

Chapter 17

BOARDS, COMMISSIONS AND COMMITTEES

[HISTORY: Adopted by the Village Board of the Village of Hustisford 3-28-1994 as Title 2, Ch. 4 of the 1994 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Code of Ethics — See Ch. 48.

Officers and employees — See Ch. 76.

Village Board — See Ch. 103.

§ 17-1. Board of Review.

- A. Composition. The Board of Review of the Village of Hustisford shall be composed of the Village President, the Clerk-Treasurer and all Trustees. The Village Clerk-Treasurer shall serve as Clerk of the Board of Review. The Assessor shall attend all meetings of the Board of Review but shall not vote.
- B. Compensation. The members of the Board of Review shall receive compensation as determined by the Village Board.¹
- C. Duties. The duties and functions of the Board of Review shall be as prescribed in §§ 70.46 and 70.47, Wis. Stats.
- D. Meetings. In accordance with § 70.47(3)(b), Wis. Stats., the Village Board does hereby exercise its right to designate hours for the annual Board of Review proceedings other than those set forth in § 70.47(3)(a) and shall designate the hours of the annual Board of Review proceedings. The Board may adjourn from day to day or from time to time, until such time as its business is completed, provided that adequate notice of each adjournment is so given.
- E. Objections to valuations to be written. No person shall be permitted to appear and make objection before the Board of Review of the Village of Hustisford to the amount of valuation of any property unless objection thereto shall first have been made in writing and filed with the Clerk of the Board of Review.

§ 17-2. Zoning Board of Appeals.

- A. Establishment. A Zoning Board of Appeals shall be appointed and governed by the state zoning enabling law as contained in § 62.23, Wis. Stats., the Village Zoning Code² and ordinances and this section. The laws of the state or Village and local ordinances shall prevail in that order. The Zoning Board of Appeals shall consist of

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

2. Editor's Note: See Ch. 325, Zoning.

five citizen members and two alternate members appointed by the Village President, subject to confirmation by the Village Board, for a three-year term of office. The members shall be removable by the Village Board for cause upon written charges and upon public hearing. The Village President shall designate one of the members Chairman.

B. Powers. The Zoning Board of Appeals shall have the powers as set forth in Chapter 325, Zoning, § 325-91.³

C. Meetings and rules.

(1) All meetings and hearings of the Zoning Board of Appeals shall be open to the public, except that the Board may go into executive session to deliberate after a hearing or an appeal. The final vote on an appeal shall be taken in open session by roll call vote, recorded and open for public inspection in the Board's office. Public notice of all regular and special meetings shall be given to the public and news media as required by the Wisconsin Open Meetings Law.⁴

(2) Special meetings may be called by the Chairman or by the Secretary at the request of two members. Notice of a special meeting shall be mailed to each member at least 48 hours prior to the time set for the meeting, or announcement of the meeting shall be made at any meeting at which all members are present.

(3) Hearings may be held at any regular or special meeting at the time set by the Chairman.

(4) A quorum for any meeting or hearing shall consist of four members, but a lesser number may meet and adjourn to a specified time.

(5) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Village Clerk-Treasurer and shall be public record. The Board shall adopt its own rules of procedure not in conflict with this Code or with the applicable Wisconsin statutes.

(6) No Board member shall participate in the decision of or vote upon any case in which the member is financially interested, directly or indirectly, but the Chairman shall direct an alternate member to act instead. Disqualification of a member for interest shall not decrease the number of votes required for acting upon any matter, but such member may be counted in determining whether a quorum is present for the transaction of business.

D. Offices. The Village Board shall provide suitable offices for holding hearings and

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

4. Editor's Note: See §§ 19.81 to 19.98, Wis. Stats.

the preservation of records, documents and accounts.

§ 17-3. Plan Commission.

- A. Composition. The Village Plan Commission shall consist of seven members, who shall be the following: the Village President, who shall be its presiding officer, a Village Trustee and five citizen members.
- B. Appointment.
 - (1) Trustee member. The Trustee member shall be annually appointed by a two-thirds vote at the organizational meeting of the Village Board.
 - (2) Citizen members.
 - (a) The five citizen members shall be appointed by the Village President for a term of three years, subject to Village Board approval.
 - (b) All citizen members shall be persons of recognized experience and qualifications and shall hold office until their respective successors are selected and qualified. Whenever a vacancy shall occur in any citizen member, a successor shall be appointed for the unexpired term in the manner as set forth above.
- C. Quorum. Four members shall constitute a quorum.⁵
- D. Duties and powers.
 - (1) Master Plan.
 - (a) The Plan Commission shall make, adopt and, as necessary, amend, extend or add to the Master Plan, subject to Village Board confirmation, for the physical development of the Village, including areas outside of its boundaries which, in the Plan Commission's judgment, bear relation to the development of the Village. The Master Plan, with the accompanying maps, plats 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; the general location and extent of sewers, water conduits and other public utilities, whether privately 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; the general location, character and extent of community centers and neighborhood units; and a comprehensive

⁵. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

zoning plan.

