

**Town of Milladore
Chairperson Position Description
Updated 3/22/2022**

Financial Reimbursement of Town Chairperson position Activity	Amount
Mileage Reimbursement Mileage claims submitted with date, distance, and purpose submitted by end of month (2022 state reimbursement of .59 a mile)	
Board of Review Meeting (1 x \$50) deduct taxes	\$50
Special Meetings Called during the year (\$50 per meeting) Voted November 7, 2021 at Annual Budget Meeting	

Chair \$3200	After Taxes \$2955	Paid once a year
Jan	\$246.25	
Feb	\$246.25	
March	\$246.25	Paid \$2,955
Apr	\$246.25	
May	\$246.25	
June	\$246.25	
July	\$246.25	
August	\$246.25	
September	\$246.25	
October	\$246.25	
November	\$246.25	
December	\$246.25	

The town chair is a member of the town board of supervisors. He or she has an equal vote to the other board members and may make and second motions at town board meetings. The town chair does not have veto power. While the town chair has many of the same duties and responsibilities as the other board members, the chair does have some unique powers and responsibilities. These are listed in detail under Wisconsin Statute (Wis. Stat.) s. 60.24. The powers of the chair most frequently exercised are described in more detail below.

Chair Duties

- 1. Preside over meetings of the town board and annual town meeting.**
 - a. 12 meetings a year
 - b. Annual Meeting (April)
 - c. Board of Review Meeting (August)
 - d. Annual Budget Meeting (November)

The town chair calls the town board meetings to order and runs the meetings. The board may adopt a policy as to who will run the meeting if the chair is absent. If there is no policy in place, the clerk should note the absence of the chair in the meeting record at the start of the meeting and indicate to the board members who are present that they will need to vote to appoint a chair for the meeting. *For more information see Appendix A or State Statute 60.13, 60.24*

Preside at town elector meetings, if present, pursuant s. 60.13(1).

2. Provide notice of town board meetings pursuant to s. 19.84, Wis. Stat.

The town chair is responsible for approving the final agenda for each board meeting and granting the clerk permission to provide proper notice of the meeting to the public. The town board has the power to vote to add an item to a future agenda if the chair refuses to place the item on the agenda. If passed, that item must then be placed on that future agenda even if the chair voted against the motion. *For more information see Appendix A or State Statute 19.84*

3. Sign Checks and transfer orders as required under s. 66.0607, Wis. Stat.

State law requires the town clerk, town treasurer, and town chair to sign all drafts, checks and transfer orders that disburse money from the town treasury. *For more information see Appendix A or State Statute 66.0607*

4. Responsible for all immediate road and construction issues and meeting with representatives.

The Chair will report to the Board any and all decisions made or needed for discussion and determination regarding town roads. *For more information see Appendix A or State Statute 66.13 (f)*

State Statute 60.13 (f) Act on authorization of board. If authorized by the town board, act on behalf of the board, to: 1. Direct, as appropriate, the solicitation of bids and quotations for the town's purchase of equipment, materials and services and submit the bids and quotations to the town board for approval.

5. Sign documents such as ordinances, contracts, resolutions, etc.

When the town board votes to adopt an ordinance, issue a permit, enter a contract, etc., the town chairperson is required to sign the document on behalf of the town board even if he or she did not vote in favor of it. The town clerk also typically signs the attestation portion of the document. The remaining town board members may sign ordinances and resolutions as a sign of support, but those additional signatures are not required.

For more information see Appendix A or State Statute 60.24 (c)

6. State Statute 60.24 (3) OTHER RESPONSIBILITIES. In addition to the powers and duties under this section, the town board chairperson has the following responsibilities:

(o) *Sign orders for payment of work performed and materials furnished on town highways.*

(w) *Perform the town chairperson's duties related to stray animals and lost goods under ch. 170.*

(x) *Perform the town chairperson's duties related to distrained animals under*

Town chairs do not have any inherent statutory authority to make purchasing decisions or employment decisions without town board approval.

Under s. 60.24(1)(f), a town chair may, *if authorized by the town board*, solicit bids or quotes for equipment, materials or services. However, this section also specifically states that the bids or quotes must then be submitted *to the town board for approval*. The chair cannot hire someone to perform a service or sign a contract without first getting town board approval.

