

## **CHAPTER 1 GENERAL GOVERNMENT**

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### **1.01 GENERAL TOWN POWERS.**

(1) **LEGAL STATUS.** The Town of Verona is a body corporate and politic, with those powers granted by the Wisconsin Statutes.

(2) **VILLAGE POWERS.** The Town Meeting having adopted a resolution authorizing the Town Board to exercise all powers granted to villages and conferred on village boards, the Town Board may exercise all powers granted by Chapter 61, *Wis. Stats.*, and such other powers conferred on villages by law. The Town Board Chairperson shall have those powers enumerated for village presidents.

### **1.02 ELECTED OFFICIALS.**

(1) **TOWN BOARD MEMBERSHIP.** The Town Board shall comprise five supervisors, including one supervisor designated as the Town Board Chairperson. Three Town Board Supervisors shall constitute a quorum.

(2) **TOWN BOARD CHAIRPERSON.** The Town Board Chairperson shall be elected at the regular spring election in odd-numbered years for a term of 2 years commencing on the 3rd Tuesday of April in the year of his or her election. The Town Board Chairperson shall have all the powers and duties granted by §60.24, *Wis. Stats.*, and such other powers conferred on a Town Board Chairperson by law.

(3) **SUPERVISORS.** There shall be 4 Town Supervisors elected to specific seats on the Board. Two Supervisors shall be elected at each annual spring election for 2 year terms, commencing on the third Tuesday of April in the year of their election, with the supervisors holding seats 1 and 2 elected in odd-numbered years and seats 3 and 4 in even numbered years.

### **1.03 APPOINTED OFFICIALS.**

(1) **TOWN ADMINISTRATOR.** (a) Appointment. The Town Administrator shall be appointed, as provided in §60.37(3), *Wis. Stats.*, by a majority vote of the members of the Town Board. The Administrator shall hold his or her office for an indefinite term and shall serve at the pleasure of the Town Board.

(b) Powers and Duties. The Town Administrator shall be responsible for:

1. Planning, organizing, coordinating and directing the activities and functions of the Town; and
2. Acting as personnel officer, bringing recommendations to the Town Board for its decision on the hiring and dismissal of Town employees, accepting and coordinating recommendations on wages, hours and conditions of employment, supervising all Town employees as to work assignments, and in that capacity, all Town employees will be responsible to the Administrator for instructions, grievances, or any other matters pertaining to their respective duties. It shall be the responsibility of the Town Administrator to impose discipline, up to and including making recommendations to the Town Board for dismissal, on employees of the Town when, in the discretion of the Town Administrator, such action is in the best interest of the Town, subject to the right of an aggrieved employee to appeal such discipline pursuant to the grievance procedures adopted by the Town Board pursuant to §66.0509 (1m)(a), *Wis. Stats.*; and
3. Informing the Town Chairperson and the Town Board, on a regular basis, of the activities of all Town employees; and
4. Supervising the purchase of all supplies and equipment; and
5. Annually preparing a recommended budget for the consideration of the Town Board; and
6. Attend Town Board meetings and prepare and maintain minutes and records thereof as required by law; and
7. Performing all other lawful duties as directed by the Town Board or Town Board Chairperson, or as otherwise required by ordinance or statute.

(c) Salary. The salary of the Town Administrator shall be fixed from time to time by the Town Board.

(2) TOWN CLERK-TREASURER. (a) Combined Office. The offices of town clerk and town treasurer shall be combined pursuant to §60.305(1), *Wis. Stats.*

(b) Appointment. Pursuant to Wis. Stat. § 60.30(1e)(a), the office of Town Clerk-Treasurer shall be filled by appointment of a majority of the members-elect of the Town Board. The term of office for the appointed Town Clerk-Treasurer shall be set by the Town Board but may not exceed 3 years pursuant to Wis. Stat. § 60.30(1e)(c). The Town Board may re-appoint the Town Clerk-Treasurer for additional terms. However, removal by the Town Board during a given term of office may only be for "cause" as defined under Wis. Stat. § 17.001 and required by Wis. Stat. § 60.30(1e)(f). The salary of the Town Clerk-Treasurer shall be set by the Town Board and may not be reduced during the term of office. The Town Clerk-Treasurer may appoint a Deputy Clerk-Treasurer, provided that any compensation for such position shall be approved by the Town Board.

(c) Powers and Duties. The Town Clerk-Treasurer shall:

1. Exercise all powers and perform all duties prescribed by §§60.33 and 60.34, *Wis. Stats.*
2. Stay current with changes in the County, State and Federal legislation and pending legislation regarding activities in the Clerk-Treasurer's office.
3. Advise the public as needed regarding information relative to the Clerk-Treasurer's office.
4. In coordination with the Town Board Chairperson and Town Administrator, prepare the agenda for all meetings of the Town Board. Provide supporting material that may be required.
5. Administer Oaths of Office for elected and appointed officials and committee members.
6. Serve as Secretary for the Board of Review. Prepare notices and meeting minutes, examine assessment rolls, supervise open book periods, schedule appointments, and accept objections filed by appellants.
7. Assist the Town Administrator in the maintenance of employee health and life insurance and Town property and liability insurance. Assist with handling claims for loss and damage. Assist in the maintenance of property and liability insurance.
8. Maintain an efficient and effective filing system of all records, books, papers, or property belonging to, filed, or deposited in the Clerk-Treasurer's office in compliance with §60.33(7), *Wis. Stats.*
9. Assist the Town Administrator in the preparation of the annual Town budget.
10. Prepare and adhere to annual department budget for Clerk-Treasurer's office and elections.
11. Perform such other and further duties as required by Town ordinance, State Statutes and as may be directed by the Town Administrator or Town Board.
12. Be authorized when preparing a supplement to the Code of Ordinances to make formal, non-substantive changes in ordinances and parts of ordinances including in the supplement, insofar as necessary to do so in order to embody them into a unified code. For example, the Clerk may:
  - i. Arrange the material into appropriate organizational units.
  - ii. Supply appropriate catchlines, headings, and titles for chapters, articles, divisions, subdivisions, and sections to be included in the Code of Ordinances and make changes in any such catchlines, headings, and titles or in any such catchlines, headings, and titles already in the Code of Ordinances.
  - iii. Assign appropriate numbers to chapters, articles, divisions, subdivisions, and sections to be added to the Code of Ordinances.

- iv. Where necessary to accommodate new material, change existing numbers assigned to chapters, articles, divisions, subdivisions or sections.
- v. Change the words "this ordinance" or similar words to "this chapter," "this article," "this division," "this section" or "sections \_\_\_\_\_ to \_\_\_\_\_" (inserting section numbers to indicate the sections of the Code that embody the substantive sections of the ordinance incorporated in the Code of Ordinances).
- vi. Make other non-substantive changes necessary to preserve the original meaning of the ordinances inserted in the Code of Ordinances.

(3) TOWN ATTORNEY. The Town Attorney shall be appointed by a majority vote of the Town Board for an indefinite term.

(4) TOWN BUILDING INSPECTOR. The Town Building Inspector shall be appointed by a majority vote of the Town Board for an indefinite term. The powers and duties of the Town Building Inspector are described in chapter 7 of this code.

(5) ROAD PATROLMAN. (a) The Road Patrolman shall be appointed by a majority vote of the Town Board for an indefinite term.

(b) Powers and duties. The Road Patrolman shall inspect and maintain all town roads, supervise road projects, and shall remove or have removed snow and ice from town roads when reasonably necessary.

(5) TOWN ENGINEER. The Town Engineer shall be appointed by a majority vote of the Town Board for an indefinite term. The Town Engineer shall be responsible for task assigned by the Town Board involving the design, planning, supervision and inspection of public works projects.

(6) WEED COMMISSIONER. (a) The Weed Commissioner shall be appointed by the Town Board Chairperson on or before May 15 of each year, and shall hold office for at least one year, pursuant to §66.0517(2), *Wis. Stats.*

(b) Powers and duties. The Weed Commissioner shall investigate the existence of noxious weeds in the Town, and shall destroy or have destroyed the noxious weeds in the most economical manner; and shall have the power to enter upon lands for the purpose of cutting, removal or destruction of noxious weeds pursuant to § 66.0517(3)(a), *Wis. Stats.*, without being liable for an action for trespass or for an action for damages resulting from the entry and destruction, if reasonable care is exercised.

**1.04 CONTRACTS FOR PROFESSIONAL SERVICES.** Appointments to the offices of Town Assessor, Town Attorney, Building Inspector, Engineer, Animal Control Officer, and/or Weed Commissioner may be made in the form of contracts with one or more independent firms, including partnerships, corporations, or other legal entities regularly engaged in the performance of professional services attendant to such offices. Such appointments shall designate one or more members of such firm as the appointed officer who shall be responsible for the supervision and direction of such other members of the firm, designated as assistant officers, performing professional services on behalf of the Town. The provisions of sec. 1.06 of this code shall not apply to appointments made under this section unless otherwise required by law or by the Town Board.

## **1.05 BOARDS, COMMISSIONS and COMMITTEES**

(1) **GENERAL RESPONSIBILITIES.** Every board, commission and committee of the Town shall comply with open meeting laws and requirements as established by Chapter 19, Wis. Stats., for regular and special meetings, and keep minutes of its proceedings. The secretary of the board or commission, or the chairperson of the committee, shall file a copy of the minutes with the Town Administrator.

