standing Committee

### 5. Topics Covered

The following topics are covered by the Ethics Code:

a. Closed Sessions

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

b. Contracts

An official or a business in which an official 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.

c. Financial Interest

A county official who has a financial interest (*defined below*) 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.

*Financial Interest Definition: Any interest which yields, directly or indirectly, a monetary or other material benefit to the County official or to any person employing or retaining services of the County official.*

d. Gifts

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

*Gift or Anything of Value Definition: 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.*

e. Nepotism

Refer to the Employee Handbook.

f. Privileged Information

An official shall not knowingly disclose or permit the disclosure of privileged information (*defined below*) to any person not lawfully authorized to receive such privileged information. An official shall not use privileged information to advance their personal financial interest or that of their immediate family (*defined below*).

## **Richland County Rules & Strategic Planning Standing Committee**

*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.*

*Immediate Family Definition: An official'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.*

g. Public Property

**TBD**

h. Social Media

Refer to Social Media Policy

### **6. Advisory Opinions**

The Ethics Board shall issue advisory opinions with the assistance of the Corporation Counsel. Any individual governed by this Ethics Code may apply in writing to the Ethics Board for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present their 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 Ethics Board'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.

### **7. Complaint Procedure**

- a. The Corporation Counsel or County Clerk shall accept from any individual a verified written complaint which states the name of the official alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel or County Clerk shall forward a copy of the complaint to the accused official and the Ethics Board within ten days. If no action on the verified complaint is taken by the Ethics Board within 60 days, the complaint shall be dismissed.
- b. Complaints shall include:
  - 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

### **8. Investigation Procedure**

- a. Following the receipt of a verified complaint, the Ethics Board may make preliminary investigations with respect to alleged violation of the Ethics Code. A preliminary investigation shall not be initiated unless the accused official 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 Board finds probable cause to believe the allegations

## **Richland County Rules & Strategic Planning Standing Committee**

contained in the complaint, the complaint shall be referred to hearing pursuant to sections 8c and 8d below before the Ethics Board.

- b. The Ethics Board may investigate any complaint properly filed. 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.
- c. The Ethics Board shall be responsible for investigating a complaint, and conducting a fact-finding hearing pursuant to section 8d below, in any case where the Ethics Board has found that probable cause exists for believing the allegations of a complaint referred to the Board after preliminary review pursuant to sections 7a, 7b, and 8a above.
- d. The Ethics Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Board may request, a hearing before the Ethics Board. The Ethics Board shall keep a record of the hearing and 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.

Within 10 work days of the conclusion of the hearing, the Ethics 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 official. If the Ethics 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.

No recommendation of the Ethics 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.

### **9. Enforcement**

Violation of any provisions of this code should raise conscientious questions for the official concerned as to whether voluntary resignation or other action is indicated to promote the best interests of Richland County. If the Ethics Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, Ethics Board shall refer its findings and recommendation to the County Board. The Ethics Board may recommend that:

- a. The County Board order the individual to conform his or her conduct to the Ethics Code or recommend that they 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.
- b. The Ethics Board may also refer the matter to the Corporation Counsel or District Attorney to commence enforcement.

## Richland County Rules & Strategic Planning Standing Committee

### Agenda Item Cover

**Agenda Item Name:** Update on joint meeting with Richland Center Common Council and RED Board

<b>Department</b>	County Board	<b>Presented By:</b>	Shaun Murphy-Lopez
<b>Date of Meeting:</b>	2/2/23	<b>Action Needed:</b>	Motion
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<a href="#">B3</a>
<b>Date submitted:</b>	1/31/23	<b>Referred by:</b>	1/5/23 meeting

**Recommendation and/or action language:**

No action recommended

**Background:**

At the January 25, 2023 joint meeting between the Richland Center Common Council, RED Board, and Rules & Strategic Planning Committee, the following information was presented:

At the August 16, 2022 meeting of the Richland County Board, Resolution 22-91 was adopted. This resolution “*encouraged the Richland Economic Development (RED) Board to explore a public private partnership where public sources make up half and private sources make up half of the Economic Development budget, and return to the Finance and Personnel Committee with a report by October 31<sup>st</sup>, 2022.*” See Attachment 04A for the full text of the resolution.

The RED Board returned a report which recommended a 50/50 funding split between the County and City for funding. See Attachment 04B. The Ad Hoc Referendum Committee replied with a request for follow-up information, and Jasen Glasbrenner replied with answers to that information, including an offer that the City was interested in taking on 100% of the funding for economic development. See Attachment 04C.

In December 2022, the Common Council adopted a resolution issuing Richland County with a Notice of Intent to Withdraw from the agreement, effective January 1, 2023. See Attachment D. The agreement between the City and County is shown as Attachment E.

At the January 3<sup>rd</sup> meeting of the Ad Hoc Referendum Committee, the committee took action to alter the County’s planned contribution to half of the current 60% contribution (i.e., 30%). See Attachment F.

At the January 5<sup>th</sup> meeting of the Rules & Strategic Planning Committee, the committee took action to recommend a joint meeting between the City Council and Rules & Strategic Planning Committee, to discuss the City’s request to withdraw from the agreement. See Attachment 04G.

**Attachments and References:**

04A County Resolution	04B RED Report
04C Referendum and ED Response	04D City Resolution
04E RED Agreement	04F Referendum Committee Minutes
04G Rules Minutes	

**Financial Review:**

(please check one)

## Richland County Rules & Strategic Planning Standing Committee

### Agenda Item Cover

	In adopted budget	Fund Number	
	Apportionment needed	Requested Fund Number	
	Other funding Source		
X	No financial impact		

**Approval:**

**Review:**

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Department Head

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Administrator, or Elected Office (if applicable)

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BE IT FURTHER RESOLVED, the JAC shall not request any tax levy dollars, for any ambulance service operations and capital projects, for the fiscal year 2023 and beyond; and

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

VOTE ON FOREGOING RESOLUTION  
AYES \_\_\_\_\_ NOES \_\_\_\_\_

RESOLUTION OFFERED BY THE FINANCE  
AND PERSONNEL STANDING COMMITTEE  
(10 AUGUST 2022)

RESOLUTION ADOPTED

	FOR	AGAINST
MARTY BREWER	X	
SHAUN MURPHY-LOPEZ	X	
STEVE CARROW	X	
MELISSA LUCK		
TIMOTHY GOTSCHALL	X	
DAVID TURK		
STEVE WILLIAMSON		
MARC COUEY		
GARY MANNING	X	

DEREK S. KALISH  
COUNTY CLERK

DATED: AUGUST 16, 2022

Resolution No. 22 – 91 notifying the Symons Natatorium and Richland Economic Development Department of future funding reductions and directing the Symons Natatorium Board and Richland Economic Development Board to consider services, develop options and propose a recommendation on future operations was reviewed by County Administrator Langreck. Motion by Manning, second by Rynes that Resolution No. 22 - 91 be adopted. The motion carried with one opposed and resolution declared adopted.

#### **RESOLUTION NO. 22 - 91**

A Resolution Notifying The Symons Natatorium And Richland Economic Development Department Of Future Funding Reductions And Directing The Symons Natatorium Board And Richland Economic Development Board To Consider Services, Develop Options And Propose A Recommendation On Future Operations.

WHEREAS, the Richland County Board Accepted the County Administrator's Financial Conditions Report that illustrated the financial challenges in maintaining all current county provided services; and

WHEREAS, the Richland County Board Adopted the County Administrator's Financial and Capital Plan that iterates the Richland County's Strategic Plan calling for prioritization of services and reductions in levy expenditures on both mandated and non-mandated services; and

WHEREAS, the Richland County has received numerous petitions and concerns regarding the elimination, reduction or displacement of such highly valued services, and recognizes the importance that these services have to the community, and is taking actions to investigate a possible transition of these services.

NOW THEREFORE BE IT RESOLVED, by the Richland County Board of Supervisors that the Symons Natatorium and Richland Economic Development have been identified for possible future funding reductions, and

BE IT FURTHER RESOLVED, the Symons Natatorium Board and Richland Economic Development Board are tasked to work in conjunction with county administration, supporting staff, and community partner to

consider services, develop and evaluate options and make a recommendation, to the County Board, on future operations of the Symons Natatorium and Richland Economic Development Department respectfully; and

BE IT FURTHER RESOLVED, that the Symons Natatorium Board and Richland Economic Development Board are specifically tasked with the following:

Symons Natatorium Operations

1. Encouraged to explore the transfer of Symons to a non-profit organization, including research of similar non-profit models, and return to the Finance & Personnel Committee with a report by October 31<sup>st</sup> 2022.

Economic Development Operations

2. Encourage the RED board to explore a public private partnership where public sources make up half and private sources make up half of the Economic Development budget; and return to Finance and Personnel Committee with a report by October 31<sup>st</sup> 2022.

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

VOTE ON FOREGOING RESOLUTION  
AYES \_\_\_\_\_ NOES \_\_\_\_\_

RESOLUTION OFFERED BY THE FINANCE  
AND PERSONNEL STANDING COMMITTEE  
(10 AUGUST 2022)

RESOLUTION ADOPTED

DEREK S. KALISH  
COUNTY CLERK

DATED: AUGUST 16, 2022

	FOR	AGAINST
MARTY BREWER	X	
SHAUN MURPHY-LOPEZ	X	
STEVE CARROW	X	
MELISSA LUCK		
TIMOTHY GOTSCHALL	X	
DAVID TURK		
STEVE WILLIAMSON		
MARC COUEY		
GARY MANNING	X	

Resolution No. 22 – 92 directing the Pine Valley and Child Support Standing Committee to consider services, develop options and propose a recommendation on future operations was reviewed by County Administrator Langreck. Motion by McKee, second by Williamson that Resolution No. 22 - 92 be adopted. The motion carried with one opposed and resolution declared adopted.

