

# RICHLAND COUNTY

Rules & Strategic Planning Standing Committee

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February 28, 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, March 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. Public Works and Education Committee responsibilities\*
9. Committee structure reorganization check-in\*
10. Future agenda items
11. 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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## February 2nd, 2023

The Rules and Strategic Planning Standing Committee met on Thursday, February 2nd, 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, Chad Cosgrove, Bob Frank, Marty Brewer, Julie Fleming with Linda Gentes & Danielle Rudersdorf by Webex.

Absent: Donald Seep.

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 moving #8 up to #6, seconded by Supervisor Frank. All voting aye, motion carried.
4. **Approval of minutes** – Moved by Supervisor Glasbrenner to approve as presented, 2<sup>nd</sup> by Supervisor Cosgrove. All voting aye, motion carried.
5. **Public comments** - Chair Murphy-Lopez invited any public to make comments. None at this time.
8. **Update on Joint Meeting with Richland Center Common Council and RED Board** - Chair Murphy-Lopez updated the committee on what has happen to this point to get us to the point of a joint meeting. Meeting materials that were presented at that meeting are in the folder. He asked the Committee members that were in attendance to give their summary.

Supervisor Brewer summarized what Alderman Culver stated, they have not acted on their response yet and may not act on it.

Supervisor Glasbrenner felt the meeting ended with no concrete decision but maybe they would be willing to meet again. Supervisor Rudersdorf agreed with Supervisor Glasbrenner.

Chair Murphy-Lopez agreed with other comments but felt he also got the feeling that the city's work load for Economic Development was almost full time in itself.

Alan Lins would advocate for another joint meeting scheduled after the State budget comes out as he felt the meeting opened lines of communication.

Jasen Glasbrenner added that the City's Personnel Committee met and he feels the city wants to stay on their current trajectory.

Supervisor Frank would like to see another meeting scheduled.

Supervisor Fleming asked how are other counties handling this? Chair Murphy-Lopez Grant County has an Economic Development Corporation handles economic development with cities, villages and townships paying annual dues. Green County has a model of ½ public and ½ private funding which may be a non-profit set up with private business make contributions to get on the board. Vernon County has an Economic Development position but there is also a private funded business doing economic development.

Supervisor Cosgrove asked what are we in the middle of that won't be completed and can we subcontract to get those completed?

Jasen Glasbrenner gave an update on projects he is currently working on. CDBG Close program is currently wrapping up. There is EPA work with Brownfields in the County, that work will not end and he feels the city would agree to continue to work on those. USEDAs grant work is wrapping up in June. The grant with Bethlehem church, he will continue to work on that project to make sure things are filed timely. Some other projects that have been discussed but not started.

Further discussion followed on next steps, future processes and concerns.

# Richland County

## Rules & Strategic Planning Standing Committee

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Moved by Chair Murphy-Lopez to propose to the Common Council meeting at 6:30 on Tuesday, February 7 that 3 representatives from the Common Council, 3 representatives from the Rules and Strategic Planning Committee and 3 representatives from the RED Board meet up to 3 times to come up with potential amendments to the structural document and return their recommendations to joint meeting of the Common Council, Rules and Strategic Planning Committee and the RED Board, 2<sup>nd</sup> by Supervisor Frank. Motion carried.

**6. Comprehensive plan RFP questions and answers** – Chair Murphy-Lopez presented the questions that were sent in. Discussion followed concerning the responses he had prepared with the committee and some changes were made to those responses. After discussion, modification was made to add to the end of #1, “Please refer to the Public Participation Plan Section (1.5) of the existing 2006 Comprehensive Plan for past engagement, although we do not anticipate engagement being that extensive for the update.” Add to #6, “as well as Dropbox.” Moved by Supervisor Brewer to approve answers to questions with the 2 amendments submitted by vendors for the comprehensive plan RFP, and send these answers to the email addresses listed, as well as post the answers to the County’s website, 2<sup>nd</sup> by Supervisor Rudersdorf. All voting aye, motion carried. Discussion followed on some possible funding for the Comprehensive Plan.

**7. Draft ethics ordinance** – Chair Murphy-Lopez reviewed the changes at the last meeting and the Public Property Policy responses from departments including the Vehicle Use policy from the Sheriff’s department. Moved by Chair Murphy-Lopez to add to the Public Property Policy section, “An official shall not use County-owned vehicles, equipment or materials unless authorized by a Supervisor.” and add to #8, “Appeals may be requested to the full County Board.” 2<sup>nd</sup> by Cosgrove. All voting aye, motion carried.

Moved by Supervisor Rudersdorf to recommend referring a draft ethics ordinance to Corporation Counsel for his review with the 2 amendments, 2<sup>nd</sup> by Supervisor Frank. All voting aye, motion carried.

**9. Future agenda items** – City Counsel response

**10. Adjournment** – Next meeting will be held Thursday, March 2nd @ 10:00 a.m. in the County Board room.

Moved by Supervisor Frank to adjourn at 11:32 a.m., seconded by Supervisor Fleming. 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 proposals

<b>Department</b>	County Board	<b>Presented By:</b>	Shaun Murphy-Lopez
<b>Date of Meeting:</b>	3/2/23	<b>Action Needed:</b>	Motion
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<a href="#">D</a>
<b>Date submitted:</b>	2/28/23	<b>Referred by:</b>	None

**Recommendation and/or action language:** Motion to extend the deadline for proposals to Friday, March 17<sup>th</sup>, and send the RFP with extended deadline to the email addresses listed below, as well as post an updated RFP to the County's website.

**Background:**

The Comprehensive Plan Update RFP was issued on January 5<sup>th</sup> and emailed to the potential vendors in the chart below, as well as posted on the County's website (see Attachment A). Two proposals were received – one from Foth (see Attachment B) and the other from Southwest Regional Planning Commission (see Attachment C). The scoring sheet is shown as Attachment D. Given that only two potential vendors submitted proposals and that at least one additional vendor is interested in submitting a proposal, it is recommended that the deadline for proposals be extended to March 17<sup>th</sup>.

<b>Firm/Organization</b>	<b>Contact Person</b>	<b>Email Address</b>	<b>Status</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>	<i>Submitted proposal</i>
<a href="#">JSD</a>	Kelly Klopping, Jan Schroeder	<a href="mailto:kelly.klopping@jsdinc.com">kelly.klopping@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>	<i>Will not submit proposal</i>
<a href="#">Redevelopment Resources</a>	Kristen Fish-Peterson	<a href="mailto:kristen@redevelopment-resources.com">kristen@redevelopment-resources.com</a>	<i>Interested in submitting a proposal</i>
<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>	<i>Will not submit proposal</i>
<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>	<i>Submitted proposal</i>
<a href="#">Teska</a>	Lee Brown	<a href="mailto:lbrown@teskaassociates.com">lbrown@teskaassociates.com</a>	

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

<a href="#">Vandewalle &amp; Associates</a>			<i>Will not submit proposal</i>
<a href="#">Vierbicher</a>	Mark Steward	<a href="mailto:mste@vierbicher.com">mste@vierbicher.com</a>	<i>Will not submit proposal</i>

**Attachments and References:**

Attachment: RFP	
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**Financial Review:**

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input checked="" type="checkbox"/>	Other funding Source	ARPA funding, as approved by the Finance & Personnel Committee in December	
<input type="checkbox"/>	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

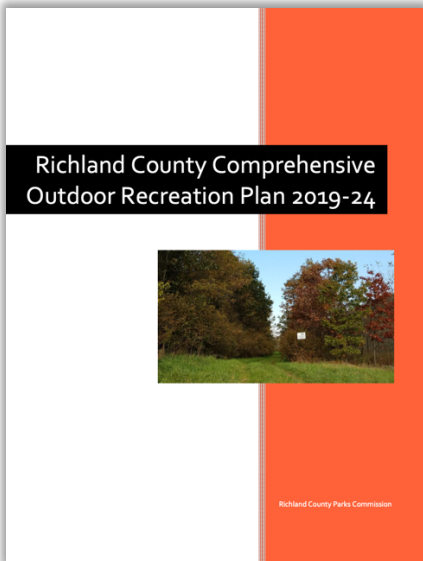
Project management is sought to keep plan's development on schedule for completion by March 19, 2024. Potential vendors should describe how they propose to manage the project with Richland County's 9-member Rules & Strategic Planning Committee. This committee meets on the first Thursday of each month 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.



**COUNTY**  
**Richland**  
*Discover it here!* —

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Request for Proposal

**COMPREHENSIVE  
PLAN UPDATE**

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Foth Infrastructure & Environment  
7044 S. Ballpark Dr., Suite 200  
Franklin, WI 53132

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February 16, 2023



Solving Our Clients' Toughest  
Science and Engineering Challenges

**Principal-in-Charge**

Thomas J. Ludwig, PE  
Tom.Ludwig@Foth.com  
414.336.7905

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**Project Planner**

Orrin Sumwalt, AICP  
Orrin.Sumwalt@Foth.com  
414.248.6073

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**Foth Infrastructure & Environment, LLC.**

Primary Office Location  
7044 S. Ballpark Dr., Suite 200  
Franklin, WI 53132

Secondary Office Location  
5117 West Terrace Drive, Suite 401  
Madison, WI 53718

Headquarters  
2121 Innovation Court, Suite 100  
P.O. Box 5095  
De Pere, WI 54115

February 16, 2023

Rules & Strategic Planning Committee  
Attn: Cheryl Dull, Administrative Assistant  
181 West Seminary Street  
Richland Center, WI 53581

RE: Comprehensive Planning Update

Dear Ms. Dull and Strategic Planning Committee Members:

On behalf of the Foth team, thank you for the opportunity to present our qualifications for the Richland County Comprehensive Plan 2024-2044. We are excited for the opportunity to collaborate with and serve the county. Our understanding of Smart Growth State Law and unique, technologically focused approaches will help us partner with you in identifying and building a forward-looking plan.

Richland County has a rare and special combination of natural amenities and traditional charm. It can be challenging to preserve these important pieces of community identity while propelling economic growth and development. Your comprehensive plan should take not only current and future opportunities into consideration—including industrial and business locations and natural public park amenities—but also maintain the family-oriented character embraced by residents within your county and its collective communities.

Our Milwaukee-based team is prepared to solve one of your greatest challenges (updating your plan) and to lead those efforts in a way that incorporates meaningful participation by community members. The team presented here has more than 66 years of collective experience that is based on customer service. To us, customer service means being fully invested in the county's planning needs. It also means providing work that is personalized and client-centered, and being readily available to answer questions or discuss any concerns that arise.

We appreciated your time and consideration of our qualifications, and look forward to the chance to work with you in the future. Should you have any questions or need any additional information to assist you in making your decision, please do not hesitate to contact me on my cell phone at (414) 248-6073.

Sincerely,

Foth Infrastructure & Environment, LLC



Orrin Sumwalt, AICP  
**Project Planner**



# FOTH FIRM PROFILE

## **Foth Infrastructure & Environment, LLC**

7044 South Ballpark Drive,  
Suite 200  
Franklin, WI 53132

## **1938**

Founded in  
Green Bay, WI—  
Corporate Office

## **640+**

Full-Time  
Employees

## **Main Contact**

Orrin Sumwalt, AICP  
(414) 248-6073  
[Orrin.Sumwalt@Foth.com](mailto:Orrin.Sumwalt@Foth.com)

Established in 1938 as a small firm with only four employees, Foth has since grown to more than 640 experts who provide personalized, client-centered services on a daily basis. For 85 years, we've delivered smart solutions to a variety of government, industrial, and commercial entities across the Infrastructure, Environment, and Production Solution industries.

Our planning team will work diligently to provide a successful comprehensive plan for Richland County. In doing so, we will draw on the knowledge and experience garnered from years of serving other Wisconsin communities, our ability to maintain an accurate understanding of the county's requirements, and our belief in providing efficient, responsive services.





# UNDERSTANDING & **APPROACH**

<http://www.eaglecave.net/inside-eagle-cave/photo-gallery.html#gallery619bd1a09a-1>

We propose a process for completing the Richland County Comprehensive Plan that focuses on building consensus and prioritizing objectives that lead the county forward. The plan will enable the county to plan for and direct new development opportunities that lead to new private investment within the region—creating growth in Richland County businesses, jobs, and tourism.

## UNDERSTANDING

Richland County, Wisconsin is seeking an innovative partner to collaborate on an updated Comprehensive Plan. The new plan will incorporate the county’s growth aspirations as a means of informing decision making and guiding development over the next 20 years. Foth will assist the county with assessing the needs of a broad set of stakeholders, including a diverse cross section of residents, property owners, business leaders, elected officials, and county staff and commissioners. Our efforts will be informed by the findings of the Strengths Weaknesses Opportunities Threats (SWOT) analysis of the current comprehensive plan completed by the county in October 2022.

Specifically, the efforts of the comprehensive plan revision and update process will focus on implementation, identifying those involved in implementing actionable items and determining the priority of those items within the plan. The resulting plan will be both implementation-focused and readily usable, with an easy-to-reference summary chart. Priority levels and the parties responsible for actions will be called out.

## PLANNING EFFORTS

The following sections outline Foth’s plan for developing a strategy and successfully implementing your comprehensive plan. Our efforts will be divided into overarching tasks and comprehensive planning tasks.

### Overarching Tasks

#### Project Orientation and Kickoff

One In-Person Meeting with Foth Staff An initial kickoff meeting with county staff and the project team (including the Rules and Strategic Planning Committee, Steering Committee, and other representatives from the community) will be scheduled to do the following:

Confirm the goals of the Comprehensive Plan	Review the timeline for the project	Identify specific issues the project will need to address	Discuss community engagement strategy
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Deliverables from this meeting will include a meeting summary that includes any determined revisions to the services or timeline and a draft of the Public Participation Plan.



<https://www.adgermanwarehouse.org/blog>

### Continuing Coordination • Monthly Meetings via Microsoft Teams







The project coordinator will maintain regular communication with the county to ensure the project is moving forward. This will help keep project work consistent with the adopted timeline and open up opportunities to resolve any issues that arise during the project.

### Social Media

In collaboration with county staff, we will provide content to be posted to the county's website and social media outlets. Deliverables will include post content for the duration of the project. Content will be provided by Foth and hosted by the county, as needed.

### Online Engagement

We recommend using MindMixer as the online engagement platform for your comprehensive planning process. MindMixer is a midwestern company based in Kansas City, Missouri. Leveraging their technology will allow Richland County to provide inclusive engagement opportunities that promote community dialogue and are sensitive to community members who favor social distancing. MindMixer's platform engagement tools include:

-  **Idea Submissions.** Invite participants to submit their own, unique ideas or support other ideas and leave feedback in the comments field
-  **Map Community Ideas.** Tie community ideas to any location on a map. Geographic boundaries can be defined using Esri Map integration.
-  **Instant Polling.** Allow participants to select from a list of choices determined and controlled by your site's administrators.
-  **Challenge.** Get resident solutions to challenges Richland County is facing and take direction action based on participants' votes.
-  **Online Surveys.** Offer a comprehensive list of open- or closed-ended questions that participants can answer quickly on specific subjects.
-  **Photo Share.** Create a visual of Richland County through participant photo submission and interaction in a visual preference survey.

## Comprehensive Planning Tasks

Project Orientation and Kickoff •One In-Person Meeting with Foth Staff An initial kickoff meeting with county staff and the project team (including the Rules and Strategic Planning Committee, Steering Committee, and other representatives from the community) will be scheduled to do the following:



<https://www.richlandcenterwi.gov/tourism/page/local-retail-orchards>

### Review Adopted Plans

Based on input from county staff, our team will complete a review of previously adopted planning documents to develop an overall analysis of pertinent past plans, implementation status of those plans, and the impact of those plans on the county. We will analyze the data existing within the plans specified by the RFP and update the data using 2020 Census and American Community Survey data where necessary. GIS mapping will also be updated using this information.

