

**COMPOSITION AND DUTIES OF GENERAL TOWN GOVERNMENT**

**1.01 ELECTED OFFICIALS**

**(1) Town Board of Supervisors**

- (a) The Town Board of Supervisors shall consist of five (5) members.
- (b) In even-numbered years, two (2) supervisors shall be elected at large for a two-year term to commence the day of the Annual Town Meeting.
- (c) In odd-numbered years, the Chairman and two (2) supervisors shall be elected at large for a two-year term to commence the day of the Annual Town Meeting.
- (d) Members of the Town Board shall take and file the official oath with the Town Clerk.
- (e) Town Board of Supervisor shall receive a salary.
- (f) Per Diem Policy for Elected Officials. The people of the Town of Neenah adopted the following per diem policy at a special Town Meeting on November 15, 2004. As recommended by the Salary Committee, this per diem policy shall apply until altered by Town Meeting pursuant to Wis. Stats. Chapter 60.10(1)(b)1:
  - 1. Except where prohibited by state law, Town of Neenah Board members are entitled to per diems for attending special Town Board meetings and meetings of official Town bodies such as Town committees, commissions, boards and departments.
  - 2. Town Board Members are entitled to receive per diems for attending other meetings, seminars, or hearings on behalf of the Town. Examples of "other" meetings include, but are not limited to, those of the Towns Association, East Central Wisconsin Regional Planning Commission, neighboring governments, Town neighborhood groups, legislative bodies, civic and business associations.
  - 3. Per diems shall not be paid for attendance at regular Town Board meetings or Town Meetings.
  - 4. Per diems shall be paid at the rate of forty-five dollars (\$45.00) for meetings of up to four (4) hours and sixty dollars (\$60.00) for meetings longer than four (4) hours.
  - 5. Town Board Members are entitled to receive per diems for attending teleconferences, Webinars and other "virtual" meetings.

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6. Per diems shall be paid for any meetings requiring a separate trip or meetings in combination with a regularly scheduled meeting when the 2 meetings together exceed 4 hours in length.
- (2) Sanitary District Commissioners. Wis. Stats Chapter 60.74 and 60.75(3).
    - (a) There shall be three (3) Sanitary District Commissioners.
    - (b) Commissioners shall be elected by the residents of the sanitary districts they represent.
    - (c) Commissioners shall serve for staggered six (6) year terms.
    - (d) Each commissioner shall hold office until the 3rd Monday of April in the year that his or her successor is elected
    - (e). All commissioners shall be residents of the town sanitary district to which they are elected.
    - (f) **Vacancies.** Any vacancy on the Sanitary District Commission may be filled by appointment by the town board for the remainder of the unexpired term, except as provided in Wis. Stats. Chapter 9.10.
    - (g) The Sanitary District Commissioners shall take and file the official oath.
    - (h) Sanitary District Commissioners shall be compensated as determined by the Town Board and a record maintained by the Town Clerk.
  - (3) **Election Wards.** Pursuant to Wis. Stats. Chapter 5.15, the Town is hereby divided into the following five (5) election wards based upon the 1990 federal census. Each ward shall vote at the Town of Neenah Municipal Building.
    - (a) **Ward #1**
      1. Contained within Winnebago County Supervisory District 30.
      2. **Geographic Bounds.** Ward #1 shall contain the following streets: Acco Ave., Armstrong St., Breezewood Ln. (south side), Carey Court, County Rd. A, County Rd. G, Cheryl Ann Dr., Dalton Rd., Dixie Rd., Fury Ln., Green Valley Rd., Harrison St. Rd., Hedgeview Dr., Highland Ct., Kappell Dr., Kuettel Ct., Mandella Ct., Muttart Rd., NeeVin Rd., Rickers Bay Rd., Schramm Way, Sherri Lea Ln., South Park Ave. (west side), Sugar Tree Ln., and Wild Life Ln.
      3. U.S. bureau of the census block numbers: 214B, 217B, 219B, 220B, 221, 222, 307B, 310B, 312B, 313A, 307C, 305, 317, 316, 319, 315, 320A, 314.
    - (b) **Ward #2**
      1. Contained within Winnebago County Supervisory District 30.

