



# ***GREEN LAKE COUNTY***

*571 County Road A, Green Lake, WI 54941*

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**Post Date: 3/6/2024**

**The following documents are included in the packet for the  
Administrative Committee Meeting on March 11, 2024:**

- 1) Agenda
- 2) Minutes: 2/15/2024
- 3) Public Finance Authority
- 4) Discussion of County Board Rules Relating to Virtual Meetings
- 5) Resolutions
  - Resolution to Approve Restructuring of Committees
- 6) Ordinances
  - Ordinance to Repeal § 9-24 C
  - Ordinance to Amend Chapter 9. Article V Ethics



# GREEN LAKE COUNTY OFFICE OF THE COUNTY CLERK

Elizabeth Otto  
County Clerk

Office: 920-294-4005  
FAX: 920-294-4009

## ***Administrative Committee Meeting Notice***

***Date: Monday, March 11, 2024 Time: 3:00 PM  
Green Lake County Government Center,  
County Board Room, 571 County Rd A, Green Lake WI***

### AGENDA

#### Committee Members

*Dave Abendroth- Chair  
Dennis Mulder  
Brian Floeter  
Gene Thom-Vice Chair  
Ken Bates*

*Elizabeth Otto,  
Secretary*

Virtual attendance at meetings is optional. If technical difficulties arise, there may be instances when remote access is a quorum attending in person, the meeting will proceed as scheduled.

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Approval of minutes - 2/15/2024
5. Approval for Public Finance Authority to Bond for Three Petals RNG, LLC
6. Discussion of County Board Rules Relating to Virtual Meetings
7. Resolutions
  - Resolution to Approve Restructuring of Committees
8. Ordinances
  - Ordinance to Repeal § 9-24 C
  - Ordinance to Amend Chapter 9. Article V Ethics
9. Adjourn

This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the following link: Please accept at your earliest convenience. Thank you!

Microsoft Teams meeting

**Join on your computer, mobile app or room device**

[Click here to join the meeting](#)

Meeting ID: 233 586 043 922

Passcode: X6Mqp3

[Download Teams](#) | [Join on the web](#)

**Or call in (audio only)**

[+1 920-515-0745,,615666973#](#) United States, Green Bay

Phone Conference ID: 615 666 973#

[Find a local number](#) | [Reset PIN](#)

Please accept at your earliest convenience. Thank you!

[Learn More](#) | [Help](#) | [Meeting options](#) | [Legal](#)

Kindly arrange to be present, if unable to do so, please notify our office. Sincerely, Elizabeth Otto

**Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance, should contact the County Clerk's Office, 294-4005, not later than 3 days before date of the meeting.**

## ADMINISTRATIVE COMMITTEE MEETING

February 15, 2024

The meeting of the Administrative Committee was called to order by Chairman Dave Abendroth at 4:00 PM on Thursday, February 15, 2024 in person and via remote access at the Government Center, 571 County Road A, Green Lake, WI. The requirements of the open meeting law were certified as being met. The pledge of allegiance was recited.

Present: Dave Abendroth  
Brian Floeter  
Gene Thom  
Dennis Mulder (remote – 4:20)

Absent: Ken Bates

Other County Employees Present: Liz Otto, County Clerk; County Administrator Cate Wylie; Corporation Counsel Jeff Mann; Sheriff Mark Podoll; Ken Stephani, Finance Director; Jess McLean, County Treasurer; Renee Thiem-Korth, ROD

### **APPROVAL OF MINUTES – 01/16/2024**

*Motion/second (Thom/Floeter)* to approve the minutes of the 01/16/2024 minutes as presented with no additions or corrections. Motion carried with no negative vote.

### **ETHICS COMMITTEE/CODE REVISIONS**

Corporation Counsel Jeff Mann presented the changes he was directed to make to the ethics portion of the county code. Discussion held. *Motion/second (Thom/Floeter)* to approve the changes and forward to the County Board for final approval in March. Motion carried with no negative vote.

### **CONSOLIDATION OF COMMITTEES FOR 2024-2026 TERM**

County Administrator Cate Wylie presented an outline of the committee breakdown from St. Croix County. Wylie stated she likes the simplicity of the format. Discussion held. Wylie will move forward working off of this format and bring back to the committee in March.

### **DISCUSSION AND ACTION ON QUORUM DISCLAIMER**

Corporation Counsel Jeff Mann brought forward his revisions to the quorum disclaimer used on agendas in Dodge County. Discussion held. *Motion/second (Floeter/Thom)* to instruct the County Clerk to include the disclaimer on all agendas pending final approval from the County Board. Motion carried with no negative vote.

### **RESOLUTIONS**

- Resolution Relating to Salaries for County Clerk, Register of Deeds, and Treasurer for the 2025-2028 Term

*Motion/second (Floeter/Thom)* to amend the resolution to include “Be it further resolved that these constitutional officers are eligible for the full benefit package afforded all other full time Green Lake County employees” and to forward to County Board for final approval. Motion carried with no negative vote.

### **ADJOURNMENT**

Chair Abendroth adjourned the meeting at 4:36 PM.

Submitted by,

Liz Otto  
County Clerk

To: Public Finance Authority  
22 East Mifflin Street, Suite 900  
Madison, Wisconsin 53703

RE: Not to Exceed \$15,000,000 Public Finance Authority  
Exempt Facility Revenue Bonds, Series 2024  
(Three Petals RNG, LLC Project)

To Whom It May Concern:

The Public Finance Authority ("Authority") proposes to issue not to exceed \$15,000,000 principal amount of its revenue bonds captioned above in one or more series of tax-exempt and/or taxable bonds (the "Bonds") on behalf of Three Petals RNG, LLC, a Delaware limited liability company (or an affiliate thereof, the "Borrower"), to finance a project consisting of the engineering, construction, installation, equipping, and operations of renewable a natural gas ("RNG") production facility comprising a single approximately 2.5 million gallon anaerobic digester, gas upgrading equipment and other related equipment where it will process dairy manure biogas into pipeline quality RNG (the "Project"). The Project will be co-located with Trillium Hill Farm located at or in the immediate vicinity of N8257 County Rd. F in the Town of Berlin, Green Lake County, Wisconsin. This letter shall constitute approval by Green Lake County, Wisconsin, of such financing of the Project by the Authority for purposes of Section 66.0304(11)(a) of the Wisconsin Statutes.

The undersigned certify that they are the highest-ranking executive and administrator, respectively, of Green Lake County, Wisconsin.

This approval does not constitute an endorsement of the Project.

This letter may be produced as evidence, and shall be conclusive proof, of the approval granted herein in connection with any proceedings relating to the issuance of the Bonds and may be relied upon by any party thereto in connection therewith.

Dated: \_\_\_\_\_

GREEN LAKE COUNTY, WISCONSIN

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## SUMMARY

**Request for GREEN LAKE COUNTY, WISCONSIN  
to Approve the Public Finance Authority as Conduit Issuer  
for  
Not to Exceed \$15,000,000 Exempt Facility Revenue Bonds  
to Benefit  
Three Petals RNG, LLC Project**

This will summarize the request of Three Petals RNG, LLC, a Delaware limited liability company (or an affiliate thereof, the "Company"), asking that Green Lake County, Wisconsin (the "County") approve the issuance by the Public Finance Authority (the "PFA") of not to exceed \$15,000,000 principal amount of Exempt Facility Revenue Bonds, Series 2024 (Three Petals RNG, LLC Project), to be issued in one or more series of tax-exempt and/or taxable bonds, to finance a project on behalf of the Company.

