



VILLAGE OF MOUNT HOREB

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FINANCE AND PERSONNEL COMMITTEE AGENDA

Wednesday, June 5, 2024 at 5:30 PM

Municipal Building Board Room

138 E. Main Street

Mount Horeb, WI

- 1) Call to order
 - a. Roll Call
- 2) Agenda Items
 - a. Consideration of May 1, 2024 Meeting Minutes
 - b. Finance Director Report
 - c. Human Resources Manager Report
 1. Review Draft Policy Updates for Employee Handbook
 - d. Discuss Building Permit/Impact Fees Report Request
 - e. Discussion on Library Impact Fees
 - f. Review Code of Ethics Policy
- 3) Future agenda items
 - a. Set Date for July 2024 Finance & Personnel Committee meeting
- 4) Meeting adjournment.

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**VILLAGE OF MOUNT HOREB
FINANCE/PERSONNEL COMMITTEE MINUTES
WEDNESDAY, MAY 1, 2024**

The Finance/Personnel Committee met in regular session in-person on the above date.

Call to Order/Roll Call: Chair Scott called the meeting to order at 5:30pm. Present were Committee members Fendrick and Jones. Absent were Jeff Hook and Brett Halverson. Also present were Treasurer/Finance Director Schwenn and Village Clerk Gaffney.

Consideration of April 3, 2024 Meeting Minutes: Fendrick moved, Jones seconded to approve the April 3, 2024 meeting minutes. Motion carried by unanimous voice vote.

Human Resources Manager Report: Murleau presented her personnel report.

Finance Director Report: Schwenn presented her Finance Director/Treasurer report.

Consider 2024 Budget Calendar Timeline: Jones moved, Fendrick seconded to approve the timeline as presented.

2024 Review of 2023 Vendor Activity- Department Head Responses: The committee members reviewed the activity, and Schwenn fielded questions.

Future agenda items: Lease agreements, Norsk financials, policies in progress.

Meeting Adjournment: There being no further business before the Committee, Fendrick moved, Jones seconded to adjourn the meeting at 5:54pm. Motion carried by unanimous voice vote.

Minutes by Alyssa Gaffney, Village Clerk

Finance & Personnel Committee Meeting

06-05-2024

FINANCE DIRECTOR REPORT

1. Financial Reporting Update
 - a. Annual Audit Status Update
 - i. Audit entries are complete and I have begun preparing final 2023 financials.
 - ii. Baker Tilly will be presenting 2023 audit reporting at tonight's VB meeting.
 - b. 2024 Monthly Financial details
 - i. With the close of 2023, we are immediately working to confirm 2024 transactional and accrual details so that we can begin close process for January thru May GL periods by the end of June.
 - ii. DRAFT Financial statements will continue to be made available to managers upon request for various needs. Final financials will be provided at each stage of completion by month.
 - c. 2025 Budget Calendar has been distributed to all Department Heads; preparations for Capital Purchase needs are due in July. 2025 Budget file creation is nearly complete (conversion of 2024 excel spreadsheet to be used for 2025).
2. Building Permit/Impact fee information provided in this month's agenda packet, as requested by CS on 4/3/24
 - a. Which is preferred method of review?
 - b. How frequently does committee wish to review?
 - c. Other comments?
3. Future Items:
 - a. July—PILOT Program update due to F&P (written process/draft letter to prospective entity/draft agreement template)
 - b. July-Review of Lease Agreement including Norsk 2024 new rent details
 - c. July 15-19—DS attending Green Bay Clerk & Treasurer Training
4. Other Comments:

Denise J. Schwenn
Finance Director / Treasurer



Finance and Personnel Committee Report for 06.05.2024

Terminations:

PD- Administrative Assistant- Helen Conrad- Resigned- Last day 05.03.2024

Admin- Office Assistant – LTE Anne O’Connell- Last day 05.16.2024

Promotions:

Wastewater- promoted from operator to Assistant Superintendent Eric Rohowetz – 05.20.2024

Seasonal Summer Staff Hires:

Public Services Summer Help

- 2 rehires whom started in mid- May
- 1 new hire that will start June 13, 2024

Recreation Summer Help

- Summer Office Assistant – Sara Fisher
- Recreation Assistant LTE Hired Through 10.25.24– John Cauthen
- 14 New Hires and 21 rehires to run pool, concessions and kid camp

Recruitments:

Police Department – Administrative Assistant

In Progress with Various Department Heads

Administration – Continuing to review day to day tasks with office staff. Took some opportunities in the last month to assist in the disconnect process and took calls from village residents after the recent storm. Alyssa and I will be meeting to review job descriptions and tasks to look for options for cross-training and efficiencies.