**RESOLUTION NO. 22 - 92**

A Resolution Directing The Pine Valley And Child Support Standing Committee To Consider Services, Develop Options And Propose A Recommendation On Future Operations.

WHEREAS, the Richland County Board Accepted the County Administrator's Financial Conditions Report that illustrated the financial challenges in maintaining all current county provided services; and



## **Response to County Board Resolution No. 22-91 Seeking Funding Options for Richland Economic Development**

**September 28<sup>th</sup>, 2022**

*Resolution No. 22-91 - A Resolution Notifying The Symons Natatorium And Richland Economic Development Department Of Future Funding Reductions And Directing The Symons Natatorium Board And Richland Economic Development Board To Consider Services, Develop Options And Propose A Recommendation On Future Operations.*

**The Richland Economic Development Board hereby submits this document in response to County Board Resolution No. 22-91 which provided the following direction;**

*"2. Encourage the RED board to explore a public private partnership where public sources make up half and private sources make up half of the Economic Development budget; and return to Finance and Personnel Committee with a report by October 31st 2022."*



## Summary

9/28/2022

The RED Board has conducted research and assembled information regarding four possible funding models for Richland Economic Development. For reasons outlined throughout this document, the **Unanimous Recommendation** of the Richland Economic Development Board is to retain the current model of funding with **RED funded 50% by the County and 50% by the City**. While the actual budget documents for this model shows the County funding (60%) and the City (40%), the City provides office space and other amenities which, when factored, are intended to equally spread the cost of operations at 50% / 50%.

Past economic development efforts, and now Richland Economic Development have yielded substantial positive and measurable contributions to the County's economic position. These contributions come in ways that are both direct (increased property tax base, injection of grant money) and indirect (additional sales tax, more jobs, more students in our schools, new community amenities, and a positive outlook for the future).

There must be deep consideration of the fact that if the County and the City are not engaged in economic development then they are falling behind all counties and municipalities that are. This is almost universally understood, by governments, municipal and regional planning professionals, academia, and private industry alike.

Throughout the past year and a half, through numerous strategic planning efforts that have been conducted by Richland County and facilitated by Southwestern Wisconsin Regional Planning Commission, it has been clearly communicated that governments cannot solve their budgetary dilemmas through cuts alone. A complete action plan requires allocation of resources to economic growth. Richland Economic Development is, in fact, the primary entity that spurs on and facilitates growth for the County.

It is also critical to note that Richland Economic Development is one of the few county departments that has the capacity to generate revenues that cover all of the associated cost of the department. Once departmental costs are covered, the Economic Development Office produces profit. The RED Board has discussed and reviewed data and believes that it is reasonable to postulate that Richland Economic Development, approximately 2 years and 5 months into its current structure, has already generated enough new repeat yearly revenue for the County and City to pay 100% of its operating costs (See Exhibit B). This means that all future revenues that are generated from projects that Richland Economic Development helps facilitate should be understood to be 100% profit. These profits can now be used to fund other departments and services that are unable to produce revenue streams through their operations.

Cutting funding and jeopardizing the stability of Richland Economic Development is likely to increase the property tax burden on every land owner in the County, not reduce it.

Thank you for your thorough review and consideration of this recommendation and the documentation that is provided.



## A Letter from the RED Board

**August 8, 2022**

### **RE: General Statement - Alternative Funding for Richland Economic Development**

The Richland Economic Development Board, ("RED Board"), is aware of Richland County's difficult budget considerations, we understand the complexity of the situation, and we appreciate the restrictive nature of state law with regards to municipal funding for rural communities.

We understand the County is in the process of searching for funding options, and considering possible cuts across multiple departments and services, we realize the need for difficult choices, and we offer our support to everyone involved.

This letter is our direct response to any consideration of defunding the Economic Development Director position.

"Strongly Opposed."

Since the creation of this position, a joint effort between Richland County and the City of Richland Center, our community has added the new dialysis center/pharmacy building, the TechCom Building, multiple new homes, the Lone Rock Village Center Park, and the addition of an elevator to the Richland Center City Auditorium.

These projects have provided the County with increased property tax revenue, increased sales tax revenue, increased local employment opportunities, and a much-needed psychological boost for local residents, following an extended period of stagnation.

Jasen Glasbrenner, our current Economic Development Director, has been a critical player in every one of these positive developments. His expertise and experience have helped move each of these possibilities from simple ideas to tangible realities. We believe a decision by Richland County to remove support for this position would not only send a harshly negative message to worried friends and neighbors; it would also lead our community backwards, as we saw when economic development was defunded at both the city and county levels.

The RED Board strongly encourages Richland County to maintain financial support for the critically important Economic Development Director position.

Sincerely,  
The RED Board



## **Richland Economic Development Board Report to Richland County Board and Committees on Funding Alternatives**

**Date: September 12, 2022**

**Re: Report from RED Board regarding restructuring and funding alternatives**

Following are four potential models for the funding of Richland Economic Development as we move forward. The County Board requested RED to evaluate models that might work instead of the existing model. The profile for each model includes a brief description of the model, the governance, and the financing. The pros and cons of the model are stated and then a recommendation from the RED Board is included.

The four funding models below are ranked in the order of most desirable to least desirable and are as follows;

### **Models:**

- 1) **Recommended** - RED is funded 50% by the County and 50% by the City. (This is the Current Model) - The actual budget documents for this model shows the County funding (60%) and the City (40%). However, the City provides office space and other amenities which, when factored, are intended to equalized the cost at 50% / 50%.
- 2) RED is funded 100% by the City. This models assumes that the City decision makers would agree to this concept and that funding could be identified within the City budget.
- 3) RED is funded 50% by the County and City (The Public Sector) and 50% by Private Businesses (The Commerce Sector). This model assumes businesses will be willing to give large donations and that there is a large enough pool of businesses to raise the money from.
- 4) RED becomes a Self-Funded Private Non-Profit Entity having to raise 100% of the funds necessary to operate. This model requires RED to approach all local government entities and businesses on a one on one basis to try to gain the necessary funding of operate. This model presents the highest level of risk and uncertainty to the success of RED and economic development in Richland County.

### **Qualifying Statement regarding the Models:**

1. With regard to Model #2 - The City has not agreed to fund RED entirely if the County dropped out as a funding partner.
2. With regard to Model #3 and #4 - No private (commerce sector) businesses have been approached regarding soliciting contributions.
3. With regard to Model #4 - There have been no efforts to incorporate or file for an IRS 501(C)(3) tax exempt status.



## **Model #1 - Maintain the Current Model of Shared County and City Funding**

### **Governance**

At the present time the RED board has four (4) permanent representatives from government, two (2) from the City of Richland Center and two (2) from Richland County. In addition, there are 5 citizen members representing different economic sectors. There would be no change to government representation or the board structure.

### **Funding**

There would be no change from the current funding model.

### **Considerations**

#### **Pros**

1. The County and City would continue to fund their contributions to RED as in the past which would provide continuity. This is a role proper to government. There would not be favoritism, real or perceived, shown to any private entity or municipality.
2. The structural document will not have to be changed and approved by the Richland Center City Council and the Richland County Board of Supervisors.
3. Sector representation will remain the same.
4. The working relationship between the city and county is better than it has been for a very long time. It is important to recognize, nurture and support this improving relationship.

#### **Cons**

1. The County will have to find other areas of the budget to cut.
2. If Richland County chooses to not support RED, the lack of monetary (visible) county government support may have a negative psychological impact on businesses who wish to expand, relocate to Richland County, or start up.

### **Commentary**

An example of the power and potential of economic development is the Bear Creek Solar Project which will provide Richland County with \$116,667 of unrestricted funds on an annual basis. It is important to note that this project is the direct result of a part-time citizen driven economic development effort which made the solar farm a reality at no cost to the taxpayers. It was completed prior to the creation of RED. This revenue stream is scheduled to start in 2023 and is expected to continue for 30 years. The revenue from this economic development effort alone exceeds the county contribution to RED with the current Richland County contribution at \$73,859.54.



The document "Net New Construction by County" (Exhibit A) indicates that Richland County has lagged all other identified counties in a 5-year average in net new construction. Iowa county leads at 1.59%. Richland County is lowest at 0.83%. This demonstrates the importance of investment in Economic Development for Richland County.

There has been noticeable new construction activity in the City of Richland Center. A positive attitude is beginning to embrace the community. The Mayor is receiving regular contacts from businesses expressing interest in the community. Much of this has started since the creation of RED. It is important for the county to recognize the importance of RED and provide financial support.

Fiber optic cable throughout rural Richland County is going to enhance lives for current residents. It will also make the area more attractive for those considering relocating. RED has played a significant role to foster installation of fiber optic cable. In addition, recent utilization of CDBG Close grants ( $\approx$  \$1.2 million) to enhance the City Auditorium and the Village of Lone Rock would not have taken place without RED.

It is critical to recognize that many economic development efforts have a cumulative effect. Stated another way, once a building is constructed and goes on the property tax rolls, the revenue generated is recurring year after year for as long as the building is in existence. This means that revenues from economic development efforts are always sustained and increasing. An economic development department is one of the few governmental departments that can operate at a consistent profit with the ability to support other departments that are unable to generate a profit.

Please see (Exhibit B) below for a brief overview of the financial involvement that RED has already had for Richland County and Richland Center. It appears that the revenues generated through economic development activity and projects are already in excess of what the County and City have invested since the inception of the department. At this point, yearly costs could be considered 100% covered by the yearly revenues that economic development efforts and RED have been substantially involved in securing. In any business model, this department would be considered for additional funding, not less.

### **Recommendation**

***The RED Board strongly recommends maintaining the current funding, governance structure and sector representation of RED.***



## **Model #2 – RED is Funded 100% by the City**

### **Governance**

As dictated by the adopted Structural Document, the RED Board contains four seats for governmental representatives. Both the County and the City are assigned two seats each. If financial contributions were withdrawn from the County, the composition of the RED Board may change in the following ways:

1. As the County's representatives, the County Administrator and County Board Chair may be removed from their seats and lose voting authority. City representatives may fill the vacancies.
2. As the County may still have a vested interest in the work of the RED Board, their representatives may remain on the board with or without voting power.
3. The RED Board may alter their structure by reducing their size, eligibility requirements for representatives (E.g., city residents only), or disband entirely.