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2. **Geographic Bounds.** Ward #2 shall contain the following streets: Adella Beach Rd., Bayview Rd., Hidden Acres Ln., Hunters Point Rd., Jonathon St, Limekiln Dr., Maple Ln., Old Orchard Ln., Pintail Dr., Plummers Harbor Rd., Poplar Ct., Rainbow Beach Rd., South Park Ave. (east side), Sunrise Bay Rd., and Villa Dr.
3. U.S. bureau of the census block numbers: 322A, 304A, 303, 318, 302, 301, 201, 202B, 211, 212, 213, 210B, 215B, 216B, 217, 218, 219, 220, 221.

(c) **Ward #3**

1. Contained within Winnebago County Supervisory District 30.
2. **Geographic Bounds.** Ward #3 shall contain the following streets: Birch Bark Ln., Breezewood Ln. (north side), Briar Dr., County Rd. CB (JJ to Oakridge), County Rd. JJ, Cumings Ln., Dartmouth Dr., Dell Ct., Eagle Feather Tr., Firefly Ct., Harvard Dr., Harvest Moon Dr., Hilltop Dr., Hoot Owl Ct., Klompen Ct., Larsen Rd. (south side), Milkweed Ct., Oakridge Pl., Oakridge Rd. (west CB), Pemmican Ct., Radcliff Rd., Retlaw Dr., Sally Ln., Stanford Dr., Sturgis Ln., Sundial Ln., Terra Cotta Ct., Terra Cotta Dr., Vassar Ln., Wenban Ave., Woodhaven Ln., Woodenshoe Rd., Woodside Ct., Woodhedge Ln., Woodside Ln., and Yale Ln.
3. U.S. bureau of the census block numbers: 202, 204, 203, 207, 208B, 209, 210.

(d) **Ward #4**

1. Contained within Winnebago County Supervisory District 30.
2. **Geographic Bounds.** Ward #4 shall contain the following streets: Augustine Rd., Clayton Ave., County Rd. CB (east side Oak to JJ), County Rd. CB (west side to JJ), County Rd. II, County Rd. JJ (to city), County Rd. O (south side), Courtney Ct., Ferdinand Ave., Fieldcrest Dr., Green Bay Rd., Larsen Rd. (north side), Meadow Ln., Michael Ave., Oakridge Ln., Oakridge Rd. (east CB to City), Plummer Ct., Rockwood Ln., and Tullar Rd.
3. U.S. bureau of the census block numbers: 201B, 205, 206C, 206D, 415E, 412B, 412C, 413C, 413D, 414B, 415C, 415D, 101B 102B, 103B, 103D.

(e) **Ward #5**

1. This is the only election ward in Winnebago County Supervisory District 29.
2. **Geographic Bounds.** Ward #5 shall contain the following streets: Bondow Dr., Cooke Rd., County Rd. CB, County Rd. O (north side),

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Deerwood Dr., Glenview Dr., Irish Rd., Justine Ct., Linwood Ln.,  
Ridgeway Dr., Shreve Ln., Silverwood Ln., and Strohmeyer Dr.

3. U.S. Bureau of the Census block numbers: 104B, 105B, 106, 107B,  
108B, 103B of Tract 37.02.

**1.02 APPOINTED OFFICIALS**

**(1) The Town Board shall appoint:**

**(a) Town Clerk/Town Treasurer.**

1. The offices of Town Clerk and Town Treasurer are a combined office, to be held by a single individual.
2. The Town Clerk/Town Treasurer shall be appointed for a term not to exceed three (3) years. The Town Board shall consider, but is not limited to, the following criteria when selecting a candidate for the office:
  - a. Candidate must be bondable.
  - b. Prefer candidates who are notaries public.
  - c. Candidate must communicate effectively, both orally and in writing.
  - d. Candidate must recognize, determine, and set priorities.
  - e. Candidate must be able to work independently with some supervision on matters of an unusual nature.
  - f. Candidate must be available to work a minimum of twenty (20) hours per week. All regular hours shall be conducted at the Town of Neenah Municipal Building at hours approved by the Town Board of Supervisors.
  - g. Candidate must be available for evening meetings.
  - h. Candidate must demonstrate a thorough knowledge of modern office procedures, practices, and equipment.
  - i. Candidate must have knowledge of bookkeeping and filing.
  - j. Candidate must be able to establish and maintain effective working relationships with other Town officials, employees, and the general public.
  - k. Candidate must be able to meet position requirements which may include sitting, walking, bending, reaching, and lifting.