### Project Summary: RNG Production Facility

The Company's project consists of the engineering, construction, installation, equipping, and operations of renewable a natural gas ("RNG") production facility comprising a single approximately 2.5 million gallon anaerobic digester, gas upgrading equipment and other related equipment where it will process dairy manure into biogas and further into pipeline quality RNG (the "Project"). The Project will be co-located with the Trillium Hill Farm located at or in the immediate vicinity of N8257 County Rd. F in the Town of Berlin, Green Lake County, Wisconsin. The Project receives manure from the cows owned by Trillium Hill Farm, which was founded in 1983 and has been in operations for more than 40 years. The pipeline quality RNG produced at the Project will be directly injected into a pipeline operated by Wisconsin Power and Light Company (a wholly owned subsidiary of Alliant Energy Corporation).

Construction of the Project is complete and it is currently operating. The Project started injecting and selling its brown gas in late September 2023, and recently started operating and producing RNG in October 2023. Key equipment used in the Project includes a 2.5 million-gallon anaerobic digester provided by Schumann Tanks and a gas upgrading system and related equipment provided by Unconventional Gas Solutions. The anaerobic digester and gas upgrading equipment are specialized pieces of equipment for the use of generating biogas from dairy manure and upgrading that biogas into pipeline-quality RNG by removing contaminants. The Project will produce negative-carbon RNG to be used as compressed natural gas in natural gas vehicles in order to displace the use of diesel fuel, thereby decarbonizing the transportation fuel market. The Project is expected to produce approximately 93,000 MMBtu of RNG which is expected to remove the equivalent of approximately 21,000 metric tons of CO<sub>2</sub> or the equivalent of removing approximately 4,600 cars from the road every year.

The Company receives manure produced by dairy cows at Trillium Hill Farm which feeds into the 2.5 million gallon digester. Once in the digester, the manure is stirred and heated, producing biogas from the cow manure. The manure is stirred and heated in the anaerobic digester for approximately 20 days at which point the gas is sent to the gas upgrading skids to remove impurities and undesirable constituents before injecting it into a local pipeline/interconnect owned and operated by Wisconsin

Power and Light Company. The residual manure is given back to the farmer as digestate after it leaves the anaerobic digester which is then used by the farmer as fertilizer for their fields.

### **The Company**

Company was formed in December 2021 as a single purpose entity to own and operate the Project. The Company is a single member LLC directly owned by Novilla Project Blocker I, LLC and ultimately owned by Novilla Investment Holdings, LLC (“Novilla”) which was founded in 2021 and is headquartered in Ypsilanti, Michigan. Novilla is a fully integrated originator, builder, developer, owner, and operator of projects that specialize in the production of pipeline-quality RNG from dairy manure across the United States. Novilla operates a similar facility in Michigan and is simultaneously developing three other projects under contract and seven more projects under letter of intent across the Midwest and Northeast.

Novilla employs a facility manager and facility technician to operate the Project.

### **Why is the Company Embarking on the Project? Why is it needed?**

Three Petals and Novilla believe the dairy RNG space presents an environmentally beneficial and profitable opportunity to turn a waste, dairy manure, into a valuable decarbonizing resource, RNG. The Project is expected to contribute to an overall net reduction of greenhouse gases due to the Project capturing methane that would otherwise be released into the atmosphere from the dairy’s operations and that methane being converted into CO<sub>2</sub> after it is combusted for a beneficial use.

There are many benefits to a dairy RNG facility to both the partner dairy farm operation and the local community, including but not limited to:

#### **Emissions Reduction and Waste to Energy**

- Greenhouse gas capture and destruction – dairy RNG operations remove methane emissions, a powerful greenhouse gas, from the atmosphere for injection into the local pipeline grid for beneficial use
- Generates renewable natural gas, displacing the use of fossil gas or other fossil fuels

#### **Farmer Benefits**

- Lowers carbon intensity of the underlying dairy operations, which is becoming increasingly important for dairy operations across the country
- Financial benefits to the farmer due to revenue sharing structure enhances the dairy’s financial resiliency and diversifying the dairy’s revenue streams incrementally from traditional agricultural revenues
- Dairy RNG operations improve farm manure management practices as the farmer retains the nutrients post anaerobic digestion and can use it as bedding for their herd and apply it to their crops as a fertilizer

#### **Community Benefits**

- Improves air quality and reduces odor in the surrounding community
- Job creation with well paying jobs with two full time employees at the facility, helping diversify the traditionally agricultural local economy

### **PFA as Conduit Bond Issuer; Exempt Facility Revenue Bonds**

The PFA will be the conduit issuer for the bonds and adopted an inducement resolution on December 21, 2022. The proceeds from the sale of the bonds will be loaned by the PFA to the Company. The PFA acts strictly as a conduit, which enables the Company to borrow at a lower rate of interest. Because the bonds are issued by a governmental entity, the holder(s) of the bonds may exclude the interest on the bonds from gross income for federal tax purposes.

Exempt facility revenue bonds must comply with both Federal law (Sec. 142 of Internal Revenue Code ("IRC")) and Wisconsin law. Section 142(a) IRC permits the issuance of qualified exempt facility bonds for multiple purposes, including for projects in which 95% of the project is used for conversion of solid waste to a first useful product (Section 142(a)(6) IRC). The Project, as outlined above, converts animal waste into renewable natural gas ("RNG") and will constitute a solid waste conversion facility under Section 142(a)(6) IRC.

These exempt facility Bonds are municipal bonds; however, they are not general obligations of the PFA or the County:

1. Neither the PFA nor the County will be liable for payment of the principal and interest on the bonds;
2. Neither the PFA nor the County will have ongoing responsibilities of monitoring or reporting with regard to the bonds or the Project.
3. The bonds do not count against the County's borrowing capacity. The County will not levy a tax for payment of the bonds.
4. The PFA and the County will be reimbursed for all fees and costs incurred on connection with the issuance of the bonds.

By acting as the conduit issuer, the PFA can grant the Company a significant monetary benefit, at no cost to the PFA, because the Company will enjoy a lower interest rate as a result of using a bond structure. The bonds will be sold to the public ("Bondholders") by an underwriter and thereafter, an independent third-party fiduciary, (the "Trustee") will continuously monitor the bonds on behalf of the Bondholders. The Bondholders will look solely to the Company for repayment. Bondholders will not look to the PFA or the County for payment. The PFA will assign all of its rights, liability and responsibilities under the bonds to the Trustee for the benefit of the Bondholders. In addition, the Bond documents will include broad indemnification of the PFA. The Company will be fully responsible for repaying the loan. If the Company is not able to meet its payment obligations, the Trustee will enforce the rights of the Bondholder as required in the bond documents. Neither the PFA nor the County are liable for payment.

### **TEFRA Public Hearing**

The PFA and the Town of Berlin will be asked to hold a public hearing required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "TEFRA hearing"), regarding the bond financing at a future date.