Pursuant to s. 60.37(1), the town board is responsible for making employment decisions. However, if the board chooses to do so, it may delegate the authority to make employment decisions to a specific officer or employee. Such a delegation should take place by majority vote at a properly noticed board meeting. Remember, the town board has

7. Correspondence with town residents on individual concerns regarding town operations

- a. Road improvements
- b. Snow plowing
- c. Missing road signs
- d. Other items as they arise

8. Other Items NOT identified above:

- a. _____
- b. _____

Appendix A

State Statutes that pertain to the duties of Town Chairperson

60.13 Presiding officer.

(1) WHO PRESIDES.

(a) If present, the town board chairperson shall chair the town meeting. If the town board chairperson is absent, another town board supervisor shall chair the town meeting. If no town board supervisor is present, the town meeting shall elect the chairperson of the meeting.

(b) If the annual town meeting is held in a year when the office of town board chairperson is filled by election, the person holding the office on the day prior to the date of the election to fill the office shall preside at the annual town meeting and is entitled to receive the per diem which is ordinarily paid to the presiding officer. If such person is absent or refuses to serve as the presiding officer, the presiding officer shall be chosen under par. (a).

(2) DUTIES. The town meeting chairperson shall conduct the meeting's proceedings in accordance with accepted parliamentary procedure.

(3) ENFORCEMENT AUTHORITY. The town meeting chairperson shall maintain order and decorum, and may order any person to leave a town meeting if the person has conducted himself or herself in a disorderly manner and persisted in such conduct after being directed by the chairperson to cease the conduct. If the person refuses the chairperson's order to withdraw, the town meeting chairperson may order a constable or other law enforcement officer to take the person into custody until the meeting is adjourned. History: 1983 a. 532.

19.84 Public notice.

(b) By communication from the chief presiding officer of a governmental body or such person's designee to the public, to those news media who have filed a written request for such notice, and to the official newspaper designated under ss.

66.0607 Withdrawal or disbursement from local treasury.

(1) Except as otherwise provided in subs. (2) to (5) and in s. 66.0608, in a county, city, village, town, or school district, all disbursements from the treasury shall be made by the treasurer upon the written order of the county, city, village, town, or school 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. This section applies to all special and general provisions of the statutes relative to the disbursement of money from the county, city, village, town, or school district treasury except s. 67.10 (2).

(2) Notwithstanding other law, a county having a population of 750,000 or more may, by ordinance, adopt any other method of allowing vouchers, disbursing funds, reconciling outstanding county orders, reconciling depository accounts, examining county orders, and accounting consistent with accepted accounting and auditing practices, if the ordinance prior to its adoption is submitted to the department of revenue, which shall submit its recommendations on the proposed ordinance to the county board of supervisors.

(3) Except as provided in subs. (2), (3m) and (5), disbursements of county, city, village, town or school district funds from demand deposits shall be by draft or order check and withdrawals from savings or time deposits shall be by written transfer order. Written transfer orders may be executed only for the purpose of transferring deposits to an authorized deposit of the public depositor in the same or another authorized public depository. The transfer shall be made directly by the public depository from which the withdrawal is made. No draft or order check issued under this subsection may be released to the payee, nor is the draft or order check valid, unless signed by the clerk and treasurer. No transfer order is valid unless signed by the clerk and the treasurer. Unless otherwise directed by ordinance or resolution adopted by the governing body, a certified copy of which shall be filed with each public depository concerned, the chairperson of the county board, mayor, village president, town chairperson or school district president shall countersign all drafts or order checks and all transfer orders. The governing body may also, by ordinance or resolution,

authorize additional signatures. In lieu of the personal signatures of the clerk and treasurer and any other required signature, the facsimile signature adopted by the person and approved by the governing body may be affixed to the draft, order check or transfer order. The use of a facsimile signature does not relieve an official from any liability to which the official is otherwise subject, including the unauthorized use of the facsimile signature. A public depository is fully warranted and protected in making payment on any draft or order check or transferring pursuant to a transfer order bearing a facsimile signature affixed as provided by this subsection notwithstanding that the facsimile signature may have been affixed without the authority of the designated persons.

