

Menominee County and Town of Menominee



RULES OF PROCEDURE FOR THE MENOMINEE COUNTY AND TOWN BOARD OF SUPERVISORS (AND COMMITTEES)

**Approved by the Menominee County and Town Board of
Supervisors on August 20, 2024**

RULES OF PROCEDURE FOR THE MENOMINEE COUNTY AND TOWN BOARD OF SUPERVISORS

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RULES OF PROCEDURE FOR THE MENOMINEE COUNTY AND TOWN BOARD OF SUPERVISORS

Rule 1. Oath of Office.

- A. The Official Oath (Deity) reads as follows: "I, _____, having 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 laws and constitution of the United States and the laws and constitution of the State of Wisconsin, will support and abide by the all applicable codes and ordinances including the Menominee Code of Ethics Ordinance and rules of procedure, and will faithfully discharge the duties of said office to the best of my ability. So help me God"
- B. The non-deity version of the "oath of office" simply omits the last sentence: "So help me God".

Rule 2. Vision. Our Vision is to have a healthy and safe community, a thriving economy, quality housing, sustainable natural resources, and a strong cultural identity.

Rule 3. Mission. Our Mission is to provide quality services with dignity and respect while honoring our community's culture and heritage, and preserving our natural resources in a fiscally responsible manner.

Rule 4. Definitions

- A. "Board" means the Menominee County Board of Supervisors or the Town of Menominee Board of Supervisors, depending on the context.
- B. "Committee" means any committee, commission, or board established by the County or Town Board, or established by another authority or agency that has granted the County or Town one or more seats to serve on.

Rule 5. Meetings of the Board

A. County

- (1) The Board shall be made up of seven supervisors elected for 2-year terms. The County Board will hold regular monthly meetings on every third Tuesday^{1&2}.
- (2) Unless a different time has been specified, all Board meetings shall begin at 5:00 p.m. Specific day and times of the meeting can be changed by a majority vote of the County Board, or by the Board Chairperson for emergency circumstances such as weather or other unanticipated considerations.
- (3) If during any month a lack of business does not warrant preparation of an agenda, the County Board Chairperson shall direct notification of the cancellation of the monthly meeting to each Board member at least three days prior to that meeting. This does not apply to the Annual Meeting in October or the organizational meeting in April following the election.

¹ 10/20/22: Board motion amending Rule 5.A(1) - Change meeting from Thursday to Tuesday.

² 08/16/24: Eliminated last sentence specifying meetings would be held on 4th Tuesday if there were five Tuesdays in the month.

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- (4) Board meeting locations shall be rotated between Keshena, Neopit, and South Branch, with every two consecutive monthly meetings held in Keshena and every third monthly meeting alternating between South Branch and Neopit. All emergency, special, and annual meetings will be held in Keshena unless posted otherwise³.
- (5) Special meetings to deal with important matters that may arise between regular meetings and that urgently require action by the County Board before the next regular meeting shall be called by the Chairperson. Such meetings shall be held with at least 48 hours' notice to all members unless there is an emergency situation that would require immediate action.

B. Town

- (1) The Board shall be made up of seven supervisors elected for 2-year terms.
- (2) Unless a different time has been specified, all Board meetings shall begin at 5:00 p.m. Specific day and times of the meeting can be changed by a majority vote of the Board, or by the Board Chairperson for emergency circumstances such as weather or other unanticipated considerations.
- (3) Special meetings to deal with important matters that may arise between regular meetings and that urgently require action by the Board before the next regular meeting shall be called by the Chairperson. Such meetings shall be held with at least 48 hours' notice to all members unless there is an emergency situation that would require immediate action.

Rule 6. Election of Officers

A. County

- (1) At the organizational meeting after the election, the Board shall elect by secret ballot a Chairperson and Vice-Chairperson using the procedure set forth below in this Rule. The newly elected Chairperson and Vice-Chairperson shall take office immediately upon being elected.
- (2) The election of Board Officers and of the County Highway Committee shall be made by a majority of the County Board casting a written ballot for such election. The County Clerk shall provide the County Board with ballots of a uniform size and color, which will include a typed list of all County Board supervisors to be used for the secret ballot of Chairperson and Vice-Chairperson. The County Clerk shall also prepare a typed list of candidates eligible when voting for Highway Committee.
- (3) First, there will be nominations of members for the position being elected. Each Board member receiving a nominating vote shall be on the ballot, unless the nominated Board member voluntarily refuses. Next, ballots will be cast until a majority of the entire County Board selects a candidate. If there are more than two names still in consideration after each ballot is tabulated and if there is no majority, the lowest vote getter is excluded and successive ballots are conducted until majority occurs. If after five successive votes with only two candidates remaining, no majority is established, a coin toss shall be used to determine the winner.
- (4) The County Clerk shall act as the teller.

³ 08/20/24: Added Rule 5.A.(4) to specify the location of meetings and alternating meeting locations between South Branch and Neopit every third consecutive regular meeting.

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(5) The Board Chairperson shall appoint members to serve on the various committees, boards and commissions. No one Board member, except the County Board Chairperson or Vice-Chairperson, may serve as the Chairperson of more than two standing committees, unless waived by the Board.

B. Town

(1) The member elected from the town at-large who has the highest number of votes shall be the town board chairperson.

(2) The Vice-Chairperson shall be elected by Board in the same manner prescribed for the County.

Rule 7. Authority of the Board Chairperson and Board Vice-Chairperson

A. The Board Chairperson sets and approves the agenda for all Board meetings, calls and convenes Board meetings, maintains order and decorum in Board meetings, adjourns the meeting, and carries out such other duties and responsibilities as the Board may designate by motion, resolution, or ordinance.

B. The Chairperson shall have equal rights of any other member, including the right to vote.

C. In the absence of the Chairperson, the Vice-Chairperson shall preside over a Board or committee meeting.

D. Except as otherwise provided by law, the Chairperson of the County Board and the Vice-Chairperson shall be ex-officio members of all standing committees. Their ex-officio membership is in addition to the membership hereinafter prescribed for each committee.