### **(2) BOARD OF REVIEW.**

(a) Membership. The Board of Review shall consist of all Town Supervisors. The assessor hired or contracted by the Town shall also be required to attend all meetings of the Board but shall not be a member of the Board. The Town Clerk-Treasurer shall serve as the clerk to the Board of Review, but shall not be a voting member.

(b) Powers and Duties. The Board of Review shall have the power and duties prescribed in §70.47, Wis. Stats.

(3) **PLAN COMMISSION.** (a) Membership. The Plan Commission shall consist of 5 members. The membership shall include 2 Town Supervisor members and 3 Town citizen members.

(b) Appointment. Members of the Plan Commission shall be appointed by the Town Board Chairperson, subject to confirmation by the Town Board. Vacancies on the Commission shall be filled for the remainder of the un-expired term in the same manner as the original appointment.

(c) Terms. Town citizen members shall serve two-year terms commencing on the first day in May in the year of appointment, with two members appointed in odd-numbered years and one in even-numbered years. Supervisor members shall serve for one-year terms, commencing on the first day in May of each year. The term of a Supervisor member shall automatically terminate as of the date on which he or she no longer holds the office of Supervisor. Plan Commission members may be removed by a majority vote of the Town Board.

(d) Chairperson. The Town Board Chairperson shall select the chairperson of the Plan Commission.

(e) Powers and Duties. 1. **Expenditure Authority.** The Plan Commission shall have the authority to retain the services of professional consultants and to incur such other expenses as may be necessary and proper, provided that no obligation or expenditure incurred by the Commission shall exceed the appropriation made for that purpose by the Town Board and any additional funds as may be received by the Commission from private sources.

#### **2. Duties.** The Commission shall:

- i. Make and adopt a comprehensive master plan showing the Plan Commission's recommendations for the physical development of the Town. The purpose of the plan shall be to guide and accomplish a coordinated and harmonious development of the Town which will, in accordance with existing and future needs, best promote public health, safety, order, convenience, efficiency, prosperity or the general welfare.

- ii. Review periodically, and make recommendations to the Town Board, with regard to amendment of the Town's land division ordinance.
- iii. Review and make recommendations to the Town Board with regard to proposed amendments to the Dane County Zoning Code and maps and all applications for conditional use permits.
- iv. Exercise such other powers set forth in §§60.61 and 60.62, Wis. Stats., as are applicable to towns subject to a county zoning ordinance.
- v. Make such recommendations and reports on matters referred to the Commission by the Town Board.

(4) ADMINISTRATIVE REVIEW APPEALS BOARD. (a) Membership. The Administrative Review Appeals Board shall consist of a panel of three impartial members not directly involved with the making of the original administrative determination or decision on review, and may include the Town Board Chairperson, Town Supervisors, and/or Town citizen members. Appointments to the Administrative Review Appeals Board will be made on an as-needed basis by the Town Board Chairperson or their designee, and will terminate upon resolution of the issue that triggered the appointment.

(b) Powers and Duties. The powers and duties of the Administrative Review Appeals Board are set forth in sec. 17.08 of this Code, under the authority of sec. 68.16, Wis. Stats.

(5) COMMITTEES. (a) Membership. Each committee shall consist of Town citizen members and may include Town Supervisor members. The number of members of each committee shall vary at the discretion of the Town Board.

(b) Appointment. Committee members shall be appointed by the Town Board Chairperson, subject to confirmation by the Town Board.

(c) Terms. Town citizen members shall serve terms of two years or less ending on April 30 of even- or odd-numbered years. Town Supervisor members shall serve terms of one year or less ending on April 30. The term of a Town Supervisor member shall automatically terminate as of the date on which he or she no longer holds the office of Supervisor. For each committee, terms specified at appointment shall strive to balance the number of terms ending in even-numbered and the number of terms ending in odd-numbered years. Committee members may be removed by a majority vote of the Town Board.

(d) Chairperson. The Town Board Chairperson shall select the chairperson of each committee.

(e) Committees. The following committees are established:

- i. Financial Sustainability Committee. Duties of the Financial Sustainability Committee include advising the Town Board and Town staff on account balance goals and methods to increase revenue.
- ii. Natural and Recreational Areas Committee. Duties of the Natural and Recreational Areas Committee include advising the Plan Commission and the Town Board on open space preservation and improvement.
- iii. Ordinance Committee. Duties of the Ordinance Committee include advising the Town Board and Town staff on creating and revising ordinances, policies, and applications.

- iv. Public Works Committee. Duties of the Public Works Committee include advising the Town Board on road capital improvements, road maintenance, and capital equipment purchases, and reviewing road access.

(6) MEMBERSHIP ON OTHER BODIES. Unless specified by agreement or by-laws, membership on other bodies, including boards, commissions, and committees not listed above, shall be as follows:

(a) Appointment. Members of other bodies shall be appointed by the Town Board Chairperson, subject to confirmation by the Town Board.

(b) Terms. Town citizen members of other bodies shall serve terms of two years or less ending on April 30 of even- or odd-numbered years. Town Supervisor members of other bodies shall serve terms of one year or less ending on April 30. The term of a Town Supervisor member shall automatically terminate as of the date on which he or she no longer holds the office of Town Supervisor. Members of other bodies may be removed by a majority vote of the Town Board.

## **1.06 GENERAL REGULATIONS GOVERNING ALL TOWN OFFICERS.**

(1) APPLICABILITY. The provisions of this section shall apply to all officers of the Town specifically provided by ordinance or resolution of the Town Board.

(2) RESIDENCY REQUIREMENT. All members of Town boards, commissions and committees shall be residents of the Town. Members who move from the Town shall be no longer eligible for service as voting members, but may be appointed to serve in an advisory capacity. However if, due to incorporation or annexation, any Town officer, except a town board supervisor or a municipal judge, becomes a resident of a city or village, the officer shall continue as a voting member in the Town office until completion of the term for which elected.

(3) OATH OF OFFICE. Every officer of the Town, including members of Town boards, commissions and committees, shall pursuant to §60.31, *Wis. Stats.*, before entering upon his or her duties and within 5 days after receipt of a notice of election or appointment as provided under §60.30(3), *Wis. Stats.*, take the oath of office prescribed by §19.01, *Wis. Stats.*, and file said oath in the office of the Clerk-Treasurer. Any person reelected or reappointed to the same office shall take and file an official oath for each term of service, as prescribed by law.

(4) TERMS OF OFFICE. The terms of all Town officers appointed to a definite term shall commence on May 1 following the appointment. Notwithstanding the expiration of the term of office of any committee, commission or board member, other than members of the Town Board, such member shall continue to serve until a successor is appointed and qualified.

(5) BOND. Every officer shall, if required by law or the Town Board, upon entering upon the duties of his or her office, give a bond in such amount as may be determined by the Town Board with such sureties as are approved by the Town Board Chairperson, conditioned upon the faithful performance of the duties of his or her office.

(6) VACANCIES. (a) Permanent Vacancy. Vacancies on the Town Board shall be filled by appointment by the remaining Supervisors, except when the vacancy is caused by removal by the Circuit Judge as provided by law, which latter vacancy shall be filled by appointment by said Judge. A vacancy in any other Town office shall be filled in the same manner as the

original appointment. Persons appointed under this Subsection to fill vacancies shall hold office for the residue of the unexpired term.

(b) Temporary vacancy. If any Town officer, other than a Supervisor, is absent, temporarily incapacitated, or refuses to perform any official duty, the Town Board may appoint a suitable person to discharge the duties of the office until the officer returns to duty.

(7) REMOVAL. All appointive officers serve at the pleasure of the Town Board, and may be removed by a majority vote of the Town Board. Any elective officer may be removed by a majority vote of the Town Board for reasons of either continued physical inability to perform the duties of office, or gross neglect of duty. In addition, any Town officer may be removed for cause by order of a Judge of the Dane County Circuit Court.

(8) INDEMNIFICATION. The provisions of §895.46, *Wis. Stats.*, shall apply to all officials and employees of the Town of Verona acting pursuant to this Code.

### **1.07 ELECTIONS.**

(1) POLLING PLACE; HOURS. There shall be one polling place in the Town which shall be located in the Town Hall. The polls shall be open from 7:00 A.M. to 8:00 P.M. on all election days.

(2) REDUCTION OF NUMBER OF ELECTION OFFICIALS. Pursuant to §§7.30 and 7.32, *Wis. Stats.*, the Town Board may by resolution reduce or otherwise modify the number of election officials for any given election to no less than 3 and redistribute the duties of such remaining election officials.

(3) SCHEDULING. Pursuant to §7.30(1) *Wis. Stats.*, the Town Clerk-Treasurer or his or her designee may establish different working hours for different election officials assigned to the same polling place. Alternate officials may be appointed by the Board in a number sufficient to maintain adequate staffing of the polling place(s) as it may determine from time to time.

### **1.08 TOWN BOARD MEETINGS.**

(1) MEETINGS. (a) Regular Meetings. The Town Board shall hold a regular meeting on the first Tuesday of each month at a time to be determined by the Town Board, except that when a regular meeting falls on a legal holiday or on a day an election is being held in the Town, the meeting shall be held on the next succeeding secular day unless another date is selected by the Board by majority vote. The date or time of any other regular meeting may be changed at any time by unanimous consent, or by a two-thirds vote of the Board at any prior meeting which is not less than 28 days prior to the date and time to be established for the subsequent meeting.

