

## MILWAUKEE COUNTY ETHICS BOARD

Milwaukee County Courthouse  
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### 2021 - ANNUAL ACTIVITIES REPORT

#### ETHICS BOARD MEMBERSHIP

#### TERM EXPIRATION YEAR

Christopher Meuler, Chair (Nominee of the Milwaukee Bar Association)	February 28, 2022
Christian B. Flores, Vice Chair (Nominee of Public Policy Forum)	February 28, 2021
Christine Hansen, Vice Chair (Nominee of League of Women Voters)	April 1, 2023
Richard Donner (Nominee of Public Policy Forum)	April 30, 2027
Dana Guthrie (Nominee of the Greater Milwaukee Committee)	December 12, 2025
Clarence P. Nicholas (Nominee of NAACP)	March 12, 2026
Rachel Yates (Nominee of Interfaith Conference of Greater Milwaukee)	September 24, 2026

The Ethics Board elected Christopher Meuler as Chair and Christine Hansen as Vice Chair of the Ethics Board at its February 4, 2021 meeting. Christian Flores' second term ended on February 8, 2021. Richard Donner was confirmed as a member of the Ethics Board on April 22, 2021, with his first Ethics Board meeting on May 6, 2021.

### BACKGROUND

#### MISSION STATEMENT

To ensure public confidence that the Milwaukee County government acts with the highest integrity and in the public interest.

#### VISION

Milwaukee County has a model ethical culture based on transparency, disclosure, and institutional integrity.

#### STATUTORY REFERENCE

The Milwaukee County Ethics Code is Chapter 9 of the Milwaukee County General Ordinances and is based largely on Section 19.59 of the Wisconsin Statutes. The Milwaukee County Lobbying Code is Chapter 14, Milwaukee County General Ordinances. The Board must also operate in compliance with other Wisconsin Statutes, such as Public Records and Open Meetings Laws.

#### HISTORY

The Ethics Board and the Ethics Code it administers were created in February of 1975. The current Rules and Procedures of the Ethics Board (which contains the processes by which the Board conducts its business) were adopted in 2013. The Code sets forth standards of ethical conduct for all county

employees, including elected and appointed officials and members of boards and commissions. The County Board has amended the Code 32 times since its inception. The three most recent revisions to the Code are as follows:

- March 2020: Section 9.02(1) was amended to establish a uniform value threshold for gifts, honorariums, fees and expense throughout the Code;
- September 2021: Section 9.14(2)(a) was amended to modify the Statement of Economic Interests (“SEI”) form (SEI filers now acknowledge whether a gift reported in Item 7A was given to them by or on behalf of a vendor of that filer’s department); and
- December 2021: Sections 9.03 and 9.04 were amended to discontinue the requirement that a notarized Affidavit supplement SEI submissions.

## **ORGANIZATION**

The Board consists of six members appointed by the County Executive and confirmed by the Milwaukee County Board of Supervisors for staggered six-year terms. New members are nominated by one of the following six outside entities:

- The National Association for the Advancement of Colored People (NAACP);
- The Public Policy Forum;
- The Greater Milwaukee Committee;
- The Milwaukee Bar Association;
- The Inter-Faith Conference of Greater Milwaukee; and
- The League of Women Voters of Greater Milwaukee.

The goal of this process is to ensure that the Board members reflect the racial and ethnic diversity of Milwaukee County, serve the residents of Milwaukee County according to their oaths of office, and act independently from the nomination and appointing authorities. An action by the Ethics Board requires an affirmative vote of four members. While serving on the Board, and for one year prior to his/her appointment, no member can be a county public official, employee, or candidate for public office.

## **BOARD RESPONSIBILITIES**

The Ethics Board administers the Ethics Code for county officials, employees, and members of county boards and commissions, and it is the primary source of interpretation of the Milwaukee County Ethics Code. The Board has three major responsibilities:

- Directs persons to timely file SEIs as required;
- Upon request, advises any county official, employee, or those who do business with county employees on the propriety of matters to which they may become a part; and
- Addresses investigation requests and verified complaints against county elected or appointed officials, employees, or members of county boards and commissions.