## **APPROVAL REQUESTED OF THE COUNTY**

### **Wisconsin Statutory Local Approval**

Section 66.0304(11)(a) of the Wisconsin Statutes provides that the PFA may not issue bonds to finance the Project unless a "political subdivision" in which the Project is located "approves the financing of the project." The Company respectfully requests that the County approve the issuance of the bonds by the PFA to finance the Project, and the Green Lake County approval document is included with this document packet. The Company will also seek to obtain approval from the Town of Berlin.

The foregoing is just a brief discussion of tax-exempt bond financing and the approval being requested of the County. By acting as conduit bond issuer, the PFA will give the Company an interest rate benefit, because the tax-exempt bonds will be tax-exempt in the hands of the Bondholders and, therefore, the cost savings passed along to the Company. It must be emphasized that neither the PFA nor the County will be liable in any way on the bonds; the conduit bonds are special, limited obligations of the PFA.



## DISCUSSION OF COUNTY BOARD RULES RELATING TO VIRTUAL MEETINGS

- The County Board rules currently state that supervisors can only attend meetings virtually 4 times per year per committee - **Section A(1)**. Should that be enforced? Currently it isn't – should it be rewritten if we aren't going to enforce it?
- **Section C** – should this be removed? Many times the committee members do not notify the County Clerk prior to a meeting.
- We pay \$45.00/meeting for committee meetings and \$50.00/meeting for County Board – **Section E**. Should this be adjusted for virtual attendance?
- Supervisors are allowed to vote via remote access and via telephone – **Section G, H**. In many counties supervisors must be present in order to vote. Do we want to continue with that?
- Should supervisors be allowed to attend a Closed Session virtually and vote – **Section N**? There could be someone listening from another room or in the same room that we are unaware of. The rules state anyone attending virtually must “ensure that their location is private and others may not overhear the closed session”. We currently don't request this information at the meeting.
- Many times the supervisor is not visible on Teams. Suggestion – supervisors attending virtually need to be visible on camera and need to state that both their audio and video are working at the start of the meeting. We also encounter supervisors logging on and off multiple times during a meeting. Should there be a limit to this? If they lose connectivity once they are marked absent and can't log back in? It's hard for the secretary of the meeting to determine who is in attendance if they are logging on/off multiple times.
- Recently we had a supervisor who attended County Board but had trouble with their internet service so could not see or hear anything from the meeting on Teams. However, the OpenMeeting software worked so the supervisor voted on all of the items on the agenda without having any knowledge of what was happening during the meeting. Should this be allowed?
- If a supervisor has technical issues during a meeting should they be paid for the entire meeting? For example, many times we see a supervisor log in to Teams but lose connectivity shortly after. If a supervisor states they connected to a meeting but couldn't figure out how to use the audio/video portion or lost connectivity – should they be paid?

## Chapter 9. Board of Supervisors

### Article VI. Electronic Meetings

[Added 4-20-2021 by Ord. No. 11-2021]

#### § 9-90. Title.

This article shall be known as the "Green Lake County Board of Supervisors Electronic Meeting Ordinance."

#### § 9-91. Definitions.

The following definitions apply to this article.

##### **ANCHOR LOCATION**

One or more locations set by the County Board, the County Board Chair, or a committee chair, which is the physical location from which the e-meeting originates and where the public may attend the e-meeting if they are unable to monitor the e-meeting outside of the anchor location. Generally the Green Lake County Board Room. Other meeting rooms in the Green Lake Government Center may be used.

##### **CLERK**

The Green Lake County Clerk, the Clerk's designee or any persons acting as a Clerk for a meeting.

##### **ELECTRONIC MEETING/E-MEETING**

Any meeting that takes place online by use of a synchronous digital telecommunication platform. An e-meeting is a web-based meeting or conference format that allows participants to see and hear each other in realtime, and may make presentations with visual aids such as charts and graphs by sharing screens.

Note: Green Lake County currently uses the "Zoom" platform for its electronic meetings.

##### **MEMBER**

A member of the Green Lake County Board of Supervisors, or an individual appointed to a duly authorized committee of the County Board of Supervisors.

##### **PERSONAL COMPUTING DEVICE**

A desktop computer, laptop, smartphone, tablet (such as an iPad, Nexus 7, Galaxy Tab, Kindle Fire), or similar devices.

Note: The County has provided iPads to County Board Supervisors for use at County Board and committee meetings.

#### § 9-92. Scope.

This article allows for the use of electronic meetings for the Board of Supervisors, Committee of the Whole and for the duly authorized Committees of the County Board.

## § 9-93. Open meetings requirement.

An e-meeting may be convened and conducted so long as the meeting complies with the requirements of Wisconsin Open Meeting laws. All requirements under the Open Meetings laws must be followed for conducting an e-meeting.

- A. Provisions must be made for a member of the public to monitor an open meeting of the Board or Committee if they are unable to do so electronically. No member of the public should be denied in person access to an open meeting of the Board of Supervisors or a Committee meeting. However, no provision will be made for the public to attend an e-meeting at any place other than the anchor location.
- B. E-meetings should not be used where Wisconsin Statutes or law require a hearing unless the Board can determine a means for public access to documents, exhibits, maps and/or testimony or statements substantially similar to an in-person hearing, or as may otherwise be permitted by law.
- C. E-meetings should not be scheduled for matters that are complex or require extensive use of graphs, charts or other demonstrative documents which would be difficult for the public to view, unless the Board can determine a means for public access to the documents.
- D. The agenda for a meeting that will be held electronically and in person, must contain sufficient information to inform the public of how it may access and monitor the meeting, including information on who to contact should a member of the public need assistance to participate in the meeting and to allow planning for accommodations if necessary.
- E. The Clerk shall send by e-mail to every member of the Board, and by Open Meetings Law notice (Wis. Stats. § 19.84) to the public at least 24 hours prior to the time of the meeting, the URL and codes necessary to connect to the internet meeting service, and, as an alternative and backup to the audio connection included within the Internet service, the phone number and access code(s) the member needs to participate aurally by telephone.
- F. Display of documents. The Clerk at the direction of the presiding officer shall enable a share screen for the display of documents relevant to a matter under consideration; and, to the extent feasible, the Clerk, or anyone assisting the clerk for this purpose, shall cause such documents that are currently before the meeting for action or information, to be displayed therein until disposed of or directed by the presiding officer to end the display.
- G. The County Clerk shall record County Board electronic meetings. The recording shall be retained for 120 days after the meeting and thereafter deleted. Committee or Commission meetings may be recorded at the direction of the chair, and shall be retained for 120 days after the meeting and thereafter deleted.

[Added 8-17-2021 by Ord. No. 18-2021]

## § 9-94. Authorization of e-meeting.

[Amended 8-17-2021 by Ord. No. 18-2021]

County Board, committee and commission meetings may be held electronically subject to the requirements of Ch. 9, Article VI of this Code, and any applicable state statutes.

## § 9-95. Rules of Order.

The County Board Rules of Order apply at all e-meetings.

## § 9-96. Special Rules of Order for e-meetings.

The following special rules of order apply to all e-meetings in addition to the Rules of Order of the County Board. If a special rule of order conflicts with a County Board Rule of Order, the more specific rule shall apply.

### A. Physical attendance:

- (1) No member of the County Board may attend more than four County Board Meetings in any calendar year via e-meeting.
- (2) No committee member may attend more than four committee meetings in any calendar year via e-meeting. This applies separately for each committee assignment. For example, if a committee member is a member of two committees, that member may attend four meetings of each committee via e-meeting.
- (3) Exceptions to the physical attendance rule may be made by the County Board Chair upon a showing of good cause by the member.

