



# Village of Belgium

ELECTED & APPOINTED  
OFFICIALS HANDBOOK

Approved Village Board Meeting |

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## **PURPOSE**

This handbook has been compiled as an easily accessible reference guide to increase your knowledge and understanding of the basic functions and activities of the various boards, committees, and commissions as well as aid you in fulfilling the responsibilities you have accepted within the framework of the Village of Belgium’s government. As a member of one of the Village’s boards, committees, or commissions, you will focus on community needs that require your understanding, dedication, enthusiasm, vision, and experience.

Your election to the Village Board of Trustees, and/or your appointment to a Committee, Commission, or Ad Hoc Committee is an honor. It demonstrates the public's and/or Village President's and Village Board's desire to have your input throughout various decision-making processes. In your position, you must be continually aware that the decisions formed by that body, even after receiving and evaluating recommendations, are not made easily. The Village President and Board have the ultimate political and legal responsibility for the conduct of our local government and the welfare of the entire community. Yours is an important role in assisting the Village President and Board to fulfill its obligations to our citizens.

This handbook provides board, committee, and commission members with a basic understanding of Wisconsin laws, provisions, and basic parliamentary procedures affecting municipal bodies, which will be essential for fulfilling the responsibilities of your role with the Village of Belgium. And as Village governance law is an ever evolving process, changes and updates to this document will be made as needed. Municipal officials should confer with the municipal attorney, engineer, audit firm, and other professionals to obtain the most accurate and up-to-date information on the topics discussed in this handbook.

Thank you for your willingness to invest the time and energy necessary to learn how your community operates and make it a better place to live!

## **THE BASICS**

### **APPOINTMENTS**

Appointments to the Village's boards, committees, or commissions are made by the Village President subject to confirmation by the Village Board. Applications for board, committee, and commission appointments must be submitted to the Village President in care of the Village Clerk. Applicants must be eligible electors of the Village of Belgium. No person not a resident of and not residing in the Village shall be appointed in a voting capacity to any Village board, committee, or commission. In accordance with Ord. §14-4, any board, committee, or commission member who moves from the Village shall be removed from such board or commission.

When applying for membership of boards, committees, or commissions, applicants will be referred to Wisconsin Statutes §19.59 to determine if the applicant would have a conflict of interest.

It is essential that members of all boards, commissions, and committees strive to exercise free and unbiased judgment in addressing issues and tasks before them. It should be noted that appointment to a Village Board, committee, or commission is recognition of expertise or interest in a specific area, and as such, an honor bestowed upon a citizen.

## **COMPENSATION OF MUNICIPAL OFFICERS**

The Village President and other Trustees who make up the Village Board may, by majority vote of all the members of the Village Board, determine what salary shall be paid to the Village President and Trustees. Established salaries shall remain in effect until changed by ordinance and shall not be increased or diminished during their terms of office. WI Stats. §66.0505

Committee and commission rates of compensation for paid bodies shall be as established by the Village Board at the organizational meeting on the third Tuesday of April of each year. The rate of pay is set by the majority vote of all the members of the Village Board. Current compensation rates shall remain in effect until changed by Board action.

## **TERMS OF OFFICE**

The terms of office for members of boards, committees, or commissions and appointed officials usually range from one to three years. Elected officials of the Village of Belgium are elected for two-year, staggered terms. With proper notification, appointments made for vacancies created by expired terms are usually made at least two months in advance of the actual beginning of the term so that new members have an opportunity to attend meetings and become familiar with the advisory body before becoming a voting member.

## **RESIGNATION**

If an appointee resigns from office before the end of their term, a letter announcing the resignation shall be forwarded to the Village President, in care of the Village Clerk's office. Appointments made to fill vacancies created by resignations are effective upon date of appointment & Village Board approval.

## **REMOVAL OF ELECTED OFFICERS**

The requirements for removal of village officials are set forth in WI State Stat. §17.13(2) and simply state that any elective village officer, by a majority vote of all the members of the village board, can be removed because of continued physical inability to perform the duties of office or gross neglect of duty. Although the statute does not expressly state this, the implication is that elective municipal officers can only be removed from office for cause. Removal from office for "cause" is defined as "inefficiency, neglect of duty, official misconduct or malfeasance in office".

## **ATTENDANCE**

It should be emphasized that regular attendance at meetings is critical to the effective operation of any board, committee, or commission. A member who continuously misses meetings may be subject to removal and/or replacement at the discretion of the Village Board. The purpose of this policy is to provide a vehicle whereby all boards, committees, or commissions can maintain, to the greatest extent possible, a full complement of active, participating members who will be able to accomplish Village business.

Optimum productivity is achieved when the body's members come to meetings on time, prepared by having read their meeting packet and thus familiarized with the items to be discussed and/or acted upon, as well as by having completed any tasks assigned to them at a prior meeting.

## **COMMUNICATIONS**

### **E-mail**

Elected and appointed officers will be assigned a Village of Belgium email. The main form of communication between Village board, committee, and commission members and Village Staff is made via email. Each officer has the responsibility of regularly checking their village-issued email account in order to receive and respond to important communications in a timely manner. Please use this e-mail for official business only and remember it is subject to open records law.

Use of personal e-mail accounts for village business places the legal requirement of archiving e-mails containing village business on the official, as well as the requirement that the personal e-mail account be legally subject to open records requests. For this reason, *it is imperative to avoid use of personal e-mail accounts for any village business.*

### **Mailbox**

Members of the Village Board and Plan Commission are issued a mailbox for Village business as well. Your mailbox is located in the village office common area at Village Hall. Village Staff will make an effort to notify you via e-mail if any information or documents are placed in your mailbox. However, it is your responsibility to check your mailbox regularly as well as keep it orderly and cleaned out.

## **OFFICIAL/STAFF ROLES & RELATIONS**



## **THE ROLE OF GOVERNMENT**

For the smooth operation of the Village government, the Village employs a hierarchical system of management. The Village Board has the ultimate authority within the Village to hire, fire, and set policy. The role of each level of government is outlined below under the categories of supervision, setting policy, hiring, firing, and discipline.

The elected officials of the Village of Belgium are:

### **Village President**

The President is not designated “chief executive officer” but is assigned certain administrative responsibilities. While the top position of Village government, the President has no direct supervision of any Village employees. The President does work closely with the Village employees, but the true authority of the Village rests with the Village Board. The President has no individual authority to hire, fire or discipline employees, or to authorize any expenditure of Village funds.

The President makes appointments to most committees, subject to confirmation by the Village Board, as well as designates the chairperson for each. Other responsibilities of the President are outlined in Village Ordinances Chapter 74 and WI Statutes Chapter 61.

### **Village Board**

Trustees acting alone have no more authority than any other citizen of the Village. Acting together as the Village Board, Trustees, including the Village President, have the authority to set departmental policy, hire, fire and discipline employees.

Every action of the Village must be approved by the Village Board. However, most operating policies are already set and approved by the Village Board. The Board also adopts the annual budget, which lays out the spending priorities for the Village. Other responsibilities of the Board are outlined in Village Ordinances Chapter 74 and WI Statutes Chapter 61.

The Village of Belgium operates under the laws of the State of Wisconsin as a village and uses a village president/board form of government.

The Village President together with six trustees comprise the Village of Belgium Board. The Board serves as the legislative branch of village government, enacting ordinances and resolutions, approving the annual budget, setting policies, and taking other actions to guide the operations of the Village. Elections are held on a nonpartisan basis in April of each year, preceded by a February primary if there are more than double the candidates running for the seats available.

The Board meets regularly on the second Monday of each month at 7:00pm in the Belgium Village Hall board room. Special meetings are also held when required. All meetings are open to the general public, although on occasion, the Board may meet in closed session to discuss subject matter permitted by the Wisconsin Open Meetings Law to be held in closed session (e.g. personnel evaluations, labor negotiations, or other such strategic matters).

Public notice is given of all meetings, included closed sessions, with the notice stating the date, time, location, and topics to be considered. All meeting notices are posted on the bulletin board located outside the main entrance of the Village Hall, posted on the Village website ([www.village.belgium.wi.us](http://www.village.belgium.wi.us)), and e-mailed to the Ozaukee Press and other local

papers when requested. Along with an agenda, there may be copies of proposed ordinances, resolutions, reports and other supporting documents available for public review at the Village Clerk's office and on the Village website prior to each meeting.

### **Ordinances**

Ordinances are local laws dealing with matters such as traffic, zoning, health and safety regulations, governmental organization, annexation, building and other construction codes, licenses, user fees, etc. Once an ordinance is adopted, it can only be amended through enactment of another ordinance.

