

**BOARD, COMMISSION, &
COMMITTEE HANDBOOK for NON-
ELECTED VOLUNTEERS**



Approved April 15, 2014, by the Middleton Common Council

INTRODUCTION

Without the dedication of the many volunteers who serve and contribute countless hours as board, commission, and committee members, the City would be unable to function. These volunteers help to make the City of Middleton a great place to live, work, and play.

Citizen knowledge, interest and action are important ingredients to the delivery of top quality public services. More than ever, citizen participation is playing an important role in local government. The richness that comes from citizens serving on a City board, commission, or committee is one of the things that make Middleton exceptional.

The City has established 28 boards, commissions, and committees to advise and assist the Council in dealing with specific projects, policies, and issues of concern, and play an integral and important role in the City's decision making process. The City benefits from the expertise of the dedicated individuals that make up these boards, commissions, and committees.

Being a member of a City board, commission, or committee requires work and commitment, and it is hopefully a very rewarding experience. It offers a means to participate in community affairs, to work with interesting people, and to help shape City policy.

This handbook has been prepared to:

1. Outline the role and function of each City board, commission, and committee.
2. Review important guidelines for all boards, commissions, and committees, as well as the responsibilities of appointed members.
3. Provide information about the history and composition of the City's organization.
4. Provide members with the information necessary to understand areas of responsibility for their respective board, commission, or committee, and their role in serving the City.

CITY ADMINISTRATION

Board, commission, and committee members need to be familiar with the City organization and develop an understanding of the City departments and their operations. The easiest way to do this is to review the [organizational chart](#).

RELATIONSHIPS

Relationship with the Common Council

A good relationship with the Common Council is essential. The primary responsibility of boards, commissions, and committees is to advise and make recommendations to the Common Council. Those bodies are responsible for providing additional avenues of communication among the general public. As they provide their recommendations to the Common Council, advisory body members should keep in mind that no advisory body has the final authority to establish City policy or administrative direction. It is the Common Council's role to receive the recommendations made by the boards, commissions, and committees, and to consider them as part of its decision making. Regardless of one's individual position, it is helpful for a board or commission member to understand that the policy decisions of the Common Council are final once they are made.

Official communications with the Common Council should be in written form from the entire appointed body. Communications will then be forwarded through the staff liaison to the Common Council and the City Administrator. The role of the staff typically is to *communicate* the position of a board or commission rather than to *advocate* it. Whenever a board, commission, or committee has an item before the Common Council, the Chair or a representative of that appointed body is not required to attend the Council meeting, but is encouraged to be present at the Common Council meeting to speak to the topic or answer questions and especially when the staff recommendation differs from that of the board, commission, and committee. Staff will always indicate in the agenda report recommendation if the staff recommendation differs from that of the board, commission, and committee.

When an appointed member addresses the Common Council at a public meeting, it should be made clear whether or not he/she is speaking on behalf of the board, commission, or committee, or as an individual. If the member is speaking on behalf of a board or commission (normally this would be the Chair or Vice Chair), only the majority position of the board or commission should be advocated. If the member is expressing his/her own personal viewpoint on a particular subject, it should be stated as such.

Appointed members of boards, commissions, and committees assist the Common Council and staff by:

1. Focusing attention on specific issues of community concern;
2. Encouraging citizen participation and involvement in the ongoing management of their community;
3. Providing a grass roots perspective on issues of importance;

4. Making recommendations based on thorough review of alternatives from a citizen's perspective.

The City Attorney recommends that citizens seeking to provide comment at committee meetings on non-agenda items should be directed to do so at Council meetings so that their elected representatives are aware of the concern. The Council may refer items back to committees for greater policy development at that level.

Generally, Roberts Rules of Order are followed for committee meeting procedure, and chairpersons have some discretion in running meetings. Fairness is very important. If a committee allows public comments on agenda items, then it should be very judicious in doing so.

Relationship with City Staff

The staff liaisons to the Council appointed bodies are valuable resources. They do research and provide relevant information that enhances a body's ability to get things done. Staff is available to answer questions and follow-up on items brought before the board, commission or committee. Appointed members should be aware of the time involved on the part of staff in preparing studies and reports, and should make sure that all staff requests are consistent with the appointive body's approved work program.

Appointed bodies may not direct staff to initiate major projects without approval from the Common Council, and individual members may not direct staff to initiate any program or study. In addition, appointed members should not become involved in the operational matters of City departments unless specifically provided for in their prescribed powers and duties (e.g. [the Library Board](#)). For more information about the powers and duties of the Middleton Public Library Board of Trustees, please see the Board section of the Library website at: <http://www.midlibrary.org/Board>.