Discussions with staff about existing known shortfalls and issues with these planning documents will be essential to developing recommendations for how the county can fully integrate the existing documents into the new Comprehensive Plan. These analyses will serve as a basis for dialogue with the county about new initiatives, policies, recommendations, and ultimately the vision for the new comprehensive planning effort. **Deliverables at this stage include a Summary of Past Plan Implementation, County Data, and Trends Impacting Development and Growth.**

### Field Study

The team will complete necessary on-the-ground visual assessments of the county to develop a full understanding of current land uses and development patterns to be used as the planning process unfolds. County staff may assist Foth with this task as needed.

## Community Engagement

Throughout the tasks associated with comprehensive planning, a series of community engagement efforts will take place. These efforts will ensure that all stakeholders and interested parties have a voice and a seat at the table in forming the vision for Richland County's future. Community engagement techniques proposed for this process include the following:

- Monthly meetings with a Steering Committee (via Microsoft Teams).
- Online engagement via MindMixer's platform.
- A full day of stakeholder interviews; we will work with the Steering Committee to identify individuals, organizations, and businesses from whom to gather input about past and future land use and development decisions.
- An interactive public workshop in which to review goals, objectives, trends, and survey results; this input will be gathered to direct changes to the Smart Growth Elements.
- A presence at community events, such as the Farmer's Market and the Viola Horse and Colt Show.
- An Open House to review the proposed recommendations.
- Rules and Strategic Planning Committee and County Board meetings during the adoption process.

## Smart Growth Planning

Our comprehensive planning effort will utilize the Wisconsin Stats.66.1001 smart growth planning law for guidance about the process and updating this content as part of the new Comprehensive Plan for the county. Each of the nine required elements will have their own chapter in the plan.

As part of our Smart Growth planning efforts, monthly direction meetings will be held with the Steering Committee in addition to online engagement. Deliverables for these efforts will include all analysis associated with authoring the new Smart Growth Elements, as well as associated graphics and mapping.

## Revisions, Policies, and Implementation Strategies

An updated vision and direction for Richland County will become apparent through stakeholder involvement, review of past planning efforts, and analysis of the Smart Growth Elements. A set of policies and recommendations for the county to use in daily and long-range decisions about policy and finances will be coupled with this vision.

As part of this task, Foth will develop implementation strategies revolving around all aspects of Richland County's future planning and growth. Implementation strategies will include specific improvements or programs, responsible parties, timing and priority, and cost estimates (if possible). We will also provide analysis of potential funding mechanisms that can be utilized for implementing public and economic improvements.

The final deliverable for Richland County will consist of a Comprehensive Plan document with two distinct parts:

**1** The bulk of the document will consist of the analysis as presented in the tasks we've previously described.

**2** The remainder will be a stand-alone vision document, which will be presented in a highly graphic format that shows officials the direction and reasoning for the proposed recommendations.

Monthly direction meetings will be held with the Steering Committee in addition to online engagement and a public workshop. Deliverables will include all associated analysis, mapping, implementation strategies, a background document, and a vision document.



<https://www.facebook.com/photo/?fbid=10154836673804115&set=a.624661849662667>

## FINAL PREPARATION AND PRESENTATION

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Upon completion of the planning process, a final draft of the new Comprehensive Plan will be presented to the Rules and Strategic Planning Committee and the County Board of Supervisors for formal adoption. We will facilitate a presentation before the boards and incorporate final comments or changes.

Meetings at this stage will include the final adoption meetings, and deliverables will be the desired number of bound copies and two electronic files—one Microsoft Word file and one PDF of all related documents.

### Digital Version of the Document



Our team intends to provide Richland County with a digital flipbook of the vision and recommendations portion of the Comprehensive plan. When complete, the flipbook will be an easy-to-view interactive experience for readers housed on the county website. An example of how these flip books work and present themselves on the Web can be found at the following link. [PublicEngagement](#) (foth.com)

## THE FOTH DIFFERENCE

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Upon completion of the planning process, a final draft of the new Comprehensive Plan will be presented to the Rules and The Foth team has fully reviewed the county's current Comprehensive Plan and we're confident our approach will result in a more compelling, though-provoking plan. The national, state, and Richland County economies have evolved in the 16 years since the previous plan was created, and it is important that your Comprehensive Plan evolves, too. We believe the following items will be fresh and different in your new Comprehensive Plan with our team at the helm:



Vision



New Format



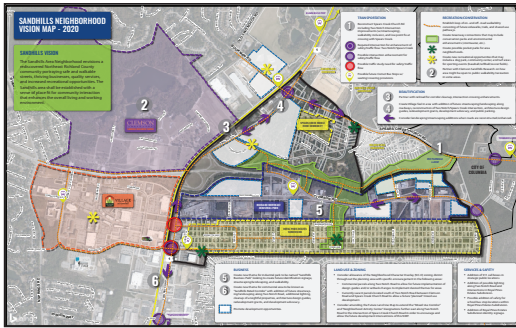
Current Data



Recreation



Public Engagement



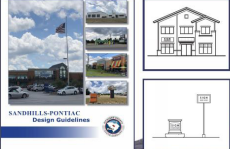
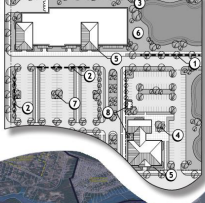


### VISION & INTERVENTIONS

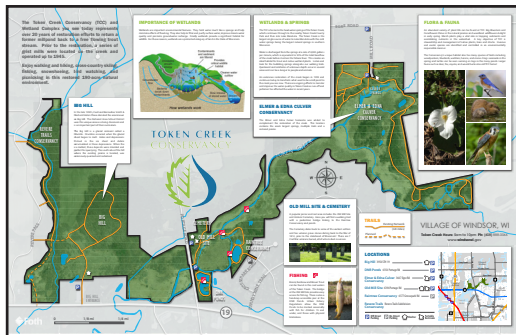
- DEVELOPMENT/REDEVELOPMENT INCENTIVES & MECHANISMS**  
Create new incentive programs to spur local business investment by tenants and owners allowing monies to be used for site/structure upgrades as well as demolition of vacant/underutilized properties. Coordinate with the Richland County Economic Development Office on other incentive mechanisms for new development/ redevelopment that may include tax advantages, Tax Incremental Districts, or establishment of Business Improvement Districts.
- SITE MAINTENANCE & APPROVAL ENFORCEMENT**  
Annually enforce site maintenance and original business approval standards for commercial/industrial properties ensuring upkeep of landscaping, enclosed refuse, removal of unapproved signage, and removal of unapproved outdoor storage.

**BUSINESS - Two Notch Business Corridor**

- CREATE NEW THEMATIC AND BRAND ELEMENTS FOR FUTURE OF AREA: 'SANDHILLS RETAIL CORRIDOR'**  
Enhance existing area identity as the 'Sandhills Retail Corridor'. Coordinate other Two Notch Road improvements discussed in this Plan (sidewalks and lighting) to include street trees, banners, and signage (wayfinding) all utilizing the 'Sandhills Retail Corridor' elements so the business roadway area begins to feel as one cohesive place.
- IMPLEMENT DESIGN GUIDE**  
Require new development and redevelopment to improve visual character along the Two Notch Road corridor through building architecture, tree plantings and landscaping, architectural features, location of parking, and consistent signage. Look to adopt and utilize the draft design guidelines (found in the Appendix) for future approval of businesses in this corridor as a base to begin establishing a consistent identity. Guidelines might be implemented and enforced via Future Neighborhood Character Overlay District approval.

SANDHILLS-PONTIAC Design Guidelines  
Richland County, South Carolina



## Vision.

We structure our plans differently. The vision and recommendations will be located in the front of your document and will include a vision map to tell the future 20-year story that the county foresees. The vision map can serve as a powerful storyteller for the community and market to embrace.

## New Format.

We intend to provide a more graphical end product that uses images, tables, maps and 2D/3D renderings to provide the 20-year vision of Richland County.

## Current Data.

A new plan wouldn't be complete if it was based on old data and demographics. We intend to utilize 2020 Census data and have subscriptions to the ESRI Business Analyst and CoStar Analytics systems to help us paint a true picture of your future economy. This new data will be used to prepare estimates, projects, and forecasts for 5-, 10-, and 20-year planning horizons.

## Recreation.

Outdoor recreation is a specialty of our team. We'll go beyond the basics and explore topics like active transportation, age-friendly facilities, and changes to the built environment that improve health.

## Public Engagement.

Plan from the future—at a safe distance! We embrace the use of leading-edge tools to execute inclusive and meaningful engagement. After establishing Richland County's target audiences, we'll set up an online hub for resident participation via MindMixer's online engagement platform. Our team will provide multiple options to accommodate different user needs and comfort levels. To ensure that technology doesn't become a barrier to involvement, we can also provide a phone number and email address for comments and mail out comment cards to certain target audiences.

# PROJECT TEAM



**Richland County Board of Supervisors**

**Rules and Strategic Planning Committee**

**County Administrator (or Designee)**

**Stakeholders:**

- Commission/Officials
- Residents/Businesses
- Local Organizations



**Orrin Sumwalt**  
Project Manager



**Jeff Muenkel**  
Assistant  
Project Manager



**Shaun Mularkey**  
Planner



**Ben Kohout**  
Planner



**Andy Schultz**  
Project Engineer



## **ORRIN SUMWALT, AICP** PROJECT MANAGER

Orrin has more than 15 years of experience serving municipal governments as a planner and project manager with both public and private entities. He provides ongoing planning services to several communities, and his work includes comprehensive plans, outdoor recreation plans, and streetscaping enhancement plans. Orrin also has expertise in neighborhood plans, zoning administration, ordinance creation and revision, and new development review. He is well-versed in successful application of National Charette Institute (NCI) tools and techniques for community planning to achieve transformative collaboration

- Sandhills Neighborhood Plan, Richland Co., SC
- Streetscaping and Wayfinding Signage Master Plan, Mukwonago, WI
- Comprehensive Plan, Franklin, WI and Reedsburg, WI

BS Land Use, University of Wisconsin–Stevens Point | American Institute of Certified Planners (AICP)



**JEFF MUENKEL, AICP  
CECD, EDFP**  
ASSISTANT PROJECT MANAGER

Jeff has 22 years of experience in a wide range of community and economic planning initiatives and is Foth’s national planning lead. He has a passion for leading new economic development tasks for Wisconsin communities and has had the pleasure of leading comprehensive, neighborhood, and corridor planning efforts. Jeff excels at creating unique, innovative public engagement efforts, including interactive planning charrettes and digital technology, that bring a true understanding of the plan to stakeholders.

- **Sandhills Neighborhood Plan**, Richland Co., SC
- **Comprehensive Corridor Plan**, Somers, WI
- **I-94 Comprehensive Corridor Study**, Caledonia, WI

BA Urban Studies, University of Wisconsin–Green Bay

American Institute of Certified Planners (AICP),  
International Economic Development Council (CECD),  
National Development Council (EDFP)



**SHAUN MULARKEY**  
PLANNER

Shaun has 24 years of community planning experience, including comprehensive plan development for Wisconsin cities, villages, and towns. He provides ongoing planning efforts related to ordinance creation and revision, design guidelines, neighborhood revitalization, and corridor plans for a variety of communities. His expertise also includes streetscaping, site development, and public participation. Shaun is particularly skilled in 2D/3D urban design and GIS mapping, and he will lead such services in our efforts for Richland County.

- **Comprehensive Plans**, Vernon, Wakesha, and Burnett Co., WI
- **Sandhills Neighborhood Plan**, Richland Co., SC
- **Comprehensive Corridor Plan**, Somers, WI

BS Arch Studies, University of Wisconsin–Milwaukee  
MA Urban Planning, University of Wisconsin–Milwaukee

Leadership Institute, International College–Naples



**BEN KOHOUT, AICP**  
PLANNER

Ben has over 20 years of experience providing planning services to municipal governments and private entities across multiple states. His work has included adopted community plans, zoning administration, and planning administration. Ben is experienced in leading planning discussions and zoning amendments, guiding elected officials through state and local planning ordinances, and engaging in community outreach.

- **Planning and Zoning Support**, Mukwonago, WI\*
- **Planning and Zoning Support**, Franklin, WI\*
- **City Planner**, Waverly, IA\*

BS Urban and Regional Planning, Iowa State University

American Institute of Certified Planners (AICP)



**ANDY SCHULTZ, PE**  
PROJECT ENGINEER

Andy has more than 20 years of experience in municipal design and construction in Wisconsin. His work includes road programs; water and sewer utility planning, design and construction; and roadway design. He has an extensive background serving the public sector, which affords him a strong understanding of budgetary challenges as well as public coordination and communications.

- **I-94 Corridor Infrastructure Analysis**, Mt. Pleasant, WI
- **TIDs 1 Through 5 infrastructure Analysis**, Caledonia, WI
- **4 Mile Road Design and Construction**, Caledonia, WI

BSCE and BSEE, University of Wisconsin–Platteville

Professional Engineer: WI

\*denotes work for previous employer



# RELEVANT EXPERIENCE

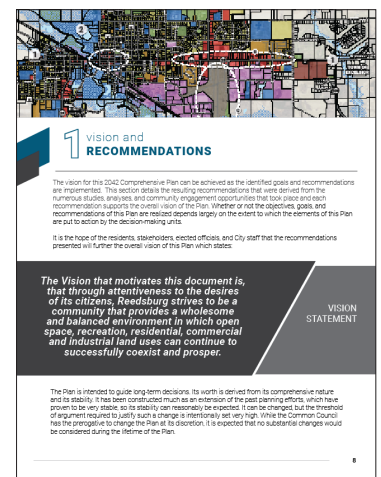
## Comprehensive Plan Amendment | Reedsburg, WI

The Foth team completed a comprehensive plan update document that included a vision section containing synthesized results of the entire plan. The benefit of this approach is that it allows users to glean information about the entire plan without having to read it in its entirety to access specific pieces of information. Complete with a bulleted list of key takeaways from previous versions of the plan and other pertinent documents; easy to navigate and decipher charts and graphs; and rich text, photos, and graphics for illustrative purposes, the document aims to serve as a marketing brochure of what's to come for the Reedsburg community.

Our efforts included multiple avenues for gathering public information, including a Foth-hosted Website that housed all opportunities for community input, social media posts to the city's sites, and use of the online engagement platform MindMixer. We also conducted fourteen stakeholder interviews, stationed an information booth at a large annual festival, and conducted community survey awareness via utility bill stuffers. Targeted direct mailings were sent to an independent living community and hard copies of surveys were made available at public locations.

In addition, we held an interactive public workshop where our staff elicited responses from attendees about their preferences; these preferences enabled us to arrive at language and recommendations to take to the steering committee for final deliberation and recommendations for plan inclusions. We intend to utilize many of these same methods in our planning efforts for Richland County.

**Reference:** Dave G. Estes, Mayor; mayor@reedsburgwi.gov; 608-415-0434

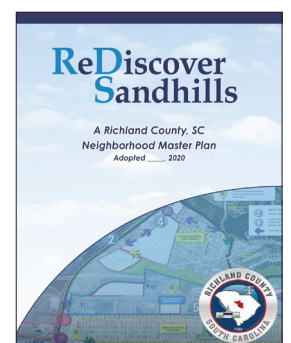
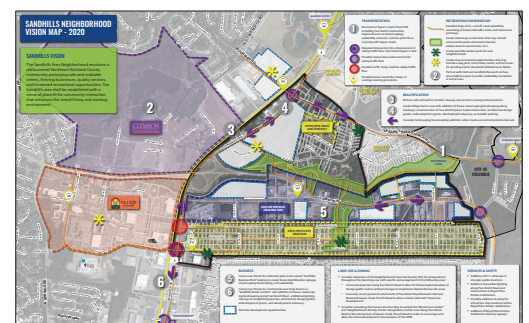


## Sandhills Neighborhood Plan | Richland County, SC

The Foth team completed a robust neighborhood revitalization plan within Richland County, South Carolina. This represents a full comprehensive planning effort directed at revitalizing a local community. The plan explores issues and opportunities while providing full analyses on housing, economic development, land use, zoning, transportation, recreation, infrastructure, and conservation. The Sandhills Plan culminates with an overall vision plan that includes robust recommendations to revitalize the area.

Comprehensive planning implementation opportunities are a direct result of extensive public engagement. At the beginning of our planning efforts, a Community Engagement Plan (CEP) was adopted in concurrence with the county. Community engagement efforts included providing the public with in-person and online techniques that allowed their voices to be heard. Foth intends to utilize many of the same methods on your project.

