



**9/17/2024 Monthly Board Meeting
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MEETING MINUTES

Tuesday, August 20, 2024

Public Hearing 5:30 pm & Town of Peshtigo Regular Monthly Board Meeting to follow

1) Call to order: **Chairperson Friday** called the hearing to order at 5:30pm.

2) Pledge of allegiance

3) Roll call: **All present.**

Chairperson Friday, Supervisor Coble, Supervisor Wortner, Supervisor Bergeson, Supervisor Joy.

4) Verification of proper notice: **Chairperson Friday** verified.

Public Hearing

5) Proposed zoning ordinance amendments to Sec. 60-32 through Sec. 60-34, Sec. 60-62 through 60-65, Sec. 60-249 through Sec. 60-251 including *remove* requirement for accessory buildings to be located in rear and side yard, permitted items within highway setbacks, minimum exterior width, roof requirements, gazebo from accessory building list, requirement for site plan for home prior to detached garage, accessory building placement restrictions; *add* detached garage to accessory building list; *require* modular and manufactured homes to be anchored and axles, wheels, hitches, etc. enclosed; *adjust* side and rear yard setbacks, minimum living area requirements, setbacks for fences and pools; *allow* for two accessory buildings; *redefine* exempt pools.: **No comments heard. Coble motion to adjourn public hearing at 5:33pm/Second by Wortner. Recess until 6:00pm. Motion carried with 5 yes votes.**

Regular Board Meeting immediately following Public Hearing or at 6 p.m. (whichever is later): Chairperson Friday called the meeting to order at 6:00pm.

6) Approve agenda: **Joy motion to approve/Second by Bergeson. Motion carried with 5 yes.**

7) Discuss/approve proposed zoning ordinance amendments: **All approved.**

Sec. 60.32- Joy/Wortner, Coble opposed. Motion carried with 4 yes.

Sec. 60.33- Wortner/Bergeson, Coble opposed. Motion carried with 4 yes.

Sec. 60.34- Wortner/Coble. Motion carried with 5 yes.

Sec. 60.62- Wortner/Joy, Coble opposed. Motion carried with 4 yes.

Sec. 60.63- with changes: Bergeson/Wortner. Motion carried with 5 yes.

Sec. 60.64- with changes: Joy/Bergeson. Motion carried with 5 yes.

Sec. 60.65- with changes: Wortner/Joy. Motion carried with 5 yes.

Sec. 60.249- Wortner/Coble. Motion carried with 5 yes.

Sec. 60-250- with changes: Wortner/Coble. Motion carried with 5 yes.

Sec. 60-251- with changes: Wortner/Bergeson. Motion carried with 5 yes.

8) Public comment, limited to 15 minutes (*in-person attendees only, limited to 3 minutes per person with no time donations from others, agenda items only*), please be prepared to come forward to the table, speak clearly into the microphone, start by stating name/address & agenda item(s) to be addressed: **None heard.**

9) Announcements: **Chairperson Friday** stated that the Town is still in litigation with JCI/Tyco, DNR and Tyco updates are on the website under the water tab, and that residents may be contacted from Tetra Tech who is working with EPA. She mentioned signs have been installed at KWT and the Town's 20-year Comprehensive Plan kick-off meeting will happen soon. **Clerk Okins** gave an update on the August election.

10) Minute approval – 7/16/2024 Regular Board Meeting: **Unanimous consent to approve.**

11) Reports

a. Fire Department: **Chief Folgert** gave report.

b. Constable: **Chairperson Friday** gave report.

c. Building Inspector: **Chairperson Friday** gave report.