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3. The Town Clerk/Town Treasurer shall receive such compensation as the Town Board determines from time to time, such amount not to be decreased during the term of appointment.
4. The Town Clerk/Town Treasurer shall take and file the official oath with anyone who is authorized by statute to administer the oath.
5. The Town Board may appoint a Deputy Clerk, Deputy Treasurer, and/or Deputy Clerk/Treasurer and pay out of the Town funds.

(b) **Building Inspector.** See Section 12.07 herein.

(c) **Fire Chief**

1. Should a vacancy arise for the office of Fire Chief, Fire Department members, exclusive of the Fire Chief, shall hold an election to determine their recommendation for the new Fire Chief. After due consideration of the Fire Department recommendation, the Town Board shall appoint the Fire Chief. The Fire Chief shall serve at the will of the Town Board.
2. The Fire Chief shall take and file the official oath with the Town Clerk.
3. The Fire Chief shall receive such compensation as the Town Board determines from time to time and a record maintained by the Town Clerk.

(d) **Town Assessor**

1. No person may hold the offices of Town Treasurer and Town Assessor at the same time.
2. No person may assume the office of Town Assessor unless certified by the Department of Revenue as qualified to perform the functions of the office of Town Assessor. If a person is selected for the office and is not certified by June 1 of the year selected, the office shall be considered vacant and the Town Board shall fill the vacancy from a list of persons certified by the Department of Revenue.
3. The Town Assessor shall be selected annually by the Town Board. The Town Board and Town Assessor shall enter into a one (1) to three (3) year contract. Such contract shall specify the compensation of the Town Assessor.
4. The Town Assessor shall take and file the official oath with the Town Clerk.

(2) **The Town Board may appoint:**

- (a) **Weed Commissioner.** The duties and powers of the Weed Commissioner shall be as indicated in Chapter 66.0517, Wis. Stats. and Section 1.05(1) herein. The Town Board may appoint as many Weed Commissioners as the Board believes

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is in the best interest of the Town. Weed Commissioners shall receive such compensation as the Town Board determines from time to time. The Weed Commissioner shall take and file the official oath with the Town Clerk.

(b) **Road Superintendent**

1. The office of Road Superintendent is hereby created in accordance with Wis. Stats. Chapter 82. The Road Superintendent shall assist the Town Board in the care and supervision of all Town roads to ensure roads are maintained and improved in a reasonable manner.
2. The Road Superintendent shall be appointed by the Town Board and shall serve at-will. The Town Board shall consider, but is not limited to, the following qualifications in selecting the Road Superintendent: the applicant's ability to communicate effectively; ability to determine and set priorities; ability to operate tools and implements; ability to work independently with some supervision on matters of an unusual nature; knowledge of political organization, policies, and procedures; extensive knowledge of Town of Neenah Road Specifications; availability during general work hours, off hours, weekends, and holidays when needed; and availability to attend a minimum of one (1) continuing education seminar per year to keep up to date on Wisconsin Department of Transportation and other mandatory requirements.
3. The Road Superintendent shall take and file the official oath with the Town Clerk.
4. The Road Superintendent shall receive such hourly compensation as the Town Board determines from time to time.

(c) **Dog Lister**

1. The Dog Lister shall be responsible for implementing Section 9.03 herein.
2. The Dog Lister shall take and file the official oath with the Town Clerk.
3. The Dog Lister shall receive compensation as required in the Wis. Stats.

(d) **Town Constable**

1. The Town Constable shall have the jurisdiction and duties authorized by the Town Board, and fulfill all training required by the Town Board, pursuant to Wis. Stats. Chapters 60.35 and 60.22(4).
2. The Town Constable shall keep his or her office in the Town of Neenah.
3. The Town Constable shall take and file the official oath with the Town Clerk.

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4. The Town Constable shall receive such hourly compensation as the Town Board determines from time to time.