**Reference:** Brian Crooks, Plan Director; Crooks.Brian@richlandcountysc.gov; 803-576-2198

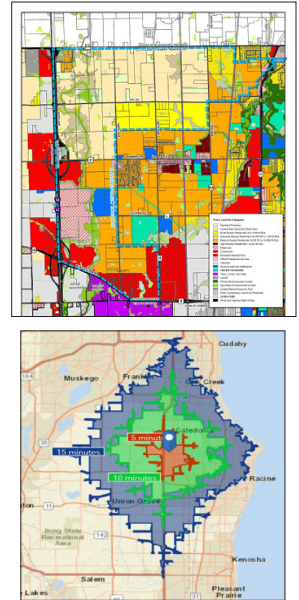


# Comprehensive Land Use Plan | Somers, WI

The Village of Somers shares borders with the Village of Mount Pleasant, which was recently selected as the site for an overseas tech company's first US manufacturing facility. The sudden change in the area's future economy and the need for infrastructure to support anticipated housing and business growth necessitated an update to Somers' Comprehensive Plan and a deep look at all Smart Growth Elements for the village.

Public engagement was essential to building consensus for this Comprehensive Plan update, and a variety of new implementation measures were developed to guide future land use, infrastructure investments, recreational opportunities, and conservancy efforts for the community.

**Reference:** Jason Peters, Village Administrator; JPeters@somers.org; 262-859-2822



## Overall Comprehensive Planning Experience

Our team is proud to have a wide range of comprehensive planning experience in the State of Wisconsin, having worked on county, village, town, and city plans across the state. Our plans not only meet state Smart Growth legislation requirements, but they are innovative and customized to each community's values, vision, and needs, including:

- Illustrated growth scenarios
- Farmland preservation strategies
- Redevelopment and catalyst projects
- Before and after development imaging
- Land use border strategies
- Overlapping jurisdictions analyses
- Susceptibility to change analyses
- Sustainability goals and practices

**Plans for Other Wisconsin Communities:**

<b>CITIES</b>	Muskego Franklin	<b>TOWNS</b>	Vernon Waukesha Calumet Clayton Delta Emmet Hazelhurst Holland Manitowoc Rapids Milltown Nasegauppee Newbold Oxford Pine Lake Summer Tainter
<b>VILLAGES</b>	Windsor Walworth Coleman Egg Harbor		
<b>COUNTIES</b>	Waupaca Vilas Burnett Calumet Clark Dodge		

# TIMELINE & BUDGET

Foth anticipates a start date in March 2023 with completion within 12 months from the start date.

Overarching Tasks	Month												
	March	April	May	June	July	August	September	October	November	December	January	February	March
1.1 Project Orientation and Kickoff	■												
1.2 Continuing Coordination	■	■	■	■	■	■	■	■	■	■	■	■	■
1.3 Public Participation Plan	■	■											
1.4 Online Engagement		■	■	■	■	■	■	■	■	■	■	■	■
1.5 Social Media Content	■	■	■	■	■	■	■	■	■	■	■	■	■
1.6 Public Booth (Richland Center, Viola)			■				■						
1.7 Stakeholder Meetings (Towns, Villages AM mtgs).		■	■										
1.8 Public Open House mtg.				■									
<b>Comprehensive Plan</b>													
2.1 Review Adopted Plans		■	■										
2.2 Field Study			■				■						
2.3 Community Engagement		■	■	■	■	■	■	■	■	■	■	■	■
2.4 Smart Growth Planning		■	■	■	■	■	■	■	■	■	■		
2.5 Revisions Policies and Implementation Strategies										■	■	■	
2.6 Draft Plan present to Committee											■		
2.7 Final Preparation and Presentation												■	■
2.8 Delivery of Final Document													■

We propose a lump sum fee amount of \$113,000 to complete the tasks identified in the probable work plan presented herein. Foth will hold to this fee regardless of additional hours required to perform this work plan unless tasks are negotiated with the county that are outside the original scope. This cost includes all reimbursable expenses and mileage.

All members of our presented team will work for \$142/hour and will accomplish the following tasks:

<p><b>General Meetings</b></p> <p>Orrin, Ben, Shaun</p> <p>Estimated Time 16 hours</p>	<p><b>Public Engagement</b></p> <p>Orrin, Jeff, Ben, Shaun</p> <p>Estimated Time 200 hours</p>	<p><b>Continuing Coordination</b></p> <p>Orrin, Ben, Shaun</p> <p>Estimated Time 50 hours</p>	<p><b>Plan Authoring</b></p> <p>Orrin, Jeff, Ben, Shaun</p> <p>Estimated Time 312 hours</p>
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Additional services will be charged as follows: Planner: \$142/hour • Mileage: \$0.655/mile

### County Staff Involvement

Communication with and involvement of county staff will play an important role in successful completion of this project. Staff may assist with the following tasks:

- Providing background information and past planning documents.
- Offering continuous feedback to the project team.
- Consolidating and submitting comments on various drafts.
- Participating in working sessions with the project team.
- Providing notices and feedback for public meetings.
- Serving as a liaison between the public and the consultant.

# Richland County Comprehensive Plan Update Proposal



SOUTHWESTERN WISCONSIN  
**REGIONAL PLANNING**  
COMMISSION

February 15, 2023

## STAFF

Troy Maggied

*Executive Director*

Tasha Blindert

*Office Manager*

Jaclyn Essandoh

*GIS Coordinator*

Griffin Koziol

*Research Analyst*

Kate Koziol

*Economic Development Specialist*

Misty Molzof

*Local Government Services Specialist*

Cory Ritterbusch

*Associate Planner*

Ellen Tyler

*Community Resiliency Planner*

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SOUTHWESTERN WISCONSIN  
**REGIONAL PLANNING**  
COMMISSION

# Firm Profile

SWWRPC has a long, successful history of working in southwestern Wisconsin and with Richland County. Our recently completed Strategic Plan (available at [www.swwrpc.org/about-us](http://www.swwrpc.org/about-us)) identifies the top five priorities informing our work. These strategies are reflected in our Vision, Mission, and Core Values.

## Strategic Priorities: 2023-2033

The following priorities will guide our operations for the next 10 years, and reflect SWWRPC's unique role in the region. Work plans will be developed at 3-year intervals to refine the means of implementing these strategies and ensure alignment of SWWRPC operations with the region's evolving needs.

- **Strategy 1:** Build resilient communities and organizations through activities that position the region to attract new populations, enhance economic diversity, adapt to the local and national impacts of climate change, and empower them to thrive in a complex and uncertain future.
- **Strategy 2:** Grow the economy through our unique role in the region, such as our partnership with the US Economic Development Administration (EDA), and by adding value to our partners' work by advising on project enhancements that lead to increased sustainability and greater return on community investments.
- **Strategy 3:** Create, and facilitate the creation of, new collaborative partnerships that build resiliency through reduced expenses and improved efficiencies among local government and non-profit partners.
- **Strategy 4:** Maintain capability and capacity to execute on this strategy.
- **Strategy 5:** Enhance the decision-making ability of local organizations through the provision of quality data, maps, scenario planning, and strategic thinking.

## Mission, Vision, and Values

**Mission:** *"The Southwestern Wisconsin Regional Planning Commission works to build a resilient southwestern Wisconsin through the creation of economic diversity, support for innovation, and development of locally-led strategic initiatives implemented by collaborative partnerships grounded in common purpose."*

**Vision:** *"The Southwestern Wisconsin Regional Planning Commission is recognized for delivering innovative long-range planning services that promote resiliency through collaborative partnerships and competitive strategic positioning of our communities and organizations. We are led by an inter-disciplinary team of knowledgeable professionals dedicated to building the capacity required for our communities to thrive."*

### Core Values:

- We are service-driven
- We seek to be effective
- We embrace challenges
- We work with integrity, and provide unbiased views
- We are future-focused and take the long-view
- We are life-long learners
- We aspire to deliver the high-quality service

# Scope of Work

The following scope of work will help the county accomplish two goals:

- “Inform decision-making and guide the county’s development over the next 10 to 20 years” (page 3 of the RFQ)
- Implement the county’s 2021-2024 Strategic Plan

We don’t recommend structuring the planning process around the nine planning elements found in WI Stats 66.1001. Our experience shows these elements are integral to a variety of public and private goals. They are not separable for the purposes of policy development. With this in mind, we will structure public engagement events to incorporate the nine elements, and also other topics not contemplated by state statute (public health, education, etc.). The final plan will identify how the elements were covered during the process, but will not be structured by element as was the 2006 Comprehensive Plan. This scope reflects our recommended process for data analysis and public engagement, and we anticipate this to be modified through negotiation with the county if awarded the contract.

## Task 1: Summary of Existing Plans

Our staff will spend the initial phase of the project reviewing all relevant county and municipal plans to identify goals or projects that will help achieve the goals noted above. This will include a review of the plans listed on page 4 of the RFP and any relevant plans noted in the *Description of Similar Projects* section of this proposal. We will also review other relevant plans such the County’s Aging Plan and Community Health Improvement Plan.

Deliverable: A summary of goals, actions, and actionable data for use in developing subsequent tasks.

## Task 2: Data and GIS Analysis

Prior to commencing data and GIS work, we will provide the Rules & Strategic Planning Committee with a list of data and maps we believe to be informative and actionable. This will draw from databases developed during our previous projects in Richland County. Our preferred data sources include the US Census, WI Department of Revenue, US Department of Labor, and county GIS data on land use changes. Once the Committee and our staff identify relevant data, we will begin compiling data and analyzing trends.

Deliverable: A packet of data and maps, along with summaries of significant findings or trends, presented to the Committee for use in community engagement tasks outlined below.

## Task 3: Community Engagement

We propose several public engagement events to maximize public input and draw on our previous work in the county.

### Public Engagement

The people of Richland County sit at the top of the county’s Organizational chart. Out of respect for this structure, we propose to hold two or three public meetings that will be open to any resident or property-owner. The content will be informed by the Rules & Strategic Planning Committee once the data analysis is complete, and we currently envision it to include discussions around the county’s role in development, governance, communicating with the public, and leveraging partnerships for effective service-delivery.

Deliverable: Summary report of public opinions, visions, and goals for the county. This process will also help the county implement the following Strategic Plan Tactics:

- Create additional and modern methods to communicate events and initiatives, and to generate direct input from the community.
- Evaluate and support broadband expansion throughout the county.

## Municipal Input

We proposed one meeting between county and municipal leadership to focus on improving communication between these entities, and developing opportunities for increased coordination and collaboration. This meeting will be designed to find areas of overlapping services, service gaps, and unexplored partnerships.

Deliverable: Summary report of potential partnerships and collaborative initiatives to help the county and municipalities increase the volume or quality of service delivery and preserve precious resources such as tax revenue and staff hours.

### Strategic Plan Implementation:

- Create additional and modern methods to communicate events and initiatives, and to generate direct input from the community.
- Evaluate joint procurement of materials and equipment whenever found to be in the interest of the County.
- Evaluate joint contracting for capital projects to find savings resulting from reduced mobilization fees, increased competitive bidding, etc.
- Explore opportunities to share or contract staffing services.
- Evaluate and support broadband expansion throughout the county.
- Prioritize new home construction, and development of incentives or programs to attract developers using a balanced approach.
- Identify priority areas in the county for future industrial, commercial, or residential development.
- Identify future land uses for county or municipal-owned land informed by economic opportunities and environmental constraints.
- Capitalize on the county's natural beauty and recreational opportunities through the investment and marketing of county parks, campgrounds, and recreational opportunities.

## Township Engagement

The county has significant opportunity to partner with townships on service delivery and capital improvement planning. It is also in their interest to get input from townships when developing a Future Land Use map. To accomplish this, we propose attending one quarterly towns meeting to get input on the Comprehensive Planning process and define the shared decision-making process for land use decisions. We also believe there's value in a second meeting with towns to identify areas for increased collaboration and shared services.

Deliverable: Summary report of the process for making land use decisions, and an identification of areas for potential partnerships and collaborative initiatives.

### Strategic Plan Implementation:

- Evaluate joint procurement of materials and equipment whenever found to be in the interest of the County.
- Evaluate joint contracting for capital projects to find savings resulting from reduced mobilization fees, increased competitive bidding, etc.
- Explore opportunities to share or contract staffing services.
- Evaluate and support broadband expansion throughout the county.
- Identify priority areas in the county for future industrial, commercial, or residential development.
- Identify future land uses for county or municipal-owned land informed by economic opportunities and environmental constraints.
- Capitalize on the county's natural beauty and recreational opportunities through the investment and marketing of county parks, campgrounds, and recreational opportunities.



## Task 4: Plan Development

The final Richland County Comprehensive Plan will incorporate all of the information gathered during the tasks above, and be incorporated into an aesthetically-pleasing, accessible document that the county can use for day-to-day or annual decision-making. Examples of our plans can be found in by following the links in other sections of this proposal.

# Project Staffing

Our current staff bring local knowledge as well as a larger world view to this project. Through their diverse professional experience collective institutional knowledge, we're well suited to guide the county through the visioning and consensus-building process needed to develop an effective and long-lasting Comprehensive Plan. Additional staff not listed below may be brought on board throughout the course of the project.

## Staff Qualifications

### Troy Maggied - Executive Director

Troy will be the project manager and County's primary point of contact on the project. He brings planning, project management, and development experience from both the private and public sector, in both domestic and international settings. As Executive Director, he is accountable for the SWWRPC budget, revenue generation, financial reporting, talent attraction and retention, and aligning the organization's mission with the region. Troy has previously served as an assistant project manager on a \$60 million school construction program, a Community Planner for the U.S. Army Corps of Engineers, Planning and Zoning Administrator for Lafayette County, and spent three years as a U.S. Peace Corps Volunteer in the Kingdom of Tonga. He has a bachelor's degree in Construction Systems Management from The Ohio State University and a master's degree in Urban and Regional Planning from the University of Wisconsin-Madison.

### Jaclyn Essandoh - GIS Coordinator

Jaclyn will lead all mapping efforts on the project, either directly or through management of other SWWRPC staff. She will also advise on public engagement strategies. In recent years, Jaclyn worked closely with Lone Rock, Richland Center, and Boaz and will bring that experience to this project to ensure the County's work reflects village and city planning efforts, and is aligned for greater impact. Jaclyn previously served as a planner, cartographer, researcher and writer on the 2019-2024 CEDS and on the 47 Workforce and Housing Studies completed by SWWRPC in 2018 and 2019. Prior to joining us, Jaclyn worked in county-wide community development, zoning, code enforcement and comprehensive plan development while working with the Environmental Services Department of Blue Earth County, Minnesota. She has a bachelor's in Human Settlement Planning from Kwame Nkrumah University of Science and Technology, a master's in Development Management from the Ghana Institute of Management and Public Administration, and a master's in Urban Planning and GIS from Minnesota State University-Mankato.

### Griffin Koziol - Research Analyst

Griffin will provide the project with the data required by the project, and has strong familiarity with a variety of data sources including the state and federal agencies. He will also use our internal tools such as GIS and economic modeling software to inform the county's relative strengths and opportunities. Griffin has provided a variety of partners with data to inform their work, including SWCAP, Richland, Lafayette, and Green County Economic Development, the City of Richland Center, the villages of Lone Rock and Boaz, Lafayette County Health Department, the Wisconsin Economic Development Corporation, and more. This work provides us with a significant database from which we can draw, cutting time from the data collection process that can be spent in data analysis or public engagement. Prior to working with SWWRPC, Griffin held a variety of roles in the software development and IT industry.

### Kate Koziol, PMP - Economic Development Specialist

Kate will serve on an as-needed basis and assist with community relations, marketing, and business development aspects of the project. She is an economic development professional, small business consultant, and entrepreneur. She serves as the Executive Director of the Platteville Business Incubator, Administrator of three revolving loan funds, and support staff for the IDEA Hub of Southwest Wisconsin. Kate previously worked for large organizations such as United Airlines and MeadWestvaco before founding, scaling, and selling her own marketing and communications company. She has worked in seven countries assessing, coaching, and growing entrepreneurial businesses. She has written several business ebooks on entrepreneurship and marketing, and is a certified Project Management Professional.