(b) Special Meetings. Special meetings of the Board may be called by the Town Board Chairperson or by any 2 Supervisors by filing a written request with the Town Administrator at least 24 hours prior to the time specified for such meeting. Said time periods may be waived by unanimous consent of the Board, which need not occur before the meeting. The Town Clerk-Treasurer shall immediately post a notice of the meeting together with the agenda and seasonably notify each Supervisor of the time and purpose of such meeting.



(c) Place of Meetings. All meetings of the Board, including special and adjourned meetings, shall be held in the Verona Town Hall unless specified by the Board at a previous regular meeting or by written notice posted at the regular meeting place at least 24 hours (two hours in an emergency) prior to any meeting. All board meetings shall be held within the boundaries of the Town.

(d) Quorum. Three Supervisors shall constitute a quorum, but a lesser number may adjourn from time to time if a majority is not present, or compel the attendance of absent members. A call of the house may be ordered by a majority vote if 3 Supervisors are present.

(2) ORDER OF BUSINESS. The business of the Town Board shall be conducted in the following order:

- (a) Call to order by presiding officer
- (b) Pledge of Allegiance
- (c) Roll call. If a quorum is not present, the meeting shall be adjourned, which may be to any specific date notwithstanding sub. (1)
- (d) Announcements
- (e) Hear citizens wishing to address the Town Board
- (f) Unfinished business from previous meeting
- (g) New business, including introduction of resolutions and ordinances.
- (h) Reports from Town Officers and Department Heads
- (i) Payment of claims
- (j) Correction and approval of minutes of previous meeting
- (k) Communications
- (l) Any other matters that may lawfully be brought before the board
- (m) Adjournment

(3) MEETING AGENDA. (a) Preparation of Agenda. The Town Board Chairperson shall be responsible for determining those items which shall be placed on the agenda for each regular or special Town Board meeting. The Town Board Chairperson shall include on the agenda for any special meeting any item contained in a request for the special meeting signed by two Supervisors pursuant to sub. (1)(b). Any two Supervisors may request in writing that the Town Chairperson include any item appropriate for Town Board action on the agenda for a regular meeting. The Town Board Chairperson shall include any such item on the agenda for the next regular meeting, provided, however, that if the request is received less than three business days prior to a meeting, the Chairperson may delay the item until the next subsequent regular meeting.

(4) PRESIDING OFFICER. (a) Control of Meeting. The Town Board Chairperson shall preserve order and conduct the proceedings of the meeting. A member may appeal from the decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority of the members present, exclusive of the presiding officer.

(b) Absence of Town Chairperson. If the Town Board Chairperson is absent at any meeting, the Town Administrator shall call the meeting to order and preside until the Town Board selects a Supervisor to preside for that meeting. In the case of a planned absence of the Town Board Chairperson, the Town Board may select in advance a Supervisor to preside for the future meeting(s) at which the Town Board Chairperson intended to be absent.

(5) **ORDINANCES AND RESOLUTIONS.** Ordinances, resolutions and bylaws shall be read by title and number, if applicable. No ordinance, resolution or bylaw shall be considered unless presented in writing by a Supervisor. Unless requested by a Supervisor before a final vote is taken, no ordinance, resolution or bylaw need be read in full.

(6) **GENERAL RULES.** (a) General. The deliberations of the Town Board shall be conducted in accordance with the Open Meetings Law, §19.88, Wis. Stats., and the parliamentary rules contained in the most current edition of *Robert's Rules of Order*, unless otherwise provided by law, or otherwise limited or modified by this Code of Ordinances. State law shall take precedence over *Robert's Rules*. The failure to comply with any Robert's Rule of procedure shall not invalidate any action of the Board, unless a timely objection is made by a member of the Board. Pursuant to §19.83, Wis. Stats., every meeting of the Town Board shall be held in open session, unless a motion has been made and carried by a majority vote to convene in closed session under one or more of the exemptions in §19.85, Wis. Stats. Pursuant to §19.88, Wis. Stats., secret ballots are prohibited.

(b) Public Participation. No person other than a member or Town staff shall address the Town Board except during the public appearance item of the Board agenda or if given permission to speak by the Town Board Chairperson.

(c) Motions. No ordinance, resolution or other motion shall be discussed or acted upon unless it has been moved and seconded. No motion shall be withdrawn or amended without the consent of the person making the same and the person seconding it. A motion may be brought for reconsideration of an adopted item at the same meeting as its original vote. A motion brought for reconsideration at a subsequent meeting must be appropriately noticed. An adopted item may be rescinded under certain conditions. A motion to rescind a previously adopted item requires a 2/3 vote if not properly noticed, but only a majority vote if appropriately noticed, except that certain actions shall not be reconsidered or rescinded, including, but not limited to: published ordinances; fully executed contracts; appointments that have been announced and implemented; expulsion of members of the body; or actions where the rights of third parties have vested.

(d) Suspension of Rules. Any rules of procedure or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of 2/3 of the members present and voting.

## **1.09 PUBLIC RECORDS.**

(1) **DEFINITIONS.** (a) "Authority" means any of the following Town entities having custody of a Town record: an office, elected official, agency, board, commission, committee, Town Board, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.

(b) "Custodian" means that officer, department head, division or employee of the Town designated under sub. (3) or otherwise responsible by law to keep and preserve any Town record or file, deposit or keep such record in his or her office, or is lawfully in possession or entitled to possession of such public records and who is required by this section to respond to requests for access to such records.

(c) "Record" has the meaning conferred by §19.32(2), *Wis. Stats.* A "record" is any preserved or recorded information that has been created or is being kept by an authority, except

that "record" does not include drafts or preliminary computations prepared for personal use. Any document created or kept by an authority that has some relation to government function may be a record. A document that has no relation to government function may not be a record.

(d) "Public record" has the meaning conferred by §16.61(2)(b), *Wis. Stats.* A "public record" does not include duplicate copies of materials for which the Town maintains custody of the original copies, so long as the copies are maintained only for convenience or reference and for no other substantive purpose.

(2) DUTY TO MAINTAIN RECORDS. (a) Except as provided in sub. (7), each officer and employee of the Town shall safely keep and preserve all public records: received from his or her predecessor, or other persons, and required by law to be filed, deposited or kept in his or her office; or which are in the lawful possession or control of the officer or employee or his or her deputies; or to the possession or control of which he may be lawfully entitled as such officer or employee.

(b) Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his or her successor all records then in his or her custody and the successor shall receipt therefor to the officer or employee, who shall file said receipt with the Town Clerk-Treasurer, on behalf of the successor, to be delivered to such successor upon the latter's receipt.

(3) LEGAL CUSTODIANS. (a) Pursuant to §19.33, *Wis. Stats.*, each elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.

(b) Unless otherwise prohibited by law, the Town Clerk-Treasurer shall act as legal custodian for the Town Board and for any committees, commissions, boards or other authorities created by ordinance or resolution of the Town Board, or in his or her absence or disability or in case of vacancy, the Town Administrator is hereby designated the legal custodian of all Town records.

(c) For every authority not specified in pars. (a) or (b), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.

(d) Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designee.

(e) The legal custodian shall have full legal power to render decisions and to carry out the duties of an authority under Subch. II of Ch. 19, *Wis. Stats.*, and this section. The designation of a legal custodian does not affect the powers and duties of an authority under this section.

(4) PUBLIC ACCESS TO RECORDS; FEES. (a) Except as provided in sub. (6), any person has a right to inspect a record and to make or receive a copy of any record as provided in §19.35(1), *Wis. Stats.*

(b) Records will be available for inspection and copying during all regular Town office hours.

(c) A requester shall be permitted to use facilities comparable to those available to Town employees to inspect, copy or abstract a record.

(d) The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(e) A requester shall be charged a fee to defray the cost of locating and copying records as follows:

1. The cost of photocopying shall be \$.50 per page. Said cost has been calculated not to exceed the actual cost of reproduction.
2. If mailing or shipping is necessary, the actual cost thereof shall also be charged.
3. There shall be no charge for locating a record unless the actual cost therefor exceeds \$25, in which case the actual cost shall be determined by the legal custodian and billed to the requester.
4. The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment if such estimate exceeds \$5.
5. Elected and appointed officials of the Town shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
6. The legal custodian may provide copies of a record without charge or at a reduced charge where he or she determines that waiver or reduction of the fee is in the public interest.
7. All requests for real estate assessment reports and letters shall be accompanied by a \$50.00 administrative processing fee. Said \$50.00 fee shall cover the administrative costs of preparing the report and shall be in lieu of all other photocopying and processing fees established herein. Request for expedited reports shall include an additional \$25.00 fee.

(f) Pursuant to §19.34, *Wis. Stats.*, and the guidelines therein listed, each authority shall adopt, prominently display, and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. This paragraph does not apply to members of the Town Board.

#### (5) ACCESS PROCEDURES.

(a) A request to inspect or copy a record shall be made to the legal custodian. A request shall be deemed sufficient if it reasonably describes the requested record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing

before an action to enforce the request is commenced under §19.37, *Wis. Stats.* Except as provided below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. No request may be refused because the request is received by mail unless prepayment of a fee is required under sub. (4)(e)4. A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or Federal law or regulations so require.