**1.03 APPOINTED BOARDS, COMMISSIONS, AND COMMITTEES**

**(1) Board of Review**

- (a) The standing members of the Board of Review shall be composed of the members of the Town Board.
- (b) **Chairperson.** The Town Board shall elect, by open vote or secret ballot under Chapter 19.88(1), Wis. Stats., one of its members to serve as Chairperson of the Commission. The Chairperson shall have the power to vote as a member of the Board of Review.
- (c) **Secretary.** The Town Board shall elect, by open vote or secret ballot under Chapter 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary. The Secretary shall not have a vote in the Board of Review unless otherwise a member of the Board of Review.
- (d) **Alternate Members of the Board of Review**
  1. The Town Board shall appoint alternates, through the procedure described below, to serve on the Board of Review in the event a standing member of the Board of Review is unable to serve due to a conflict or any other reason, pursuant to Wis. Stats. 70.47 (6m)(c) and 70.46(1), Wis. Stats.
  2. **Procedure.** The Town Board shall appoint alternates to the Board of Review annually, before the first meeting of the Board of Review, from a list of recommendations submitted by the Town Chairman. Alternates for the Board of Review must be electors of the Town and shall serve through final adjournment of the specified Board of Review for which the appointment is made. No alternate member of the Board of Review may be a member of the Town Board.
  3. **Compensation.** Standard member and alternate members of the Board of Review shall receive compensation as specified in the Wis. Stats.
- (e) **Confidentiality of Assessment Records**
  1. **Adoption.** Wis. Stat. 70.47(7)(af) is hereby adopted by reference. Income and expense information provided by any property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copying under Wis. Stat. 19.35(1).
  2. **Exceptions.** An officer may make disclosure of information protected by Section 1.03(1)(e) herein under the following circumstances:

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- a. The assessor has access to such information in the performance of his or her duties.
- b. The Board of Review may review such information when needed, in its opinion, to decide upon a contested assessment.
- c. Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law.
- d. The officer is complying with a court order.
- e. The person providing the income and expenses information has contested the assessment level at the Board of Review or by filing a claim for excessive assessment under Wis. Stat. Chapter 74.37, in which case the base records are open and public.

(2) **Town Plan Commission.** See Section 2.07(1) herein.

- (a) **Purpose.** The purpose of this Subsection is to establish a Town of Neenah Plan Commission and set forth its organization, powers, and duties, to further the health, safety, and welfare and wise use of resources for the benefit of current and future residents of the Town and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement.
- (b) **Authority; Establishment.** The Town Board of the Town of Neenah hereby establishes a seven (7) member Plan Commission under Wis. Stats. 61.35 and 62.23.
- (c) **Membership.** The Plan Commission consists of seven (7) members consisting of Town elected or appointed officials, except that at least three (3) must be citizen members who are not otherwise Town officials, and who shall be persons of recognized experience and qualifications.
- (d) **Appointments.** The Town Chairman shall appoint the members of the Plan Commission and designate a Plan Commission Chairperson during the month of April to fill any expiring term. The Town Chairman may appoint himself or herself or another Town Board member to the Plan Commission, and may designate himself or herself, the other Town Board member, or a citizen member, as Chairperson of the Plan Commission. In a year in which any Town Board member is elected at the spring election, any appointment or designation by the Town Chairman shall be made after the election and qualification of the Town Board members elected. Any person appointed to the Plan Commission shall take and file with the Town Clerk the oath of office within five (5) days of notice of appointment, as provided under Wis. Stats. 19.01 and 61.21.

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- (e) **Terms of Office.** The term of office for the Plan Commission Chairperson and each Commission member shall be for a period of three (3) years, ending on April 30, or until a successor is appointed and qualified, except:
1. **Initial Terms.** The members initially appointed to the Plan Commission shall be appointed for staggered terms, and
  2. **Town Board Member or Chairman.** The Plan Commission member who is a Town Board Member or Town Chairman, including a person designated the Plan Commission Chairperson, shall serve for a period of two (2) years, as allowed under Chapter 66.0501(2) Wis. Stats., concurrent with his or her term on the Town Board, except an initial appointment made after April 30 shall be for a term that expires two (2) years from the previous April 30.
- (f) **Vacancies.** A person who is appointed to fill a vacancy on the Plan Commission shall serve the remainder of the term.
- (g) **Experts and Staff.** The Plan Commission may, under chapter 62.23(1), Wis. Stats., recommend to the Town Board the employment of experts and staff, and may review and recommend to the approval authority proposed payments under any contract with an expert.
- (h) **Rules; Records.** The Plan Commission, under chapter 62.23(2), Wis. Stats., may adopt rules for the transaction of its business, subject to Town ordinances, and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record under chapter 19.21-19.39, Wis. Stats.
- (i) **Chairperson and Officers**
1. **Chairperson.** The Plan Commission Chairperson shall be appointed and serve a term as provided in Subsections (d) and (e) of this Section. The Chairperson shall, subject to Town ordinances and Commission rules:
    - a. provide leadership to the Commission;
    - b. set Commission meeting and hearing dates;
    - c. provide notice of Commission meetings and hearings and set their agendas, personally or by his or her designee;
    - d. preside at Commission meetings and hearings; and
    - e. ensure that the laws are followed.
  2. **Vice Chairperson.** The Plan Commission may elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., a Vice Chairperson to act in the place of the Chairperson when the Chairperson is absent or incapacitated for any cause.

