

CHAPTER 2

ADMINISTRATION

- 2.01 County Board Supervisory Districts.**
- 2.02 Rules of the County Board.**
- 2.03 Emergency Special Meetings of the County Board.**
- 2.04 County Board Code of Conduct.**
- 2.05 Committees of the County Board.**
- 2.06 County Administrator.**
- 2.07 Ethics Code.**
- 2.08 Chief Deputy Position.**

2.01 COUNTY BOARD SUPERVISORY DISTRICTS.

Section 1: The County Board of Supervisors of the County of Trempealeau does ordain as follows: Pursuant to Wis. Stat. § 59.10 (3) (b), and based on 2020 population statistics for Trempealeau County provided by the United States Bureau of the Census, the following described supervisory districts are established for Trempealeau County:

District 1 shall consist of Wards 1 and 2 in the Village of Trempealeau.

District 2 shall consist of the Township of Caledonia, and Ward 2 in the Township of Trempealeau.

District 3 shall consist of Wards 2 and 3 in the City of Galesville, Ward 1 in the Township of Trempealeau, and Ward 1 in the Township of Gale.

District 4 shall consist of Ward 1 in the City of Galesville and Ward 2 of Town of Gale.

District 5 shall consist of the Township of Dodge, Ward 3 in the Township of Trempealeau and Ward 4 in the Township of Arcadia.

District 6 shall consist of the Village of Ettrick, Wards 1 and 2 in the Township of Ettrick and Ward 2 in the Township of Preston.

District 7 shall consist of Ward 1 in the City of Arcadia and Ward 3 in the Township of Arcadia.

District 8 shall consist of Wards 1, 2 and 3 in the City of Blair and Ward 1 in the Township of Preston.

District 9 shall consist of Ward 3 in the City of Arcadia, Ward 3 in the Town of Lincoln and Ward 1 in the Township of Arcadia.

District 10 shall consist of the Village of Pigeon Falls, Wards 1 and 2 in the Township of Pigeon, and Ward 3 in the Township of Preston.

District 11 shall consist of Ward 2 in the City of Arcadia, Ward 2 in the City of Independence, Ward 2 in the Township of Arcadia and Ward 4 in the Township of Lincoln.

District 12 shall consist of Wards 1 and 3 in the City of Independence, the Township of Burnside and the Township of Chimney Rock.

District 13 shall consist of Wards 1, 2 and 3 in the City of Whitehall and Ward 2 in the Township of Lincoln.

District 14 shall consist of Wards 1 and 2 in the Township of Hale, Ward 1 in the Township of Lincoln and Ward 2 in the Township of Sumner.

District 15 shall consist of the Village of Eleva, Ward 1 in the Village of Strum, Ward 1 in the Township of Albion and Ward 2 in the Township of Unity.

District 16 shall consist of Ward 2 in the Village of Strum, Ward 2 in the Township of Albion, Ward 1 in the Township of Unity and Ward 1 in the Township of Sumner.

District 17 shall consist of Wards 1, 2, and 3 in the City of Osseo.

Section 2: One supervisor will represent each of the above districts.

Section 3: The ward numbers referred to in this Ordinance are the wards with boundaries as submitted to the County Clerk's Office by each of the municipalities pursuant to Wis. Stats. §§ 59.10 (3) (b) and 5.15.

Section 4: Annexation to municipalities, relocation of highways or other physical changes are not to affect the area which is intended to be included within a district at the time of adoption of this ordinance.

Section 5: This ordinance shall become effective upon date of publication.

(History: Res. 11/9/1965; Res. 12/20/1971; Res. 10/19/1981; Res. 11/12/1991; Res. 2001-09-12; Res. 2011-09-06; Res. 2014-09-06; Res. 2016-06-04; Res. 2021-11-06. Res. 11-02-2025)

2.02 RULES OF THE COUNTY BOARD

(1) Meetings.

- (a) The Trempealeau County Board shall hold regular meetings on the 3rd Monday of each month at 5:30 p.m. at the County Seat for the purpose of transacting business, unless specified otherwise as follows or unless decided otherwise by a majority of the Board members present.
- (b) The Trempealeau County Board shall meet on the 3rd Tuesday of each April at 10:00 a.m. unless otherwise ordered.
- (c) The Trempealeau County Board shall hold an annual meeting on the Tuesday after the second Monday of November. When that day falls on November 11th, the annual meeting shall be held on the next succeeding day. The annual meeting of this Board shall be at 10:00 a.m. unless ordered.
- (d) Board members are expected to attend Board/Committee meetings in person. Remote/virtual attendance is allowable in extenuating circumstances at the discretion of the Board/Committee member.
- (e) Special Meetings: A special meeting may be called in compliance with Wis. Stat. § 59.11(1) or by the Board Chair as set forth in Trempealeau County Ordinance § 2.03.

- (2) **Calling the Meeting to Order.** The Chairperson shall take the chair at the time when the meeting is scheduled to be called, and the Board shall then be called to order and the roll of members called.

- (3) **Meeting Minutes; Approval.** Upon the presence of a quorum, the minutes of the previous meeting shall be reviewed, and any mistakes therein may be corrected by the Board; provided that at the last meeting held prior to the April election, the minutes for that meeting shall be read by the clerk or designee unless reading is waived by a two-thirds (2/3) majority of Board members present, and corrected and approved by the Board before the final adjournment.

- (4) **Preservation of Order.** The Chair shall preserve order, and shall decide questions of order, subject to an appeal to the Board.

- (5) **Chairperson May Vote.** The Chair may vote on all questions except on appeal from his/her own decisions.

- (6) **Order of Business.** Unless modified at the direction of the Chair, with Board approval, the order of business shall be as follows:

- 1st – Call to Order
- 2nd – Open Meeting Law Compliance
- 3rd – Adoption of Prepared Agenda
- 4th – Approval of Previous Minutes
- 5th – Appearances
- 6th – Resolutions
- 7th – Announcements/Appointments
- 8th – Committee Reports
- 9th – Correspondence
- 10th – Instruct Clerk to Pay Mileage and Per Diem
- 11th – Adjourn

- (7) **Request to Speak.** Prior to speaking, Board members shall be recognized by the Chair.
- (8) **Multiple Requests to Speak.** When two or more members ask to be recognized by the Chair to speak on a topic, the Chair shall designate the member who is to speak first. The first member to address the Chair shall speak first.
- (9) **Limit on Speaking.** No member shall speak more than three times on the same subject without leave of a majority of the Board.
- (10) **Seconding a Motion; Required.** No motion shall be debated or put to vote unless seconded. It shall be stated by the Chair, or designee, before debate; and such motion shall be reduced to writing upon the request of any member.
- (11) **Motion; Withdrawal.** After a motion is seconded, it shall be deemed in possession of the Board; but may be withdrawn by the member who made the motion at any time before amendment or decision. All motions, resolutions, and amendments shall be entered in the minutes.
- (12) **Motion Ranking.** When a question is under debate, no motion shall be received except:
 - 1st – To adjourn.
 - 2nd – To lay on the table.
 - 3rd – To call for the previous question (close debate).
 - 4th – To postpone to a day certain.
 - 5th – To commit to a standing committee.
 - 6th – To commit to a select committee.
 - 7th – To amend.
 - 8th – To postpone indefinitely.