### **Cory Ritterbusch - Associate Planner**

Cory will provide support for all public engagement aspects of the project, specifically focusing on county engagement with non-profits and volunteer groups. His specialty with SWWRPC is in main street development, tourism, marketing, and ecological and recreation planning. He brings over 25 years of experience in the field of restoration ecology and 8 years as a community development specialist. Cory previously served on the Shullsburg City Council, was the Executive Director of Advance Shullsburg, Inc., He runs his own consulting firm and is a freelance writer, photographer, and history researcher. Cory is an avid writer with over 50 published works, is a popular public presenter, and a local historian. He has grown several businesses in his career and brings an entrepreneurial spirit to the organization.

### **Ellen Tyler - Community Resiliency Planner**

Ellen will support the project as an advisor and support staff during public engagement, ensuring long-term resilience foresight is incorporated into the planning process. She helps communities prepare to face challenges and orient themselves toward a prosperous future through thoughtful public engagement, collective and creative solution-finding, and strategic planning. She is currently working with Richland County to develop a series of visioning meetings that will identify the county's risks and opportunities from climate change, and begin the process of identifying resiliency strategies. Prior to SWWRPC, she worked as a foresight researcher at Mercedes-Benz R&D, where she explored societal trends to forecast transportation needs and identify innovation opportunities. She has a bachelor's degree in Economics from Macalester College in St. Paul, Minnesota.

### **Additional staffing support**

SWWRPC is currently hiring two new employees with experience in planning, public engagement and GIS. One or both of these staff may become involved in the project as they come on-board. Resumes or background data is available upon request once the hiring process is complete.

# Description of Similar Projects

Our work in Richland County includes a variety of long-range planning and capacity-building projects. The projects listed below were chosen due to their diversity, and demonstrated expertise in data, GIS resources, public engagement, and diversity of county partners.

## Planning Projects

- **Comprehensive Planning:** Thanks to a \$412,000 federal grant we were able to secure for the county, several Comprehensive Plan updates have been completed in recent years.
  - **Boaz, 2022-2023:** Scheduled for adoption in mid-February, this plan identifies the critical challenges of a small community in the floodplain. We've identified a set of strategies that will help the Village focus on blighted properties while enabling incremental growth opportunities to maintain the tax base and population. Reference: Jean Nicks, Village President.
  - **Lone Rock, 2021:** Working with strong community leaders, we provided additional capacity for visioning, data analysis, and public engagement to develop a plan to guide the Lone Rock Economic Development Committee's grass-roots work. We meet with the Village quarterly to help with implementation of the Comprehensive Plan. Reference: Mary Litviak, Chair of the Lone Rock Economic Development Committee.
  - **Richland Center, 2022:** Heavy community engagement resulted in a plan focusing on operational efficiencies, such as the creation of a City Administrator position, and focused housing and community development initiatives. Reference: Todd Coppernoll, Mayor.
  - **Richland County, 2006:** We worked with the County to develop the first Comprehensive Plan in 2006, and will build off of this experience to innovate on both our planning processes and final document design.
- **Outdoor Recreation Plans:** Also funded through the grant noted above, these 5-year plans enable municipalities to secure DNR funding for active and passive recreation projects.
  - Boaz, 2022
  - Lone Rock, 2021
  - Richland County, 2023 (adoption expected for February)
- **Richland County Strategic Plan:** Funded by the federal grant mentioned above, this 6-month process was designed to help the county focus on internal operational improvements, long-range growth opportunities, and focusing on its core mission to ensure it can meet its fiscal obligations. Reference: Clinton Langreck, County Administrator.
- **Locally-Developed, Coordinated Transit Plan:** Every five years, SWWRPC leads the region's ADRC agencies and SWCAP in a planning process designed to identify needs and gaps in rural transit services. This plan is required for our counties and SWCAP to secure DOT funding for operations and vehicles. The next planning process will occur in 2023, with the plan's adoption scheduled for October. Reference: Roxanne Klubertanz-Gerber, ADRC of Eagle Country Manager.
- **2024-2028 Comprehensive Economic Development Strategy:** Every five years we update the CEDS with new strategies and priorities, based on input from our county and local economic development partners. This document identifies our economic development plan of work and also defines parameters for eligible federally-funded projects. We will begin updating this plan in 2023 with adoption scheduled for spring of 2024. Reference: Jasen Glasbrenner

## Other Relevant Work

Our staff are always involved in the counties we serve, though not always through direct planning projects. Below are some of our recent and on-going studies and initiatives in Richland County that will provide us with capacity and relationships on the County Comprehensive Plan update.

- Richland County Resiliency Meetings, on-going
  - Local partner: Melissa Luck, County Board Supervisor & Darin Gudgeon, Emergency Management Director
  - Scope: Initial visioning to identify current and potential challenges and opportunities to prepare Richland County for the impacts of climate change
- Housing Studies, 2018 with updates in 2023/2024
  - Local partner: Mike Breninger, SW Partners (2018) and Jasen Glasbrenner, E.D. Director (2023 update)
  - Scope: Identify housing supply and demand and develop locally-led initiatives for new housing. Housing studies were developed for Cazenovia, Ithaca, Lone Rock, Richland Center, Richland County, and Viola. Some of the studies conducted in 2018 will be updated in 2023 and 2024.
- A.D. German Warehouse Visioning, 2019
  - Local partner: Derek Kalish, A.D. German Warehouse Conservancy
  - Scope: Study opportunities for food-based business opportunities for the Warehouse.
- Regional Broadband Coordination, on-going
  - Local partner: Melissa Luck, County Board Supervisor
  - Scope: Convene County broadband leads bi-monthly for the 5-county region to share best practices, opportunities for collaboration, grant writing strategy, and other assets to enhance regional broadband access.
- Regional GIS Coordination, on-going
  - Local partner: None currently. Pending rehire of county GIS Specialist
  - Scope: Convene county GIS Specialists quarterly or semi-annually to share funding priorities, data sources, internal processes, and best practices.
- Regional Constructability Analysis, on-going
  - Local partner: No single partner. The tool is open for all to use.
  - Scope: Developed in 2018, this interactive on-line map identifies buildable parcels through a spatial analysis that defines parameters such as the floodplain, topography, historic and archeologic sites, and more.
- On-line Zoning Maps, on-going
  - Local partner: Currently the zoning map includes Lone Rock and Richland Center
  - Scope: Maintain an interactive, online map of municipal zoning classifications for each parcel
- Regional Financial Asset Map, on-going
  - Local partner: No single partner. The tool is open for all to use.
  - Scope: Developed in 2018, this interactive on-line map identifies counties, municipalities, and census tracts that are eligible for state and federal funding opportunities based on economic distress.

## Schedule

The project schedule below varies slightly from the schedule proposed in the RFQ. We're seeking additional time to allow us time to work with the county and finalize the public engagement scope of work, and also meet existing project commitments. In order to permit the county to move forward with decisions that require input from this process, we will provide interim reports following each portion of the project.

<u>Activity</u>	<u>Completion Date</u>
Notice to Proceed	March 22, 2023
Summary of Existing Plans	July 31, 2023
Data and Mapping	October 31, 2023
Public Engagement	May 31, 2024
Plan Adoption	August 31, 2024

## Budget and Fee Schedule

Thanks to our existing grant from the U.S. Economic Development Administration, we are able offer these services at no cost to the county. For your information, we are providing the total cost of the project that will be billed to the grant. Additional information requested in the RFP is also included.

<u>Plan of Work Activity</u>	<u>Hours</u>	<u>Total Cost</u>	<u>County Cost</u>
Summary of Existing Plans	54	\$3,320	\$0
Data Analysis and GIS Mapping	268	\$16,769	\$0
Public Engagement	246	\$18,849	\$0
Plan Writing	62	\$7,567	\$0
<b><u>Total</u></b>	<b><u>630</u></b>	<b><u>\$46,505</u></b>	<b><u>\$0</u></b>

<u>Staff</u>	<u>Rate</u>	<u>Hours/Miles</u>	<u>% of Cost</u>
Troy Maggied	\$92.88	104	20%
Jaclyn Essandoh	\$65.63	156	22%
Griffin Koziol	\$55.53	208	25%
Assoc. Planner	\$72.69	162	25%
Mileage	\$65.5/mile	1,200	

# Comprehensive Plan RFP Review 2023

This Scorecard provides 7 items that can be used to score the Comprehensive Plan Proposals with regard to the requirements in the RFP. Each of the 7 items are assigned a score. Please review the Proposals and assign a score. If you use the Excel sheet the score column will automatically total.

## Southwestern WI Regional Planning Commission

Criteria	Possible Points	Score	Comments about the criteria
40 single-sided pages or 20 pages front and back	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>Possible Total</b>	<b>100</b>		

## Roth Infrastructure & Environment

Criteria	Possible Points	Score	Comments about the criteria
40 single-sided pages or 20 pages front and back	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>Possible Total</b>	<b>100</b>		



## 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>	3/2/23	<b>Action Needed:</b>	Motion
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<a href="#">Committee Structure, Letter B5</a>
<b>Date submitted:</b>	2/28/23	<b>Referred by:</b>	n/a

**Recommendation and/or action language:** Motion to recommend making edits to the draft Ethics Ordinance and referring remaining items to Corporation Counsel for research.

**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.
- State Statute 19.59 which permits a local ordinance to also apply to local public officials such as elective officers, appointed officers, and a county administrator, as shown in Attachment A.
- 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

At the February meeting the committee:

- Made recommendations for a public property policy
- Confirmed positions covered by the ethics ordinance
- Designated the County Board as the appeals body
- Referred the draft ethics ordinance to Corporation Counsel for review

A draft ethics ordinance with Corporation Counsel review and the chair’s responses is attached for the committee’s review – see Attachment C. After the committee’s edits are incorporated, the remaining items for research are recommended for referral to Corporation Counsel. A revised committee structure document is also included as Attachment D.

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 the implementation of this code. The Corporation Counsel shall provide legal advice, secretarial service and assistance to the Board.</i>	1/5/23: <i>A committee of the County Board which has been assigned the duties of the Ethics 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)	1/5/23: <i>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</i>

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

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

					<p>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.</p>
<p><b>Positions Covered</b></p>	<p>Part-time and full-time employees, except elected officials, Highway Commissioner, Corporation Counsel</p>	<p>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></p>	<p>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</i></p>		<p><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></p>

## Richland County Rules & Strategic Planning Standing Committee

			<i>position by the County board, who is neither an elected county officeholder nor a county employee)</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. Further, pursuant to §946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract or contracts with Crawford County involving the receipts or disbursements of more than \$15,000 in any year.</i>			9/1/22: <i>An official or employee or a business in which an official or employee holds a 10% or greater interest may not enter into a contract with the County or the formation of a contract or contracts with Richland County involving the receipts or disbursements of more than \$15,000 in any year.</i>
<b>Email Policy</b>					12/1/22: <i>No action taken</i>

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

<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: <i>A member of the County Board who has a financial interest in any proposed action before the County Board shall disclose the nature and extent of such interest to the County Clerk and the County Board prior to or during the initial discussion of such action and shall refrain from participating in the discussion of and/or voting on such action. A member of the County Board shall request to be excused by the Board or Committee chairperson for the duration of any deliberations concerning such action in which the member has a financial interest. Any other official or employee who has a financial interest in any proposed action before the County Board, and who participates in discussion with or gives an official opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board.</i>	Iowa County example: <i>A county official who has a substantial financial interest in a matter pending before the body of which he or she is a member shall disclose the nature of the interest. The disclosure shall be made on the record before the body, or if there is no formal record, in writing to the body.</i>		10/6/22: <i>A county official or employee who has a financial interest in a matter pending before a body shall disclose the nature of the interest and may not discuss the matter unless invited by the body. A county official may not vote on a matter in which they have a financial interest.</i>
<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</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</i>

## Richland County Rules & Strategic Planning Standing Committee

		<i>County officer or employee or to any person employing or retaining services of the County officer or employee.</i>			<i>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	<i>Crawford County example: No official or employee shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to his knowledge is interested in business dealings with the County nor shall any such official or employee accept any gift, favor or thing of value that may tend to influence him in the discharge of his duties or grant in the discharge of his duties any improper favor, service or thing of value. EXCEPTION. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.</i>	<i>Iowa County example: No county official, county employee or citizen member may solicit or accept from any person directly or indirectly, anything of value if it could reasonably be expected to influence official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the county official, county employee or citizen member.</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>	<i>10/6/22: 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**

<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 policy on nepotism in the Employee Handbook	Crawford County example: <i>(1) No person shall be employed, promoted, or transferred to any department, division, or work unit when, as a result, the employee would be directly supervising or receiving direct supervision from a related person. (2) "Related person" shall</i>			11/2/22: <i>Refer to the Employee Handbook</i>



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

		<i>mean spouse, parents, children, siblings, grandparents, grandchildren, father-in-law, mother-in-law, stepchildren, stepparents and any person sharing the employee's residence.</i>			
<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 written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or</i>			11/2/22: <i>Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.</i>

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

		<i>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 practices and policies of the County.</i>			11/2/22: <i>Referred to Standing Committees for input on the Crawford/Sauk County example.</i>  2/2/22: <i>An official shall not use County-owned property unless authorized by their supervisor.</i>
<b>Social Media Policy</b>	While not in ordinance, the County has a policy on social media adopted in 2014				12/1/22: <i>Refer to social media policy</i>
<b>Topic</b>	<b>Current Ordinance</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Committee Recommendation</b>

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<b>Ethics Ordinance Process</b>					
<b>Advisory Opinions</b>	<p>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.</p>	<p>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></p>	<p>Iowa County example: <i>(see 701.24 in Attachment B)</i></p>		<p>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></p>
<b>Complaint Procedure</b>	<p>See 8 (a) through (f) in Attachment A.</p>	<p>Crawford/Sauk County example: <i>The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to</i></p>	<p>Iowa County example: <i>All complaints regarding violations of this ordinance shall be made in writing and submitted to the county clerk who shall deliver them to the chairperson of the ethics board.</i></p>		<p>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 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,</i></p>

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		<p><i>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></p>			<p><i>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>
<p><b>Investigation Procedure</b></p>	<p><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></p>	<p>Crawford/Sauk County example: (see section 4.69 (3), (4), (5) (b) and (c))</p>	<p>Iowa County example: (see sections 701.22 and 701.23 in Attachment B)</p>		<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> <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</i></p>

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

					<i>the Board has announced its final determination on rehearing.</i>
<b>Enforcement</b>	<p><i>If, after having investigated the matter and having heard from the alleged violator, the Ethics Board shall decide if this Ordinance has been violated and the appropriate penalty to assess against the violator. The matter shall then be referred to the Corporation Counsel for prosecution, if necessary. In appropriate cases, the Board shall report possible violations of the criminal law to the DA.</i></p> <p><i>Penalties for violations, which shall be determined by the Ethics Board, shall include a) Withholding of the payment of salary or expense from the violator, and/or b) A forfeiture of not less than \$100 or more than \$1,000 for each violation of the Ordinance, plus Court costs.</i></p>	<p><b>Crawford/Sauk County example:</b> <i>If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Ethics Inquiry Board shall refer its findings and recommendation to the County Board, or in the case of an employee, to the Personnel Committee. The Board may make the following recommendations:</i></p> <p><i>1. Recommend that the County Board order the officer or employee to conform his or her conduct to the Ethics Code or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.</i></p> <p><i>2. The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of §19.59 Wis. Stats.</i></p>	<p><b>Iowa County example:</b> <i>(see section 701.26 in Attachment B)</i></p>		<p><i>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:</i></p> <p><i>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.</i></p> <p><i>2. The Ethics Inquiry Board may also refer the matter to the Corporation Counsel or District Attorney to commence enforcement.</i></p>

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

**Attachments and References:**

Attachment A: Current Ethics Ordinance	Attachment B: Other County Ordinances
Attachment C: Draft Ethics Ordinance	Attachment D: Committee Structure Document

**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  
 (applicable)

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

CHAPTER 19

GENERAL DUTIES OF PUBLIC OFFICIALS

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SUBCHAPTER I

OFFICIAL OATHS AND BONDS

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

STATE OF WISCONSIN,  
County of ....