E. The Chairperson or Vice-chairperson of any committee may call upon any available Board member to make a quorum as an active voting member of that committee for that particular meeting day. A quorum shall consist of a majority of the members of the committee.⁴

F. In the event a vacancy is created due to the inability of the Chairperson to serve because of ineligibility, resignation or death, the Vice-Chairperson shall assume the position of Chairperson. The Board shall then elect by secret ballot a new Vice-Chairperson.

Rule 8. Order of Business

A. The regular order of business for Board meetings shall include the following topics (not necessarily in this order):

(1) Call to Order. Roll Call

(2) Silent Meditation and Pledge of Allegiance.

(3) Community Input.

(4) Correspondence. Claims. Petitions.

(5) Committee Minutes/Department Head Reports.

⁴ 08/20/24: Rule 7.E. – Changed to allow committee chair/vice-chair to designate substitute member to serve on the committee in order to achieve a quorum rather than just allowing the Board committee or vice-chair to serve as a substitute. Also, eliminated ambiguous language limiting mileage milage and per diem to substitutes.

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- (6) Approval of Previous Board minutes
- B. If the County and Town Board meets at the same time, the first two agenda item topics need only appear once on the agenda at the top of the agenda.
- C. With the exception of the call to order and roll call, committee meetings are not required to include the same topics or follow the same order.

Rule 9. Rules of Order

- A. To the extent possible, Robert's Rules of Order shall govern proceedings of the Board. If any conflict exists between Robert's Rules of Order and this rule, this rule shall govern.
- B. When an agenda topic is under consideration by the Board, only the following actions may be taken:
 - (1) Motion to approve with or without modification;
 - (2) Motion to reject or defeat;
 - (3) Motion to refer to a committee or department;
 - (4) Motion to postpone to a future date or indefinitely;
 - (5) Motion to call the question (i.e., end debate; requires two-thirds approval of the Board);
 - (6) Motion to temporarily suspend the agenda to take up another agenda item; and
 - (7) Motion to reconsider another agenda item.
- C. In all parliamentary questions raised during a meeting of the Board not covered specifically by these Board Rules, Robert's Rules of Order shall prevail.
- D. The Corporation Counsel shall act as Parliamentarian for the Board. In the absence of Corporation Counsel, the Chairperson shall render interpretations of Robert's Rules of Order or these rules.

Rule 10. Participation in Meetings by Board and Committee Members

- A. Board and committee members are expected to review their meeting packets in advance of Board and committee meetings and be prepared to discuss topics included on the agenda.
- B. Board or committee members who have a real or perceived conflict of interest in a matter to be acted upon by the Board or committee must refrain from discussion and action on the item, and must leave the Board or committee proceedings until the matter has been dispensed with by the Board or committee.
- C. Board and committee members may participate at a Board or committee meeting via telephone or videoconferencing only if they are sick, are caring for an immediate family member, spouse, or significant other, or are away on travel. Members who are maintaining seasonal residency in another state are not entitled to participate in meetings via telephone or videoconferencing. Members participating via telephone or videoconferencing cannot listen to, observe, or participate in any portion of a closed session. Members who attend meetings via telephone or videoconferencing are entitled to receive meeting payments.⁵

⁵ 08/20/24: Rule 8.C. – Eliminated restriction allowing members to remotely attend meetings only once per year; expanded remote attendance to include if member is sick or away on travel. Added restriction

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- D. In any official meeting that is not posted as meeting of the County or Town Board of Supervisors and where the number of County or Town Board members present equals or exceeds four, the board, commission, or committee chairperson shall promptly (1) recess the meeting until a quorum of the full County or Town Board ceases to exist, or (2) adjourn the meeting.⁶

Rule 11. Participation in Meetings from Non-Board Members

- A. When a topic is in possession of the Board, a person who is not a Board or committee member may also address the Board or committee if permission has been given by the Board Chairperson.
- B. When the agenda topic, "Community Input", is added to the agenda, no person may address the Board for longer than five minutes.⁷
- C. Individuals authorized to address the Board must direct their comments to the Board Chairperson and no personal attacks on Board members, county officials, or staff shall be allowed.⁸
- D. The Chairperson may limit the time a non-member may speak on any other agenda topic.⁹

Rule 12. Manner of Voting

- A. All votes shall be taken by aye/yes or nay/no.
- B. Every Board member present shall vote, unless the member abstains from voting.
- C. Any Board or committee member can request a roll call vote.
- D. No vote shall be taken by ballot except for those matters where vote by ballot is required by Statute. These matters are as follows:
- (1) Election of County Board Chairperson and Vice-Chairperson - sec. 19.88, Stats. (secret ballot)
 - (2) Highway Committee - sec. 83.015(1)(a), Stats.

Rule 13. Defeated Actions

- A. Whenever a resolution, ordinance or motion is defeated, any member who voted on the prevailing side may move for reconsideration at any time during the same session. If a majority of the Board members present vote in favor of reconsideration, the subject shall be before the Board for further action.
- B. Reconsideration on an issue may be done only once per meeting.

prohibiting remote attendance for members who are maintaining seasonal residency elsewhere and prohibiting remote attendance for anyone during closed session.

⁶ 08/20/24: Rule 8.D. – Added new provision requiring committee meetings to be recessed or adjourned if a fourth member attends the meeting, which would result in a quorum of the full Board being in attendance at the meeting.

⁷ 08/20/24: Rule 11.B. – Added new provision concerning time limit for speakers under community input.

⁸ 08/20/24: Rule 11.C. – Added new provision directing community input speakers to address their concerns to the Chairperson and to refrain from making personal attacks.

⁹ 08/20/24: Rule 11.D. – Clarifies that speaking time limit may be limited by Chairperson on any other topic.

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- C. No resolution, ordinance or motion that is defeated may be brought back at a future Board meeting unless there has been some substantial modification, or unless the passage of time or other circumstances make it appropriate to have the question returned at a future Board meeting.

Rule 14. Vacancies in Office

- A. In the event a vacancy of any Board member is created for any reason, prior to the end of a term, the Board Chairperson shall appoint a successor for the remainder of the term with confirmation by a majority of the Board.
- B. Alternatively, the Board may solicit letters of interest from a pool at-large or the ward where the vacancy exists and appoint to the vacant seat the best qualified candidate from the pool of interested persons.