- (b) The 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 or 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 present, subject to confirmation by the Village Board. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the Village Clerk-Treasurer, and a copy of the plan or part thereof shall be certified to the Village Board. The purpose and effect of the adoption and certifying of the Master Plan or part thereof shall be solely to aid the Plan Commission and the Village Board in the performance of their duties.⁶
- (2) Matters referred to the Plan Commission. The Village Board or officer of the Village having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Board, public body or officer, the following matters: the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, 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; all plats of lands in the Village or within the territory over which the Village is given platting jurisdiction by Ch. 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance.
- (3) Miscellaneous powers. The Commission may make reports and recommendations relating to the plan and development of the Village to public officials and agencies; civic, educational, professional and other organizations; and citizens. It may recommend to the Village Board programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work. The Commission, its members and employees, in the performance of its functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. In general, the Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Village Board. The Commission

⁶. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

shall oversee community development block grants. The Village Board may refer to the Commission for its consideration and recommendation any matter pertaining to the planning and development of land within the Village and within 1 1/2 miles of the limits of the Village. All plats or replats of any lands within the limits of the Village or any lands outside the Village and within 1 1/2 miles of the limits of the Village shall be submitted to the Commission for its recommendation to the Village Board before the same are approved by the Village Board.

- E. Compensation; oath. Compensation may be established by the Village Board for service on the Commission. Citizen members shall take the official oath required by § 19.01, Wis. Stats., which shall be filed with the Village Clerk-Treasurer.
- F. Organization. As soon as all members of the first Commission shall have been appointed, the Village Clerk-Treasurer shall give each member a written notice of the appointment and thereon shall fix the time and place of the first meeting which shall be not less than five nor more than 10 days thereafter. The Village Trustee representative shall serve as the Vice Chairman, and the Village Clerk-Treasurer shall keep a written record of the Commission's proceedings, to include all actions taken, a copy of which shall be filed within the Village office.⁷
- G. Employees; budget. The Plan Commission shall have the power to employ experts and such staff as may be necessary and to pay for their services and such other expenses as may be necessary and proper, within the limits of the budget established by the Village Board, or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the Village Board. As far as possible, the Commission shall utilize the services of existing Village officials and employees.
- H. Monthly meetings and report. At the annual organizational meeting, the Plan Commission shall establish a monthly meeting date. The Clerk-Treasurer's minutes shall serve as the Plan Commission's monthly report.⁸

§ 17-4. Utility Commission. [Amended 6-4-2001]

- A. Composition. The Utility Commission for the Village shall consist of five members who shall be appointed on a nonpartisan basis by a majority of the members of the Village Board for a term of five years. The terms of the Commissioners shall expire successively in each year on October 1.
- B. Eligibility.
 - (1) One member of the Village Board shall, during the term for which he is elected, be eligible for a position on the Utility Commission.
 - (2) All members of the Utility Commission shall be residents of the Village of Hustisford.

7. Editor's Note: Amended 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).

- (3) No person shall be eligible for the position of Utility Commissioner or hold any office or position in such Department who directly or indirectly has pecuniary interest in any contract for furnishing heat, light, water, power, or other public service to or for such Village or who is a stock holder in any corporation which has any such contract. Any such office or position shall become vacant upon the acquiring of any such interest.
- C. Officers; compensation. The members of the Utility Commission shall elect a Chairman and Secretary from among their members and their terms shall be fixed by the Commission. All members of the Commission shall receive such compensation as may be fixed from time to time by the Village Board.
- D. Powers.
- (1) The Utility Commission shall have the entire charge, management and direction of the electric, water, sewer and communications utilities owned by the Village, subject only to the general control and supervision of the Village Board.
 - (2) The Utility Commission may appoint a manager and fix his or her compensation and engage necessary employees and agents and fix their compensation as approved by the Village Board.
 - (3) The Utility Commission may make all necessary rules governing its procedures and government of the municipal electric, water, sewer, and communications utilities.
 - (4) The Utility Commission shall have general powers to construct, extend, improve, operate and maintain the municipal electric, water, sewer, and communications utilities.
 - (5) Utility construction work shall be under the immediate supervision of the Utility Commission.
 - (6) The Utility Commission shall establish rates for the municipal electric, water, and communications utilities.
 - (7) The Utility Commission shall recommend sewer rates by resolution to the Village Board and the Village Board shall adopt the rates by ordinance.
 - (8) Money borrowed for a utility project, whether electric, water, sewer, or communications, is subject to approval by the Village Board.