And these several motions have preference in the order in which they are named.

- (13) **Motions to Adjourn, Lay on the Table, and Close Debate.** The motion to adjourn shall always be in order, except when a member is speaking. A motion to lay on the table, and to vote on the previous question, shall be decided without debate.

- (14) **Petitions and Memorials.** Petitions, memorials, and other papers addressed to the Board may be presented by the Chair or by a member.
- (15) **Separation of a Question.** If the question before the Board contains several points, any member may call for the separation of the question and a separate vote on such points.
- (16) **Calling a Member to Order.** Any member called to order shall immediately conform, unless permitted to explain by the Chair; and the Board, if appealed to, shall decide the case. If there is no appeal, the member shall conform to the decision of the Chair.
- (17) **Resolutions; Written, Signed.** Every resolution shall be in writing and signed by the person(s), or the members of the committee introducing the same. A resolution, once submitted for placement on the agenda and publicly posted, may not be removed from the agenda for the Board's consideration unless two-thirds (2/3) of the submitting committee members or signers approve.
- (18) **Method of Voting.** A vote on any question shall be taken by voice vote unless otherwise required by law (i.e., zoning changes, etc.) or when called for by any member of the Board; a roll call vote shall be called for in all cases when an appropriation of monies is considered. Board members appearing remotely/virtually shall be allowed to vote on matters before the Board.
- (19) **Order of Motions.** All questions shall be put in the order they were moved, except privileged questions.
- (20) **Reconsideration.** No motion for reconsideration shall be in order, unless at the same meeting, or the following meeting, one of those voting with the prevailing side shall move such reconsideration.
- (21) **Minutes; Specificity.** Minutes of all public meetings shall be maintained and provided to the County Clerk. Meeting minutes shall include all motions, orders and resolutions made, by whom each was made and seconded and the results of all votes.
- (22) **Suspension of Board Rules.** No rules of the Board shall be suspended, altered, or amended without the consent of two-thirds (2/3) of the members present.
- (23) **Resolutions; Written Requirement.** Resolutions shall be in writing on a separate sheet of paper and filed with the clerk of the Board. *See* Rule 17 of this subsection.
- (24) **Order of Resolutions.** Resolutions shall be taken up in the order in which they are presented and taken up for action when that order of business is reached, as the Chair may direct; but the Board may order any report to be laid aside and another taken up another matter in its discretion.

- (25) **Audit of Account or Claims.** No account or claim against the County shall be audited unless it is made out in items and duly verified, and filed with the Clerk of the Board, in the manner prescribed by law.
- (26) **Reports.** All reports of offices made to this Board shall be filed with the County Clerk on or before March 1st of each year. These reports shall avoid detailed fiscal data and contain statistics relative to the department and shall be kept to one (1) page in length, whenever possible. The County Clerk shall properly assemble and index all reports and distribute a copy to each member of the County Board. Any member of the Board may request the person filing a report to appear personally, but in the absence of such a request, persons filing reports shall not appear before the Board. The Chair shall have the right to limit such personal appearances to such times as may be reasonable.
- (27) **Referral of Initial Matters to Committee.** As petitions, resolutions, and other instruments are brought before the Board, the Board/Chair may refer the matter to the proper committee, unless other action is taken by the Board.
- (28) **Public Appearance at Meeting.** Anyone wanting to appear before the County Board shall notify the County Board Chair at least seven calendar days prior to the session and indicate the purpose of the appearance. The Chair shall determine if the appearance 1) is appropriate for the Board Agenda, 2) will provide relevant information on a subject within the Board's jurisdiction, or 3) should be referred to a Committee for consideration. The Board may allow individuals wishing to appear before the Board to speak on any agenda item.
- (29) **Non-Member Speaking at Meeting.** With the approval of the Board Chair, and subject to limitations, a Board Member or other person presenting on a subject before the Board, may call upon another person present at the meeting to provide a response to a request for information.
- (30) **Resolution Submission Deadline.** Resolutions, and all other County Board agenda items, shall be submitted to the County Clerk by the Monday of the week prior to the County Board meeting. The County Clerk shall assign a number to each resolution and provide copies of the meeting materials to all supervisors, the Corporation Counsel, and the Administrator, or designee.
- (31) **Parliamentary Rules.** In the absence of a County Board Rule, the County Board and all Committees meetings shall be governed by Robert's Rules of Order (most recent published edition), unless contrary to Wisconsin law.
- (32) **Trainings and Seminars.** This Rule shall cover County Board Members and Members of County Board Committees whether elected or appointed, herein after referred to as "Members."
- (a) Members may attend any meeting, seminar or training which the County Board or respective committee directs or approves to attend as provided by Wis. Stat. §

59.13(2), committee members shall receive compensation for their services as the Board allows, not exceeding the per diem and mileage allowed to members of the Board and the committee members shall receive such compensation, mileage and reimbursement for other expenses as the Board allows for their attendance at any institute or meeting which the Board directs them to attend. No supervisor shall be allowed pay for committee service while the Board is in session, nor for mileage except in connection with services performed within the time limited under this subsection.

- (b) Upon completion of said meeting, seminar or training, members shall report to the relevant committee and, if requested by the County Board Chair, report to the County Board.
- (c) Committees may authorize individual committee members to attend meetings or conduct fact-finding activities which are related to committee responsibilities and duties.
- (d) Attendance at the Wisconsin Counties Association (WCA) Annual Convention shall be allowed for all County Board Supervisors.
- (e) In order to receive the County's reimbursement for travel expenses, including per diem, meals, mileage and related expenses or lodging and registrations, if not prepaid or prearranged by the County, County Board Supervisors shall complete and submit to the Clerk those County forms necessary.
- (f) The Board Chair shall be authorized to call special training meetings in his or her discretion. Board Supervisors shall attend any such special training meetings.

(33) Closed Session Agenda Items.

