

ETHICALLY SPEAKING...

OFFICIAL NEWS OF THE MILWAUKEE COUNTY ETHICS BOARD

DID YOU KNOW...

VOLUME 3, ISSUE 1
APRIL 20, 2012

. . . that the procedure for submitting Verified Complaints and Investigation Requests to the Ethics Board is outlined in **Section 9.09** of the Ethics Code (“the Code”)? Verified Complaints (“Complaints”) are immediately forwarded to the District Attorney (DA) for review; however, Investigation Requests (“Requests”) are forwarded to the DA only after first being reviewed and approved by the Ethics Board (“the Board”). If necessary, the Board is authorized to turn Requests into Complaints and to proceed accordingly. The matter subject is notified of the Complaint or Request within 10 days of receipt, unless the DA asks the Board to delay acting on the matter. After release by the DA, the Board determines if a violation of the Code has occurred. If not, the Board will dismiss the matter in writing and take no further action. In addition, if the Board concludes that the Complaint or Request was made for harassment purposes, the Board will state so in its dismissal. If the Board determines that probable cause exists that a violation of the code occurred or is occurring, the Board will hold a “Preliminary Conference” in a properly noticed closed session meeting. Except as a result of the matter subject’s request to review, hear, or deliberate the matter in open session, Complaints and Requests are not public record and the identity of the individual submitting the request or the individuals named in the request will not be made public. Potential outcomes of a Preliminary Conference are dismissal; dismissal with conditions; settlement; or referral to hearing. The Board has the authority to amend Requests and Complaints if the Board determines during the course of its review that other violations allegedly exist.

AND THE WINNERS ARE....

TAMMIE PALMER



WINNING ENTRY
“ETHICALLY SPEAKING”

BARB TALBERT



2ND PLACE ENTRY
“ALL ABOUT ETHICS”

TERRENCE COOLEY



3RD PLACE ENTRY
“COUNTY COMPASS”

In our December 2011 newsletter, we announced a “Name the Newsletter” contest. We received 14 suggestions from Milwaukee County employees and voting ran from February 2012 until March 26, 2012. The votes have been tallied, and we are pleased to announce the following winners:

1st Place — **Tammie Palmer**, Dept. on Aging, Winner of an Insulated Cooler Bag

2nd Place — **Barb Talbert**, Human Resources, Winner of a Note Holder w/ Pen & Calendar

3rd Place — **Terrence Cooley**, Board of Supervisors, Winner of a

Writing Tool Caddy

Runner-Ups: Julie Lubbers, Christine Becker, Lynn Gram, Jackie Jones, Theresa Trenier, Karen Komassa, Kathleen Sullivan

We appreciate your participation and applaud your efforts!

(Winners shown with the Ethics Board’s Executive Director, Veronica W. Robinson.)

9.05(L) STANDARDS OF CONDUCT

Section 9.05 of the Milwaukee County Ethics Code relates to Standards of Conduct and contains several important sub-sections. In this issue, we would like to emphasize the importance of **9.05(1)** that states “*no county public official or employee shall accept or solicit any honorariums, fees or expense reimbursements except in accordance with Section 9.14.*” **Section 9.14** is entitled “HONORARIUMS, FEES and EXPENSES” and is detailed further in the next section.

If you receive an honorarium, fee or expense payment or reimbursement and are unsure if you need to report it, or if you can even keep it, please contact the Office of the Ethics Board.

9.14 HONORARIUMS, FEES AND EXPENSES

Section 9.14(1) “*Every county elected official, appointed official or employee is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups, and other gatherings to discuss the affairs of the county relative to the duties of that official or employee. Such public officials and employees present at such meeting relative to their duties as a public official or employee shall avoid accepting anything of value, not including the value of food and beverage offered coincidentally with a talk or meeting, if it could reasonably be expected to influence the public official’s or employee’s vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction or omission by the public official or employee.*” (All emphasis added herein.)

Section 9.14(2)(a) identifies circumstances in which a public official or employee must report receipt of certain items “*with a combined pecuniary value exceeding fifty dollars (\$50.00)*” on their Statement of Economic Interests form. A Statement of Economic Interests form, also known as an SEI, is a financial disclosure form required of certain County employees or officials, as outlined in **s. 9.03 CGO**. Reporting exceptions are specified in **s. 9.14(2)(b)**. These exceptions include:

1. Returning the item within thirty (30) days of receipt (**s. 9.2(b)(1)**);
2. Clear and convincing evidence that receipt of the item was unrelated to the official’s or the employee’s duties or responsibilities (**s. 9.2(b)(2)**);
3. Prior notice to the Ethics Board, as a matter of public record (**s. 9.2(b)(3)**); or
4. Receipt of the item by the official’s or the employee’s branch of county government or county department or agency in which the recipient is empowered or elected (**s. 9.2(b)(4)**).

