



ETHICS BOARD

# Milwaukee County

SUSAN C. SHIELDS · Executive Director

June 4, 2009

Mr. Scott Walker  
County Executive  
Courthouse Room 306

Dear Mr. Walker:

The “2009 Executives’ Ride” will be held June 20 – 25. This is the sixth ride for this annual event. In the past the Ethics Board has approved the Ride on the basis that its purpose is to promote tourism in Milwaukee County and the surrounding area, and such activity would be considered to be the business of the County.

This year presents a facet that has not previously occurred, and you seek our review and approval. Air Tran Airways (Air Tran) has proposed to pay the County \$2,800 for the opportunity to advertise on the Ride. Examples of the advertising include an Air Tran banner and information brochures that are to be distributed during the Ride that will promote Air Tran. Air Tran has a contract with the County to lease gates at General Mitchell International Airport, and the airline may be looking to expand the number of gates that it leases as its business increases in Milwaukee. The issue is whether the payment of \$2,800 to the County and the County’s acceptance of that amount constitute a violation of the Ethics Code.

The Ethics Code bars any County official or employee from using his position to obtain a private benefit for himself, his family or for an organization with which he is associated. It is also a violation of the Code if a public official or employee solicits or accepts anything of value if the solicitation or acceptance could reasonably be expected to influence the official’s or employee’s actions or judgments, or could reasonably be considered as a reward for action or inaction on the part of the official or employee.

It is our view that no County official or employee will be receiving anything that is of private benefit to himself. The payment from Air Tran is going to the County and not to an individual. It is the County that benefits from the payment. Undoubtedly, the \$2,800 will be used to offset some of the County’s expenses for the event.

Air Tran also obtains a benefit as a result of its payment. It will receive recognition from the presence of its name on the banner for the Ride and the brochures that are to be distributed throughout the State during the course of the Ride. So there is consideration provided by the County for Air Tran’s payment as a result of the advertising.

We are able to conclude that the payment to the County by Air Tran of \$2,800 pursuant to the situation as outlined above would not be a violation of the Milwaukee County Ethics Code. Thank you for coming to the Ethics Board with your concern.

Sincerely,

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David Carr  
Chairman