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

.... ..

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

....(Signature)....,

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This section unambiguously limits punitive damages claims under sub. (3) to mandamus actions. The mandamus court decides whether there is a violation and, if so, whether it caused actual damages. Then, the mandamus court may consider whether punitive damages should be awarded under sub. (3). *The Capital Times Company v. Doyle*, 2011 WI App 137, 337 Wis. 2d 544, 807 N.W.2d 666, 10–1687.

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

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

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

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

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

**History:** 1981 c. 335.

### SUBCHAPTER III

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

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

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

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

#### **19.42 Definitions. In this subchapter:**

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

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

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

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

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

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

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

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

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

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

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

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

(7) “Immediate family” means:

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

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

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

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

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

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

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

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

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

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

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

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

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

(10) “Official required to file” means:

- (a) A member or employee of the elections commission.
- (ab) A member or employee of the ethics commission.
- (b) A member of a technical college district board or district director of a technical college, or any individual occupying the position of assistant, associate or deputy district director of a technical college.
- (c) A state public official identified under s. 20.923 except an official holding a state public office identified under s. 20.923 (6) (h).

(d) A state public official whose appointment to state public office requires the advice and consent of the senate, except a member of the board of directors of the Bradley Center Sports and Entertainment Corporation created under ch. 232.

(e) An individual appointed by the governor or the state superintendent of public instruction pursuant to s. 17.20 (2) other than a trustee of any private higher educational institution receiving state appropriations.

(f) An auditor for the legislative audit bureau.

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

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

(i) A municipal judge.

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

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

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

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

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

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

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

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

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

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

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

(13) “State public office” means:

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

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

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

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

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

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

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

(h) A municipal judge.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **19.59 Codes of ethics for local government officials, employees and candidates. (1)**

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

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

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

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

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

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

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

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

(g) 1. In this paragraph:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

economic interests in accordance with the requirements of the ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **CODE OF ETHICS**

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

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

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

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

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

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

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

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

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

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

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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.

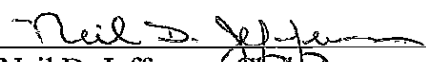
**701.26 SANCTIONS.** (1) Violation of any provision of this code should raise conscientious questions for the official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the County of Iowa. If the ethics board determines that an official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

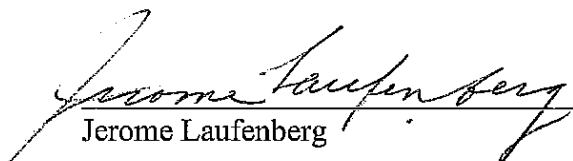
- (a) In the case of an official who is an elected county board supervisor, that the county board consider sanctioning, reprimanding, censuring or expelling the person;
- (b) In the case of a citizen member, the county board or other appointing authority consider removing the person from the administrative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

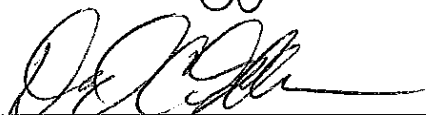
(2) In addition to the sanctions available under sub. (1), any official or employee violating the provisions of this section shall be subject to a non-reimbursable forfeiture of not more than one hundred dollars (\$100).

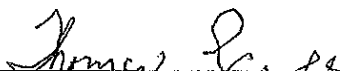
**701.27 SEVERABILITY.** The provisions of this chapter are severable. If any provision of this chapter is held to be invalid or unconstitutional or if the application of any provision of this chapter to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect 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.

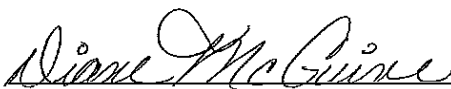
Respectfully submitted for consideration by the Committee on Salary & Personnel, Neil D. Jefferson, Chairman.

  
 \_\_\_\_\_  
 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

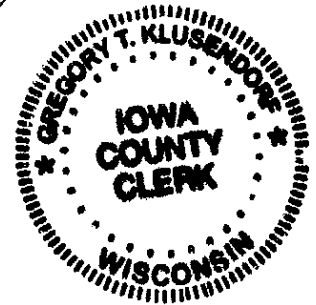
ATTEST:

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.

- 
- (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.

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

## Richland County Rules & Strategic Planning Standing Committee

### 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. Authority

This ordinance is established pursuant to Wis. Stat. § 19.59(1m)-(s).

#### 2.3. 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 decisions and policies be made ~~in~~ through 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. 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, ~~or maintain investments other than official duties~~, in order to support themselves or their families and to maintain a continuity of professional, ~~or business or investment activity, or may need to maintain investments which activities or investments and are free to do so as long as those activities~~ do not conflict with the specific provisions of this code.

#### 3.4. Positions Covered

**Commented [MW1]:** Pointing to the overarching state statute helps in interpretation in case there are any fringe cases not covered by the ordinance itself.

**Commented [SML2R1]:** This looks like a good reference.

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**Commented [MW3]:** I think the intent is for "County officials" to be the correct term. I've found a number of places where the C isn't capitalized, and may not catch them all.

**Commented [SML4R3]:** There are some lower case "c" letters remaining, but I think they are referring less to Richland County officials, and more generically the position of a county official.

## Richland County Rules & Strategic Planning Standing Committee

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.

### 4.5. ~~Governing Body~~The Ethics Board

The Ethics Board ~~shall carry out this ordinance, and~~ shall be a committee of the County Board which shall have all the duties and authority granted a municipal ethics board found in statute or ~~within has been assigned the duties of the Ethics Board this ordinance.~~ Members of the Ethics Board shall be appointed by...

### 5.6. ~~Topics Covered~~General Provisions

The following ~~topics~~ are subjects 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 bodies (i.e., committees, boards, commissions).~~

#### 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 financial interest is any interest which yields, directly or indirectly, a monetary or other material benefit to a County official or to any person employing or retaining services of a County official. A eCounty 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 eCounty 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

A gift or thing of value is 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.

An County 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

**Commented [MW5]:** This should be defined, unless you're planning to either keep the Committee Structure Document as is, or amend it to dictate the appointment procedure there.

Edit: Actually, the Committee Structure explicitly refers to the ordinance you're repealing here, so an amendment to the CSD is needed regardless.

**Commented [SML6R5]:** I believe we want to keep this section as is, and amend the committee structure document.

**Commented [MW7]:** Only standing committees?

**Commented [SML8R7]:** I think you're correct, it's probably broader than that. Although what defines a County committee from another agency's committee? I'm not sure we need to answer that, but the risk is this could be interpreted too broadly.

**Commented [MW9]:** I'm honestly not sure the business part of this is enforceable, or at least not as written. You have the authority to govern the conduct of Board members, but just because a Board member owns interest in a business doesn't necessarily empower you to govern its conduct. If you want to keep it in I'll need to research the issue further.

**Commented [SML10R9]:** If you could research it further that would be helpful. This language (re: 10% interest in a business) came from the Crawford and Sauk County ordinances. I believe the origins of their definition could come from Statute 19.42 (2) "Associated," when used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer, or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10 percent of the outstanding equity or of which an individual or a member of his or her immediate family is an authorized representative or agent." Perhaps we should change "business" to "organization."

**Commented [MW11]:** Unless the intent is to narrow the parties capable of having a financial interest, why reinvent the wheel? You should consider modifying the language used in state statute:

"...to a County official, a member of their immediate family, or to an organization with which an official is associated."

**Commented [SML12R11]:** This looks like a good edit to me. "Organization" is further defined in state statute as "any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic." Perhaps that should be included as well?

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## Richland County Rules & Strategic Planning Standing Committee

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

Privileged information is 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.

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*).

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 immediate family is their 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

An official shall not use County-owned property unless authorized by their supervisor.

h. Social Media

Refer to Social Media Policy.

### 6.7. 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.

### 7.8. Complaint Procedure

**Commented [MW13]:** What about for the Board? My immediate thought is the Vernon Board - when debating hiring his sister as County Administrator, one of the Board members recused himself from those discussions.

**Commented [SML14R13]:** I'm not sure how we should handle this. Here is our policy on nepotism in the Employee Handbook: 9. Policy on Nepotism:

- 1.If a department head becomes aware that a person in a supervisory position in his or her department is a relative, significant other or domestic partner of a subordinate of that supervisor, the department head shall immediately report that fact to the County Administrator;
- 2.Any full-time or part-time County employee or supervisor must inform the person's department head within 30 days of the person becoming a relative, significant other or domestic partner of a supervisor or subordinate in the same department of County government;
- 3."Relative" means spouse, parent, grandparent, grandchild, child, brother, sister, niece, nephew, aunt and uncle;
- 4."Significant other" means a person with whom the employee co-habits;
- 5.A registered domestic partner is defined as one who is registered either with the State of Wisconsin or Employee Trust Funds.
- 6.Applicants for County positions shall not be hired if the employment would place the applicant in the situation described in paragraph a herein.
- 7.No County employee shall be assigned, transferred or promoted if the resulting employment would place the employee in the situation described in paragraph a herein.

... [1]

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**Commented [MW15]:** Per state statute, there's no qualifier, which actually seems like a pretty big oversight.

**Commented [SML16R15]:** Yes, I don't think it hurts to take out this qualifier

**Commented [MW17]:** State statute doesn't have a qualifier. It is allowable for our ordinance to differ from the statute, but in this case I wouldn't recommend it. We're obligated by the state statute either way, might as well be upfront about it in the ordinance.

**Commented [MW18]:** Isn't this what they're requesting from us? I don't want to obligate someone who doesn't feel comfortable making such an interpretation, and in my experience those who do have an interpretation already are going to share it regardless.

**Commented [SML19R18]:** Correct. So I think this section can be deleted as well.

## Richland County Rules & Strategic Planning Standing Committee

- 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 of its receipt. 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-c.~~ 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 contained in the complaint, the complaint shall be referred to a fact-finding hearing pursuant to sections 8c and 8d below before the Ethics Board.

~~b-d.~~ 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.

~~e.~~ 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-e.~~ 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 Wis. Stat. § 885.01, Wis. Stats. The Ethics Board may also administer oaths.

Within 10 businesswork 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.

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Commented [MW20]: We should have this prepared ahead of time.

Commented [SML21R20]: Can you prepare these to put them in the ordinance?

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Commented [MW22]: Is not investigating a complaint taking action on it? Maybe rephrase the second line to something like, "no action will be taken against the subject of such an investigation if the complaint was filed more than one year after the alleged violation of the Ethics Code."

Commented [SML23R22]: This looks like a good edit to me.

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Commented [MW24]: If everything prior to this point has been confidential, what would the Board be issuing a statement on?

Commented [SML25R24]: I'm not sure, I'm curious to hear what the committee thinks.

## Richland County Rules & Strategic Planning Standing Committee

No recommendation of the Ethics Board becomes effective until 20 businesswork days after it is issued, ~~or~~ while an application for rehearing or rehearing before the Board is pending, or after the Board has announced its final determination on rehearing. Appeals may be requested to the full County Board.

### 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, or be issued a private ~~or~~reprimand, public reprimand, ~~and i.~~ In the case of an employee the Board may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.
- b. If Wis. Stat. § 19.59 (1) has been violated, ~~The Ethics Board may also refer the matter to the Corporation Counsel or~~ District Attorney to commence enforcement.

**Commented [MW26]:** So here we have an exercise in Federalism: I don't actually have any enforcement powers unless you give them to me. The state code of ethics is enforced by the District Attorney. As written, the only penalty for violations of this code is the issuance of a recommendation by the Ethics Board and whatever consequence that might carry. The statute does allow for imposition of forfeitures of not more than \$1,000 , with the option to set a \$100 minimum, within the county code, if that what you'd like to do. Otherwise we should remove "the Corporation Counsel or" from this line.

**Commented [SML27R26]:** I don't see in statute where we can give the Corporation Counsel the power to enforce.

I'm not sure how we should handle this. Here is our policy on nepotism in the Employee Handbook: 9. Policy on Nepotism:

1. If a department head becomes aware that a person in a supervisory position in his or her department is a relative, significant other or domestic partner of a subordinate of that supervisor, the department head shall immediately report that fact to the County Administrator;
2. Any full-time or part-time County employee or supervisor must inform the person's department head within 30 days of the person becoming a relative, significant other or domestic partner of a supervisor or subordinate in the same department of County government;
3. "Relative" means spouse, parent, grandparent, grandchild, child, brother, sister, niece, nephew, aunt and uncle;
4. "Significant other" means a person with whom the employee co-habits;
5. A registered domestic partner is defined as one who is registered either with the State of Wisconsin or Employee Trust Funds.
6. Applicants for County positions shall not be hired if the employment would place the applicant in the situation described in paragraph a herein.
7. No County employee shall be assigned, transferred or promoted if the resulting employment would place the employee in the situation described in paragraph a herein.
8. The County Administrator is hereby authorized and directed to arrive at a reasonable solution to the relationship described in paragraph a herein, while making every effort to have each affected County employee continue in his or her County employment.
9. This subsection shall not apply to temporary, casual or call-in County employees.



- d. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) an annual inspection of inventories and buildings so they can establish policies related thereto.
- e. Effect the appraisal of real property to be sold by the County.
- f. Review and make the final decision on requests by citizens and citizen groups to use major portions of the Courthouse and/or the Courthouse grounds.
- g. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding security matters relating to the Courthouse building and grounds and the Courthouse parking lot. An exception on this matter is outlined under the Court Security Committee, which is responsible for oversight on security matters related to circuit court facilities.

**RICHLAND CENTER LIBRARY BOARD**  
*(reports to Finance & Personnel Standing Committee)*

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

**RICHLAND CENTER PARK BOARD**  
*(reports to Fair, Recycling, and Parks Standing Committee)*

One Supervisor is, by tradition, appointed to this Board by the Chair of the County Board, subject to approval by the County Board, and this Supervisor shall be selected from the Supervisor members of the Fair, Recycling, and Parks Standing Committee.

**RULES AND STRATEGIC PLANNING STANDING COMMITTEE**

- A. Nine members consisting of:
  - 1. The County Board Vice Chair (who shall serve as Chair of the Rules and Strategic Planning Standing Committee)
  - 2. The County Board Chair (who shall serve as Vice Chair of the Rules and Strategic Planning Standing Committee)
  - 3. Education Standing Committee (Designee by committee vote)
  - 4. Fair, Recycling, and Parks Standing Committee (Designee by committee vote)
  - 5. HHS & Veterans Standing Committee (Designee by committee vote)
  - 6. Land & Zoning Standing Committee (Designee by committee vote)
  - 7. Pine Valley & Child Support Standing Committee (Designee by committee vote)
  - 8. Public Safety Standing Committee (Designee by committee vote)
  - 9. Public Works Standing Committee (Designee by committee vote)
  
- B. Acts as the Rules & Resolutions Committee and Ethics Board as follows:
  - 1. Review and recommend any changes regarding the Richland County Board Rules.

2. Review and introduce any Resolutions not sponsored by a County body for action by the County Board.
  3. The committee shall provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) over County administrative affairs in general with a view of bringing about proper coordination and cooperation between the various departments and agencies in the County to the end that the best business practices may be observed; that due efficiency may be maintained; and that the interests of the citizens of the County may best be served, and as such recommend changes regarding the Richland County Board Body Structure to the County Board.
  4. Deal with the disposal or destruction of County records under Ordinance No. 99-11.
  5. Administer and enforce the Code of Ethics set forth in Ordinance No. 06-28 as that Ordinance has been or may be amended.
- C. Acts as the Strategic Planning Committee as follows:
1. Proposes changes to the Strategic Plan for County Board consideration.
  2. Monitors progress on the Strategic Plan.
  3. Recommends trainings and programs that educate County Board members.
- D. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the Richland County Comprehensive Plan.

**SOUTHWEST WISCONSIN COMMUNITY ACTION PROGRAM**  
*(reports to HHS & Veterans Standing Committee)*

One County Board Supervisor shall be recommended for appointment to serve on this Board by the County Board Chair, subject to County Board confirmation.