All current ordinances are compiled in a volume entitled the Municipal Code Village of Belgium, or simply the "Village Code". The Village code is viewable in its most current, up-to-date form online at [www.ecode360.com/BE2004](http://www.ecode360.com/BE2004).

### **Resolutions**

Resolutions are used to establish policy, express the opinion of the Board in a more formal manner, direct or authorize administrative action, offer official congratulations or appreciation on behalf of the Village, or to make various ceremonial acts.

The appointed officers and employees of the Village of Belgium are:

### **Village Attorney**

The Village code provides for the appointment of a Village Attorney. The duties of the Village Attorney are set forth by contract, however, in general, it's the responsibility of the Village Attorney to render to the Village and its authorized officials all legal advice they may require, and to represent the Village and its authorized officers in all matters that may be pending or that may be instituted in any courts in the State of Wisconsin and the United States and before all administrative agencies and departments of the government brought by or against the Village.

In addition, it is the responsibility of the Village Attorney to prepare contracts and undertake collections, draft ordinances, prosecute municipal ordinance violations, render legal opinions and all other legal services the Village may require. The only exceptions to this are labor matters and the defense of matters which are covered by insurance which the Village provides for separately. It is important for you to understand that the role of the Village Attorney is not to represent any public official individually, but rather, the Village as a whole.

## **Administrative Staff**

The Administrative Office is currently staffed by the Village Clerk/Deputy Treasurer, the Village Treasurer/Deputy Clerk, and Administrative Assistant. They are responsible for ensuring the smooth day-to-day operations of all administrative functions and services.

### **Village Clerk**

The Village Clerk performs the duties prescribed in § 61.25, Wis. Stats., Village Ordinance Chapter 55, and such other duties as may be prescribed by state statute or the Village Board.

### **Village Treasurer**

The Village Treasurer shall perform the duties prescribed in § 61.26, Wis. Stats., Village Ordinance Chapter 55, and such other duties as may be prescribed by state statute or the Village Board.

The Village Clerk and Village Treasurer shall each report separately to the Village Board and function under the direct supervision of the Village Board. The Village Clerk and Village Treasurer shall assume responsibility for and have direct supervision of the deputies and assistants appointed to assist him or her. The Village Board shall designate either the Village Clerk or Village Treasurer to be the team leader for all employees of the Village office. The team leader shall make decisions in the absence of consensus, resolve conflicts between team members and coordinate team efforts.

## **Public Works Director**

The Public Works Department's goal is to provide responsive and cost-effective maintenance of all public property and transportation-related public infrastructure, and to respond to citizen complaints and concerns in a courteous, professional, and timely manner. He/she is responsible for the maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs, storm and sanitary sewers, Village buildings and structures and all machinery, equipment and property used in any activity under his control. *(See Village Ordinance §55-8 for specific powers of DPW director)*

### **Water Superintendent**

The Water Superintendent performs service tasks in the installation, repair and maintenance of the supply, treatment, storage, distribution, collection and metering system in order to maintain proper standards in quality and quantity. The Water Superintendent also performs all duties associated with the operation of a municipal water system, plant maintenance, contractors, engineers, shop work, office work, and working knowledge of Department of Safety and Professional Services (DSPS), Department of Natural Resources (DNR), Public Service Commission (PSC), and the Environmental Protection Agency (EPA).

### **Wastewater Superintendent**

Under the general direction of the Director of Public Works, the Wastewater Superintendent is responsible for the operation of the Wastewater Treatment Plant. Work involves planning, organizing, and directing programs and activities for the

efficient operation of the wastewater treatment system. Work requires the application of specialized knowledge and skill in operations in order to advise subordinates in varied and complex problems.

### **Village Marshal**

The Village Marshal reports to the Village Board. The Village Board may terminate any person so appointed for any cause they determine to be sufficient.

The Marshal shall, at all times, maintain the peace, dignity and good order of the Village and protect the public welfare of the community and its citizens and all persons therein in accordance with the ordinances of the Village of Belgium. The Village Marshal does not have law enforcement duties, but has the duties and powers as provided in Wis. Stats § 61.28(1), Village Ordinance §55-5 and those as directed from time to time by the Village Board.

The Marshal is to ensure ordinances related to snow removal, vehicles, animals, noises, littering, firearms, curfew, and general nuisances are adhered to. For all other ordinances, the Marshal investigates and gathers information for the Village Attorney to address if needed.

The Village Marshal logs a minimum average of 5.0 total hours for patrol and administrative duties per week.

The Marshal also communicates with the Belgium Fire Department Chief to determine needed coverage for community events i.e.: Luxembourg Festival, Trick-or-Treating, Village Rummage Sale, and Christmas Parade. The Marshal shall determine patrol coverage accordingly.

### **Weed Commissioner**

The Weed Commissioner shall take the official oath and the oath shall be filed in the office of the Village Clerk. The Weed Commissioner shall hold office for one year and until a successor has qualified or the Village President determines not to appoint a weed commissioner. WI Stats. 66.0517

The Weed Commissioner shall investigate the existence of noxious weeds. If a person neglects to destroy noxious weeds as required under WI Stats. §66.0407 (3), the Weed Commissioner shall destroy, or have destroyed, the noxious weeds in the most economical manner. The Weed Commissioner may enter upon any lands that are not exempt under WI Stats. § 66.0407 (5) and cut or otherwise destroy noxious weeds without being liable to an action for trespass or any other action for damages resulting from the entry and destruction, if reasonable care is exercised.

The Weed Commissioner shall receive compensation for the destruction of noxious weeds as determined by the village board. The Weed Commissioner shall present to the Village Treasurer the account for noxious weed destruction. The account shall specify by separate items the amount chargeable to each piece of land, describing the land. An invoice is then to be mailed to the property owner for the cost of the noxious weed destruction.

### **Village Assessor**

If the governing body of any municipality not subject to assessment by a county assessor under WI Stats. §70.99 determines that it is in the public interest to employ expert help to aid in making an assessment in order that the assessment may be equitably made in compliance with law, the governing body may employ such necessary help from persons currently certified by the department of revenue as expert appraisers. No person or entity

may assume the office of Village Assessor unless certified by the WI Department of Revenue under WI Stats. §73.09 as certified to perform the functions of an assessor. The Village of Belgium currently contracts for such assessment services with the appraisal firm, Grota Appraisals, LLC of Menomonee Falls, WI.

The Assessor is charged with making an assessment of all of the property in the village liable to taxation, as prescribed by law in WI Stats. §70.10. The assessor assesses all real and personal property as of the close of January 1<sup>st</sup> of each year. When the assessment rolls have been completed, they are delivered to the Village Clerk.

## **GOVERNMENT OFFICIAL/STAFF RELATIONS**

Governance of the Village requires the cooperative efforts of both Elected Officials, who set policy, and Village Staff, who implement and administer those policies. The Village's staff works for and is responsible to the Village Board. Board, committee and commission members should not attempt to direct or decide the priority of work for each department or individual staff members therein. The government bodies should, however, set priorities for their own agendas in order that staff may best use their time available for board, committee, or commission business. If any of the government bodies are in need of staff assistance for a project that is atypical of the normal assistance provided by staff, the request for assistance should be made during a body meeting and therefore included in the minutes of the meeting.

It is not expected that every staff recommendation will be followed; but, based on the technical knowledge of staff personnel, consideration should be given to their proposals and recommendations. A board, committee, or commission may choose to agree or disagree with a staff recommendation. In the latter case, staff has the option of including its recommendations in the staff report to the Village Board. Any differences in opinion will be discussed at the Village Board meeting.

The Village Board expects that a mutually respectful and professional relationship is maintained between staff personnel and the board, committee, or commission. The effectiveness of a governmental body is hampered by internal tension and personality conflicts.

- ❖ Village Board members shall treat all Staff as professionals and with respect.
- ❖ Village Board members shall not demean or personally attack an employee. Concerns with the performance of a Staff member should be directed to the Finance & Personnel Committee Chairperson.
- ❖ In the event a conflict does arise between an individual committee member and the staff, the member should approach the chairperson who will, in turn, try to mediate the conflict.
- ❖ If the problem cannot be solved at that level, the committee chairperson shall approach the Village President.
- ❖ In the event a conflict does arise between an individual member and the Village President, the member should approach the chairperson who will approach the Village President.

However, it should be emphasized that every effort should be made to maintain a respectful and professional relationship with staff and other members in order to facilitate and enhance each governmental body's operation and effectiveness.