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3. **Secretary.** The Plan Commission shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary. The Secretary shall not have a vote in the Commission unless otherwise a member of the Commission.

(j) **General and Miscellaneous Powers.** The Plan Commission, under chapter 62.23(4), Wis. Stats., shall have the power:

1. Necessary to enable it to perform its functions and promote Town planning.
2. To make reports and recommendations relating to the plan and development of the Town to the Town Board, other public bodies, citizens, public utilities, and organizations.
3. To recommend to the Town Board programs for public improvements and the financing of such improvements.
4. To receive from public officials, within a reasonable time, requested available information required for the Commission to do its work.
5. For itself, its members and employees, in the performance of their duties, to enter upon land, make examinations and surveys, and place and maintain necessary monuments and marks thereon. However, entry shall not be made upon private land, except to the extent that the private land is held open to the general public, without the permission of the landowner or tenant. If such permission has been refused, entry shall be made under the authority of an inspection warrant issued for cause under chapter 66.0119, Wis. Stats., or other court-issued warrant.

(k) **Referrals to the Plan Commission**

1. **Required referrals under chapter 62.23(5), Wis. Stats.** The following shall be referred to the Plan Commission for action:
  - a. The location and architectural design of any public building.
  - b. The location of any statue or other memorial.
  - c. The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any
    - (i) street, alley, or other public way;
    - (ii) park or playground;

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- (iii) airport;
  - (iv) area for parking vehicles; or
  - (v) other memorial or public grounds.
- d. The location, extension, abandonment, or authorization for any publicly or privately owned public utility.
- e. All plats under the Town's jurisdiction under chapter 236, Wis. Stats., including divisions under a Town subdivision or other land division ordinance adopted under chapter 236.45, Wis. Stats.
- f. The location, character, and extent or acquisition, leasing or sale of lands for
  - (i) public or semi-public housing;
  - (ii) slum clearance;
  - (iii) relief of congestion; or
  - (iv) vacation camps for children.
- g. The amendment or repeal of any ordinance adopted under chapter 62.23, Wis. Stats., including ordinances relating to:
  - (i) the Town Plan Commission;
  - (ii) the Town Comprehensive Plan under chapter 66.1001, Wis. Stats.;
  - (iii) a Town Official Map; or
  - (iv) a Town Zoning Ordinance.

2. **Required referrals under sections of the Wisconsin Statutes other than chapter 62.23(5), Wis. Stats.** The following shall be referred to the Plan Commission for action:

- a. An application for initial licensure of a child welfare agency or group home under chapter 48.68(3), Wis. Stats.
- b. An application for initial licensure of a community-based residential facility under chapter 50.03(4), Wis. Stats.
- c. Proposed designation of a street, road, or public way, or any part thereof, wholly within the jurisdiction of the Town, as a pedestrian mall under chapter 66.0905, Wis. Stats.

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- d. Matters relating to the establishment or termination of an architectural conservancy district under chapter 66.1007, Wis. Stats.
- e. Matters relating to the establishment of a reinvestment neighborhood required to be referred under chapter. 66.1107, Wis. Stats.
- f. Matters relating to the establishment or termination of a business improvement district required to be referred under chapter, 66.1109, Wis. Stats.
- g. A proposed housing project under chapter 66.1211(3), Wis. Stats.
- h. Matters relating to urban redevelopment and renewal in the Town required to be referred under chapter XIII of chapter 66, Wis. Stats.
- i. The adoption or amendment of a Town subdivision or other land division ordinance under chapter 236.45(4), Wis. Stats.
- j. Any other matter required by the Wisconsin Statutes to be referred to the Plan Commission.

