

RESOLUTION #3-2023

DUTIES OF DRAPER TOWN CLERK

WHEREAS the Town of Draper is the second largest town in Sawyer County, with approximately 81 miles of highways requiring gravel and asphalt maintenance to DOT standards, two public recreational lakes with boat landings, three major rivers with fisheries and public access points, thousands of acres of state and national public forestlands, ATV and snowmobile trail systems, a public campground, a public park, a municipal cemetery, a municipal dump, multiple parcels of municipal properties, a publicly rented town hall, a municipal garage with hundreds of thousands of dollars of highway equipment, full time and part time municipal employees, a plan commission, a village area main street with commercial properties and businesses, 242 permanent residents, hundreds of seasonal property owners, ongoing infrastructure projects (broadband and a helipad), grants in excess of 4.5 million dollars and an annual budget in excess of \$450,000.00 to manage, AND

WHEREAS it is beneficial to the citizens, employees and other elected officials of the Town of Draper to clearly define the duties of the town clerk to administer the town's assets and liabilities where assigned by law, AND

WHEREAS the Wisconsin Statutes anticipate that town clerk is part time unless a town elector meeting establishes the office as full time, AND

WHEREAS the Wisconsin Statutes clearly establish the duties of a town clerk, recognizing that each town has a unique set of assets and interests that may be considered in the delegating of additional tasks and duties by the town board, AND

WHEREAS there is a need to define and clarify these powers and duties in the Town of Draper for the improvement of town government,

THE DRAPER TOWN BOARD AND ANY ELECTED TOWN CLERK HEREBY RESOLVES TO RECOGNIZE AND ABIDE BY ALL WISCONSIN STATUTES APPLICABLE TO TOWN CLERK AS FOLLOWS:

Wisconsin stat 60.33 Duties of town clerk. The town clerk *shall*:

1. Serve as clerk of the Town Meeting under s. 60.15 (April, November Levy)
2. Serve as clerk of the Town Board
 - a. Attend meetings of the board and keep a full record of its proceedings (minutes)
 - b. File all accounts approved by the town board or allowed at town meetings and enter a statement of the accounts in the town's record books (currently in Quickbooks)
 - c. File with the town board claims (bills and vouchers) approved by the clerk under s. 60.44 (2)(c): provide a monthly financial report of approved claims showing the date paid, name of claimant, and the amount paid.
3. Maintain a finance book (currently in Quickbooks), which shall contain a complete record of the finances of the town, showing the receipts (revenues), with the date, amount and source of each receipt; the disbursements (expenses), with the date, amount and object of each disbursement; and any other information relating to town finances prescribed by the town board. Town of Draper clerk books are based on the state chart of accounts to track revenues and expenses.
4. Elections and appointments
 - a) Perform the duties required by chs. 5 to 12 relating to elections.
 - b) Transmit to the county clerk, within 10 days after election or appointment and qualification of any town supervisor, treasurer, assessor or clerk, a written notice stating the name and post office address of the elected or appointed officer. The clerk shall promptly notify the county clerk of any subsequent changes in such offices.
5. Sale of real property. Execute the conveyance of real property belonging to the town.
6. Notices.
 - a) Publish or post ordinances and resolutions as required under s. 60.80.
 - b) Give notice of annual and special town meetings as required under ss. 60.11 (5) and 60.12 (3).
7. Records.
 - a) Comply with subch. II of ch. 19 concerning any record of which the clerk is legal custodian.

8. Licenses. Issue any license or permit granted by the town board when presented with a receipt from the town treasurer indicating that any required fee has been paid. Draper issues liquor, tobacco and operator (bartender) licenses, and driveway and weight limit permits at this time.

9. Schools.

a) Perform the clerk's duties under chs. 115 to 121, relating to public instruction.

d) Apportion, as provided by law, tax revenues collected by the town for schools.

10. Highways and bridges. Perform the clerk duties specified in chs. 82 to 92, relating to highways, bridges and drains.

10m. Notice of property tax revenue. Notify the treasurer of the county in which the town is located, by February 20, of the proportion of property tax revenue and of the credits under s. 79.10 that is to be disbursed by the taxation district treasurer to each taxing jurisdiction located in the town (February Settlement).