(b) Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor. If the legal custodian, after conferring with the Town Attorney, determines that a written request is so general as to be unduly time consuming, the party making the request may first be required to itemize his or her request in a manner which would permit reasonable compliance.

(c) A request for a record may be denied as provided in sub. (6). If a request is made orally, the request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within 5 business days of the oral denial. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for denying the request. Every written denial of a request shall inform the requester that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under §19.37(1), *Wis. Stats.*, or upon application to the Attorney General or a district attorney.

(6) LIMITATION ON RIGHT TO ACCESS. (a) As provided by §19.36, *Wis. Stats.*, the following records are exempt from inspection under this section:

1. Records specifically exempted from disclosure by state or Federal law or authorized to be exempted from disclosure by state law.
2. Any record relating to investigative information obtained for law enforcement purposes if Federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state.
3. Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection.
4. A record or any portion of a record containing information qualifying as a common law trade secret.

(b) As provided by §70.47(7)(af), *Wis. Stats.*, no information provided to the Town Assessor pursuant to §2.09 of this Code shall be subject to public disclosure unless a court of competent jurisdiction has determined that such information is inaccurate.

(c) In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the Town Attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record. Examples of matters for which disclosure may be refused include, but are not limited to, the following:

1. Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them.
2. Records of current deliberations after a quasi-judicial hearing.
3. Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any Town officer or employee, or the investigation of charges against a Town officer or employee, unless such officer or employee consents to such disclosure.
4. Records concerning current strategy for crime detection or prevention.
5. Records of current deliberations or negotiations on the purchase of Town property, investing of Town funds or other Town business whenever competitive or bargaining reasons require nondisclosure.
6. Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data.
7. Communications between legal counsel for the Town and any officer, agent or employee of the Town when advice is being rendered concerning strategy with respect to current litigation in which the Town or any of its officers, agents or employees is, or is likely, to become involved, or communications which are privileged under §905.03, *Wis. Stats.*

(d) If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and redact the information that may not be made public from the record before release. The custodian shall confer with the Town Attorney prior to releasing any such record and shall follow the guidance of the Town Attorney when separating out the exempt material. If, in the judgment of the custodian and the Town Attorney there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

(7) DESTRUCTION OF PUBLIC RECORDS. (a) Except as provided in pars. (c) - (h), the Custodian may destroy public records after retaining them for the minimum time periods specified in the adopted general records schedules listed in par. (b), or in sec. 1.09(8) below. The Custodian may destroy public records prior to the specified retention periods if such records are photographically reproduced pursuant to §16.61(7), *Wis. Stats.*, and such reproductions are retained by the Custodian.

(b) The Town adopts the following state general records schedules as approved and revised by the Public Records Board:

1. Administrative Records, Approved August 2010, Revised May 2012.
2. Budget and Related Records, Approved May 2012.
3. Facilities Management and Related Records, Approved May 2009, Revised February 2010.
4. Fiscal and Accounting Related Records, Approved June 2006, Revised May

2012.

5. Information Technology Business Records, Approved September 2007, Revised November 2012.
6. Mail and Messenger Services and Related Records, Approved August 2006.
7. Purchasing & Procurement, Approved April 2003, Revised May 2012.
8. Records Management Program Records and Related Documents, Approved August 2006.
9. Risk Management & Related Records, Approved February 2013.

(c) Any public record whose minimum retention period is not enumerated in sec. 1.09(8) below, or enumerated in one of the adopted state records schedules listed in par. a, or governed by any other regulation or law shall be retained at least seven (7) years unless a shorter time period is approved by the State Public Records and Forms Board.

(d) The Custodian shall notify the State Historical Society of Wisconsin ("WHS") in writing at least sixty (60) days prior to destroying public records, unless the notice requirement is waived by the WHS. Those record series requiring transfer to WHS are indicated in sec. 1.09(8) below by the notation of "WHS" in the left most column. Those record series for which WHS has waived the notice requirement are indicated in sec. 1.09(8) below by the notation of "NA".

(e) Wisconsin Document Depository Program: § 35.83 Wis. Stats., as amended by 1991 Wisconsin Act 285, requires Wisconsin state agencies to send copies of their publications, regardless of format, to the Wisconsin Reference and Loan Library for distribution to libraries through the Wisconsin Document Depository Program. The Wisconsin Document Depository Program collects and distributes state publications in print and electronic formats to Wisconsin libraries; preserves and makes available a record of major state government programs; and assures the availability of state publications for use by the public throughout Wisconsin now and in the future. For more information, email [statepublications@dpi.wi.gov](mailto:statepublications@dpi.wi.gov).

(f) Electronic State Publications: Many state publications are now born-digital, that is, published only on the Web. Electronic publications are collected and preserved as part of the Wisconsin Document Depository Program; URLs to state publications published electronically on Wisconsin State Agency websites should be emailed directly to [statepublications@dpi.wi.gov](mailto:statepublications@dpi.wi.gov) as a way for state agencies to fulfill the statutory obligation to participate in the Wisconsin Document Depository Program.

(g) The destruction of a record which is the subject of a request for inspection or an action under §19.37, *Wis. Stats.*, is governed by §19.35(5), *Wis. Stats.* Public records shall not be destroyed while they are required for:

1. A financial or performance audit;
2. An existing, pending or impending legal proceeding;
3. A relevant public records request that has been received but not yet completed;  
or
4. If a relevant revised retention schedule is under development that would extend the retention time period.

(h) Records that are duplicate copies of materials, the original copies of which are in custody of the Town, may be destroyed once no longer needed.

(8) RECORD RETENTION SCHEDULE. The following records shall be retained until expiration of the designated retention periods.

SOURCE	RECORD SERIES	RETENTION PERIOD / DESTRUCTION	WHS <sup>1</sup>
<b>Wis. Stats.</b>	<b>ELECTIONS</b>		
§7.23(1)(a)	Unused election materials other than ballots, and after a primary, the contents of the blank ballot box.	Destroy after election, in at time and manner designated by the Town Clerk.	NA
§6.36; §6.50	Registration List (gets modified 90 days after the first Spring or general election succeeding the election in which the list was used)	Retain until superseded.	NA
	Active Registration Cards	Retain until superseded.	NA
§7.23(1)(c)	Cancelled Registration Cards	4 years after cancellation.	NA
§7.23(1)(e)	Election Poll List	22 months after the election.	NA
§7.23(1)(k)	Election Petitions	90 days after the election.	NA
§7.23(1)(k)	Nomination Papers	90 days after the election.	NA
§7.23(1)(d)	Election Campaign Registration Statements	6 years after termination of registration.	NA
§7.23(1)(d)	Election Campaign Financial Reports	6 years after date report received.	NA
§7.23(1)(j)	Election Notices	1 year after the election.	NA
§7.23(1)(f)	Applications for Absentee Ballots	90 days after local election, 22 months after federal election.	NA
§7.23(1)(am)	Unused Ballots (not including, after a primary, the contents of a blank ballot box)	1 day after the latest day for filing a petition for a recount under s. 9.01 for any office on the ballots.	NA
§7.23(1)(h)	Paper Ballots	30 days after local election, 22 months after federal election	NA
§7.23(1)(g)	Voting Machine Recorders	May be reactivated 14 days following a primary or 21 days after any other election, provided that data first transferred to disk or other recording medium.	NA
§7.23(1)(f), (k)	Election Tally Sheets	90 days after local election, 22 months after federal election.	NA
§7.23(1)(f), (k)	Inspector's Statement of Defective and Challenged Ballots	90 days after local election, 22 months after federal election.	NA
§7.23(1)(j)	Statement of the Municipal Board of Canvassers	10 years after date of election.	NA
§7.23(2)	WHEN A RECOUNT IS PENDING – ALL ELECTION MATERIALS	Retain until recount is complete and applicable time period is expired.	NA
§7.23(2)	WHEN LITIGATION IS PENDING WITH RESPECT TO AN ELECTION RECOUNT.	Retain until litigation is complete and applicable time period is expired, unless otherwise ordered by the Court in which the litigation is pending.	NA
<b>(from school district or county schedules)</b>	<b>Town Board Records</b>		
I.1.1 school	Town Board Meeting Minutes	Permanent (cf. ADM00025)	WHS
L. 57 county	Boards, Commissions or Committee Meeting Minutes	3 years after date created ["CR"] <sup>2</sup> , then transfer. (cf. ADM00025)	WHS
L. 10 county	Agendas	1 year after CR. (cf. ADM00025)	NA

<sup>1</sup> "WHS" is the Wisconsin Historical Society, otherwise known as the State Historical Society of Wisconsin. The marking of "WHS" in this column indicates that the record series shall be offered to the WHS 60 days prior to destruction. The marking of "NA" in this column indicates that the WHS has waived the requirement for offering that record series prior to its destruction.

<sup>2</sup> "CR" is the date that the record was created.