- (a) All requests for closed sessions pursuant to Wis. Stat. § 19.85 shall be first reviewed by corporation counsel to determine whether a closed session is appropriate.
- (b) In the event a closed session is deemed appropriate, the closed session language on the agenda shall also be reviewed by Corporation Counsel prior to posting the agenda.

(34) Office Succession.

- (a) In the case of the resignation or death of the Chair of the County Board or of any Committee, the Vice-Chair shall automatically become the Chair for the remainder of the unexpired term, unless removed by the Board or Committee.
- (b) The Vice-Chair of the County Board or of any Committee shall perform the duties of the Chair during any temporary absence or disability of the Chair.

(35) Unintended Quorum.

- (a) County Board Supervisors shall be entitled to attend the meetings of subunits of the County Board, even if they are not members of the subunit. It is possible that the attendance of one or more non-member supervisors at a subunit meeting may result in the creation of a quorum of another subunit of the County Board. Such a quorum is unintended and the non-member supervisors are not meeting for the purpose of the other subunit and shall not exercise the responsibility, authority, power, or duties of such other subunit.

(History: Res. 2016-06-04; 2022-04-19; Res. 11-02-2025)

2.03 EMERGENCY SPECIAL MEETINGS OF THE COUNTY BOARD

- (1) The following definition applies to this section:
 - (a) A “declared emergency” is any situation deemed to be a significant threat to the health, safety, and/or welfare of the people of the County and requires immediate discussion and/or action of the County Board. A declared emergency may include, but is not limited to, an emergency whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the local unit of government as provided by Wis. Stat. § 323.11.
- (2) The County Board Chair may declare an emergency as determined in his or her discretion.
- (3) In response to a Declared Emergency, the County Board Chair may call a special meeting.
- (4) If the County Board Chair calls a special meeting pursuant to this section, he or she shall notify the County Clerk of the date, time and location of the special meeting. The County Clerk, upon receiving such notice, shall immediately notify each County Board Supervisor of the date, time and location of the special meeting by the quickest means available.
- (5) The provision of public notice is required. In no case may that notice be provided less than two (2) hours in advance of the Declared Emergency meeting.

(History: Res. 2012-04-01; Res. 2016-06-04, Res. 11-02-2025, Res. 2026-02-06)

2.04 COUNTY BOARD CODE OF CONDUCT

- (1) In addition to the Trempealeau County Ethics Ordinance and County Board Rules, located in this chapter of the Ordinance, each County Board Supervisor shall:
 - (a) Uphold the Oath of Office and faithfully and impartially discharge the duties of a County Board Supervisor to the best of their ability;
 - (b) Act in the best interests of Trempealeau County government at all times;
 - (c) Refrain from conduct which a reasonable person would deem unethical, offensive,

or otherwise contrary to community values;

- (d) Be responsive to the needs of the community;
 - (e) Represent the interest of constituents by attending and participating in meetings, adequately prepare for meetings, and observe the rules of decorum and these Board Rules at meetings; and
 - (f) Conduct Trempealeau County government business in a manner consistent with law and refrain from discussions surrounding Trempealeau County business outside the appropriate meetings and channels of communication.
- (2) County Board Supervisor Conduct at Meetings. In addition to the rules of decorum in Robert's Rules of Order, Board Supervisors shall follow other basic rules of etiquette during the meeting, including, but not limited to, the following:
- (a) County Board Supervisors shall, at all meetings of the County Board or a Committee, conduct themselves in a professional and respectful manner. County Board Supervisors' comments should be directed to the County Board Chair or Committee Chair and not to any individual Board Supervisor, employee, or member of the public. All comments must be respectful, courteous, appropriate and germane to the topic under discussion. Any inappropriate conduct will be recognized and addressed by the County Board Chair or Committee Chair. The County Board Chair at a County Board meeting or the Committee Chair at a Committee meeting shall have the power to direct a Board Supervisor's removal from a meeting.
 - (b) Be punctual to the scheduled meetings. Contact the County Clerk's office if unable to attend a meeting.
 - (c) Only one person should speak at a time and do not speak over other members or attendees when they are speaking.
 - (d) Be sure cell phones are turned off or on silent during any meeting.
 - (e) Do not text during Board and Committee meetings unless specially approved of by the Chair and only upon request.
 - (f) Dress in an appropriate manner.
- (3) County Board Supervisor Conduct Outside Meetings. County Board Supervisors shall adhere to the following.
- (a) County Board Supervisors shall at all times exhibit professional and courteous

behavior when interacting with the County Administrator and County employees. Under no circumstance shall it be acceptable for a Board Supervisor to berate, belittle, or shout at the County Administrator or a County employee whether in a meeting or outside a meeting.

- (b) County Board Supervisor shall refrain from requesting that a County employee perform a task or function without first obtaining the appropriate authorization. Matters relating to official County business should be addressed through the Administrator or the appropriate committee, other board, or commission.
- (4) As elected representatives, County Board Supervisors may receive complaints from constituents, including County employees and the general public. Board Supervisors shall refer complaints and/or concerns regarding the management and operation of County government to the appropriate step within the chain of command (Department Head and/or County Administrator). Outside of the chain of command, the Board Supervisors shall refrain from reviewing or discussing the merits of such complaints or concerns until the matter has been submitted to the chain of command and reported by that authority to the County Board, committee, or board.
- (5) Limitations on Serving on Committees. No County Board Supervisor or non-board citizen committee member may serve on a committee if a relative is an employee in a department governed by such committee. The term “relative” shall include a parent, spouse, domestic partner [as defined in Wis. Stat. § 770.01(2)], child, sibling, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepchild, stepparent, stepsister, stepbrother, aunt, uncle, nephew, niece, grandparent, and grandchild.
- (6) A County Board Supervisor who has a financial or other prohibited interest in any proposed action before the County Board, or any committee thereof, shall not discuss, otherwise participate in the discussion, vote on, or take any other official action on such item. That County Board Supervisor may disclose the nature and extent of such interest to the County Clerk, County Board Chair, or committee chair prior to the matter being publicly heard.
- (7) This Code of Conduct shall also extend and apply to non-board citizen committee members serving on County committees, boards, commissions, etc.

(Res. 11-02-2025)

2.05 COMMITTEES OF THE COUNTY BOARD

- (1) **Appointment of Standing Committees.** The use of the word “Committee” in these rules shall refer to all committees and boards that are subordinate to the County Board. The Board Chair shall appoint, subject to confirmation by a majority of the County Board members present, all standing committees at the April meeting in even-numbered years and the committees will serve for a term of two (2) years, unless otherwise stated or removed. Committee members may be removed upon a majority vote of the County Board members present. Where the law allows for the County Administrator to appoint, such

appointment shall be subject to County Board approval. The County Board rules shall apply to all Committees/Boards that are subordinate to the County Board, to the fullest extent possible.