**SOUTHWEST WISCONSIN LIBRARY SYSTEM BOARD**  
*(reports to Finance & Personnel Standing Committee)*

Two members, one of whom shall be a County Board Supervisor and one who shall be a citizen member. The citizen member shall be recommended by the Administrator for appointment and confirmed by the County Board, and the County Board Supervisor shall be recommended by the County Board Chair for appointment and confirmed by the County Board.

**SOUTHWEST WISCONSIN REGIONAL PLANNING COMMISSION**  
*(reports to Rules & Strategic Planning Standing Committee)*

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

**SYMONS NATATORIUM BOARD**  
*(reports to Finance & Personnel Standing Committee)*

- A. Two County Board Supervisors and the County Board Chair, or his or her designee, shall be appointed to this Board. The County Board Chair shall recommend the two County Board Supervisors to be appointed, subject to County Board confirmation.

## Richland County Rules & Strategic Planning Standing Committee

**Agenda Item Name:** Public Works and Education Committee responsibilities

<b>Department</b>	County Board	<b>Presented By:</b>	Marty Brewer
<b>Date of Meeting:</b>	3/2/23	<b>Action Needed:</b>	
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<u>B3</u>
<b>Date submitted:</b>	2/28/23	<b>Referred by:</b>	None

**Recommendation and/or action language:**

**Background:**

Chair Brewer requested this agenda item to discuss the maintenance oversight of buildings under both the Public Works and Education Standing Committees. Attached is a map and list of buildings and properties owned by Richland County (see Attachment A) and the committee structure document with areas **highlighted in yellow** where committees have explicit authority to oversee building maintenance (see Attachment B).

**Attachments and References:**

08A: County Properties	08B: Committee Structure
------------------------	--------------------------

**Financial Review:**

(please check one)

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

**Approval:**

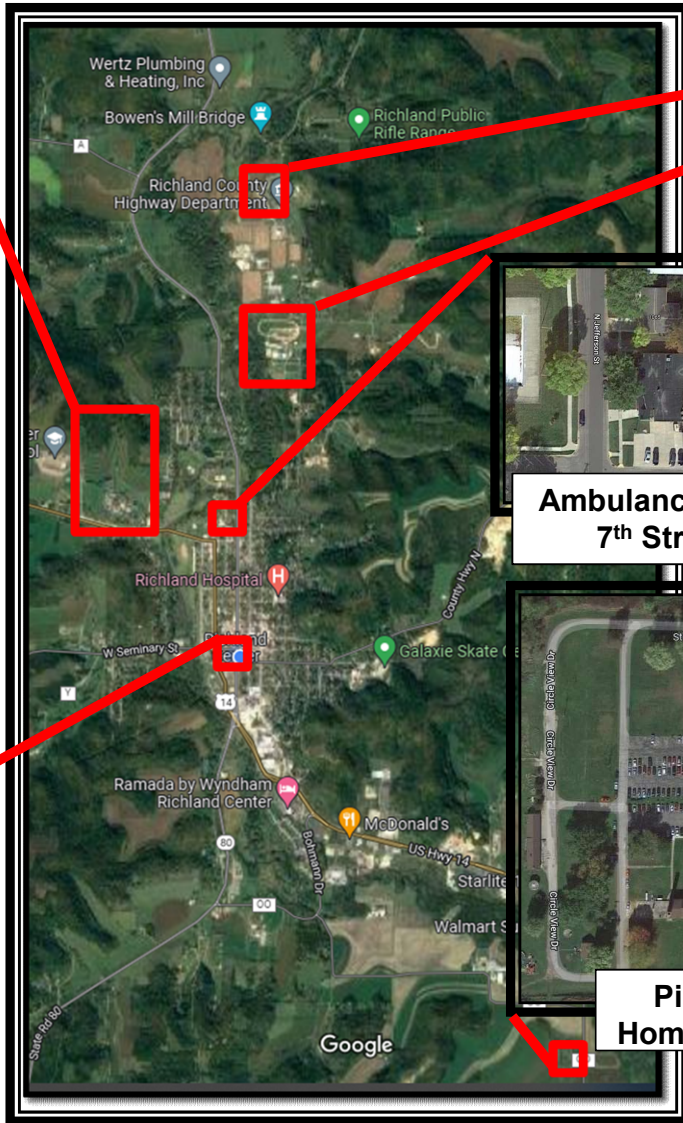
**Review:**

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

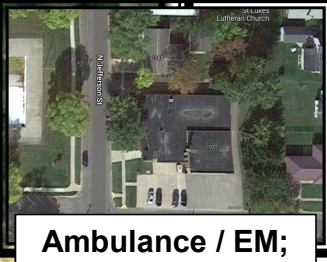
\_\_\_\_\_  
Administrator, or Elected Office (if applicable)

# Footprint

**Symons and Campus; HWY 14**



**Ambulance / EM; 7th Street**



**Fairgrounds; 23630 CTY RD AA**



**Highway; 120 Bowen Circle**



**Tri County Airport; HWY JJ**



**Pine Valley Home; HWY OO**



**HHS, Courthouse and Jail; Seminary St.**



# Foot Print

Additional properties owned and operated by the county include parks and trails. More information on these can best be found through the Richland County Website at: <https://parkscommission.co.richland.wi.us/county-parks/>

The county also owns a collection of other properties including a rifle range, queries, many miles of county trunk road, etc.

## RICHLAND COUNTY PARKS COMMISSION

HOME PARKS PUBLIC PROPERTY POINTS OF INTEREST AGENDAS & MINUTES NEWS CONTACT

### County Parks

Click on the Name of the County Park below for more information.

- [Ash Creek Community Park](#)
- [Orion Boat Landing](#)
- [Pier Natural Bridge Park](#)
- [Port Andrews Boat Landing](#)
- [Viola County Park](#)

**RECENT NEWS**

- [Invitation to Bid on Resurfacing County portion of Bike Trail](#)
- [Invitation to bid on mowing the parks](#)
- [Invitation to bid on Mowing Pine River Recreational Trail \(Bike Path\)](#)

**GENERAL INFORMATION**

Parks Commission  
26136 Executive Ln  
Richland Center WI 53581  
Phone: 608-647-2100

**PARKS COMMISSION MEMBERS**

Timothy Gottschall	John Collins
Eric Siemandel	Cindy Chicker
Kerry Severson	Gary Manning
Danielle Cooper	

# **RICHLAND COUNTY BOARD COMMITTEE STRUCTURE**

(Amended January 17, 2023)

## **ADRC OF EAGLE COUNTRY REGIONAL BOARD**

*(reports to HHS & Veterans Standing Committee)*

- A. Outside board that oversees the regional ADRC, administered by Juneau County.
- B. One County Board supervisor from the HHS & Veterans Standing committee shall be recommended for appointment by the County Board Chair, with confirmation by the County Board.

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

*(reports to HHS & Veterans Standing Committee)*

- A. This committee shall consist of eleven members as follows:
  1. At least 51% of the members shall be at least 60 years old;
  2. At least 2 members representing adults with disabilities;
  3. At least 1 member representing adults challenged by mental health and/or substance abuse disorders;
  4. At least 1 member representing disabled youth transitioning into adult services;
  5. At least 1 member representing service providers;
  6. At least 2 members shall be County Board Supervisors.
- B. 6 of the initial appointments shall be for 2 years and 5 shall be for 1 year. All subsequent appointments shall be for 2 years.
- C. Citizen members recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- D. The Commission on Aging and Disability is the citizen advisory body of the Richland County Aging and Disability Resource Center Unit and Health and Human Services Board in matters relating to those citizens over age 60 and those citizens over age 18 and under 60 who are disabled physically, developmentally, and/or challenged by mental health or substance abuse disabilities in Richland County. Wisconsin State Statute 46.82(4) covers the requirements and comply with the federal aging funding that the County receives.
- E. The Powers and Duties of the Commission on Aging and Disability are:
  - a. Advise the Aging and Disability Resource Center Unit on the development and implementation of the County Aging Plan and ADRC Service Plan.
  - b. Provide financial oversight for the Aging and Disability Resource Center Unit.
  - c. Ensure that the terms of the Aging and Disability Resource Center state/county/Area Agency on Aging contract are fulfilled.
  - d. Collect information on the needs of older adults and adults with disabilities and make recommendations to Aging and Disability Resource Center Unit Staff.
  - e. Monitor progress on implementation of the Aging and Disability Resource Center Unit Plan.

- f. Serve as an advisory group and approve a Community Options Plan for participation in the program and plan updates as they are made.
- g. Educate older people and adults with disabilities on issues of importance to them.
- h. Advocate for the rights of older people to the Area Agency on Aging – District I, Aging and Disability Resource Center Unit, Legislators and other elected officials of the County, State and Federal governments and to older populations.
- i. Advocate for the rights of adults with disabilities to the Aging and Disability Resource Center Unit, Legislators and other elected officials of the County, State and Federal governments and to adult populations.
- j. React to and comment on concerns transmitted from the Health and Human Services Board and Aging and Disability Resource Center Unit.
- k. Assure input from consumers, service providers, and local constituents in the general policies, procedures, practices, and goals of the Aging and Disability Resource Center Unit.
- l. Study specific problems facing elders and adults with disabilities and make recommendations to the County Board, Health and Human Services Board and Aging and Disability Resource Center Unit.
- m. Review and advise the Health and Human Services Board and Aging and Disability Resource Center Unit on budgetary and programmatic issues.
- n. Report to local adult and senior clubs and other adult and senior organizations on information and issues relevant to senior citizens and adults with disabilities.
- o. Serve on committees as needed.
- p. Attend regular Commission on Aging and Disability meetings.

**(JOINT) AMBULANCE COMMITTEE**

*(reports to Finance & Personnel Standing Committee)*

- A. 16 members, consisting of 1 from each of the 10 participating towns, 1 each from the Village of Boaz and the Village of Yuba, 1 from the City Council of the City of Richland Center and the Mayor, two County Board Supervisors (appointed by recommendation of the County Board Chair) ;
- B. Provide oversight and advice provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operation of the County Ambulance Service.
- C. Monitor the actual vs. approved annual budget in funds managed by the Ambulance Department on a minimum quarterly basis.

**AMERICANS WITH DISABILITY ACT COMPLIANCE COMMITTEE *(reports to Public Works Standing Committee)***

- A. 7 members composed as follows:
  - 1. the Vice Chair of the County Board;
  - 2. two Supervisors;
  - 3. one disabled individual;
  - 4. a representative from the business or non-profit community;

5. a representative from education;
  6. a representative from the medical/health profession.
- B. Citizen members recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
  - C. The committee shall hear appeals from action taken by the Americans with Disability Coordinator.
  - D. Members shall be paid mileage and per diems for their attendance.
  - E. Maintain a written self-evaluation for approval by the County Board to ensure that the County's delivery of services and programs is in compliance with the Americans with Disabilities Act.
  - F. Administer and review the procedure for the filing of complaints under the Americans with Disabilities Act and develop a written self-evaluation for the purpose of bringing the County's hiring and appointment procedures into compliance with the Americans with Disabilities Act.
  - G. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding a facilities plan and a transition plan for approval by the County Board relative to bringing all County owned or operated buildings and facilities into compliance with the Americans with Disabilities Act.

## **BRANDING COMMITTEE**

*(reports to Rules & Strategic Planning Standing Committee)*

- A. This committee consists of 9 members being as follows:
  1. Two County Board members (one of whom will serve as chair)
  2. Two County Department heads
  3. Three community members
    - a. A high school student
    - b. A business sector representative
    - c. A representative of art
  4. Two village representatives
- B. Citizen members recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- C. The committee will assist with the development of a County Branding Manual covering details of logos, motto, flag, branding elements for all road signage, vehicle signage, building signage, county department letterhead, business cards, and the website.
  1. Duties include:
    - a. To bring insight to the process from the people and profession they represent.
    - b. To help identify good process for public input.
    - c. To spread the news of this effort while speaking positively and supportively of the process.
    - d. Provide insights on design elements but they themselves do not create, design, or dictate what the brand will be or tell the design consultant what to do.



- e. Provide a recommendation of a final County Branding Manual for adoption and implementation by the County Board.

## **CHAPTER 980**

*(reports to State of Wisconsin)*

When a court orders the county to prepare a report that identifies an appropriate residence option within the county for an individual committed as a sexually violent person who has been authorized for supervised release and is a Richland County Resident, the county shall create a temporary committee to prepare a report for the county. The committee shall consist of the following:

1. The county department under s. 51.42 (Health and Human Services);
2. A representative of the Department of Health Services;
3. A local probation or parole officer;
4. The county corporation counsel or his or her designee; and
5. A representative of the county that is responsible for land use planning or the department of the county that is responsible for land information.

Wisconsin State Statutes 980.08(4)(dm) covers the requirements of the Chapter 980 Committee and can be found at: [https://docs.legis.wisconsin.gov/document/statutes/980.08\(4\)\(dm\)](https://docs.legis.wisconsin.gov/document/statutes/980.08(4)(dm)) .

## **CITIZEN PARTICIPATION PLANNING COMMITTEE**

*(reports to the Finance & Personnel Standing Committee)*

- A. This committee is a legal requirement for the use of Community Block Development Grant (CDBG) funds to complete approved CDBG projects at the Richland Center Auditorium and in the Village of Lone Rock. This committee must exist until the projects are complete, which is anticipated to be the Fall of 2020.
- B. Citizen members recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.

## **CITY COUNTY COMMITTEE**

*(reports to Rules & Strategic Planning Standing Committee)*

- A. This committee is a joint body of Richland County and the City of Richland Center that addresses issues of importance to both the County and City.
- B. Two members from the County Board consist of the County Board Chair and Vice Chair.

## **COMPREHENSIVE COMMUNITY SERVICES COORDINATION COMMITTEE**

*(reports to HHS & Veterans Standing Committee)*

1. Nine members.
2. The Committee shall consist of the following members:
  - a. 2 employees of the Richland County Department of Health and Human Services who are responsible for mental health and substance abuse services;
  - b. 1 service provider(s);
  - c. 1 community mental health and substance abuse advocate(s);
  - d. 4 consumers;

- e. 1 family members and interested citizens. At least one-third of the members of the Committee shall be consumers and no more than one-third of the members may be County employees or providers of mental health or substance abuse services.

3. Members recommended by the Administrator for appointment and confirmed by the County Board.

4. The duties of the Committee are:

Review and make recommendations regarding: the initial and any revised Comprehensive Community Services Plan; Comprehensive Community Services quality improvement plan; personnel policies and other policies, practices or information that the Community Services Program and protection of consumer rights. Wisconsin Administrative Code DHS 36.09 covers the requirements for this advisory committee to the CCS program (a Medicaid behavioral health program) and can be found at <https://docs.legis.wisconsin.gov/document/administrativecode/DHS%2036.09>.

- 5. The Committee shall meet at least quarterly.
- 6. Members shall serve 3-year staggered terms after serving a 2-year initial appointment.
- 7. All members, except County employees, shall be paid mileage and a per diem for their attendance.

**COORDINATED SERVICES TEAM (CST) COORDINATING COMMITTEE**  
*(reports to HHS & Veterans Standing Committee)*

- A. This committee covers two programs; the Coordinated Services Team (CST) Initiative and the Children’s Community Options Program (CCOP). Wisconsin Statutes 46.56(3) covers the requirements for the CST Committee [\[https://docs.legis.wisconsin.gov/document/statutes/46.56\(3\)\]](https://docs.legis.wisconsin.gov/document/statutes/46.56(3)) and Wisconsin Statutes 46.272(4) which covers the Children’s Community Options Program (CCOP) advisory committee [\[https://docs.legis.wisconsin.gov/document/statutes/46.272\(4\)\]](https://docs.legis.wisconsin.gov/document/statutes/46.272(4)).
- B. The Coordinated Services Team (CST) Coordinating Committee meets the requirements for CST and CCOP Programs.
- C. Members recommended by the Administrator for appointment and confirmed by the County Board, which shall include representatives from:
  - a. The county department responsible for child welfare and protection services or, for an initiative established by a tribe, the tribal agency responsible for child welfare and protection services.
  - b. The county department responsible for mental health and alcohol and drug abuse services for children and families or, for an initiative established by a tribe, the tribal agency responsible for these services.
  - c. The county department responsible for providing services for children who have developmental disability or, for an initiative established by a tribe, the tribal agency responsible for providing these services.
  - d. The juvenile court administrator or another representative appointed by the judge responsible for cases heard under chs. 48 and 938 or, for an initiative established by a tribe, a representative of the tribal court.
  - e. The largest school district in the county and any cooperative educational service agency, if it provides special education in the county, or any county children with disabilities education board in the county, and any other school district in the county that is willing to participate in the initiative, at the discretion of the administering agency. For an initiative established by a tribe, the coordinating committee shall include a representative of the school district serving

the majority of pupils who reside on the reservation of the tribe or on trust lands held for the tribe and any cooperative educational service agency providing special education services to these pupils.