Rule 15. Resolutions and Ordinances

- A. Resolutions and ordinances shall be numbered starting with the year followed by a sequentially-based numbering system beginning with the number one.
- B. The Board Chairperson shall announce which resolution the Board shall entertain and the County/Town Clerk shall read only the "Now, Therefore" portion of the Resolution, or appropriate summary of the "Now, Therefore" portion of the Resolution, unless otherwise determined by the Board.
- C. Following the reading of the appropriate portion of a resolution or ordinance, a Board member shall move for adoption of the resolution or ordinance.
- D. Following a second to the motion, the Chairperson of the Board or committee will briefly explain, or introduce a designee to briefly explain, the purpose of the resolution or ordinance and why the resolution or ordinance is being presented. The floor shall then be opened for discussion with questions or comments primarily directed to Board or committee members.

Rule 16. Official Records; Records to Be Recorded in Minutes; Sponsors of Actions

- A. After a motion has been stated by the Chairperson, it shall be deemed in possession of the Board, but may be withdrawn at any time before there is a second to the motion.
- B. All motions, resolutions, ordinances and amendments shall be entered in the minutes unless withdrawn.
- C. Any item on the agenda for consideration may be withdrawn at any time by the sponsor or a majority of the sponsors before action is taken on it. The Chairperson shall announce the withdrawal and name those withdrawing it.

Rule 17. Prior Review of Resolutions and Ordinances

- A. All written resolutions shall be examined by the Administrative Coordinator and/or Corporation Counsel first prior to their inclusion in the meeting packet or introduction at a meeting of the Board.
- B. All ordinances shall be examined by Corporation Counsel first prior to their inclusion in the meeting packet or introduction at a meeting of the Board.

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- C. All resolutions and ordinances shall be introduced at committee and successfully voted on by the committee prior to their introduction at the Board, except where time is of the essence.

Rule 18. Actions Respecting Certain Financial Matters

- A. All written resolutions or ordinances submitted to the Board concerning fund transfers, debt, appropriations, or investments shall be first approved by the Personnel and Finance Committee.
- B. The Board Chairperson may waive this rule in the event time is of the essence.
- C. All transfers of funds from one department, agency or office to another and removals from the general fund for items not budgeted shall require two-thirds (2/3) roll call vote of the entire Board pursuant to Wis. Stats. 65.90(5)(a). Transfers or budget modifications isolated to accounts located within a single appropriation are governed by the Accounting Procedures Manual.
- D. Any outside organization requesting financial assistance from Contingency or a donations payable account shall furnish its request to the entire Board through the Clerk's Office. Only organizations providing direct assistance to residents of Menominee County and whose principal office is headquartered in Wisconsin are eligible to be considered.¹⁰
 - (1) At a minimum, the request shall contain the following information:
 - (a) Name of organization;
 - (b) Location of principal place of business;
 - (c) Amount of the request;
 - (d) Purpose of funding;
 - (e) Projected number of County residents benefiting from the proposed activity or service;
 - (f) Names and titles of organization representatives responsible for providing the proposed activity or service;
 - (g) Description and total of other fundraising activities conducted;
 - (h) Overall fundraising goal and percent of that goal completed.
 - (2) The Board may require such additional information as it deems appropriate, to include a narrative and financial summary once the proposed activity or service is completed.

Rule 19. Appointments to Committees, Commissions, and Boards

- A. At times as necessary, the Board Chairperson shall make appointments to committees, boards or commissions, which shall then be ratified by vote of the Board.

¹⁰ 08/20/24: Rule 18.D. – Clarifies manner in which requests for financial assistance must be made from contingency or donations payable rather than through the appropriation process.

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- B. No person shall be appointed or elected to a committee that has oversight responsibility for a department, agency or office for which the individual served as an employee who was terminated for cause.¹¹
- C. No person shall be appointed or elected to a committee that has direct oversight over a department, agency or office that has a department head or manager who is an immediate or extended family member of the candidate appointee. For this purpose of this provision, an immediate family member includes: Mother, father, spouse, children, brother, sister, grandchildren, grandparents, current son-in-law, current daughter-in-law, current father-in-law, and current mother-in-law. This includes current foster and current step family members. Extended family members include: Aunts, uncles, nieces, nephews, current sister-in-law, current brother-in-law, current grandparent in-law and first cousins.

Rule 20. Committees, Boards, and Commissions

A. County

- (1) Standing Committees. The following shall constitute standing committees of the County:
 - (a) Personnel and Finance Committee – Three members (County Chairperson, Town Chairperson, and one Board member appointee)
 - (b) Highway Committee – Three members (elected by the Board)
 - (c) Human Services Board – Seven members (three County Board members, three community representatives, and one community representative who is a recipient of human services, has received human services, or has a family member who has received or is receiving human services)
 - (d) Land Conservation Committee – Five members (two County Board members, two members of the UW Extension Committee, and one member of the county farm service agency committee)
 - (e) Public Safety Committee – Three members (County Chairperson, Town Chairperson, and one Board member appointee)
 - (f) Veterans Commission – Five members (two Board member appointees and three veteran residents)
- (2) Non-Standing Committees. The following shall constitute non-standing (special or select) committees of the County or for which the County is assigned one or more seats to serve on:¹²
 - (a) Aging Disability Resource Center
 - (b) Bay Area Workforce Development
 - (c) Commission on Aging
 - (d) East Central Planning Commission

¹¹ 05/23/23: Rule 19.B. – Changed prohibition against direct oversight responsibility for an individual who previously served in a department, agency, or office within the past ten years to prohibition against direct oversight responsibility for an individual who previously served in a department, agency, or office and was terminated for cause.

¹² 08/20/24: Rule 20.A.(2) – Eliminates Fostering Futures as a non-standing committee.