## **COMMITTEE/COMMISSION/VILLAGE BOARD RELATIONS**

With the exception of the Zoning Board of Appeals, Board of Review, Plan Commission, and Development Review Committees, it is the primary responsibility of boards, committees, and commissions to make recommendations to the Village Board. It is the Village Board's role to consider the advice and recommendations offered by numerous sources and to make decisions to the best of its ability. Because the Village Board is in such a position to see the broader context and is aware of other concerns, it may not always follow the recommendation offered by individual boards, committees, and commissions.

Although there may be a disagreement with the Village Board on an issue, once the Board has established its position, the board, committee, commission, or individual members should not act contrary to the established policies and programs adopted by the Village Board.

Any letters from boards, committees, or commissions addressed to the public or other agencies and concerning positions being taken, must first be forwarded to the Village Board for approval before being disseminated. When a member of a board, committee, or commission addresses the Village Board at a public meeting, it should be made clear whether he/she is speaking on behalf of the body or as an individual citizen.

## **PROCEDURES FOR RUNNING PUBLIC MEETINGS**

### **PRESIDING OFFICERS**

The Village President is the presiding officer at all Village Board meetings and Plan Commission meetings. In the Village President's absence, the designated "President Pro Tem" will preside at the Village Board meetings, while the designated "Alternate Chairperson" will preside over the Plan Commission meetings. Other committees' and commissions' chairpersons, or alternate chairpersons if the chair is absent, will be the presiding officers of their governing meetings. All presiding officers shall also vote on all matters presented to the governmental body.

### **GENERAL RULES OF ORDER**

The deliberations of the Village Board shall be conducted in accordance with the parliamentary procedures as contained below from Robert's Rules of Order. Included in these standing rules, but not limited to this itemization, are the following rules:

1. No person present, other than a member of Village staff, shall address the Board, except by majority vote of the members present.
2. No motion shall be withdrawn without the consent of the person making the same and the person who seconded it.
3. Trustees shall confine all discussion and remarks to the motion under consideration, and avoid all personal remarks.
4. When two or more members simultaneously seek to speak, the presiding officer shall name the member who is to speak first.
5. No member of the Board, whether he or she is a trustee or the president, shall vote on any question involving his or her own conduct or character, their right as a member, or his or her fiscal interest.

### **QUORUMS**

A "quorum" is the minimum number of members that must be present at a meeting in order to transact business of each governmental body.

1. **Village Board (7 seats)** - a quorum of the Village Board is 4 members
2. **Committees (3 seats)** - a quorum of a committee is 2 members

3. **Plan Commission (7 seats)** – a quorum of the plan commission is 4 members

A “walking quorum” occurs by going from one official to the next to tally the votes on an item before the governing body, done outside the regular meeting. A walking quorum robs the public of the chance to offer input into the decision and hear how the public officials have come to their decision. (The requirements of the open meetings law extend to walking quorums).

Any actions taken by a governing body at a meeting without a lawful quorum is null and void. Therefore, a governing body may *not* take any action without a quorum except as specifically authorized. The statutes authorize less than a quorum of a municipality’s governing body to adjourn or to compel the attendance of absent members.

## **PARLIAMENTARY PROCEDURES**

The following guide to parliamentary procedures is included in this handbook to assist you in your committee, board, or commission proceedings. The materials presented below are excerpts from the latest edition of *Robert’s Rules of Order*. You can access the handbook at <http://parli.com> for more information.

Parliamentary procedure is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion. Parliamentary procedure is important because it is a time-tested method of conducting business at meetings and other public gatherings.

### **Motions**

The method used by members to express themselves is in the form of moving motions. A “motion” is a proposal that the entire membership take action or a stand on an issue.

Motions are presented as follows:

1. Wait until the last speaker has finished.
2. Make your motion ---- stated in the affirmative.
3. Wait for someone to second your motion, or for the chairperson to call for a second.
  - a. Motions can be referred to a committee (a motion needs a second and is debatable); the motion should include:
    - ❖ What committee
    - ❖ What the committee is to do
    - ❖ When the committee is to report to the members
  - b. If there is no second of your motion, your motion is lost.
4. The membership then either debates your motion or may move directly to a vote.
  - a. Once your motion is presented to the membership, it becomes the body’s property and cannot be changed without the consent of the members.
5. The mover of the motion is always allowed to speak first.
6. The mover may speak again only after other speakers are finished unless called upon by the chairperson.



7. Putting the question to the membership
  - a. The chairperson asks if there is any further discussion
  - b. If there is no more discussion, a vote is taken
  - c. In putting the question, the chair should make perfectly clear what the question is that the assembly is to decide. The vote should always be announced, as it is a necessary part of putting the question.
    - ❖ For Example: "It has been moved and seconded that an invitation be extended to Mr. Jones to address the board at its next meeting. Those in favor of the motion say "aye"; those opposed say "no"; those "abstaining"?" (*Abstaining from voting is discussed in the next subsection*)
  - d. The membership is assumed not to know the result of the vote until announced by the chair, and the vote does not go into effect until announced.
    - ❖ If the majority voted aye, the chair will then state, "The motion has passed and Mr. Jones will be addressing the board at its next meeting".
    - ❖ If the majority voted no, the chair will then state, "The motion has failed and Mr. Jones will not be addressing the board at its next meeting."
  - e. As soon as the result of the vote is announced the chair should state the next business in order listed on the agenda.

The voice method of voting on a motion has been established by the Village of Belgium. The chairperson asks those in favor of a motion to say "aye" and those opposed to say "no". Certain motions require a poll of the members' votes. In such cases, the Clerk will call each member's name seeking each one's vote for the record.

### **Votes Required to Pass a Motion**

The general rule is that where the law relating to the particular subject does not specify the vote required to do the particular act, a majority vote is sufficient. In other words, where a quorum of 4 is present, 3 votes is sufficient.

Some statutes and ordinances require that a majority of the members of the body must vote in the affirmative to take an action (and some require an even greater number such as 2/3 of the members of the body). Examples of this are annexation, certain fiscal matters, adoption of a charter ordinance, adoption of a comprehensive plan, and removal of a Village officer. Where there is a requirement that a majority of the members of the body must vote in the affirmative, then there must be 4 votes in favor, regardless of the number of members present.

### **Abstaining from Voting**

Any member may abstain from voting on any question before the governing board after notifying the Chair of their intent to abstain and the reasons therefor. The member is to notify the chair as soon as a **conflict of interest** becomes apparent to the member.

Once the Chair has been notified of a conflict, the abstaining member shall:

1. Leave the board table and sit in the audience
2. NOT enter into any discussion about the issue

### **Commonly Used Motions**

There are proper motions to use to accomplish certain objectives. The following is a list of common motions classified according to their objectives.

1. **To Modify or Amend:** Used when a motion is not worded properly, or requires any modification to meet the approval of the body. If the changes required can be made in the body, the proper motion to make is to amend by "*inserting*," or "*adding*," or by "*striking*," or by "*striking out and inserting*," or by "*substituting*" one or more words or paragraphs for those in the resolution.

If much time will be required, or if the changes required are numerous, or if additional information is required to enable the body to act intelligently, then it is usually better to refer the question to a committee.

2. **To Defer Action:** It is the proper motion to make if it is desired to defer action to another day or time, then the proper motion to make is, to "*postpone to that certain date or time*." A question postponed to a certain time cannot be taken up before the appointed time except by suspending the rules, which requires a two-thirds vote.

If, however, if it is desired to lay the question aside temporarily with the right to take it up at any moment when unfinished or new business is in order and no other question is before the board, the proper motion to use is to "*table*" the item. When tabled, a majority vote may take it up at the same or the next session.

3. **To Suppress or Limit Debate:** If it is desired to close debate now and bring the body at once to a vote on the pending question, or questions, the proper course is to "*move*" or "*call for the previous question*" upon which it is desired to close debate.
  - a. The motion, or demand, for the previous question should always specify the motions upon which it is desired to order the previous question. If no motions are specified, the previous question applies only to the immediately pending question.
  - b. It requires a two-thirds vote for adoption.

If it is desired to limit the number or length of speeches, or the time allowed for debate, the proper course is to "*move that the speeches or debate be limited*" as desired, or "*move that the debate be closed and the vote be taken*" at a specified time.

- a. Are in order, like the previous question, when any debatable question is immediately pending.
  - b. Requires a two-thirds vote for adoption.
4. **To Suppress the Question:** A legitimate question cannot be suppressed in a governmental body meeting without free debate, except by a two-thirds vote. If two-thirds of the assembly are opposed to the consideration of the question then it can be suppressed by the following methods:
  - a. If it is desired to prevent any consideration of the question, the proper course to pursue is to "*object to its consideration*" before it has been discussed or any motion stated, and, therefore, it may interrupt a member whose turn it is to speak before the debate has begun.
    - ❖ It requires no second.