Relationship with Fellow Members

Cooperation among fellow board, commission, and committee members plays an important role in the successful efforts of City boards, commissions, and committees. In order to build consensus around common goals and objectives, members should first show a willingness objectively to define the issues at hand and then work to reconcile opposing viewpoints. When appointed members interact positively, the group as a whole will be more effective. Important points to keep in mind in working with other appointed members are:

1. Respect an individual's viewpoint, even though it may be different from your own
2. Allow other members adequate time to present their views before making comments
3. Be open and honest

4. Welcome new members and help them become acquainted with their board, commission, or committee
5. Accept responsibility, voice opinions, be fair and factual

Relationships with the Public

Good relations with the public are vital for all City boards, commission, and committees. In many cases each body serves as a link between the Common Council and the public, helping to inform the public, to reconcile opposing viewpoints, and to explain City programs and policies. Appointed members should welcome citizen input at meetings and be considerate of all interests, attitudes, and differences of opinion. Each body provides a channel for citizen expression by listening to comments, opinions, and concerns from the public. Therefore, it is important to be responsive and in tune with the community.

Relationship with Other Council Appointed Bodies

From time to time, an issue will come before the City that involves two or more appointed bodies. When this occurs, each body should focus on their own advisory responsibilities, not on areas that are under the jurisdiction of other appointed bodies. The responsibilities of appointed bodies are, at times, very close to one another, and care should be taken to avoid overlapping to the greatest degree possible.

For example, the Plan Commission, Public Works Committee, Sustainability Committee, Conservancy Lands Commission, Parks, Recreation and Forestry Commission and Water Resources Management Commission can all easily become involved in the consideration of a single project.

This can get confusing, and it is often difficult to resist getting involved in decisions that are really not the responsibility of one's board, commission, or committee. On a particularly complex project, or when appointed members' objectives contradict one another, it may be appropriate to have joint meetings to improve communication and facilitate a common ground.

Business Relationships

Members of boards, commissions, or committees may not have a financial interest in a contract with the City if there is any possibility they will have to review a project or changes to a project they are undertaking via that contract. ***It is not enough for a member to simply abstain or disqualify themselves from participation. The member needs to inform others on the body of this issue and be very cautious when these situations arise.***

APPOINTMENT PROCESS & EXPECTATIONS

Appointed Member Requirements and Appointment Process

Appointed members of almost all City advisory bodies must be residents of the City of Middleton. Interested applicants submit an application for appointment. Appointments are made by the Mayor, and confirmed by the Common Council.

Oath of Office

Every officer of the City, including members of City boards, commissions, or committees shall, before entering upon his or her duties and within five (5) days of his or her election or appointment or notice thereof, take the oath of office prescribed by law and file said oath in the office of the City Clerk. Any person reelected or reappointed to the same office shall take and file an official oath for each term of service.

Training for Appointed Members

Continuing education to further one's knowledge of the various issues that face Wisconsin municipalities is essential to serving the public interest. Appointed members are encouraged to attend conferences and workshops, read relevant publications, and utilize other opportunities for personal and professional training that will bring new ideas into the community.

General Guidelines for Appointed Members

The Council encourages active citizen participation in the business of city government. Boards, commissions, and committees provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Boards, commissions, and committees can improve the quality of city government by providing the Council with resources to make better-informed decisions. Other benefits of these bodies include improved lines of communication between the public and Council, greater opportunities for discussion of public issues and more citizen involvement in city government.

Appointment to a City board, commission, or committee is an honor. It provides an opportunity for genuine public service. Each appointed member should be aware of the responsibilities that go along with officially serving the City. The specific duties of each body vary with the purpose for which it was formed.

There are, however, many responsibilities common to all appointed members:

1. Understand the role and responsibility of the board, commission, or committee. Be informed of its functions, work programs and relationship with other bodies.
2. Represent the overall public good, not the exclusive point of view of a sole group or interest.
3. Keep all lines of communication open. Each appointed member serves as a communication link between the community, the Common Council, and staff.

4. Do your homework and be prepared. Appointed members should become familiar with items under consideration prior to meetings in order to be fully prepared to discuss, evaluate, and act on matters scheduled for consideration. Feel free to seek staff's advice and assistance in advance of a meeting.
5. Establish a good working relationship with fellow appointed members, the Common Council, and your staff liaison.
6. Understand the scope and authority of your appointed body's responsibility and strive to work within that scope.
7. Be a participant, an active representative, and be enthusiastic.

Your role as an appointed representative of the Common Council carries with it a significant responsibility. As an "ambassador" of the City of Middleton, the Common Council hopes that you conduct yourself with politeness and courtesy with staff and whenever in the public eye. Yours is a position of service that is charged with maintaining the public trust. It is important that you not abuse that trust.

