

## **CHAPTER 3 – BOARDS AND COMMITTEES**

### **SECTION 3.10 WEST POINT AREA HISTORICAL COMMISSION**

There is hereby established the West Point Area Historical Commission (hereinafter the “Commission”).

#### **Section 3.11 Purpose**

The Commission is established to preserve and protect the history of the Town including materials of historical, educational and aesthetic merit. The Commission is also being established by the Board for the purpose preserving the history of the Town by accepting gifts, bequests, devises, and endowments. The Commission shall be operated to stimulate and encourage the gifts of funds and items of historical value and to receive, hold, manage, use and dispose of the funds and property for the benefit of the Town.

#### **Section 3.12 Commission Membership**

The Commission shall consist of nine (9) members who shall be appointed by the Town Chairperson and approved by the Board. One of the Commission members may also be a member of the Board. The members of the Commission shall be individuals who have an interest in preserving the history of the Town. At least five (5) of the Commission members shall be residents of the Town.

#### **Section 3.13 Term**

The terms of the Commission members shall be staggered with three (3) members' terms expiring each year. Each Commission member shall serve for a term of three (3) years, ending on April 30 of the third succeeding year. Commission members shall hold office until their successors shall have been duly appointed. The Commission members may serve an unlimited number of consecutive terms. Commission members shall serve without pay, but may be reimbursed for any personal expenditures in the conduct of Commission business when authorized by the Board. The Board may remove any member of the Commission for, among other reasons, inefficiency, neglect of duty, malfeasance, or conflict of interest.

#### **Section 3.14 Officers**

The Commission members shall elect a chairperson, vice-chairperson, and such other officers deemed necessary from its membership. The election shall occur at the first meeting of the Commission after April 30<sup>th</sup> of each year. The terms of each office shall be for one (1) year. Officers shall hold office until their successors shall have been duly elected.

### **Section 3.15 Commission Meetings**

The Commission shall meet at least quarter-annually and the chairperson shall report the Commission's activities to the Board on a regular basis. All Commission meetings shall be held in a manner consistent with the ordinances of the Town and all other applicable laws, including open meeting laws.

### **Section 3.16 Financial Management**

The Board shall accept funds in the name of the Commission and shall maintain a separate and segregated account for the funds collected, which shall be used for the benefit of the Commission's goals and objectives. All funds collected by the Commission including, but not limited to, fundraising and memberships shall be fully accounted for to the Town and turned over on a timely basis to the Town Treasurer. Except as hereinafter provided, funds shall not be expended by the Commission unless first approved by the Town Board, who shall retain all control and authority over the funds. The Commission may from time to time purchase in advance of Town board approval postage or miscellaneous necessary supplies or materials to carry out its day-to-day purposes and such expenditures shall be reimbursed by the Town Treasurer after review and approval of the Town Board.

### **Section 3.17 Policies and Procedures**

The Commission may develop, from time to time, policies and procedures relating to, among other things, the acceptance, rejection, and disposal of gifts of papers or property, supporting memberships, and fundraising, which policies or procedures shall be reviewed and approved by the Town Board before becoming effective.

*History Note: Adopted 4/10/03.*

## **SECTION 3.20 STANDING COMMITTEES**

The following standing committees with the membership indicated will be maintained.

- (A) Highway and Safety Committee to consist of two (2) Board members, including the Chair, and three (3) citizen members.
- (B) Parks Committee to consist of two (2) Board members.
- (C) Ordinance Committee to consist of one (1) Board member and the Town Clerk.
- (D) Waste and Recycling Committee to consist of one (1) Board member and the Recycling Center Superintendent.

(E) Finance Committee to consist of two (2) Board members, including the Chair and the Town Clerk.

### **Section 3.21 Term**

The persons appointed to membership on standing committees will hold office for terms of two (2) years, subject to resignation or removal as provided in applicable Wisconsin Statutes, or until a successor has been appointed and qualified.

### **Section 3.22 Vacancy**

Upon the expiration of any Committee member's term, or in the event of a vacancy on a standing committee, the Town Chair shall appoint members to the committees subject to confirmation by the Town Board.

### **Section 3.23 Duties and Authority**

Standing committees shall have such duties and responsibilities as prescribed by the Chair, the Board, and Town Ordinances. Each standing committee shall make recommendations to the Board as the committee deems appropriate or as may be directed by the Board. Standing committees may involve consultants with expertise in the subject matter being considered by the committee, provided that the committee shall not incur any expense without first obtaining Board approval.