- ❖ On the question of consideration there must be a two-thirds negative vote to prevent the consideration.
- b. **After the motion has been considered, the proper way to immediately suppress it is to “close debate by ordering the previous question/motion”.**
  - ❖ Requires a two-thirds vote, and then to vote down the motion.
- c. **Another method of suppressing a motion is to “postpone it indefinitely”** (equivalent to rejecting it).
  - ❖ If the motion to postpone indefinitely is adopted, the main motion is dead for that session.
  - ❖ If the motion to postpone indefinitely is lost, the main motion is still pending and its enemies have another opportunity to kill it.

**5. To Consider a Question a Second Time:** When a motion has not been voted on, but has been tabled, a majority may take it from the table and consider it at any time when no other question is before the body and when unfinished or new business is in order during the same session; or at the next session in ordinary bodies having regular meetings as often as quarterly.

- a. **If a motion has been adopted, rejected, or postponed indefinitely, and afterwards one or more members have changed their views from the prevailing to the losing side,** and it is thought that by further discussion the assembly may modify or reverse its action, the proper course is for one who voted with the prevailing side to **“move to reconsider the vote on the question”.**
  - ❖ Village Ordinance §74-17 provides that when a question has been decided, any member of the majority or, in case of a tie, any member voting in the affirmative may move for a reconsideration thereof, but if a motion to reconsider is made on a day subsequent to that on which the ordinance question was decided, a vote of the majority of the entire Board shall be required to sustain it.
- b. **If a main motion has been adopted, rejected, or postponed indefinitely, and no one is both able and willing to move to reconsider the vote,** the question can be brought up again during the same session only by **“moving to rescind the motion”.**
  - ❖ To rescind may be moved by any member, but, if notice of it was not given at a previous meeting, it requires a two-thirds vote or a vote of a majority of the enrolled membership.
  - ❖ At any future session, the resolution, or other main motion, may be rescinded in the same way if it had been adopted (or it may be introduced anew if it had been rejected or postponed indefinitely) provided the question cannot be reached by calling up the motion to reconsider which had been made at the previous session.
  - ❖ A by-law, or anything else that requires a definite notice and vote for its amendment, requires the same notice and vote to rescind it.

**6. To Prevent Final Action on a Question in an Unusually Small or Unrepresentative Meeting:** If an important main motion should be adopted, lost, or postponed indefinitely at a small or unrepresentative meeting of the body when it was apparent that the action is in opposition to the views of the majority of the members, the proper course to pursue is for a member to vote with the prevailing

side and then “**move to reconsider the vote and have it entered on the minutes**”.

- ❖ The motion to reconsider, in this form, can be made only on the day the vote was taken which is proposed to reconsider, and the reconsideration cannot be called up on that day; thus an opportunity is given to notify absent members.

## **PUBLIC PARTICIPATION**

The open meetings law is concerned only with the public’s right to be present at the meeting of a governmental body. *It does not imply a right of the public to participate in the conduct of government business or speak at meetings.* Therefore, a governmental body may prohibit the public from speaking or set conditions, such as limiting the amount of time a member of the public has to address the governing body. There is often tension between the desire to be responsive to constituents and the need to run meetings effectively and efficiently.

Although a governmental body does not have to allow members of the public to participate in the meeting, a governmental body must make a reasonable effort to accommodate any person desiring to record, film or photograph meetings. This does not permit recording or filming which interferes with the conduct of the meeting.

If public participation is welcomed during a meeting of a governmental body, the following rules guidelines are important to be followed:

- All persons speaking **MUST** clearly identify themselves for the record.
- Set an acceptable time limit for testimony or input (generally three minutes) and stick to it.

## **Public Hearings**

Although the public is not entitled to participate in a meeting, a **public hearing** is different because it’s specifically designed to allow the public to have input on a given matter.

- 1. Formal Public Hearings:** one that must be conducted according to State Statutes or Village Ordinances and is designed to solicit comment from the general public.
  - ❖ An Official Notice of Public Hearing must be published in the official newspaper of the municipality.
- 2. Informal Public Hearings:** one which is not required by law, but which is called in order to give the public a chance to comment on a subject.
  - ❖ The board, committee, or commission can set rules for notifying the public of any informal hearing, establish a time frame, and conduct the hearing in any fair way it chooses.

## **Hearing Procedures**

Hearings held by a governmental body are to be fair and impartial. If a member is biased or has a personal interest in the outcome of the hearing, that member should “**recuse**” (disqualify) him or herself and not participate.

Persons and/or groups who may be affected by the subject of the hearing are to be given sufficient notice of the time and place of the hearing and a reasonable opportunity to be

heard. They may be represented by legal counsel at their own expense and be permitted to present oral and documentary evidence.

At the appointed time, the chair should open the hearing and explain to the audience the hearing procedures. If there are numerous persons who'd like to participate, and all represent the same views and opinions, the chair may ask that a spokesperson be selected to speak for the group. If this arrangement cannot be made, the chair may restrict each speaker to a limited time (generally three minutes) so that all may be heard. Irrelevant and off-the-subject comments should be ruled "**out of order**" by the chair.

The usual procedure after the hearing has been opened is for staff to present the staff report, if applicable, followed by committee members' questions relating to the report, if any. Proponents should be given the opportunity to present their case first. This is followed by an opportunity for opponents to present their case.

After all interested persons have had an opportunity to speak, the hearing is closed, ending audience participation. Board, committee, or commission members may then discuss the proposal and take action on it.

### **Minutes of the Village Board, Committees, and Commissions**

Minutes of the Village Board, Committees and Commissions shall be maintained by the Village Clerk in accordance with the requirements of Wisconsin law. However, notwithstanding the foregoing, minutes shall be in summary fashion, recording the essence of the decisions made and significant actions taken. In all cases where a Motion or Resolution is recorded in the minutes, the name of the member moving the same shall be entered in the minutes, as well as the member seconding the motion, and a record of the vote on the motion.

Written minutes, upon approval by the board, committee or commission, constitute the official record of its activities. After approval, additions and corrections of the minutes may only be made in public meetings, with the approval of the body, and not by the private request of individual members.

Board, committee and commission minutes shall use an identical format for minutes. The following information is to be included:

1. Members present
2. Members absent
3. Staff present
4. Approval of minutes of the previous meeting
5. Recommendation of the minutes from the previous meeting to the Village Board
  - a. Items should be listed as separate agenda items to distinguish them from formal receipt and filing of minutes.
  - b. All recommendations should be accompanied by the appropriate staff report(s) or supporting packet documentation, information pertaining to any alternatives that were considered, and the rationale for the recommendation when appropriate.
6. Requests to the Village Clerk for information or staff assistance.
7. List of matters pending board, committee, or commission disposition.
8. Summary of discussion and final action(s) taken.

## **PUBLIC RECORDS**

A “**public record**” is defined as any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority.

- ❖ A "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), computer printouts and optical disks.
- ❖ A "Record" does **not** include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale or which are available for inspection at a public library. WI Stats. §1932(2)

Each officer and employee of the Village shall safely keep and preserve all records received from his or her predecessor or other persons, which are required by law to be filed, deposited or kept in his or her office.

Upon the expiration of an officer's term of office or an employee's term of employment, each such officer or employee shall deliver to his or her successor all records then in his or her custody. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and received for by the Village Clerk.

### **Limitations on Right to Access**

As provided in § 19.36, Wis. Stats, the following records are exempt from inspection:

1. Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law
2. Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure
3. Computer programs and files, although the material used as input for a computer program/file or the material produced as a product of the computer program is subject to inspection;
4. Pursuant to § 905.08, Wis. Stats., a record or any portion of a record containing information qualifying as a common law trade secret.

In responding to a request for inspection or copying of a record which is not specifically exempt from disclosure, the legal custodian, after conferring with the Village Attorney, may deny the request, in whole or in part, only if he or she determines that the harm to the public interest resulting from disclosure would outweigh the public interest in full access to the requested record.

Examples of matters for which disclosure may be refused include, but are not limited to, the following:

1. Records obtained under official pledges of confidentiality which were necessary and given in order to obtain the information contained in them

2. Records of current deliberations after a quasi-judicial hearing; WI Stats. § 19.85(1)(a)
3. Records of current deliberations concerning employment, dismissal, promotion, demotion, compensation, performance, or discipline of any Village officer or employee, or the investigation of charges against a Village officer or employee, unless such officer or employee consents to such disclosure; WI Stats. § 19.85(1)(b) and (c)
4. Records concerning current strategy for crime detection or prevention; WI Stats. § 19.85(1)(d)
5. Records of current deliberations or negotiations on the purchase of Village property, investing of Village funds, or other Village business whenever competitive or bargaining reasons require nondisclosure; WI Stats. § 19.85(1)(e)
6. Financial, medical, social or personal histories or disciplinary data of specific persons which, if disclosed, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such history or data; WI Stats. § 19.85(1)(f)
7. Communications between legal counsel for the Village and any officer, agent or employee of the Village, when advice is being rendered concerning strategy with respect to current litigation in which the Village or any of its officers, agents or employees is or is likely to become involved, or communications which are privileged under WI Stats. § 905.03; WI Stats. § 19.85(1)(g)
8. Requests for confidential written advice from an ethics board and records of advice given by such ethics board on such requests; WI Stats. § 19.85(1)(h)

If a record contains information that may be made public and information that may not be made public, the custodian of the record shall provide the information that may be made public and delete or redact the information that may not be made public from the record before release.