d. Marinette County Board: **No update.**



- 12) Treasurer Report/Investment Report/Budget YTD vs Actual/Budget Amendments: **Unanimous consent to approve Treasurer Report.**
- a. Approve vouchers & payment of bills: **Bergeson motion to approve/Second by Wortner. Motion carried with 5 yes.**
- 13) WTA Fall Workshops, Convention, Town Law Conference attendance approval: **Joy motion to approve attendance for any board, office, or support staff to attend/Second by Bergeson. Motion carried with 5 yes.**
- 14) Authorize purchase of chair replacements for board room: **Friday motion to approve purchase of up to \$1500 for replacement chairs/Second by Coble. Motion carried with 5 yes.**
- 15) Marinette County Emergency Management training: **Chairperson Friday will attend on 01/08/2025.**
- 16) Transfer of retail liquor & tobacco license from Marinette Shell, LLC at W1390 Old Peshtigo Rd to True North Energy, LLC remaining at same location: **Coble motion to approve transfer of licenses/Second by Wortner. Motion carried with 5 yes votes.**
- 17) Board of Appeals resignation, membership approval, training update: **Chairperson Friday announced the resignation of Tom Lawson from BOA. Motion made by Friday to appoint resident Scott Schmidt to fulfill Lawson's term, as well as Alan Archambault to fulfill the alternate opening, Second by Coble, motion carried with 5 yes votes. BOA members will participate in training on 8/29 at 9am.**
- 18) Ad hoc committee updates:
- a. Capital Improvement Plan – Chairperson Joy, Vice Chairperson Friday
 - i. Committee structure: **Chairperson Friday motion to dissolve this committee/Second by Joy. Motion carried with 5 yes votes.**
 - b. CDBG-CV – Chairperson Friday, Treasurer Maney
 - i. HVAC update: **Chairperson Friday updated that a walk-thru will be scheduled soon with engineers, admins, and contractors. Treasurer Maney stated that we will be back in compliance at the start of construction. Supervisor Coble is working with Oshkosh Industrial on timing of Town Hall roof replacement, in conjunction with CDBG construction.**
 - c. Ordinance/Policy Review – Chairperson Friday, Vice Chairperson Wortner
 - i. Discuss/approve Chapter 2 proposed revisions: **Wortner motion to approve/Second by Joy. Motion carried with 5 yes votes.**
- 19) Standing Committee Updates:
- a. Buildings & Grounds – Chairperson Coble, Vice Chairperson Bergeson
 - i. Women's bathroom toilet replacement: **Coble updated that Team Plumbing will replace missing toilet in women's bathroom and potentially install a baby changing station.**
 - b. Recycling Center – Chairperson Bergeson, Vice Chairperson Coble: **Bergeson updated that electronics recycling has switched to pickups via Greenway. Freon is scheduled to be picked up next week.**
 - c. Roads & Ditches – Chairperson Wortner, Vice Chairperson Joy: Wortner mentioned looking into the possibility of requiring utility permits.
 - i. Road work proposals: **Wortner and Joy will be getting bids for road related work on Aubin Street, Boneham Addition, and Old Peshtigo Road. Ad will be placed in the Eagle Herald, with a mandatory pre-bid meeting and requirements of sealed bids to be possibly awarded at the Sept. board meeting.**
- 20) Upcoming Meetings:
- a. Plan Commission/Comprehensive Plan Update Kick-Off Meeting – Mon. September 16, 2024 at 6 p.m.
 - b. Regular Board Meeting – Tues. September 17, 2024 at 6 p.m.
- 21) Motion to Adjourn: **Wortner motion to adjourn at 7:05pm/Second by Bergeson. Motion carried with 5 yes.**

Kayla Okins, Clerk 08/27/2024

**Town of Peshtigo Fire Department Report to the Town Board
September 17, 2024**

11 Calls since the August 20th, 2024 Monthly Town Board meeting:

8/22/24	U.S. Hwy 41 at Flame Rd., Vehicle Crash
8/24/24	W1697 County B, Vehicle Crash
8/29/24	N3407 Rehms Rd., EMS Assist
8/30/24	W1311 State Hwy 64, Smell of Gas
8/31/24	W2335 Old Peshtigo Rd., Vehicle Crash with Downed Powerlines
9/4/24	W3925 State Hwy 64, House Fire Assist to Grover-Porterfield
9/5/24	N3069 Woodland Rd., Downed Powerlines and Cable Lines
9/7/24	N966 Leaf Rd., Trash and Brush Fire
9/7/24	N3407 Rehms Rd., EMS Assist
9/12/24	N380 Harbor Rd., Water Rescue/Body Recovery
9/13/24	N4078 Patti Ln., Brush Fire

Apparatus and Equipment Status:

- Tender 234 exhaust system repairs completed. All trucks have passed annual DOT inspections.
- Tender 235 is being checked out today by Franks Repair for electrical issues.
- Annual Engine Pump Testing is scheduled to take place this Friday morning.
- With the help of Road King Excavating, we installed a new dry fire hydrant at a private pond on Maple Hill Road. Thanks to Michael Dobson, the property owner and Jimmer Wortner for making this possible.

Training:

- Eight firefighters participated in water supply training using dry hydrants to fill our water tenders.
- 12 firefighters completed vehicle extrication training at RZR Auto Salvage last night.
- Five firefighters attended active shooter response training at UW Marinette last Saturday.

Fire Prevention, Education and Community Involvement:

- We finished our free smoke detector program by giving away and installing 50 smoke alarms to town residents in need. This program was made possible through a partnership and grant received by the Professional Firefighters of Wisconsin Charitable Foundation.

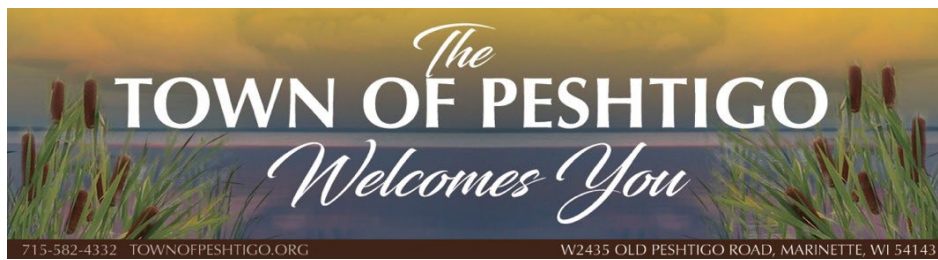
Fund Raising & Donations:

- Our annual open house will be held on Saturday, October 5th from 10:00 am to 2:00 pm.
- We are conducting a cash raffle to help fund the purchase of fire hose and equipment to be placed on our new engine that should be delivered during Fall 2025. Raffle tickets are being sold for \$20 each or six for \$100. Ten cash prizes will be awarded in a November 11th drawing. Top prize is \$1,500.

