

# MILWAUKEE COUNTY ETHICS BOARD

Thursday, December 9, 2010

3:00 PM

Milwaukee County Courthouse, Room 203R

## MINUTES

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Present: David Carr (Chair)  
Paul Hinkfuss (Vice Chair)\*  
Rebecca Blemberg\*\*  
Marcia Facey  
Christian Flores  
Henry Hamilton III

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### 1.0 Roll Call

Roll call was taken. All were present except Mr. Hinkfuss, who was temporarily excused, and there was a quorum.

\*Mr. Hinkfuss was not present at roll call, but arrived at 3:25PM.

\*\* Ms. Blemberg was present and participated by conference telephone.

### 2.0 Approval of the Minutes for the Meeting of October 14, 2010

Mr. Flores moved, Ms. Facey seconded, and the Board, by vote (5-0), approved the minutes of the meeting of October 14, 2010.

### 3.0 Report of the Chairman

*Item 4.0 was taken out of order to allow Supervisor Rice, who was present, to make his comments early.*

Supervisor Joseph Rice informed the Ethics Board that his resolution (*see item 4.0*) to modify the Ethics Code as it relates to confidential information, privileged communications, and information acquired in meetings during closed session had been laid over at the last meeting of the Judiciary Committee.

Supervisor Rice next pointed out the principles outlined at the beginning of the Ethics Code and proceeded to suggest proactive behaviors that, in his opinion, the Board should take in order to demonstrate its full engagement and involvement in the aggressive pursuit of ethical conduct by all elected and appointed County officials and County employees. Supervisor Rice also encouraged the Ethics Board to take an active interest in the legislative process at Milwaukee County as related to possible changes to the Ethics Code.

*Mr. Hinkfuss arrived and took his place at the Board.*

The Board noted Supervisor Rice's comments and assured him that they appreciate their responsibilities and take them seriously. The Board thanked its Executive Director for the progress to-date on developing education and training opportunities within the budget restrictions. Item 4.0 was moved back down on the agenda.

3.1 Letter from Supervisor Peggy West Requesting Review of Ethics Board Objectives

Supervisor Peggy West then addressed the Ethics Board regarding the release of closed session information to the media. Supervisor West referred to a specific, recent incident of the same sort by a colleague and stated why she believed the conduct was unethical. Supervisor West also stated the conduct had a negative impact on Milwaukee County. It was Supervisor West's position that the Ethics Code was broad enough that the conduct should have been reviewed by the Ethics Board. Conversation ensued. The Ethics Board reminded Supervisor West that it was neither in a position to judge general ethical behavior, nor to draft legislation, but to enforce the Ethics Code as written. The Board indicated that, at present, it did not believe the Ethics Code provided room for it to address matters of personal misconduct; however the Board stated it was open to discussion on the expansion of its role and the means by which that would occur.

3.2 Confidential Advisories

3.3 Confidential Verified Complaints & Investigation Requests, if any

3.4 Status report from Rules of Procedure and By-Laws Review Committee

The subcommittee members stated that the Ethics Board's by-laws were older, but still acceptable. A recommendation was made to update the by-laws to indicate meeting notices are accepted by email. The Ethics Board's Rules of Procedure are outdated and not in accord with the most recent version of the Code. The subcommittee created a new document with recommended changes, and a draft copy was distributed to all members of the Board for review. The matter was adjourned for an update report for the February 15, 2011 meeting.

- 4.0 Status on Supervisor Joseph Rice's resolution to modify the Ethics Code as it relates to confidential information, privileged communications, and information acquired in meetings during closed session.

This item was taken out of order and included in Supervisor Rice's opening comments on item 3.1. During those comments, Supervisor Rice informed the Board that the resolution was moot as it had been placed at the call of the chair by the Judiciary Committee.

- 5.0 Written report from the Executive Director

- 5.1 Status report on in-house SEI Project

Ms. Caper, on Ms. Robinson's behalf, gave the Board an update on the Statement of Economic Interests project. The project will allow electronic completion, submission, filing, and organization of the SEI form. In addition, basic data will be uploaded to an online, public access database. A project charter has been submitted to IMSD and in-house resources are being used. The Judiciary and General Services Committee will consider the matter at its December 2, 2010 meeting

- 5.2 Status of independent legal counsel

Ms. Caper, on Ms. Robinson's behalf, informed the Board that there is still no outside legal counsel for the Ethics Board for the 2011 fiscal year. Working through Milwaukee County's Corporation Counsel Division is not an option. The matter is still in research and the Board will be notified once the matter has been resolved.

- 5.3 Results of the Ethics Code Study Committee Briefing

Ms. Caper, on Ms. Robinson's behalf, informed the Board that the Ethics Code Study Committee briefing was well-received and commendations were given to the Executive Director and staff for accomplishments to-date and for the continuing vision. The Committee offered ideas and suggestions on promoting Milwaukee County's Ethics Board and its activities.

- 5.4 Status of Annual SEI Lists and Training Video

Ms. Caper, on Ms. Robinson's behalf, informed the Board that Camtasia and microphones were purchased. Administrative Assistant, Harriet Caper, has begun the recording process of the first video training project, which will educate filers on how to complete the Statement of Economic Interests form.

5.5 Annual Lobbying Memo

Ms. Caper, on Ms. Robinson's behalf, informed the Board that the annual lobbying memo reminder had been electronically mailed to all Elected Officials, Appointed Officials, and Department Heads. County Clerk Joseph Czarnecki asked that the memo include notification that lobbying information on the County Clerk's website is updated on a quarterly basis.

6.0 Mr. Hamilton III moved, Ms. Facey seconded, and the Board voted (6-0) to adjourn the meeting.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Veronica W. Robinson", is written over a solid blue horizontal line.

Veronica W. Robinson, Executive Director