- (2) **Appointment of Special Committees.** The Chair may appoint special committees to examine and report on matters beyond the jurisdiction of a Standing Committee.
- (3) **Election of Officers; Committees.** All committees shall elect from within its membership a Chair, Vice-chair, Secretary and such other officers as are deemed necessary. No County Board supervisor shall serve as Chair of more than two (2) committees at any one time.
- (4) **Open Meetings Law Compliance; Committees.** The Chair of each committee, subcommittee, special committee, standing committee, or County Board shall have the primary responsibility for complying with ss. 19.81 - 19.90 Wis. Stats., known as the "Open Meeting Law."
- (5) **Committee Meeting Agendas.** With oversight by and input from the County Administrator, committee meeting agendas are the responsibility of the committee chair and department head. Committee members may submit items to be placed on the agenda prior to the scheduled meeting. A proposed agenda item may be redirected to another committee if deemed inappropriate for the committee.
- (6) **Special Committee Meetings.**
 - (a) The chair of a committee may in his or her discretion call a special committee meeting.
 - (b) A special committee meeting shall also be held upon a written request of a majority of the committee members delivered to the County Clerk, specifying the time and place of the meeting. The time for the meeting shall not be less than 48 hours from the delivery of the request.
- (7) **Committee General Duties and Responsibilities.** All standing and special committees shall have the below general duties and responsibilities, in addition to those specifically identified by Ordinance and other law. Nothing herein is to be interpreted as restricting the responsibility for all normal and possibly added duties of such committee.
 - (a) Policy making and oversight of each respective department(s).
 - (b) Report to the County Board all major developments within their respective departments.
 - (c) Counsel department heads, in an advisory capacity, to help effect necessary improvements.

- (d) Review and provide input to the County Administrator and Department(s) during the preparation of the annual budget.
- (e) Receive and review financial reports from the County Administrator and Department on how department funds are spent and provide input thereon.
- (f) Where required by law, examine major department purchases and contracts and review such department vouchers and expenses.
- (g) Refer all matters to the appropriate committee.
- (j) If requested by the County Administrator, assist with department head performance reviews.
- (k) Perform such other duties as the County Board may direct and as allowed by law.
- (l) To make every effort to schedule meetings at such times that all members may be present.

(8) Standing Committees of the Board. Standing Committees of the Board, and their composition and duties, shall be as follows:

(a) *Executive/Finance Committee* - Self-Filling/Appointed. County Board Chair, County Board Vice-Chair, Three (3) additional Board Members

- 1. Act on behalf of the Board when legal and when previously delegated by the Board.
- 2. Oversight of the following Departments and Department Heads: County Administrator, Veterans' Service, Corporation Counsel, and Land Records.
- 3. Provide supervision and liaison with the County Administrator. The Committee shall recommend to the County Board all matters pertaining to the employment of the County Administration. The Committee shall also set parameters, goals, and directives to the County Administrator on County personnel policies and procedures.
- 4. Oversight of the County Clerk, Register of Deeds, and Treasurer Offices.
- 5. Review and update County Board Rules during the odd-numbered year prior to elections.
- 6. With the County Administrator, review and provide input on Department, Agency and County policies for consistency as needed.
- 7. Administer claims against the county under Wis. Stat. § 59.07.

8. Review the prepared budget and receive and review financial reports from the County Administrator.
9. Approve General Fund allocations as needed.
10. Monitor county sales tax.
11. Monitor delinquent real estate taxes.
12. Jointly recommend salaries for elected officials in accordance with Wis. Stat. § 59.22.
13. Designate public depository per Wis. Stat. § 59.61.
14. Designate a newspaper for publishing required legal notices.
15. With input from the County Administrator, consider for approval the County's HIPAA and other privacy policies as may be required.

(b) ***Personnel/Bargaining Committee*** – Self-Filling/Appointed, County Board Chair, four (4) additional Board Members including one member of each of the following committees: Highway, Law Enforcement/Emergency Management, Human Services, and Environment and Land Use. In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Provide policy-making and oversight to departments.
2. Assist the County Administrator, as needed, in compliance with Federal and State employment and insurance regulations.
3. With the County Administrator, assist with labor advisors in contract negotiations and other employment-related agreements and settlements.
4. With the County Administrator, review and provide input on employment-related policies and procedures.
5. Participate in employee grievance and arbitration hearings when required.
6. Provide input regarding the creation of new positions and filling of vacant, reclassification of employees, and modifications of job descriptions.
7. Provide input on policy and carrier changes for Section 125 benefits, health insurance, workers' compensation insurance, property insurance, and liability insurance.
8. When requested, provide input on the non-union Classification and Compensation Plan.
9. Jointly recommend salaries for elected officials in accordance with Wis. Stat. § 59.22.

(c) ***Extension Education and Communication*** - Appointed, Five (5) Board Members. In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Provide policy-making and oversight to the UW-Extension Office in accordance with Wis. Stat. § 59.56(3) in the four broad areas of agriculture, family living education, 4- H and youth development and community, natural resource, and economic development education.
2. Review with the Administrator and provide input on annual budgets for the Departments as applicable to County-funding.
3. Should it be required or requested, assist with the hiring, evaluating and terminating extension educators in cooperation with University Extension.
4. Establish policies and procedures for the use of the WTCO facility and equipment.
5. Receive expenditures reports on the WTCO non-lapsing contribution account and provide input where needed.

(ci) ***Highway*** – Elected, Five (5) Board Members. The Highway Committee shall consist of five members and be elected at the April meeting of even-numbered years by the board under Wis. Stat. § 83.015(1) and serve for a term of two years. Vacancies may be filled by the chairperson of the County Board until the next meeting of the County Board when a successor will be elected. In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Provide policy making and oversight to the County Highway Department and the Highway Commissioner.
2. Review with County Administrator and provide input on the annual budget(s) and to review and provide input on other financial matters for the Department.
3. Perform other duties imposed by law or by the County Board.

(cii) ***Law Enforcement/Emergency Management*** – Appointed Five (5) Board Members

1. Provide policy making and oversight of the Emergency Management office; the Sheriff's Office which includes the Jail and the Communication Center; the Child Support Department; and the Clerk of Court, Coroner, Circuit Court, and District Attorney offices.
2. Perform jail inspections pursuant to Wis. Stat. § 59.54(15).
3. Serve as the Emergency Management Committee for the County.