For officials and/or employees not required to file an SEI form, there is still a threshold that defines “*anything of value.*” **Section 9.02(1)** “DEFINITIONS” states, in part, “*Anything of value means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, business, or other consideration having a value greater than twenty five dollars (\$25.00) . . .*” This threshold is lower than the one allowed under **s. 9.14** and should be considered by all officials and employees of Milwaukee County in all instances that do not fall under the parameters of **s. 9.14**. (See **s. 9.02(1)** for further exceptions to the \$25.00 value standard.)

Sections 9.14 (3) refer to receipt of “*reimbursement or payment of actual and reasonable expenses for a published work or for participation in a meeting.*” If “*the work is published or the activity is accomplished by the county public official or employee **without** the use of the county’s time or resources or property and **outside** the course of his/her official duties,*” then the official or employee may retain the reimbursement or payment.

When reimbursement or payment for “*a published work or talk or meeting*” is not authorized by the Code, regardless of whether or not the recipient is a required filer, the payment may no be kept, per **s. 9.14(4)**. The “*greater than \$25.00*” threshold applies, and the official or employee is required to either return the reimbursement or payment to the payer (**s. 9.2(b)(1)**) or deposit the payment in the general revenue account of Milwaukee County. In addition, if the employee or official is a required SEI filer, a report of the payment and its disposition must be included on the SEI form.

TEST YOUR UNDERSTANDING



SCENARIOS

For the scenarios below, answer “Yes” or “No” and, optionally, include a brief statement as to how you determined your answer. We will tally the ‘Yes’ and “No” answers for each item and report the outcomes in our next newsletter, along with an answer as to what should likely occur. (Note: Refer to the section on page 2 regarding 9.14 “HONORARIUMS, FEES & EXPENSES.”)

- You write a paper using County time, resources, or property and you receive \$50. You are NOT a required SEI filer. Can you keep the payment? **Yes** or **No**. (Optional: Why or why not?)
- You write a paper using County time, resources, or property and you receive only \$25. You ARE a required SEI filer. Can you keep the payment? **Yes** or **No**. (Optional: If “No”, why?)
- You have worked at Milwaukee County for three years. For the last seven years, you have volunteered at a local advocacy group. All of the group’s volunteers are invited to a luncheon where they will present their ideas on how to better help the at-risk population the group serves. Each volunteer, including you, receives a \$150 honorarium. You base your talk on your long-time volunteer experiences and, in preparation for your talk, each day during your lunch hour you go outside and sit on a bench to review your notes. You do not use any County resources to help you with your preparation. You ARE a required SEI filer. Can you keep the payment? **Yes** or **No**. If “Yes,” do you need to report it on your SEI? **Yes** or **No**.
- You work in a County agency that helps the same group of at-risk individuals you help through your volunteer service for an advocacy group. You are invited to speak to your advocacy group about how your work at Milwaukee County has impacted your volunteer service at the advocacy group. You ARE a required SEI filer and are offered a \$150 honorarium. You feel that this is too much money and ask for \$50. No County resources are used. Can you keep the honorarium if it is \$150? **Yes** or **No**. \$50? **Yes** or **No**. Will you have to report it if it is \$150? **Yes** or **No**. \$50? **Yes** or **No**.
- Your supervisor knows that you have volunteered at the advocacy group for quite some time and tells you about an call for round table participants at a local conference. The conference is seeking individuals to discuss how local government can work with non-profit agencies to enhance services. You would have to attend during work hours and to use vacation time. The conference is offering to reimburse costs associated with attending the conference, which you and your supervisor estimate will be about \$300. Also, the conference will pay you a \$50 honorarium. You are NOT a required SEI filer. Can you keep the \$300? **Yes** or **No**. Can you keep the \$50? **Yes** or **No**.

NOTES:

MEET THE BOARD



2007-2013

David B. Carr received a B.B.A. in Marketing from Butler University in Indianapolis, Indiana, where he was a Morton Finney Leadership Scholar and a J.D. from Marquette University Law School. During law school Mr. Carr was a law clerk for Trebon & Mayhew and a judicial intern for Circuit Court Judge Jeffrey A. Wagner. He has experience in complex commercial litigation at both the state and federal levels, including insurance defense, bankruptcy matters, contract disputes, replevin actions, and motion practice.