Personnel:

- We have received one application for membership, which is currently under review.
- Our current roster stands at 23 volunteer firefighters. We are currently accepting applications.

Mike Folgert
Fire Chief



August 2024 Constable Report

08/08/24	Dog at Large
08/12/24	Dogs at Large
08/13/24	Rubbish and Welfare Check
08/14/24	Check for dog license
08/20/24	Pollution of soil
08/20/24	Neighbor nuisance
08/21/24	Dog at Large
08/25/24	Dog at Large
08/27/24	Rubbish



TREASURER'S REPORT
August 2024

		Begin	Deposits/Interest	Withdrawals	Ending	Outstanding Receipts	Outstanding Deposits	Register Balance
BMO Checking Account	7013	21,371.78	90,261.88	(38,449.69)	73,183.97	(14,499.50)		58,684.47
BMO Payroll Checking	7734	4,385.84	16,729.00	(15,035.14)	6,079.70			6,079.70
BMO Plantinum MM	6811	263,397.47	663.55	(3,911.68)	260,149.34			260,149.34
BANK TOTALS		289,155.09	107,654.43	(57,396.51)	339,413.01	(14,499.50)	-	324,913.51
PNB Checking - CDBG		8.71	-	-	8.71	-	-	-
Change Fund		215.00	-	-	215.00	-	-	-
Fire Dept Equipment		266.12	1.22	-	267.34			
Fire Truck		65,211.69	299.00		65,510.69			
Roads		97,249.20	445.90	-	97,695.10			
Capital Outlay - Mach & Equip		60,382.12	276.86		60,658.98			
Recycling		12,237.34	56.11	-	12,293.45			
ARPA		132,365.85	606.91	-	132,972.76			
LGIP TOTAL		367,712.32	1,686.00	-	369,398.32	-	-	-
BMO CD		273,462.20	3,539.85	-	277,002.05	-	-	-
BMO CD Fire Dept.		157,660.93	665.71	-	158,326.64	-	-	-
TOTAL CASH & INVESTMENTS		1,088,214.25	113,545.99	(57,396.51)	1,144,363.73	(14,499.50)	-	1,129,864.23

Jodi Maney
Treasurer
toptreasurer@townofpeshtigo.org



August 30, 2024

TO: Marinette County Municipalities

ATTN: Municipal Treasurer and/or Clerk
City Mayor/Village President/Town Chairperson

Marinette County is again offering to collect the first installment of Real Estate Taxes for all municipalities.

At the 8/27/24 County Board meeting, a motion passed to approve increasing the tax collection fees beginning with the 2024/2025 collection period. The Flat Base Fee will increase from \$250 to \$500. The Per Parcel Fee will increase from \$.85 per parcel to \$1.20 per parcel.

So if you choose to enter into this agreement with the County, the costs to your municipality would now be \$1.20 for each taxable parcel plus a \$500.00 administrative fee. Deposits will be made daily into a county account with a transfer into your individual municipal account the following day.

The billing for the 2024 Tax Roll and Tax Statements will be handled by Property Listing as in the past. The fees quoted are for collection only – not billing. I need to know on or before October 11, 2024 which way your municipality decides to go.

After you read over the attached information, feel free to call me at (715)732-7432 with any questions or concerns.

Regards,
MARINETTE COUNTY

Bev Noffke

Bev Noffke
County Treasurer

COUNTY TREASURER OFFERS PROPERTY TAX COLLECTION SERVICE

Marinette County Treasurer's office is again offering to collect all real estate property taxes for municipalities. Per State Statute, first half tax installments are paid to the Local Treasurer's by January 31st (with an additional 5-day grace period) each year, and then collection rolls are turned over to the County Treasurer's office. At that point, all real estate tax collections, including 2nd half payments and delinquent accounts, are processed solely in the County Treasurer's office.

There are several benefits to both Municipalities and taxpayers when contracting with Marinette County.

ADVANTAGES TO MUNICIPALITIES:

COUNTY TREASURER'S OFFICE IS FULLY STAFFED AND COMPUTERIZED

- Strengthens accuracy. All data is processed in Marinette County System for reporting purposes.
- Provides Daily Tax Collection Reports and deposit records. Eliminates manual reconciliation with Treasurer's office.
- Payments for multiple municipalities can be processed at one location.
- The County handles all NSF checks.