11. In general. Perform all other duties required by law, ordinance or lawful direction of the town meeting or town board: *note, the clerk is not a secretary to the board members and is not supervised by the town board*

Duties under this section specific to the Town of Draper include but are not limited to the following:

- a) Provide clerk books for the preparation of the annual budget and other financial reports
- b) Prepare annual Form CT Dept. of Revenue audit
- c) Prepare annual DNR recycling grant and audit
- d) Prepare annual DOA Housing Report
- e) Prepare annual Liquor and Tobacco License Reports
- f) Prepare annual DSPS Accident and Injury Report
- g) Prepare annual DSPS 2% Dues Report
- h) Prepare annual Work Comp audit
- i) Apply for clerk-related grants (elections, etc)
- j) Provide for elections in WisVote
- k) Provide Notary Public Services
- l) Prepare and administer employee payroll and retirement account benefits
- m) Track employee benefits and compensatory time on a spreadsheet
- n) Report new hires and file quarterly DWD reports
- o) File town and employee IRS and state taxes, including 941s, W2s and 1099s
- p) Maintain employee CDL drug testing program

- q) Maintain, update and print Employee Handbook and related employee forms
- r) Maintain contact lists for vendors
- s) Maintain town vehicle and equipment titles, warranties, and records files
- t) Maintain town contracts files
- u) Maintain town insurance policy; allocate accounts, review and update for accuracy, collect W-9s and Certificates of Insurance for annual Work Comp audit. File claims when authorized by town board
- v) Maintain town Fire Department records: funding, personnel, MOU, vehicle titles and insurance policies
- w) Maintain campground Health Dept. License and schedule annual water tests: post new licenses at campground
- x) Take campground reservations and post camp sites reserved
- y) Direct citizen calls and concerns to town board
- z) Prepare monthly meeting folders for town board supervisors
- aa) Post meeting notices and agendas for town board and plan commission
- bb) Assist Plan Commission with contacts and records
- cc) Cooperate with IT to keep office secure
- dd) Maintain a list of secure passwords in the safe deposit box at CVB

Wisconsin stat. 66.0607 Prepare Bills for payment

- 1) Disbursements from the treasury shall be made by the treasurer *upon the written order* of the town clerk *after proper vouchers have been filed* in the office of the clerk. If the statutes provide for payment by the treasurer without an order of the clerk, the clerk shall draw and deliver to the treasurer an order for the payment before or at the time that the payment is required to be made by the treasurer.
- 3) Checks must be signed by the clerk, treasurer and town chair.
- 3m) Periodic payments may be processed through the use of money transfer techniques, including direct deposit, electronic funds transfer and automated clearinghouse methods. The Town of Draper clerk has a town debit card for the purpose of making authorized purchases, and stored on file for automatic billing with Quickbooks, Microsoft products, and the town website; a new clerk will need to apply for a new card using his/her own name and credit information or find a suitable alternative.

Wisconsin stat. 70.46(1) Board of Review.

The supervisors and clerk of each town...shall constitute a board of review for the town. This requires annual training and certification filed by the town clerk with the Wisconsin DOR. The town clerk examines and corrects the assessment roll prior to BOR and is responsible for providing notice to the public of the open book under s. 70.45, and board of review under s. 70.47(2), and keep a record of the proceedings. The clerk is to swear in all persons testifying before the board of review. The clerk also provides notice of board of review decisions as required by law.

Wisconsin stat. 70.65 Prepare Property Tax Roll

1. Clerk to prepare. Annually the clerk of the taxation district shall prepare a tax roll. The clerk shall begin preparation of the tax roll at a time sufficient to permit timely delivery of the tax roll under s. 74.03.
2. Content. The tax roll shall do all of the following:
 - a) As shown on the assessment roll:
 1. Identify all the real property within the taxation district and, with respect to each description of real property, the name and address of the owner and the assessed value.
 2. Identify the name and address of the owners of all taxable personal property within the taxation district and the assessed value of each owner's taxable personal property.
 - b) With respect to each description of real property and each owner of taxable personal property:
 1. Show the total amount of taxes levied against the property by all taxing jurisdictions to which the property is subject.
 2. Show all other taxes, assessments and charges against the property which are authorized by law to be collected as are taxes levied against property.
 - c) Set forth the taxes, assessments and charges against property in the tax roll in a manner sufficiently organized and apportioned to permit collection and settlement of the taxes, assessments and charges under ch. 74.
 - d) Show the total amount of taxes, assessments and charges to be collected against property within the taxation district.
 - e) Direct the treasurer of the taxation district and the county treasurer to collect, under s. 74.07, the amount of taxes, assessments and charges under par. (d).

f) Set forth any other information required by law or determined necessary by the department of revenue.

3. Certification of correctness. The clerk of the taxation district shall certify, on the tax roll, that the information contained in the tax roll is accurate, to the clerk's best knowledge.

4. Form. The format of the tax roll shall be prescribed by the department of revenue under s. 70.09 (3).

5. Delivery. The clerk of the taxation district shall transfer the tax roll under s. 74.03.

Wisconsin stat. 157.50 Municipal Cemetery.