## **ADMINISTRATION**

### **STAFF**

Adam Gilmore, Executive Director, June 2019 to present

Alisha Terry, Administrative Assistant, June 2015 to present

## 2021 BUDGET

The 2021 adopted Ethics Board budget was \$12,800. In 2017, the Ethics Board budget was combined with the Personnel Review Board and Civil Service Commission budgets for efficiency and cost saving purposes. Thus, the 2021 personnel costs for the three departments are now primarily taken from the Personnel Review Board budget. The budget of the Ethics Board is utilized almost entirely for outside counsel representation when necessary.

## BOARD MEETINGS

In 2021, the Ethics Board met five times. By ordinance, the Ethics Board shall meet at least four times per year, with a February meeting designated as the annual meeting. The Ethics Board schedules additional meetings as necessary to timely respond to requests for advice or to investigate allegations of violations of the Ethics Code.

Although requests for written advice and investigations must be held in closed session pursuant to local ordinance and as permitted by state statutes, the Board gives public notice of the time, place, and general subject of its closed sessions in conformance with the State of Wisconsin's Open Meetings law. Most all other items of the meeting agenda are held in public session.

## MEETINGS AND ATTENDANCE

The average Board member attendance rate in 2021 was 94%.

**Board Member Attendance Data 2019 to 2021**

2019		2020		2021	
MEMBER	MEETINGS ATTENDED OF MEETINGS CALLED	MEMBER	MEETINGS ATTENDED OF MEETINGS CALLED	MEMBER	MEETINGS ATTENDED OF MEETINGS CALLED
Christopher Meuler	5 of 5 = 100%	Christopher Meuler	5 of 5 = 100%	Christopher Meuler	5 of 5 = 100%
Christian Flores	5 of 5 = 100%	Christian Flores	5 of 5 = 100%	Christian Flores	1 of 1 = 100%
Clarence Nicholas	5 of 5 = 100%	Clarence Nicholas	4 of 5 = 80%	Clarence Nicholas	4 of 5 = 80%
Howard Schnoll	1 of 1 = 100%	Dana Guthrie	5 of 5 = 100%	Dana Guthrie	5 of 5 = 100%
Christine Hansen	5 of 5 = 100%	Christine Hansen	5 of 5 = 100%	Christine Hansen	5 of 5 = 100%
Cynthia Herber	4 of 5 = 80%	Cynthia Herber	1 of 1 = 100%	Rachel Yates	4 of 5 = 80%
<b>Average Attendance</b>	<b>= 97%</b>	Rachel Yates	1 of 1 = 100%	Richard Donner	4 of 4 = 100%
		<b>Average Attendance</b>	<b>= 97%</b>	<b>Average Attendance</b>	<b>= 94%</b>

## ACTIVITIES RELATED TO THE DUTIES OF THE ETHICS BOARD

### STATEMENTS OF ECONOMIC INTEREST

The Code requires that the following individuals file an SEI form with the Ethics Board:

- All County employees fitting the description in Section 9.03(1) and as identified by their department head;
- Certain new employees (Section 9.03(3));
- Elected and Appointed County Officials (Section 9.03(1));
- Candidates for Elected County Office and Incumbents seeking re-election (Section 9.03(2)); and
- Members of Boards and Commissions at the determination of the Ethics Board.

In 2021, 345 people were required to file a SEI with the Ethics Board, a slight increase from the 337 people required to file in 2020.

The Board received five requests to review SEIs in 2021.

### SEI ELECTRONIC FILING PROJECT

Through 2021, the office of the Ethics Board worked closely with Fiscal Affairs, IMSD, and County vendor Granicus to bring the SEI filing process to the newly launched MyCounty Customer Portal. The Portal was created to increase the accessibility of certain county services by bringing them to a digital forum. The benefits of this transition include:

- A quicker, simpler filing process for employees, officials and candidates for office;
- Increased efficiency in the maintenance and custodianship of records by the Ethics Board's office; and
- An easier and more prominent method by which citizens may request SEIs in an effort to enhance transparency in our County government.