Electronic Communications Policy

The City encourages the use of electronic media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the City should remember that electronic media and services provided by the City are City property and their purpose is to facilitate and support City business. Please read the entire [Electronic Communications Policy](#) for more specific information on how this applies to alders.

Social Media Policy

Social media consists of networks and online publications that enable individuals and groups to communicate between one another for different purposes (e.g. Facebook, Twitter, LinkedIn, YouTube, blogs, etc.). The City of Middleton uses these various social media in order to reach out to the public and educate individuals on certain events, activities, awards, and other news releases. For more information on how this applies to alders, please read the complete [Social Media Policy](#).

CODE OF ETHICS (Chapter 2 – City Code of Ordinances)

(a) STATEMENT OF PURPOSE

- (1) 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 the

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 Chapter a Code of Ethics for all City of Middleton officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the City, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the City.

(2) 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 City of Middleton and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the City. The Common Council 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 City in their elected and appointed officials and employees. The Common Council hereby reaffirms that each elected and appointed City 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 City of Middleton.

(b) DEFINITIONS.

(1) Public Official. Means 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 Mayor and/or Common Council pursuant to this Code of Ordinances, whether paid or unpaid.

(2) Public Employee. Means any person excluded from the definition of a public official who is employed by the City.

(3) Anything of Value. Means 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.

(4) Business. Means any corporation, partnership, proprietorship, firm, enterprise, franchise or association, organization, self-

employed individual, or any other legal entity which engages in profit making activities.

(5) Personal Interest. Means the following specific blood or marriage relationships:

(a) A person's spouse, mother, father, child, brother or sister; or

(b) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half (1/2) support from such person or from whom such person receives, directly or indirectly, more than one-half (1/2) of his or her support.

(6) Significant Interest. Means owning or controlling, directly or indirectly, at least ten percent (10%), or Five Thousand Dollars (\$5,000.00) of the outstanding stock of any business.

(7) 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.

(c) 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:

(1) Sec. 946.10 Bribery of Public Officers and Employees

(2) Sec. 946.11 Special Privileges from Public Utilities

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(3) Sec. 946.12 Misconduct in Public Office

(4) Sec. 946.13 Private Interest in Public Contract Prohibited

(d) 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.

(e) DEDICATED SERVICE.

(1) Officials and employees should adhere to the roles of work and performance established as the standard for their positions by the appropriate authority.

(2) 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 for their work.

(3) Members of the City staff are expected to follow their appropriate professional code of ethics.

(f) FAIR AND EQUAL TREATMENT.

(1) Use of public property. No official or employee shall use or permit the unauthorized use of City 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 City policy for the use of such official or employee in the conduct of official business, as authorized by the Common Council or authorizes board, commission or committee.

(2) Obligations to Citizens. No official or employee shall grant any special consideration, treatment or advantage to anyone beyond that which is available to every other person. No official or employee shall use or attempt to use his or her position with the City to secure any advantage, preference or gain, over and above his or her rightful remuneration and benefits, for him or herself or for a member of his or her immediate family.

(3) Political Contributions. No official shall personally solicit from any City employee, other than an elected official, a contribution to a political campaign or committee for which the person subject to this Chapter is a candidate or treasurer.

(g) CONFLICT OF INTEREST.

(1) Financial and Personal Interest Prohibited.

(a) No official or employee of the City, 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 provision of this Chapter or which would tend to impair independence of judgment or action in the performance of official duties.

(b) Any member of the Common Council who has a financial interest or personal interest in any proposed legislation

before the Common Council shall disclose on the records of the Common Council shall disclose on the records of the Common Council the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation. If the matter before the Council involves a member's personal interest with persons involved, the member may participate in debate or discussion and vote on the matter following disclosure, unless an ordinance or contract is involved; if an ordinance or contract is involved, such official shall not participate in debate or discussion and vote on the matter.

(c) Any non-elected official, other than a City employee, who has a financial interest or personal interest in any proposed legislative action of the Common Council 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 Common Council 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.

(d) Any City employee who has a financial interest or personal interest in any proposed legislative action or the Common Council 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 Common Council or the appropriate board, commission or committee the nature and extent of such interest.

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

(3) Gifts and Favors.

(a) No official or employee, personally or through a member of his or her 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 of employee.