3. **Required referrals under this ordinance.** In addition to referrals required by the Wisconsin Statutes, the following matters shall be referred to the Plan Commission for action:

- a. Proposed regulations or amendments relating to historic preservation under chapter 60.64, Wis. Stats.
- b. A proposed driveway access ordinance or amendment.
- c. A proposed Town official map ordinance under chapter 62.23(6), Wis. Stats., or any other proposed Town ordinance under chapter 62.23, Wis. Stats., not specifically required by the Wisconsin Statutes to be referred to the commission.
- d. A proposed Town zoning ordinance or amendment adopted under authority separate from or supplemental to chapter 62.23, Wis. Stats., including a Town construction site erosion control and storm water management zoning ordinance under chapter 60.627(6), Wis. Stats.
- e. An application for a special exception.
- f. A proposed site plan.
- g. A proposed boundary change pursuant to an approved cooperative plan agreement under chapter 66.0307, Wis. Stats.,

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or a proposed boundary agreement under chapter 66.0225, Wis. Stats., or other authority.

- h. A proposed zoning ordinance or amendment pursuant to an agreement in an approved cooperative plan under chapter 66.0307(7m), Wis. Stats.
  - i. Any proposed plan, element of a plan, or amendment to such plan or element developed by the regional planning commission and sent to the Town for review or adoption.
  - j. Any proposed contract, for the provision of information, or the preparation of a comprehensive plan, an element of a plan or an implementation measure, between the Town and the regional planning commission, under chapter 66.0309, Wis. Stats., another unit of government, a consultant or any other person or organization.
  - k. A proposed ordinance, regulation, or plan, or amendment to the foregoing, relating to a mobile home park under chapter 66.0435, Wis. Stats.
  - l. A proposal to create environmental remediation tax incremental financing in the Town under chapter 66.1106, Wis. Stats.
  - m. A proposed county agricultural preservation plan or amendment, under chapter IV of chapter 91, Wis. Stats., referred by the county to the Town, or proposed Town agricultural preservation plan or amendment.
  - n. Any other matter required by any Town ordinance or Town Board resolution or motion to be referred to the Plan Commission.
4. **Discretionary referrals.** The Town Board, or other Town officer or body with final approval authority or referral authorization under the Town ordinances, may refer any of the following to the Plan Commission for report:
- a. A proposed intergovernmental cooperation agreement, under chapter 66.0301, Wis. Stats., or other statute, affecting land use, or a municipal revenue sharing agreement under chapter 66.0305, Wis. Stats.
  - b. Any other matter deemed advisable for referral to the Plan Commission for report.
5. **Referral Period.** No final action may be taken by the Town Board or any other officer or body with final authority on a matter referred to the Plan Commission until the Commission has made its report, or thirty (30) days, or such longer period as stipulated by the Town Board, has passed since

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referral. The thirty (30) day period for referrals required by the Wisconsin Statutes may be shortened only if so authorized by statute. The thirty (30) day referral period, for matters subject to required or discretionary referral under the Town's ordinances, but not required to be referred under the Wisconsin Statutes, may be made subject by the Town Board to a referral period shorter or longer than the thirty (30) day referral period if deemed advisable.

(3) **Park Committee. See Section 15.01 herein.**

- (a) The Town of Neenah shall have a Park Committee.
- (b) The Park Committee shall consist of seven (7) members. Members shall serve a term of three (3) years, commencing April 1 of the year in which appointed. Each member shall be nominated by the Town Chairman and approved by the Town Board. The Town Board shall appoint a successor during the month of March immediately preceding the expiration of the member's term. Terms shall be rotating, so that two (2) or more members are replaced each year. A member shall hold his or her office until his or her successor is appointed and qualified.
- (c) **Chairperson.** The Park Committee shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Chairperson of the Committee. The Chairperson shall have the power to vote as a member of the Commission.
- (d) **Secretary.** The Park Committee shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary. The Secretary shall not have a vote in the Committee unless otherwise a member of the Committee.
- (e) Each member shall take and file the official oath with the Town Clerk.
- (f) The Park Committee shall have charge of and supervision over all parks located in the Town, subject to the supervision of the Town Board.
- (g) Members of the Park Committee shall not receive any monetary compensation for their service on the Park Committee. This shall not be construed as limiting the right of Park Committee Members to receive reimbursements for expenses.
- (h) The members of the Park Committee shall appoint their own chairperson for a term of one (1) year at their first meeting after April 1.

(4) **Land Committee**

- (a) The Land Committee shall consist of seven (7) members. Members shall serve a term of three (3) years, commencing April 1 of the year in which appointed. Each member shall be nominated by the Town Chairman and approved by the Town Board. The Town Board shall appoint a successor during the month of March immediately preceding the expiration of the member's term. Terms shall be

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staggered. A member shall hold his or her office until his or her successor is appointed and qualified.