Mr. Carr currently serves as the Chairman of the Ethics Board, following his 2006 appointment by Milwaukee County Executive Scott Walker. Mr. Carr is admitted to practice in Wisconsin State Courts, as well as the Eastern and Western Districts of Wisconsin. He is a member of the Marquette University Law School Diversity Recruitment Committee, the American Bar Association, and the State Bar of Wisconsin.



2008-2014

Mr. Henry Hamilton is an Administrative Law Judge with the U.S. Equal Employment Opportunity Commission (EEOC) in Milwaukee, Wisconsin. He previously served as an EEOC Senior Trial Attorney, Magistrate Judge for the State of Iowa, City Prosecutor for the City of Des Moines, Iowa, and as a private practitioner with the Iowa law firm of Parrish, Kruidenier, Moss, Dunn, Montgomery & Boles. Mr. Hamilton currently serves on the Milwaukee Branch NAACP Executive Committee and is chair of the Environmental Justice Task Force. He is a recipient of the NAACP Foot Soldiers in the Sands award. This national award is given annually to attorneys who have shown exemplary service on behalf of the NAACP and its civil rights agenda.



2009-2015

Mr. Christian Flores received a BA in Economics from the University of Wisconsin-Milwaukee. He currently is the New Business Intake Manager at Quarles and Brady and is an active member of the Hispanic Professionals of Greater Milwaukee and the Public Policy Forum. After graduation he was President of the Milwaukee Latin Markets, LLC and promoted the development of Hispanic and business owners and service providers in Southeastern Wisconsin. He has also worked in information management services for Reinhart, Boerner and Van Dueren, S.C. and in accounting and financial analysis for Edward J. Roepsch Law Offices.



2010-2016

Ms. Marcia F. Drame received her B. A. from the University of Wisconsin-Madison in Psychology and Spanish and her J.D. from the University of Wisconsin Law School in 1998. Ms. Drame is Assistant General Counsel and Assistant Secretary in the Law Department of The Northwestern Mutual Life Insurance Company where she works primarily with members of the Company's real estate department in investment activities in commercial mortgage financing, real estate development transactions and investments in real estate equity funds. Prior to joining Northwestern Mutual, Ms. Drame was an associate attorney at the law firm of Quarles & Brady LLP. Ms. Drame is a member of the State Bar of Wisconsin, the American Bar Association and the Milwaukee Bar Association and is admitted to practice law in Wisconsin State Courts as well as the Eastern and Western United States District Courts of Wisconsin. She has performed pro bono work at the Milwaukee Justice Center, Milwaukee Habitat for Humanity and the Walnut Way Conservation Corporation. In 2008, Ms. Drame was an adjunct faculty member at the University of Wisconsin-Milwaukee, Sheldon B. Lubar School of Business, teaching an undergraduate course in Real Estate Finance.

OUR NEWEST MEMBER



Please join us in welcoming the recently appointed Ethics Board member, **Carol J. Wichmann**. Ms. Wichmann received her BA from Alverno College, Milwaukee, WI and obtained Certification in Labor Management Relations from Marquette University. Ms. Wichmann has held Human Resource leadership positions for public and private sector employers in the insurance, civic, health care, and legal fields. She is presently retired from her most recent position as the Benefits and Insurance manager for Foley & Lardner, LLP.

Currently, Ms. Wichmann is a member of the Board of Directors of the League of Women Voters—Milwaukee County and serves on the Personnel Committee of St. Mary Parish, Hales Corners. Previously, she served on the Board of Directors of Health Care Network of WI and on the Customer Advisory Committee of Wisconsin Physician Services (WPS).