PD- Do not have any new updates regarding wellness initiatives. We continue to do regular check ins as time allows.

Recreation – Worked with Jill to get new hires finalized and entered into the payroll system.

Wastewater- Worked with Mike to develop a job description for an Assistant Wastewater Superintendent. Eric Rohowetz was promoted into the role on a trial basis for the next 12 months. This



was done in an effort to do some succession planning and promote growth and development for an employee who has an active interest in taking on a Superintendent role at some point in the future.

Ongoing for HR

Benefits – I attended a group insurance board meeting on May 24th. Health Insurance rates have been approved for 2025. Increases will be at a rate of 11% for Local Government.

There is a new recordkeeping system that is being installed for employees receiving ETF-administered benefits. I have been working with ETF over the last few months in getting them requested information to do testing on the system before it goes live in July.

Policies – Completed drafts for policies included with this meeting packet for policies related to Tuition Assistance, Bereavement, Phone Allowance and Remote Work for the Finance & Personnel Committee to review.

Wage Surveys- I have been working on completing various wage surveys as they are requested. Most recently completed and received results for MEUW and submitted information requested by the State for their 2024 wage survey.



AGENDA ITEM REPORT

MEETING DATE

June 5, 2024

PREPARED BY

AGENDA ITEM # 2.c.1

Review Draft Policy Updates for Employee Handbook

BACKGROUND

RECOMMENDATION

ATTACHMENTS

1. Tuition Assistance 2024 - Draft
2. Bereavement Leave Policy 2024-Draft
3. Phone Allowance Policy-2024-Draft
4. Remote Work Policy 2024-Draft

Village of Mount Horeb



Policy: Tuition Assistance

Dept: All Released:

Approved By:

- I. **PURPOSE:** The purpose of the Tuition Assistance policy is to increase employee effectiveness, operational efficiency, and to assist employees in preparing themselves for positions of increasing complexity and responsibility. Employee participation in additional continuing education credits or college coursework is voluntary.
- II. **Eligibility:** All employees who are employed on a permanent basis more than 30 hours a week are eligible for Tuition Assistance if the studies are relevant to work in any of the departments that the Village supports.
 - Full-time employees are eligible for a maximum annual reimbursement of \$1,200.
 - Part-time employees working 30 or more hours per week are eligible for a maximum annual reimbursement of \$600.
 - Employees must be in good standing with no outstanding performance issues.
 - Employees must commit to remaining employed by the Village of Mount Horeb for a period of up to two years after completion of coursework.
- III. **PROCEDURE:**
 - A. **Application and Process**
 - Employees must submit an application for tuition assistance to the department head and human resources at least 30 days before the class begins.
 - Employee will be notified in writing prior to the start of class whether the request is approved or denied.
 - Within 30 days of class completion, the employee needs to provide all documentation including receipt, grades, etc.) to Human Resources.
 - Grade requirement for Reimbursement is as follows:

Grading System	Standard Required for Reimbursement
A, B, C, D, E, F	C or better for undergraduates B or better for graduates
P(Pass), S(Satisfactory), F(Fail), U (Unsatisfactory)	P or S
Credit by Examination	CE

Village of Mount Horeb



Policy: Tuition Assistance

Dept: All Released:

Approved By:

B. Reimbursement Approval

- Reimbursement is subject to the availability of funds.
- The Village reserves the right to deny reimbursement for lack of funding or reasons related to eligibility or relevance of course of study.

C. Repayment Obligation

- Employees who leave the employment by their own initiative will be required to reimburse the village according to the following schedule:

Within 6 Months of Completion	100%
Within 12 Months of Completion	50%
Within 18 Months of Completion	25%

D. Tax Implications

- As of 2024, if an employer provides \$5,250 or less in tuition reimbursement annually to an employee, the money received by employee is tax free.

E. Termination

- The Village of Mount Horeb reserves the right to modify or terminate the Tuition Assistance program at any time with or without notice.