As the structure, composition, authority and purpose of the RED Board are set forth by the Structural Document requiring adoption by both the City and County, any significant alteration, such as the County withdrawing from the agreement, necessitates significant modifications to the Structural Document and readoption. At such time the County extricates itself, the City would set forth the prescribed governance or dissolution.

### **Funding**

The current departmental budget for Economic Development is approximately \$130,000 per year of which the City is currently responsible for 40% or about \$56,000. The City has and will continue to provide office space and other amenities for the department.

To absorb the full cost of the Economic Development Department, the City would need to allocate approximately \$75,000 additional dollars for the first year. This would be an ongoing annual cost subject to a variable increase based on several economic factors (E.g., wage increases, inflationary impact to the cost of goods, equipment replacement, etc).

The City does not have a funding source identified for this additional expense. However, several options are available for consideration such as: reallocating funding from other department budgets, increasing fees, terminating current contributions to Symons (to be considered if funding is withdrawn by the County), requiring the Economic Development Director to seek and obtain grants allowing for administrative costs to be recovered, and so on. Given the revenue generated by the Economic Development Director has largely exceeded the actual expense of the department, all-potential funding options available to the City will be explored to ensure economic development continues within the City.

## **Considerations**

### **Pros**

City continues to vigorously pursue economic development without a loss of momentum.

1. Full dedication to pursuing economic development interests within the City.
2. Ongoing projects will be seen to completion.
3. The Director's time is spent on high value projects rather than fundraising.
4. Streamlined reporting process for the Director.
5. Scope of work is narrowed and strategically focused as determined by the City.
6. The County continues to receive benefit of city based economic development as about 1/3 of tax revenue generated within the City is received by the County.

### **Cons**

1. The County may lose representation and influence on the RED Board.
2. Ongoing and future economic development projects/initiatives within the County would be at the full expense of the County. On a case-by-case basis, the City may elect to contract out the Economic Development Director to the County at an hourly rate. This may prove to be cost prohibitive depending on the scope of work contracted.
3. Independent from the County, a town or village may be compelled to utilize the services of the Economic Development Director. If so, they would be subject to paying the hourly contract rate which may be cost prohibitive.
4. Without a collaborative approach as is in effect now, the potential for relationship building and strategic planning in collaboration with the County may be impeded. Unintended side effects or inefficiencies may present themselves.
5. With less access to County officials and department heads, the exchange of information and opportunity for knowledge sharing may be diminished. Although the director's focus would be city-centric, preserving a communication pathway would be essential.
6. Potential risk of alienating entrepreneurs outside of the City.
7. Towns and villages routinely struggle gaining access to the vast number of resources that may be available to them given their part-time or volunteer status. Additionally, without the necessary technical expertise and adequate time/staffing, managing grants and other programs can be quite challenging for a part-time or volunteer staff. Removing economic development from the County may prevent towns and villages from much needed assistance and support thus impeding their goals as well as the County's.
8. Self-imposed regulation like local ordinances have a tremendous impact on economic development within a community. Without an Economic Development Director on staff, the ability to address regulatory barriers and create an environment favorable to economic development would be severely impeded within the County.



### **Recommendation**

***The RED Board does not recommend this Model.*** While the City would experience several benefits from a city-centric approach to economic development, the cost the County would be tremendous. The Economic Development Director has a proven track record of success within the City and County. This success has allowed the department to generate more revenue than expenses. The department provides both direct and indirect financial value and it creates no burden to the County's overall budget.

Given the importance of continued economic development throughout the entire County, and great challenges a separation would create, it is the recommendation of the RED Board to maintain the current structure and organization of the Economic Development Department. Any proposed change would create an undue burden to the entire County at large.

## **Model #3 – RED is funded 50% by the County and City (The Public Sector) and 50% by Private Businesses (The Commerce Sector)**

### **Governance**

The private and public governance model will include representatives from the government sector and the commerce sector. Presently the RED Board has four permanent representatives from government, two from the City and two from the County. That representation would not change unless the County discontinues funding RED. In such a case, the County may lose their seats on the RED Board and those seats could be redistributed to the City and Commerce sectors. For the sake of the commerce sector contributors, RED would likely need to be organized under a non-profit 501(C)(3) corporation.

### **Funding**

Equalized funding would mean the RED budget of approximately \$130,000 per year would have one-half of the contributions from the government sector (\$65,000) and one-half from the commerce sector (\$65,000). This split would mean the City would be responsible for approximately \$32,500 and the County for approximately \$32,500. Each year the funds would need to be reallocated from the government sector and the commerce sector. There is also the matter of office space and equipment. This model presumes the City would continue to grant usage of office space and equipment.

## **Considerations**

### **Pros**

1. The County and City would significantly reduce their contributions to RED.
2. There would be greater participation financially by the commerce sector in RED. This may tend to increase the buy-in from the commerce sector.
3. RED could operate as a 501(C)(3), which has some benefits in receiving grants.
4. The operations of a 501(C)(3) would be more nimble and less encumbered by governmental regulations.

### **Cons**

1. Funding through the commerce sector takes considerable time and resources to raise and maintain. The scarce resources of time that already tax the Economic Development Director (EDD) would be used for fundraising instead of bringing new commerce into the area.
2. The City and County would significantly decrease their investment in RED which may translate into less concern for economic development.
3. The EDD will have less opportunity to create relationships with governmental offices that will help them to streamline projects.
4. The EDD will have less capacity to influence governmental bodies and government regulations to become favorable to growth and development.
5. The potential for not raising enough funds from the commerce sector could be a reality, especially in economic downturns. In this case, there may be a struggle to continue full operations of economic development in the county.

## **Recommendations**

***The RED Board does not recommend this model.*** While this model of ED structure is used in some counties, and has some measure of success, it also has several limiting factors. It takes a substantial amount of time to raise and maintain funding from the commerce sector and there is a real potential that funding efforts fall short. This creates uncertainty and a potential for failure.

## **Model #4 - RED becomes a Self-Funded Private Non-Profit Entity having to raise 100% of the funds necessary to operate.**

### **Governance**

The Richland Economic Development Board would essentially reorganize to a 501(c)(3) non-profit organization and form a board of directors. The board of directors would be responsible for overseeing the operations and control of the newly formed non-profit.



This option will restructure the current make-up of the members and the size of the RED Board.

### **Funding**

Funding for a non-profit economic development organization would come from private donations from local industries or individuals or from grant monies applied for and received from local, state or federal entities.

### **Considerations**

#### **Pros:**

1. The benefit from adopting a privately funded RED Board would potentially eliminate the funding coming from the City and County funds.

#### **Cons:**

1. This type of board structure would require either the board of directors, volunteers, or the economic director to spend time generating the funding. The time spent trying to find funding sources would take away from essential time being used to cultivate and develop working relationships that directly impact economic development within our community.
2. The community tried this type of structure in the past and the experience had was a disconnect between the Economic Development and their board, the City Council, and the County Board. The ideas and visions between the 3 groups could not align and ultimately the Economic Development Board dissolved.
3. There's also a risk that funding this type of model with private donations from local industry will not succeed within our smaller community as we have fewer resources from industry than in larger communities. There's concern that either smaller businesses may not have the ability to provide funding and/or may not fully understand or have the 'buy in' to the idea of being a long-term funding source since the financial benefits are not always obtained immediately; they are gained over time as our community grows. There is a concern of a lack of long-term sustainability with this model.

### **Recommendation**

***The RED Board does not recommend this model.*** The RED Board's recommendation is to continue having both the county and city fund 100% of economic development to maintain the collaboration between the 3 groups and continue to build upon the successes that have develop over the past couple of years. Our current model, having the Economic Director as a liaison between the RED Board, the City, and County, has shown to have the most success in our smaller community with our current financial situation.

## **Exhibit A**

### **Net New Construction by County - Increase in Richland, surrounding, and similar counties by percent.**

Grant	2022	2021	2020	2019	2018	
	1.06	1.06	0.82	1.47	1.71	5-year average 1.16%

Lafayette	2022	2021	2020	2019	2018	
	1.35	1.35	0.91	1.16	1.93	5-year average 1.34%

Vernon	2022	2021	2020	2019	2018	
	1.70	1.42	1.04	1.03	1.47	5-year average 1.33%

Sauk	2022	2021	2020	2019	2018	
	1.29	0.95	1.33	1.47	1.37	5-year average 1.28%

Iowa	2022	2021	2020	2019	2018	
	2.24	1.27	1.34	1.56	1.56	5-year average 1.59%

Crawford	2022	2021	2020	2019	2018	
	1.13	0.96	0.74	0.73	1.16	5-year average 0.94%

Richland	2022	2021	2020	2019	2018	
	0.94	0.67	0.83	0.69	1.00	5-year average 0.83%

**Exhibit A – (continued)**

**Net New Construction in dollars by municipal entity in Richland County, as a percent of the total, and 5-year average.**

	2022		2021		2020		2019		2018	
Townships	8,560,000	70%	7,160,100	90%	6,136,000	61%	5,701,400	71%	6,952,200	61%
Villages	418,400	3%	271,700	3%	773,400	8%	(120,200)	-1%	456,400	4%
City	3,337,000	27%	525,400	7%	3,071,800	31%	2,398,100	30%	3,913,400	35%
Total	12,315,400		7,957,200		9,981,200		7,979,300		11,322,000	