INCREASES EFFICIENCY AND REDUCES COST

- Allows local treasurer's more time to perform other required municipal duties.
- Eliminates expense of printing additional tax bills for local Treasurer's recordkeeping use.
- The County Treasurer's office has adequate staff and equipment to process all tax payments, which eliminates the need for municipalities to hire additional staff with costly overtime hours.
- The County Treasurer's office is open and staffed 5 days a week, allowing more flexibility.
- Municipality doesn't need to contract with Ascent.
- The County Treasurer's office is responsible for the administration of the LOTTERY CREDIT and LATE CLAIM program. Municipal offices could refer all questions and dealings to the County office.

ADVANTAGES TO TAXPAYER:

- The County Treasurer's office has a collection agreement with Peshtigo National Bank, which allows them to collect taxes for municipalities who contract with Marinette County.
- Ability to pay taxes for several different municipalities at one location.
- More flexible payment hours at County Treasurer's office and financial institution locations.
- The County has a payment drop box outside the Annex Building for additional taxpayer convenience.
- Convenient online payment options including e-checks with fees as low as \$.25 per transaction.

Feedback from municipalities using the County Treasurer's office for collection of taxes has been very favorable. Marinette County is interested in making the tax collection process as efficient and convenient as possible for municipalities as well as taxpayers.

TAX COLLECTION AGREEMENT

This agreement, by and between the City/Village/Town of _____ and Marinette County, as follows:

1. COLLECTIONS

- The Municipality will inform its citizens that Real Estate Tax Payments should be made to the Marinette County Treasurer.
- The County ***will not*** be handling information concerning dog licenses.
- Marinette County Treasurer will process the first half and full payments of Real Estate Property Taxes, plus payments of Special Charges and Special Assessments.
- Timely payments received by each Municipal Treasurer will be forwarded along with the original postmarked envelope to the Marinette County Treasurer immediately.
- Collections will be deposited daily by the Marinette County Treasurer into a Tax Collection Clearing Account and will be credited thereafter into individual Municipal, working or interest bearing accounts. Each Municipality will have full control of their respective bank accounts.

2. REPORTS

- Each Municipality will receive a daily Tax Collection Report of Real Estate Tax payments listed by parcel number.

3. RECEIPTS

- All payments received by mail will receive a computer generated receipt from the Marinette County Treasurer's office and will be mailed to tax payer when a self-addressed stamped envelope is provided.
- Payments can be made in person at the Marinette County Treasurer's office, or at participating Financial Institutions. Taxpayer will receive an immediate computer generated receipt.
- Tax payers opting to pay online, will receive a receipt via the online system.

4. SETTLEMENT

- Each Municipality will settle with Marinette County on or before the 15th of January, and the 20th of February, each year, for all collection of General Taxes, Special Charges and Special Assessments.
- Each Municipality will pay all the taxing districts their proportionate share of the levies collected from information provided by the Marinette County Treasurer's office by the statutory prescribed payment dates in January and February. Marinette County pays all taxing jurisdictions in August.

5. COST REIMBURSEMENT TO COUNTY

- Marinette County will charge Municipalities costs associated with the collection system as per the attached "Tax Collection Costs to Your Municipality".
- If you choose to enter into this agreement with the County, the costs to your municipality would be \$1.20 for each taxable parcel plus a \$500.00 administrative fee.

Property Listing will handle the billing for the 2024 Tax Roll and Tax Statements as in the past. **The fees I have quoted are for collection only – not billing.**

Please contact Marinette County Treasurer’s office on or before October 11, 2024 as to whether your Municipality will contract with the County or not.

This agreement will be binding with the Municipality and the County of Marinette for processing the 2024 tax bills.

DATE: _____

DATE: _____

City/Village/Town -- Mayor/President/Chairperson

Marinette County Clerk-Bobbie Borkowski

City/Village/Town Treasurer

Marinette County Treasurer- Bev Noffke

Sec. 48-7. Signs permitted in all business and industrial districts with a permit.

The following signs may be permitted in all business and industrial districts subject to the following restrictions:

- (1) Wall signs shall not exceed 300 square feet in area for any one premises, shall not exceed 20 feet in height above the mean centerline street grade, and shall not extend beyond the lot line. **If the lot abuts a more restrictive zoning district, it must observe the more restrictive zone's setbacks.**
- (2) Projecting signs shall not exceed **100 50** square feet in area for any one premises, shall not exceed 20 feet in height above the mean centerline street grade, shall not extend beyond the lot line, shall not be less than **ten 15** feet from any side or rear lot line, shall not extend into **or visually obstruct** the public right-of-way, and shall not be less than **ten 15** feet above the sidewalk or 15 feet above any public access way, any street or alley. **If the lot abuts a more restrictive zoning district, it must observe the more restrictive zone's setbacks.**
- (3) Ground signs shall not exceed 100 square feet in area for any one premises, shall not exceed 20 feet in height above the mean centerline street grade provided that the actual sign height shall **not exceed the actual setback from any adjacent lot that is zoned for residential purposes, and shall** have a setback of at least 15 feet from any lot line and shall not extend into or visually obstruct the public right-of-way. **If the lot abuts a more restrictive zoning district, it must observe the more restrictive zone's setbacks.**
- (4) Pylon signs shall be restricted to lots along state highway 41, shall not exceed 300 square feet in area per side for any one premises, shall not exceed overall height 50 feet above grade with minimum 10 feet underclearance, shall have a setback of at least 15 feet from any lot line and shall not extend into or visually obstruct the public right-of-way. **If the lot abuts a more restrictive zoning district, it must observe the more restrictive zone's setbacks.**
- (4) 5** Roof signs shall not be permitted.
- (5) 6** Combination of any signs regulated by this section shall meet all the requirements for the individual signs.

