

TOWN OF EAGLE, WI ORDINANCE NO 2023-03

Confidential Information Disclosure Regulations in the Town of Eagle, Waukesha County, Wisconsin

SECTION I - DEFINITIONS OF TERMS

As used in this Ordinance, the following terms shall have the meanings indicated:

A. Board: Any board, committee or commission, permanent or special, established by the Town Board under Wisconsin State Law.

B. Employee: A person who is paid by the Town of Eagle for his/her services, but who is not an independent contractor.

C. Official: Any elected or appointed officer, board member, or agent of the Town of Eagle.

D. Public Servant: A person who serves the Town of Eagle in an official capacity, whether elected, appointed or volunteer, paid or unpaid, any Town official, board member or employee.

E. Town: The Town of Eagle, including all of its departments, boards, commissions, and committees.

F. Town Representative: Town official, board member, or employee.

SECTION II – AUTHORITY – ENFORCEMENT

The Town of Eagle Board of the Town of Eagle, Waukesha County, Wisconsin, has the specific authority to adopt this Ordinance under Wis. Stat. 946.12 and Wis. Stats 17.13

SECTION III – CONDITIONS APPLICABLE

No Town official, board member, employee, or public servant (hereinafter called “Town representative”) shall, without proper legal authorization, use, disclose or discuss closed session information, deliberations, data or material or discuss confidential information concerning the property, government, or affairs of the Town at any time with any third party, except as set forth herein.

All information discussed in closed session is considered confidential information and shall not be disclosed until the information is determined to be an open record available to the public under the open records and/or open meetings laws.

SECTION IV - PENALTIES

Remedies or sanctions may be imposed by the Town Board, including but not limited to a reprimand, censure, discipline, including discharge, or civil prosecution in a court of record. Violations of this provision are subject to a forfeiture of up to \$1,000 per offense. Where such behavior is clearly prohibited, other potential consequences for violating these local restrictions is criminal prosecution under Wis. Stat. 946.12 for misconduct in public office or removal from office under chapter 17 of the Wisconsin Statutes for official misconduct (Wis. Stats. 17.13(2m)).

Town representatives who are unable to attend a closed session portion of a meeting and have a bona fide need-to-know may receive a confidential briefing from the Chairperson who presided over the closed session, unless the board, committee, or commission shall authorize another person to provide such confidential briefings.

Adoption on Motion by Supervisor West, seconded by Supervisor Rozinski, on the 15th day of March 2023.

Attest:

Approved:

Mercia Christian, Town Clerk

Don Malek, Town Chair

Ayes 5 Noes 0 Absent 0