**5-year average NNC**

Townships	6,901,960	70%
Villages	359,940	3%
City	2,649,140	27%
Total	9,911,040	

**Exhibit B - Richland Economic Development Impact Tracker**

<b>Project</b>	<b>Total Project Value</b>	<b>Direct &amp; Indirect Benefits</b>	
CDBG Close Grant – Lone Rock Park and RC Auditorium	\$1,200,000	Increase in Sales Tax, tourism, removal of blight so property values and community attractiveness increase.	
		New Renter @ Auditorium	≈ \$3,000 / month
		2 to 5 New Jobs	
Dialysis and Pharmacy in RC	\$1,210,000	Repeat Property Tax Income every Year	≈ \$34,800
		One time Sale of Land	\$100,000
		New and retained jobs, sales tax,	
Tech Com Building	\$585,900	Repeat Property Tax Income every Year	≈ \$35,090
		One time Sale of Land	\$25,000
		New and retained jobs, sales tax	
Phoenix Center Covid Relief Grant – made aware and assisted in pursuit	\$200,000	Retained and expanded businesses and economy	
Richland Locker Grant – assisted in pursuit	\$200,000	Retained and expanded businesses and economy	
Richland Locker RLF – assisted in pursuit	\$200,000	Retained and expanded businesses and economy	
Starlite Theaters Grant – assisted in pursuit	\$43,800	Retained and expanded businesses and economy	
TIF Extension for Affordable Housing - facilitated capture of dollars for fund that can be used to improve housing in the City	≈ \$115,000	Dollars to be invested in Richland Center	\$115,000

**Exhibit B – Richland Economic Development Impact Tracker (Continued)**

<b>Project / Fund</b>	<b>Total Project Value</b>	<b>Direct &amp; Indirect Benefits</b>	
Wedgewood Development Lots – 2 Duplexes and 1 Home	≈ \$1,000,000		
		Facilitated receipt of land by donation and then sale of land	\$63,500
		Development Agreements for Net New Construction value of ≈ \$900,000. Repeat Property Tax income every year	≈ \$35,100
WEDC Idle Sites Grant for Rockbridge Childcare Facility	≈ \$150,000	Supports families and work force / provided jobs	
Facilitated Sunshine and Giggles Childcare arrival in RC		Supports families and work force / provided jobs	
		Repeat Property Tax income every year	≈ \$7,800
Main St. Bounce Back Grants	≈ \$150,000	Facilitated the application and receipt of grants to approx. 15 businesses in Richland County.	
County Housing Authority – Lost Fund Recovery Effort	≈ \$80,000	Assisted Administrator in identifying and working to recover lost / idle funds that were defederalized	\$80,000
Bear Creek / Savion / Alliant Energy Solar Field -	\$116,000 / Year for 30+ years	This project was not developed under RED. However, revenue streams are just coming on line and this project is a direct result of focused economic development efforts of the community members on behalf of the county.	

**Exhibit B – Richland Economic Development Impact Tracker (Continued)**

<b>Project / Fund</b>	<b>Total Project Value</b>	<b>Direct &amp; Indirect Benefits</b>	
New Dollar Tree	\$800,000	Repeat Property Tax income every year	\$23,200
		Job creation retention and sales tax revenue	
New Dunkin Donuts / ATT Store	\$750,000	Repeat Property Tax income every year	\$21,750
Panorama Building #2	\$4,500,000	Repeat Property Tax Revenue is deferred to TIF for approx. 15 years	\$145,000
Facilitation of Richland Center Stori Field Development of new housing units	\$2,400,000	Projected Repeat Property Tax income every year	\$93,600
Los Amigos – WEDC – CDI Grant effort	\$200,000	Effort is in progress	
<b>Projects / Efforts that are in Progress that will bolster the Economy</b>			
City Website Rebuild for Marketing and public ease of use			
City Ordinance Recodification and Rewrite for growth and planning			
City / County Tax Deed Lot Program for redevelopment and new homes			
New Single Family Home Subdivision			
Facilitated transfer of vacant lot to Cazenovia for future redevelopment			
City Redevelopment Authority Revitalization			
City Industrial Park Revitalization Project			
Several Sales leads for Industrial Park			

**Exhibit B – Richland Economic Development Impact Tracker (Continued)**

Projects that are in Progress that will bolster the Economy		
Facilitating USED Grant implementation with Southwestern Wisconsin Regional Planning Commission - Comprehensive plans in Richland Center, Lone Rock, Boaz, Richland County Strategic Plan, Richland Center and Richland County rebranding for Workforce Retention and Attraction		
Assisting Richland Center in planning around the construction of the New Richland Center Hospital		
Environmental Protection Agency and DNR Technical Assistance Program to clear brownfields in Richland Center and Richland County for redevelopment		
Regional involvement on model for immigrant and migrant workforces of alleviate extreme workforce shortage in the county		
Assisting Richland Center in overhauling the City Planning and Zoning departments and efforts.		

**Economic Impact Summary - Since the Inception of RED:**

- RED has secured over \$1,700,000 in Grant dollars.
- RED is currently facilitating the process to secure over \$300,000 more in grants.
- RED has assisted in the development of projects (either complete or under construction) valued at \$5,545,900.
- RED is currently working to secure development projects valued at more than \$7,000,000
- RED has significantly contributed to the realized, or soon to be realized, year after year property tax revenues of more than \$150,000.



#### **Exhibit B – Richland Economic Development Impact Tracker (Continued)**

- RED is working to secure development projects that, if completed, will have year after year property tax revenue streams that are in excess of \$240,000.
- RED was instrumental in acquisition and or sale of land for the City that resulted in one-time revenue streams that would not have been realized otherwise; \$163,500.
- The dollar values and contributions listed above are trackable and objective. There are numerous indirect economic and financial impacts that are more difficult to quantify, but never the less very real. Examples are jobs or businesses created or saved, increased sales tax revenues, and the overall positive social and economic environment that is created when we are actively and progressively working to develop our economy.

12/2/22

To: Shaun Murphy-Lopez

Cc: Michael Breininger, Marty Brewer, Clinton Langreck, Todd Coppernoll, Ashley Oliphant

Hello everyone,

1. I have updated the research document of Green and Vernon County's economic development efforts. Vernon Economic Development Association (VEDA) information is included (see attached).
2. When I spoke with the person at Green County in regard to their private donor list, it was requested that the names not be shared in our public process. I have now added that note to the research document provided.
3. The RED Board, through the funding research and recommendation document that it has provided to the County, has outlined and ordered the systems of funding that it believes are most viable for the continued success of economic development for the County and City. According to that document the top two recommendations are to leave funding as it currently is, or secondly, for the City to assume responsibility for 100% of the funding of RED. At this time it has been publicly revealed that the City of Richland Center does have substantial interest in that model. In fact, this option has been discussed through the City of Richland Center budget process and a budget considering full funding of Economic Development has received full City Council support. It is also my understanding that there was a proposed agenda item provided to the County that would have clearly indicated the City's interest in Option #2 and would have allowed that option to be appropriately updated, discussed, and factored into the County's public decision making process. However, the agenda item that was proposed was not allowed onto the County's Rules and Strategic Planning agenda. At this point I have not become aware of why the agenda item was not accepted into the public discussion, but I would like to take this opportunity to strongly encourage that all information germane to the discussion of the funding for Economic Development and the future economic success of the City and County, be inserted into the public conversation as immediately as possible.

Thank You for your consideration.

Sincerely,

Jasen Glasbrenner

**From:** Shaun Murphy-Lopez

**Sent:** Sunday, November 27, 2022 7:41 AM

**To:** Michael Breininger <rcfmikeb@gmail.com>

**Cc:** Jasen Glasbrenner <jasen.glasbrenner@co.richland.wi.us>; Marty Brewer <marty.brewer@co.richland.wi.us>; Clinton Langreck <clinton.langreck@co.richland.wi.us>

**Subject:** Re: Referendum Committee request for information

Hi Mike,

See my responses below **in red**.

Thanks,  
Shaun

**Shaun Murphy-Lopez**

Richland County Board Supervisor, District 2  
RC Board Vice Chair  
608-462-3715  
[shaun.murphy@co.richland.wi.us](mailto:shaun.murphy@co.richland.wi.us)

On Nov 22, 2022, at 10:17 AM, Michael Breininger <[rcfmikeb@gmail.com](mailto:rcfmikeb@gmail.com)> wrote:

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Shaun,

Thanks for this email regarding the Referendum Ad Hoc Committee additional requests.

1. Apparently you were requesting information about a different entity in Vernon County than the one Jasen researched? The RED Board passed on the information about the Vernon County Economic Development and Tourism Coordinator who is a 100% employee of Vernon County. You are apparently asking about a different entity, VEDA? Is that Correct? **Yes.**

2. As a point of reference, neither Vernon nor Green Counties are very similar in demographics or operations to Richland County. Lafayette and Crawford would be closer to the size of Richland County.

3. Jasen stated at the RED Board meeting that the information about specific funders was not readily available and was not something the EDD of other counties was willing to share. **Did he ask Green County ED if they could share the board members who pay dues?** I'm not aware if this information is publicly available. A better measure might be the businesses that supported ED in Richland County prior to the development of the RED Board and full City and County funding. **The question from the committee was in regards to Green and Vernon Counties.** The ED entity was Community Prosperity Alliance (CPA) and the funders list is attached (the annual dollar amount is listed along with the frequency of payment). Since I was the one who solicited

many of these funds, I can say that the amount of time to raise the funds, renew commitments and communicate with funders would not be something I would be willing to do again. I spent many hours with these efforts, had many businesses say, "no" because they already gave to other causes, and spent significant time at City Council and County Board meetings. It would be an unfortunate direction to require the EDD to take up these time consuming efforts in neglect of actual ED work.

Please let me know if you are looking for something else,

Mike Breininger

On 11/22/2022 8:51 AM, Shaun Murphy-Lopez wrote:

Hi Mike,

At last evening's Referendum Ad Hoc Committee meeting, we approved a follow-up request for information regarding the Richland Economic Development Board's response to our initial request for information (see below). I've also attached your committee's initial report and response. Once your committee has a response you or Jasen can email it to me, and I will make sure it gets to the Referendum Ad Hoc Committee.