### HEARING PROCEDURES

The Ethics Board is currently working to develop recommendations for revisions to the Ethics Code as it relates to its hearing procedures. These recommendations will focus on clarifying the roles of participants (e.g., the Board's members, the hearing examiner, etc.) in said hearings.

### ETHICS COMPLIANCE & TRAINING

The Milwaukee County Administrative Manual of Operating Procedures (AMOP) requires mandatory, online, annual ethics training for Milwaukee County employees.

The Ethics Board issued a summer edition of its newsletter, "Ethically Speaking". The summer newsletter focused on breaking down the different provisions of the Ethics Code and their purpose. The Ethics Board recommends individuals visit their County website to review past newsletters.

## ETHICS BOARD DETERMINATIONS AND ADVISORIES

During 2021, the Ethics Board considered the following requests for advisory opinions, investigation requests, or other matters. Pursuant to rules established by County Ordinance and Statutes, these actions were discussed in closed session, and the synopses are written in a manner that protects the integrity of the closed session meetings and the confidentiality of the requesters. These summaries are for informational purposes and should not be relied on as authoritative advice for other factual scenarios. 42 advisories; 1 investigation/complaint

1. The Board received a request for advice concerning whether it was an ethics violation for a County employee to use a county account with a vendor to make purchases for their private side business. The employee used their own method of payment but was receiving the county's discount with the vendor. While the Ethics Board Executive Director was looking into the matter, the employee left the County. The Ethics Board Executive Director informed the inquirer that the situation would potentially be a violation of the Ethics Code, however the Ethics Board's jurisdiction over an individual ceases when they leave County service. MCO §9.05(2)(a), §9.05(2)(c)(2).
2. A County employee started a non-profit. At the start of the pandemic, the non-profit began planning a safe, outdoor community event for public benefit. At or around the same time, the County was brainstorming ways to help the public. The employee suggested advertising the community event their non-profit was organizing. The employee made it known at that time that they were involved with the non-profit. The non-profit/employee did not receive any payment for hosting the event, did not receive any publicity for additional events for the non-profit, and no contract existed or is planned between the non-profit and the County. The Ethics Board Chair advised that, as it is difficult to ascertain whether anything of value was gained or exchanged, the greatest concern is the clouding of the separation between the employee's role with the County and their work with the non-profit. The employee was reminded to maintain a clear distinction between their personal interests and their County duties.
3. A County employee requested an advisory opinion regarding a candidate for a board appointment and whether the individual had a potential conflict of interest. The potential appointee oversees certain government contract activity for a particular vendor. The Ethics Board Chair and Executive Director determined there was no violation of the Ethics Code, due to a lack of "association", as defined by the Ethics Code, of the potential appointee with the vendor. MCO §9.02(2).
4. A County employee inquired what should be reported on an SEI related to honorariums, fees and expenses. The Ethics Board Executive Director advised to avoid accepting anything of value for participation and if accepted, it need to be reported on their SEI. MCO §9.14.
5. A County official inquired whether they could accept a per diem from an organization for participating in a planning discussion that was related to their County duties. The Ethics Board Executive Director advised the individual in this situation not to accept anything of value from the organization as it could be perceived to influence the official's decision making. The individual was instructed to report the per diem on their next SEI should they accept it. MCO §9.05(2)(b), §9.14.