F. Compliance

- The Tuition Assistance Program covers only the cost of the actual course and does not provide coverage for supplies, fees, finance charges, transcript fees, subscriptions, parking, equipment or costs which have already been paid up front by the department.
- Participation in this program is voluntary and employees will not be compensated for time or travel related to taking classes.
- Any injury that may result from participation in an extra-curricular program is not considered to be in the course of employment and is excluded from coverage under the Workers Compensation Act.

Village of Mount Horeb



Policy: Tuition Assistance

Dept: All Released:

Approved By:

- The Village reserves the right to deny the request for lack of funding or other reasons.
- Employees will be required to enroll in the program on an annual basis.
- Employees are expected to comply with all policies and procedures outlined in the Tuition Assistance Program.

G. Exclusions

- The Tuition Assistance Program does not apply to village sponsored training programs including training, seminars, conferences, apprenticeships, or police academy.
- Funding for required certifications or licenses should come from the Village of Mount Horeb training budget.

H. Program Administration:

- Human Resources is responsible for Tuition Assistance Program administration, including processing reimbursement requests, maintaining records of approved courses and providing guidance to employees and supervisors regarding eligibility and procedures.

Village of Mount Horeb



Policy: Bereavement Leave Policy

Dept: All Released:

Approved By:

I. PURPOSE:

The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members, extended family members and fellow employees.

II. ELIGIBILITY:

All full-time and part-time benefit eligible employees are eligible for benefits under this policy.

III. PROCEDURE:

A. Definition of Family Member

For the purposes of this policy, family members include:

Spouse or partner	Child	Parent	Parent In Law
Legal Guardian	Grandparent	Grandchild	Brother
Sister	Foster Child	Step Parent	Step Child
Step brother or sister	Any other person living in the employee's household whom the employee has responsibility for.		

B. Paid Bereavement Leave Entitlement:

- Employees will be allowed time off with pay for up to 3 working days to attend the funeral, make funeral arrangements, handle wills and estates, or to undergo counseling and grieving. Individuals working a flexible schedule will get paid for the hours that they were scheduled to be at work on the day they were absent. For instance, if absent on Friday and employee typically works 4 hours the employee will get paid for 4 hours of time which would constitute 1 working day.
- Part-time employees may take leave if they were scheduled and need to be absent. If the employee was not scheduled to work, the day will be unpaid.
- If employee experiences a loss that is not included in under the definition of family member, they may be granted time off with pay for a maximum

Village of Mount Horeb



Policy: Bereavement Leave Policy

Dept: All Released:

Approved By:

of (1) day to attend a funeral for other distant relatives, former or retired co-workers, or close personal friends.

C. Request for Leave

- An employee who wishes to take time off for bereavement leave, the employee should notify his or her supervisor as soon as possible.
- The employees request for leave should include the name of the deceased family member and indicate the expected duration of leave.
- Department Head will notify human resources of employee status.
- Employee or supervisor will list time off as bereavement in MiPay.
- Human Resources will notify payroll that bereavement leave is approved and that the employee is eligible.

D. Employee Responsibilities

- If requested, the employee may be required to provide reasonable documentation such as a death certificate or obituary, to support the request for bereavement leave.
- Employees are expected to communicate with their supervisor or HR regarding their anticipated return date. Reasonable accommodations will be made to facilitate a smooth transition back to work following bereavement period.

E. Additional Leave

Employees needing time above and beyond the provided paid leave may take additional time as approved by Human Resources or Village Administrator. Individuals needing additional time will need to utilize other forms of paid leave including but not limited to comp time, holiday, vacation or sick time. If no other forms of paid leave are available, the employee will take additional time unpaid.

Village of Mount Horeb



Policy: Cell Phone Allowance

Dept: All Released:

Approved By:

I. **PURPOSE:**

The Phone Allowance Policy provides terms for compensating employees who require cell phone accessibility to fulfill their job responsibilities outside of the Village offices. This policy ensures equitable reimbursement for the use of personal cell phones in the course of conducting Village of Mount Horeb business.

II. **POLICY STATEMENT:**

The Village of Mount Horeb does not furnish Village owned cell phones to its employees. Employees whose job functions necessitate regular use or availability via personal cell phones may request a cell phone allowance to offset the costs associated with business-related usage of their personal devices.

III. **ELIGIBILITY:**

- Employees who have been approved and have a business need to access Village resources offsite may be eligible for a phone allowance in the amount of \$40.00 per month or \$20.00 reimbursed on the 1st and 2nd paycheck of each month.
- Higher allowances may be approved by administrator.
- Individuals using a Village credit card to pay phone bill will not receive a reimbursement through payroll.