Thanks,

Shaun

Follow-up request for information (in red)

- Research from other counties that have private funding for economic development (e.g., Vernon, Green), including the amount of time it takes to raise funds and how the governing board is represented by private contributors. Thank you for providing information about Green County. The Vernon Economic Development Association (VEDA) is 100% privately

funded and can be researched through contact information at [www.veda-wi.org](http://www.veda-wi.org).

- Resolution 22-91 directs the RED Board to explore half of its budget coming from private sources, which amounts to approximately \$37,000 per year. We are seeking information about how much of that amount the RED Board would like to have placed on a referendum versus a permanent reduction in the RED budget. Thank you for answering this question.
- Identify the private businesses that are supporting Economic Development in other counties such as Vernon and Green. Please answer this question.

**Shaun Murphy-Lopez**

Richland County Board Supervisor, [District 2](#)

RC Board Vice Chair

608-462-3715

[shaun.murphy@co.richland.wi.us](mailto:shaun.murphy@co.richland.wi.us)

**10/13/2022**

**Call with Olivia Otte – Executive Director**

**Green County Economic Development Corporation - 501(c)3**

Green County Population = 36,988

Approximately 69 Industrial related businesses

Richland County Population = 17,212

Approximately 24 Industrial related businesses

They are funded by Contributions ≈\$200,000 budget

- Green County ≈ \$60,440 /yr
- City of Monroe (Population 10,537) ≈ \$29,000 /yr
- City of Broadhead (Population 3,249) ≈ \$8,700 /yr
- Village of Belleville (Population 2,559) ≈ \$6,320 /yr
- Village of New Glarus (Population 2,234) ≈ \$5,760 /yr
- Village of Monticello (Population ≈ \$3,220 /yr

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Total Government Contribution (6) = \$113,440 /yr

Total Private Partners (16) ≈ \$53,000 /yr

*\*\* It was requested that the names of the private donors would not be released in our County's public forums.*

- Payroll is run through the County
- Benefits of the County
- County Provides Office Space
- County Provides IT Support
- They have the assistance of a UW Extension Agent
- They have a Project / Marketing Manager
- They are visiting every financial partner at least once per year
- They run leadership training every year that all participants can send people to
- They have an Executive Committee with 5 members that are the policy/directive setters and employers – Meetings every month
- They have a Board of Directors with around 25 people – Investor Representatives – Round Table update ever month but this group does not set directives

**10/14/2022**

**Call with Christina Dollhausen – Economic Development & Tourism Coordinator  
Vernon County, WI – Contract Employee**

Year by Year contract – No Insurance Benefits

County Budget for the Department is \$75,000 and there is no other funding source at this time.

Wage on Contract is \$55,000

She was hired in 2018

Vernon County receives money from the Hochunk Nation and uses it to help fund Economic Development.

Vernon County Population = 30,915

3 Cities & 9 Villages

Richland County Population = 17,212

Approximately 24 Industrial related businesses

The person in the position works in the following ways:

- Acts as a liaison between Communities and the County
- Monitors grant that are available and possibly usable in the County or Municipalities.
- Tracks open buildings that are available for lease or rent.
- Works on Childcare
- Works on Workforce Housing
- Runs a tourism website for the County
- Works with Wisconsin Economic Development Corporation (WEDC) to try to secure funding and business expansion.
- Tracks tourism visitor numbers and has promoted events in their City and County.
- Works to quantify and report tourism dollars spent in the County.
- She works with the Viroqua City Administrator to try to promote development

**10/29/2022**

**Call with Susan Knoble – Vernon Economic Development Association Director  
501(c)3 Organization**

Vernon County Population = 30,915

3 Cities & 9 Villages

Richland County Population = 17,212

Approximately 24 Industrial related businesses

- This organization is not affiliated with Vernon County Government
- The Director has no staff
- VEDA's yearly budget for wage and office is \$70,000 / year
- They own and manage the Food Enterprise Center, a 100,000 sq. ft. Industrial building on 15 acres with around 25 tenants
- VEDA has around 130 donor members. You can see a list of those donors at <https://www.veda-wi.org/Members.html>
  - These donors contribute approximately \$30,000 of the budget.
    - Viroqua contributes \$5,000 of the \$30,000.
  - The other \$40,000 is raised through grant writing.
- A substantial amount of Susan's time is spent managing the Food Enterprise Center and keeping the 501(c)3 organization funded.

*\*\* This organization's operation seems to have very little similarity to Richland Economic Development and its financial model, if prescribed to RED, would likely drastically reduce the productivity of the RED Office.*

**RESOLUTION 2022 -**

**RESOLUTION BY THE COMMON COUNCIL OF THE CITY OF RICHLAND CENTER CREATING A  
FULL-TIME POSITION FOR THE PURPOSE OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the City of Richland Center ("the City") and Richland County jointly established the position of Economic Development Director; and

**WHEREAS**, the City and the Richland County both contribute about equally for the position of Economic Development Director; and

**WHEREAS**, the Economic Development Director serves both the City and the County while reporting to and receiving direction from the Richland Economic Development Board; and

**WHEREAS**, Richland County has identified Economic Development as a department eligible for elimination due to their financial challenges; and

**WHEREAS**, Richland County has explored alternative funding mechanisms without success; and

**WHEREAS**, both the City and Richland County may withdraw from the Structural Document establishing the shared Economic Development Director position without penalty; and

**WHEREAS**, the City has experienced demonstrable value from the role of Economic Development Director and wishes to preserve the position; and

**WHEREAS**, the City is committed to economic development and will support these efforts by creating a full-time position for the purpose of pursuing economic development; and

**NOW, THEREFORE, BE IT RESOLVED**, the members of the Common Council do hereby authorize issuing Richland County a Notice of Intent to Withdraw from the Structural Document, and the establishment of a full-time position at the City for the purpose of pursuing economic development effective January 1, 2023.

**APPROVED**, by the Common Council of the City of Richland Center on this 20th day of December 2022 by the following vote: AYES: \_\_\_\_\_, NOS: \_\_\_\_\_

Adopted this 20th Day of December 2022

\_\_\_\_\_  
Todd Coppernoll, Mayor

Attest:

\_\_\_\_\_  
Aaron Joyce, City Clerk / Treasurer

## **Richland Economic Development Board Structural Document**

### **1. Creation of the Board of Economic Development.**

There is hereby created the Board of Richland Economic Development to promote economic development within Richland Center and Richland County (collectively, the “Parties”).

**A. Overview:** The creation of the Richland Economic Development (RED) Board is a collaboration between three sectors: (1) City and County government, (2) the business community, and (3) the civic sector. The RED Board works to promote the progress and benefit of economic development in Richland County and Richland Center for healthy growth.

#### **B. Definitions:**

- i. Government Sector:** The Richland County Board of Supervisors and The Richland Center City Council are the governmental entities represented on the RED Board.
- ii. Commerce Sector:** Privately owned businesses or entities of commerce in Richland County who seek the economic development and well-being of the people of Richland County and Richland Center.
- iii. Civic Sector:** Community development organizations, service organizations, philanthropic and benevolent organizations that are focused on a broad interest of development and betterment of the community.

#### **C. Mission Statement:**

*Fostering a Community of Opportunity, Success, and Excellence*

**D. Scope:** The RED Board is to promote a common mission, vision, and strategic planning for economic development in Richland County and Richland Center. The RED Board will promote goodwill and invitational posturing toward the established community and the attractional population. RED will participate in and work with regional development.

**E. Representation:** The RED Board will be the official representative of the City of Richland Center, Richland County, the Commerce Sector, and the Civic Sector for economic development throughout Richland County. The RED Board will work to create ideas, vision, direction and focus for economic development. The RED Board will take actions to bring prosperity to Richland County. Through the Economic Development Director (EDD), the RED Board will be the point of contact for interested parties for economic investment and development and will negotiate within its designated powers to bring in potential development to the City and County. The RED Board will also inform, advise, and consult with governmental entities, businesses, civic groups, and individuals so as to promote the economic well-being of Richland County and Richland Center.

#### **F. Composition of the RED Board:**

- i. **The RED Board** shall be comprised of eleven (11) members. Of these eleven members the following representation will exist:
  - a. The County Board Chair or Vice Chair
  - b. The Mayor of Richland Center or the City Council President
  - c. The City Administrator or City Clerk if there is not an Administrator  
(Non-Voting Member)
  - d. The County Administrator or County Clerk if there is not an Administrator  
(Non-Voting Member)
  - e. The Civic Sector representative
  - f. Five members from the Commerce Sector
  - g. One Citizen at Large
- ii. **The Commerce Sector members** will be chosen from the following categories. There should only be one member of the RED Board that represents any of the categories at any given time.
  - a. Manufacturing/industry
  - b. Health care
  - c. Education
  - d. Chamber of Commerce
  - e. Recreation/motels/restaurants
  - f. Banking/financial
  - g. Retail
  - h. Utilities
  - i. Small businesses
  - j. Agriculture/food supply
  - k. Entrepreneurship
  - l. Villages and Towns
  - m. Forestry
- iii. **The Citizen at Large** will represent or have expertise in the areas of;
  - a. Youth/under age 25
  - b. Disadvantaged people
  - c. Non-profits
  - d. Economic and Community Development
- iv. **The Civic Sector Representative** will have experience in the following fields;
  - a. Community development organizations
  - b. Service organizations
  - c. Philanthropic and benevolent organizations that are focused on a broad interest of development and betterment of the community.
- v. **The Government Sector** will be represented exclusively by the Mayor of Richland Center or the City Council President, the Richland County Board Chair or Vice Chair, the City Administrator or Clerk, and the County Administrator or Clerk. No other representative or official from either the Richland County Board or the Richland Center City Council may serve on the RED Board.