6. A County department inquired whether a workshop fee could be reimbursed for commission members. The Ethics Board Executive Director did not see a violation of the Ethics Code. MCO §9.05(2)(a), §9.05(2)(b), §9.05(2)(c)(1), §9.05(2)(c)(2).
7. A County employee reached out with questions pertaining to post-employment in the private sector. The Ethics Board Executive Director contacted the employee to answer specific questions, as well as sent the post-employment brochure. MCO §9.05(3).
8. A County official inquired whether they could promote events of a partner organization. The Ethics Board Executive Director advised that if the official had no personal or financial interest in the organization planning the events or the vendors at the events, promoting the events would not be a violation. MCO §9.05.
9. A County department requested an advisory opinion regarding whether a recently retired employee could work with organizations loosely affiliated with the County in the months or up to a year after retiring. The Ethics Board Executive Director informed the inquirer that the situation described would be a violation of the Ethics Code, however a waiver could be sought from the Milwaukee County Finance Committee. MCO §9.05(3)(a).
10. A County employee reached out to the Ethics Board office on protocols of returning a gift and/or reporting it. After making a routine purchase, the vendor sent the County employee a gift. The Ethics Board Executive Director advised to return/not accept gifts valued over fifty dollars (\$50). Should such a gift be accepted, it would need to be reported on the person's SEI. MCO §9.05(2)(f).
11. A County official inquired whether an individual currently serving on a board that has received county funding could also be appointed to another board. The Ethics Board Chair advised that based on the information provided and current relationship between these entities there is no current conflict with nominating the individual to the second board. There could be potential conflict down the road, however, and the individual was advised to be vigilant in keeping the work separate. It was further recommended that the first board not seek further funds from Milwaukee County as long as the individual is associated with both organizations. MCO §9.05.
12. A County employee requested an advisory opinion whether they could accept accommodations, group meals and access to sessions and networking functions with an invitation to speak at an event. The Ethics Board Executive Director advised the employee on Section §9.14 of the Ethics Code and recommended avoiding accepting the accommodations offered. MCO §9.14.
13. A County department was contacted by a company in the interest of gifting items valued above \$50 each to the department. The items would be given to department employees at the discretion of leadership. The Ethics Board Executive Director advised the department to decline the offer because the value of the tickets exceeded the \$50 threshold for acceptable gifts. The department was encouraged to work with the company in the interest of creating a different opportunity for boosting department morale. MCO §9.05(2)(f).
14. A County employee inquired whether they could accept the waiver of a training fee from the trainer. The Ethics Board Chair advised that accepting the waiver of the training cost could potentially constitute a violation of the Ethics Code. MCO §9.05(2)(b), §9.05(2)(e).

15. A County employee requested an advisory opinion regarding a second job that is a part-time with an organization that contracts with the County. The employee does not have any involvement in the organization's contractual engagements with the County. The Ethics Board Executive Director did not see a violation as long as the employee maintains separation of their positions and avoids utilizing any privileged information gained in the course of their County duties while performing work for the organization. MCO §9.05(2)(d).
16. A County employee inquired whether it was a violation that their secondary employer had contracted with the county for an event. The contract was signed prior to the employee joining the County. The Ethics Board Executive Director did not see a violation of the Ethics Code as the contract was signed prior to the employee joining county service, however the Executive Director did recommend avoiding discussing the employee's secondary employment with the event operators and not solicit or accept jobs directly from them. The Executive Director also advised of three provisions of the Ethics Code that the employee should reference going forward. MCO §9.05(2)(c)(1), §9.05(2)(c)(2), §9.05(2)(d).
17. The Board received a request for advice concerning whether it was a violation for a County employee to accept an invitation to and participate in a campaign ad for state government candidate. The role was not to be a speaking one. The Ethics Board Executive Director advised that there was no violation so long as the ad was not produced on County property, the employee did not attempt to perform any official duties for the County during production, and the employee not accept any monetary compensation if the employee believed that their participation could appear to be because of their position with the County. MCO §9.06(1), §9.05(2)(a).
18. A County employee requested an advisory opinion regarding whether they could apply for a part-time job in a similar field as their position held at the county. The Ethics Board Executive Director informed the inquirer that the situation would not be an inherent violation of the Ethics Code, however it was recommended that the employee, if hired for the part-time position, not perform any work for the other job on county time and not disclose any privileged information they receive as part of their work at the County. MCO §9.05(2)(d).
19. A County official inquired whether they could allow a staff member to use their assigned parking pass to park for work. The Ethics Board Executive Director advised the official that it would be a violation of the Ethics Code to allow their staff member to use the parking pass. It was also advised that the official reach out to Facilities to see what options are available for staff members for parking. MCO §9.05(2)(f).
20. A County department inquired whether the Ethics Code covered abuse of confidentiality of privileged information. The Ethics Board Executive Director pointed them to the related Code provision. MCO §9.05(2)(d).
21. A County employee, as a member of various non-profits, inquired whether they could accept gifts for their participation in a speaking engagement and for membership with the non-profits. The Ethics Board Executive Director considered the fact that a reasonable person might believe the employee's participation could have some relationship to their County role and ultimately