- f. The agency responsible for economic support programs.
- g. The local health department.
- h. Persons in the service area who provide social or educational services to children who have disabilities other than the providers above.
- i. At least 2 parents, or the number that equals 25 percent of the coordinating committee's membership, whichever is greater, of children who are involved in 2 or more systems of care including: parents of children with disabilities including, if possible, parents from families that participate in the children's community options program. To the maximum extent possible, the parents shall be representative of the various disability, racial, and ethnic groups in the service area. The members specified under this subdivision shall constitute a majority of the membership of the committee.

### **CRIMINAL JUSTICE COORDINATING COMMITTEE**

*(reports to Public Safety Standing Committee)*

A. Thirteen members consisting of the following:

Circuit Court Judge

Director of the Department of Health and Human Services

District Attorney

Sheriff

Chief of Police of the City of Richland Center

One County Board Supervisor

Mayor of the City of Richland Center

Public Defender

Probation Agent

Director of Passages

Child Support Administrator

Clerk of Circuit Court

President of the Richland County Ministerial Association

B. Study the Richland County juvenile and criminal justice system; identify deficiencies and formulate policy, plans and programs for change; communicate and present planning, financial, operational, managerial and programmatic recommendations to the agencies which administer the juvenile and criminal justice system in Richland County; provide coordinated leadership necessary to establish cohesive policies which are based on research, evaluation and monitoring of policy decisions and program implementations for innovative corrections programs for adult and juvenile offenders; review, evaluate and make policy recommendations on vital criminal justice system

issues.

C. All members except the County Board Supervisor member may designate an alternate to attend a

meeting or meetings of the Committee. The County Board Chair shall recommend the County Board Supervisor member for appointment, with confirmation by the County Board.

D. The term of all members shall be 6 years from January 1, 2017, and

E. The following members or their designees are entitled to be paid a per diem and mileage for their attendance at meetings of the Committee;

County Board Supervisor;

Mayor of the City of Richland Center;

Director of Passages;

President of the Richland County Ministerial Association.

### **COURT SECURITY COMMITTEE**

*(reports to Public Safety Standing Committee)*

A. Wisconsin Supreme Court Rule (SCR) 68.05 establishes the authority of a judge to operate a Security and Facilities Committee

B. The purpose of the committee is to ensure the court system is proactively preventing violent incidents related to the facilities of the court. 23 specific policies and activities are enumerated under SCR 68.05, outlining the scope of the work of the committee.

C. The committee shall meet quarterly.

D. The presiding judge shall appoint membership composed of the following:

a. One circuit judge serving as chairperson

b. The chairperson of the County Board (or their designee)

c. The County Administrator (or their designee)

d. The Clerk of Circuit Court (or their designee)

e. The Sheriff (or their designee)

f. The District Attorney (or their designee)

g. The Wisconsin State Public Defender (or their designee)

h. A circuit court commissioner

i. One lawyer designated by the president of the local bar association. If there is no association, the presiding judge shall appoint a lawyer residing in Richland County.

j. One representative of a victim-witness support organization

k. One representative of the facilities/maintenance department

l. Such other persons as the committee considers appropriate, such as a member of the public

## **ECONOMIC DEVELOPMENT BOARD**

*(reports to Rules & Strategic Planning Committee)*

The 11-member Richland Economic Development Board consists of nine voting members, one of whom is the County Board Chair. Five voting members from the commerce sector, one member of the civic sector, and one citizen at large are appointed by the RED Board. The other voting member is the Mayor of Richland Center. Two non-voting members include the County Administrator and City Administrator. The duties of the Board are set forth in an agreement between the City and County.

## **EDUCATION STANDING COMMITTEE**

- A. 8 County Board Supervisor members recommended for appointment by the County Board Chair and confirmed by the County Board.
- B. Monitors the actual vs. proposed annual budget in funds managed by the Agriculture & UW-Extension, UW-Platteville Richland Maintenance, and UW-Platteville Richland Food Services Departments on a minimum quarterly basis.
- C. Functions as the Agriculture and Extension Education Committee in accordance with section 59.87, Wisconsin Statutes and as follows:
  1. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) on the hiring of professionally qualified persons to the University Extension Program staff in cooperation with University Extension. Vacancies and additions to the staff shall be filed in the same manner.
  2. To make available the necessary facilities and conduct programs in:
    - a. Professional and liberal education.
    - b. Human resources development.
    - c. Economic and environmental development.
    - d. Extension work provided for in an act of Congress and all acts supplementary thereto.
    - e. Any other extension work authorized by local, State or Federal legislation.
    - f. Examine and audit all claims arising under the Dog License Law, Chapter 174, Wisconsin Statutes.
- D. Functions as the UW-Platteville Richland Committee as follows:
  1. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operation, maintenance of all county buildings and land covered in the agreement with the University of Wisconsin Center System that the County is responsible for.
  2. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operation and maintenance of the Food Service System.
  3. Promotes the campus as a higher education and cultural center for Richland County.

## **FAIR, RECYCLING, AND PARKS STANDING COMMITTEE**

- A. Ten members, four of whom shall be Supervisors and six of whom shall be citizen members. The Chair shall be a County Board Supervisor.

- B. Citizen members recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- C. Working with the County Administrator and Finance & Personnel Standing Committee, recommend a staffing and volunteer plan for sustainable operation of the County Fair and Parks to be incorporated into the 2023 or 2024 budget.
- D. Monitors the actual vs. proposed annual budget in funds managed by the Fair & Recycling and Parks Departments on a minimum quarterly basis.
- E. Acts as the Fair & Recycling Committee as follows:
  - a. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operation, maintenance and use of the County Fairgrounds and buildings.
  - b. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding and control the operation of the annual County Fair.
  - c. Approve all fees recommended by the Fair & Recycling Coordinator relating to the use of the Fairgrounds, including entrance fees, rental fees, parking fees and all other fees or rental charges relating to the use of the Fairgrounds, for during the time of the County Fair and for all other times.
  - d. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding all security matters relating to the Fairgrounds.
  - e. Carry out all the duties assigned to counties as set forth in 1989 Wisconsin Act 335.
  - f. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the solid waste disposal and recycling needs of the citizens of Richland County.
  - g. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the Clean Sweep Programs to be carried out in Richland County.
- F. Acts as the Parks Commission as follows:
  - a. Term of seven (7) years, expiring in the month of June; County Board Supervisors' terms subject to reconfirmation by the County Board.
  - b. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the activities of the County Parks in accordance with Wisconsin State Statutes 27.02 through 27.06.
  - c. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the development, operation and maintenance of the Lone Rock to Richland Center railroad corridor as a recreational trail.
  - d. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding all security matters relating to County Parks.

**FINANCE & PERSONNEL STANDING COMMITTEE**

- A. Nine members consisting of:

1. The County Board Chair (who shall serve as Chair of the Finance & Personnel Standing Committee)
  2. The County Board Vice Chair (who shall serve as Vice Chair of the Finance & Personnel Standing Committee)
  3. Education Standing Committee (Designee by committee vote)
  4. Fair, Recycling, and Parks Standing Committee (Designee by committee vote)
  5. HHS & Veterans Standing Committee (Designee by committee vote)
  6. Land & Zoning Standing Committee (Designee by committee vote)
  7. Pine Valley & Child Support Standing Committee (Designee by committee vote)
  8. Public Safety Standing Committee (Designee by committee vote)
  9. Public Works Standing Committee (Designee by committee vote)
- B. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding all financial matters of the County Board for the purpose of keeping expenditures under control and within the budget adopted by the County Board, the Treasurer's recommendations for investment monies, and financial audits by outside auditors.
  - C. Monitors the actual vs. proposed annual budget in funds managed by the Administrator, County Board, Clerk, and Treasurer Departments on a minimum quarterly basis.
  - D. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) over the Administrator's recommendations for property, liability, and workers' compensation, liability and worker's compensation policies.
  - E. Annually recommend a budget for the County for submission to the County Board for its approval at the annual meeting.
  - F. This committee shall handle all matters relating to debt service issues.
  - G. This committee shall initially consider all claims made against Richland County, except claims arising under the Dog License Law, Chapter 174, Wisconsin Statutes, and shall make a recommendation to the County Board as to how to dispose of each such claim.
  - H. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding issues that arise out of the offices of the Administrator, County Clerk, Property Lister, and Treasurer.
  - I. Sell all tax deed property in the manner prescribed by the Wisconsin Statutes and as deemed appropriate by the Committee and without further approval by the County Board.
  - J. Administer the Revolving Loan Fund account in accordance with the procedures manual.
  - K. Make fund transfers between budget lines within the budgets of individual departments or committees in the annual County budget.
  - L. Recommend all proposals of lowering or raising the salary ranges, fixing the salaries, sick leave, vacation periods, holidays, working conditions, insurance for County employees, fringe benefits, deferred compensation program, family and medical leave, and leaves of absence shall be referred to the Committee only after consideration and recommendation by the concerned department head and committee. The Committee shall review and analyze such proposals and make such recommendations to the County Board as it determines appropriate.

- M. The committee shall from time to time provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding Job Analysis and Evaluations and a study of the table of operations, and if a change in any of the above is recommended, and said recommendation shall be submitted to the County Board for action.
- N. The committee shall, after recommendation by the concerned department head and committee, set working conditions, grant leaves of absence, grant promotions, settle grievances, and establish personnel rules, regulations and policy.
- O. The committee together with such professional assistance as may be provided by the Administrator, shall represent the County in collective bargaining and all other situations and procedures covered by section 111.70, Wisconsin Statutes, including the applications and interpretation of all collective bargaining agreements. The County Board shall have authority to approve or reject any and all agreements of any employee bargaining units.
- P. This committee shall provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) the amount of bonds of various county officers and employees.
- Q. This committee shall act as the Audit Committee providing oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) reports on all expense vouchers for the County Board of Supervisors and the various departments of the County, except for the Social Services Department, Pine Valley Healthcare and Highway Department for which the Audit Committee shall review the department summary sheets.

#### **HEALTH AND HUMAN SERVICES AND VETERANS STANDING COMMITTEE**

- A. 11 members, 6 of whom shall be County Board Supervisors and 5 of whom to be non-Supervisors. The Chair shall be a County Board Supervisor.
- B. Citizen members recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- C. Monitors the actual vs. proposed annual budget in funds managed by the Health & Human Services and Veterans Departments on a minimum quarterly basis.
- D. Acts as the Health & Human Services Board as follows:
  - a. Of 3 non-Supervisor members, 1 shall be a physician, 1 shall be a registered nurse and 1 shall be a consumer/family member receives or has received human services or shall be a family member of such an individual.
  - b. To provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding a program for the providing of services to the mentally ill, developmentally disabled and alcohol and other drug dependent citizens of Richland County, in accordance with section 51.42 and 51.437, Wisconsin Statutes.
  - c. Perform the duties set forth in Chapter 251, Wisconsin Statutes, and such other duties as may be imposed upon it by the County Board. Veterans Citizens appointees will not act on decisions brought to the Board of Health.
  - d. Exercise those powers and perform those duties set forth in section 46.22(2), Wisconsin Statutes, and such other duties as may be set forth in County Ordinances or Resolutions.



- e. The Board may enter into contracts on behalf of Richland County which involve the expenditure of not more than \$30,000 either at one time or within the course of one year, without prior County Board approval.
  - f. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the use and maintenance and security of the Richland County Community Services Building and parking lot.
  - g. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) as the County liaison between State and National Agencies relating to Senior Citizens funding and program activities including the Older Americans Act activities.
- E. Acts as the Veterans Service Commission as follows:
- a. 1 or 2 County Board Supervisor members shall be a veteran.
  - b. Of 2 non-Supervisor members, both shall be Richland County residents who are veterans.
  - c. Carry out the duties set for in Wisconsin Statute 45.81 regarding aid to needy veterans.
  - d. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the Veterans Service Department.
  - e. The initial term shall be a 1-year term for one new seat and a 2-year term for one new seat. After completion of the initial term, members are appointed for a 3-year term per Wisconsin Statutes, section 45.81 (1).

**HOUSING AUTHORITY**

*(reports to HHS & Veterans Standing Committee)*

- A. Five members with three citizen members recommended by the Administrator for appointment and confirmed by the County Board, and two County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- B. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) for staff who will receive funds and administer programs in Richland County of the U.S. Housing and Urban Development Department (HUD), except HUD’s Block Grant program.

**LAND AND ZONING STANDING COMMITTEE**

- A. 7 members, 6 of whom shall be County Board Supervisors and 1 of whom shall be the Farm Service Agency (FSA) Committee Chair or their FSA Committee member designee. The Chair shall be a County Board Supervisor. NOTE: Per 5 C.F.R. § 2635.702(b) a designee from FSA is prohibited.
- B. County Board Supervisor members are recommended by the County Board Chair for appointment and confirmed by the County Board. Two of the members shall be a member of the Education Standing Committee.
- C. Monitors the actual vs. proposed annual budget in funds managed by the Register of Deeds, Land Conservation, and Zoning Departments on a minimum quarterly basis.
- D. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding issues that arise out of the office of the Register of Deeds.
- E. Acts as the Land Conservation Committee as follows:

1. Perform the functions required by Chapter 92 of the Wisconsin Statutes.
2. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the functions and activities of the Richland County Department of Land Conservation.
3. The Richland County Land Conservation Committee shall submit its long-range plan and annual plan to the County Board for review and approval by the County Board.
4. Approval of the annual plan by the County Board shall constitute approval of all proposed Land Conservation committee activities and programs set forth in the annual plan, except as provided in paragraph (5) below.
5. The Chairperson of the Land Conservation Committee, or his or her designated representative, is authorized to sign contracts, memoranda of understanding or other agreements which have been approved by the Land Conservation Committee relating to Land Conservation Committee activities and programs, provided that these documents relate specifically to activities and programs described in the annual plan.
6. The Land Conservation Committee shall ensure that its annual plan contains specific and measurable objectives and procedures.
7. Notwithstanding any annual plan approval, the Land Conservation Committee may not undertake any new projects whose overall costs exceed \$30,000.00 excluding priority watershed projects as designated by the State of Wisconsin, without County Board approval.
8. If, during the course of the year, the Land Conservation Committee desires to undertake any activity or program not identified in the annual plan for the year, the Land Conservation Committee may make a special request for County Board approval of the activity or program, but may not undertake that activity or program without prior County Board approval.
9. Reviewing all applications received by the County Clerk under the Farmland Preservation Tax Credit Act (Chapter 91, Wisconsin Statutes) and making recommendations as to each such application to the County Board.
10. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the Ash Creek Community Forest.
11. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding all security matters relating to all land and buildings utilized by the Land Conservation Committee.

D. Acts as the Zoning Committee as follows:

1. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) over the County Zoning Ordinance in cooperation with the Corporation Counsel.
  - a. Richland County Zoning Ordinance
  - b. Richland County Land Division Ordinance
  - c. Shoreland/Wetland Ordinance
  - d. Floodplain Ordinance
  - e. Tri-County Airport Ordinance
  - f. County Addressing Ordinance

- g. Richland County non-metallic Mining Ordinance
- 2. Make recommendations to the County Board in all matters relating to exclusive agricultural zoning as provided in Chapter 91, Wisconsin Statutes.
- 3. Act as a liaison representative on issues concerning the Lower Wisconsin Riverway Program.
- 4. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the activities of the Richland County Land Information office members and acknowledge that any additional budgeted property tax dollars to be spent for land records modernization will require specific approval by the County Board.
- 5. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the activities of County Surveyor.