IV. **PROCEDURE:**

A. **Allowance Request**

- If a supervisor determines that a Village employee's job duties include frequent need to use a cell phone, the employee may be eligible for an allowance to cover associated expenses.
- The employee or supervisor must email human resources to request a cell phone allowance.
- Once approved the allowance will be paid on a bi-weekly basis on the 1st and second paycheck of every month.

Village of Mount Horeb



Policy: Cell Phone Allowance

Dept: All Released:

Approved By:

B. Approval Process

- The Village Administrator, Finance Director or Human Resources must approve all cell phone allowances.
- Employees will be approved if it is determined that having access to the phone for business purposes is critical or necessary in emergency decision making, as a matter of safety and security, or if employee needs to be accessible outside of normal working hours on a routine basis.

C. Employee Responsibilities

In order to receive a cell phone allowance, an employee must agree to the following:

- To obtain and maintain a personal cell phone and sufficient service to enable accomplishment of necessary job duties.
- The employee is responsible for any loss, damage, insurance, and or replacement of their personal cell phone.
- To promptly report to their department head or supervisor any change to employee cell phone number.
- Employee agrees to carry the cell phone with them, keep it charged and in operational condition as necessary to perform their job duties.
- Employee must be willing to share their cell phone number and be aware that their cell phone number will be shared as necessary for business purposes.
- Employees are responsible for any costs or maintenance of a personal cell phone, other than the allowance approved pursuant to this policy.

D. Use of Phone

Use of the phone in any manner contrary to local, state or federal laws will constitute misuse and will result in immediate termination of the cell phone allowance.

Village of Mount Horeb



Policy: Cell Phone Allowance

Dept: All Released:

Approved By:

E. Annual Audit

The Finance Director and Human Resources will conduct an annual review of the list of employees receiving cell phone allowances to determine if people receiving allowances are still in compliance with the rules of the policy.

F. Compliance

- Allowances are taxable income to the employee and will be taxed in accordance with IRS regulations.
- The allowance does not constitute an increase to base pay and will not be included in the percentage increases to base pay due to annual increases, raises, or promotions.
- The cost of the allowance will be charged to the operating budget of the employee's department, subject to budget availability.
- If an employee no longer needs to use their cell phone as part of their regular job duties, the employee is not eligible for a cell phone allowance. Please note that *De minimus* use of a personal cell phone for a business purpose or for personal convenience will not be reimbursed.

Village of Mount Horeb



Policy: Remote Work Policy

Dept: All Released:

Approved By:

- I. **PURPOSE:** The Village of Mount Horeb recognizes the value of working remotely for both the employee and employer. This Policy outlines the guidelines and procedures for occasional remote work for Village employees. Occasional remote work is intended to provide flexibility while maintaining productivity and accountability
- II. **Eligibility:**
 - Occasional remote work is available to employees whose job responsibilities and tasks can be effectively performed remotely.
 - Employees must have demonstrated reliability, accountability, and proficiency in their role.
- III. **PROCEDURE:**
 - A. **Request Process**
 - Employees requesting remote work must submit their request via email to their supervisor a minimum of 48 hours prior to the requested remote work date.
 - The request should include the date(s) of remote work, and if feasible and outline of planned tasks.
 - B. **Approval Process**
 - Supervisors will review requests based on operational needs, employee performance, and workload.
 - Supervisors will communicate their decision to approve or deny request in a timely manner.
 - C. **Remote Work Expectations**
 - Approved remote work days are considered regular workdays, and employees are expected to adhere to their regular work schedule.
 - Employees are responsible for ensuring they have necessary resources, tools, and connectivity to perform their duties effectively and securely from their remote location.

Village of Mount Horeb



Policy: Remote Work Policy

Dept: All Released:

Approved By:

- Communication channels (e.g., email, phone, instant messaging should be maintained as if the employees were working on-site.
- Employees working remotely are required to post their work-from-home hours on the Outlook Calendar or any designated time-tracking system used by the Village.
- Remote work hours should accurately reflect the employee's work schedule and any breaks or periods of absence.
- Remote working is not a replacement for appropriate full-time childcare or an opportunity to do activities other than Village work during regular working hours.
- If an employee experiences technical difficulties which impact the performance of their work, and the problem can not be immediately resolved, the employee must report in person to work or seek approval to use paid time off.