- (b) **Chairperson.** The Land committee shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Chairperson of the Committee. The Chairperson shall have the power to vote as a member of the Committee.
  - (c) **Secretary.** The Land Committee shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary. The Secretary shall not have a vote in the Committee unless otherwise a member of the Committee.
  - (d) Each member shall take and file the official oath.
  - (e) The Land Committee shall meet on an "as needed" basis and make recommendations to the Town Board regarding the acquisition, maintenance, use, and disposal of real property by the Town.
  - (f) Members of the Land Committee shall not receive any monetary compensation for their service on the Land Committee. This shall not be construed as limiting the right of Land Committee Members to receive reimbursements for expenses.
  - (g) The members of the Land Committee shall appoint their own chairperson for a term of one (1) year at their first meeting after April 1.
- (5) **Trails Committee**
- (a) The Trails Committee shall consist of seven (7) members. Members shall serve a term of three (3) years, commencing April 1 of the year in which appointed. Each member shall be nominated by the Town Chairman and approved by the Town Board. The Town Board shall appoint a successor during the month of March immediately preceding the expiration of the member's term. Terms shall be staggered. A member shall hold his or her office until his or her successor is appointed and qualified.
  - (b) **Chairperson.** The Trails Committee shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Chairperson of the Committee. The Chairperson shall have the power to vote as a member of the Committee.
  - (c) **Secretary.** The Trails Committee shall elect, by open vote or secret ballot under chapter 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary. The Secretary shall not have a vote in the Committee unless otherwise a member of the Committee.
  - (d) Each member shall take and file the official oath.

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- (e) Members of the Trails Committee shall not receive any monetary compensation for their service on the Trails Committee. This shall not be construed as limiting the right of Trails Committee Members to receive reimbursements for expenses.
- (f) The members of the Trails Committee shall appoint their own chairperson for a term of one (1) year at their first meeting after April 1.

#### 1.04 DUTIES OF ELECTED OFFICIALS

The following enumerated statutes, without limitation, shall govern the rights, duties, and obligations of elected officials of the Town of Neenah.

- (1) The Town Board of Supervisors shall have the rights, duties, and obligations as specified in Chap. 60, particularly Chapters 60.22 and 60.23, Wis. Stats.

#### 1.05 DUTIES OF APPOINTED OFFICIALS

##### (1) Town Clerk/Town Treasurer

- (a) The duties of the Town Clerk / Town Treasurer shall be as laid out in Chapters 60.33 and 60.34, Wis. Stats. Such duties include, but are not limited to, the following:

1. **Clerk of Town Meeting.** Serves as clerk of the Town meetings, storm water utility meetings, plan commission meetings, and other town committees as directed by the Town Board. Prepares agenda, order, and minutes of the proceedings. Distributes approved minutes to designated individuals and the media. Maintains and preserves all permanent records of the Town.
2. **Clerk of Town Board.** Attends meetings of the Town Board and keeps records of its proceedings. Prepares agendas, order, and minutes of the proceedings of the Town Board. Distributes approved minutes to designated individuals and the media. Maintains and preserves all permanent records of the Town Board.
3. **Receive and Disburse Town Money.** Take charge of all money belonging to the Town, or which is required by law to be paid to the Town, and disburse the money as required by statutes. This includes receipts, disbursements, and all information relating to town finances. Itemized account of moneys received and disbursed must specify the source from which it was received, the person to whom it was paid, and the reason for which it was paid. Assist the Town Board with the annual budget, i.e. prepare budget reports showing category expenses to date versus budget and make recommendations. As soon as practicable, deposit funds of the Town in the name of the Town in the public depository designated by the Town Board.
4. **Perform Duties Relating to Elections.** Plan and supervise the conduct of elections. Prepare polls, ballot boxes, voting machines, and balloting.

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Instruct election workers as to election law and procedure. Issue absentee ballots. Process all election ballots and report results to the appropriate boards and clerks. Supervise voter registration and all voter registration functions. Transmit information to the county clerk as required. Proficiently use the Statewide Voter Registration System (SVRS), after adequate training is obtained.