(b) No official or employee personally or through a member of his or her immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which may tend to impair his or her independence of judgment or action in the performance of his or her duties or grant in the discharge of his or her 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 a gift or gratuity that is an unsolicited item of nominal intrinsic value such as a meal and that is not intended to influence the official. Any official or employee who receives, directly or indirectly, any gift or gifts from any person who is known by said official or employee to be interested, directly or indirectly, in any manner whatsoever in business dealings with the City upon which the official or employee has any influence or input or over which the official or employee has any jurisdiction, discretion or control shall disclose the nature and value of such gifts to the Common Council by January 15 next following the year in which the gift or gifts are received.

(c) 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 City 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 from citizens for the purpose of supporting the candidate's campaign.

(d) Gifts received by an official or employee or his or her immediate family under unusual circumstances shall be referred to the Common Council 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 Common

Council. Failure to comply with this reporting requirement shall constitute an offense under this Chapter.

(e) Representing Private Interest Before City Agencies or Courts.

(1) Non-elected City officials and employees shall not appear on behalf of any private person (other than him or herself or spouse or minor children) before any City agency, board, commission or the Common Council 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 City officials may appear before City 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, in disclosure requirements of Subsection (a) above shall be applicable to such appearances.

(4) 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 Common Council that such interest exists.

(5) Contracts with the City. No City official or employee who, in his or her 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 or her part shall enter into any contract with the City unless, within the confines of **Sec. 946.13, Wis. Stats.**

(a) The contract is awarded through a process of public notice and competitive bidding or the Common Council waives the requirement of this Section after determining that it is in the best interest of the City to do so.

(b) The provisions of this Subsection shall not apply to the designation of a public depository of public funds.

(h) ADVISORY OPINIONS Any questions as to the interpretation of any provisions of this Code of Ethics Chapter shall be referred to the City Attorney. Such requests shall be as detailed as possible and shall be made in writing. 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.

(i) HIRING RELATIVES

(1) This Section governs the proposed hiring of individuals for regular full-time or part-time work as City employees who are members of the immediate family of City employees or elected officials. Excluded from the provisions of this Section are seasonal or temporary employees. "Immediate family" includes those relatives by blood or marriage defined in Section 2.20(6)(2)(e) as personal interests.

(2) Hiring an immediate family member of any current City employee or elected City official is discouraged and will be considered only if that individual has the knowledge and skills, experience or other job related qualifications that warrant consideration for the position. It is required that either the current employee or the relative seeking employment will make the personal interest relationship known to the hiring authority (department head, City board or commission or Common Council) before a hiring decision is made; in every case, the decision to hire an immediate family member or former spouse will be subject to Common Council approval, with notice, before the new employee is permitted to begin work. Marriage between two (2) individuals already employed by the City or their relatives will not be considered a violation of this policy.

(3) This Section does not apply to non-elected officials who are asked to accept appointment as members of the City 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 City.

(j) SANCTIONS. A determination that an employee's actions constitute improper conduct under the provisions of this Chapter may constitute a cause of suspension, removal from office or employment or other disciplinary action. Sanctions, including any disciplinary action that may affect employees covered under a labor agreement, will be consistent with the terms and conditions set forth in the applicable labor agreement.

Adherence to Policy

Appointed members should not approve projects that violate adopted City policies. Members can make recommendations to the Common Council about

exceptions to a City policy, and can also recommend policy changes when appropriate.

Open Records

Meaningful access to public records plays a vital role in facilitating government oversight. Please consider reading [Wisconsin Public Records Law Wis. Stat. §§ 19.31-19.39](#) for more information.

MEETINGS

Attendance

Regular attendance at meetings is critical to the effective operation of City boards, commissions, and committees. Therefore, all members are expected to attend all of their appointed board, commission, or committee meetings, including study sessions. If you are unable to attend a meeting, call your Chair or staff liaison prior to the meeting. If a problem with absenteeism arises, it should be handled between the appointed member and the respective Chair. If the issue cannot be resolved, the Chair should approach the staff liaison to help work toward a solution.

Role of the Chair

The principal role of the Chair is to manage the board, commission, or committee meeting. This includes helping to set meeting agendas, maintaining the order of business during the meeting, focusing discussion on the issues at hand, and ensuring that the public appearing before the body are treated courteously. The Chair must make certain that discussions do not get sidetracked. Duties of the Chair also include review of the agenda with the staff liaison before the meeting, representing the body at Common Council and community group meetings and, attending quarterly meetings with the Mayor.

Open Meetings

Effective citizen oversight of the workings of government is essential to our democracy and promotes confidence in it. Public access to meetings of governmental bodies is a vital aspect of this principle. Please consider reading [Wisconsin Open Meetings Law: A Compliance Guide](#). It offers explanations of some of the fundamental principles in Wisconsin Open Meetings Law, and answers questions that arise on a regular basis.