§19.21(7), Wis. Stats.	Any taped recording of a meeting by a governmental body, as defined under §19.82(1).	90 days after the minutes have been approved and published, if the purpose of the recording was to make minutes of the meeting.	NA
L. 11 county	Agreements	7 years after last effective date thereof.	NA
L. 12 county	Annual Reports	3 years after CR, then transfer.	WHS
L. 13 county	Any record subject to audit, claim or litigation.	Until permission to destroy is obtained from Town Legal Counsel.	NA
L. 36 county	Contracts	7 years after last effective date thereof.	NA
L. 58 county	Ordinances and Resolutions (enacted/adopted)	Until superseded, then transfer.	WHS
1.1.5 school	Reports to the Town Board	3 years after CR, then transfer.	WHS
1.1.7 school	Town Board Correspondence	3 years after CR, then transfer.	WHS
1.1.8 school	Management Guidelines	Until superseded, then transfer.	WHS
1.1.9 school	Legal Opinions	7 years after CR, then transfer.	WHS
1.1.10 school	Notice of Meetings	7 years after CR, then transfer.	NA
1.1.11 school	Petitions	7 years after CR, then transfer.	WHS
1.1.12 school	Referendum Results	Permanent.	WHS
1.1.14 school	Newsletters/Bulletins	1 year after CR, then transfer.	WHS
<b>Wis. Stats.</b>	<b>Utilities</b>		
§19.21(4)(b)	Receipts of current billings and customer's ledgers of any municipal utility	2 years after CR.	NA
	<b>Building and Grounds Records</b>		
1.2.1 school	Town boundaries (and Plats) (including acknowledgments of changes)	Permanent.	WHS
1.2.5 school	Specification	Life of building.	NA
1.2.6 school	Building Permits	6 years after acceptance.	NA
2.2.29 school	Invoices	7 years after CR.	NA
2.2.32 school	Insurance Policies	7 years after CR.	NA
2.2.33 school	Damage and Loss Reports	7 years after CR.	NA
2.2.40 school	Notification to Exceed Revenue Limits	Permanent	NA
L. 83 County	Surveillance Recordings (facility/non-evidentiary)	121 days after CR.	NA
L. 92 County	Warranty Records	Life of asset or end of warranty, whichever occurs first.	NA
L.105 County	Buildings, Facilities & Grounds Data	Until superseded.	NA
L.106 County	Construction Project Planning, Proposal, & Administration Records	7 years after project completion.	NA
<b>3.1.0</b>	<b>Employee Records</b>		
L. 9 County	Accrued Paid Leave Credit	Until superseded.	NA
L. 61 County	Payroll Roll Records	3 years after CR.	NA
L.62 County	Personnel (expenses)	Until superseded.	NA
L. 63 County	Personnel (files)	7 years after date of retirement, resignation, or termination.	NA
L. 64 County	Personnel (grievances)	7 years after case closed.	NA
L. 65 County	Personnel (job descriptions)	Until superseded.	NA
L. 66 County	Personnel (performance evaluations)	7 years after date of retirement, resignation, or termination	NA
L. 67 County	Personnel (recruitment and selection)	1 year after date of personnel action.	NA
L. 68 County	Policy and Procedures Manual	Until superseded.	NA
L. 93 County	Worker's Compensation Claims	12 years after the later of injury, claim or closure.	NA
L.462 County	Incident / Injury Reports	7 years after CR, or 1 year after settlement,	NA

		whichever is later.	
3.1.9 school	Immigration and Nationalization Services INS-9 Forms	3 years from date of hire, or one year after termination, whichever is later.	NA
3.1.12 school	Health & Dental Insurance Waivers	3 years after date of retirement, resignation or termination.	NA
3.1.13 school	Affirmative Action Files	7 years after CR.	NA
3.1.14 school	Arbitration Decisions – Negotiator	7 years after CR.	NA
3.1.17 school	Disability Insurance Claims – Claims filed by employees for disability insurance program.	6 years after final settlement of claim.	NA
3.1.18 school	Eligibility Register – List of job applicants who have qualified for positions.	3 years after job has been filled.	NA
3.1.19 school	Employee Deficiency/Termination Reports	6 years after retirement, resignation, or termination.	NA
3.1.20 school	Equal Employment Opportunity Reports/Summary Data Reports sent to Federal Government	3 years after CR.	NA
3.1.21 school	Fair Labor Standards Act – Salary schedules, employee classification, compensation periods, work schedules/periods	6 years after retirement, resignation, or termination.	NA
3.1.23 school	Insurance Certificates and Policies	6 years after expiration.	NA
3.1.24 school	Insurance Premium Reports	6 years after CR.	NA
3.1.25 school	Insurance Working Files	6 years after CR.	NA
3.1.30 school	OSHA – Employee Accident Reports	3 years beyond date of accident.	NA
3.1.31 school	OSHA – Employee Exposure Records+++ Any information concerning employees exposed to toxic substances or harmful physical agents.	30 years after termination, resignation, or retirement.	NA
3.1.32 school	OSHA – Employee Medical Records Any information concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel, or technician, including: medical and employment questionnaires or histories, medical exams, medical opinions, descriptions of treatments and prescriptions, and employee medical complaints.	30 years after termination, resignation, or retirement.	NA
3.1.41 school	Summons/Pleadings, Other Legal Documents	7 years after CR.	NA
3.1.42 school	Notices of Claims	7 years after CR.	NA
L.301 County	Withholding Allowance Certificates, Employee Wage & Tax Statements, & Other Tax Records.	7 years after the fiscal year [“FIS”] <sup>3</sup> in which the record was created.	NA
<b>STATE RDAs</b>	<b>STATE RECORDS SCHEDULES</b>		
<b>ADM RDAs</b>	<b>GRS: ADMINISTRATIVE RECORDS</b>	<b>May 2012</b>	
ADM00001	Routine Activity and Production Reports	1 year after CR.	NA

<sup>3</sup> “FIS” is the fiscal year in which the record is created.

	Created by Individuals or Work Units.		
ADM00001A	Activity (Status) Reports Received from Bureaus within the Division.	3 years after CR.	WHS
ADM00002	Biennial or Annual Report Documentation required by Wis. Stat. §15.04.	4 years after report submittal.	NA
ADM00003	Administrative Rules and all background materials, including notices, drafts, summaries of public comments from hearings, correspondence, code interpretations, etc.	10 years after effective date or legislation objection date.	WHS
ADM00004	Calendars & Schedules of Appointed Staff	3 years after separation from position.	WHS
ADM00005	Calendars & Schedules of Non-Appointed Staff.	1 year after CR.	NA
ADM00006	Annual State Sanctioned Charity Campaign	2 years after end of annual campaign.	NA
ADM00007	External Complaints, not otherwise regulated	2 years after complaint resolution, dismissal, or end of litigation.	NA
ADM00008	Official Copy and Documentation of the Final Continuity of Operations / Continuity of Governmental Operations Plan (COOP/COG).	Permanent, until superseded by revised plan.	NA
ADM00009	Appointed Staff or Equivalent Positions Business-Related Correspondence	3 years after separation from position.	WHS
ADM00010	Non-Appointed Staff Business-Related Correspondence	1 yr after CR or receipt	NA
ADM00011	Transitory and Routine Correspondence with no documentary or evidentiary value.	Destroy when no longer needed.	NA
ADM00012	Training / Course Materials	Destroy when superseded or no longer needed.	NA
ADM00013	Grant Documentation	6 years after grant cycle completion or notification of denial.	NA
ADM00014	Department Lobbyists, Lobbying Activities and Expenditures	2 years after CR.	NA
ADM00015	Internal Newsletters, including periodic communication to staff by email or intranet.	1 years after CR.	NA
ADM00016	Legal Notices for specific events and associated documentation	1 year after CR.	NA
ADM00017	Organizational Planning Documentation, such as Strategic, Business, or Operational plans.	6 years after plan completed, revised or superseded.	WHS
ADM00019	Organization Charts – Bureaus, Divisions, Departments	Permanent until superseded.	WHS
ADM00020	Organization Charts – Sections and Work Units.	Permanent until superseded.	NA
ADM00021	Transition Briefings	2 years after prior executive leaves.	NA
ADM00022	Open Records Requests and Responses	3 years after response provided.	NA
ADM00023	Internal Policies and Procedures; Administrative Practices or Directives; or Executive Directives	7 years after policy superseded or made obsolete.	NA
ADM00024	Internal Surveys / Questionnaires for administrative, informational or research purposes.	1 year after CR.	NA
ADM00025	Boards, Councils, or Commissions (includes all associated records, such as rules, roles, agendas, meeting notes, interim reports, final reports, presentations, work	5 years after CR.	WHS