advised the individual against accepting any gifts valued over \$50. The individual was directed to report any gifts accepted over that value on a future SEI. MCO §9.05(2)(b), §9.14.

22. A County employee inquired whether it was a violation for their small business, that they own with their spouse, to apply for an RFP with a county department that they do not work for. The Ethics Board Chair and Executive Director agreed that there was no inherent violation as the employee's role with their county department had no appearance of having authority or influence over the potential contract between the employee's business and the county department with the RFP. The employee was advised to complete a conflict-of-interest form as part of the RFP process to make the RFP panel aware of the connection. MCO §9.05(2)(a), §9.05(2)(c)(2).
23. A County department inquired whether a newly onboarded employee (with likely contractual bargaining authority) would need to complete an SEI immediately or wait until the annual drive. The Ethics Board Executive Director advised that the new employee needed to complete an SEI within 30 days of the commencement of employment and then participate in annual SEI drives that would follow. MCO §9.03(3).
24. A County employee requested an advisory opinion concerning whether they could review a response to an RFP from an organization. A relative of theirs works at the organization on unrelated services. The Ethics Board Executive Director advised there was no violation of the Ethics Code due to the lack of the employee being associated with the organization, that the relative is not immediate family as defined by the Code, and the employee does not stand to privately gain from the organization's bid being chosen. The related sections of the Code were provided to the employee. MCO §9.02(2), 9.02(9), MCO §9.05(2)(a-c).
25. A County employee inquired whether it was conflict of interest to review a response to an RFP from an organization whose events the employee had participated in previously as a citizen. The Ethics Board Executive Director advised there was no violation of the Ethics Code. MCO §9.05(2)(a-c).
26. A County employee requested advice on a potential second part-time job with a company that contracts with the employee's county department. The employee would not have any involvement in the company's contractual engagements with the County. The employee was advised that they could work in the proposed capacity for the company, but that he should refrain from working for the company in said capacity on County property or during County time. MCO §9.05(2)(a-b).
27. A County department purchased equipment that came with (as part of the purchase) an off-site training session on said equipment. The Ethics Board Executive Director advised the department that participation in the training and accepting food and/or beverage offered at the training was acceptable. The Executive Director advised against accepting any compensation from the vendor for lodging or travel as might be related to the training. If such compensation were accepted, any employees benefitting from the compensation should report it on their next SEI if they are required to file. MCO §9.14
28. A County official wished to use county funds to purchase items for the community. Distribution would take place at a public event on a first-come-first-serve basis. The Ethics Board Executive

Director confirmed that the official had no significant fiduciary relationship with the vendor of the items. The Executive Director advised that neither the official nor a member of their immediate family should take an item and to not use the event as a campaign event of any kind. MCO §9.05(2)(c)(2), §9.06.