(f) ***Property*** - – Appointed, Five (5) Board Members. In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Provide policy making for and oversight of the Maintenance Department and Information Technology Departments and their Department Heads, except that a special committee (Building Committee) may be appointed for Capital Improvement.
2. Administer County Property under Wis. Stat. § 59.06(1).
3. Subject to those provisions within Wisconsin law, provide input on courthouse emergency procedures policy, including authority to make necessary revisions to the policy.

(f) ***Human Services Board*** – Appointed. Five (5) Board Members, three (3) citizen members – one who receives or has received human services, and one who receives or whose relative receives senior services. Terms of office will commence on the third Tuesday of April. Terms are for three years but are to be set up as staggered terms so one-third of member's terms expire each year as nearly as practicable. Accordingly, initial appointments are for one, two or three years as determined by the County Board Chair. The terms of the County Board members expire if they

are not reelected or their positions on the County Board otherwise become vacant. Appointees to all vacant positions are for the unexpired term. In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Recommend and provide input on program priorities and policies, identify unmet service needs and prepare short-term and long-term plans consistent with budgetary constraints for meeting such priorities and needs.
2. Advise the Human Services Director regarding purchasing and providing services and the selection of purchase of service vendors and make recommendations to the County Administrator regarding modifications in such purchasing, providing, and selection.
3. Assist the Human Services Director in the preparation of a budget to be submitted to the County Administrator.
4. Develop county human services board operating procedures.
5. Comply with state requirements.
6. Assist in arranging cooperative working agreements with persons providing health, education, vocational or welfare services related to services provided under this section and otherwise advise regarding coordination of local services and continuity of care.
7. Provide other functions as required by law.

(h) ***Board of Health*** – Appointed. Five (5) County Board Members who serve two-year terms. Three (3) Non-Board Members who meet the qualifications of Wis. Stat. § 251.03 who will serve staggered three-year terms. In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Pursuant to Wis. Stat. § 251.04(9), serve as the policy-making body determining those outlines and principles governing the administration of the Health Department.
2. Provide input on the operation of the department, long-range goals and intermediate-range plans, detail priorities, and estimate costs.
3. Assess public health needs and advocate for the provision of reasonable and necessary public health services.
4. Provide input on the department's planning and participation in alleviating the health impacts of emergencies/disasters such as disease outbreaks, floods, tornadoes, and chemical spills, and emergency medical services.

5. Provide input on the hiring of the local health officer as needed.

- (i) ***Environment and Land Use Committee*** – Appointed. Five (5) Board Members, two (2) of which also serve on the Agriculture and Extension Committee, three (3) of which represent predominantly rural areas of the County, and two (2) of which represent predominantly urban areas of the County, Two (2) Non-Board Members, one (1) of which is primarily engaged in livestock agriculture and one (1) of which represents the interests of the Town Boards, one (1) who is engaged in an agricultural use, whom shall receive copies of all meeting agendas and serves as a member of the committee on such agenda items as required by Wis. Stat. ch. 92. Board Members of the Environment and Land Use Committee shall serve 2-year terms commencing in April of even numbered years, Non-Board Members shall serve 2-year terms commencing in April of odd numbered years

Board Members of the Environment and Land Use Committee shall serve 2-year terms commencing in April of even numbered years, Non-Board Members shall serve 2-year terms commencing in April of odd numbered years.

A quorum for this committee is defined as a majority of the authorized number of committee members. The authorized number of committee members shall be seven (7) unless the meeting agenda includes items as required by WI Stat. 92, at which time the authorized number of the committee members shall be eight (8).

In addition to those duties set forth within Section 2.04 herein, those duties as follows:

1. Serve as the policy-making body for the Department of Land Management and its Director, including those that promote compliance with Wis. Stat. chs. 20, 59, 60, 91, 92, and 281; and Wisconsin Administrative Codes A-E ch. 7, NR ch. 120, NR ch. 151, and ATCP chs. 50 and 51.
2. Develop and maintain a County Comprehensive Land Use Plan.
3. Develop, implement, and maintain a County Comprehensive Zoning Ordinance.
4. Develop, implement, and maintain a County Land and Water Resource Management Plan.
5. Develop, implement, and maintain a County Department of Land Management Plan.
6. Conduct public hearings as required.
7. Carry out any other duty and responsibility as set forth by Wisconsin or local law, including Wis. Stat. § 59.69.

(j) ***Audit*** - County Board Chair, Two (2) County Board Members to serve on a rotation basis for each meeting, and County Administrator. Both County Administrator and Board Chair will attend if possible, and either may send a designee if unable to attend. If any member is absent from a meeting, the Board Chair shall designate another board member to fill in for the meeting.

1. Review and approve/disapprove all bills.
2. Review and, if acceptable, propose County Board members' claims and bills for approval.
3. Propose dog damage claims for approval.

(k) ***Parks, Tourism, & Economic Development Committee*** - Appointed Five (5) Board Members and Three (3) Citizen Members. One Citizen Member shall represent the interests of the county parks, one Citizen Member shall represent the interests of tourism, and one Citizen Member shall represent the interests of economic development. The Board Members shall serve a 2-year term commencing in April on even numbered years. The Citizen Members shall serve staggered 3-year terms.

1. Set policy for the Parks, Tourism, & Economic Development Department.
2. Develop short-term and long-term goals for the Parks, Tourism, & Economic Development Department.
3. Create and update mission statement and vision statements for the Parks, Tourism, & Economic Development Department.

(9) **Self-Filling Positions; Duplication.** If two or more positions of a self-filling committee are filled by the same person [which would result in unfilled position(s)], the vacant position(s) shall be filled by appointment of the County Board Chair from the remaining members of the committee which is not represented. The committee first listed in the Board Rules shall be deemed to have filled its position(s) on the self-filling committee.

(10) **Committee Agendas; County Clerk's Duties.** The County Clerk's Office shall receive agendas for all committee meetings and provide a copy to the County Administrator or designee. The County Clerk's Office will check content, post properly, and notify appropriate news media of the meeting.

(11) **Committee Meeting Minutes; County Clerk's Duties.** Original minutes of the committee meeting, after committee approval, shall be filed with the County Clerk and become part of the permanent record of the County Board. A copy of all committee meeting minutes shall be provided to all supervisors and the County Administrator, or designee. No preliminary or draft minutes shall be distributed to persons other than committee members

or the County Administrator, or designee, prior to approval of the minutes by the committee.

- ((12) Committee; Budget Oversight.** Each Committee or Board is responsible for the overall direction and oversight of the approved budget of the department that the Committee or Board oversees.