	papers, etc.)		
ADM00026	Team, Project or Workgroup Documentation – Program/Policy Impact	5 years after CR.	WHS
ADM00027	Team, Project or Workgroup Documentation – Internal and routine activities	2 years after CR.	NA
ADM00028	Biographies of Appointed Staff or Equivalent	Retain until end of individual's appointment.	WHS
<b>Bud RDAs</b>	<b>GRS: BUDGET AND RELATED RECORDS</b>	<b>May 2012</b>	
BUD00001	Policies and Procedures Related to Budgeting	7 years after policy or procedure superseded or made obsolete.	NA
BUD00002	Budget Director File	6 years after FIS, then transfer.	WHS
BUD00004	Program Revenue Supplements and Positions	6 years after FIS, then transfer.	WHS
BUD00006	Budget Documents / Developments	6 years after FIS.	NA
BUD00010	Position Listings, including classifications, authorizations, and salary funding	6 years after FIS.	NA
BUD00011	Original Source Documents used for Budget-Related Research.	6 years after FIS, then transfer.	WHS
BUD00018	Decision Item Narrative Background Documents	6 years after FIS.	NA
BUD00019	Decision Item Narratives – (Summaries of needs, options, and proposed solutions)	6 years after FIS.	NA
BUD00020	Base Reconciliation (summaries of expenditure items, and adjusted base year level of funds associated with each)	6 years after FIS.	NA
BUD00022	External Briefing Documents	6 years after FIS.	NA
BUD00030	Initial Approved Annual Operating Budget	5 years after FIS.	NA
BUD00031	Amendments and Adjustments to Annual Operating Budget	5 years after FIS.	NA
BUD00040	Management Reviews / Studies / Audits	5 years after report completed, then transfer	WHS
BUD00041	Legislative Fiscal Notes / Estimates and Bill Analysis Files	4 years after FIS, then transfer.	WHS
<b>RDAs</b>	<b>GRS: FISCAL AND ACCOUNTING RELATED RECORDS</b>	<b>May 2012</b>	
90000000	Fiscal Management Subject and Correspondence File	4 years after FIS.	NA
90000001	State Fiscal Policies and Procedures Records	3 yrs after policy/directive superseded.	NA
90000002	Routine Internal Status Reports	Destroy when no longer needed.	NA
90000003	Non-Routine Financial Reports and Studies	4 years after FIS.	NA
90000004	Audit Reports, Agency Responses and Audit Finding Resolutions	3 years after submission to Federal Clearinghouse or date of issuance of final report.	NA
90000005	Audit Reports. Agency Responses and Audit Resolutions-Pass Through Entities	3 years after issuance of final audit report.	NA
90000006	Reconciliation Work Papers	4 years after FIS.	NA
90000007	Authorizations/Approval for Purchasing Card	10 yrs after cancellation of cardholder approval.	NA
90000008	New-Credit Card Receipts or Info Received from Sales-Paper	3 years after transaction.	NA
90000009	New-Credit Card Receipts or Info Received	90 days after transaction.	NA

	from Sales-Electronic Encrypted Data		
90000010	Internal Control Policies and Directives	3 years after policy directive withdrawn, revised or superseded.	NA
90000011	Vulnerability Assessment Files	3 years after assessment is completed.	NA
90000012	Internal Control Audit Work Papers	3 years after audit report is completed.	NA
90000013	Internal Control Audit reports	3 years after completion of internal control audit.	NA
90000014	Corrective Action Files	3 years after final audit report for the concerned area.	NA
90000015	Internal Control Program Subject Files	Destroy when obsolete or superseded.	NA
90000021	Expenditure/Receipts/Accounts Payable and Accounts Receivable Records (including computer services billing records, and records of charge-backs to IT service users).	6 years after FIS.	NA
90000032	Single Letter of Credit Administrative Records	6 years after FIS.	NA
90000033	Federal Cash management (FCM) System Reports	10 years after FIS.	NA
90000040	Paid/Canceled Checks-Microfilm or CD ROM	10 years after month paid.	NA
90000041	Paid/Canceled Checks-Paper	2 months after month paid.	NA
90000044	Paid/Cancelled Checks-Not Imaged	10 years after month paid.	NA
90000045	Checks-Alignment and Control	1 year after CR.	NA
90000046	Checks-Voided	1 month after CR.	NA
90000047	Stop Payment Records	6 years after month executed.	NA
90000048	Forgery Records	6 years after FIS.	NA
90000049	Canceled Check Records	5 years after FIS.	NA
90000050	Municipal Collections Records	3 years after report filed with state.	NA
90000051	Receipt Collection and Related records	3 years after receipt recorded.	NA
90000052	Disbursement Activity and Related record	3 years after disbursement recorded.	NA
90000054	Fiduciary Records and Correspondence	3 years after transaction.	NA
90000055	General Obligation Bond Records	50 years after bond matures or is called.	NA
90000070	Collection case Files-Delinquent and Uncollectible Accounts	7 years after date account is due.	NA
90000080	Capital Accounting-Accounts Payable Records-Special Federal Requirement	30 years after issuance date.	NA
90000081	Capital Accounting-Accounts Payable Records-Projects Not Funded with Tax Exempt Debt	4 years after project closes.	NA
90000082	Capital Budget-Project Budget Transactions (Allotments)	6 years after FIS.	NA
90000090	WISMART and Agency Accounting Reports-Fiscal Status Reports-Ad hoc and Monthly Reports	4 years after FIS.	NA
90000091	End of Year Accounting /Fiscal Status reports	6 years after FIS.	NA
90000092	Tax Related reports	6 years after FIS.	NA
90000100	Supplemental Payroll Vouchers	6 years after FIS.	NA
90000101	Payrolls and Payroll Registers	4 years after CR.	NA
90000102	Central Payroll Bi-weekly Payroll Voucher Signature Pages	6 years after FIS.	NA
90000103	Wage Action Related Records	50 years after CR.	NA
90000110	Capital Equipment Inventories	4 years after FIS.	NA
90000111	Supplies, Commodities and Parts	4 years after FIS.	NA

	Inventories		
90000112	Surplus Property Disposition Records	3 years after property is disposed.	NA
90000113	Surplus Property Disposition Records Restricted Disposition Items	1 year after restriction ends.	NA
90000114	Surplus Property Disposition Records-Non compliance	1 year after case is closed.	NA
<b>Fac. RDAs</b>	<b>GRS: FACILITIES MANAGEMENT AND RELATED RECORDS</b>	<b>February 2010</b>	
FAC00001	Policies & Procedures relating to the Capital Budget Process	7 years after superceded; but if identified as a publication, transfer.	WHS
FAC00002	Six Year Facilities Plans	12 years after CR; if a publication, then transfer.	WHS
FAC00003	Master Facility Plans	Retain until superseded, or structure razed or facility sold. Transfer superseded plans.	WHS
FAC00004	Agency Biennial Capital Budget Request	6 years after submittal.	NA
FAC00006	Sales of Facilities and/or Land (Case Files, including appraisals; valuations).	6 years after transaction complete.	NA
FAC00007	Receipt by Gift of Facilities and/or Land (Case Files).	Retain until structure razed or facility sold, then transfer.	WHS
FAC00008	Concept and Budget Reports.	10 years after either project completed, or project concept abandoned.	NA
FAC00009	Environmental Assessment & Impact Statements.	6 years after town no longer owns the property (i.e. transferred or sold), then transfer.	WHS
FAC00010	Cultural Resource & Review Records – Archeological & Historic Site Case File.	10 years after town no longer owns the property (i.e. transferred or sold), then transfer.	WHS
FAC00011	Construction Project File	10 years after construction project is closed.	NA
FAC00012	Construction Project File – Historically significant Facilities.	Retain for the life of the structure (until razed or facility sold), then transfer.	WHS
FAC00013	Asbestos & Hazardous Material & Environmental Remediation Case File	30 years after project completed.	NA
FAC00014	Unsuccessful Bids and Unsolicited Proposals	4 years after bid is awarded.	NA
FAC00015	As-built Plans and Original Building Drawings for Completed Construction Projects	Retain for the life of the structure (until razed or facility sold), then transfer.	WHS
FAC00016	Land Titles, Conveyances and Easements for State (or Town) owned land.	Permanent.	WHS
FAC00021	Bond Sales / Legal Documents (Case Files)	4 years after date of maturity of bond.	NA
FAC00022	Master Leases case Files.	6 years after expiration of lease or final payment, whichever is later.	NA
FAC00026	Appraisals – Land and/or structures not obtained.	3 years after appraisal acceptance.	NA
FAC00050	Application and Permit for Use of Facilities.	3 years after date of event.	NA
FAC00051	Facility Maintenance Work Orders & Logs	3 years after work is completed.	NA
FAC00052	Building Maintenance/Management- Custodial Records.	3 years after CR.	NA
FAC00053	Building Maintenance/Management- Grounds Keeping Records.	3 years after CR.	NA
FAC00054	Building Maintenance/Equipment Repair & Service Records.	Destroy after removal or disposal of installed equipment.	NA
FAC00055	Building Maintenance/-Warranty Files	1 year after warranty expiration.	NA
FAC00056	Equipment Maintenance – Maintenance Report.	1 year after CR.	NA

