

The State of Wisconsin

Office of the Secretary of State

V 477

Caledonia

Racine County

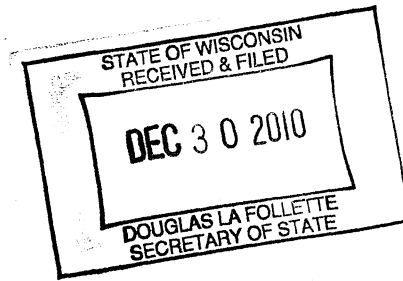
Charter Ord

Ord # 2010-001 Amending Section 2-5-8 Relating to the Creation, Management and Boundaries of the Sewer & Water Utility Districts

Filed December 30, 2010

H O S T A K
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H E N Z L
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B I C H L E R

ATTORNEYS AT LAW



V 477

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December 27, 2010

*Also Licensed In Illinois

Kenneth F. Hostak
(1930 - 2005)

Secretary of State
State of Wisconsin
Attention: Government Records
P.O. Box 7848
Madison, WI 53707-7848

RE: Village of Caledonia - Charter Ordinance 2010-001
Caledonia Sewer & Water Utility Districts

Government Records:

Enclosed please find an original and one copy of the Certification of Charter Ordinance 2010-001 on behalf of the Village of Caledonia. Please file this document with the Office of the Secretary of State and return a filed copy to our office in the envelope provided.

✓ Done
Kelly F.

Thank you for your attention to this matter.

Sincerely,

HOSTAK, HENZL & BICHLER, S.C.

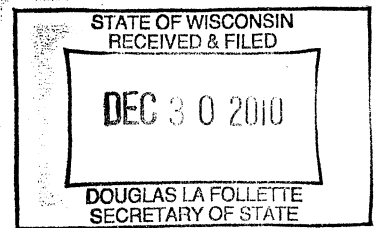
A handwritten signature in black ink that reads "Timothy J. Pruitt".

Timothy J. Pruitt
tpruitt@hnb.com

TJP/emz
Enclosures

cc: Ms. Karie Torkilsen – Clerk, Village of Caledonia

V 477



**VILLAGE OF CALEDONIA
CHARTER ORDINANCE 2010-001**

**A CHARTER ORDINANCE AMENDING SECTION 2-5-8 OF THE CODE OF
ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO THE
CREATION, MANAGEMENT AND BOUNDARIES OF THE CALEDONIA SEWER
AND WATER UTILITY DISTRICTS**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

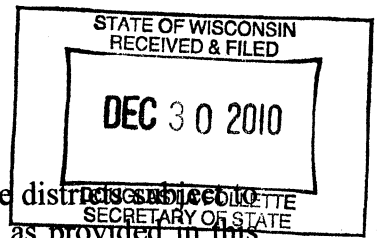
1. That the Village of Caledonia previously adopted Charter Ordinance No. 2006-05 relating to the creation, management and boundaries of the Caledonia East Sewer and Water Utility Districts and Caledonia West Sewer and Water Utility Districts; further that the Village of Caledonia is in the process of consolidating the districts into one water utility district and one sewer utility district, requiring the amendment of the 2006 Charter ordinance.

2. That effective December 15, 2010, Section 2-5-8 of the Code of Ordinances for the Village of Caledonia be, and here is, amended to read as follows:

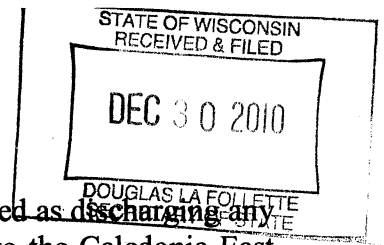
"SEC. 2-5-8 CALEDONIA SEWER AND WATER UTILITY DISTRICTS.

(a) **Creation.** There shall be one sewer utility district and one water utility district for a portion of the Village of Caledonia organized pursuant to the Wisconsin Statutes, which shall be known as "Caledonia Sewer Utility District," and "Caledonia Water Utility District."

(b) **Commission.** The Caledonia Sewer and Water Utility Districts shall be governed by one Utility District Commission, comprised of six (6) commissioners who are residents of the Village and reside within one (1) of the utility districts. Current Commissioners not residing within the boundaries of one (1) of the utility districts shall be permitted to complete their term, but may not be reappointed unless residency within a utility district is established. The six (6) Commissioners shall be appointed for staggered four (4) year terms by the Village Board, each term commencing on May 1, and one (1) Village Board Trustee, who shall serve as a liaison to the Village Board. Initially, the terms of the various citizen members shall be staggered so that one term shall expire each year. The Village President shall appoint the liaison member, and an alternate liaison member, subject to confirmation by the Village Board. The compensation paid to the citizen commissioners shall be determined from time to time by resolution of the Village Board. The liaison member shall have the same rights as the other Commission members, and shall be counted in determining the number required for a quorum or whether a quorum is present. The liaison member, and his or her alternate, shall serve a one-year term commencing on May 1st. The commission shall have the following powers and obligations:



