

# MILWAUKEE COUNTY ETHICS BOARD

**Monday, February 16, 2009**

**3:00 P.M.**

**Courthouse, Room 203-R**

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Present: David Carr, Chairman  
Rebecca Blemberg, Vice Chair  
Brother Bob Smith- by telephone  
Paul Hinkfuss

Also present: Robert Andrews, Deputy Corporation Counsel

Absent: Reverend Trinette V. McCray

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## 1.0 Roll Call

Roll call was taken. All were present, except for Reverend Trinette V. McCray, and there was a quorum. Brother Bob was present by conference telephone.

## 2.0 Approval of the Minutes for the Meeting of December 3, 2008

Brother Bob moved, Rebecca Blemberg seconded, and the Board, by vote (4-0), approved the minutes for the meeting of December 3, 2008 as written.

## 3.0 Report of the Chairman

### 3.1 Request for a Confidential Advisory

Brother Bob moved, Mr. Hinkfuss seconded and the Board voted (4-0), pursuant to Section 19.85(1) (f), Wis. Stats, to meet in closed session to discuss Item 3.1. Upon reconvening in open session, Chairman Carr stated no action would be taken on the matter at this time. Chairman Carr stated he would respond in writing to the inquiry on behalf of the Board.

### 3.2 Reports on Lobbyists

The Board reviewed the report from County Clerk Czarnecki dated January 15, 2009 for the fourth quarter of 2008 on lobbyist registrations. The report was received and placed on file.

### 3.3 Pension Board Elections and Prohibited Campaign Activities

The Board reviewed an e-mail inquiry to Deputy Corporation Counsel Andrews which asked if it was a violation of the Ethics Code provisions banning political activities to, circulate nomination papers, distribute literature, post election notices, and send e-mail notices about the election of county employees to the Pension Board. Deputy Corporation Counsel Andrews stated that he distinguished the internal election of county employees to a county board or commission such as the Pension Board, from a general, public election. The internal election was not subject to Section 9.06 C.G.O. The Board agreed.

### 3.4 Status Report on the County Executive's Appointments/Reappointments

Chairman Carr stated that he had contacted the County Executive's Office regarding the currently vacant position left by Dan Hanley which was to be filled under the new appointment process from two nominees from the NAACP. In addition, Brother Bob's term will end on February 28, 2009, and is to be filled from two nominees from the Public Policy Forum. Both groups had been contacted by the County Executive's office, but had not responded as yet. The question arose as to what was to happen if nominees were not forwarded timely. Deputy Corporation Counsel Andrews stated the revised code did not specify what was to be done under those circumstances and advised that if the nominating organization did not submit nominees timely, that the organization be given notice that if they failed to act, the County Executive would proceed to the next organization on the appointment list and solicit nominees from them. Brother Bob agreed to continue to serve his term as a holdover appointee until he was replaced, to avoid creating quorum problems for the Ethics Board. Chairman Carr thanked Brother Bob for agreeing to help.

## 4.0 Report from the Executive Director

### 4.1 Status Report for 2009 Statement of Economic Interests Filers

The Executive Director reported that there were 291 filers of Statements of Economic Interests for 2009. Staff had completed the reviews of the statements for completeness and all those required to file had done so, except for five late filers who were expected to file shortly. A copy of the listing of all filers by department was provided to the Board.

### 4.2 2009 Statement of Economic Interests Late Filers

The Executive Director reported that there were five late filers who were expected to file shortly. Late notices had been sent to all late filers.

#### 4.3 Progress Report on Ethics Board Website with Tutorial

The Executive Director stated that Attorney Phillips, who was responsible for the website, had some staffing problems which had delayed the preparation of the text. Some of the sections of the website text will be provided to Ethics Board members and to Corporation Counsel for review as to legal issues and ease of reading. Northwoods Consulting firm is in the process of separating the current Ethics Board website from the Personnel Review Board website. The two will no longer be jointly presented on the county's intranet. Chairman Carr thought it would be a good idea to make an announcement of the website to all county employees when it is completed, and to issue a press release.

#### 4.4 Progress Report on Ethics Board Staffing Reorganization

The Executive Director reminded the Board that in November of 2008, a request was submitted to the Department of Administration to create a full-time position of Executive Director (salary \$72,905, fringe \$30,294, total \$103,294) and a full-time position of Administrative Assistant (salary \$35,328, fringe \$21,896, total \$57,224). The Ethics Work Study Committee had expressed a desire to follow the State model of merging the Ethics Board with a larger department, and the option of placement in a larger department was explored, but without success. Placing the Ethics Board as a free-standing unit was not seen as viable because of the fluctuating work load when complaints are received. Subsequently a meeting was held with the County Executive, DAS, Corporation Counsel, and Supervisor Rice about the placement of the Ethics Board. It was decided at the meeting, in order to save the high cost of salary and benefits, the option of contracting out for a multi-year contract to assist with increased workload demands and to provide education and training services is now being considered. A request-for-proposal will be prepared to solicit the best and most cost effective approach. A fund transfer request has been submitted for the March 2009 legislative cycle of the County Board to transfer funds for the RFP.

#### 4.5 Ethics Board Member Attendance Report for 2008

A copy of the attendance report of each member was distributed to the Ethics Board for their information.

#### 4.6 2009 Adopted Ethics Board Budget

A copy of the adopted 2009 Budget was distributed to the Board for their information.

## 5.0 Election of Officers

Chairman Carr stated that the Board was required to elect new officers at the first meeting of the year under the By-Laws. He called for nominations for Chairman and Vice Chair

***MOTION** Brother Bob nominated David Carr as Chairman and Ms. Blemberg seconded the motion. The motion passed by vote (4-0).*

***MOTION** Mr. Hinkfuss nominated Ms. Blemberg as Vice Chair and Brother Bob seconded the motion. The motion passed by vote (4-0).*

## 6.0 Adjournment

Chairman Carr reminded the Board that they set a meeting schedule for the year. The next three meetings were Thursday April 30, 2009; Thursday, September 17, 2009; and Thursday, November 12, 2009.

Mr. Hinkfuss moved, Ms. Blemberg seconded and the Board voted (4-0) to adjourn the meeting.

Respectfully Submitted,

Susan C. Shields

Susan C. Shields, Executive Director