The town clerk is the secretary of the cemetery board, serving as clerk of the annual cemetery meeting (3rd Tuesday in April) and shall maintain the cemetery bylaws, records and deeds, including filing death certificates and mailing a current list of veterans' graves to the Sawyer County Clerk by September 1 each year with a letter requesting reimbursement for the care of veterans' graves.

Wisconsin stat. 19.33 Public Records

The town clerk is often made the custodian of town records under s. 19.33. As the custodian, the clerk is responsible for complying with requests under the public records law. s. 19.34 Wis. Stat. The clerk also typically maintains, preserves and disposes of town records in accordance with Wis. stat. 19.21.

Performance of the above duties, including electronic file management and communications and filing of reports with governmental agencies, requires the use of the following programs: Outlook email and shared calendar, Excel spreadsheet, Intuit Quickbooks, Microsoft Word, and associated Microsoft Office programs. Regular duties include writing business letters and emails, email coordination of plans and projects between governmental agencies and the town board, use of government web portals to upload required documents and reports, use of web based training modules, and knowledge of laws and systems utilized in various agency programs including almost 40 unique passwords and log-ins, some of which change every 30 days, some require notarized mailed forms to set up access, some require hours of training and certifications for access. In many cases, passwords and access do not transfer to a new clerk and must all be set up upon taking office. Technology is a big part of this job, and the clerk must be able to use, maintain and troubleshoot office machines and computer issues on a regular

basis for business to continue uninterrupted. The clerk agrees to cooperate with the town's contracted IT service providers to maintain security. There is no way to do this job without accounting, email, computer and modern office skills.

The Town of Draper office of clerk is currently designated as part time by the electors. Should a deputy clerk be appointed by the town clerk to assist in the duties of the office, that salary shall be paid by the town clerk. Should a deputy clerk be appointed by the town board, that salary shall be paid by the Town of Draper.

In order to meet the technical and clerical demands of running the town's business, the town board adopted a resolution to create the position of Administrative Assistant to serve at the pleasure of the board. This position is clerical and does not absolve the elected town board members from performing their required statutory duties. This position is not transferred to a newly elected clerk unless so appointed by the town board. If the town clerk is appointed to be the Administrative Assistant to the Board, that salary is limited to \$15,000.00 annually per Wisconsin stat. 60.37(4)(a) and the hourly rate is set by the town's electors per statute 60.37(4)(b).

It is beneficial to all for the town clerk to perform the work of the office of clerk in such a manner as to satisfy the expectations of the citizens, employees and fellow elected officials.

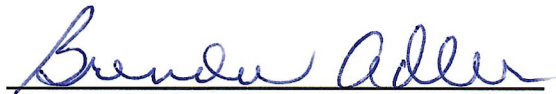
It is beneficial to all for the town clerk to complete the training requirements to understand the Wisconsin Statutes and execute the duties of the office of town clerk.

These provisions and any other statutory requirements that may have been omitted from this document apply to current and incoming town clerks unless or until amended by the town board.

By signing this Resolution, the Town of Draper board adopts and endorses the letter and spirit of this document as it applies to improving the town government for the benefit of the citizens of the Town of Draper.

A summary of this Resolution shall be publicly posted by the clerk on the town hall, dump and park bulletin boards within thirty (30) days under s. 60.80 and the full document shall be posted as a link on the town website resolutions, government and elections pages for prospective candidates to review. A print and/or electronic copy of this Resolution shall be made available to the public upon request and provided to each ballot candidate for town clerk in election years and again upon election to the office of town clerk.

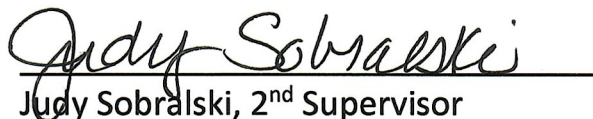
Incoming elected officials shall sign that they have read and acknowledge the letter and spirit of this Resolution and agree to uphold the Wisconsin Statutes by performing the duties described herein.



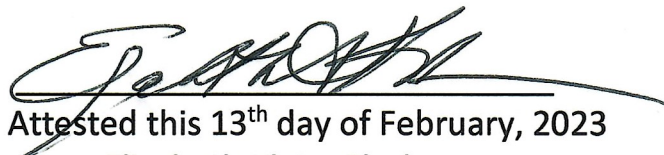
Brenda Adler, Chair



William Heath, 1st Supervisor



Judy Sobraliski, 2nd Supervisor



Attested this 13th day of February, 2023

Elizabeth Klein, Clerk