### **LAND INFORMATION COUNCIL**

*(reports to Land & Zoning Standing Committee)*

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

### **LIBRARY PLANNING COMMITTEE**

*(reports to Finance & Personnel Standing Committee)*

- A. This committee is formed every 3 - 5 years for the purpose of writing Richland County's library plan, which is required by the state. Once the plan is written the committee is dissolved until the next time the plan needs to be updated.
- B. 5 members consist of a County Board Supervisor, Southwest Wisconsin Library System Board of Trustees member, a Brewer Public Library Librarian, a Lone Rock Community Library Librarian, and a Viola Public Library Librarian.
- C. The County Board Supervisor member shall be recommended for appointment by the County Board Chair, subject to County Board approval.

## **LOCAL EMERGENCY PLANNING COMMITTEE**

*(reports to Public Safety Standing Committee)*

- A. The Local Emergency Planning Committee (LEPC) has responsibilities under Wisconsin Statute 59.54 (8)
- B. An undefined number of citizen members recommended by the Administrator for appointment and confirmed by the County Board, and two County Board Supervisor members shall be recommended by the County Board Chair for appointment and confirmed by the County Board.
- C. The composition of this Committee is fluid in that current practice is that anyone who wishes to be a member of the LEPC can be make a request to be appointed.
- D. Federal Law, the Superfund Amendments and Reauthorization Act (SARA), requires LEPCs to have at least one member from each of the following 5 Groups: Group 1 - Elected state or local official; Group 2 – Law enforcement, civil defense, firefighting, first aid, health service, hospital, local environmental organization, transportation; Group 3 – Broadcast or print media; Group 4 – Community groups; Group 5 – Owners and operators of facilities subject to the requirements of Sara Title III.

## **LONE ROCK LIBRARY BOARD**

*(reports to Finance & Personnel Standing Committee)*

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

## **MISSISSIPPI VALLEY HEALTH SERVICES COMMISSION**

*(reports to HHS & Veterans Standing Committee)*

1. One member from Richland County who shall be a member of the HHS & Veterans Standing Committee. If the member is a County Board Supervisor they shall be recommended by the County Board Chair for appointment and confirmed by the County Board. If the member is a citizen they shall be recommended by the County Administrator for appointment and confirmed by the County Board.
2. Serve as the County's representative on the commission of this non-profit corporation formed by various county governments to own and operate Lakeview Health Care Center, which accommodates nursing home residents who have specialized physical and mental health needs that are complicated by the residents' challenging behaviors.

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

*(reports to HHS & Veterans Standing Committee)*

- A. One member of this Board shall be appointed by the County Board in the usual manner for committee appointments recommended by the County Board Chair for appointment and confirmed by the County Board.
- B. This Board establishes the operating policies for the Neighborhood Housing Services of Richland County, Inc., which is a nonprofit organization dedicated to constructing, remodeling and rehabilitating residential housing throughout Richland County.

## **NUTRITION ADVISORY COUNCIL**

*(reports to Commission on Aging & Disability Board)*

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

## **PINE VALLEY & CHILD SUPPORT STANDING COMMITTEE**

- A. 7 members including 6 County Board supervisors and 1 citizen. The Chair shall be a County Board Supervisor.
- B. Monitors the actual vs. proposed annual budget in funds managed by the Pine Valley and Child Support Departments on a minimum quarterly basis.
- C. Functions as the Pine Valley Community Village Board of Trustees in accordance with section Wisconsin Statute 46.18 and as follows:
  1. One member shall be a citizen of Richland County who shall be a medical professional (meaning a doctor or a nurse).
  2. All members shall, in accordance with section 46.18(1), Wisconsin Statutes, be chosen by ballot by the County Board.
  3. The duties of the Board are, as set forth in section 46.18, Wisconsin Statutes, to provide oversight and advice regarding Richland County's nursing home, Pine Valley Healthcare and Rehabilitation Center, subject to regulations approved by the County Board, after the County Board has received the recommendations of the Board of Trustees.
  4. Provide oversight and advice regarding the physical plant and grounds at Pine Valley Healthcare and Rehabilitation Center.
  5. Provide oversight and advice regarding security matters relating to building and grounds at Pine Valley Healthcare & Rehabilitation Center.
- C. Functions as the Child Support Committee as follows:

- a. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) to the Child Support Agent in the implementation of Public Law 93-647 which sets forth a system for the collection of child support payments from parents who have abandoned their families and do not voluntarily contribute to the support of their children.

## **PUBLIC SAFETY AND JUDICIARY STANDING COMMITTEE**

- A. 7 County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- B. Monitors the actual vs. proposed annual budget in funds managed by the Clerk of Circuit Court, Coroner, District Attorney, Emergency Management, Register in Probate, and Sheriff Departments on a minimum quarterly basis.
- C. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the needs, powers and duties of the Sheriff of Richland County, their deputies and employees, and the jail.
- D. To audit all bills for expenditures within the Sheriff's department.
- E. To provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding service and maintain all equipment relative to the Sheriff's department.
- F. Present to the Board any suggestions the Committee may have concerning law enforcement and other duties required by the Sheriff's Department.
- G. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding matters pertaining to the operation of the Police Radio System.
- H. Receive, investigate and make recommendations to the County Board as to matters relating to the administration of the court system in Richland County.
- I. This committee shall provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) in matters relating to the Richland County Circuit Court, the Law Library, the Family Court Commissioner, the Register in Probate, the Clerk of Circuit Court, the District Attorney, the Corporation Counsel, the Probation and Parole Office and any other matters that may relate to the court system in Richland County.
- J. Make appropriations from the Jail Assessment Fund for construction, remodeling, repair or improvement of the County Jail, without approval from the County Board.
- K. Conduct an annual inspection of the jail.
- L. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operations of the Coroner's Office.
- M. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the security and maintenance and rental of the County's radio towers and the accompanying building and surrounding fenced grounds.
- N. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operation of the County's 911 emergency telephone response system.

- O. Act as the Emergency Management Committee in accordance with Wisconsin Statute 323.14, recommending an emergency management plan and program to the County board for adoption. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the development of the emergency management plan and programs. Approves spending decisions as to State and Federal funds granted to the Local Emergency Planning Committee. According to Wisconsin Statute 323.14 the County Board Chair shall designate the chair of the Public Safety Standing Committee when acting as the Emergency Management Committee.

## **PUBLIC WORKS STANDING COMMITTEE**

- A. 8 County Board Supervisor members recommended by the County Board Chair for appointment and confirmed by the County Board.
- B. Monitors the actual vs. proposed annual budget in funds managed by the Courthouse Maintenance, Highway, and Management Information System Departments on a minimum quarterly basis.
- C. Acts as the County Highway Committee as follows:
  - a. As allowed under Wisconsin Statute 83.015 (1)(c), members are recommended for appointment by the County Board Chair and confirmed by the County Board.
  - b. The duties of the committee shall be to function pursuant to the provisions of section 83.015, Wisconsin Statutes, and be responsible for other duties as may be imposed by the County Board. The county highway committee shall be only a policy-making body determining the broad outlines and principles governing administration and the county highway commissioner shall have the administrative powers and duties prescribed for the county highway committee under Wisconsin Statute 83.015 (2)(b).
  - c. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding all security matters relating to all buildings and grounds utilized by the County Highway Department.
- D. Acts as the oversight committee for Management Information Systems as follows:
  - a. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding technology needs of all County departments.
- E. Acts as the Property, Building, and Grounds Committee as follows:
  - a. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the operation, maintenance and janitor service of all County buildings not specifically assigned by Statutes, or by action of the Board, to other agencies or departments in the County.
  - b. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding a perpetual inventory of the real estate and buildings owned by the County.
  - c. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding utilization and repair policies of all public lands, buildings, recreation sites, access sites inclusive of all short-term public holdings of the County with the exception of the highway buildings and land.

- d. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) an annual inspection of inventories and buildings so they can establish policies related thereto.
- e. Effect the appraisal of real property to be sold by the County.
- f. Review and make the final decision on requests by citizens and citizen groups to use major portions of the Courthouse and/or the Courthouse grounds.
- g. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding security matters relating to the Courthouse building and grounds and the Courthouse parking lot. An exception on this matter is outlined under the Court Security Committee, which is responsible for oversight on security matters related to circuit court facilities.

**RICHLAND CENTER LIBRARY BOARD**

*(reports to Finance & Personnel Standing Committee)*

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

**RICHLAND CENTER PARK BOARD**

*(reports to Fair, Recycling, and Parks Standing Committee)*

One Supervisor is, by tradition, appointed to this Board by the Chair of the County Board, subject to approval by the County Board, and this Supervisor shall be selected from the Supervisor members of the Fair, Recycling, and Parks Standing Committee.

**RULES AND STRATEGIC PLANNING STANDING COMMITTEE**

A. Nine members consisting of:

- 1. The County Board Vice Chair (who shall serve as Chair of the Rules and Strategic Planning Standing Committee)
- 2. The County Board Chair (who shall serve as Vice Chair of the Rules and Strategic Planning Standing Committee)
- 3. Education Standing Committee (Designee by committee vote)
- 4. Fair, Recycling, and Parks Standing Committee (Designee by committee vote)
- 5. HHS & Veterans Standing Committee (Designee by committee vote)
- 6. Land & Zoning Standing Committee (Designee by committee vote)
- 7. Pine Valley & Child Support Standing Committee (Designee by committee vote)
- 8. Public Safety Standing Committee (Designee by committee vote)
- 9. Public Works Standing Committee (Designee by committee vote)

B. Acts as the Rules & Resolutions Committee and Ethics Board as follows:

- 1. Review and recommend any changes regarding the Richland County Board Rules.



2. Review and introduce any Resolutions not sponsored by a County body for action by the County Board.
  3. The committee shall provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) over County administrative affairs in general with a view of bringing about proper coordination and cooperation between the various departments and agencies in the County to the end that the best business practices may be observed; that due efficiency may be maintained; and that the interests of the citizens of the County may best be served, and as such recommend changes regarding the Richland County Board Body Structure to the County Board.
  4. Deal with the disposal or destruction of County records under Ordinance No. 99-11.
  5. Administer and enforce the Code of Ethics set forth in Ordinance No. 06-28 as that Ordinance has been or may be amended.
- C. Acts as the Strategic Planning Committee as follows:
1. Proposes changes to the Strategic Plan for County Board consideration.
  2. Monitors progress on the Strategic Plan.
  3. Recommends trainings and programs that educate County Board members.
- D. Provide oversight and advice (i.e., policy-making determining the broad outlines and principles governing administration) regarding the Richland County Comprehensive Plan.

### **SOUTHWEST WISCONSIN COMMUNITY ACTION PROGRAM**

*(reports to HHS & Veterans Standing Committee)*

One County Board Supervisor shall be recommended for appointment to serve on this Board by the County Board Chair, subject to County Board confirmation.

### **SOUTHWEST WISCONSIN LIBRARY SYSTEM BOARD**

*(reports to Finance & Personnel Standing Committee)*

Two members, one of whom shall be a County Board Supervisor and one who shall be a citizen member. The citizen member shall be recommended by the Administrator for appointment and confirmed by the County Board, and the County Board Supervisor shall be recommended by the County Board Chair for appointment and confirmed by the County Board.

### **SOUTHWEST WISCONSIN REGIONAL PLANNING COMMISSION**

*(reports to Rules & Strategic Planning Standing Committee)*

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

### **SYMONS NATATORIUM BOARD**

*(reports to Finance & Personnel Standing Committee)*

- A. Two County Board Supervisors and the County Board Chair, or his or her designee, shall be appointed to this Board. The County Board Chair shall recommend the two County Board Supervisors to be appointed, subject to County Board confirmation.

- B. This Board exists by virtue of an inter-governmental agreement entered into between Richland County and the City of Richland Center, in accordance with section “Wisconsin Statutes, section 66.0301”.
- C. The powers and duties of this Board are set forth in an Agreement which was approved by the County Board by Resolution No. 87-19, which was adopted on March 17, 1987.
- D. Attend to all security matters relating to the Symons Natatorium and the surrounding grounds and the parking lot used by the Natatorium.
- E. Monitors the actual vs. proposed annual budget in funds managed by the Symons Department on a minimum quarterly basis.

**TRAFFIC SAFETY COMMISSION**

*(reports to Public Works Standing Committee)*

- A. Wisconsin Statute 83.013 requires this body to meet quarterly.
- B. The County Administrator may recommend appointing members with County Board confirmation, but this process is not required.
- C. Membership may come from education, medicine, law, enforcement, and highways may be part of the commission.

**TRANSPORTATION CO-ORDINATING COMMITTEE**

*(reports to HHS & Veterans Standing Committee)*

- A. Eleven members who must represent at least the following: The Board of Trustees of Pine Valley Healthcare and Rehabilitation Center; transportation providers’ public, proprietary and non-profit; elderly and disabled citizen advocates, consumer and agency advocates, and three County Board supervisors.
- B. Citizen members shall be recommended by the Administrator for appointment and confirmed by the County Board, and County Board Supervisor members shall be recommended by the County Board Chair for appointment and confirmed by the County Board.
- C. Three-year terms with one-third of the first appointments to be for a one-year term with one-third of the first appointments to be for a two-year term and one-third of the first appointments to be for a three-year term.
- D. The Committee shall have at least the following duties:
  - 1. Monitor the expenditures of transportation funds being expended on transportation services for the elderly and disabled in service areas.
  - 2. Review passenger transportation plans for service areas.
  - 3. Review and comment on county aid applications under section 85.21, Wisconsin Statutes.
  - 4. Review and comment on capital assistance applications under section 85.22, Wisconsin Statutes.
  - 5. Act as an informational resource for local transportation provider regarding the requirements of the Americans with disabilities act of 1990, 42 USC 12101 et seq.
  - 6. Act on requests by local public bodies to be designated as co-coordinators of transportation services for elderly and disabled persons for the purpose of becoming eligible for assistance under the Federal sec. 16 program.

7. Apply for an accept Federal section 16(b) two grants for purchasing specialized vehicles for transporting elderly and/or disabled citizens of the County.
8. Assists the establishment of goals, priorities and objectives for the
  - a. transportation planning process in Richland County.
9. Understands and provides input related to coordinated work efforts in meeting the transportation needs of Richland County.
10. Understands, analyzes and provides input on transportation studies, plans and programming recommendations required under State and Federal law, and as requested by the Southwest Wisconsin Regional Planning Commission.
11. Provides transportation-related information to local governments and other interested organizations and persons to enhance transportation system development, co-ordination and efficiency.
12. Reviews and recommends transportation improvement projects to local governments which support and enhance inter-county and intra-county transportation serving the Richland County area.
13. Reviews and prioritizes transportation service and/or program projects to submit to the Wisconsin Department of Transportation and the Richland County Board.
14. Makes recommendations to the local, State and Federal governmental agencies and the Southwest Wisconsin Regional Planning Commission regarding any necessary actions relating to the continuing transportation planning process.
15. Provides general review, guidance and co-ordination of the transportation planning process in Richland County.

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

*(reports to Finance & Personnel Standing Committee)*

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

### **VIOLA LIBRARY BOARD**

*(reports to Finance & Personnel Standing Committee)*

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

**ZONING BOARD OF ADJUSTMENT**  
*(reports to Land & Zoning Standing Committee)*

- A. Three citizen members recommended for appointment by the County Administrator with County Board confirmation.
- B. Carries out duties specified in Wisconsin Statute 59.694

## Richland County Rules & Strategic Planning Standing Committee

**Agenda Item Name:** Committee Structure reorganization check-in

<b>Department</b>	County Board	<b>Presented By:</b>	Marty Brewer
<b>Date of Meeting:</b>	3/2/23	<b>Action Needed:</b>	
<b>Disclosure:</b>	Open Session	<b>Authority:</b>	<a href="#">B3</a>
<b>Date submitted:</b>	2/28/23	<b>Referred by:</b>	None

**Recommendation and/or action language:**

**Background:**

Chair Brewer requested this agenda item to have a check-in about how the Committee Structure reorganization is going.

**Attachments and References:**

**Financial Review:**

(please check one)

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

**Approval:**

**Review:**

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

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