- (3m) A county, city, village, town or school district may process periodic payments through the use of money transfer techniques, including direct deposit, electronic funds transfer and automated clearinghouse methods. The county, municipal or school district treasurer shall keep a record of the date, payee and amount of each disbursement made by a money transfer technique.
- (4) Except as provided in sub. (3m), if a board, commission or committee of a county, city, village, town or school district is vested by statute with exclusive control and management of a fund, including the audit and approval of payments from the fund, independently of the governing body, payments under this section shall be made by drafts or order checks issued by the county, city, village, town or school clerk upon the filing with the clerk of certified bills, vouchers or schedules signed by the proper officers of the board, commission or committee, giving the name of the claimant or payee, and the amount and nature of each payment.
- (5) In a 1st class city, municipal disbursements of public moneys shall be by draft, order, check, order check or as provided under sub. (3m). Checks or drafts shall be signed by the treasurer and countersigned by the comptroller. Orders shall be signed by the mayor and clerk and countersigned by the comptroller, as provided in the charter of the city. Disbursements of school moneys shall be as provided by s. 119.50.
- (6) Withdrawal or disbursement of moneys deposited in a public depository as defined in s. 34.01 (5) by a treasurer as defined in s. 34.01 (7), other than the elected, appointed or acting official treasurer of a county, city, village, town or school district, shall be by endorsement, written order, draft, share draft, check or other draft signed by the person or persons designated by written authorization of the governing board as defined in s. 34.01 (1). The authorization shall conform to any statute covering the disbursement of the funds. A public depository is fully warranted and protected in making payment in accordance with the latest authorization filed with it.
- (7) No order may be issued by a county, city, village, town, special purpose district, school district, cooperative education service agency or technical college district clerk in excess of funds available or appropriated for the purposes for which the order is drawn, unless authorized by a resolution adopted by the affirmative vote of two-thirds of the entire membership of the governing body.

History: 1971 c. 154; 1971 c. 211 s. 124; 1977 c. 142, 225; 1979 c. 318; 1981 c. 20; 1983 a. 145; 1983 a. 189 s. 329 (21); 1983 a. 192 s. 303 (2); 1983 a. 368, 538; 1985 a. 91, 225; 1989 a. 56 s. 258; 1993 a. 399; 1999 a. 150 s. 109; Stats. 1999 s. 66.0607; 2001 a. 16; 2017 a. 207 s. 5.

Please NOTE bold and italicized sections depict the day to day operations of the Town of Milladore Chairperson. Areas that have a line through that stanza are areas that the Town of Milladore does not deal with on a day to day basis.

60.24 Powers and duties of town board chairperson.

(1) GENERAL POWERS AND DUTIES. The town board chairperson shall:

(a) *Preside at board meetings. Preside over meetings of the town board.*

(b) Preside at town meetings. Preside over town meetings as provided under **s. 60.13.**

60.13 Presiding officer.

(1) WHO PRESIDES.

(a) If present, the town board chairperson shall chair the town meeting. If the town board chairperson is absent, another town board supervisor shall chair the town meeting. If no town board supervisor is present, the town meeting shall elect the chairperson of the meeting.

(b) If the annual town meeting is held in a year when the office of town board chairperson is filled by election, the person holding the office on the day prior to the date of the election to fill the office shall preside at the annual town

meeting and is entitled to receive the per diem which is ordinarily paid to the presiding officer. If such person is absent or refuses to serve as the presiding officer, the presiding officer shall be chosen under par. (a).

(2) DUTIES. The town meeting chairperson shall conduct the meeting's proceedings in accordance with accepted parliamentary procedure.

(3) ENFORCEMENT AUTHORITY. The town meeting chairperson shall maintain order and decorum, and may order any person to leave a town meeting if the person has conducted himself or herself in a disorderly manner and persisted in such conduct after being directed by the chairperson to cease the conduct. If the person refuses the chairperson's order to withdraw, the town meeting chairperson may order a constable or other law enforcement officer to take the person into custody until the meeting is adjourned. History: 1983 a. 532.

(c) Sign documents.

1. Sign all ordinances, resolutions, bylaws, orders, regulations, commissions, licenses and permits adopted or authorized by the town board unless the town board, by ordinance, authorizes another officer to sign specific types of documents in lieu of the chairperson. The board, by ordinance, may authorize use of a facsimile signature under this paragraph.