- vi. **Qualifications:** The RED Board members will make efforts to have broad representation from the stakeholders of the various categories above who have a record of knowledge and participation in community and economic development.
- vii. **Board Member Selection:** The RED Board will recruit new members from the designated categories above. Nominations will be open for any voting member of the Board to nominate someone to the Board who fits the category designated by the Board. After examination by the RED Board or a subcommittee, the RED Board will vote to seat a new member. This process will apply to new members on a four-year rotational term or to someone who will fill a seat vacated prior to the term expiration. A member is elected to the Board by simple majority.
- viii. **Chair:** The RED Board shall choose a chair from the voting members of the RED Board annually, at the last meeting of the calendar year to be seated at the January meeting.
- ix. **Voting powers:** All members of the RED Board will be voting members except the City Administrator and County Administrator.
- x. **Terms of Office:** Each RED Board member, except the four *ex officio* government members, shall serve a term of four-years on a rotating basis. Two seats shall expire each year and one seat will expire in the fourth year of a four-year cycle. Normally scheduled Board Member selections will occur in November of each year with new members being seated at the January meeting. Board Member selections to fill seats that have been vacated prior to the end of the associated term will be filled in accordance with 1(F)(viii) above at the earliest convenience of the RED Board. Existing RED Board members may be nominated and re-elected at the discretion of the RED Board.
- xi. **Removing a RED Board Member** requires a three-quarter vote of the RED Board voting members seated.

## 2. **Powers, Duties, and Responsibilities of the Richland Economic Development Board.**

The Board shall have the following powers and duties and none other.

- A. **Meetings:** The RED Board shall meet at least every other month or six (6) times per year with proper public notice for a governmental meeting.
  - i. **Attendance:** RED Board members shall attend all meetings of the RED Board each year. There will be one excused absence from a meeting of the RED Board with advance notice for each voting member.
  - ii. **A quorum** shall consist of a majority of the voting members.
  - iii. **Agendas** will be set by the Chair with contributions by the RED Board Members.
  - iv. **Meeting Minutes** of the RED Board will be maintained for each RED Board meeting at the direction of the Chair and will be posted to the City and County meetings site.

- v. **Open Meeting Laws:** The RED Board is subject to Wisconsin Open Meetings Laws.
- vi. **Conduct of Meetings:** In general, and in all disputed matters, Roberts Rules of Order shall be observed. In non-binding instances, consensus may be observed.
- vii. **Voting:** Each voting member shall have one vote.
- viii. **Votes:** Votes may be taken by voice or in writing as determined by the Chair.

**B. Authority:** The Board advises on policies, procedures, and strategic goals for economic development for Richland Center and Richland County and measures the progress of the goals, including goals and objectives for the Economic Development Director.

**C. Budget:** The Board will create a budget annually to be submitted to the City of Richland Center and Richland County for approval.

- i. The budget shall identify all expenses related to the employment of the EDD and the operation of the office.
- ii. The budget shall be submitted to the County and City consistent with their respective budget deadlines.
- iii. The budget must be approved by both the County Board and the City Council before it is effective. In the event that the budget is not approved by the County Board and/or the City Council for the succeeding year, the previous year's budget shall be used until such time as both governing bodies approve the succeeding year's budget.
- iv. The RED Board shall not authorize any expenditures other than what has been approved in the budget with the exception of Private Contributions (See 4(C) below).

**D. Audit:** The Board shall provide an audit or accounting of its financial records annually.

**E. Community Presence:** The Board shall Encourage interaction with and investment in economic development for the City and the County.

**F. Reporting:** The Board shall report to the City Council and County Board at least annually through the EDD.

**G. Town Boards:** The Board shall communicate with town boards and village boards for reporting and development of professional relationships.

### 3. **Economic Development Director (EDD)**

The RED Board will hire and oversee an EDD who will serve the needs to Richland County and Richland Center for economic development. While Richland County will act as the employer of record, it is understood that the EDD is a shared position. The employment aspects of the position will be under the guidelines of Richland County (wages, benefits, days off, health insurance...), while the functioning of the position (priorities, efforts, work habits, expectations...) of EDD will be overseen and directed by the RED Board.

- A. EDD evaluation:** The RED Board shall complete an annual evaluation of the EDD. The RED Board may recommend to the County Administrator and the County Board discipline or termination of the EDD based on performance. The RED Board may also recommend promotion or pay increases in the budget based on the performance of the EDD.
  - B. Non-monetary contribution:** The City will provide office space and office appurtenances (internet, land line, water, sewer, electric, heat...) for the EDD.
- 4. Funding:** The budgetary funding for the EDD position and staffing will be the responsibility of the City of Richland Center and Richland County Government. Other funds may be raised privately by the RED Board or its designees.
  - A. Shared contributions:** The City and County shall contribute to the approved budget which will pay all expenses related to wages, benefits, and professional expenses of the EDD. The County shall be responsible 60% of the funding and the City shall provide 40% of the funding. On an annual basis the City will pay their portion of the funding to the County.
  - B. Fiscal agent:** The County will function as the fiscal agent for funds contributed by government entities.
  - C. Private contributions:** Private contributions will be accounted for separately from government contributions and will be expended at the discretion of the RED Board.
- 5. Responsibilities of the City**
  - A.** The City's proportional contribution of the approved budget each year for the Shared Contribution.
  - B.** Posting of the EDD services and events on the City website with a separate and designated page for economic development.
  - C.** Provide sufficient office space for the EDD.
  - D.** Provide internet, land line phone services, water, sewer, electric and heating for the EDD office space.
  - E.** Provide the City Mayor as a voting Member to the Board.
  - F.** Provide City Administrator or Clerk as the ex-officio member from the City government as a non-voting Member to the Board.
- 6. Responsibilities of the County**
  - A.** The County's proportional contribution of the approved budget each year for the Government Contribution.

- B. Posting of the EDD services and events on the County website with a separate and designated page for economic development.
- C. To be the fiscal agent of the Shared Contribution received each year.
- D. Provide the County Board Chair as a voting Member to the Board.
- E. Provide the County Administrator or Clerk as the ex-officio member from the County government as a non-voting, Advisory Member to the Board.

**7. Indemnification**

The County and City shall indemnify, defend and hold harmless each other from all claims arising out of this Structural Document.

**8. Term**

The term of this Structural Document is for ten (10) years. The term will commence upon execution of this Structural Document. The Parties shall, not less than six (6) months prior to the expiration of this Structural Document, commence a joint review of the Agreement for purposes of renewing the Structural Document or negotiating for a successor agreement. This Structural Document shall automatically renew for a period of 10 years unless otherwise agreed to by the parties.

**9. Amendments**

Amendments to this Structural Document shall only be made by an affirmative vote of the City Council and the County Board.

**10. Termination**

This Structural Document may be terminated as follows:

- A. By mutual agreement of all the parties.
- B. If one of the governmental entities fails to make its budgeted and required contribution pursuant to this Structural Document, the other governmental entity may terminate this Structural Document upon such default.
- C. Either governmental entity may withdraw from this Structural Document provided they notify the other entity in writing of that intent by serving upon the other parties a "Notice of Intent to Withdraw." Upon the service of such Notice, the parties agree to meet and confer in a reasonable manner (time, location and number of meetings) within ninety (90) days to discuss the proposed withdrawal and potential amendments to the Structural Document. After ninety (90) days from service on all of the parties of the "Notice of Intent to Withdraw," the party which served that Notice may withdraw from the Structural Document by service upon all of the parties of a written "Notice of Withdrawal."

**11. Miscellaneous**

- A. No Assignment. No party may assign any of its rights or obligations under this Structural Document without the prior written consent of all parties.
- B. Entire Structural Document. This Structural Document and all other documents and agreements expressly referred to herein contain the entire agreement between the parties with respect to the matters set forth herein.
- C. Waiver. No failure or delay by any party in exercising any right, power or privilege in this Structural Document shall operate as a waiver thereof.
- D. Governing Law. This Structural Document shall be construed in accordance with the internal laws of the State of Wisconsin.
- E. Neutral Construction. This Structural Document is the result of a negotiated agreement by the parties and prior to the execution of this Structural Document each party had sufficient opportunity to have review of the document by legal counsel. Nothing in this Structural Document shall be construed more strictly for or against either party because that party's attorney drafted this Structural Document or any portion thereof or attachment thereto.
- F. Originals and Counterparts. This Structural Document may be executed in any number of counterparts, each of which shall be deemed to be an original.
- G. Incorporation of Attachments. All exhibits and other documents attached hereto or referred to herein are hereby incorporated in and shall become a part of this Structural Document.
- H. Headings. Descriptive headings are for convenience only and shall not control or affect the meaning or construction of any provision of this Structural Document.
- I. Severability. In the event that one portion of this Structural Document, or the application of this Structural Document to any extent is deemed invalid or unenforceable by a court of competent jurisdiction, then (unless in the judgment of the party adversely affected thereby such provision was a material part of the consideration for their entering into this Structural Document that without it they would not have entered into the Structural Document) the remainder of this Structural Document or the application of such provision shall be valid and enforceable to the fullest extent permitted by law.

# Richland County

## Referendum Ad Hoc Committee

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**January 3rd, 2023**

The Richland County Referendum Ad Hoc Committee convened on Tuesday, January 3rd, 2023, in person and by WebEx.

Committee members present included County Board Supervisors Steve Carrow, Shaun Murphy-Lopez, Bob Frank with Dave Turk and Erin Unbehaun by WebEx.

Also in attendance was Assistant to the Administrator Cheryl Dull taking minutes, Administrator Clinton Langreck and several department heads by WebEx, county employees, general public, County Board Members and WRCO.