§ 17-5. Joint Library Board.⁹

- A. Organization; terms.
- (1) There is hereby created, pursuant to Ch. 43, Wis. Stats., the Joint Municipal Library Board for the Village of Hustisford and Town of Hustisford consisting

⁹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

of seven members. The membership shall consist of:

- (a) One Village Trustee.
 - (b) Two Village citizens appointed by the Village President.
 - (c) The Town Chairman.
 - (d) Two Town citizens appointed by the Town Chairman.
 - (e) One school district representative appointed by the School Board.
- (2) Terms of such members shall be from May 1 in the year of their appointment, and thereafter each regular appointment shall be for a term of three years. Not more than one member of the Village Board shall at any one time be a member of the Library Board. Citizen members shall be appointed by the Village President, subject to confirmation by the Village Board. The Trustee member shall be appointed annually by the Village President, subject to confirmation by the Village Board.
- (3) A majority of the membership of the Board shall constitute a quorum.
- (4) As soon as practicable after the first appointments, at a date and place fixed by the appointing officer, and annually thereafter, within 30 days after the time designated in this section for the beginning of terms, the members of the Joint Library Board shall organize by election from among their number a President and such other officers that they deem necessary to prescribe and adopt rules and regulations for the operation of the library.
- B. Duties and powers. The Joint Library Board shall have the duties and powers as prescribed by Ch. 43 and more particularly set forth in § 43.58, Wis. Stats.

§ 17-6. Joint Recreation Board. ¹⁰

The Joint Recreation Board for the Village of Hustisford, the Town of Hustisford and the Town of Hubbard shall consist of seven members. The Village President shall appoint one Trustee and one Village citizen at large, subject to approval by the Village Board. The Town of Hustisford Chairman shall appoint one Town Supervisor and one Town of Hustisford citizen at large. The Town of Hubbard Chairman shall appoint one Town Supervisor and one Town of Hubbard citizen at large. A school district representative shall be appointed by the school administration. ¹¹

§ 17-7. Police Disciplinary Committee. [Added 11-4-2002]

- A. Membership. The Police Disciplinary Committee shall consist of three citizen members appointed by the Village President and subject to approval by the Village Board. A member shall not be an elected or appointed official of the Village or be

¹⁰. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

¹¹. Editor's Note: Original § 2-4-7, Economic Development Committee, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

employed by the Village. One member shall be appointed annually for a term of three years, with initial appointments being for one-, two- and three-year terms, respectively.

- B. Powers and duties. The Committee shall have the powers and duties prescribed in §§ 61.65 and 62.13, Wis. Stats.

§ 17-8. Meetings and public notice.

- A. Regular meetings; public notice. Every board, committee and commission created by or existing under the ordinances of the Village shall:
 - (1) Schedule a date, time and place for its meetings;
 - (2) Post or, when necessary, publish notice in or notify the official Village newspaper in advance of each such regular meeting of the date, time, and place thereof, in compliance with state law; and/or
 - (3) Post an agenda of the matters to be taken up at such meeting.
- B. Form of notice. Such notice shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session which may be authorized by law, and may be in the form on file at the Clerk-Treasurer's office.¹²
- C. Notice to members. Every member of any board, commission or committee of the Village of Hustisford shall be notified by the secretary thereof that a meeting is to be held, the time and place of such meeting and the subject to be considered thereat. No member shall be intentionally excluded from any meeting by a failure to give proper notice or a reasonable attempt to give proper notice to such member.
- D. Minutes to be kept. Every board, commission and committee shall keep a record of the minutes of its proceedings and shall cause a signed copy thereof to be filed by its secretary with the Village Clerk-Treasurer within one week of the meeting date. The Village Clerk-Treasurer shall furnish a copy of all minutes filed with him to each member of the Village Board. All such minutes shall be public records.¹³
- E. Special meetings. Nothing in Subsection A shall preclude the calling of a special meeting or dispensing with the publication of notice or such posting of the agenda for good cause, but such special meetings shall nonetheless comply in all respects with the provisions of §§ 19.81 and 19.89, Wis. Stats.

§ 17-9. Residency requirements; attendance.

- A. Residency. Except for the Library Board or Recreation Board, a person not a resident of and not residing in the Village of Hustisford shall not be appointed in a voting capacity to any Village board, committee or commission. Any board or

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

13. Editor's Note: See Ch. 87, Records.

commission member who moves from the Village shall be removed from such board or commission but may be appointed to serve in an ex officio capacity.

- B. Attendance. Members of boards, committees and commissions are required to attend a minimum of 2/3 of the meetings in each six-month period of their respective bodies, unless excused by the membership of their body. Failure to comply with this subsection may result in the removal and replacement of the official found to be in noncompliance.

§ 17-10. Rules of procedure; quorum.

Except as provided herein:

- A. The provisions of Chapter 103, §§ 103-16 through 103-20 of this Code relating to rules of procedure for the Village Board, together with Robert's Rules of Order, shall as far as applicable also apply to committee, board and commission meetings.
- B. A simple majority of the members of a committee or commission shall constitute a quorum.