

## Chapter 83

### OFFICERS AND EMPLOYEES

[HISTORY: Adopted by the Village Board of the Village of Forestville 1-8-1990 by Ord. No. 1-90 as §§ 1.01 to 1.07 and 1.10 to 1.16 of the 1990 Code. Amendments noted where applicable.]

#### GENERAL REFERENCES

Board and commissions — See Ch. 12.  
Elections — See Ch. 28.  
Records — See Ch. 97.  
Village Board — See Ch. 116.

#### § 83-1. Elected officials.

- A. Election, term, number. The Village shall have four trustees in addition to the President, who is a trustee by virtue of his office as president. The five trustees shall constitute the Village Board. Two trustees shall be elected each year for a term of two years. The President shall be elected in odd-numbered years at the annual spring election.<sup>1</sup>
- B. Appointment as president. A Village trustee shall be eligible for appointment as Village President to fill an unexpired term.

#### § 83-2. Appointed officials.<sup>2</sup>

The following officials of the Village shall be appointed in the manner and for the term indicated below:

Official	How Appointed	Term
Village Attorney	Village Board	2 years
Village Clerk	Village Board	2 years
Deputy Clerk	Village Board	2 years
Building Inspector	Village Board	2 years
Director of Public Works	Village Board	2 years
Village Treasurer	Village Board	2 years
Emergency Government Director	Village Board	2 years
Fire Board (2 positions)	Village Board	2 years

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).  
2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

**§ 83-3. Oaths and bonds.**

Elected and appointed officials shall take and file the official oath within five days after election notice of their election or appointment as provided in § 61.21, Wis. Stats., and shall execute and file the official bond as required by state statute and this Municipal Code.

**§ 83-4. Removals.**

- A. Elected officials. Elected officials may be removed by the Village Board as provided in § 17.13(2), Wis. Stats., or by the judge of the circuit court for cause pursuant to § 17.13(3), Wis. Stats., or as provided by § 17.16, Wis. Stats.
- B. Appointed officials. Appointed officials may be removed as provided in §§ 17.13(1), 17.13(3) and 17.16, Wis. Stats.

**§ 83-5. Vacancies.**

- A. How occurring. Vacancies in elective and appointive positions are caused as provided in §§ 17.03 and 17.035, Wis. Stats.
- B. How filled.
  - (1) Elected officials. A vacancy in any elective office shall be filled by appointment by a majority of the members of the Village Board. A trustee may be appointed to fill an unexpired term of a vacating Village President.
  - (2) Appointed officials. A vacancy in appointive office shall be filled in the same manner as the original appointment to such office.

**§ 83-6. Salaries.**

The salaries of all elected and appointed officials, including members of boards and commissions, shall be as determined by the Village Board from time to time, provided the salary of the President and members of the Board shall not be increased or decreased during their terms of offices. (See § 66.0505, Wis. Stats.)

**§ 83-7. Receipt of gifts and gratuities.**

- A. Restricted. No Village employee or official shall receive or offer to receive, either directly or indirectly, any gift, gratuity or other thing of value which he is not authorized to receive from any person who:
  - (1) Has or is seeking to obtain contractual or other business or financial relationships with the Village or Village Board, not to exceed state statute;<sup>3</sup>
  - (2) Conducts operations or activities which are regulated by the Village or Village Board;  
or
  - (3) Has interests which may be substantially affected by the Village or Village Board.

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3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- B. Penalty. The receipt of any gift, gratuity or other thing of value as denoted above is contrary to the public policy of the Village and is punishable as provided under § 946.12, Wis. Stats. Such conduct shall also be punishable under § 1-4 of this Municipal Code.

**§ 83-8. Village Clerk.**

- A. Election and term. See § 83-1 of this chapter.

- B. Duties. The Village Clerk shall:

- (1) Perform any duties prescribed by law relative to elections; keep, subject to inspection, all election returns required to be filed in his office and notify persons elected or appointed to Village offices.
- (2) Transmit to the County Clerk within 10 days after election or appointment and qualification a certified statement of the name and term for which elected or appointed of the President, Clerk, Treasurer and Assessor.
- (3) Attend all meetings of the Village Board; record and sign the proceedings thereof and all ordinances, rules, bylaws, resolutions and regulations adopted, and countersign and keep a record of all licenses, commissions and permits granted or authorized by them, and for such purpose keep the following books, and such other books as the Board directs:
  - (a) A minute book in which shall be recorded in chronological order full minutes of all elections, general or special, and the statements of the inspectors thereof; full minutes of all the proceedings of the Village Board, the titles of all ordinances, rules, regulations and bylaws, with reference to the book and page where the same may be found.
  - (b) An ordinance book in which shall be recorded at length, in chronological order, all ordinances, rules, regulations and bylaws.
  - (c) A finance book in which shall be kept a full and complete record of the finances of the Village showing receipts, the date, amount and sources thereof, and the disbursements with the date, amount and object for which paid out.
- (4) Countersign and cause to be published or posted every ordinance, bylaw or resolution as required by law, and have proper proof thereof made and filed.
- (5) Be the custodian of the corporate seal and file as required by law and safely keep all records, books, papers or property belonging to, filed or deposited in his office and deliver the same to his successor when qualified. See also Chapter 97 of this Code.
- (6) Make a tax roll as required in § 35-1 of this Code.
- (7) Perform all other duties required by law or by any ordinance or other direction of the Village Board.