29. A County employee inquired whether employees could work for the County and a third party where both positions came with similar duties. It was confirmed that the employee was not offered the position from the third party due to their current County position, nor would the secondary employment affect their decision making in the scope of their County duties. The Ethics Board Executive Director advised that there was no inherent violation in this, but that the county employees should be aware of provisions related to keeping their county duties and the organization's work separate and to not disclose confidential information learned through their county position. MCO §9.05(2)(a), §9.05(2)(c)(2), and §9.05(2)(d).
30. A former County employee recently resigned from their position in county service and accepted a position with a company that contracts with the County. The former employee's new position with the company is as the main County representative for a few County departments for certain projects. The Ethics Board Executive Director advised the parties that the scenario posed a violation of Ethics Code §9.05(3)(a) and recommended they seek a waiver available under that provision from the County Finance Committee. MCO §9.05(3)(a).
31. A County employee requested an advisory opinion regarding secondary employment. The Ethics Board Executive Director advised there was no inherent violation, however pointed the individual to related Code provisions. MCO §9.05(2)(a-d), §9.05(3)(a).
32. The Board received a request for advice concerning the jurisdiction of a non-County based association's Code of Ethics on a County employee. The Ethics Board Executive Director determined that consideration of potential violations of a different entity's Code of Ethics did not fall within the authority of the Ethics Board.
33. A County department inquired whether they could accept a gift from a vendor to be used for a team building outing. The Ethics Board Executive Director recommended that the department limit the vendor's contribution so that the individuals participating don't receive an amount worth more than \$50. The department was advised against accepting such a gesture from a vendor more than once a year. MCO §9.05(2)(b).
34. A County employee requested an advisory opinion concerning whether they could appear before the County Board to discuss an organization they are a member of. The Ethics Board Executive Director determined the employee was not associated with the organization and they were not using their County position to render a private benefit for the organization. The individual was advised to put their affiliations on record should they advocate for County monies to be directed to the organization. MCO §9.02(2), §9.05(2)(a) §9.05(2)(c)(2).
35. The Board received a request for advice regarding whether County employees could accept door prizes won at a conference. The association that hosted the conference is not likely to become a vendor for the County in the future. Attendees of the conference were entered into a raffle and some county employees received door prizes valued at up to \$50. The Ethics Board Chair and

Executive Director agreed that acceptance of the door prizes did not have the appearance of influencing the duties or decision making of the recipients. MCO §9.05(2)(1), §9.05(2)(f).

36. An organization requested to conduct a photo shoot on Milwaukee County property and inquired whether payment could be rendered in the form of tickets to specific events. The Ethics Board advised the department not to accept the tickets in lieu of fees for use of the property, as it would divert revenue away from the County and create a private benefit for certain individuals. MCO §9.05(2)(f).
37. A County department inquired whether they could accept sample pieces of furniture from a manufacturer. The Ethics Board advised against accepting the samples. The Board considered that there is potential that this manufacturer would bid on a future RFP issued by that department to purchase the same furniture being provided here. Ultimately, the Board found that a reasonable person could perceive the gifts as an attempt to influence the department's future decision making. MCO §9.05(2)(d).
38. A County official inquired whether they could accept an honorarium. The Ethics Board Director advised the official on the rules related to accepting Honorariums and reporting their value on their Statement of Economic Interests. MCO §9.14.
39. A County official sought to use excess funds in their department's budget to make a donation to a charitable organization that works closely with another County department. The Ethics Board advised against making the donation, noting that the use of County funds in such a way could have the appearance of impropriety.
40. A County department inquired whether they could support an organization that was nominated by a department employee who sits on the board of directors of the organization. The Ethics Board Chair and Executive Director recommended the department did not select the organization as a recipient.
41. A County department inquired whether gifts could be given to contracted staff for the holidays. The Ethics Board Executive Director recommended that any gift given should be less than the anything of value threshold of \$50 as the contracted staff could reasonably appear to be employees or members of the department. MCO §9.05(2)(f).
42. A County employee inquired what political activity is allowed by the Ethics Code. The Ethics Board Executive Director provided MCO §9.06 for the employee's reference.
43. The Board received a complaint regarding an employee that was outside of its jurisdiction.

## **PUBLIC RECORDS REQUESTS**

The Ethics Board received three requests for records pursuant to Wisconsin Public Records laws. The Board's office provided copies of SEIs Interests in response to the three requests.

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