If, in the judgment of the custodian and the Village Attorney, there is no feasible way to separate the exempt material from the nonexempt material without unreasonably jeopardizing nondisclosure of the exempt material, the entire record shall be withheld from disclosure.

## **MISCONDUCT & CONFLICT OF INTEREST IN OFFICE**

High ethical standards among Village officers and employees are essential to the conduct of good representative government. A code of ethics for the guidance of public officers and employees will help them avoid conflicts with improved standards of public service, promoting and strengthening the confidence of the residents of the Village in their public officers and employees.

The following are acts or actions that are incompatible with the public interest and which compromise, or appear to compromise, public trust in the fairness, independence and integrity of Village officers and employees as well as their official actions. Any official or employee who commits any of the following is guilty of misconduct and/or conflict of interest



while in office as detailed in WI Stat. §946 subchapters 2, 3 and 4, and Belgium Ordinance Chapter 30.

1. Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of his/her office in a timely manner; WI Stat. §946.12(1)
2. Does an act which is in excess of lawful authority or which is known to be forbidden by law; WI Stat. §946.12(2)
3. Exercises a discretionary power in a manner inconsistent with the duties of office or employment or the rights of others and with intent to obtain a dishonest advantage for him/herself for another; WI Stat. §946.12(3)
4. Makes an entry in an account, record book, report or statement, etc., which in material respect intentionally falsifies; WI Stat. §946.12(4)
5. Intentionally solicits or accepts, for the purpose of any service, duty or action on a certain matter, anything of value or personal advantage, which he/she knows is greater or less than is fixed by law and/or is not authorized to receive; WI Stat. §946.10, 946.11 & 946.12(5)
6. Uses or permit the use of Village vehicles, equipment, materials or property for personal convenience or profit, except with the services are available to the public generally or are provided as per Village policy; Ord. §30-4(a)
7. Engage in any business transaction with the Village, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties or will tend to impair his/her independence or judgment or action in the performance of official duties; Ord. §30-4(b)
  - ❖ Any public officer or employee who has a substantial financial interest, including employment, in any business entity entering into, proposing to enter into, or bidding on any transaction with the Village, or as part of his/her official duties will be making an official decision or recommendation significantly affecting a business competitor, client, or regular customer, must disclose the interest to the membership of the Village Board to be recorded in the minutes of that body. Upon such disclosure, the public officer or employee shall abstain from voting on the matter and from participating in the discussion on the matter. WI Stat. §946.17
  - ❖ Public officers and employees shall not represent private interests before the Village Board or Village agencies. Additionally, no public official or employee shall disclose confidential information concerning the property, government affairs of the Village, or use the information to advance the financial or other private interests. Gifts and favors shall not be accepted where their receipt impairs independence of judgement or action in the performance of official duties. WI Stat. §946.13



8. No full-time officer of the Village shall engage in any other remunerative employment within or without the Village, provided that the Village Board may approve such outside employment or activity if it finds that it does not interfere or conflict with such ability of the officer or employee to perform his duties in an efficient and unbiased manner. Ord. §30-4(f)
9. Under oath or affirmation orally makes a false material statement which the person does not believe to be true, in any matter, cause, action, or proceeding, before a legislative body or committee; WI Stat. §946.31(1)(h), §946.31(2) & §946.32

The Village Board is assisted by various citizen boards, committees, and commissions. These bodies are charged with the following responsibilities:

- ❖ Advise the Village President and Village Board on matters within their area of responsibility and interest, as prescribed by the Village Board and its ordinances.
- ❖ Help focus attention on specific issues and problems within their scope of responsibilities and recommend actions and alternatives for Board consideration.
- ❖ Act as channels of communication and information between Village government, the general public, and special interest groups.
- ❖ Reconcile contradictory viewpoints and provide direction toward achievement of Village-wide goals and objectives.
- ❖ Encourage broad citizen participation in the definition and formulation of village goals and actions for their achievement.

Committees may conduct investigations, make detailed studies of pending proposals (ordinances, resolutions, etc.), keep in close contact with the work of the various municipal departments and officers, and otherwise perform detailed work that the entire governing body cannot feasibly accomplish, or which if handled by the entire board, would unduly prolong meetings. The action of a committee must have the prior authorization of, or be subsequently ratified by, the Village Board.

A committee or commission member acting alone has no more authority than any other citizen of the Village. A committee or commission acting together has the responsibility to monitor village operations, identify issues for Village Board review, gather and evaluate information, and recommend courses of action to the Village Board. Other responsibilities of committees and commissions are outlined in Village Ordinances Chapter 74 and WI Statutes Chapter 61.

## **STANDING COMMITTEES**

The Village of Belgium has established the following standing committees per Ordinance §74-4(B). All committee recommendations are made to the Village Board. Meetings are scheduled by the Committee Chairperson as he/she deems necessary.

### **Finance & Personnel Committee**

The role of the Finance & Personnel Committee includes the following:

1. Recommends financial related contracts and services
2. Reviews policy recommendations and oversees Village financial policies
3. Reviews options for borrowing of capital funds, outlay expenditures, and depositories for Village funds
4. Advises the Village Board on personnel issues such as hiring new employees, internal promotion recommendations, wage and salary negotiations, and other personnel related matters
5. Reviews claims against the Village, accounting procedures, as well as ordinances and resolutions having a fiscal impact on the Village
6. Reviews budget amendments
7. Receives, reviews and approves accounts payable and purchase requisitions
8. Advises the Village Board of revenue generation recommendations, including investment of Village funds and intergovernmental contracts
9. Reviews all labor related policies of the Village
10. Prepares the final draft of the annual operating and capital budget for approval of the Village Board

## **Public Safety Committee**

The role of the Public Safety Committee includes the following:

1. Provides general oversight to the operation of, policies and procedures for, as well as other matters relating to the Village Marshal's office, except for disciplinary related matters
2. Reviews policies and procedures relating to retail fermented malt beverages, intoxicating liquors, and operator licenses
3. Advises the Village Board on ordinances and resolutions related to fire protection, public safety, and liquor licensing
4. Acts as a liaison with the Village of Belgium Fire Department related to matters concerning the Fire Service agreement with the Village
5. Prepares initial draft of the annual budget for the Public Safety

## **Public Services Committee**

The role of the Public Services Committee includes the following:

1. Advises the Village Board regarding any permits, policies, rates, and procedures related to refuse collection contracts and the Village of Belgium Recycle Center
2. Reviews any intergovernmental agreements and/or consolidation of services for refuse collection and special events such as the annual e-cycling event
3. Prepares initial draft of the annual budget for the Public Services

## **Public Utilities Committee**

The role of the Public Utilities Committee includes the following:

1. Advises the Village Board regarding Water and Sewer utility operations, policies, procedures, rates, and equipment
2. Reviews proposals regarding the construction, extension, improvement and operation of the utility within the rules and regulations set forth in WI State Statues and Village Ordinances
3. Prepares initial draft of the annual budget for the Public Utilities

## **Public Works Committee**

The role of the Public Works Committee includes the following:

1. Reviews all matters pertaining to the construction and maintenance of streets, alleys, sidewalks, gutters, storm sewer, street lighting, signage, snow removal, and other public works projects
2. Advises the Village Board regarding policies on all transportation related topics including sidewalks, trails, signage, bicycles and all forms of public transit service
3. Reviews amendments and other revisions of the official maps of the Village
4. Advises the Village Board regarding policies relating to the general operation of the Department of Public Works
5. Responsible for maintenance of Village owned buildings and street equipment
6. Prepares initial draft of the annual budget for the Public Works

## **Parks, Recreation & Forestry Committee**

The role of the Parks, Recreation & Forestry Committee includes the following:

1. Advises the Village Board regarding policies, contracts, procedures, and fees related to usage of Village Parks and contracts related to recreation
2. Assists in establishing, amending, rescinding, and/or implementing operational policies
3. Responsible for hearing and addressing complaints of aggrieved persons with respect to costs of park related services and general conditions
4. Prepares initial draft of the annual budget for the Parks, Recreation & Forestry Committee

## **BOARD OF REVIEW**

### **Duties**

At least 15 days before the first day on which the assessment rolls are open for examination, a notice is published in anticipation of the roll delivery as provided in WI Stats. §70.50, listing the date and time the assessment rolls will be open for examination by the taxable inhabitants of the Village of Belgium. This day is called "Open Book". During Open Book, the assessor is present for at least 2 hours while the assessment roll is open for inspection. Instructional material under s. 73.03 (54) is available at the meeting. On examination, the Assessor may make changes that are necessary to perfect the assessment roll.