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- (e) HSD I Team (Elder Abuse)
 - (f) Human Services Planning Committee
 - (g) Joint County-Tribal Taskforce
 - (h) Legend Lake Property and Rehabilitation District
 - (i) Local Emergency Planning Committee
 - (j) Menominee Public Library
 - (k) North Central ITBEC
 - (l) Planning Commission
 - (m) Shawano-Menominee County Public Health Board
 - (n) UW Extension Committee
 - (o) Zoning
- B. Town Standing Committees. The following shall constitute standing committees of the Town:
- (1) Personnel and Finance Committee – Three members (County Chairperson, Town Chairperson, and one Board member appointee)
 - (2) Highway Committee – Three members (elected by the Board)
 - (3) Land Conservation Committee – Five members (two County Board members, two members of the UW Extension Committee, and one member of the county farm service agency committee)
 - (4) Land Information Council – Seven members (County Chairperson, Town Chairperson, and five appointees)
 - (5) Public Safety Committee – Three members (County Chairperson, Town Chairperson, and one Board member appointee)
 - (6) Planning Commission – Seven members (County Chairperson, Town Chairperson, and five appointees)
- C. Each standing committee shall have a Board member as the Chairperson of the committee. Non-standing committees are encouraged to have a Board member serve as the Chairperson but are not required to do so.
- D. The Chairperson shall have equal rights of any other member including the right to vote.
- E. In the absence of the Chairperson, the Vice-Chairperson shall preside over a Board or committee meeting.

Rule 21. Special Delegation of Authority to Certain Boards or Committees

- A. Personnel and Finance Committee
- (1) The Personnel and Finance Committee shall be authorized to approve changes to the Personnel Policies and Procedures Manual, Accounting Procedures Manual, and to authorize salary/wage increases for an individual employee.

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- (a) All changes to the Personnel Policies and Procedures Manual, Accounting Procedures Manual, and salary/wage increases should be summarized in the Personnel and Finance Committee minutes for the Board to review.
 - (b) Any approval actions of the Personnel and Finance Committee that has the potential to exceed funds appropriated by the Board in the current fiscal year must be concurred with by the Board.¹³
- (2) The Personnel and Finance Committee is delegated the authority to transfer funds from between budgeted items of an individual county office or department, if such budgeted items have been separately appropriated, and to supplement the appropriations for a particular office, department, or activity by transfers from the contingency fund, as provided for by Wis. Stats. 65.90(5)(b).
- B. All Standing Committees. All standing committees are authorized to approve departmental policies and procedures manuals, standard operating procedures, and department safety regulations. Any approval action that has the potential to exceed funds appropriated by the Board must be concurred with by the Board.¹⁴

Rule 22. Meeting Secretary and Records

- A. A committee may designate someone other than the County/Town Clerk to serve as the Secretary, whose duties shall include transcribing meeting minutes and attending to other recordkeeping functions vital to the committee's operation.
- B. The Secretary shall, within one week after each meeting, file the minutes of that meeting in the Office of the County/Town Clerk, together with a standard voucher form properly signed for payment of per diem, mileage and expenses.
- C. The Secretary shall produce a meeting packet for each committee and distribute copies of the meeting packet to each committee member at least forty-eight (48) hours in advance of the meeting.
- D. The Secretary shall comply with all other reasonable rules and expectations promulgated by the County/Town Clerk.
- E. The County/Town Clerk shall include copies of all meeting agendas and meeting minutes in the Board packet.

Rule 23. Board and Committee Compensation

- A. The Board Chairperson shall receive a \$285.00 salary each month, plus meeting payments.
- B. Board members shall receive \$75.00 per Board meeting.
- C. Board or committee members shall receive \$60.00 for their attendance at each committee meeting.
- D. Board or committee members will be compensated \$20.00 per hour for meetings that go past three hours.

¹³ 08/20/24: Rule 21.A(1)(b) – Requires Board concurrence of actions that have the potential to exceed appropriations rather than specifying actions of \$10,000 or more given that accounts payable often exceeds the \$10,000 limit alone.

¹⁴ 08/20/24: Rule 21.B. – Same as footnote #13.

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- E. Board or committee members must submit a committee payment slip with agenda attached for each meeting attended, except those that are clerked by a Menominee County employee.
- F. Board or committee members will be compensated \$60.00 for the first four (4) hours to attend conferences, training and other board directed activities, and \$15.00 per hour that go past four hours. A time sheet must be submitted with identified conference/training/activity along with dates, times and sessions attended.
- G. Board or committee members do not get paid for travel time to or from a conference, training or activity.
- H. If a committee member is requesting per diem and/or mileage, the member submit a travel request form with the County/Town Clerk per the per diem request policy prior to attending a meeting.

Rule 24. Travel

- A. Authorization Required. No Board or committee member shall travel without approval by the Board or committee. The Chairperson or Vice-Chairperson of the Board is authorized to travel in the absence of formal Board approval; provided that, such travel is necessary, reasonable and vital to the interests of the County or Town.
- B. Per Diem. Per diem shall only be made available for overnight travel. Per diem is based upon the General Services Administration's (GSA) travel regulations, which are codified at 41 CFR Part 301. Meals included as part of a workshop, seminar, conference or other type of training opportunity shall be deducted from the per diem allowance.
- C. Meal Reimbursement. Board or committee members who are on travel and who are not eligible to receive per diem may be eligible for meal reimbursement. Reimbursement of meal expenses shall be based on reasonable and actual costs associated with such meals upon furnishing the original receipt(s) for such meals to the County/Town Clerk. Such reimbursement shall not exceed the maximum reimbursement rate for breakfast, lunch and/or dinner established by GSA.
- D. Mileage. Mileage for Board or committee members shall be reimbursed at the standard General Services Administration (GSA) rate. Board or committee members claiming mileage reimbursement must have a current certificate of insurance on file with the County/Town. Mileage will be reimbursed on the basis of the commonly used route. To the extent possible, mileage reimbursement requests shall be submitted monthly on the appropriate form. Mileage reimbursement requests submitted later than ninety (90) days after the date of travel shall not be reimbursed. County/Town vehicles will be used for travel whenever they are available.
- E. Lodging. Board or committee members who book rooms exceeding standard hotel room accommodations shall be responsible for any additional charges associated with extra amenities (e.g., hot tub, full kitchen, upsized rooms, etc.). When reserving rooms, Board or committee members must inform the hotel beforehand that they are travelling on behalf of the County or Town and that the transaction is tax exempt. Any additional expenses charged to the room (e.g., food and beverage service, movie rentals, laundry or dry cleaning, etc.) are the responsibility of the Board or committee members and not the County or Town. The original receipt for lodging shall be returned to the County/Town Clerk.
- F. Allowable Expenses. Claims for reimbursement of travel expenses shall represent actual, reasonable, and necessary expenses. Postage, telephone calls, taxi and shuttle service, use

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of a business center, wireless access, and the cost of parking (excluding valet parking) are cost reimbursable expenses.