(Code 2006, § 13-1-105)

Sec. 2-134. Order of business.

- (a) *Order of business.* At all meetings, the following order may be observed in conducting the business of the town board:
- (1) Call to order by presiding officer; Pledge of Allegiance.
 - (2) Agenda approval or amendment.
 - (3) Approve and correct minutes of the last preceding meeting.
 - (4) Town treasurer's report.
 - (5) Payment of vouchers.
 - (6) Announcements.
 - (7) Public input (time for presentation limited per person).
 - (8) Unfinished business remaining from preceding sessions in the order in which it was introduced.
 - (9) New business ordinances and resolutions may be introduced and considered.
 - (10) Department head and committee reports.
 - (11) Letters and communications.
 - (12) Announcement of next meeting date.
 - (13) Adjournment.
- (b) *Agenda preparation.*
- (1) The town chairperson, in consultation with the town clerk, shall prepare an agenda incorporating the matters comprising the order of business;
 - (2) There may be included on said agenda a time for hearing citizens wishing to address the board;
 - (3) No matter shall be placed on the agenda of the town board unless a request to do so is made to the town clerk by the Thursday preceding the meeting, except in emergency situations as determined by the chairperson or town clerk; and
 - (4) When a town resident wishes to have a matter placed on the agenda for consideration at the monthly town board meeting, the chairperson or town clerk must be notified, by the Thursday preceding the next regular monthly meeting, of the subject matter to be discussed in order to facilitate the proper posting of the item and an orderly meeting. The town chairperson shall decide whether the item is to be placed on the agenda for consideration and discussion. Any agenda item of a general nature is insufficient. The agenda item must be sufficiently specific so as to inform the general public of the matter that will be placed before the town board for discussion and consideration. The town chairperson, in consultation with the town clerk, is ultimately responsible for preparation of the agenda, the agenda's content, distribution and use. Any matter known to the chairperson as likely to become a subject matter at the meeting should be included on the agenda. At any town board meeting where a topic is not on the agenda, a majority of the board members may direct that the item be placed on the agenda for the next regular meeting of the town board or an agenda for a special town board meeting to be held.
- (c) *Order to be followed; citizen comments.*
- (1) Unless the board as a whole overrules by a majority vote, the chairperson may direct that agenda items be considered in a different order to promote efficiency.

(2) Addressing the board.

- a. At meetings of the town board no person, other than the members of this board, shall address the town board or any member of the town board. By exception, citizens may address the board by request of a supervisor to the chairperson as to matters that are being considered at the time and may be granted via unanimous consent of the board or by 2/3 vote once motion is made and seconded, or during such other times noticed on the agenda for public input.
 - b. This provision shall not apply to:
 1. The town clerk, treasurer, road foreman, ~~or~~ building inspector, constable and fire chief.
 2. Any member of the town board.
 3. Town engineer or town attorney.
 - c. This provision shall also not apply under the specific orders of business established to recognize residents of the town or other persons, under the specific order of business to recognize members of any town office, town committee, town agency, town commission or a special board or other town officers or except if the person has specifically requested the right to address the town board and then only after the approval of the presiding officer.
 - d. The chairperson or presiding officer may impose a time limit on the length of time citizens may address the board, following the guidelines in section 2-137.
- (d) *Roll call; procedure when quorum not in attendance.* As soon as the board shall be called to order, the town clerk shall note for the record the names of the members who are present and who are absent and record the same in the proceedings of the board. If it shall appear that there is not a quorum present, the fact shall be entered in the minutes and the board may adjourn.

(Code 2006, § 2-3-11, updated 1/16/2024)

Sec. 2-170. Official oath and bond.