After any applicable corrections are made, the roll is submitted to the "Board of Review". The Assessor returns the assessment roll to the Village Clerk at the same time and in the same manner outlined in Wisconsin Statutes. The Board of Review then convenes to hear and act on any objections to property owners' assessments.

The duties, functions and procedures of the Board of Review (as prescribed in §§ 70.46 and 70.47, Wis. Stats.) include scheduling an annual hearing on a date during the 45-day period beginning on the 4<sup>th</sup> Monday of April, but no sooner than 7 days after the last day on which the assessment roll is open for examination, during the hours of 7:00 p.m. to 9:00 pm for the purpose of addressing each property owner's written objection to property assessment it receives. 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 given.

The **Board of Review** is a quasi-judicial body whose duty is to hear sworn oral testimony and evidence provided by the property owner and the Village assessor, and to correct any errors or omissions in the descriptions or computations found in the assessment roll. All recommendations are made to the Village Board.

### **Members**

The Board of Review consists of the Village President, the Clerk and the Trustees of the Village Board, who shall be annually appointed at the Board's April organizational meeting. The President of the Village Board shall make the appointments, subject to the confirmation of the Board of Trustees, at the meeting.

### **Education**

It is required that at least one voting member of the Board of Review attend training every other year. The Village Clerk will inform members when training sessions are available and/or provide training materials.

## **PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD**

### **Duties**

The Plan Commission and Architectural Review Board is an advisory body that reviews all commercial and residential development plans, rezoning applications, annexation and attachment petitions, conditional use, and unspecified use and occupancy permits, for the purpose of promoting compatible development, aesthetics, and stability of property values and to prevent impairment or depreciation of existing developments, and recommends to the Village Board any action to be taken on the issues. The duties of the Plan Commission and Architectural Review Board include among others:

1. Responsible to make and adopt a Master Plan for the physical development of the Village
2. Reviews changes to the Zoning Code and the Master Plan
3. Holds public hearings and decides whether to issue permits for Conditional Uses
4. Review and make recommendations regarding rezoning petitions
5. Review and action on Business Site Plans
6. Review and action on Sign Code waiver requests
7. Review and advise Village Board on Plat Maps and Certified Survey Maps
8. Hear and decide applications for permission to erect, move, reconstruct, extend, alter, or change the exterior of all structures.
9. Approve, deny, or conditionally approve the application and request such modifications as it may deem necessary to carry out the purpose of Village Ordinance Article XI of Chapter 270.
10. Require the applicant to furnish additional information when necessary.
11. Additional duties outlined in the Village Code of Ordinances §14-2 and §270-86 through §270-95

A quorum shall be four members, and all actions shall require a majority of those members present.

Building plans requiring architectural review shall be reviewed at a public hearing. The Architectural Review Board shall schedule a reasonable time and place for the hearing and cause notice to be mailed to the applicant, the Building Inspector, and the parties in interest at least five days prior to the hearing. The applicant may appear in person, by agent, or by attorney.

Any person or persons aggrieved by any decision of the Architectural Review Board may appeal the decision to the Zoning Board of Appeals. Such appeal shall be filed with the Village Clerk within 30 days after filing of the decision with the Village Clerk.

Meetings are held the 4<sup>th</sup> Monday of each month at 7:00pm in the Village Hall Board Room.

### **Members**

The Village Plan Commission and Architectural Review Board shall consist of the Village President, one Village Trustee and five citizens. The Village President shall be chairperson of the Plan Commission and Architectural Review Board's presiding officer shall be appointed by the Village President. The Trustee member shall be annually appointed to the Plan Commission by a two-thirds vote at the organizational meeting of the Village Board during the month of April of each year. The five regular citizen members of the Commission shall be appointed by the Village President, subject to confirmation by the Village Board during the month of April for a term of three years. Official oaths shall be taken by all members in accordance with § 19.01, Wis. Stats., within five days of receiving notice of their appointment

## ZONING BOARD OF APPEALS

### Duties

The Zoning Board of Appeals has been established for the purpose of hearing appeals and applications and for granting variances and exceptions to the provisions of the Village's zoning ordinances as detailed in WI State Stat. §62.23(7)(e)7,8 and Village Ordinances §270-96 through §270-104. The Zoning Board of Appeals has the following powers:

1. **Errors:** To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by any administrative official or the Architectural Review Board.
2. **Variances:** To hear and authorize appeals for variances as will not be contrary to the public interest when, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of Village Ordinance Chapter 270 shall be observed and the public safety, welfare, and justice secured. Use variances shall not be granted.
3. **Interpretations:** To hear and decide applications for interpretations of the zoning regulations and the location of the boundaries of the zoning districts, after the Village Plan Commission has made a review and recommendation.
4. **Substitutions:** To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses, provided that no structural alterations are to be made and the Village Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.
5. **Permits:** The Board may reverse, affirm wholly or partly or modify the requirements appealed from and may issue or direct the issuance of a permit.
6. **Assistance:** The Board may request assistance from other Village officers, departments, commissions, and boards.
7. **Oaths:** The Chairperson may administer oaths and compel the attendance of witnesses.

Meetings shall be held at the call of the Chairperson and shall be open to the public. Meetings are held in the Village Hall Board Room and are open to the public.

Minutes of the proceedings and a record of all actions shall be kept by the Village Clerk, or other designated person, showing the vote of each member upon each question, the reasons for the Board's determination, and its finding of facts. These records shall be immediately filed in the office of the Clerk and shall be a public record.

The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, to grant a variance, or to make an interpretation

### Members

The Zoning Board of Appeals consists of five regular citizen members and two alternate citizen members as appointed by the Village President and confirmed by the Village Board.

Terms shall be for staggered three-year periods. The Chairperson shall be designated by the Village President. The Secretary and the office of the Zoning Board of Appeals shall be the Village Clerk and the Village Clerk's office. The Building Inspector shall attend all meetings for the purpose of providing technical assistance when requested by the Board.

Alternate Members: The Village President shall appoint a first alternate member and a second alternate member to act only when a regular member is absent or refuses to vote because of interest. The second alternate member may act only when the first alternate is unable to act or is already sitting. One member should be a Village Plan Commissioner.

Official oaths shall be taken by all members in accordance with § 19.01, Wis. Stats., within five days of receiving notice of their appointment. Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.

## **AD-HOC COMMITTEES**

### **What is an Ad-Hoc Committee?**

In essence, an Ad-Hoc committee is a voluntary citizen advisory board. Utilizing such citizen committees to aid in the process of effective, responsible and efficient government by channeling the resources of expertise and insight available in the community to complement the judgment of the Village Board and Staff. It also can provide more mechanisms appropriate for the ascertainment of facts and the discernment of views while broadening the base of citizen participation in the processes of self-government.

Ideally, advisory boards bring together citizen views that might not otherwise be heard. They are made up of persons of wide-ranging interests and expertise who want to participate in public service, but who may not wish to hold a public office. Participation on advisory boards may serve as a training ground or stepping stone for qualified persons who are interested in seeking public office. More specifically advisory bodies can:

- ❖ provide assistance to the legislative body when formulating public policy and help transform policy decisions into action
- ❖ address issues of interest or conduct background work on technical or politically sensitive issues
- ❖ serve as a way to build public consensus on controversial issues before elected officials make a decision
- ❖ give the community a forum for discussion in greater depth than is possible before a legislative body
- ❖ provide a more thorough review of complex and significant matters than a part-time municipal board may be able to give
- ❖ provide expertise without expending budget money

Local governments have created many different kinds of advisory committees. An Ad-Hoc committee should be established when there is a need. When the need is no longer present, the board should be abolished, unless it is required by statute. Such advisory bodies may also be created as permanent or standing advisory bodies for more commonly encountered scenarios where the Village Board may wish to call on the members.

As deemed necessary, the Village Board or the Village President can authorize the establishment of Ad-Hoc committees. The committee's duties or objectives are set forth at the time it is created. Committee members are appointed by the Village President and confirmed by the Village Board.