### B. All County Board e-meetings will take place in the County Board Room, which is the anchor location. Committee meetings may take place in the County Board Room or other conference room in the Green Lake County Government Center; said room will also be an anchor location.

- (1) The County Board Chair or committee chair must be present at the anchor location. If neither the County Board Chair or committee chair is present at the anchor location, then the vice-chair must be present. If the vice-chair is not present, another member present at the anchor location must be elected to chair the meeting (chair pro tem).
- (2) The Clerk or designee must also be present at the anchor location to ensure the electronic meeting platform is running correctly and to perform any duties related to running the electronic meeting.

### C. Members who wish to appear electronically at an e-meeting shall notify the County Clerk at least 24 hours prior to the meeting.

### D. There shall be no limit to the number of members who may appear electronically at an e-meeting, except that the chair or vice-chair (or duly elected chair pro tem) must be physically present at the anchor location.

### E. Members attending virtually via an e-meeting shall receive per diems pursuant to Board Rules as if they physically attended the meeting. Mileage is not reimbursed.

### F. Members attending virtually shall count as a member present for purposes of determining a quorum as if that member was physically present at the anchor location. The presence of a quorum shall be established by audible roll call at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating members and members physically present, unless any member demands a quorum count by audible roll call. Such a demand may be made pursuant to Wis. Stats. § 19.88(2), following any vote for which the announced totals add to less than a quorum.

### G. Members attending an e-meeting may make, second and vote on all motions and participate in discussion as though physically present at the anchor location. Members shall state their motion clearly so that all present at the e-meeting can hear and understand the motion. Members seconding a motion, shall do the same.

### H. Members shall use their County-issued personal computing device to access an e-meeting, to be recognized as having the floor, and for voting (except in committee). If a member does not have a County-issued personal computing device, the member may use their own personal computing device to access an e-meeting or in the alternative, may attend the e-meeting by telephone.

- I. Members are responsible for their own audio and internet connections. Members may attend an e-meeting via telephone if they do not have an adequate internet connection that allows for synchronous communication. Members shall identify and shall maintain Internet and audio access throughout the meeting whenever present but shall sign out upon any departure before adjournment.
- J. No action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting. If there is a question of whether a member voted, the Clerk may take the member's vote after all other votes have been cast.
- K. Minutes shall reflect which members, staff and guests appeared in person and which members, staff and guests appeared electronically.
- L. All persons shall identify themselves before speaking to assist the County Clerk or recording secretary in recording the minutes.
- M. All persons appearing electronically shall notify the Chair of their departure, whether permanent or temporary, from the meeting before leaving to ensure that a quorum is maintained.
- N. If a closed session is on the agenda, all persons who will be included in the closed session must ensure that their location is private and others may not overhear the closed session discussion.
- O. If any chat windows are open during the meeting, they may only be used to resolve technological problems.
- P. Votes shall be taken by audible roll call or, when practicable within the meeting service platform, by electronic roll call, e.g. "Roll Call Pro." The Chair's announcement of the voting result shall include the number of members voting on each side of the question and the number, if any, who explicitly respond to abstain or acknowledge their presence without casting a vote. Business may also be conducted by unanimous consent.
- Q. All members who attend an electronic meeting shall report to the County Clerk's Office to sign resolutions and ordinances voted upon while attending an electronic meeting, prior to the County Board meeting where the ordinance or resolution will be presented to the Board. If the member is unable to sign the ordinance or resolution prior to the County Board meeting, the County Clerk may enter the following on the resolution or ordinance:
 

"[Supervisor name] approved by voice vote on Zoom" or "[Supervisor name] approved by roll call vote on Zoom".
- R. Meeting etiquette:
  - (1) Members will be in responsible for muting/unmuting themselves; however, if necessary, the Clerk may mute a member whose background noise is disrupting the meeting.
  - (2) All persons attending an e-meeting shall keep their microphones muted, except when speaking, to avoid disrupting the meeting.
  - (3) No side conversations should be held in the "chat box."
  - (4) Identify yourself prior to speaking or making or seconding a motion.
  - (5) If in closed session, members must assure that no other individual is present and can hear the closed session discussion.
  - (6) Members shall refrain from talking over each other and shall obtain the floor from the Chair in order to speak.

RESOLUTION NUMBER -2024

Resolution to Approve Restructuring of Committees

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 19th day of March, 2024, does resolve as follows:

1 WHEREAS, The Mission of Green Lake County states: "For the benefit of our citizens, we  
2 dedicate ourselves to the pursuit of fiscal responsibility, quality service, innovative  
3 leadership and continual improvement in our County's government"; and

4 WHEREAS, to fulfill this promise to the citizens of Green Lake County, it is incumbent upon  
5 the County Board of Supervisors to create and implement efficiencies and improvements  
6 where needed; and

7 WHEREAS, Green Lake County has paid out for committee meetings an average of  
8 \$26,610 per year over the past three years, and has paid for travel an average of \$5,874  
9 per year over the past three years; and

10  
11 WHEREAS, Wisconsin State Statute 59.04 allows "counties the largest measure of self-  
12 government under the administrative home rule authority granted to counties in s. [59.03](#)  
13 [\(1\)](#), this chapter shall be liberally construed in favor of the rights, powers and privileges of  
14 counties to exercise any organizational or administrative power"; and

15  
16 Fiscal note is not applicable.

17  
18 Majority vote is needed to pass

Roll Call on Resolution No. -2024

Submitted by Administrative  
Committee

Ayes , Nays , Absent , Abstain

\_\_\_\_\_  
David Abendroth, Chair

Passed and Adopted/Rejected this day of  
19th day of March, 2024.

\_\_\_\_\_  
Gene Thom, Vice Chair

\_\_\_\_\_  
County Board Chairman

\_\_\_\_\_  
Ken Bates

\_\_\_\_\_  
ATTEST: County Clerk  
Approve as to Form:

\_\_\_\_\_  
Brian Floeter

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
Dennis Mulder

19 **NOW THEREFORE BE IT RESOLVED:** based on administrative home rule, Green Lake  
20 County wishes to implement efficiencies in oversight of County Operations while meeting  
21 the appropriate statutory requirements, and therefore approves the restructure of oversight  
22 committees to five (5) standing committees under the titles of Administrative Committee,  
23 Public Safety and Judicial Committee, Health & Human Services Board, Community  
24 Development Committee, and Highway Committee.

25 **BE IT FURTHER RESOLVED:** Chapter 9 of the Green Lake County Ordinance will be  
26 updated to reflect the restructure appropriately.