D. Compliance

- Employees are expected to comply with all organizational policies and procedures, including those related to remote work.
- Failure to adhere to the terms outlined in the policy may result in revocation of remote work privileges.
- Employees who are working remotely must abide by the employment policies set forth by the Village Employee Handbook.
- Employees working remotely are responsible for ensuring that they are working in a safe, secure environment and that the work they are performing is ergonomically correct.



AGENDA ITEM REPORT

MEETING DATE

June 5, 2024

PREPARED BY

Denise Schwenn, Finance
Director/Treasurer

AGENDA ITEM # 2.d

Discuss Building Permit/Impact Fees Report Request

BACKGROUND

During the 4/03/2024 F&P meeting, Cathy Scott shared a report used by the Village of Oregon which provides Building Department reporting of permits and fees. She inquired whether this committee can be provided with similar information. Nic Owen shared with the committee that our building department already provides (the Finance/Admin team) with such details, and that we could probably prepare a report-friendly version of the information. The enclosed document provides actual 2023 VMH information, summarized in three ways. I am asking the committee to review and add input for:

1. Which parts of the report are helpful / should be kept?
2. How often should this be provided?
3. Which committee is best-suited to see/review this information?

RECOMMENDATION

My recommendation for the frequency of this report would be to do so twice per year: once in late summer (either at August or September meeting) and once to cover the entire year (reported at February meeting).

ATTACHMENTS

1. VMH 2023 Permits Summary Report - three ways

Village of Mount Horeb 2023 Permits Summary
Three Options for Reporting Village Building Permits and Fees to Committees/Boards
To be reviewed at June 5, 2024 Finance & Personnel Committee Meeting

1. Full Summary of VMH Building Department Reporting

General Building Fees and Permit Charges Incurred																	
	# of Permits Issued	Estimated Project Totals		Total Fees	Inspector Fees	Permit Issuance Fees	Seal	Erosion	Park	Land Ded	Building Portion of Fees		Temp	2nd Meter	Water Usage	Water Impact	Sewer
Residential	262	\$	4,651,734	\$	31,838	\$	18,638	\$	13,080	\$	-	\$	-	\$	120		
Commercial	25	\$	1,770,433	\$	5,473	\$	4,223	\$	1,250								
New Residential	27	\$	11,189,435	\$	113,927	\$	24,240	\$	1,350	\$	945	\$	3,900	\$	11,656	\$	16,250
New Duplex	4	\$	1,700,000	\$	30,443	\$	5,889	\$	200	\$	140	\$	150	\$	12,496	\$	-
New Commercial	2	\$	325,000	\$	1,440	\$	1,140	\$	150	\$	-	\$	150				
Sidewalk Café	6	\$	-	\$	140	\$	-	\$	200								
Totals	326	\$	19,636,602	\$	183,261	\$	54,130	\$	16,230	\$	1,085	\$	4,200	\$	24,152	\$	16,250
		\$	77,216	\$	1,950	\$	120	\$	1,560	\$	32,480	\$	35,000				

2. REU Value Summary (similar to Oregon sample provided)

	Total Buildings	Total REU	Estimated Project Totals	Ave. Value Per REU	Ave. Value Per Building	Low Value Per Bldg	High Value Per Bldg
New Residential	27	27	\$ 11,189,435	\$ 414,423.52	\$ 414,423.52	\$ 150,000.00	\$ 723,791.00
New Duplex	4	8	\$ 1,700,000	\$ 212,500.00	\$ 425,000.00	\$ 425,000.00	\$ 425,000.00
New Commercial	1	1	\$ 325,000	\$ 325,000.00	\$ 325,000.00	\$ 325,000.00	\$ 325,000.00
Total Value of New Construction			\$ 13,214,435				

3. Permit Issuance By Type & Month

	New Residential	New Duplex	New Commercial	Residential Remodel, Addition or Alteration	Commercial Remodel, Addition or Alteration	Sidewalk Café	Totals
January	2			10			12
February	1			9	1		11
March	4			26	4		34
April	7		1	40	2	2	52
May	1			25	3	2	31
June	5	1		28	2	2	38
July	2	1		32	7		42
August	1	2		27	1		31
September	1			24	1		26
October	2			13	2		17
November				15	1		16
December	1			13	1		15
Total Permits	27	4	1	262	25	6	325



AGENDA ITEM REPORT

MEETING DATE

June 5, 2024

PREPARED BY

AGENDA ITEM # 2.e

Discussion on Library Impact Fees

BACKGROUND

Opening the discussion at request of Cathy Scott: "When this whole concept started, I asked if we have Library Impact Fees, which was not addressed, making me feel we do not. So - why don't we? Has it been brought up prior to my village involvement? If so, declined? Why? If we've never had a discussion on this, what is required to implement a new impact fee? Who makes the decision and the amount, etc."