### **Section 3.24 Compensation and Expenses**

The Board may, but is not is not required, to establish compensation in the form of a regular salary or a per diem allowance for persons appointed to standing committees. In addition, the Board may establish a policy for reimbursement of expenses incurred by committee members.

*History Note: Adopted 2/7/00.*

## **SECTION 3.30 PLAN COMMISSION**

### **Section 3.31 Authority**

Pursuant to Sections 60.22(3), 60.61(4), 61.35, 62.23, 236.02 and 236.45, Wis. Stats., and other applicable law, there is hereby created a "Plan Commission" for the Town of West Point, Columbia County, Wisconsin.

### **Section 3.32 Membership**

The Plan Commission shall at all times consist of seven (7) members composed of six (6) citizens of the Town of recognized experience and qualifications and a Town

Board member appointed by the Town Board. All members, including the Town Board members, shall be voting members of the Commission.

### **Section 3.33 Appointment**

The citizen members shall be appointed by the Town Chairperson, subject to the approval of the Town Board.

### **Section 3.34 Term**

Citizen members shall be appointed for terms of three (3) years ending on April 30 of the third succeeding year. The Town Supervisor shall serve for the term as set by the Town Board.

### **Section 3.35 Officers**

The members of the Plan Commission shall elect a Chairperson to be the Commission's presiding officer, a Vice Chairperson and Secretary (if one is not provided by the Town Board) from among its membership. The Chairperson shall be a voting member of the Commission.

### **Section 3.36 Quorum, Records**

Four (4) members of the Plan Commission shall constitute a quorum and all actions shall require the affirmative approval of a majority of those present. The Plan Commission shall keep a written record of its proceedings to indicate its findings, determinations and all actions taken. A copy of the record shall be provided to the Town Clerk.

### **Section 3.37 Power**

The Plan Commission shall have the power and authority enumerated in Section 62.23, Wis. Stats., to the extent relevant, including the power to employ experts and staff, and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in all, the appropriation that may be made for such Commission by the Town Board, or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Town Board.

### **Section 3.38 Functions**

(A) Master Plan. The Plan Commission may make and adopt and as necessary, amend, extend or add to the master plan for the physical development of the town, subject to Town Board confirmation. The master plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the

general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways, routes for railroads and buses, historic districts, and the general location and extent of sewers, water conduits and other public utilities whether private or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, and the general location, character and extent of community centers and neighborhood units.

(B) Procedure to Adopt Master Plan. The Plan Commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part of parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Plan Commission, subject to confirmation by the Town Board. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Plan Commission to form the whole or any part of the plan.

(C) Public Hearings for Zoning Issues

(1) Prior to action by the Town Board on any request to Columbia County for rezoning, variance, or conditional use permit pursuant to the Columbia County Zoning Code, a public hearing shall be held before the Plan Commission, and the Plan Commission shall make a recommendation on such request to the Town Board at the same or next Plan Commission meeting.

(2) Within five (5) days of filing a County application for rezoning, variance or conditional use permit, the applicant shall also file an additional application with the Town on forms approved by the Plan Commission and Town Board to provide the Town supplemental or additional information including, but not limited to, the following, as applicable:

- (a) Name and street address of the petitioner and a description of the petitioner's legal interest in the property;
- (b) Legal description of the property to be affected;
- (c) The existing use of all buildings on such property;
- (d) The principal uses of all real estate as follows:

- (i) Rezoning – 1000 feet
- (ii) Variance – 500 feet
- (iii) Conditional Use Permit – 1000 feet

(e) The purpose for which such property is to be used.;

(f) Facts indicating that the proposed change will not be detrimental to the general public interests and the purposes of the Columbia County Zoning Code;

(g) Plot plan or survey plat, roughly drawn to scale, showing the property proposed to be changed, location of structures, and property lines;

(h) With respect to a variance request, complete explanation of the nature and extent of hardship(s) justifying variance; and

(i) Such other information as may be required by the Plan Commission to facilitate the making of a comprehensive report to the Town Board.