# COUNTY BOARD

Current Committees	NEW COMMITTEE	COUNTY DEPARTMENTS: Monthly Reporting		OTHER: Quarterly Reporting	OTHER: As Needed
<ul style="list-style-type: none"> <li>Administrative</li> <li>Finance</li> <li>Personnel</li> <li>Property &amp; Insurance</li> </ul>	<b>Administrative Committee</b>	Treasurer	County Clerk	County Administrator Corporation Counsel Finance Director	<ul style="list-style-type: none"> <li>IT</li> <li>Maintenance</li> <li>HR</li> </ul>
<ul style="list-style-type: none"> <li>Judicial Law and Emergency Management</li> </ul>	<b>Public Safety and Judicial</b>	Clerk of Courts Courts	Sheriff DA	Emergency Management Medical Examiner Emergency Medical/Ambulance	<ul style="list-style-type: none"> <li>Emergency Medical</li> <li>Hwy Traffic Safety</li> <li>Locally Emergency Planning</li> </ul>
<ul style="list-style-type: none"> <li>ADRC Governing Board</li> <li>Commission on Aging</li> <li>HHS Board</li> <li>Health Advisory Committee</li> <li>Transportation Committee</li> </ul>	<b>Health &amp; Human Services Board</b>	HHS Admin Aging Unit/ADRC Behavioral Health Children & Family	Economic Support FRI Public Health Veterans	<ul style="list-style-type: none"> <li>Commission on Aging</li> <li>Family Resource Counsel</li> <li>Transportation Coordinating</li> </ul>	
<ul style="list-style-type: none"> <li>Land Conservation</li> <li>Land Information Council</li> <li>LUPZ</li> <li>Parks Commission</li> <li>Ag/Ext/Fair</li> <li>EDC</li> </ul>	<b>Community Development Committee</b>	Register of Deeds	Land & Water Conservation Land Use Planning and Zoning Land Information Parks	<ul style="list-style-type: none"> <li>EDC</li> <li>Future Fair</li> <li>Libraries</li> <li>UW Extension</li> <li>County Fair</li> </ul>	
<ul style="list-style-type: none"> <li>Highway</li> </ul>	<b>Highway Committee</b>	Highway		<ul style="list-style-type: none"> <li>Highway Traffic Safety</li> </ul>	<ul style="list-style-type: none"> <li>Hwy Building Ad Hoc</li> </ul>

<b>Other Committee &amp; Commissions</b>	<b>STAND ALONE:</b> (Not required to report to CB) <ul style="list-style-type: none"> <li>Drainage Board</li> <li>Security and Facilities</li> <li>Criminal Justice Collaborating Committee</li> <li>Board of Adjustment (BOA)</li> <li>Act 184 Ad Hoc Committee</li> <li>Local Emergency Planning Commission</li> </ul>	<b>PARTNERSHIPS:</b> (CB member appointed) <ul style="list-style-type: none"> <li>Economic Development Corporation (EDC)</li> <li>County Libraries</li> <li>County Veteran Service Commission</li> <li>Inter County Collaboration (ICC)</li> <li>Railroad Consortium</li> </ul>	<b>AD HOC /SUBCOMMITTEES:</b> (Reports to an Oversight Committee) <ul style="list-style-type: none"> <li>Commission on Aging</li> <li>Future Fair</li> <li>Highway Ad Hoc</li> <li>Highway Traffic Safety</li> <li>Transportation Committee</li> <li>Family Resource Council</li> </ul>
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# COUNTY BOARD

Current Committees	NEW COMMITTEE	Committee	Statute	Ordinance
<ul style="list-style-type: none"> <li>Administrative</li> <li>Finance</li> <li>Property &amp; Insurance</li> <li>Personnel</li> </ul>	<b>Administrative Committee</b>	Administrative Finance Committee Property & Insurance Personnel Committee	§ 59.15 §59.52(12)(a) & 65.90(5)(a-b) not required not required	9-39 9-31  9-34
<ul style="list-style-type: none"> <li>Judicial Law and Emergency Management</li> </ul>	<b>Public Safety and Judicial</b>	No Change	§323.13(1)(a), 59.54(8)	9-31
<ul style="list-style-type: none"> <li>ADRC Governing Board</li> <li>Commission on Aging</li> <li>HHS Board</li> <li>Family Resource Committee</li> <li>Health Advisory Committee</li> <li>Transportation Committee</li> </ul>	<b>Health &amp; Human Services Board</b>	ADRC Governing Board Commission on Aging HHS Board HHS Family Resource Council HHS Health Advisory Committee	§ 46.82 § Chpt 46 & 51 § 251.04	19-1 thru 19-6, 9-37 9-32
<ul style="list-style-type: none"> <li>Land Conservation</li> <li>Land Information Council</li> <li>LUPZ</li> <li>Parks Commission</li> <li>Ag/Ext/Fair</li> <li>EDC</li> </ul>	<b>Community Development Committee</b>	Land Conservation Land Information Council Land Use Planning and Zoning Parks Commission Ag/Ext/Fair Committee	§ 92.06 § 59.72(3m) §59.69, 66.1001, 87.30, 281.31 § 27.02(1) §59.56(3)	9-38 9-41 19-36 19-7, 9-40 19-30
<ul style="list-style-type: none"> <li>Highway</li> </ul>	<b>Highway Committee</b>	No Change	§83.015	9-27

## Addressing Statutory Requirements

The Green Lake County Website will state the following for each committee: Green Lake County aligns with all required management, reporting and oversight as assigned by Wisconsin State Statutes. The County has implemented efficiencies in oversight and reporting structures. The following committees, boards and/or commissions listed below now report under (**New Committee Designation Name**):

- (state past committee names)

**ORDINANCE NO. -2024**

**Ordinance to repeal § 9-24 C.**

1 The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly  
2 assembled at its regular meeting begun on the 19<sup>th</sup> day of March, 2024, does ordain as  
3 follows:

4  
5 **NOW, THEREFORE, BE IT ORDAINED**, that on February 20, 2024, the Green Lake  
6 County Board of Supervisors authorized language be added to agendas for all  
7 committee, special committee and board meetings in furtherance of notice requirements  
8 mandated by WI Stat. § 19.84, the Green Lake County Code and Wisconsin case law.

9  
10 **NOW, THEREFORE, BE IT ORDAINED**, that said action taken by the Board on  
11 February 20, 2024, renders Green Lake County Code § 9-24 C. unnecessary.

12  
13 **NOW, THEREFORE, BE IT ORDAINED**, that Green Lake County Code § 9-24 C. is  
14 hereby repealed.

15  
16 **BE IT FURTHER ORDAINED**, that this ordinance shall become effective upon passage  
17 and publication.

18

Roll Call on Resolution No. -2024

Submitted by Administrative  
Committee:

Ayes , Nays , Absent , Abstain 0

\_\_\_\_\_  
Dave Abendroth, Chair

Passed and Enacted/Rejected this 19<sup>th</sup>  
day of March, 2024.

\_\_\_\_\_  
Gene Thom, Vice-Chair

\_\_\_\_\_  
County Board Chairman

\_\_\_\_\_  
Ken Bates

\_\_\_\_\_  
ATTEST: County Clerk  
Approve as to Form:

\_\_\_\_\_  
Brian Floeter

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
Dennis Mulder

ORDINANCE NO. -2024

Ordinance to amend Chapter 9, Article V. Ethics

1 The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly  
2 assembled at its regular meeting begun on the 19<sup>th</sup> day of March, 2024, does ordain as  
3 follows:

4  
5 **NOW, THEREFORE, BE IT ORDAINED**, that on February 15, 2024, the Green Lake  
6 County Administrative Committee authorized language both revising and updating  
7 current County Code Ch. 9, Article V., specifically as it pertains to an Ethics Policy and  
8 Ethics Board.

9  
10 **NOW, THEREFORE, BE IT ORDAINED**, that Ch. 9, Article V. Ethics be amended as  
11 follows, with modifications in red and/or stricken.