(History: Res. 2024-02-24, Res. 11-02-25, Res. 2026-02-06)

2.06 COUNTY ADMINISTRATOR

- (1) Established pursuant to Wis. Stat. § 59.18, the County Administrator shall be the chief administrative officer of the County and shall have those duties and powers as set forth below and by law.
- (2) **Appointment.** The County Administrator shall be appointed by majority vote of the County Board. The County Administrator shall have the necessary ability, education, experience, and knowledge of governmental management operations prior to appointment to serve in this capacity. The County Administrator shall devote his or her time to the duties of the office and shall not engage in any other business or occupation unless as agreed to by the County Board. For short occasional absences, such as for those caused by temporary sickness or for vacation, the County Administrator may designate another staff member to serve as his or her designee upon notice to the County Board chair.
- (3) **Duties and Powers.** The duties and powers of the County Administrator shall be the following:
 - A. Provide general supervision, direction, administration and coordination of all the operations of the County. As such, coordinate and direct all administrative and management functions of the county government not otherwise vested by law in boards, commissions, or in other elected officers.
 - B. But for Standing Committees, appoint members of boards and commissions where allowed by law. All appointments to boards and commissions by the County Administrator shall be subject to confirmation by the County Board.
 - C. Services to the Board
 1. Attend all meetings of the County Board, except when excused; advise and make recommendations to the Board on matters within his or her administrative authority; and present to the Board all data pertaining to the responsibilities of the Board and all needs for legislative action which come to his or her attention.

2. With the County Board Chair and County Clerk, prepare the agenda for meetings of the Board and prepare, with the Corporation Counsel, all resolutions and ordinances thereunder.
3. Advise the County Board of new and present administrative practices and make such reports as are deemed appropriate.
4. Provide public relations for the County Board.

D. Personnel.

1. Administer and oversee personnel programs, including salary/compensation plan, performance evaluation, recruitment and hiring, training and professional development, discipline and separation, personnel policies and procedures, job descriptions and as may otherwise be required and as consistent with available funding.
2. Appoint and supervise the heads of all departments of the County except those elected by the people and except where the statutes provide that the appointment shall be made by elected officers. Where such appointment is required to be subject to County Board approval, the County Administrator shall appoint subject to such confirmation. In any case where final action by the County Board is mandated by applicable state law, actions by the County Administrator shall not be effective unless and until ratified by County Board. The County Administrator shall evaluate the performance of Department Directors with input from the Department's oversight committee. Any Department Director appointed under this paragraph may be removed at the pleasure of the County Administrator subject to the applicable law and County procedure(s).
3. In conjunction with the Office of Corporation Counsel and other relevant County officers and employees, negotiate, and/or supervise the negotiation of all County contractual agreements.
4. Subject to the limitations and procedures established by State law, the Board, and funding requirements where applicable, the County Administrator shall execute all County agreements, upon review by Corporation Counsel, and to administer and enforce said agreements on behalf of the County.
5. Evaluate departmental organization on a continual basis, initiate changes in interdepartmental organization, structure, duties, or responsibilities when warranted.
6. Review and ensure compliance with Civil Rights law, the American with Disabilities Act (ADA), Health Insurance Portability and Accountability act (HIPAA) including HITECH Act of 2003 and related regulations, and other applicable Federal, State, and local law.

E. Budget.

1. Prepare the annual County budget and exercise continuous budgetary control after the adoption of the budget by the County Board.
2. All requests for appropriations and transfers shall be reviewed by the County Administrator prior to submission to the County Board or a committee. The County Administrator may at any time recommend to the County Board such budgetary and other expenditure controls that the Administrator believes to be necessary and desirable.
3. In cooperation with the Executive and Finance Committee, the County Administrator shall do the following:
 - i. Make regular reports to the County Board, keeping it fully advised as to the financial condition of the County and its future financial needs;
 - ii. Develop financial plans in which revenues and expenditures are projected against anticipated county growth and recommend methods of financing future needs; and
 - iii. Perform such other financial duties as may be required by the Board.
4. Develop, adopt, promulgate and enforce, and from time to time amend rules, regulations, and procedures on procurement.
5. Purchase or contract for all supplies, materials, equipment and services.
6. Ensure compliance with State and Federal grant funding.

F. Property Management.

1. Oversee and monitor the care and custody of County buildings and property.
2. Review, prepare, and coordinate building and repair projects.

(History: Res. 2024-01-15, Res. 11-02-25)

2.07 COUNTY ETHICS CODE

(A) Title. This ordinance may be cited as the Trempealeau County Ethics Code.

(B) Declaration of Policy. Trempealeau County declares that high moral and ethical standards are essential to an independent, impartial, and responsible government. It is

further declared that, to promote such a government, an ethics code is necessary to guide Trempealeau County public officials and employees in the exercise of their public service and to promote public confidence in the integrity of Trempealeau County Government.

The proper operation of county government demands that:

1. Trempealeau County officials and employees be independent, impartial, and responsible to the people;
2. Decisions be made in and through the proper channels of the County governmental structure;
3. County offices and positions should not be used for personal gain; and
4. County business should be conducted in such a way to reenforce the public's confidence in its integrity.

(C) Purpose. The purpose of this Ethics Code is to establish ethical standards of conduct for all Trempealeau County officials and employees by identifying those acts or actions that are not compatible with the best interests of Trempealeau County. Because representatives of Trempealeau County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as officials and as employees retain their rights to personal and economic interests. Therefore, the standards of ethical conduct for Trempealeau County officials and employees must distinguish between minor and inconsequential conflicts which are unavoidable and those conflicts which are substantial and material. The provisions of this Ethics Code, and such rules and regulations which may be established, are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

(D) Coverage/Applicability.

1. This Ethics Code governs all Trempealeau County Board Supervisors as well as appointed citizen members of all County boards, committees and commissions; its employees, and officials whether elected or appointed and whether paid or unpaid.
2. Political contributions properly reported under Wis. Stat. ch. 11 are exempt from this Code.

(E) Definitions.