Don't Miss

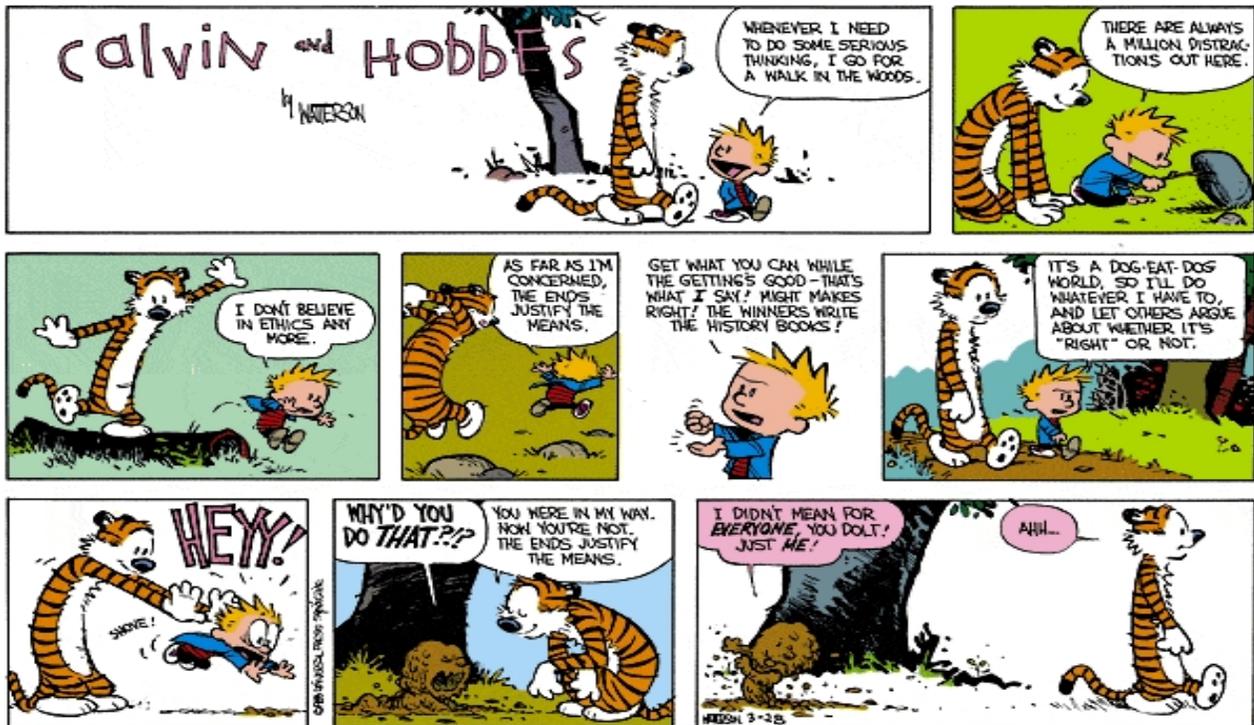
Corporate Compliance & Ethics Week



May 6–12, 2012
Think Compliance First

CORPORATE COMPLIANCE & ETHICS WEEK

Corporate Compliance Week is celebrated during the first full week in May. The Office of the Ethics Board will use this opportunity to promote ethical behavior through games and activities designed to draw attention of County employees and officials to the County's Ethics Code. We invite all to participate. For departments/divisions whose employees do not have email and/or Internet access, please print hard copies of the games — or contact our office for hard copies — so that all employees will have an opportunity to participate. Please stay tuned for further announcements. We look forward to another successful week of educational fun!



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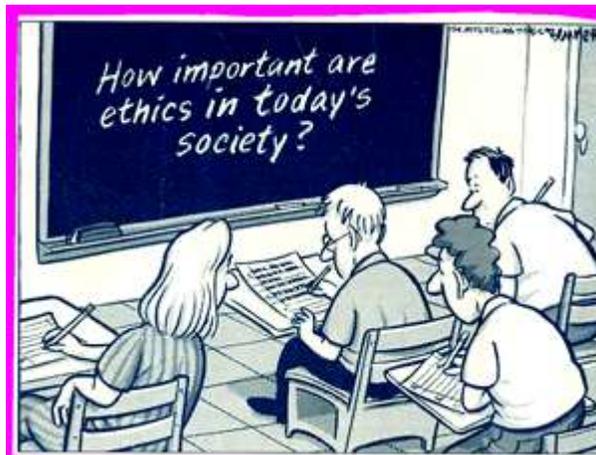
ABOUT US

The Milwaukee County Ethics Board is located on the second floor of the Courthouse in Suite 212. This newsletter is produced as part of an effort to advance awareness of the Milwaukee County Ethics Board, the Milwaukee County Ethics Code, and to engage employees and officials in learning more about the importance of ethical behavior and sound ethical decision making in the business arena. Please direct any comments or questions to our office by mail, email, fax, or phone at the information identified below.



MARK YOUR
CALENDAR!

The next meeting of the Ethics Board will be held on Wednesday, May 23, 2012 at 3:00 PM in Room 203-R of the Courthouse. Meeting minutes and agendas are available on the Ethics Board Website.



CONTACT US



MILWAUKEE COUNTY ETHICS BOARD

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