FAC00057	Physical Plant Monitoring & Inspection Reports.	6 years after CR.	NA
FAC00058	Equipment Maintenance – Technical Reference & Maintenance Publications	Non-records. Retain until superseded or equipment disposed of, whichever is sooner.	NA
FAC00060	Building Leases and Tenant Information.	6 years after expiration of lease or final payment, whichever is later.	NA
FAC00061	Space Allocation & Project Planning Information.	1 year after the space is vacated or the planning documents are superseded.	NA
FAC00062	Parking Permits.	1 year after parking space is cancelled or superseded.	NA
FAC00063	Parking Permit Assignments.	6 months after permit is cancelled or superseded.	NA
FAC00064	Parking Related Wait Lists.	Retain current list. Destroy prior lists when superseded.	NA
FAC00066	Fuel Use / Power Created Related Records.	6 years after CR.	NA
FAC00068	Chemical Applications Records – Pesticides.	3 years after pesticide applied.	NA
FAC00069	Americans with Disabilities Act Facilities Reviews.	6 years after close of review or audit.	NA
FAC00070	Designation of Agency Facility Coordinators	Retain current list. Destroy prior lists when superseded.	NA
FAC00080	Building Admittance Passes; Visitor Logs; Access Cards; Detail on Card Activity; General Use Facilities.	1 year after CR; unless an investigation is underway – then do not destroy.	NA
FAC00081	Building Admittance Passes; Visitor Logs; Access Cards; Detail on Card Activity; High Security Facilities or Areas.	3 years after CR; unless an investigation is underway – then do not destroy.	NA
FAC00082	Monitoring and Surveillance Records.	120 days after incident. If no incident, then retain only until no longer needed.	NA
FAC00083	Access Cards, Keys, Identity Badges/Name Plates, and Photo ID – Documentation of Assignment.	6 months after date card/key is returned or reported lost.	NA
FAC00084	Input forms for Access Cards, Keys, Badges, Name Plates or Photo ID.	1 month after completed request.	NA
FAC00085	Administrative Records—Building Security	Retain until obsolete or superseded.	NA
FAC00086	Security or Incident Reports	3 years after investigation is closed or forwarded to the police.	NA
FAC00100	Health, Safety or Fire Code Regulations Variances.	3 years after variance is disapproved or after approved variance is no longer in effect.	NA
FAC00101	Health, Safety or Fire Code Compliance Records – No Violations	3 years after CR.	NA
FAC00102	Health, Safety or Fire Code Compliance Records – Violations (Inspections, Drills, Reports)	3 years after the violations are corrected and reinspected.	NA
FAC00103	Health, Safety or Fire Code Compliance Certificates	3 years after certificate expiration.	NA
FAC00120	Grave Registration Records (state owned / operated)	Permanent.	WHS
<b>Forms RDAs</b>	<b>GRS: FORMS MANAGEMENT PROGRAM AND RELATED RECORDS</b>	<b>August 2006</b>	
FORMS001	Form History Files	3 years after form obsolete.	NA
FORMS002	Forms Inventory Records	4 years after FIS.	NA
FORMS003	Form Request Orders	1 month after request is filled, keyed and	NA

		verified.	
FORMS004	Forms Inventory Reports	Retain until obsolete or superseded by updated report, then destroy.	NA
FORMS005	Forms Management Program Subject Files	Retain until obsolete or superseded, then destroy.	NA
FORMS006	Forms Workgroup/Committee Minutes	5 years after CR. (Official copy only)	NA
FORMS007	Forms Catalog/Listing	Retain until superseded, then destroy.	NA
FORMS008	Forms Management Policies, Procedures and Planning Documents	3 years after obsolete or superseded.	NA
FORMS009	Process/Business/Systems Analysis Project Files	3 years after completion of project.	NA
<b>IT RDAs</b>	<b>GRS: INFORMATION TECHNOLOGY BUSINESS RECORDS</b>	<b>November 2012</b>	
IT000001	IT Strategic Plans.	6 years after plan is completed, superseded or revised, then transfer.	WHS
IT000002	IT Policies and Standards.	7 years after policy/standard is withdrawn, revised, updated, or superseded, then transfer.	WHS
IT000003	IT Management Reports & Metrics	7 years after document distribution.	NA
IT000004	IT Steering / Policy Committee Documentation (including minutes & associated documents).	3 years after minutes are published, then transfer.	WHS
IT000005	IT Topical Committee Documentation.	3 years after distribution.	NA
IT000006	Fiscal Year Planning Documents for IT Activity Levels.	4 years after ending date of planning cycle.	NA
IT000006A	Data Sharing Agreements.	4 years after agreement is terminated or superseded.	NA
IT000007	Performance Measures	6 years after distribution.	NA
IT000008	IT Project Investment & Development Documentation.	3 years after system or infrastructure is retired.	NA
IT000009	Project Files – Design or Modification of Automated System or Application.	5 years after project completion or abandonment.	NA
IT000010	Systems Specifications Documentation	3 years after major upgrade or discontinuance of system, provided system data is destroyed or transferred.	NA
IT000011	Source Code.	3 years after code is superseded or replaced.	NA
IT000012	IT Operating Procedures.	3 years after procedure is withdrawn, revised, updated or superseded.	NA
IT000012A	IT Operating Procedures – Critical Information Systems.	7 year after procedure is withdrawn, revised, updated or superseded.	NA
IT000013	IT Software/Hardware Infrastructure Documentation	1 year after software/hardware no longer used, and all data transferred and made useable.	NA
IT000014	Operating System and Hardware Migration Plans	3 years after major upgrade or discontinuance of system, provided system data is destroyed or transferred.	NA
IT000015	Disaster Preparedness and Recovery Plans	Destroy after superseded by revised plan.	NA
IT000016	IT Service Support Documentation	2 years after closure/completion.	NA
IT000017	Technology Selection Documentation	4 years after procurement or after technology is no longer used, whichever is greater.	NA
IT000018	Quality Control Files	4 years after fiscal end date of planning cycle.	NA
IT000019	Data/Backup Library Control Files	Destroy after superseded.	NA
IT000020	Network Support Service History and	1 year after close of contract, or 5 years,	NA



	Summary	whichever is greater.	
IT000021	Inventories of Circuits	Destroy after superseded.	NA
IT000022	Network or Circuit Installation and Service Files	1 year after request is filled or repairs are made.	NA
IT000023	Operational and Other Automated Logs	Destroy when no longer needed.	NA
IT000024	Data Documentation / Metadata	Destroy after application's date is destroyed or migrated to new structure or format.	NA
IT000025	Test Data	Destroy when no longer needed.	NA
IT000026	Application Access Logs	1 year after CR, provided audit and documentation requirements have been met.	NA
IT000027	Employee Internet Use Logs	3 months after CR, unless required for security purposes.	NA
IT000028	Website Usage Reports	Destroy after superseded.	NA
IT000029	Telephone System Call Detail	5 years after CR.	NA
IT000030	Telecom Inventory Support	4 years after fiscal end date of planning cycle, or after superseded, whichever is greater.	NA
IT000031	Telecom Maintenance Work Order Files and Logs	4 years after fiscal end date of planning cycle, or 1 year after close of contract or provision of service, whichever is greater.	NA
IT000032	User Access Requests and Authorizations	2 years after departure of employee.	NA
IT000033	Employee Responsibility Acknowledgement Agreements, Trusted Use Agreements	8 years after departure of employee, contractor, or vendor.	NA
IT000034	Assignment and Authorization of Security Officer and Personnel with Administrator Privileges	4 years after departure of officer or personnel with administrator privileges.	NA
IT000035	Security Reports	5 years after CR, unless longer retention time specified by federal program, OBM circular or statute.	NA
<b>RDAs</b>	<b>GRS: PURCHASING &amp; PROCUREMENT</b>	<b>May 2012</b>	
90109	Encumbrances (purchase orders for goods and services)	4 years after FIS.	NA
90110	Purchase Transaction Tracking Logs / Indexes	4 years after FIS.	NA
90111	Request for Purchasing Approval / Authority (RPA), documentation to State Bureau of Procurement.	4 years after close.	NA
90112	Request for Bid / Proposal (RFB/RFP) File	4 years after close of contract period.	NA
90114	Bid Case File Working Papers	10 years after CR, or contract end date, whichever is greater.	NA
90115	Contract Case File	4 years after close of contract.	NA
90116	Contract Compliance Program Case File	4 years after FIS, provided contract is closed.	NA
90117	Contract Compliance Vendor Directory	5 years after date of issuance.	NA
90121	State Bureau of Procurement Administrative Reports	4 years after FIS.	NA
90123	Vendor Performance Case Files	4 years after file closed, due either to acceptable vendor performance improvement, or vendor's cessation of business with the state.	NA
90124	Purchasing and Procurement Committees (includes meeting agendas, notes, minutes, informational packets, results, and related correspondence)	4 years after project completion.	NA