- G. Unallowable expenses. Parking tickets, speeding tickets, or other municipal fines and fees are the responsibility of the Board or committee member. Reimbursement of entertainment expenses and alcoholic beverages is prohibited. Any loss, theft, or damage to personal property is the responsibility of the Board or committee member.
- H. Prizes and raffles. Prizes, raffles, and drawings won by an Board or committee members attending a meeting, conference, or seminar that are under \$250.00 may be kept by the Board or committee member. Prizes, raffles, and drawings equal to or greater than \$250.00 shall be provided to the County/Town and reported to the Board appropriate oversight committee. The Board or oversight committee may authorize the Board or committee members to keep the prize, raffle, or drawing, or may direct that the prize, raffle, or drawing be donated to an employee morale boosting function or charitable cause.
- I. Gifts and Gratuities. Gifts and gratuities equal to or greater than \$25.00 provided to Board or committee members by any person, partnership, corporation or other business entity shall be declined by the Board or committee members, unless such gift or gratuity is provided ceremonially and denial of such gift or gratuity would violate the custom of the provider or ceremonial etiquette. Gifts and gratuities received by Board or committee members equal to or greater than \$25.00 shall be provided to the County/Town and reported to the Board or appropriate oversight committee. The Board or oversight committee may authorize the Board or committee members to keep the gift or gratuity, or may direct that the gift or gratuity be donated to an employee morale boosting function or charitable cause. Small gifts (e.g., over \$25.00 and under \$100.00, such as chocolates, cashews, etc.) given in the name of the County/Town and not an individual's name shall be delivered to the County/Town Clerk and reported to the Board or appropriate oversight committee.
- J. Travel Report. Board or committee members are required to provide a written or oral travel report to the Board or Committee upon the Board or committee member's return from travel.
- K. Basis for Reimbursement. Reimbursement of any allowable expense referred to above shall be done solely on the basis of receipts. Board or committee members must obtain and retain copies of their receipts and promptly submit them to the County/Town Clerk.
- L. Undocumented/Unsupported Travel Expenses. Any travel expenses paid in advance for a Board or committee member for which no receipt or invoice is provided to the County/Town Clerk's Office within 30 calendar days shall be reimbursed by the Board or committee member within 60 calendar days of such travel.

Rule 25. Board Member Conduct

- A. Board and committee members shall act with proper decorum and conduct at all times.
- B. No Board member or committee member shall negotiate with or represent the interests of the County or Town before any other government or elected official, or present themselves as acting with the authority of the Board, without having first received the authority of the Board to do so.
- C. Board and committee members will attend meetings in appropriate attire.
- D. No Board or committee member shall injure the name of the County or Town or conduct themselves in a manner detrimental to the County or Town.

Rules of the Menominee County and Town Board of Supervisors

- E. No Board or committee member may make, participate in, or attempt to influence employment or other business decisions involving a relative or pressure or cause others to do so.
- F. No Board or committee member shall discuss with other Board or committee members outside of a Board or committee meeting matters that should only be addressed in a quasi-judicial proceeding.
- G. Board and committee members shall avoid illegal meetings or walking quorums.
- H. Individual members of a Board or committee have no authority outside of the Board or committee meeting, unless authority has been specifically granted to the member by these Rules of Procedure, or by the Board or committee. Individuals who are members of a Board or committee shall be careful not to make any unusual or onerous requests of employees or other officials in a manner that could be construed as exceeding the member's authority.
- I. Board or committee members issued a County/Town credit card shall fully comply with the County/Town credit card policy.
- J. Board and committee members shall act in the best interests of all Menominee County residents and shall not discriminate on the basis of race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.
- K. Board and Committee members shall be subject to and adhere to the Code of Ethics Ordinance.
- L. Suspected violations of this rule shall result in a referral being made to the Ethics Inquiry Board and may subject the Board member or committee member to censorship, loss of a Board or committee assignment, fine, or removal from the Board or committee. Any Board or committee member can make a referral to the Ethics Inquiry Board.

Rule 26. Closed Sessions

- A. All non-Board or non-committee members shall be required to leave a closed session unless otherwise authorized by the Board or committee to remain for some or all of the closed session.
- B. All information revealed or discussed in a closed session shall remain strictly confidential.
- C. Violations of this rule will be referred to the Ethics Committee for possible misconduct.
- D. No action by the Board or committee shall be taken inside of closed session. All motions of the Board or committee must be recorded in open session, usually under an agenda item entitled, "Motions to be recorded from closed session".
- E. Board or committee members who are not present at a meeting where a closed session was held can only receive a confidential briefing of that meeting from the Board or committee chairperson and not from other Board or committee members.

Rule 27. Applicability to Committees and Committee Members

- A. These rules shall apply to all committee members, unless the context otherwise requires or they conflict with the bylaws or rules of the committee.
- B. The Board Chairperson shall determine the applicability of these rules whenever a conflict between these rules and the committee's bylaws or rules exist.

Rules of the Menominee County and Town Board of Supervisors

Rule 28. Repeal of Previous Rules

- A. All Rules previously made are hereby repealed. These Rules, and all amendments or additions to them, shall govern the Board until amended or repealed. These Rules may be amended by two-thirds (2/3) vote of the Board membership present. These Rules may be suspended by the Board upon vote of two-thirds (2/3) of the Board membership present.
- B. Each Rule shall be published on the County/Town website.

Adoption History:

04/16/2019 – Original ROP adopted

04/20/2020 – Board adoption of ROP (no changes)

10/22/2022 – Change meeting date

05/23/2023 – Board adoption of ROP (changed Rule 19.B.)

08/20/2024 – Board adoption of multiple changes. Refer to footnotes for more details.