- (a) *Authority.* The town board has the specific statutory authority, powers and duties to require that certain elected officials take an official oath and to require that they file the appropriate bond.
- (b) *Oath.*
- (1) *General provision.* All elected officers and appointed officers of the town, except elected assessors and municipal judges, if such position is established, shall take and file the below-noted oath within five days after notification of election or appointment by the town clerk. The written oath of office and the oral oath of office, pursuant to Wis. Stats. § 19.01, shall be substantially in the following form: as identified in Wis. Stats. § 19.01.
- a. *Written oath.*
- STATE OF WISCONSIN,
County of Marinette
- I, _____, the undersigned, who have been elected (or appointed) to the office of _____, but have not yet entered upon the duties thereof, swear (or affirm) that I will support the Constitution of the United States and the constitution of the state of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability. So help me God.
- Subscribed and sworn to before me this _____ day of _____, 20____.
- _____
Signature
- b. *Oral oath.*
- I, _____, swear (or affirm) that I will support the constitution of the state of Wisconsin, and will faithfully and impartially discharge the duties of the office of _____ to the best of my ability. So help me God.
- (2) *Filing locations.* The official oath of all elected officers and appointed officers of the town shall be filed with the town clerk except that the town clerk shall file his oath with the town treasurer and except that the municipal judge, if applicable, shall file his oath with the clerk of the circuit court.
- (3) *Failure to file oath.* If any elected officer or appointed officer of the town fails to file the proper oath within the time prescribed by statute, the failure to file constitutes refusal to serve in the office. No municipal judge in the town shall be paid a salary for any time during the term during which the municipal judge has not executed and filed his oath.
- (c) *Bonds.*
- (1) *General provision.* The bond costs shall be provided by the town. No natural person may be a surety on a bond. The bond may be furnished by a surety company under Wis. Stats. § 632.17(2). The town board may at any time determine that any bond amount established is insufficient or in excess and may therefore require any officer noted above to file a new bond within ten days, in an amount fixed by the town board.
- (2) *Filing location.* The official bond shall be filed with the town clerk except that the town clerk shall file his bond with the town treasurer and except that the municipal judge shall file his bond with the clerk of the circuit court.
- (3) *Failure to file bond.* The elected officers and appointed officers of the town required to file a bond shall file the required bond before entering upon the duties of the office. If the elected officers and

appointed officers of the town fail to file the required bond within the time prescribed by law, the failure to file the required bond constitutes refusal to serve in office and the office can be declared vacant by the town board. No municipal judge of the town shall be paid a salary for any time during the term during which the municipal judge has not executed and filed the required bond.

(Code 2006, § 2-4-21)

State law reference(s) — Official oaths and bonds, Wis. Stats. § 19.01; validity of surety bonds, Wis. Stats. § 632.17; oath and bond of municipal court judge, Wis. Stats. § 755.03; official oaths and bonds of town officers, Wis. Stats. § 60.31.

Sec. 2-175. Driving town vehicles.

(a) *Establish written MVR review criteria.* Drivers who operate Town of Peshtigo vehicles are required to provide a copy of their license annually. An employees' past driving record is one predictor of future driving behavior. As part of the annual driver license review, the DMV should be contacted to provide a motor vehicle report (MVR). A criterion should be established to evaluate a driver's ongoing accident and violation history. A MVR review policy should be clearly defined, consistently enforced and used as a tool for management to evaluate the driving records of employees which allows them to take action in the event a driving record shows a negative trend.

(b) *Motor vehicle report review guideline.* Recommendations for fleet safety driver criteria are ideally designed for a comprehensive internally operated and maintained program. The goal is to identify and correct 'at risk' drivers before there is a serious accident or incident. The included material is to provide guidance and examples to assist in developing a plan best suited for client needs.

(c) *Annual MVR review.* Annual MVR reviews should be done for all drivers (including non-employee drivers if applicable). The following criteria can be used as a suggested evaluation tool for annual MVR reviews:

1. Clean record – No action.
2. One moving violation – Discussion/evaluation with fleet manager (DUI type of infraction could result in immediate termination depending on severity and past history).
3. One collision – No fault – No action.
4. One collision – Preventable collision – Discussion/evaluation with fleet manager plus semi-annual (or more frequent) review of MVR.
5. Moving violation – Discussion/evaluation with fleet manager and possibly including a semi-annual review of MVR.
6. One collision and one moving violation – Probation for one year, quarterly review of driving record (depending on severity and past history).
7. More than one moving violation – Possible suspension of driving privileges (or severe warning of suspension). Increase MVR review frequency.
8. Two or more driver preventable collisions – Termination of driving or other significant management intervention/action.
9. Two moving violations and one collision – Termination of driving privileges or other significant management intervention/action.

It should be noted that suspension of driving privileges can be reviewed. If agreed upon by all parties, a driving contract can be drafted which stipulates specific controls to be followed. If contract is broken, driving privileges can be forfeited.

(d) *High risk drivers.* Drivers can be classified as "high risk drivers" if the MVR review indicates, or it is otherwise determined that the driver has one or more of the following violations, or if the insurance company declines coverage for the driver for any reason.

1. Conviction for an alcohol and/or drug related driving offense.
2. Refusal to submit to a blood alcohol content (BAC) test or drug test.
3. Conviction for reckless driving.
4. Any combination of three or more moving violations, preventable collisions, or "at fault" accidents over a three-year period (or other appropriate time period agreed upon by management).