1. *Advisory opinion* means

- i. An opinion, or interpretation, requested by an official or other individual, on behalf of the County, and issued by the Ethics Board; and
 - ii. May include an opinion by the Corporation Counsel if requested and issued under Wis. Stat. § 19.59.
2. *Anything of value* means any money or property, favor, gift, service, payment, discount, advance, loan, forbearance, or promise to act, including for employment or contract, offered and provided by persons doing business or interested in doing business with the County. This term does not include compensation and expenses paid by the County, political contributions lawfully made and reported, hospitality extended for a nongovernmental or business purposes person other than an organization, or anything having less than twenty dollars (\$20.00) of value. This definition is not all inclusive. Factual circumstances may require further review and inclusion as there may be times where something is of value but not otherwise described herein [for example, the frequent and repeated receipt of an item or money under this section having less than twenty dollars (\$20.00) of value].
3. *Associated* when used in reference to an organization in which a person or member of his or her immediate family is a director, officer, trustee, or owner, or controls, whether directly or indirectly and severely, or in aggregate at least ten (10) percent of the outstanding equity of.
4. *Board* means the Trempealeau County Board of Supervisors.
5. *Ethics Board* is the board created through this Ethics Code.
6. *Confidential Information* means written material or oral information related to county government which is not otherwise subject to the Wis. Stat. ch. 19, subchapters II (Public Records and Property) and V (Open Meetings of Governmental Bodies).
7. *Conflict of Interest* means an official's or employee's action or failure to act in the discharge of his or her official duties which could be reasonably expected to produce or assist in producing a substantial economic or personal benefit for that official or employee, a member of his or her family, or an organization with which he or she is associated.
8. *De Minimis* means having little to no value or importance.
9. *Employee* means all persons filling an allocated position of County employment regardless of it being full- or part-time.
10. *Family* means any individual related to the official or employee as a spouse, domestic partner, parent, child, sibling, grandparent, grandchild, parent-in-law,

sibling-in-law, child-in-law, any step relations of the foregoing or a legal dependent of the official or employee for tax purposes.

11. *Financial Interest* means any interest which yields, directly or indirectly, a monetary or other material benefit to the County official or employee, or person or organization related to, or to any person employing or retaining services of the County officer or employee.
12. *Gift* means the payment of or receipt of anything of value without valuable consideration.
13. *Immediate Family* means the
 - i. Individual's spouse or domestic partner; or
 - ii. Individual's relative by marriage, lineal descent, or adoption who receives more than one-half support from the official or employee.
14. *Person* means any individual, corporation, partnership, joint venture, association trust, organization, or other legal entity recognized by Wisconsin law.
15. *Privileged Information* means any written or oral material related to Trempealeau County which is not part of the body of public information and which is designated by statute, case law, ordinance, other law, resolution, or by custom as privileged.
16. *Official* means all County officials elected or appointed, in Trempealeau County, except the district attorney and judge(s), and includes all citizen members appointed to any County committee, board, counsel, or commission.
17. *Organization* means any legal entity other than the individual or Trempealeau County itself.

(F) Conflict of Interest.

1. **No Private Benefit from a Public Position.** No County official or employee may use his or her position to obtain financial gain or anything of substantial value for private benefit, whether that of the official or employee, his or her family, or an organization in which he or she is associated with. No County official or employee may take any official action substantially affecting a matter in which the official or employee, a member of his or her family, or an organization with which the official or employee is associated, has a substantial financial interest. No County official or employee may use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the County official or employee, one or more

members of the official's or employee's family, or an organization with which the official or employee is associated.

2. **No Improper Influence.** No person may offer or give to a County official or employee, directly or indirectly, and no County official or employee may solicit or accept from any person, directly or indirectly, anything of value if it could be reasonably expected to influence the County official or employee action, vote, judgment, or could be reasonably be considered as a reward for any official action or inaction on the part of the County official or employee.
3. **No Private Use of Public Property.** No County official or employee may use, or knowingly permit the use, of any County property for nongovernmental purposes including for unauthorized personal convenience or for personal profit or benefit.
4. **No Special Obligations to Citizens.** An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County supervisors or other officials to diligently represent their constituency.
5. **No Incompatible Employment.** An official or employee shall not engage in or accept any private employment or render any service for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made to the County.
6. **Nepotism.** No County official or employee may engage in nepotism during the official exercise of his or her position and duties.
 - i. Department heads, and where applicable, County officials are prohibited from hiring any person related to them for County employment.
 - ii. No person shall be employed, promoted, or transferred to any department, division, or work unit when, as a result, the employee would be directly supervising or receiving direct supervision from a related person.
 - iii. No County official shall participate in any board or committee proceedings where the matter considered directly or indirectly involves or affects the employment of a relative (e.g., personnel policies, budget, benefits, wages, etc.) The County official shall not participate in any discussion of the topic and shall abstain from voting.

(G) Disclosure and/or Use of Confidential and/or Privileged Information.

1. No official or employee shall knowingly disclose or permit the disclosure of confidential and/or privileged information to any person not lawfully authorized to receive such information.
2. No official or employee shall use confidential and/or privileged information to advance his or her personal financial interest or that of any other person, organization, or entity.

(H) Donations.

1. No donation, if received, may violate the Trempealeau County Ethics Code or State or Federal law.
2. Donations exceeding twenty dollars (\$20.00) shall be fully recorded and accounted for by the receiving department.
3. Donations given for a specific purpose and are for the public's overall benefit, such as for certain drives (e.g., toy drives) or special projects (such as K-9 teams), may be used for such a purpose and should not be otherwise allocated or used so long as the donation is consistent with this Ethics Code, applicable County policy, and State and Federal law.
4. Pursuant to and as consistent with these provisions, the County Board may adopt, by majority vote, a policy regarding County donations, which may further prescribe the handling of County donations.

(I) Political Activities. A County Board official or employee has the right to freely express his or her views as a citizen, subject to the following:

1. No County official or employee shall directly or indirectly use or seek to use his or her authority or position to control or modify the political activity of another person.
2. No County official or employee shall at any time use any Trempealeau County owned or leased equipment for any political activity.
3. No County official or employee shall attempt to or influence an attempt to remove, discharge, demote, reduce pay, or otherwise discriminate against any employee because of the employee's political opinions or affiliations.

(J) Statutes Incorporated by Reference.

1. The following sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Ethics Code:
 - i. § 19.01 (Oaths and Bonds);
 - ii. § 19.21 (Custody and Delivery of Official Property and Records);
 - iii. § 19.59 (Codes of Ethics for Local Government Officials, Employees and Candidates); and
 - iv. § 19.81-§19.98 (Open Meetings of Governmental Bodies).
2. Violation of Incorporated Statutes. County officials and employees shall comply with these sections of the Wisconsin Statutes incorporated in this Ethics Code and the intentional failure to do so shall constitute a violation of this Ethics Code.

(K) Advisory opinions. Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before the advisory opinion is rendered. All requests for opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection as required by Wis. Stat. ch. 19. However, such records may be made public with the consent of the applicant. Nothing within this Code prohibits, shall be construed to prohibit, or otherwise discourages the Corporation Counsel from disclosing to appropriate authorities actual, imminent, or substantially likely to be imminent violations of the law.

(L) Ethics Board.