Submitted by Administrative  
Committee:

Roll Call on Resolution No. -2024

Ayes , Nays , Absent , Abstain 0

Passed and Enacted/Rejected this 19<sup>th</sup>  
day of March, 2024.

\_\_\_\_\_  
Dave Abendroth, Chair

\_\_\_\_\_  
Gene Thom, Vice-Chair

\_\_\_\_\_  
County Board Chairman

\_\_\_\_\_  
Ken Bates

\_\_\_\_\_  
ATTEST: County Clerk  
Approve as to Form:

\_\_\_\_\_  
Brian Floeter

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
Dennis Mulder

12 § 9-64 **Applicability.**

13 This article applies to every County official and employee, **provided any employee**  
14 **complaint has already exhausted the chain of command, including a review by the County**  
15 **Administrator and in accordance with the Personnel Policies and Procedure Manual (see**  
16 **§ 9-70 below).**

17  
18 § 9-70 **Complaints from public.**

19 **A.**

20 At times, a person or group may confront a single Board member with a problem or  
21 complaint that should be handled by management personnel. Each Board member must  
22 decide how much time one can spend on complaints and what courtesy is appropriate.

23 The official Board of Supervisors policy is:

“No member, nor the Board of Supervisors itself, will officially consider problems or complaints until they  
have been submitted to the proper administrative authority and a report by the authority is submitted to the  
Board of Supervisors or governing Committee, convened in legal session.”

24 **B.**

25 No member of the Board of Supervisors shall consider a complaint from any employee  
26 unless the member has determined that the complainant has gone through the normal  
27 chain of command, including the County Administrator. Employees should be directed to  
28 the Personnel Policies and Procedure Manual for the proper chain of command for  
29 complaints.

30 **C.**

31 Public grievances or complaints should be referred to the County Administrator **(for**  
32 **County employees)** or the County Board Chair. Grievances or complaints will be handled  
33 in the following order:

34 **(1)**

35 **Referred to the County Administrator who will investigate the matter along with the**  
36 **appropriate department head and take the appropriate action in accordance with the**  
37 **County’s Personnel Policies and Procedure Manual.**

38 **(2)**

39 **For unresolved matters involving a county employee ~~if not resolved~~, the County**  
40 **Administrator shall report to the governing committee with jurisdiction over the matter,**  
41 **who then may consider and forward to the next immediate session of the Board of**  
42 **Supervisors for official consideration and possible action.**

43 **(3)**

44 **Grievances or complaints received by the County Board Chair shall be placed on the**  
45 **agenda of the next immediate session of the Board of Supervisors for official**  
46 **consideration and possible action.**

47 **D.**

48 When a Board member seeks information about a specific problem, the member should  
49 ask the County Administrator to prepare a report on the matter with the aid of staff, if  
50 necessary. No single County Board member may create a committee to investigate a  
51 complaint or grievance.

52 **E.**

53 If a satisfactory resolution is not achieved by this procedure, the Board of Supervisors  
54 may, if it deems advisable, grant a hearing to the person(s) interested and the hearings  
55 will be held during either a regular or special session of the Board of Supervisors.

56 **F.**

57 ~~In the event that the County Administrator is directly involved with any grievance or~~  
58 ~~complaint, Corporation Counsel shall assume only those responsibilities normally~~  
59 ~~assigned to the County Administrator in administering the Ethics Board/review process,~~  
60 ~~including those described in sec. C. (2). In the event the County Board Chair is directly~~  
61 ~~involved with any grievance or complaint, the Vice-Chair shall assume only those~~  
62 ~~responsibilities normally assigned to the Chair in administering the Ethics Board/review~~  
63 ~~process, including those described in sec. C. (3).~~

64

65 § 9-71 **Conflict of interest.**

66 **A.**

67 Offer or acceptance of gifts. No official or employee, directly or indirectly, may solicit or  
68 accept from any person, directly or indirectly, *anything of value* without full payment, if it  
69 could reasonably be expected to influence the official or employee's duties and  
70 responsibilities or a vote, official actions or judgment, or could reasonably be considered  
71 as a reward for any official action or inaction on the part of the official or employee. ~~An~~  
72 ~~item offered or received with a fair market value greater than the amount set by the~~  
73 ~~Wisconsin Ethics Commission (currently \$25) shall give rise to a rebuttable presumption~~  
74 ~~that the item could be reasonably expected to influence the official or employee or be~~  
75 ~~considered a reward.~~

76 **(1)**

77 Examples of prohibited gifts: sporting event tickets, vacation trips, hotel stays, televisions,  
78 gaming consoles, etc., even if entered into a raffle drawing while engaged in County  
79 business.

80 **(2)**

81 Examples of permissible gifts: promotional items of a small value with advertising  
82 prominently displayed such as baseball caps, calendars, pens, pencils, water bottles,  
83 notepads, etc.

84 **B.**

85 Financial and personal interest prohibited. No official or employee, whether paid or  
86 unpaid, shall engage in any business or transaction or shall act in regard to financial or

87 other personal interest, direct or indirect, which is incompatible with the proper discharge  
88 of the official duties in the public interest contrary to the provisions of this article or state  
89 statute or would tend to impair independence of judgment or action in the performance of  
90 official duties.

91 **C.**

92 Incompatible employment **and/or civic activities**. No official or employee shall engage in  
93 or accept private employment, render service for private **interests or engage in civic**  
94 **activities** when such employment, service or **activities** are incompatible with the proper  
95 discharge of official duties unless otherwise permitted by law and unless disclosure is  
96 provided.

97

98 **§ 9-75 Ethics Board.**

99 This ethics article hereby creates an Ethics Board.

100 **A.**

101 Membership. The Ethics Board shall consist of five members, **requiring a three-person**  
102 **quorum and majority vote required for any action taken by the Board. All five members**  
103 ~~three members shall be members of the legal or law enforcement community, one citizen~~  
104 ~~member who must be a County resident, and one member of the clergy.~~ **Green Lake**  
105 **County residents, with two being current members of the Green Lake County Board of**  
106 **Supervisors. All five members shall be appointed by the chair of the Green Lake County**  
107 **Board of Supervisors. In the event that the County Board chair is the focus of the**  
108 **investigation or otherwise has a conflict of interest, the vice-chair for the County Board**  
109 **shall make said appointments.** In no instance may a former County employee be a  
110 member of the Ethics Board. The County Administrator or County Clerk shall provide  
111 necessary staff assistance to the Ethics Board.

112 **B.**

113 Appointment and term. The County Board Chair shall appoint five members of the Ethics  
114 Board subject to the confirmation by the County Board of Supervisors. **Of those five**  
115 **members, two shall be sitting supervisors on the Green Lake County Board. All members**  
116 **shall serve until the ethics case he/she is appointed for reaches resolution. In the event**  
117 **a member is unable to complete his or her term, a new member shall be appointed in the**  
118 **same manner previously described.**

119 **C.**

120 Powers and duties. **Upon its initial meeting, the Ethics Board shall select a Chair.**  
121 Furthermore, the Ethics Board shall be responsible for investigating complaints and  
122 conducting hearings under this article. The Ethics Board will interpret the County Code of  
123 Ethics consistent with interpretations handed down by the State of Wisconsin Ethics  
124 Commission or its successor boards or commissions.