Appendix "A" – County/Town Ethics

Menominee County Ordinance 66 & Town Ordinance No. 70 Code of Ethics for Menominee County/Town Officials and Employees As Amended

1. Declaration of Policy. To ensure that the public can have complete confidence in the integrity of Menominee County/Town Government, each elected official, appointed official, and employee shall respect and adhere to the fundamental principles of ethical service. The proper operation of county government demands that:
 - 1.01 Elected and appointed officials, and employees be independent, impartial and responsible to the people;
 - 1.02 Decisions be made in the proper channels of the governmental structure;
 - 1.03 County/Town offices should not be used for personal gain; and
 - 1.04 County/Town 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 this Code of Ethics.
2. Authority. This Code of Ethics is adopted pursuant to the authority granted to the County and Town Board of Supervisors under Wisconsin Statutes §19.59(1m).
3. Definitions. As used in this ordinance, the following words or terms shall have the following meanings:
 - 3.01 "Board" means the Ethics Inquiry Board.
 - 3.02 "Code of Ethics" or "Ethics Code" means this ordinance or the provisions contained in Wisconsin Statutes §19.59.
 - 3.03 "Employee" means an employee of the County or Town of Menominee, regardless of their classification under the Fair Labor Standards Act.
 - 3.04 "Official" means an elected or appointed official of the County or Town of Menominee, whether paid or unpaid.
4. Applicability. This code governs all officials, including members of boards, committees, commissions, department heads, and other county/town employees.
5. Responsibility of Public Office/Service. 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 Menominee County/Town. 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.
6. Codes of Ethics for Local Government Officials, Employees and Candidates. No official or employee shall engage in any act which violates Wis. Stats. §19.59.
7. Use of Information Gained in Course of Official Duties. No official or employee 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 herself or himself, for a member of his or her immediate family, or for any other person or legal entity.
8. Illegal Meeting. Officials shall be mindful of their obligation under the open meetings laws of the State of Wisconsin (see Wis. Stats. §19.81-§19.89) and avoid having any illegal meetings.
9. Impermissible Use of Public Office. No official or 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. The use of county or town equipment and property including, but not limited to, vehicles, cameras, projectors, audio systems, copy machines, fax machines, telephones and uniforms is prohibited for use for both partisan and nonpartisan political activity. Use of county or town property which is available and accessible to the general public is not considered a violation of this ordinance.

10. Representation by Elected Official Before County Entities

10.01 No official or employee shall represent private interests in any action or proceeding against the county/town.

10.02 No official or employee shall accept employment as an expert witness in any proceeding adverse to the county/town's interests.

10.03 Nothing in this section shall be construed to prohibit an official or employee from representing himself or herself before any county/town entity, including the one of which he or she is a member or an employee.

11. Certain Uses of Public Property Prohibited. An official or employee shall not use, or knowingly permit the use, of county/town services or county or town-owned vehicles, equipment, materials for unauthorized nongovernmental purposes, or for unauthorized personal convenience, or for profit.

12. Special Treatment Prohibited. 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/Town supervisors to diligently represent their constituency.

13. Disclosure of Certain Financial Interests. An official or employee who has a 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. The official or employee shall not participate in any vote in which he or she or an immediate family member has a substantial interest.

14. Disclosure of Service on Boards, Commissions, and Committees of Other Governments. No official or employee shall serve on a board, commission, or committee of another government, including tribal government, unless he or she has disclosed the following details of such service to the county/town board:

14.01 Name of governing body, board, commission, or committee;

14.02 Its jurisdictional boundaries and purpose;

14.03 Position held on the board, commission, or committee (e.g., officer position, general membership, etc.);

14.04 Any committee or subcommittees held on that board, commission, or committee, and the special jurisdiction or purpose of that committee or subcommittee;

14.05 Term of service; and

14.06 Any changes in such service.

15. Attendance; Office Hours. At a minimum, officials are expected to maintain and hold regular office hours in an amount equivalent to the basis upon which their total annual compensation has been budgeted, with the exception of such reasonable leave as may be taken from time-to-time. In addition, all elective and appointed county officials are required to keep their offices open during the usual business hours, as provided for in Wis. Stats. 59.20(3). A violation of this section may also constitute a violation of Wis. Stats. 19.59(1)(a), in that it may constitute using one's position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself.

16. Nepotism

16.01 "Related person" shall mean mother, father, husband, wife, children (including adopted, foster, and step), brother, sister, grandchildren, grandparents, current son-in-law, current daughter-in-law, current grandparent in-law, and first cousins.

16.02 Department heads are prohibited from hiring a person related to them for county/town employment.

16.03 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.

17. Outside Conduct and Behavior. The professional conduct and behavior of officials in the workplace, as well as their personal conduct and behavior, reflects upon the County and Town as a whole. As such,

officials are expected to treat others with respect and dignity and to conduct themselves with honesty and integrity at all times.

18. Closed Session; Confidentiality. No official or employee shall divulge any information that is the subject of, and is disclosed in, a closed session portion of a meeting. Officials and employees who are unable to attend a closed session portion of a meeting and have a bona fide need-to-know may receive a confidential briefing from the Chairperson who presided over the closed session, unless the board, committee, or commission shall authorize another person to provide such confidential briefing.

19. Investigations and Enforcement

19.01 Ethics Inquiry Board. There is hereby created an Ethics Inquiry Board to consist of three members and one alternate appointed by the County Board. The members of the Board shall be residents of Menominee County, 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, and the Administrative Coordinator's Office and/or County Clerk's Office shall provide administrative services 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 County Boards, Committees or Commissions.

19.02 Advisory Opinions

A. Any official or department head 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.

B. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Chapter 19 of Wisconsin Statutes. However, such records may be made public with the consent of the applicant.

19.03 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 Board within ten business (10) days.

19.04 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.

19.05 Preliminary Investigations. Following the receipt of a verified complaint, the 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 Board finds probable cause to believe the allegations contained in the complaint, the complaint shall be scheduled for a hearing.

19.06 Time Limitations. The Board may investigate any complaint properly filed with it. However, no action may be taken on any complaint which is filed more than ten (10) business days after a violation of the Ethics Code is alleged to have occurred.

19.07 Board Hearing; Findings and Recommendation

- A. The Board shall be responsible for investigating a complaint and conducting a fact finding hearing in any case where the Board has found that probable cause exists for believing the allegations of a complaint following completion of a preliminary investigation.
- B. 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 Section 885.01 Wisconsin Statutes.
- C. Within ten (10) business 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.
- D. No recommendation of the Board becomes effective until twenty (20) business 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.