Denise Schwenn and Cathy Scott will seek out information to have on hand during this opening discussion.

RECOMMENDATION

ATTACHMENTS

None



AGENDA ITEM REPORT

MEETING DATE

June 5, 2024

PREPARED BY

AGENDA ITEM # 2.f

Review Code of Ethics Policy

BACKGROUND

RECOMMENDATION

ATTACHMENTS

1. Approved Code of Ethics

Ethics Code

1. Statement of Purpose.

- (a) The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this Code of Ethics for all Village of Mount Horeb officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the Village.
- (b) The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village of Mount Horeb and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village. The Village Board believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this Village in their elected and appointed officials and employees. The Village Board hereby reaffirms that each elected and appointed Village official and employee holds his or her position as a public trust, and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interests of the Village of Mount Horeb.

2. Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Public Official.** Those persons serving in statutory elected or appointed offices provided for in Chapter 62 of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the Village President and/or Village Board pursuant to this Code of Ordinances, whether paid or unpaid.
- (b) **Public Employee.** Any person excluded from the definition of a public official who is employed by the Village.
- (c) **Anything of Value.** Any gift, favor, loan, service or promise of future employment, but does not include reasonable fees and honorariums, or the exchange of seasonal, anniversary or customary gifts among relatives and friends.
- (d) **Business.** Means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.
- (e) **Personal Interest.** The following specific blood or marriage relationships:
 - (1) A person's spouse, mother, father, child, brother or sister; or
 - (2) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half ($\frac{1}{2}$) support from such person or from whom such person receives, directly or indirectly, more than one-half ($\frac{1}{2}$) of his support.
- (f) **Significant Interest.** Owning or controlling, directly or indirectly, at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of the outstanding stock of at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of any business.

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- (g) **Financial Interest.** Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.
 - (h) **Staff.** Any full- or part-time employee of the Village.

3. Statutory Standards of Conduct.

There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:

- (a) **Sec. 19.59.** State Ethics Law.
- (b) **Sec. 946.10.** Bribery of Public Officers and Employees.
- (c) **Sec. 946.11.** Special Privileges from Public Utilities.
- (d) **Sec. 946.12.** Misconduct in Public Office.
- (e) **Sec. 946.13.** Private Interest in Public Contract Prohibited.

4. Responsibility of Public Office.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern. Their conduct in both their official and private affairs should be above reproach so as to foster respect for government.

5. Dedicated Service.

- (a) Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
- (b) Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.
- (c) Members of the Village staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethics codes with the Village Clerk. The Village Clerk may notify the appropriate professional ethics board of any ethics violations involving Village employees covered by such professional standards.

6. Fair and Equal Treatment.

- (a) **Use of Public Property.** No official or employee shall use or permit the unauthorized use of Village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as Village policy for the use of such official or employee in the conduct of official business, as authorized by the Village Board or authorized board, commission or committee.
- (b) **Use of Village Stationery.** No official or employee shall use, or permit the unauthorized use of, Village stationery for personal use.

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- (c) **Obligations to Citizens.** No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. No official or employee shall use or attempt to use his or her position with the Village to secure any advantage, preference or gain, over and above his rightful remuneration and benefits, for himself or for a member of his or her immediate family.
 - (d) **Political Contributions.** No official shall personally solicit from any Village employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this Chapter is a candidate or treasurer.

7. Conflict of Interest.

(a) Financial and Personal Interest Prohibited.

- (1) No official or employee of the Village, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this Chapter or which would tend to impair independence of judgment or action in the performance of official duties.
- (2) Any member of the Village Board who has a financial interest or personal interest in any proposed legislation before the Village Board shall disclose on the records of the Village Board the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation.
- (3) Any non-elected official who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Village Board or the appropriate board, commission or committee the nature and extent of such interest. Such official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.
- (4) Any Village employee who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the employee has any influence of input, or of which the employee is a member, that is a make to recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Village Board or the appropriate board, commission or committee the nature and extent of such interest.