5. Suspension, revocation, or administrative restriction of driver's license over a three-year period.

6. Leaving the scene of an accident as defined by state laws.

7. At fault in a fatal accident.

8. Felony committed/convicted involving a vehicle.

9. Three or more "company vehicle" physical damage claims in a 12-month period (or other appropriate frequency/amount period agreed upon by management).

(e) *Management controls for high risk drivers.* The employee's manager should consider suspending all company driving privileges immediately upon identification of a high risk driver. The "high risk driver" should not be authorized to drive a company owned motor vehicle at any time, or should not be considered to drive their personal vehicle on company business.

The employee's manager may either transfer the employee to a position that does not require driving, if such a position exists, or the employee may be subject to discipline up to and including termination of employment.

The employee may reapply for company vehicle driving privileges after one year of suspension and completion of an approved defensive driver training class (as an example of a re-entry program). An application can be made to the employee's manager, and must be approved by the appropriate company review committee (example - Collision Review Board). If approved, the employee's driving status can change from suspension to probation (or other applicable status). Reinstatement of driving privileges may not constitute an offer by the company for any position that involves driving a company vehicle. A position opening must exist and normal job posting procedures must be followed.

(f) *MVR evaluation.* This sample "point" or "violation" method can be useful in determining a formalized MVR evaluation approach for management in charge of fleet vehicle operations. The evaluation guide can be manipulated and adjusted to best meet company driver situations. However, the point system correlates with the 'minor to major' violation severity. Other classifications can be added (or subtracted) as needed. Again, this is meant to be a useful aid and guide only.

Each Violation	Points	or	Violations
a. Driving without a license (i.e., never had a valid license vs. "left at home")	10		Major
b. Driving while license is suspended or revoked	10		Major
c. D.W.I.	10		Major
d. D.U.I.N. (narcotics)	10		Major
e. Any "serious" violation from 1 to 10 mph over speed limit	6		Major
f. Any speeding violation from 1 to 10 mph over speed limit			
- if operator is over 21 years old	2		Minor
- if operator is 21 years old or under	3		Minor
g. Any speeding violation from 11 to 20 mph over speed limit			
- if operator is over 21 years old	4		Minor
- if operator is 21 years old or under	5		Minor
h. Any speeding violation 21 mph or more over speed limit			
- if operator is over 21 years old	6		Major
- if operator is 21 years old or under	7		Major
i. Any "standard" moving violation; i.e., careless driving, speed too fast for conditions but within normal limit, stop sign, lane crossover, failure to signal, failure to keep right, following too close	2		Minor
j. Any (preventable) chargeable B.I. collision	4		Minor
k. Any (preventable) chargeable P.D. collision	3		Minor

(Ord. of 11-21-2017)

Sec. 2-202. Appointment; duties and responsibilities.

The town clerk shall be appointed by majority vote of the town board with a contractual term of office up to three years. The town clerk's responsibilities include:

- (1) *Clerk of town meeting.* Serve as clerk of the town meeting under Wis. Stats. § 60.15.
- (2) *Clerk of town board.*
 - a. Serve as clerk of the town board, attend meetings of the board and keep a full record of its proceedings.
 - b. File all accounts approved by the town board or allowed at town meetings and enter a statement of the accounts in the town's record books.
 - c. File with the town board claims approved by the clerk, as required under Wis. Stats. § 60.44(2)(c).
- (3) *Finance book records.* Maintain a finance book records, in conjunction with the treasurer, which shall contain a complete record of the finances of the town, showing the receipts, with the date, amount and source of each receipt; the disbursements, with the date, amount and object of each disbursement; and any other information relating to town finances prescribed by the town board. ~~The financial records a town clerk is expected to maintain are in addition to, not in lieu of, those a town treasurer is expected to maintain.~~
- (4) *Elections and appointments.*
 - a. Perform the duties required by Wis. Stats. chs. 5 to 12, relating to elections.
 - b. Transmit to the county clerk, within ten days after election or appointment and qualification of any town supervisor, treasurer, assessor, clerk or constable, a written notice stating the name and post office address of the elected or appointed officer. The clerk shall promptly notify the county clerk of any subsequent changes in such offices.
 - c. Transmit to the clerk of circuit court, immediately after the election or appointment of any constable or municipal judge in the town, a written notice stating the name of the constable or municipal judge and the term for which elected or appointed. If the judge or constable was elected or appointed to fill a vacancy in the office, the clerk shall include in the notice the name of the incumbent who vacated the office.
- (5) *Sale of real property.* Execute the conveyance of real property of the town. However, prior to the sale of any property by the town board, the electors attending a town meeting must have given the town board authorization to do so.
- (6) *Notices.*
 - a. Publish or post ordinances and resolutions as required under Wis. Stats. § 60.80.
 - b. Give notice of annual and special town meetings as required under Wis. Stats. §§ 60.11(5) and 60.12(3).
- (7) *Records.*
 - a. Comply with Wis. Stats. §§ 19.21 through 19.39 concerning any record of which the clerk is legal custodian.
 - b. Demand and obtain the official books and papers of any municipal judge if the office becomes vacant and the judge's successor is not elected or appointed and qualified, or if any municipal judge dies. The town clerk shall dispose of the books and papers as required by law.