90125	Project Case Files	4 years after completion of report or study.	NA
90126	Agency Purchasing Delegation Agreements	6 years after superseded.	NA
90127	Purchasing Audits or Management Review	4 years after closed or superseded.	NA
90129	Service/Product Warranty Case Files	4 years after warranty expiration.	NA
90131	Purchasing Card Logs	4 years after FIS.	NA
90132	Post-Audit of Purchasing Logs	4 years after FIS.	NA
90133	Purchasing Card User Manual	4 years after FIS.	NA
<b>REC RDAs</b>	<b>GRS: RECORDS MANAGEMENT PROGRAM RECORDS AND RELATED DOCUMENTS.</b>	<b>August 2006</b>	
REC00001	Records Inventory Files (Official Town Copy)	Retain until no longer needed or superseded; unless records have archival or permanent value, then transfer.	WHS
REC00002	Records Retention/ Disposition Authorizations (RDA)	Retain until superseded, then file in history file.	NA
REC00003	RDA History File	Permanent.	NA
REC00004	Records/Disposition Authorization (RDA) Index File	Permanent.	NA
REC00005	Records Disposition Files (Town Copy)	Permanent; unless DOA Official Copy also kept at State Records Center, then FIS + 4 for Town copy.	WHS
REC00006	Records Storage/Transfer Files	Destroy after data verified in vendor's inventory database.	NA
REC00007	Records Management Program Subject Files	Retain until no longer needed for reference or analysis, obsolete or superseded, whichever is later.	NA
REC00008	Records Management Planning	3 years after superseded.	NA
REC00009	Records Management Policies and Procedures	3 years after obsolete or superseded.	NA
REC00010	Records Management Consultation Visits	Retain until completion of next comparable visit, or until no longer needed, whichever is sooner.	NA
<b>RISK RDAs</b>	<b>GRS: RISK MANAGEMENT &amp; RELATED RECORDS</b>	<b>February 2013</b>	
RISK0001	RMIS Output Reports	Retain until superseded or no longer needed, then destroy.	NA
RISK0002	Proposals for Insurance Coverage	7 years after bid is closed.	NA
RISK0003	Risk Management Conferences Materials	5 years after conference.	NA
RISK0010	Worker's Compensation Claims Case Files	30 years after claim is closed.	NA
RISK0011	State Government Workers Compensation Guidelines, Procedures, Policies and Other Related Records	7 years after superseded.	NA
RISK0015	Property and Liability General Correspondence	5 years after closure of issue addressed by the correspondence.	NA
RISK0016	State Government Property & Liability Guidelines, Procedures, Policies and Other Related Records	7 years after superseded.	NA
RISK0017	Statewide Premium Process & Documentation	20 years after CR.	NA
RISK0025	Property Insurance Policies (General & Excess)	30 years after policy effective date.	NA
RISK0026	Property Claim Files	5 years after claim is closed.	NA
RISK0027	Precedent-Setting Property Claims	25 years after claim is closed, then transfer.	WHS
RISK0028	Property Incident and Denial Reports – No	5 years after incident.	NA

	Claim Filed		
RISK0035	Liability Insurance Policies (General, and Excess)	75 years after policy effective date.	NA
RISK0036	Liability Claim Files	11 years after either (depending on the situation): date claim is closed; or date claimant if minor turns 18; or date structured settlement is paid off.	NA
RISK0037	Precedent-Setting Liability Claims	25 years after claim is closed, then transfer.	WHS
RISK0038	Liability Incident and Denial Documentation – No Claim Filed	11 years after date of incident.	NA
RISK0045	Incident Reports (Incidents Only, No Lost Time)	12 years after incident.	NA
RISK0046	Near-Miss Reports	5 years after incident.	NA
RISK0047	Safety and Health Program	7 years after superseded.	NA
RISK0048	Safety Data Sheets (SDS)	While chemical used, retain until superseded, then destroy previous and keep current. 30 years after chemical use discontinued.	NA
RISK0049	Exposure Records	75 years after date of exposure.	NA
RISK0050	Internal Workplace Safety Inspections	7 years after date of report.	NA
RISK0051	Compliance Workplace Safety Inspections	7 years after date of resolution or compliance plan.	NA
RISK0052	Job Hazard Analysis	7 years after superseded or task eliminated.	NA
RISK0053	Ergonomics Assessments and Related Material	7 years after date of assessment.	NA
RISK0054	OSHA Logs	7 years after date of log.	NA
RISK0055	Industrial Hygiene Supporting Documents and Reports	30 years after date of report.	NA
RISK0056	General Safety Reports, Issues, Complaints and Inquiries Received/Generated by Safety Staff	2 years after date of resolution.	NA
RISK0057	Safety Permits	1 year after permit expiration.	NA
RISK0058	Hoists, Cranes and Personnel Lifts Inspections	5 years after inspection.	NA
RISK0059	Safety Training <u>Not</u> Required by Law	5 years after superseded.	NA
RISK0060	Safety Training Required by Law	30 years after date of training.	NA
RISK0071	Waste Disposal Site Records	Permanent	NA
RISK0072	Emergency Planning & Community Right to Know (EPCRA)	7 years after date submitted.	NA
RISK0075	PCB (Polychlorinated Biphenyl) Records	7 years after CR.	NA
RISK0076	RCRA (Resource Conservation and Recovery Act) Compliance	7 years after CR.	NA
RISK0079	Clean Water Act Compliance Records	7 years after superseded.	NA
RISK0080	Safe Drinking Water Act Compliance Records	10 years after CR.	NA
RISK0085	Hazardous Materials Regulations Training Records	7 years after employee's current certification date.	NA
RISK0086	Hazardous Materials Shipping Papers	3 years after date material was accepted by initial carrier.	NA

## 1.10 CODE OF ETHICS.

(1) DEFINITIONS. (a) Anything of Value: Any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment. This definition does

not include compensation and honorariums, reasonable fees and expenses paid by or lawfully permitted and reported by the Town, political contributions that are properly reported, or hospitality extended for a purpose unrelated to town business by a person other than an organization.

(b) Associated: Any organization in which an individual or a member of his or her immediate family is a director, officer, or trustee; owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity; or, is an authorized representative or agent.

(c) Candidate for Local Public Office: Any individual who files nomination papers and a declaration of candidacy, consistent with the requirements of the State of Wisconsin, or any individual who is nominated for the purpose of appearing on the ballot for election as a local public official through the write-in process.

(d) Immediate Family:

1. An individual's spouse;
2. Any individual's relative by marriage, lineal descent or adoption; and,
3. An individual's relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one-half of his or her support.

(e) Local Public Employee: Any individual excluded from the definition of "local public official" who is employed by the Town.

(f) Local Public Official: Any individual serving in statutory elected or appointed offices provided for in Ch. 60, Wis. Stats., and all members appointed to boards, committees, and commission established or appointed by the Town Board, whether paid or unpaid.

(g) Organization: Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust, or other legal entity other than an individual or a body politic.

(2) **RESPONSIBILITY OF PUBLIC OFFICE.** 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 the State of Wisconsin and to carry out impartially the law of the nation, state, and county, and to observe in their official acts the highest standards of conduct and to discharge faithfully the duties of their office, regardless of personal considerations, recognizing that the public interest must be their primary concern.

(3) **FAIR AND EQUAL TREATMENT.** (a) Use of Public Property: No local public official or employee shall use or permit the unauthorized use of Town-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the general public.

(b) Obligation to Citizens: No local public official or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

(4) CONFLICT OF INTEREST. (a) Financial and Personal Interest Prohibited. No individual subject to this ordinance may:

1. Take any official action in any matter in which the local public official or employee, a member of his or her immediate family, or an organization in which the official or employee has a financial interest.
2. Use his or her office or position in a way that produces or assists in the production of a financial benefit, direct or indirect, for the local public official or employee, his or her immediate family, or an organization with which the local public official or employee is associated.

(b) Gifts or Favors. No individual subject to this ordinance may solicit or accept from any person, directly or indirectly, anything of value if it could be reasonably expected to influence the local public official's vote, official action, or judgement; or, could reasonably be considered as a reward for any official action or inaction on the part of the local public official.

(c) Campaign Contributions. No individual subject to this ordinance, or candidate for local public office subject to this ordinance, may, directly or by means of an agent, give or withhold, offer to give or withhold, or promise to give or withhold, his or her vote or influence with respect to any proposed or pending matter in consideration of, or contingent on, any other person making a political contribution or providing anything of value to the local public official or candidate.

(d) Use of Information Gained in Course of Official Duties. No individual subject to this ordinance may intentionally use or disclose information gained in the course of or by reason of her or his official position or activities in any way that could result in the receipt of anything of value for herself or himself, for a member of her or his immediate family, or for any other person or legal entity if the information has not been previously communicated to the public or is not a public record.

(e) Contracts with the Town. No individual subject to this ordinance who, in his or her capacity as a local public official or employee, participates in the making of a contract in which the official or employee has a private financial interest, either direct or indirect, shall enter into any contract with the Town unless, within the confines of section 946.13, Wis. Stats., the contract is awarded through a process of public notice and competitive bidding or the Town Board waives the requirement of this section after determining that it is in the best interest of the Town to do so.

(5) COMPLIANCE WITH OTHER STATUTES. There are certain provisions of the Wisconsin Statutes which, while not explicitly set forth herein, should be considered integral parts of this Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes are incorporated by reference as part of this Code of Ethics and shall apply to all individuals subject to this ordinance.

(a) Section 946.10, Bribery of Public Officers and Employees.

(b) Section 946.11, Special Privileges from Public Utilities.

(c) Section 946.12, Misconduct in Public Office.

(d) Section 946.13, Private Interest in Public Contract Prohibited.

(6) ADVISORY OPINIONS. Any questions as to the interpretation of any provisions of the Code of Ethics shall be referred to the Town Attorney. Such requests shall be as detailed as possible and made in writing. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor.

(7) SANCTIONS. (a) A determination that the action(s) of a local public employee constitutes a violation under any of the provisions of this ordinance may result in the suspension or removal from employment, or other appropriate disciplinary action as outlined in the Employee Handbook.

(b) In the case of a local public official or candidate for local public office, the Town Board, upon review of the facts with the individual, may officially reprimand the official or candidate, or remove such official from certain committee assignments or responsibilities. Additionally, the Town Board may seek to recover any financial loss resulting from the violation(s) and assess forfeiture up to the allowable amount under state statute for each offense.

Amended 8/2/2016 by Ordinance 2016-03

Amended 3/6/2018 by Ordinance 2018-03

Amended 4/4/2018 by Ordinance 2018-02

Amended 3/5/2019 by Ordinance 2019-02

Amended 5/5/2020 by Ordinance 2019-03