19.08 Enforcement and Penalties. If the 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:

- A. Recommend that the County Board order the officer or employee to:
 - 1. conform his or her conduct to the ethics code; and/or

- 2. pay a forfeiture of not less than \$100.00 nor more than \$500.00, such to be paid in a lump sum payment, through installments, or through payroll deductions, with a period not to exceed six months; and/or
- 3. 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 suspension without pay, discharge, or other appropriate disciplinary action.

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

20. EFFECTIVE DATE. This ordinance shall become effective immediately upon passage the appointment of the three Board of Ethics members, and one alternate, by the Menominee County/Town Board of Supervisors.

Appendix "B" – Wisconsin Code of Ethics

Wis. Stats. 19.59 – Code of Ethics for Local Government Officials, Employees and Candidates

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.
- (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 person who is subject to a registration requirement under s. 11.05, 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% 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 government accountability board 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 government accountability board, 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 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 board to issue an opinion concerning the interpretation of this section. The board 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. 11.26 (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.

Appendix "C" – Credit Card Policy

1. Purpose. This policy outlines the requirements regarding the use of a corporate credit card obtained by Menominee County for the use and benefit of certain employees in the performance of their official duties. Such credit cards are intended for the efficient and expedient purchase of goods and services when other avenues of procurement are unavailable or less affordable. This policy will also ensure proper usage and accounting of expenses incurred via a credit card.
2. Definition of Corporate Credit Card. As used in this policy, a "corporate credit card" is a credit card issued by a bank or other lending institution to, and in the name of, a business or governmental entity, and which can be individually assigned to an employee or official of the business or governmental entity.
3. Authorization to Apply for a Corporate Credit Card. The Finance Manager is authorized to apply for a corporate credit card in the name of Menominee County and/or the Town of Menominee. No other employee or official of Menominee County may apply for a corporate credit card in the name of Menominee County or the Town of Menominee.
4. Credit Limits. The Administrative Coordinator and the Finance Manager will establish credit card limits. The cardholder can request a review by the Administrative Coordinator and Finance Manager for an increase of credit limits at any time.
5. Authorized Cardholders. Department Heads must submit a written request to the Administrative Coordinator or the Finance Manager to be designated as an authorized cardholder or to have one of his/her staff designated as such. The written request shall require the written approval of both the Administrative Coordinator and the Finance Manager. The Administrative Coordinator and the Finance Manager shall have the discretion to approve or reject the request, and any decision to deny approval shall not be entitled to grievance or appeal to higher authority.
6. **Appropriate Uses**
 - 6.01 Cardholders shall only use a corporate credit card to purchase reasonable, allowable and necessary goods and services when—
 - A. The vendor or supplier of goods and services does not accept County purchase orders or payment by check; or
 - B. When the vendor or supplier offers discounts on credit card purchases not available through normal purchasing methods.
 - 6.02 No corporate credit card transaction can be made by an employee or official if there are not enough funds available in his or her budget to cover the expense.
 - 6.03 All corporate credit card purchases shall be for official County business only.
 - 6.04 All corporate credit card purchases shall be placed solely by the authorized cardholder.
 - 6.05 Authorized cardholders may use corporate credit cards to reserve or purchase hotel, airline, rental vehicle, or related travel expenses (including emergency repairs for a County or Town vehicle) for themselves or their employees if they are travelling on official business. Only the Administrative Coordinator or the County/Town Clerk are authorized to reserve or purchase hotel, airline, rental vehicle, or related travel expenses for employees whose department head is not an authorized cardholder.
 - 6.06 To the maximum extent practicable, two or more comparable and competitive quotes shall be obtained for all credit card purchases consistent with the requirements of the accounting procedures manual. In the event of an emergency or when time is of the essence, however, obtaining two or more comparable and competitive

quotes may not be possible and will, therefore, be permitted.

7. Excluded Uses. The following transactions are strictly prohibited:
 - 7.01 Cash advances;
 - 7.02 Automatic teller machine (ATM) transactions;
 - 7.03 Over the counter withdrawals;
 - 7.04 Wire or money transfers; or
 - 7.05 Goods or services for personal use.
8. Purchase and Billing Requirements
 - 8.01 Authorized cardholders shall maintain a current and accurate daily log of all corporate credit card purchases. Said log shall be provided to the responsible oversight committee, Administrative Coordinator, and Finance Manager each month. At a minimum, that log shall contain the following information:
 - A. Date of purchase;
 - B. Vendor or supplier name;
 - C. Brief description of good or service purchased;
 - D. Brief explanation as to why the purchase was made with a corporate credit card;
 - E. A statement that two or more comparable and competitive quotes were obtained prior to making the purchase, or a detailed explanation as to why such quotes were not obtained; and
 - F. Purchase amount.
 - 8.02 Corporate credit card billing statements shall be issued by the bank and mailed to the Finance Manager. Copies of those statements will be provided to the authorized cardholder. The cardholder shall provide those statements to the responsible oversight committee each month at the same time the daily log is issued. Copies of all receipts shall be available for inspection by the oversight committee.
 - 8.03 The authorized cardholder will be responsible for the internal billing

process for transactions that are completed on behalf of departments. Internal billings will be done in a timely fashion to ensure proper coding and reimbursement of expenses by departments.

- 8.04 Each statement line item must be reconciled with the daily log and purchase invoices. Reconciliation must be completed within seven days of receipt of the statement to ensure proper payment of the credit card bill prior to the due date so as to eliminate any interest charges or late payment charges.
- 8.05 Any discrepancies found during the reconciliation process will be brought to the attention of the Administrative Coordinator, Finance Manager, and the oversight committee.
9. Misuse of Credit Card. Cardholders will be considered to have misused the card if they fail to meet their responsibilities as described above. Misuse of the credit card or failure to adhere to the credit card policies will result in revocation of the credit card and/or reimbursement by employee of all non-business related expenditures. Misuse of credit card may also result in disciplinary action up to and including termination of employment.
10. Credit Card Return. Cardholders must return their cards to the Finance Department upon:
 - 10.01 Resignation;
 - 10.02 Retirement;
 - 10.03 Termination of employment;
 - 10.04 Layoff;
 - 10.05 Transfer or promotion to another position that is not an authorized cardholder; or
 - 10.06 Instructions to do so by the Administrative Coordinator or the Financial Manager.
11. Lost or Stolen Credit Card. The cardholder will immediately contact the credit card company in the event of a lost or stolen credit card. Immediate notification is necessary in order to release the Menominee County/Town from liability for charges

incurred by someone other than the cardholder. The cardholder will also notify the Administrative Coordinator and the Financial Manager of the lost or stolen credit card.

