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12/26/2019

Municipal Boundary Review  
Wisconsin Dept. of Admin.Ordinance No. 2018 - 04

**CHARTER ORDINANCE**  
**CREATING AN APPOINTED, COMBINED POSITION OF**  
**TREASURER/DEPUTY ADMINISTRATOR**

**WHEREAS**, the duties and responsibilities of a village treasurer have become more and more complicated; and

**WHEREAS**, Necedah's ordinances currently require the Village Treasurer to be elected; and

**WHEREAS**, Necedah has found it difficult to attract qualified candidates to run for the office of Treasurer; and

**WHEREAS**, Necedah has found that most qualified candidates wish to be appointed to the position of Treasurer and do not want to run for office; and

**WHEREAS**, Necedah has found that the performance of the statutory duties of Treasurer do not require full-time employment; and

**WHEREAS**, Necedah has found that the most efficient way to operate the administrative offices of the Village is to have the person who performs the duties of Treasurer also assist the Village Administrator in the performance of the Administrator's duties; and

**WHEREAS**, Necedah wishes to create, by Charter Ordinance, a new position of Treasurer/ Deputy Administrator which will be an appointed position and which will perform the statutory duties of Treasurer and will assist the Administrator in the performance of the Administrator's duties.

**NOW, THEREFORE**, on motion duly made and seconded, the Village Board of the Village of Necedah does hereby ordain as follows:

1. Section 2-3-3 of the Necedah Code of Ordinances is hereby repealed and recreated to read as follows:

**SEC. 2-3-3 VILLAGE TREASURER/DEPUTY ADMINISTRATOR (Charter Ordinance)**

- (1) **CREATION:** Pursuant to the authority granted in §66.0101 Wis. Stats., the office of the Village Treasurer/Deputy Administrator is hereby created.
- (2) **CONSOLIDATION OF OFFICES:** (Charter Ordinance modifying §61.26 and §61.25 Wis. Stats.): The statutory offices of Treasurer and Deputy Administrator, which includes the office of deputy Clerk, are hereby combined into the office of Village

Treasurer/Deputy Administrator. All references in this Code to Treasurer shall mean the Village Treasurer/Deputy Administrator.

- (3) **APPOINTMENT AND TERM:** (Charter Ordinance modifying §61.197 Wis. Stats): The Treasurer/Deputy Administrator shall be appointed on the basis of merit with due regard to education, training, experience, administrative ability and general fitness for office, by a majority vote of the Village Board. He/she shall serve at the pleasure of the Village Board, and shall hold office for an indefinite term subject to termination by the Village Board, with or without cause.
- (4) **TERMINATION:** (Charter Ordinance modifying §17.13 Wis. Stats.):
- (a) **By Village:** The Village Board, by majority vote, may terminate the employment of the Treasurer/Deputy Administrator at any time, with or without cause. If termination is for cause, the Village may immediately terminate the employment upon service of written notice to the employee and shall not be obligated to pay salary or provide benefits beyond the date of service of notice. If termination is without cause, one of the following procedures shall be used by the Village:
1. The Village shall provide a 60-day notice of such termination, during which time the employment and all benefits thereof will continue; or
  2. The Village shall immediately terminate the employment, but shall pay a termination benefit equal to 60 days of salary and all benefits accruing during said 60-day period.
- (b) **By Treasurer:** The Treasurer/Deputy Administrator may terminate the employment with the Village at any time by serving a written notice of such termination upon the Administrator at least 30 days prior to the proposed date of termination. The Treasurer/Deputy Administrator shall carry out the duties of the office through the date of termination, however upon receipt of such notice, the Village may elect to immediately terminate the employment and pay to the Treasurer/Deputy Administrator a termination benefit equal to pay and benefits which the Treasurer/Deputy Administrator would have earned through the proposed termination date. If the Treasurer/Deputy Administrator fails to give said 30-day notice, then the Treasurer/Deputy Administrator shall forfeit the pay and benefits otherwise due and owing to the employee.
- (5) **COMPENSATION:** The salary and other benefits payable to the Treasurer/ Deputy Administrator shall be established by separate ordinance, resolution and/or written contract.
- (6) **RESIDENCY:** There is no residency requirement for this position.
- (7) **DUTIES AND POWERS:** Subject to the limitations and responsibilities set forth in the Wisconsin Statutes and in the Resolutions and Ordinances of the Village, the Treasurer/Deputy Administrator shall have the following duties and powers:
- (a) Carry out the duties and responsibilities of Treasurer set forth in the Wisconsin State Statutes, Administrative Code, and Village Ordinances.

- (b) Carry out such directives, instructions and assignments as may be issued by the Village Board.
- (b) Carry out such directives, instructions and assignments as may be issued by the Administrator in serving as the deputy administrator.
- (c) Serve as an ex-officio nonvoting member of all boards, commissions, and committees of the Village as may be requested by the Administrator, Village Board, or any commission or committee.
- (d) Keep informed concerning current federal, state and county legislation and administrative rules affecting the duties of Village Treasurer.
- (e) Attend such meetings of the Village Board, committees and commissions as may be requested by the Administrator, Village Board or Chairs of the committees and commissions, and at such meetings, be prepared to answer questions and provide information regarding Village affairs to assist these bodies in the performance of their duties.

(8) **ADDITIONAL CONTRACTUAL OBLIGATIONS:** Nothing herein shall preclude or limit the Village and Treasurer/Deputy Administrator from establishing by written contract, other employment terms and conditions not inconsistent herewith.

2. The foregoing new Charter Ordinance shall be effective 60 days after passage and publication, pursuant to §66.0101(5) Wis. Stats., unless a valid petition requesting a referendum is properly filed.

3. Once the foregoing new Charter Ordinance becomes effective, the then-current Village Treasurer shall complete his/her then-current term of office, and the Village shall appoint his/her successor, pursuant to the new Charter Ordinance, when the Village Treasurer's term of office expires or when the Village Treasurer otherwise terminates his/her service as Village Treasurer.

Introduced and adopted this 8<sup>th</sup> day of October, 2018.

**APPROVED:**

Scott W. Carter  
 Scott Carter, President

**ATTEST:**

Rm L H W  
 Roger Herried, Village Administrator

§ Date of Adoption: 10/08/18  
 § Votes: 7 ayes 0 nays 0 abstentions  
 § Date of Publication: 11/01/2018