## RELATIONSHIPS WITH THE PUBLIC

Members are encouraged to become aware of public opinion relating to their field of influence. They should welcome citizen input at meetings and ensure that the rules and procedures for these public hearings are clearly understood.

Members should conduct themselves at public meetings in a manner that is fair, understanding, and gracious. Members should be considerate of all interests, attitudes, and difference of opinion. They should also take care to maintain the appearance as well as observe the principle of impartiality.

The State of Wisconsin has set forth a Code of Ethics for local government officials governing conduct in office, which includes persons appointed to boards, committees, and commissions. No public official "may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for any organization with which he or she is associated." Details are found in WI Stat. §19.59.

Any person who violates this State Statute may be required to forfeit not more than \$1,000 for each violation. If you have any questions regarding this matter, please contact the Village Attorney at (262)284-2664.

## OPERATING PROCEDURES

### PUBLIC NOTICE

The heart of Open Meetings Law is the requirement that all meetings of a governmental body be preceded by an official public notice for each board, committee, or commission meeting. It is the chairperson's responsibility to assure that public notice has been provided by the Village Clerk via posting and, when appropriate, publishing. Public notice should be provided in the following manner:

1. As required by state statutes;
2. Notice shall set forth the time, date, location, and subject matter of the meeting, including any closed sessions (*info regarding closed sessions follows in section C. below*);
3. Notice shall be made public at least 24 hours prior to the commencement of such meeting, or 2 hours under special circumstances.

### ESTABLISHMENT OF THE AGENDA

The Village President, in consultation with the Village Clerk, shall establish the Agenda for *Village Board meetings*. The Village Clerk may edit Agenda submissions in order to ensure compliance with Open Meetings Law and other applicable statutory requirements.

Any member of the Village Board may request that a matter be placed on the Agenda *by the Wednesday of the week preceding the Village Board meeting at 12:00pm noon*. All items presented by Village Board members to be added to the Agenda shall contain a statement indicating the action that is requested by the Village Board, the rationale for the request,



and all paperwork that is relevant to the matter to be discussed for inclusion in the meeting packet.

Any request for the addition of a matter to a Village Board Agenda may be accepted from a Trustee up to the Friday of the week preceding the Village Board meeting at 12:00pm noon. However, no staff assistance in preparing for the item will be provided, and the Trustee making the request will be responsible for leading the discussion on the topic as well as preparing respective paperwork for all board members' packets.

When requesting a matter be placed on the agenda, it's important to:

1. Anticipate conflicts by doing your homework so you can concentrate on the dynamics of the meeting rather than learning about the topic at hand.
2. Explain the purpose of the agenda item and what action is expected at the conclusion of the meeting.

In the event either of the aforementioned deadlines for submission of a matter to the Village Board Agenda would occur on a legal holiday, the deadline shall be 12:00pm noon of the business day immediately *preceding* such holiday.

In the event there is a desire for a matter to be placed on the Agenda in a "**Closed Session**" (see "*Exception to the Open Meetings Law*" section that follows), one Trustee shall be required to request such action in consultation with the Village Clerk and Village Attorney. This is to ensure adequate statutory basis exists for the Closed Session of the desired subject matter.

For all other Village committees or commissions, the chairperson is responsible for establishing the Agenda in consultation with the Village Clerk in compliance with procedures listed above. Chairpersons should be in contact with the Village Clerk regularly to go over goals and objectives, future Agenda items, and discuss current or future policy decisions.

## **MEETING PACKETS**

Meeting packets detailing the items of business to be discussed at a given board, committee, or commission meeting along with any respective documentation will be prepared and furnished by the Village Clerk within a reasonable amount of time before the meeting.

In order to run an efficient and effective meeting, it is necessary that all members read these packets in advance, and contact the Village Clerk if there are any questions regarding the information presented in the packet or staff reports.

## **WISCONSIN OPEN MEETINGS LAW**

Meetings must be conducted in a facility which is accessible to the public, open to all citizens at all times during the course of the meeting, and include sufficient space to accommodate the anticipated public interest in the meeting. The Americans with Disabilities Act also requires governmental bodies to use meeting places which are reasonably accessible with assistance to persons with disabilities.

The Village Board and all municipal committees and commissions are subject to Open Meetings Law. A detailed policy of open governmental meetings is set forth in Chapter 19 of the Wisconsin State Statutes, specifically §19.81 through §19.98.

The law only applies to “governmental bodies”. Governmental bodies include municipal public entities such as the Village and all boards, committees, and commissions of the municipality, gathering with a purpose to engage in governmental business and the number of members present is sufficient to determine the governmental body’s course of action (i.e. a “quorum”). *See Procedures for Running Public Meetings for more information on quorums)*

In deciding whether a governmental meeting is taking place, the following rules apply:

1. A quorum of any governmental board, committee, or commission must be present.
2. If a quorum is attending the meeting of another governmental body, the meeting must be noticed for both bodies.
3. Telephone conference calls amongst members of a governmental body, if the necessary number are involved, would be considered a meeting.
4. Walking Quorum (*also discussed in Procedures for Running Public Meetings section*)
  - a. A meeting can be deemed to exist if members of the governmental body gather in small groups of members, each of which may be less than a quorum either passively or explicitly, for the purpose of acting or sharing information sufficient to reach a quorum under the law.
  - b. The presumption is that any of the aforementioned gatherings would be considered a meeting. The presumption can only be overcome if it can be established that the group did NOT gather information to discuss or act on business within the authority of the governmental body.
  - c. Exchange of emails to solicit opinions or discuss ideas on an issue to come before the municipal body would be considered a “walking quorum” and thus, a meeting. In short, save the questions and comments with other members for the board, committee, or commission meeting!

## **EXCEPTIONS TO THE OPEN MEETINGS LAW**

Limited exceptions exist to the requirement that public meetings be conducted in the presence of the public. Those exceptions are specifically set forth in WI Statutes §19.85. Those exceptions include the following:

1. Deliberating about a case that was the subject of any judicial or quasi-judicial hearing before the governmental body
2. To consider the discipline of an employee of the Village
  - a. The individual must be given notice and must be informed of his/her right to demand an open hearing.
3. To consider employment, promotion, compensation, or performance evaluations of public employees

4. To deliberate or negotiate the purchase of public property or conduct other business when competitive or bargaining reasons require a closed session
5. To discuss personnel issues that could adversely affect an employee's reputation
  - a. Considering worker's compensation insurance issues, financial, medical, social or personal histories
6. Conferring with legal counsel concerning strategy in litigation which it is or is likely to become involved
7. Consideration of request for advice from an ethics board

## **PENALTIES FOR VIOLATIONS**

Violations of the Open Meetings Law may be prosecuted by the district attorney, attorney general, or by a private individual if the district attorney does not take the case within 20 days of receiving a complaint.

Any member of a governmental body who knowingly attends a meeting held in violation, or who, in his or her official capacity, otherwise violates Open Meetings Law by some act or omission, will be fined not less than \$25 nor more than \$300 for each such violation. No member of a governmental body is liable on account of his or her attendance at a meeting held in violation of Open Meetings Law if he or she makes or votes in favor of a motion to prevent the violation from occurring.

Any action taken at a meeting of a governmental body held in violation of Open Meetings Law is voidable, upon action brought by the attorney general or the district attorney of the county wherein the violation occurred. However, any judgment declaring such action void shall not be entered unless the court finds, under the facts of the particular case, that the public interest in the enforcement of Open Meetings Law outweighs any public interest which there may be in sustaining the validity of the action taken.

## **BUDGET PROCESS**

One of an elected official's most important responsibilities is oversight of agency finances. Local agency finance can be complex. What can elected officials do to exercise the kind of careful fiscal stewardship over taxpayer resources that the community expects?

The skills used to win an election are counterproductive as governing tools. Campaigning is competitive and adversarial, while governing requires the skills of collaboration, consensus building, and compromise. Don't get caught up in unrealistic and uninformed election promises, especially when it comes to budgets.

Learning the budget process and how it relates to the municipal tax levy takes time. Don't ever be afraid to ask questions or reluctant to say "I don't know". It is by continuous self-education through asking questions that you will learn about public finances.

### **MISSION OF THE BUDGET PROCESS**

The mission of the budget process is to help decision makers make informed choices about the provision and services and "capital assets", while promoting stakeholder participation in the process.

### **THE BUDGET CYCLE**

#### **Preparation**

Strategic planning is an important first step in developing a municipal budget. By developing an organizational core value, mission, and vision statement and setting specific goals and objectives, the budget process logically follows by attaching financial resources to the goals.

Obtaining community input to help in the strategic planning process can be achieved through citizen surveys, community forums, or other public participation processes.