Not present: Kerry Severson and Mayor Todd Coppernoll

1. **Call to Order:** Chair Murphy-Lopez called the meeting to order at 9:33 a.m.
2. **Proof of Notification:** Chair Murphy-Lopez verified that the meeting had been properly noticed. Copies of the agenda were sent by email to all Committee members, County Board members, WRCO, County department heads, Richland Observer, Valley Sentinel and a copy was posted on the Courthouse Bulletin Board.
3. **Agenda Approval:** Chair Murphy-Lopez asked for approval of the agenda. Moved by Supervisor Frank to approve the agenda as presented, second by Supervisor Carrow. All voting aye, motion carried.
4. **Public Comments:** Alan Lins asked to speak. Mr. Lins introduced himself. He spoke on Economic Development and his disappointment as to the County proposing to back out of the Economic Development funding. He feels the City of Richland Center has not looked into their future plans far enough to insure that keeping the Economic Development Director will be long term without reengaging with the County.
5. **Approval of Minutes:** Chair Murphy-Lopez asked for approval of the minutes from the December 22<sup>nd</sup> meeting. Moved by Supervisor Frank to accept the minutes as presented, 2<sup>nd</sup> by Supervisor Carrow. Motion carried
6. **Guest speaker: Washington County Executive Josh Schoemann:** Chair Murphy-Lopez introduced Josh Schoemann. Mr. Schoemann reviewed Washington and Green Lake Counties and City of Princeton referendums. In Washington County, he felt the reason the referendum didn't pass was because of the increase in county government. In Princeton the referendum passed. He recommended if Richland County is going to ask for an operational levy, they need to start education sooner than later and Senator Marklein should be advised on what the levy limits have done to County's. He felt education is key, not so much with the municipal board but more with the voters, therefore the Board Members getting out in the public is key. In reference to timeline discussion, he felt a 2024 referendum with a 12 to 24-month runway was wiser to get more education out to voters prior.
7. **Draft referendum report:** Chair Murphy-Lopez reviewed 07A, the findings from research that has been completed, the results compiled from that research and the changes to correspond with the recommendation. His conclusion is that most of these short falls through 2026 can be handled with short term borrowing in reviewing the 5-year financial plan. Supervisor Frank and Turk have concerns concerning #2 on page 3. By committing to this are we limiting ourselves to our future capabilities as any access funds could be used somewhere. Administrator Langreck stated his concerns with getting a ¾ vote to enable short term borrowing each year through 2027.

Moved by Supervisor Carrow to refer the Referendum Report to the Finance & Personnel Committee for consideration at their 1/3/23 meeting, 2<sup>nd</sup> by Supervisor Frank.

Moved by Supervisor Frank to amend the report to eliminating #2 on page 3 in document 07A Executive Summary, change Richland Economic Development funding to ½ of the current reduction in document 07E, eliminate line 226.02, change line 226.03 to be \$400,000.00 on the 5-year plan and update bar chart, 2<sup>nd</sup> by Supervisor Carrow.

Roll call vote requested on motion to amend, all voting aye, motion carried.

Roll call vote requested to refer to Finance & Personnel Committee with the 4 amended changes, all voting aye, motion carried.

Floyd Bartow asked to speak. He had concerns if the voters would understand what is being proposed to be on the referendum. Chair Murphy-Lopez agreed but explained that State Statute dictates how the question is

# 2022 Budget Adjustments

## 2023-2027 Financial Planning Decision Worksheet - DRAFT: (22 December 2022)

### Purpose:

This document is intended to track projected revenue and expenditure changes to allow for planned adjustments to services, staffing and operations. This document is intended to focus on the Administrator's and Finance and Personnel Committee's conversations in efforts to prioritize services and expenditures, and to help illustrate and depict the many options and variables encountered through the planning process. This document may capture some capital projects proposed for operational levy. **This document's assumptions are built off a balanced 2022 budget** (accounting for use of fund balance and onetime revenues). Impacts that create an additional burden on the tax levy are indicated with a positive number; impacts that reduce burden on the levy are indicated with a negative number. Section #1 is built on the premise of COLA increases.

### SECTION #1: Forecasted Expenditure Assumptions and Commitments (Organizational Expenditures):

#	Department	Description of proposed action:	Impacts on services:	Financial Impact of Action (+/-) to levy/					Notes
				2023	2024	2025	2026	2027	
A.1	Pine Valley - Projecting Wage Increases	Proposing: 2023 = Step Increase (2%) + 5% CPI; 2024 = Step Increase (2%) + 5% CPI; 2025 = 4% CPI; 2026 = 3% CPI; 2027 = 3% CPI	The Counties Strategic Plan includes the goal of reaching our Carlson Market Value by 2025. Guidance from Finance and Personnel included consideration for CPI increases. These together are intended to help keep us competitive in recruitment and retention.	\$ 365,234.15	\$ 390,800.54	\$ 238,946.61	\$ 186,378.36	\$ 191,969.71	Adjustments made to the August 12th document to incorporate F+P action to return to initial 7% increase in 2023.
A.2	Pine Valley - Projecting FICA Increases	Increases based on the assumption of a 7.65% Employer Contribution		\$ 27,940.41	\$ 29,896.24	\$ 18,279.42	\$ 14,257.94	\$ 14,685.68	
A.3	Pine Valley - Projecting WRS Increases	Increases based on the assumption of a 6.5% Employer Contribution		\$ 23,740.22	\$ 25,402.03	\$ 15,531.53	\$ 12,114.59	\$ 12,478.03	
A.4	Pine Valley - Projecting Health Increases	Estimates in Changing to ETF Plan on 5% trend on base:	\$ 1,161,418.06	\$ 43,672.54	\$ 45,856.17	\$ 48,148.98	\$ 50,556.42	\$ 53,084.25	Adjustet projections to project a 5% increase with ETF
A.5	Pine Valley - Projecting Worker's Compensation Premium Increases	Worker's Compensation Projects on the assumption of a 4.5% increase annually		\$ 6,089.44	\$ 6,808.91	\$ 7,490.64	\$ 8,062.55	\$ 8,678.12	
A.6			Totals:	\$ 466,676.76	\$ 498,763.89	\$ 328,397.18	\$ 271,369.87	\$ 280,895.79	
A.7	Revenue and Reimbursement Absorption	Costs can be covered by revenues without impact on operational tax levy	Impacts ability of transfer of operational surplus to general fund use. Accounting for this in Section #2 "Revenues" line "ee".	\$ 466,676.76	\$ 498,763.89	\$ 328,397.18	\$ 271,369.87	\$ 280,895.79	
A.8	<b>Total Levy Impact</b>			\$ -	\$ -	\$ -	\$ -	\$ -	
B.1	Highway - Projecting Wage Increases	Proposing 2023 = 5%; 2024 = 5%; 2025 = 4%; 2026 = 3%; 2027 = <u>1.5%</u>	Reverting to CPI estimates (minus steps) from initial proposal based on F+P action to increase back to 5% in 2023.	\$ 85,016.33	\$ 83,409.36	\$ 71,398.41	\$ 56,761.74	\$ 58,464.59	Adjustments made to the August 12th document to incorporate F+P action to move up to 5% increase in 2023.
B.2	Highway - Projecting FICA Increases	Increases based on the assumption of a 7.65% Employer Contribution		\$ 6,503.75	\$ 6,380.82	\$ 5,461.98	\$ 4,342.27	\$ 4,472.54	
B.3	Highway - Projecting WRS Increases	Increases based on the assumption of a 6.5% Employer Contribution		\$ 5,526.06	\$ 5,421.61	\$ 4,640.90	\$ 3,689.51	\$ 3,800.20	
B.4	Highway - Projecting Health Increases	Estimates in Changing to ETF Plan on 5% trend on base:	\$ 447,559.50	\$ 16,829.48	\$ 17,670.95	\$ 18,554.50	\$ 19,482.23	\$ 20,456.34	Adjustet projections to project a 5% increase with ETF
B.5	Highway - Projecting Worker's Comp			\$ 1,860.66	\$ 2,080.50	\$ 2,288.81	\$ 2,463.56	\$ 2,651.65	
B.6			Totals:	\$ 115,736.28	\$ 114,963.23	\$ 102,344.60	\$ 86,739.31	\$ 89,845.31	
B.7	Revenue and Reimbursement Absorption		Can be accounted for by revenues and reimbursements, but then results in reduction in maintenance or offset with borrowing. This equates to about 3 miles of resurface. This extends our life cycle plan of 50 year of full replacement, without maintaining short-term borrowing of at least \$500,000 earmarked for roads.	\$ 115,736.28	\$ 114,963.23	\$ 102,344.60	\$ 86,739.31	\$ 89,845.31	
B.8	<b>Total Levy Impact</b>			\$ -	\$ -	\$ -	\$ -	\$ -	
C.1	General - Projecting Wage Increases	Proposing 2023 = 5%; 2024 = 5%; 2025 = 4%; 2026 = 3%; 2027 = <u>1.5%</u>	Reverting to CPI estimates (minus steps) from initial proposal based on F+P action to increase back to 5% in 2023.	\$ 415,267.43	\$ 407,418.09	\$ 348,749.89	\$ 277,256.16	\$ 285,573.84	Adjustments made to the August 12th document to incorporate F+P action to move up to 5% increase in 2023.
C.2	General - Projecting FICA Increases	Increases based on the assumption of a 7.65% Employer Contribution		\$ 31,767.96	\$ 31,167.48	\$ 26,679.37	\$ 21,210.10	\$ 21,846.40	
C.3	General - Projecting WRS Increases	Increases based on the assumption of a 6.5% Employer Contribution		\$ 26,992.38	\$ 26,482.18	\$ 22,668.74	\$ 18,021.65	\$ 18,562.30	
C.4	General - Projecting Health Increases	Estimates in Changing to ETF Plan on 5% trend on base:	\$ 1,802,347.65	\$ 67,773.27	\$ 71,161.93	\$ 74,720.03	\$ 78,456.03	\$ 82,378.83	Adjustet projections to project a 5% increase with ETF
C.5	General - Projecting Worker's Comp			\$ 8,965.01	\$ 10,024.23	\$ 11,027.88	\$ 11,869.86	\$ 12,776.13	
C.6			Totals:	\$ 550,766.05	\$ 546,253.92	\$ 483,845.91	\$ 406,813.80	\$ 421,137.50	
C.7	Revenue and Reimbursement Absorption through HHS		Not anticipating any ability to absorb additional expenses.						
C.8	<b>Total Levy Impact</b>	These are the individual year additional amounts, they are not the accumulated amounts to show impacts in relation to 2022 as the baseline budget.		\$ 550,766.05	\$ 546,253.92	\$ 483,845.91	\$ 406,813.80	\$ 421,137.50	
C.9	<b>Total Cumulative Levy Impact</b>	This line is intended to show the cumulative impact of the increases in comparison to the 2022 budget to identify needs in filling compounded gap		\$ 550,766.05	\$ 1,097,019.97	\$ 1,580,865.88	\$ 1,987,679.67	\$ 2,408,817.18	