2. Sign all drafts, order checks and transfer orders as provided under s. 66.0607.

(d) Assure administration of statutes. Supervise the administration of statutes relating to the town and town operations to see that they are faithfully executed.

(e) Act on behalf of board. Act, on behalf of the town board, to:

1. See that town orders and ordinances are obeyed.

2. See that peace and order are maintained in the town.

3. Obtain necessary assistance, if available, in case of emergency, except as provided under ch. 323.

(f) Act on authorization of board. If authorized by the town board, act on behalf of the board, to:

1. *Direct, as appropriate, the solicitation of bids and quotations for the town's purchase of equipment, materials and services and submit the bids and quotations to the town board for approval.*

2. Represent, or designate another officer to represent, the town at meetings of, and hearings before, governmental bodies on matters affecting the town.

(2) ADMINISTER OATHS. The town board chairperson may administer oaths and affidavits on all matters pertaining to the affairs of the town.

(3) OTHER RESPONSIBILITIES. In addition to the powers and duties under this section, the town board chairperson has the following responsibilities:

(a) Nominate individuals for service as election officials to the town board whenever the town board disapproves the nominee of a party committee under s. 7.30

(4) and the names of additional nominees are not available.

(b) Serve as caucus official under s. 8.05 (1) (c).

(c) Sue on official bonds under s. 19.015.

(d) Execute and sign a certificate of indebtedness in connection with obtaining a state trust fund loan under s. 24.67.

(e) Serve as town fire warden under ss. 26.13 and 26.14.

~~(f) Appoint members of the board of harbor commissioners under s. 30.37 (3).~~

~~(g) Appoint members of library boards under ss. 43.54 (1) (a) and 43.60 (3).~~

~~(h) Exercise the powers and duties specified for a mayor under s. 62.13 if the town creates a joint board of police and fire commissioners or joint police or fire department with a village under s. 61.65 (3g) (d) 2. or a board of police and fire commissioners under s. 60.57.~~

(i) Provide an annual estimate of funds necessary for any utility district established under s. 66.0827 (2). (j)

Appoint, at his or her discretion, one or more commissioners of noxious weeds under s. 66.0517. (L) If

authorized by the town board, represent the interests of the town in connection with appearances before the state tax appeals commission under s. 70.64 (5).

(m) Approve the bond of the town treasurer delivered to the county treasurer under s. 70.67 (1).

(o) Sign orders for payment of work performed and materials furnished on town highways.

~~(p) See that all tunnels in the town are constructed under s. 82.37 and that they are kept in good repair.~~

(q) Serve as a member of the county highway committee under s. 83.015 (1) (d).

(r) Close county trunk highways when rendered dangerous for travel and notify the highway commissioner under s. 83.09.

~~(s) Appoint members to the airport commission under s. 114.14 (2).~~

(t) MISSING – c.hollar 1/4/21

(u) MISSING – c.hollar 1/4/21

(v) Under s. 167.10 (8), enforce regulation of fireworks under s. 167.10.

(w) Perform the town chairperson's duties related to stray animals and lost goods under ch. 170.

(x) Perform the town chairperson's duties related to distrained animals under ch. 172. (xm) Perform the town chairperson's duties related to animals that have caused damage in the town under ch. 172.

(y) Perform the town chairperson's duties related to municipal power and water districts under ch. 198.

(ym) Cause actions to be commenced for recovery of forfeitures for violations of town ordinances that can be recovered in municipal court under s. 778.11.

(z) Notify the district attorney of forfeitures which may not be recovered in municipal court under s. 778.12.

(zm) Approve bonds furnished by contractors for public works under s. 779.14 (1m). History: 1983 a. 532; 1985 a. 225; 1987 a. 197, 399; 1989 a. 336; 1997 a. 127, 192, 287; 1999 a. 150 ss. 10, 672; 2003 a. 214; 2009 a. 42. NOTE: 2003 Wis. Act 214, which affected this section, contains extensive explanatory notes. The offices of president of a common school district board and chairperson of a town board within the school district and the offices of school board member and town clerk are probably compatible. 74 Atty. Gen. 50. SUBCHAPTER V