- (1) The commission shall have charge and management of the districts ~~subject to the~~ the general control and supervision of the Village Board as provided in this section.
- (2) The commission shall prepare a proposed budget for the districts in accord with Sec. 65.90, Wis. Stats., and shall file it with the Village Clerk for review and approval by the Village Board.
- (3) The commission shall choose a president and secretary from its membership. Subject to the appropriations in the budget, as approved by the Village Board, the commission may appoint and establish the compensation of a manager for the districts, may employ and fix the compensation of subordinates as necessary, and may employ the services and fix the compensation of such other agents or consultants as the commission deems necessary or convenient for the operation and management of the districts.
- (4) The commission shall keep books of account in the manner and form prescribed by the accountants retained by the Village and as required by law. Utility expenses shall be audited by the commission at its regular meetings, and if approved by the commission and signed by the President and Secretary, shall be paid by the Village Clerk and Treasurer pursuant to Sec. 66.0607, Wis. Stats. The commission may authorize the payment of wages, salaries and such other regular expenses as the commission may determine to be paid as they become due, if approved by the President and Secretary.
- (5) The Village Board, by resolution, may authorize one or more of the utility districts to obtain separate employer identification numbers from the Internal Revenue Service, process their own payroll, and obtain separate insurance. If so authorized, the commission shall establish appropriate personnel policies and provide for the retention of confidential personnel files. The Village Board may also authorize the utilities to pay approved utility expenses from separate bank accounts established by the Village Board for that purpose.
- (6) The commission shall have authority to enter into contracts as are necessary or convenient for the management and operation of the districts; provided, however, that contracts for any purchase, service, or project that involves an expenditure of \$25,000.00 or more shall be subject to prior approval by the Village Board.
- (7) The commission shall have the authority to administer each district and set such rules and regulations for the operation of each district and the delivery of services within each district as are authorized by law. The commission may also adopt rules for its own governance. All such rules and regulations shall be subject to approval by the Village Board and shall be kept in printed form, and a copy shall be filed with the Village Clerk as a public record.



(c) **Obligations to District.** Nothing in this section shall be construed as ~~discharging any~~ person, firm, corporation, or organization from any obligation to the Caledonia East Sewer and Water Utility Districts or the Caledonia West Sewer and Water Utility Districts, or their predecessor utility districts, incurred prior to the enactment of this section, including, but not limited to, compliance with the rules and regulations of the district, payments of any monies owing to the district and performance of any contracts entered into with the district. Nothing herein shall affect the obligations that the district has as to any outstanding bond issuances or other debt obligations.

(d) **District Boundaries.** The boundaries of the two utility districts shall be established by resolution of the Village Board."


3. Should any section, clause or provision of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.


4. All ordinances in conflict with any provisions of this ordinance are hereby repealed.

5. This Charter Ordinance shall take effect sixty (60) days after its passage and publication, unless within such sixty days a referendum petition shall be filed as provided in Wis. Stat. Section 66.0101, in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of electors voting thereon as provided by Wis. Stat. Section 66.0101.

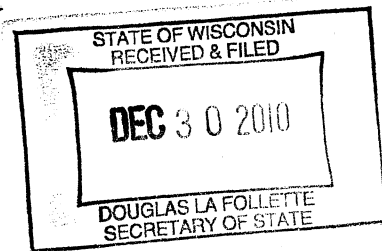
This Charter Ordinance was approved by the Village Board of the Village of Caledonia by at least a two-thirds (2/3) vote of the Village Board on this 5th day of October, 2010.

VILLAGE OF CALEDONIA

By: 
Ronald Coutts
Village President

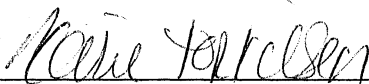
Attest: 
Karie L. Torkilsen
Village Clerk

CERTIFICATE



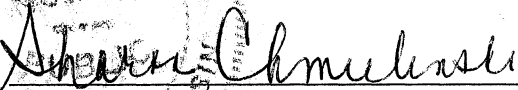
I, Karie Torkilsen, being the duly elected Clerk for the Village of Caledonia, certify that the attached is a true and correct copy of Charter Ordinance 2010-001, A Charter Ordinance of the Village Board of the Village of Caledonia Amending Section 2-5-8 of the Code of Ordinances for the Village of Caledonia Relating to the Creation, Management and Boundaries of the Caledonia Sewer and Water Utility Districts

Dated this 22nd day of December, 2010.



Karie Torkilsen
Village Clerk

Subscribed and sworn to before me
this 22nd day of December, 2010.



Sharon Chmielewski, Notary Public
Racine County, Wisconsin
My commission expires: 04-04-14