**§ 83-9. Village Treasurer.**

- A. Election and term. See § 83-1 of this chapter.

B. Duties. The Village Treasurer shall:

- (1) Receive all moneys belonging or accruing to the Village or directed by law to be paid to the Treasurer.
- (2) Deposit upon receipt the funds of the Village in the name of the Village in the public depository designated by the Board. Failure to comply with this subsection shall be prima facie grounds for removal from office. When the money is deposited, the Treasurer and bondsmen shall not be liable for such losses as defined by § 34.01(2), Wis. Stats., and the interest arising therefrom shall be paid into the Village Treasury.<sup>4</sup>
- (3) Pay money only on the written order of the Village Board. All checks must contain signatures by two of the following: President, Clerk or Deputy Clerk.<sup>5</sup>
- (4) Keep just and accurate detailed accounts of all transactions under Subsection B(3) showing when, to whom and for what purpose all payments are made, in books provided by the Village Board, and preserve all vouchers filed in the office.
- (5) Render an account and settlement of all transactions to the Board at its last meeting prior to the annual election and at all other times when required by them.
- (6) Deliver to his successor when qualified all books of account, papers and property of the office and all money on hand as Treasurer.
- (7) Perform all other duties as are required by law or the Village Board.
- (8) Keep but one fund in the treasury, except as otherwise provided.
- (9) Execute the bond required by § 70.67, Wis. Stats., and take receipt therefor, which the Treasurer shall file in the office of the Village Clerk.
- (10) On receipt of the tax roll, and while acting as collector of taxes, exercise the same powers and perform the same duties as are by law conferred upon and required of town treasurers while acting in that capacity, and be subject to the same penalties and liabilities.
- (11) Perform those duties as conferred upon village treasurers in § 61.26, Wis. Stats.<sup>6</sup>

C. Bond. The Village Treasurer shall execute and file an official bond which may be furnished by a surety company as provided in § 632.17(2), Wis. Stats. The Treasurer shall also comply with the bond provisions of § 70.67, Wis. Stats., relating to security for tax moneys coming within the Treasurer's control.

**§ 83-10. Deputy Village Treasurer.**

The Village Treasurer, subject to approval by a majority of all the members of the Village Board, may in writing, filed in the office of the Village Clerk, appoint a deputy who shall act under his

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4. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

5. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

6. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. II).

direction and who, during the temporary absence or disability of the Treasurer or during a vacancy in such office, shall perform the duties of Treasurer. The deputy shall receive such compensation as the Village Board shall determine. The acts of the deputy shall be covered by official bond as the Village Board shall direct.

**§ 83-11. Assessor.**

- A. Contract. The duties of Village Assessor shall be performed by a private individual under contract with the Village, and such independent contractor shall not be considered an officer of the Village. The Village Board shall select the individual and agree upon the compensation for completing the Assessor's duties.
- B. Qualification. The Village Board shall not contract for the services of an assessor with an individual unless that person is certified by the State Department of Revenue under § 73.09, Wis. Stats., as qualified to perform the functions of an assessor.
- C. Duties. The Assessor shall begin under § 70.10, Wis. Stats., to make an assessment of all of the property in the Village liable to taxation, as prescribed by law. The Assessor shall return the assessment roll to the Village Clerk at the same time and in the same manner in which town assessors are required to do as required by Ch. 70, Wis. Stats.

**§ 83-12. Attorney duties.** <sup>7</sup>

If any Board member contacts the legal counsel, a confidential report must be given to all other Board members.

**§ 83-13. Police officers.**

There shall be no police officers appointed or employed by the Village, except as provided for during disturbances, riots or other necessities pursuant to § 83-14.

**§ 83-14. Emergency Government Director.**

The Director of Emergency Government shall promulgate an effective program of emergency government in pursuit of the statewide goals of the emergency government organization:

- A. To prepare for and minimize the effect of enemy action (civil defense), and natural or man-made disaster upon the civilian population.
- B. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster, including preparation of emergency government and civil defense plans, as well as the requirements set forth in § 323.51 and other provisions of Ch. 323, Wis. Stats.

**§ 83-15. Building Inspector.** <sup>8</sup>

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7. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

8. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- A. Appointment; term. See § 83-2 of this chapter.
- B. Duties. The Building Inspector shall conduct new construction inspections.