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- (8) *Licenses.* Issue any license or permit granted by the town board when any required fee has been paid.
- (9) *Schools.*
- a. Perform the clerk's duties under Wis. Stats. chs. 115 to 121 relating to public instruction.
 - b. Within ten days after the clerk's election or appointment, report his name and post office address to the administrator of each cooperative educational service agency which contains any portion of the town. The clerk shall report to the administrator the name and post office address of each school district clerk within ten days after the name and address is filed in the clerk's office.
 - c. Make and keep in the clerk's office a map of the town, showing the exact boundaries of school districts within the town.
 - d. Apportion, as provided by law, tax revenues collected by the town for schools.
- (10) *Highways and bridges.* Perform the duties specified in Wis. Stats. chs. 80 to 92 relating to highways, bridges and drains.
- (11) *Notice of property tax revenue.* Notify the clerk of the county in which the town is located, by March 15, of the proportion of property tax revenue and the credits under Wis. Stats. § 79.015 that is to be disbursed by the county clerk to each taxing jurisdiction located in the town.
- (12) *Statement of indebtedness to Secretary of State.* Furnish, pursuant to Wis. Stats. § 69.68, a full and complete summary of the bonded indebtedness and all other indebtedness, the purpose for which the sum was incurred and any accrued interest, if any, remaining unpaid to the Secretary of State.
- (13) *Managed Forest Act.* Receive copies from the state department of natural resources of all petitions for entry under the Managed Forest Law of all lands in the town pursuant to Wis. Stats. § 77.82(5). The town clerk shall receive copies of notice of hearings established pursuant to Wis. Stats. § 77.82(6) and copies of any orders issued pursuant to Wis. Stats. § 77.82(8).
- (14) *Notice of cessation of operations.* Receive the appropriate notice pursuant to Wis. Stats. § 109.07 of mergers, liquidation, disposition, relocation or cessation of operations from any employer in the town; the town clerk shall then immediately inform the town board of receipt of such information.
- (15) *Release and publication of assessment roll.* Receive the assessment rolls and then publish a Class 1 notice, if applicable, or post notice under Wis. Stats. ch. 985. The notice will provide that in the noted days the assessment roll will be open for examination by the taxable inhabitants.
- (16) *Rabies control program.* Promptly post notice in at least three public places in the town pursuant to Wis. Stats. § 95.21(3) with the notices of quarantine to be furnished by the department of health and social services.
- (17) *Prepare general statistics and annual statement of taxes.* Make out and transmit to the county clerk and department of revenue necessary documentation by year's end a statement pursuant to Wis. Stats. §§ 69.60 and 69.61, showing the assessed value of all property within the town, all taxes levied, all special assessments made and purposes for special assessments. Also, a complete and detailed statement of the bonded and other indebtedness of the town and of any accrued interest remaining unpaid and the purpose for which the indebtedness was incurred. In addition, on or before the third Monday of December, the town clerk shall file a statement of taxes levied to the department of revenue.
- (18) *Make tax roll.* Make out the complete list of all taxable real property, to be called the tax roll, as required in Wis. Stats. § 70.65.

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- (19) *Correct tax roll.* Before delivering the tax roll to the town treasurer and after delivering the tax roll to the town treasurer, shall correct the errors in the tax roll required in Wis. Stats. § 70.73.
 - (20) *Receive assessment roll.* Receive from the assessor on or before the first Monday in May the completed assessment roll as required by Wis. Stats. § 70.50.
 - (21) *Drainage district.* Insert in the tax roll, in a separate column, amounts certified by the drainage board secretary as assessments and interest due as required under Wis. Stats. § 88.42.
 - (22) *Other duties required by law.* Perform all other duties required by law, ordinance or lawful direction of the town meeting or town board.

(Code 2006, § 2-4-7(intro. ¶, (a)—(w))

Sec. 2-256. Qualifications.

- (a) The assessor, or assessment firm, shall be certified by the department of revenue under Wis. Stats. § 73.03(2)(b) as qualified to perform the functions of an assessor. ~~The town assessor is appointed for an indefinite term of office, pursuant to Wis. Stats. § 60.307(2).~~
- (b) The town has elected to change the office of assessor to an appointed position. Pursuant to Wis. Stats. § 60.307(2), the assessor is appointed by majority vote of the town board for a term as determined by contract, but not less than one year. The town assessor so appointed need not be a resident of the town and may hold the office of assessor for another town or municipality ~~with the consent of the town board.~~

(Code 2006, § 2-4-9(a))