125

126 § 9-76 **Investigations and enforcement; procedure.**

127 **A.**

128 Complaints.

129 **(1)**

130 All complaints shall be verified and in writing. The complaint shall state the specific  
131 provision(s) of the County Ethics Code or Wisconsin Statutes section(s) or both believed  
132 to have been violated and shall include sufficient information to support the allegations.

133 **(2)**

134 The complaint shall also include the following:

135 **(a)**

136 The name, a **viable mailing address (and residential, if different)** and telephone number  
137 of the complainant;

138 **(b)**

139 The name, a **viable mailing and/or a residential address** and position of the individual who  
140 is the subject named in the complaint;

141 **(c)**

142 The facts constituting the alleged ethics violation(s) set forth clearly and in detail;

143 **(d)**

144 If complainant(s) believes that any Board member has a conflict of interest or bias, the  
145 complaint shall state it in the complaint.

146 **(3)**

147 Complaints that do not meet the minimum pleading requirements in Subsection 2(a) and  
148 (b) above shall be dismissed without prejudice.

149 **(4)**

150 No action may be taken on any complaint that is filed later than six months after a violation  
151 of the Ethics Code is alleged to have occurred.

152 **(5)**

153 All written complaints shall be submitted to the County Clerk, 571 County Road A, Green  
154 Lake, WI 54941. The County Clerk shall forward the complaint to the **Chair of the County**  
155 **Board**, the Corporation Counsel **and the County Administrator**. The complaint is a public  
156 document.

157 **B.**

158 Preliminary procedure; notice.

159 **(1)**

160 The Corporation Counsel shall review the complaint to assure that it meets all procedural  
161 and technical requirements. If the complaint is defective, the Corporation Counsel shall  
162 notify the complainant of the defect within 10 days of receipt of the complaint. The  
163 complainant must correct the defect within 30 days of the Corporation Counsel's  
164 notification or the complaint will be administratively closed.

165 **(2)**  
166 The Corporation Counsel shall send notice, including a copy of the complaint to the  
167 respondent(s) and complainant within seven business days of the receipt of the complaint  
168 by the **County Board Chair**. The notice shall be sent via certified mail or by personal  
169 service.

170 **(3)**  
171 The notice shall inform the respondent that they may file a written statement of their  
172 position with the appropriate committee of oversight within 10 business days of the date  
173 the notice was sent.

174 **(4)**  
175 The respondent may request that any hearing be held in open session.

176 **(5)**  
177 The Corporation Counsel shall contact the members of the Ethics Board (**upon its**  
178 **assembly**) to schedule a probable cause hearing.

179 **C.**  
180 Investigations and powers. Pursuant to any investigation or hearing conducted under this  
181 ethics article, the Ethics Board has the authority to:

182 **(1)**  
183 Require any person to submit in writing such reports and answers to questions relevant  
184 to the proceedings conducted under this article as it may prescribe, such submission to  
185 be made within such period and under oath or otherwise as the Ethics Board may  
186 determine.

187 **(2)**  
188 Administer oaths and require by subpoena issued by it pursuant to § 885.01, Wis. Stats.,  
189 the attendance and testimony of witnesses and the production of any documentary  
190 evidence relating to the investigation or hearing being conducted.

191 **(3)**  
192 Order testimony to be taken by deposition before any individual who is designated by it  
193 and has the power to administer oaths, and, in such instances, to compel testimony and  
194 the production of evidence in the manner as authorized by Subsection **C(2)**, above.

195 **(4)**  
196 Pay witnesses the same fees and mileage as are paid in like circumstance by the courts  
197 in Wisconsin.

198 **(5)**  
199 Request and obtain from the Department of Revenue copies of state income tax returns  
200 and access to other appropriate information under § 71.78(4), Wis. Stats., regarding all  
201 persons who are the subject of such investigation.

202 **(6)**



203 Retain outside counsel and other experts as needed in connection with any of the Ethics  
204 Board's responsibilities hereunder after solicitation of recommendations from the office of  
205 the District Attorney and upon such contract for services approved for content and form  
206 by the Corporation Counsel.

207 **D.**

208 Hearings.

209 **(1)**

210 Procedure; burden of proof. All hearings conducted by the Ethics Board under this article  
211 are subject to the following:

212 **(a)**

213 The burden of proof at all hearings shall rest with the complainant to prove the allegations  
214 by evidence that is clear, satisfactory and convincing.

215 **(b)**

216 The Ethics Board shall conduct all hearings in accordance with the rules of civil procedure  
217 and shall keep a record of the hearing and all admitted evidence at the hearing. However,  
218 the common law or statutory rules of evidence do not apply. The Ethics Board shall admit  
219 all testimony having reasonable probative value, but shall exclude immaterial, irrelevant  
220 or unduly repetitious testimony. The Ethics Board shall give effect to the rules of privilege  
221 recognized by law. Basic principles of relevancy, materiality and probative force shall  
222 govern the proof of all questions of fact.

223 **(c)**

224 All hearings shall be in closed session, pursuant to § 19.85, Wis. Stats., unless the  
225 respondent requests an open hearing, **submitted via written request.**

226 **(d)**

227 The Ethics Board shall convene in closed session following any hearing for the purpose  
228 of deliberation on the evidence.

229 **(e)**

230 All hearings shall be conducted under oath or affirmation.

231 **(f)**

232 ~~Corporation Counsel will direct the proceedings of the hearing.~~ **The proceedings of the**  
233 **hearing will be conducted in accordance with the Robert's Rules of Order, managed by**  
234 **the Ethics Committee Chair with Corporation Counsel acting as parliamentarian.**

235 **(g)**

236 The parties may make a brief opening statement to acquaint the Ethics Board with the  
237 nature of the complaint.

238 **(h)**

239 The parties shall be allowed to question each other and present witnesses on their behalf,  
240 consistent with the subject matter before the Ethics Board.

241 **(i)**

242 The Ethics Board may direct questions to any party or witness.

243 **(j)**

244 The Ethics Board may, in its sole discretion, extend the deadlines for taking action on a  
245 verified complaint or request. Failure of the Ethics Board to take action within the time  
246 frames in this article shall not preclude the Ethics Board from pursuing a complaint.

247 **(2)**

248 Initial/probable cause hearing.

249 **(a)**

250 The Ethics Board shall set a time for a probable cause hearing on the complaint that is  
251 within 15 business days following the 10 business-day-time for response by the  
252 respondent. The probable cause hearing date shall be set prior to the notice being sent  
253 out so that the notice will include the date, time and place of the probable cause hearing  
254 of the Ethics Board regarding the complaint.

255 **(b)**

256 At the probable cause hearing the Ethics Board shall determine if it has jurisdiction over  
257 the subject matter of the complaint and to determine if there is a basis for the complaint.  
258 The complainant must be present. If the complainant does not personally appear, the  
259 Ethics Board may dismiss the complaint without prejudice. If the Ethics Board determines  
260 that there is no basis for the complaint, it may immediately dismiss the complaint with  
261 prejudice and without further hearing. In determining if there is a basis for the complaint,  
262 the Ethics Board must review the complaint, assuming that every allegation is true.