12. Credit Card Storage. Any corporate credit cards issued pursuant to this policy shall be stored at the authorized cardholder's office in a locked file cabinet, desk drawer, or safe. Alternatively, they may be secured at the County/Town Clerk's Office. They may be carried on the authorized cardholder's person during official travel only.
13. Credit Card Rewards and Benefits. With the exception of any immediate price discounts available to a department through a

corporate credit card transaction, all corporate credit card points, rewards, benefits, and rebates of every kind and description shall become the property of Menominee County and/or Town, and shall be used solely by the County and/or Town Board for such public purpose as they deem necessary and appropriate.

Adoption History:

- Approved by the P&F Committee on October 9, 2014.
- Adopted by the Menominee County Board on July 21, 2015.

Appendix “D” - Travel Authorization Form

MENOMINEE COUNTY TRAVEL AUTHORIZATION FORM (App. 1-F) R. 01/19

| | | | |
|---|--------------------|-------------------|------------------|
| Name of Traveler: | Department: | Division/Section: | Date of Request: |
| Name of Conference/Training: | Travel Start Date: | Travel End Date: | |
| Brief Description of Training/Conference/Meeting: <input type="checkbox"/> Mandatory <input type="checkbox"/> Annual <input type="checkbox"/> Personal Growth <input type="checkbox"/> Continuing Education | | | |
| Special Instructions: <input type="checkbox"/> Need Hotel Reserved by Clerk | | | |

A. REGISTRATION

Registration is used to cover the costs associated with enrolling in a conference or seminar, or participating in a training session. Travelers are required to reimburse the County for registration costs associated with their guest.

| | | | |
|---|-----------------------------|--|----------------|
| Acct. No. | Traveler Registration Cost: | Guest Registration Cost: | Amount: |
| | \$ - | \$ - | |
| Check Payable to: <input type="checkbox"/> Traveler | Date Needed by: | Other: <input type="checkbox"/> Agency will be billed <input type="checkbox"/> Need PO | |

B. MILEAGE

Mileage is based on the current GSA rate. Mileage rate will be reduced if a County vehicle is available. The most direct route possible must be travelled. Mileage rate for motorcycle is less.

| | | | | |
|-----------|---------------|---------------|---|----------------|
| Acct. No. | Travel Miles: | Mileage Rate: | <input type="checkbox"/> Co. Vehicle Not Available <input type="checkbox"/> Prefer to Use Own Vehicle | Amount: |
|-----------|---------------|---------------|---|----------------|

C. LODGING

The County will pay for standard lodging only. The County Clerk may hold reservations using the County credit card upon request. The traveler is personally responsible for any costs charged to the room. Lodging is tax exempt.

| | | | | |
|----------------|-------------------------|--------------|--|----------------|
| Acct. No. | Standard Lodging/Night: | # of Nights: | Payable to: <input type="checkbox"/> N/A - PO Used <input type="checkbox"/> Traveller <input type="checkbox"/> Hotel | Amount: |
| | \$ - | | | |
| Name of Hotel: | Address: | Phone #: | | |

D. PER DIEM

Per diem is based on the GSA rate. Payment equals 75% for the first and last day of travel, and 100% for full travel days. Meals provided by the training/conference must be deducted from per diem. Refer to the GSA.gov website for more details.

| | | | |
|-----------|----------------|--------------|----------------|
| Acct. No. | Per Diem Rate: | Days Travel: | Amount: |
|-----------|----------------|--------------|----------------|

| | | | |
|--------------------|--|------------------|---------------|
| 1st Day: _____ | Deductions of Meals Provided at Training/Conference | | |
| Full Day: _____ | Breakfast Rate: _____ | # Covered: _____ | Deduct: _____ |
| Last Day: _____ | Lunch Rate: _____ | # Covered: _____ | Deduct: _____ |
| Totals: _____ | Dinner Rate: _____ | # Covered: _____ | Deduct: _____ |
| Less Deduct: _____ | | | Totals: _____ |
| Per Diem: _____ | * Obtain individual meal rates from GSA | | |

E. MISCELLANEOUS

The County may provide for certain other expenses, such as parking, taxi/shuttle service, airline, tolls, etc. Please list any anticipated miscellaneous expenses in the area below.

| | | | | | |
|----------------|----------|---------------|----------|---------|----------------|
| Acct. No. | Parking: | Taxi/Shuttle: | Airline: | Other*: | Amount: |
| | | | | | |
| * Other: _____ | | | | | |
| * Other: _____ | | | | | - |
| * Other: _____ | | | | | - |
| Total Other: | | | | | \$ - |

| | | | |
|-------------------------|--------------------------------------|-------|--------------------|
| Supervisor's Signature: | Supervisor's Printed Name and Title: | Date: | TOTAL COST: |
| | | | |

Attach copies of training/conference/meeting agendas or announcements to this travel authorization form.
Travelers must keep original lodging receipts and submit them to their supervisors within ten (10) days of return from their trip.

Appendix “E” - Mileage Reimbursement Request

R. 01/19

Appendix 1-G PRIVATE VEHICLE MILEAGE REPORT

This report must be submitted within 90 days of first date of travel to receive reimbursement.

NAME
 DEPARTMENT
 ACCOUNT #

| Date: | To: | Time Depart | Time Returned | Odometer Reading Start | Odometer Reading Return | Total Miles | Purpose of Trip |
|--------------------|-----|-------------|---------------|------------------------|-------------------------|-------------|-----------------|
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| | | | | | | | |
| | | | | | | | |
| TOTAL MILES | | | | | | | |

MILEAGE REIMBURSEMENT (total miles @ \$0.58/mile)
 Describe other reimbursement requested below (attached receipts):

| |
|--|
| |
| |
| |

TOTAL OF REIMBURSEMENT REQUEST:

| |
|--|
| |
|--|

Claimant's Signature _____

Date _____