(3) The Plan Commission shall hold a public hearing upon each such request, giving notice of the time, place, and the request by publication of a Class 1 notice under Chapter 985, Wis. Stats. At least five (5) days prior to the hearing, written notice thereof shall be given by the Town Clerk or the recording secretary of the Plan Commission by regular mail to all property owners abutting and opposite the real estate for which application is made as follows:

(a) Rezoning – 1000 feet

(b) Variance – 500 feet

(c) Conditional Use Permit – 1000 feet.

(4) The petitioner requesting the particular action shall pay to the Town an application fee at the time of the filing of the petition or application in an amount to be determined from time-to-time by resolution of the Town Board. In addition, petitioner shall pay to the Town Clerk the Town's administrative costs in connection with the request, including reasonable engineering fees and attorney fees, such amount to be paid within thirty (30) days of billing by the Town Clerk. If not paid when due, the Town may impose a lien against the property of the petitioner as a special charge under Section 66.0627, Wis. Stats., and applicant, by requesting action by the Town Board on such request, agrees to the imposition of such lien.

(D) Public Hearings for Land Divisions. The public hearing provisions of Chapter 6 of the Town of West Point Code of Ordinances including, but not limited to, Sections 6.05(D)(2), 6.07(B), and 6.09(B)(2) shall apply to public hearings for all land divisions.

*History Note: Amended 12/10/09, 8/9/12;*

### **Section 3.39 Matters Referred to Plan Commission**

The Town Board or other public body or officer of the Town having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Town Board, public body or officer, the following matters: the location and architectural design of any public building; the location of any statues or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of any land for any street, alley or other public ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; all divisions of land under Chapter 6 of this Code of Ordinances; proposed rezonings; variances or conditional use permit requests under the Columbia County Zoning Code for lands located within the Town; the amendment or repeal of any land use ordinance; and any other matter the Town Board may elect to refer to the Plan Commission for a recommendation. Unless such report from the Plan Commission is made within thirty (30) days, or such longer period as may be stipulated by the Town Board or otherwise provided by state statute or ordinance, the Town Board or other public body or officer may take final action without the report or recommendation of the Plan Commission.

*History Note: Adopted 9/5/91; Amended 10/3/96, 8/7/97, 8/9/12.*

## **SECTION 3.40 FIRE DEPARTMENT AND EMS EXPENDITURES**

### **Section 3.41 Purpose and Authority**

This Ordinance is enacted pursuant to the authority of Wis. Stats., Section 66.0608 for the purpose of authorizing “volunteer funds” to be held in the name of the fire department and/or emergency medical service. This Ordinance is to be interpreted in conformance with that section as it may be amended from time to time.

### **Section 3.42 Authorization to Deposit Funds**

The Town Board of the Town of West Point does hereby authorize the Lodi Area Emergency Medical Service (EMS) Director to deposit volunteer funds of their

respective departments in an account in the name of their department in any public depository in which other Fire District or EMS District funds are being held.

### **Section 3.43 Control of Funds**

The fire department membership or EMS membership through the Fire Chief or EMS Director is granted exclusive control over the expenditure of volunteer funds of their departments. This authority is granted without limitation as to amount or type of funds. It is subject to the limitations and requirements hereinafter set forth.

### **Section 3.44 Limitations and Requirements**

The following limitations and requirements shall apply to the handling and disbursement of volunteer funds from the accounts:

(A) Expenditures. Expenditures withdrawn from the accounts may be made only upon majority vote of the fire department or EMS members present at a regularly scheduled or duly noticed meeting of their department. Such withdrawals and expenditures may be made for any purpose that promotes the ability of the fire department or EMS to provide services for which it is organized.

(B) Accountings. The Fire Chief and the EMS Director shall provide the Fire District Board and the EMS Commission with annual statements at the end of their respective fiscal years. The statements shall be provided within thirty days after the end of the fiscal year. The statements shall include a detailed itemization of all receipts, expenditures, and the balance on hand at the end of the year. The source of all funds and the identity of the payee for each disbursement shall be set forth.

(C) Audit. Fire and EMS department accounts shall be included in any audit scheduled by the Fire District Board or EMS Commission for their respective departments. In addition, each department shall appoint an internal audit committee from the membership after the close of each fiscal year to review all transactions to ensure compliance with this ordinance and any internal policies of the departments. These audit committees will issue a report of their findings to their respective memberships and to the Fire District Board/EMS Commission.

*History Note: Adopted 3/11/04, amended 8/9/12.*