

MILWAUKEE COUNTY ETHICS BOARD

Wednesday, December 3, 2008

3:00 P.M.

Courthouse, Room 203-R

Present: David Carr, Chairman
Rebecca Blemberg, Vice Chair- by telephone
Brother Bob Smith
Paul Hinkfuss
Reverend Trinette V. McCray

Also present: Robert Andrews, Deputy Corporation Counsel

1.0 Roll Call

Roll call was taken. All were present, and there was a quorum. Ms. Blemberg was present by conference telephone.

2.0 Approval of the Minutes for the Meeting of November 5, 2008

Rev. McCray moved, Brother Bob moved, seconded, and the Board, by vote (5-0), approved the minutes for the meeting of November 5, 2008 as written.

3.0 Report of the Chairman

3.1 Ethics Board letter about the Use of County Resources by a County Official (for Closed Session)

Rev McCray moved, Brother Bob seconded and the Board voted (5-0), 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 further action would be taken on the matter at this time.

3.2 Letter dated November 7, 2008 from County Supervisor Peggy West on whether or not it was a code violation to have the United Migrant Opportunity Services (UMOS) serve as a fiscal agent for the South Side National Night Out Committee

The Board discussed the matter and was appreciative of the supervisor's request for guidance. Mr. Hinkfuss asked why Supervisor West might have thought there was a code violation and was told that she was advised by a fellow supervisor to get advice before letting UMOS act as the fiscal agent. The Board noted that UMOS was not an organization which received funding from the County and that there was no discernable personal benefit to Supervisor West's working with a constituent group on an issue of importance to her district. Rev. McCray noted that the supervisor was soliciting donations, but this was not comparable to putting her title on a letter of solicitation, which had been a previous issue before the Board. The Board agreed to have the Chairman send a letter in response to Supervisor West stating, based on the information contained in her letter, the Board did not see evidence of a code violation.

MOTION: Mr. Hinkfuss moved, and Ms. Blemberg seconded, and the Board voted (5-0) that based on the information contained in Supervisor West's letter, there was no code violation in allowing UMOS to act as a fiscal agent for the fund-raising efforts for the South Side National Night Out.

3.3 Letter from the Office of Corporation Counsel and the Department of Audit regarding the form changes to the 2009 Statement of Economic Interests

The Board was in receipt of an e-mail confirmation that Attorney Robert Andrews, Office of Corporation Counsel, and Jerry Heer, Director, Department of Audit had approved the changes to the Statement of Economic Interests which were made pursuant to the code revisions adopted July 17, 2008 by the County Board of Supervisors. Their approval was required for the form changes made to the Statement of Economic Interests, which had been adopted by the Ethics Board at their last meeting.

MOTION: Brother Bob moved, Ms. Blemberg seconded, and the Board voted (5-0) to place the e-mail approval on file.

3.4 Status Report on the Ethics Board Staffing Reorganization

Chairman Carr indicated that the Board's Executive Director had submitted a request for a position study for a position of Ethics Board Executive Director and a position of Administrative Assistant to the Department of Human Resources and the Department of Administration as a first step toward the staffing reorganization that was requested by the Ethics Work Study Committee. He read relevant parts of the submission. The Board was asked to review the position descriptions. The Executive Director stated that the position study was the first step in the creation of the positions. The study recommendations from both departments would be submitted to the County Board of Supervisors for approval in January of 2009. Depending on the action taken by the County Board, the positions

would then have to be funded, in whole or in part, by a request for a fund transfer from the Committee on Finance.

Rev. McCray asked for a clarification as to whether the positions were funded at a level of \$200,000 or \$175,000. The Executive Director responded that the county operated on a zero based budget, per State law. Funds could not be automatically carried over from one year to the next. The 2008 adopted budget allocated \$200,000 for the positions and website development, of which \$12, 234 was expended for the website. Because the money would lapse before the staffing reorganization could be completed, the remaining balance of \$175,000 was put in the 2009 allocated contingent fund for the staffing positions.

MOTION: Brother Bob moved, Rev. McCray seconded, and the Board voted (5-0) to approve the request for a position study for the staffing reorganization.

4.0 Report from the Executive Director

4.1 Status Report for 2009 Statement of Economic Interests Filers

The Executive Director stated that notices had been sent out to department administrators as to who they wished to have file in 2009 and preparations had begun for the annual mailing.

One question that had already been posed for the 2009 filing of the Statement of Economic Interests was whether the reporting period for the supervisors and the county executive was to be for all of 2008 or from the period from July 31, 2008 to July 31, 2009, since the supervisors had completed a filing in 2008 for the period from January 31, 2008 to July 31, 2008. Attorney Andrews advised the Board that the supervisors and the county executive had the option of filing for the entire year or the half year. Rev. McCray suggested sending out a notice to those affected about the time period overlap for this year and for next year.

Ms. Blemberg asked about filing by Ethics Board members. The Executive Director stated that the code revisions adopted July 17, 2008 no longer required the Ethics Board and the Election Commission to file Statements of Economic Interests and had reduced the number of reporting periods by the County Board of Supervisors and the County Executive from two times per year to annually. Only the Pension Board continued to have to report quarterly.

4.2 Progress Report on Ethics Board Website with Tutorial

The Ethics Board was in receipt of the Northwoods project scope for the website development. They will separate the Ethics website from the Personnel Review Board and will design the on-line quiz. IMSD provided a timeline a scope of work that they would provide. The Executive Director stated that Attorney Phillips, who was responsible for preparing the text, had indicated that he was

having some staffing problems, but would have the work product completed by the end of December 2008.

5.0 Adjournment

Chairman Carr reminded the Board that they must now meet at least four times a year and asked to set the schedule for the year ahead. After consultation, the Board agreed to meet at 3:00 pm. on Monday, February 16, 2009; Thursday April 30, 2009; Thursday, September 17, 2009; and Thursday, November 12, 2009. Ms. Caper was to send an e-mail notice after receiving meeting room confirmation.

Rev. McCray moved, Mr. Hinkfuss seconded and the Board voted (5-0) to adjourn the meeting.

Respectfully Submitted,

Susan C. Shields

Susan C. Shields, Executive Director