Consider % wage overestimation on steps, not account for attrition to help buffer underage on health insurance

**2022 Budget Adjustments**

32.02	UW Food Services	Increase sales prices to cover expenses		\$ (52,974.00)	\$ (55,622.00)	\$ (58,403.00)	\$ (61,323.00)	\$ (64,389.00)	
Total projected impact on UW Food dept/program:				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

33.90	Economic Development	Response to Resolution 22-94	City is willing and eager to take on economic development entirely. This reduction accounts for some minor contribution towards some existing services	\$ (64,840.43)	\$ (64,840.43)	\$ (64,840.43)	\$ (64,840.43)	\$ (64,840.43)	City Council is moving to take action
Total projected impact on Economic Dev				\$ -	\$ (64,840.43)	\$ (64,840.43)	\$ (64,840.43)	\$ (64,840.43)	

34.01	Southwest Regional Planning Commission	Consideration for ending partnership with Southwest Regional Planning	Anticipated (\$17,500) in reduction from discontinuing membership.						
34.02	Library	Increase of \$217,605.50 in 2022 to \$217,954.22 in 2023. Equates to a \$348.72 increase.	Library Levy falls as an exemption to the levy limit statute. It impacts overall tax burden but no operational levy limit. Wis Statute 66.0602(3)(4)	\$ -	\$ -	\$ -	\$ -	\$ -	
Total projected impact on Southwest Regional Planning Commission:									

Total Impacts from Department Services (Adjustments and Options)				\$ (45,870.98)	\$ (372,825.31)	\$ (238,205.50)	\$ (392,792.55)	\$ (37,716.65)	
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SECTION #5: Health Insurance Planning and Adjustments									
#	Department	Description of proposed action:	Impacts on services:	Financial Impact of Action (+/-) to levy/					
				2023	2024	2025	2026	2027	
101.01	Health Insurance	County commitment to annual dollar amount regardless of increase	Need to be mindful of ACA poverty limits on lowest paying positions + penalty						
101.04	Health Insurance	Premium share adjustment	Need to be mindful of ACA poverty limits on lowest paying positions + penalty						
101.05	Health Insurance	HRA adjustment	HRA contribution provided by the county is reduced from \$10005/\$3000F to \$5005/\$1500F. The estimated liability in 2023 is \$300,000. Impact to levy expense is estimated at \$150,000 reduced levy risk. Actual impact depends on claims.	\$ (81,893.07)	\$ (81,893.07)	\$ (81,893.07)	\$ (81,893.07)	\$ (81,893.07)	
	Health Insurance	Plan Design Adjustment	Change to plan by entering ETF system.	Factured into section 1					
Total Impacts from Health Insurance Planning (Adjustments and Options)				\$ (81,893.07)	\$ (81,893.07)	\$ (81,893.07)	\$ (81,893.07)	\$ (81,893.07)	

SECTION#6: Options and Resources for Additional Financial Adjustments:									
#	Department	Add-in / Take-out/Amendment:	Impacts:						
				2023	2024	2025	2026	2027	
202.01	Tax Deed Sales	Incorporate tax deeds sales	Projection: Could incorporate if we also incorporate making whole, liens, and fees associated. The risk on some is seen as balancing possible revenues. By statute we can only recognize a net gain after 5 years of no claim.	\$ -	\$ -	\$ -	\$ -	\$ -	
203.01	Sales Tax	Anticipated projections in sales tax compared to 2022	Not recommended at this time	\$ (35,000.00)	\$ (25,000.00)	\$ (25,000.00)	\$ (25,000.00)	\$ (25,000.00)	Amended from an estimated \$5,000 to less conservative projection. Each year remains individual and not compounded.
204.01	Interest Income	Anticipated projections in interest income from LGIPInvestment Funds	Not recommended at this time	\$ -	\$ -	\$ -	\$ -	\$ -	
204.02	Interest Income	Anticipated projections in interest income from PMA Investment Funds	This would lock some of our funds into short-term investments with return at a couple of percent: from 68K up to 75K	\$ (75,000.00)	\$ (75,000.00)	\$ (75,000.00)	\$ (75,000.00)	\$ (75,000.00)	
205.01	Property Tax	Projected property tax revenue increases from value	Reference Section number two as anticipated increased revenues from Net New Construction	\$ -	\$ -	\$ -	\$ -	\$ -	
206.01	Wheel Tax	Amendments in projected wheel tax	Currently applying all revenues to highway road resurfacing (chip seal) for road preservation	\$ -	\$ -	\$ -	\$ -	\$ -	
207.01	Undesignated Fund Spending	General Fund Balance Applied	Estimated \$268,692 in potential cash (non-asset) in staying over the 25% ratio of budgeted expenditures						
208.01	Accounting for additional fund balance return	Recognition of 2021 unaccounted revenues.	Example: HHS Revenue return, Highway Fund, Pine Valley Fund						
209.01	American Rescue Plan	Applied American Rescue Plan to 2022 operations (designated \$1,673,845.55)	Discretionary Funds that may be used for any function other than direct retirement or reduction to existing tax levy. Appropriation of funds from Public Health? - understanding that Public Health remains underfunded.	\$ (524,088.07)	\$ (574,878.74)	\$ (574,878.74)			T
		Additional 25,500 from Ambulance	Unless used for some other purpose						
210.01	Opioid Settlement	Utilization of Opioid Settlement Funds	Must be used towards opioid abatement projects.						

# Richland County

## Rules & Strategic Planning Standing Committee

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**January 5th, 2023**

The Rules and Strategic Planning Standing Committee met on Thursday, January 5<sup>th</sup>, 2023, at 10:00 a.m. in the County Board Room at 181 W. Seminary Street via videoconference and teleconference.

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

Absent: Julie Fleming.

Department heads, staff and public present were: County Administrator Clint Langreck by WebEx, Administrative Assistant Cheryl Dull, with John Couey and Josh from MIS running the teleconferencing.

1. **Call to Order** - Committee Chair Murphy-Lopez called the meeting to order at 10:05 a.m.
2. **Proof of Notification** - Chair Murphy-Lopez confirmed that the meeting had been properly noticed.
3. **Agenda Approval** - Moved by Supervisor Cosgrove to approve the agenda as presented, seconded by Supervisor Glasbrenner. All voting aye, motion carried.
4. **Approval of minutes** – Moved by Supervisor Gentes to approve as presented, 2<sup>nd</sup> by Supervisor Frank. All voting aye, motion carried.
5. **Public comments** - Chair Murphy-Lopez invited any public to make comments. Alan Lins asked to speak to item 08b. He would like to urge the City and the RED Board that if there are any issues or concerns in the future that a joint meeting be held.
6. **Comprehensive plan RFP** – Chair Murphy-Lopez will send out the RFP's (Request for Proposal) to multiple vendors compiled from research. The cost was not specified in the RFP, vendors must provide that. Time frame requirements are specified in the RFP. Supervisor Frank, Gentes and Rudersdorf would like hard copies and if it can be available in large print Seep would like one of the Proposals. Moved by Supervisor Cosgrove to issue a Request for Proposals for services to update Richland County's comprehensive plan with the change in the request for copies, 2<sup>nd</sup> by Supervisor Glasbrenner. All voting aye, motion carried.
7. **Condolences for the family of Gaylord Deets** – Chair Murphy-Lopez reached out to the family and has prepared an Ordinance. Moved by Supervisor Gentes to recommend a resolution to the Richland County Board expressing condolences to the family of Gaylord Deets, former County Board Supervisor, 2<sup>nd</sup> by Supervisor Cosgrove. All voting aye, motion carried.
8. **Committee Structure Changes** -
  - a. **Public Safety Standing Committee name change** – Chair Murphy-Lopez reviewed that the Public Safety Committee would like their name changed. See attached minutes 08a. They have requested the name change to be "Public Safety and Judiciary Committee". Chair Murphy-Lopez also made updates the Housing Authority removing C. in purpose, Land and Zoning Standing Committee removing 4. and renumber 5-6, modifications to the Richland Economic Development Board purpose, and Rules and Strategic Planning Standing Committee adding D.

Moved by Supervisor Glasbrenner to recommend to the County Board amending the Committee Structure document to reflect several changes and refer to the Richland Economic Development Board the issue of changing the terms of the agreement between the County and City of Richland Center, 2<sup>nd</sup> by Supervisor Cosgrove. All voting aye, motion carried.
  - b. **Richland Economic Development Board committee description and agreement** – Chair Murphy-Lopez reviewed a Resolution approved by the City of Richland Center in December. After discussion and following the changes at the Finance & Personnel Standing Committee this week, it was decided to schedule a meeting with Rules and Strategic Planning Committee and the City Council, or one of their committees, concerning their request to withdraw and invite the Richland Economic Development Board.

Moved by Supervisor Frank to have a meeting with the City Council or a Committee of the Council as soon as possible arranged by the County Administrator and the City Administrator with an invitation extended to the RED Board, 2<sup>nd</sup> by Supervisor Glasbrenner. All voting aye, motion carried.