- (b) **Disclosure of Confidential Information.** No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Village, nor shall such information be used to advance the financial or other private interests of the official or employee or others.

(c) Gifts and Favors.

- (1) No official or employee, personally or through a member of his immediate family, may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.
- (2) No official or employee personally, or through a member of his immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which could reasonably be expected to impair his independence of judgment or action in the performance of his duties or grant in the discharge of his duties any improper favor, service or thing of value. However, it is not a conflict of interest for any public official or employee to receive hospitality that is unsolicited and unrelated to government business, such as a meal, and that is not intended to influence the official.

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- (3) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a Village official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality, as a properly reported political contribution, from citizens for the purpose of supporting the candidate's campaign. (The State Ethics Board has interpreted "hospitality" as it applies to state officials as including meals, beverages and lodging which a person offers at his residence and would have been offered if the recipient was not an official).
 - (4) Gifts received by an official or employee or his immediate family under unusual circumstances shall be referred to the Village Board within ten (10) days of receipt for recommended disposition. Any person subject to this Chapter who becomes aware that he is or has been offered any gift, the acceptance of which would constitute a violation of this Subsection, shall, within ten (10) days, disclose the details surrounding said offer to the Village Board. Failure to comply with this reporting requirement shall constitute an offense under this Chapter.
- (d) **Representing Private Interests Before Village Agencies or Courts.**
- (1) Non-elected Village officials and employees shall not appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any Village agency, board, commission or the Village Board if the official or employee or any board, commission or committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation.
 - (2) Elected Village officials may appear before Village agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations. However, the disclosure requirements of Subsection (a) above shall be applicable to such appearances.
- (e) **Ad Hoc Committee Exceptions.** No violation of the conflict-of-interest restrictions of this Section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer or a client of that individual, has an interest so long as the individual discloses to the Village Board that such interest exists.
- (f) **Contracts with the Village.** No Village official or employee who, in their capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his part shall enter into any contract with the Village unless, within the confines of Sec. 946.13, Wis. Stats.:
- (1) The contract is awarded through a process of public notice and competitive bidding or the Village Board waives the requirement of this Section after determining that it is in the best interest of the Village to do so.
 - (2) The provisions of this Subsection shall not apply to the designation of a public depository of public funds.

8. Advisory Opinions.

When an official or employee has doubt as to the applicability of a provision of this Ethics Code to a particular situation or definition of terms used in this Chapter, he should apply to the Village Administrator for an advisory opinion from the Village Attorney and will be guided by that opinion when given. The official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicability provisions of this Chapter before such advisory decision is made. This Chapter shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary, but determined by the Village Attorney to be more

appropriate or desirable. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor, in which case the request and opinion may be made public.

9. Hiring Relatives.

- (a) This Section governs the proposed hiring of individuals for full-time or part-time work as Village employees who are members of the immediate family of Village employees or elected officials. "Immediate family" includes those relatives by blood or marriage defined in Section 2(e) as personal interests.
- (b) Hiring an immediate family member of any current Village employee or elected Village official will be considered only if that individual has the knowledge and skills, experience or other job-related qualifications that warrant consideration for the position. A person cannot be hired for either full-time or part-time employment in a position immediately supervised by a member of that person's immediate family.
- (c) This Section does not apply to non-elected officials who are asked to accept appointment as members of a Village Board, commission or committee; non-elected officials, however, will be expected to disqualify themselves from participation in matters under consideration which may affect the hiring, retention, classification or compensation of their immediate family if currently employed or being considered for employment by the Village.

10. Employees Covered by Collective Bargaining Agreements.

In the event an employee, covered under a collective bargaining agreement, is allegedly involved in an Ethics Code violation, the terms and conditions set forth in the applicable collective bargaining agreement shall prevail in the administration and interpretation of this Ethics Code Chapter.

11. Employee Protection.

No appointing authority, agent of an appointing authority or supervisor may initiate or administer, or threaten to initiate or administer, any retaliatory action against a Village employee following an employee's disclosure of information related to the violation of any federal or state law, rule or regulation, the mismanagement or abuse of authority, a substantial waste of public funds, or a danger to public health and safety. Nothing in this Section restricts the right of the Village as an employer to take appropriate disciplinary action against an employee who knowingly makes an untrue statement or discloses information, the disclosure of which is specifically prohibited by federal or state law, rule or regulation.