5. **Legal Custodian of Town Records.** Comply with laws concerning records for which the clerk/treasurer is legal custodian. Receive correspondence and documents on behalf of the Town. Issue correspondence as a result of instruction or known policy of the Town. Validate official documents. Set up and maintain a records retention and destruction system for approval by the Town Board.
  6. Issue licenses and/or permits as granted by the Town Board after required fees (if any) have been paid.
  7. Maintain records of Town assets.
  8. **Notices.** Publish or post meeting notices, ordinances, resolutions, and advertisements as required.
  9. **Taxation.** Notify Winnebago County by specified deadlines of all information regarding special assessments, special charges, etc., for each taxing jurisdiction as required.
  10. **Schools.** Perform duties relating to schools/public instruction as provided by law and apportion tax revenues collected by the Town for schools.
  11. Serve as receptionist at the Municipal Building. Maintain offices hours as directed by Town Board.
  12. **Payroll.** Perform payroll and payroll records for Town employees, elected officials, and independent contractors, i.e., tax exempt information, 941s, Medicare, W2s, 1099s, and Nationwide Retirement Program.
  13. Perform duties relating to highways, bridges, and storm water drainage as specified by law.
  14. Perform all other duties required by law, ordinance, or lawful direction of a Town Meeting or the Town Board.
  15. The Town Clerk must be bondable and a notary public.
- (b) **Deputy Town Clerk/Town Treasurer.** The Town Clerk/Town Treasurer may appoint a deputy for whom the clerk/treasurer is responsible pursuant to Wis. Stats. Chapter 60.331 and 60.341. The deputy shall take and file the official oath and bond as required by state law. In case of the absence, sickness, or other

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disability of the clerk/treasurer, the deputy shall perform the clerk's/treasurer's duties. The Deputy Town Clerk/Town Treasurer shall be an at-will employee.

- (2) **Building Inspector.** See Section 12.08 herein.
- (3) **Fire Chief**
  - (a) The Fire Chief shall be responsible for overseeing the Fire Department and first responders of the Town, per Fire Department bylaws approved by the Town Board.
  - (b) The Fire Chief shall recommend fire fighters and first responders to the Town Board for Board approval. The Fire Chief shall also recommend, with line officer approval, resignations and terminations to the Town Board for Board approval.
- (4) **Town Assessor.** The Town Assessor shall have those duties and obligations specified by state law and any additional obligations specified by the contract between the Town Board and the Town Assessor.
- (5) **Weed Commissioner.** The Weed Commissioner shall see to the destruction of all noxious weeds in the Town of Neenah. See Section 7.06(3)(f) herein.
  - (a) **Definitions.** "Noxious weeds" are as defined in Wis. Stat. 66.0407(1)(b).
  - (b) **Procedure.** Upon determining the presence of noxious weeds on any private property in the Town, the Weed Commissioner shall provide the property owner with written notice demanding the destruction of the noxious weeds within five (5) days. If the noxious weeds are not removed within five (5) days, the Weed Commissioner or a person authorized by him shall enter onto the private property and remove the noxious weeds.
  - (c) **Fees.** The costs for cutting, removal, and disposal, in the manner deemed most economical by the Weed Commissioner, shall become a special charge upon the property if not paid within thirty (30) days of billing by the Town. This special charge shall be added to taxes collected during the following year.
- (6) **Road Superintendent.** The Road Superintendent shall comply with the following requirements and fulfill the responsibilities as outlined in the job description which may be amended from time to time.

**1.06 EXPENSE REIMBURSEMENT POLICY**

The following sets forth the Town of Neenah policy for reimbursement of expenses for town officials, employees, and volunteers while on authorized Town business.

- (1) Anyone seeking reimbursement must submit detailed receipts for amounts of twenty-five dollars (\$25.00) or more.
- (2) **Mileage**
  - (a) All Town officials, employees, and approved representatives are entitled to mileage reimbursement for travel incurred on behalf of the Town.
  - (b) Mileage shall be reimbursed at the current IRS-approved rate for travel related to official Town business.
  - (c) Mileage will not be reimbursed for travel to or from regular or special Town Board meetings, regular or special Town meetings, or any meeting taking place within the Town for which the official collects a per diem. However, mileage will be reimbursed for the annual road inspection trip within the Town.
- (3) **Expenses**
  - (a) All Town officials, employees, and approved representatives are entitled to reimbursement for necessary expenses incurred on behalf of the Town while on official Town business.
  - (b) Reimbursable expenses include, but are not limited to: hotels, meals, registration fees, educational materials, travel costs, parking fees, membership dues, supplies, phone calls, copies, and postage.