263 **(c)**

264 An agenda shall be filed and posted by the County Clerk prior to the probable cause  
265 hearing and the respondent's name will not be included in the meeting notice and public  
266 access to records pertaining to the complaint shall be restricted in accordance with  
267 § 19.35, Wis. Stats., unless the respondent has requested an **open hearing via written**  
268 **request.**

269 **(d)**

270 The corporation counsel shall send a copy of the response(s) received from the  
271 respondent(s) to the Ethics Board and the complainant(s) at least five business days prior  
272 to the probable cause hearing.

273 **(3)**

274 Fact-finding hearing.

275 **(a)**

276 If after the probable cause hearing the Ethics Board finds that probable cause exists for  
277 believing the allegation(s) in the complaint, the Ethics Board shall schedule a fact-finding  
278 hearing not less than 30 business days after making the finding of probable cause.

279 **(b)**

280 If the Ethics Board sets the matter for a fact-finding hearing, it may direct the parties to  
281 appear before it for a conference to consider:

282 **[1]**

283 The clarification of issues;

284 **[2]**

285 The necessity or desirability of amendments to the pleadings;

286 **[3]**

287 The possibility of obtaining admissions of fact and of documents which will avoid  
288 unnecessary proof;

289 **[4]**

290 The limitation of the number of witnesses;

291 **[5]**

292 Such other matters as may aid in the disposition of the action.

293 **(c)**

294 Upon the conclusion of the fact-finding hearing, the Ethics Board shall adjourn into closed  
295 session for deliberations. Any person not a member of the Ethics Board, including County  
296 Board supervisors, shall be excluded from the Ethics Board's deliberations; however, the  
297 County Clerk or County Administrator and the Corporation Counsel, who are charged with  
298 providing administrative and legal assistance to the Board, shall remain.

299 **E.**

300 Disposition.

301 **(1)**

302 Upon completion of deliberations, the Ethics Board shall issue a written decision within  
303 10 business days from the conclusion of deliberation and may direct the Corporation  
304 Counsel to draft the decision for signature by the Ethics Board Chair. The decision shall  
305 be filed with the County Clerk's office and a copy sent to the complainant and the  
306 respondent.

307 **(2)**

308 If the Ethics Board determines by clear, satisfactory and convincing evidence that a  
309 violation of this article has occurred, the Ethics Board shall refer the matter to the proper  
310 County authority:

311 **(a)**

312 For matters involving allegations against a County employee or department head: the  
313 County Administrator and governing committee;

314 **(b)**

315 For matters involving allegations against the County Administrator: the Administrative  
316 Committee;

317 **(c)**

318 For matters involving constitutional officers, e.g., County Clerk, Register of Deeds, Sheriff,  
319 Treasurer or Clerk of Circuit Court: to the official or body with the authority to remove the  
320 officer from office under County ordinance or Wisconsin Statutes.

321 **(d)**

322 For matters involving a County Board Supervisor, the County Board of Supervisors.

323 **(3)**

324 If the Ethics Board does not find a violation by clear, satisfactory and convincing evidence  
325 that a violation of this article has occurred, it shall dismiss the complaint.

326 **(4)**

327 Recommendations. The Ethics Board may make recommendations to the proper  
328 authority which may include, but are not limited to:

329 **(a)**

330 In the case of an official who is an elected County Board Supervisor, the County Clerk,  
331 Treasurer or Surveyor, that the County Board consider sanctioning, censuring, or  
332 removing the person under § 17.09(1), Wis. Stats.

333 **(b)**

334 In the case of the Clerk of Circuit Court, referring the matter to the Circuit Court judge to  
335 consider sanctioning, censuring, or removing the Clerk of Circuit Court under § 17.09(2),  
336 Wis. Stats.

337 **(c)**

338 In the case of the Sheriff, ~~coroner~~ or Register of Deeds, referring the matter to the  
339 Governor for sanctioning, censuring, or removal under § 17.09(3), Wis. Stats.

340 **(d)**

341 In the case of an employee, referring the matter to the appropriate County officer or  
342 committee to consider discipline, up to and including discharge of the employee.

343

344 **(e)**

345 The return of County property or funds or gifts and/or restitution for the value of the gifts,  
346 property and funds procured, obtained or retained as a violation of this ethics article. An  
347 order for return/restitution shall include a deadline for return or making restitution.

348 **(f)**

349 An order requiring the accused to conform his or her conduct to this article.

350

351 **(g)**

352 An order requiring an individual who has been determined to have violated this ethics  
353 article to forfeit an amount not less than \$100 nor more than \$1,000 for each offense  
354 along with a payment deadline.

355 **(h)**

356 Referral to the District Attorney to commence enforcement and penalties as permitted by  
357 Wisconsin Statutes.

358 **(5)**

359 No recommendation of the Ethics Board becomes effective until 20 days after it is issued  
360 or while an application for rehearing or rehearing before the Board is pending, or the  
361 Board has announced its final determination on rehearing.

362 **F.**

363 Review.

364 **(1)**

365 Any party appearing before the Ethics Board who is dissatisfied with the decision may  
366 request a review.

367 **(2)**

368 The review is initiated by filing a written request with the County Clerk within 15 days of  
369 the Ethics Board's written decision or as required under the grievance procedure in a  
370 collective bargaining agreement. The filing of an appeal shall stay any recommendations  
371 issued by the Ethics Board. The appeal shall be to the County Board and shall be heard  
372 at the next regularly scheduled County Board meeting.

373 **G.**

374 Violations. It is unlawful for:

375 **(1)**

376 A person to violate any provision of this article or state statutes incorporated herein.

377 **(2)**

378 Any person to file a complaint for the purpose of harassment, knowingly provide false  
379 information, make a false statement, or fail to provide or misrepresent any material fact  
380 to a County agent, board, commission, committee, department, employee, officer, or  
381 official acting in an official capacity under this article.

382

383

384 **(3)**

385 A person to disobey, fail, neglect, or refuse to comply with or otherwise resist an order  
386 issued pursuant to this article.

387 **H.**

388 Penalties.

389 **(1)**

390 Any official or employee violating the provisions of this article shall be subject to a  
391 nonreimbursable forfeiture of not less than \$100 nor more than \$1,000.

392 **(2)**

393 The minimum forfeiture specified in this subsection is doubled for a person who is  
394 convicted of violating the same provision of this article within a twenty-four-month period.

395 **(3)**  
396 A separate offense is deemed committed on each day that a violation occurs or continues.

397 **(4)**  
398 The enumerated penalties and sanctions in this section shall not be construed to limit the  
399 authority of the Ethics Board or the County from imposing any additional penalties or  
400 sanctions. Any person found by the Ethics Board to have violated any portions of this  
401 article shall be subject to private reprimand, public reprimand, denial of salary or merit  
402 increase, suspension without pay, removal from employment or office in accordance with  
403 Wisconsin Statutes or other disciplinary actions pursuant to the recommendations of the  
404 Ethics Board or judgment of the official or body to whom the decision of the Ethics Board  
405 is referred under this section. Any action taken by an official or employee that is deemed  
406 in violation of this section may be deemed void by Green Lake County.

407 **(5)**  
408 Any other recommendations or others as may be necessary and appropriate to carry out  
409 the intent and purpose of this article.

410  
411 **BE IT FURTHER ORDAINED**, that any and all existing language in this Article, that is  
412 neither modified nor stricken, remain unchanged.

413  
414 **BE IT FURTHER ORDAINED**, that this ordinance shall become effective upon passage  
415 and publication.