1. **Creation and scope.** The Trempealeau County Ethics Board is created and shall be the administrative body with respect to the enforcement of this Ordinance.
 - i. The Ethics Board shall adjudicate all complaints of alleged violations of the Ethics Code made to it of:
 1. The Trempealeau County Ethics Ordinance;
 2. The Trempealeau County (Board) Code of Conduct; and
 3. Those made under Wis. Stats. §§ 19.01 (Oaths and Bonds), 19.21 (Custody and Delivery of Official Property and Records), 19.59 (Codes of Ethics for Local Government Officials,

Employees and Candidates), and 19.81-19.98 (Open Meetings of Governmental Bodies).

- ii. Upon request and/or as deemed appropriate, the Ethics Board may also issue opinions interpreting Ethics Code provisions. This Board may call upon assistance from staff as needed. Corporation Counsel will provide legal assistance as required by this Ethics Board.

2. Composition and Term.

- i. The Ethics Board shall be comprised of the Executive – Finance Committee members for a period of two years or reflective of any remaining term if by later appointment.
- ii. Should any complaint involve an Ethics Board member, the County Board Chair and the Administrator, by joint agreement, may appoint a temporary member if necessary.

3. Rules of Procedure.

i. Complaints.

- 1. All complaints alleging violations of this Ordinance shall be made in writing.
- 2. The complaint shall include all of the following:
 - a. The name, address, telephone number, position within the County (if applicable), email address (if applicable), of the complaint and the identification of and name, address, telephone number, and email address of any attorney that may be representing the complainant in the matter;
 - b. The name, address, and position within the County of the accused of the complaint;
 - c. The specific provision of the Trempealeau County Ethics Ordinance, Code of Conduct, and/or Wisconsin Statutes that is alleged to have been violated;
 - d. The factual details from the complainant that supports his or her the alleged violation(s); and
 - e. The complaint must be signed and dated by the complainant before it may be accepted by the County.

- f. The omission of any of these shall result in the dismissal of the complaint without prejudice.
3. Time limitation. No action may be taken under this section on any complaint filed more than one year after the alleged violation occurred.
4. Complaints previously submitted and decided, whether dismissal or full hearing, may not be resubmitted for the Ethics Board's consideration; any such so submitted shall be dismissed without further action taken.

ii. Receipt of Complaint.

1. All complaints shall be submitted to the County Clerk by mail or in person. The complainant is solely responsible for the delivery and actual receipt of any complaint.
2. The County Clerk, or designee if necessary, shall deliver the complaint to the Ethics Board Chair within three (3) business days of receipt. A copy of the complaint shall also be provided to Corporation Counsel during this period.
3. Notice. The Ethics Board Chair shall cause notice to be given to the accused of the complaint within three (3) business days of receipt. Such notice shall contain a copy of the complaint against that accused as well as notice that he or she may file a written statement of his or her position with the Ethics Board with a copy also mailed to the complainant at the time of submission.
4. Dismissal. The Ethics Board may determine that the complaint does not allege facts sufficient to constitute a violation of the Ethics Code, and it may dismiss the complaint on its own accord. Written notification shall be provided to the complainant and accused of any dismissal.
5. If the Ethics Board determines that the complaint alleges facts sufficient to continue further review, it may schedule a hearing on the complaint, or if additional information is likely to be necessary before such hearing may be held, cause a preliminary investigation to be initiated. Both parties shall receive notice of either action taken by the Ethics Board.

- iii. **Burden.** Under this subsection, the burden of proof is on the complainant, at all times, and shall be based upon clear and convincing evidence.
- iv. **Hearing.** Whenever a hearing is required to be held on the allegations of the complaint, the following shall apply:
 - 1. A hearing on the complaint before the Ethics Board will be scheduled and held within forty-five (45) days of the receipt of the complaint. Either party may request an extension up to thirty (30) days.
 - 2. At the hearing, either side may present evidence, provide sworn testimony, and offer argument. Evidence and testimony shall be subject to examination by the other side as well by the Ethics Board.
 - 3. The Ethics Board chair, or designee, may make rulings on any motion or objection made by either party.
 - 4. The Ethics Board may deliberate as needed prior to issuing an oral decision. The Ethics Board shall issue a written decision consisting of its findings and conclusions within thirty (30) days of the issuance of the oral decision.
 - 5. A record shall be kept of the hearing. However, if a court reporter is requested, the costs of such service shall be borne by the requesting party unless otherwise determined by the Ethics Board.
 - 6. The Ethics Board shall have the power to compel witnesses and issue subpoenas as allowed by Wis. Stat. § 885.01.
 - 7. Both the complainant and the accused may be represented by legal counsel.
 - 8. Corporation Counsel shall serve as legal counsel for the Ethics Board.
- v. **Enforcement and Penalties.** If the written decision contains a finding of a violation of the Ethics Code, the Board shall direct one or more of the following actions:
 - 1. Order the official or employee to conform his or her conduct to the Ethics Code;

2. Recommend to the County Board that the offending official be censured, suspended, removed from office, or the exercise of other disciplinary action;
3. Recommend to the Administrator and applicable oversight department head that the offending employee be reprimanded, suspended, or terminated;
4. Impose upon the offending officer or employee a civil forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each violation;
5. Refer the matter to the district attorney for enforcement proceedings pursuant to Wis. Stat. § 19.59.

(History: Res. 11-02-2025)

2.08 CHIEF DEPUTY POSITION

- (1) The statutory position of Undersheriff as called for in Section 59.26, Wisconsin Statutes is hereby abolished.
- (2) The position of Chief Deputy Sheriff is hereby created. Such person shall be empowered with the duties and authority of Undersheriffs as set forth in Wisconsin Statutes.
- (3) Such person may have other related duties as may be from time-to-time assigned to the position by the Sheriff and/or the County Board of Supervisors or the committee assigned to work with the Sheriff's Department.
- (4) In the event of the Sheriff's absence, death, disability, resignation, removal or other vacancy in the office of Sheriff, the Chief Deputy Sheriff shall execute the powers and duties of the office of Sheriff until a successor is appointed or elected.
- (5) The Chief Deputy Sheriff shall be a non-represented deputized officer of the Sheriff's Department. The person in this position is granted the same statutory rights as deputies with respect to suspension or dismissal and is subject to the same disciplinary consequences and subject to the management rights of the Sheriff and the County as any other department administrative staff. After the initial appointment, the position of Chief Deputy Sheriff shall be filled in the same manner as other non-union supervisory staff in the Sheriff's Department.

(History: Res. 2007-12-18; Res. 2016-06-04, Res. 11-02-25)