Draft goals can be prepared by the Village Board and staff, and presented through a public participation process. The goals should communicate your community visions and desires, and set the philosophical tone of the organization. Once the government has received sufficient public input and made appropriate changes to the draft goals, it should adopt final goals for the ensuing fiscal year(s). These final goals become the roadmap for the direction the governing body wants the municipality to go.

### **Review**

The standing village committees and department heads then work on development of a draft budget tied to those goals. The Finance & Personnel Committee reviews the draft budget to determine if the financial resources have indeed been distributed in such a way to work towards achieving the community’s goals and address any other related issues.

### **Adoption**

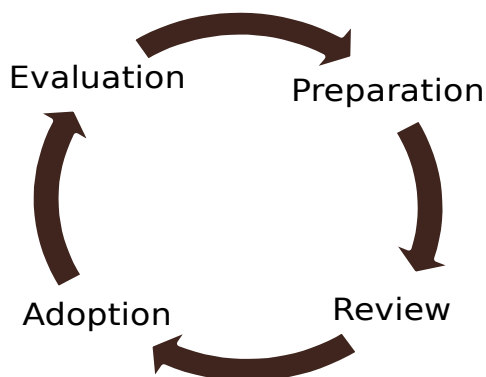
The budget is then adopted by the full board via resolution. Finally, the work anticipated in the budget begins! Governing bodies need to remember that budgets are a means to an end – the “end” goal is achievement.

### **Evaluation**

It is commonly thought that the annual “budget season” for each fiscal year occurs in early fall and ends when the budget is adopted. However, in reality, the budget season should be an ongoing process throughout the year. Through year-round evaluation of the budget, the Village Board of Trustees can determine if various programs are achieving the intended impact, if the final goals are achievable given revenue and/or time constraints, or if financial resources need to be redistributed in alternative ways to attain the end goal.

## **THE BUDGET TIMELINE**

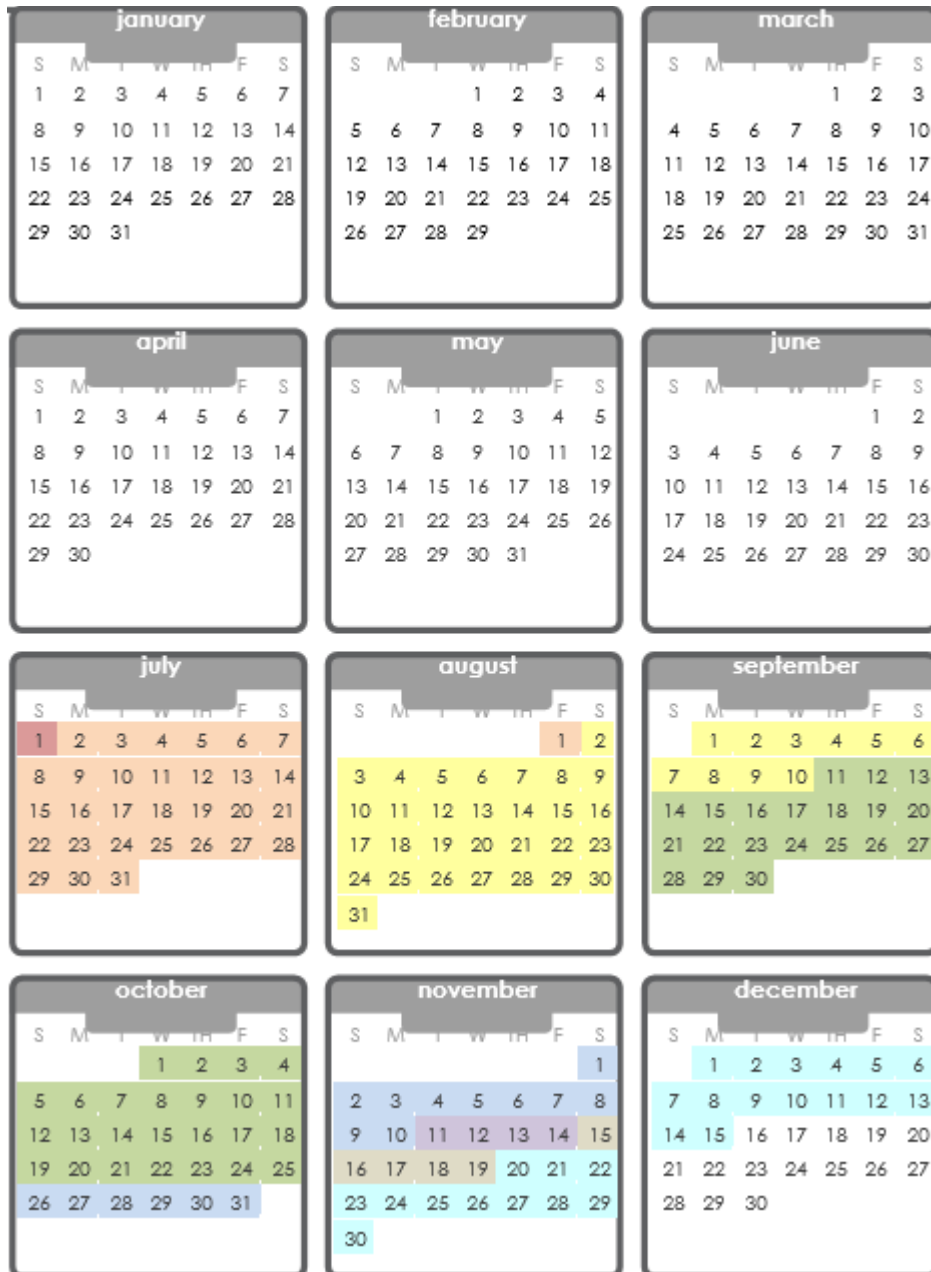
The various deadlines set forth in the Village of Belgium’s budget timeline are set forth in Wi Stats. Chapter §65.00 as well as WI Dept. of Revenue deadlines as outlined below.



	BUDGET PHASES	START DATE	END DATE
The <b>Preparation</b> phase of the Budget Cycle	Budget worksheets given to Dept. Heads by July 1 <sup>st</sup>	07.01	07.01
	Dept. Heads complete worksheets & hand in to Clerk or Treasurer by Aug. 1 <sup>st</sup> (Wi Stats. §65.03)	08.01	08.01
The <b>Review</b> phase of the Budget Cycle	Compiled budget worksheet prepared and ready for Budget Workshops to begin by Sept. 10 <sup>th</sup> at latest (Wi Stats. §65.04(1))	08.02	09.10
	Proposed budget ready to present to Board by Oct. 25 <sup>th</sup> at latest (Wi Stats. §65.04(2))	09.11	10.25
The <b>Adoption</b> phase of the Budget Cycle	Board to set date for Public Hearing on proposed budget to be held no later than Nov. 10 <sup>th</sup> . (Must publish Public Hearing Notice and copy of proposed budget at least 10 days prior to hearing date/Hearing must take place at least 7 days after publication date of Public Hearing & proposed budget – class 1) (Wi Stats. §65.04(7))	10.26	11.10
	Dept. Heads must submit a resolution authorizing any changes to budget made by board at least 2 days before Nov. 14 <sup>th</sup> . (Wi Stats. §65.05(3))	11.11	11.14
The	Board must adopt budget by Nov. 14 <sup>th</sup> via majority vote. Budget must be signed by Village Clerk & Village President by Nov. 19 <sup>th</sup> . (Wi Stats. §65.05(4))	11.15	11.19
	Village Board shall, on or before Dec. 15 <sup>th</sup> in each year, by resolution, determine the amount of taxes to be levied and assessed on the taxable property in village. (Per WI Dept. of Revenue submission deadlines)	11.20	12.15

**Evaluation** phase of the Budget Cycle takes place with the delivery of the Treasurer's Report in your monthly Village Board Meeting packet and as you refer to that report at each committee meeting held. Direct any questions you may have of the financial report to Village Staff. Your ability to understand the Treasurer's Report is a crucial part of learning your job as an elected or appointed official!

This calendar is intended to show an illustrated overview of how the budget timeline looks. Please note the calendar depiction shown may not align with the current year's days of the week. It is intended merely to serve as a visual overview of each year's budget deadlines.



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## ACKNOWLEDGEMENT

I acknowledge having received a copy of the Handbook for Elected and Appointed Village Officials, and I agree to read and become familiar with its contents for lawful and effective execution of my duties.

I understand that all policies, rules, and regulations referenced in the Handbook may be changed from time to time.

I further understand that only the Village Board has the authority to adopt revisions to the policies contained in this Handbook.

NAME: \_\_\_\_\_  
*(Please Print)*

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_