

RESOLUTION NO. 22-2026 SPECIAL MEETINGS

A RESOLUTION AUTHORIZING APPLICANT-REQUESTED SPECIAL TOWN BOARD MEETINGS FOR ANY MATTER WITHIN THE BOARD'S JURISDICTION, ESTABLISHING A COST-RECOVERY DEPOSIT, AUTHORIZING ADDITIONAL COMPENSATION TO TOWN OFFICIALS FOR ATTENDANCE, AND ESTABLISHING PROCEDURES FOR SUBMISSION AND CLERK COORDINATION

WHEREAS, third parties occasionally request that the Town Board convene special meetings to consider matters falling within the Board's jurisdiction; and

WHEREAS, the Town Board has authority to set fees and adopt policies by resolution and to recover costs incurred by the Town in the administration of Town affairs; and

WHEREAS, the Town wishes to adopt a uniform procedure and fee structure for applicant-requested special meetings so the Town recovers related costs and may compensate Town officials for their time;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Clearfield adopts the following policy and fee structure, effective upon adoption unless otherwise stated:

1. Purpose

To authorize and regulate applicant-requested special Town Board meetings for any matter within the Town Board's jurisdiction, to establish a deposit/fee to recover Town costs, and to authorize payment to Town officials for attendance and related work.

1a. Definitions & Additional Requirements

For purposes of this Resolution the following definitions and requirements apply:

- a. **Quorum.** For purposes of this Resolution, "quorum" means three (3) Town Board members.
- b. **Cost-based fees.** Fees and deposits established by this Resolution are intended to be cost-based and reasonable and shall be limited to the Town's actual costs for notice, clerk time, copying/publication, legal review, and compensation authorized herein.
- c. **Itemized final accounting & timing.** The Clerk/Treasurer shall provide the Applicant an itemized final accounting within fourteen (14) calendar days after a scheduled special meeting or after scheduling efforts conclude; refunds and invoices shall be issued within thirty (30) calendar days of final accounting.
- d. **Payment methods & receipts.** Payment may be made by check payable to "Town of Clearfield," money order, or any electronic payment method accepted by the Town. The Clerk shall issue a receipt to the Applicant and shall deliver all funds to the Town Treasurer for deposit into Town accounts within three (3) business days of receipt.
- e. **Payroll, taxes & reporting.** Compensation shall be paid in accordance with Town payroll/accounts-payable procedures; the Treasurer shall process payments in a manner that complies with applicable federal and state tax and reporting requirements. The Treasurer may pay officials by payroll, voucher or other method consistent with law and Town policy.
- f. **Recusal / conflict of interest.** Any Board member who has a financial or personal interest in the subject matter shall recuse themselves from the hearing, shall not participate in deliberation or voting on that matter, and shall not be counted toward a quorum for that matter.
- g. **Attorney review & notice of fees.** If Town Attorney review is necessary, attorney time and costs shall be billed to the Applicant as part of the final accounting. The Clerk shall notify the Applicant if

the Town anticipates attorney fees that exceed \$____ before incurring those fees.

h. **Collection / unpaid balances.** Unpaid balances not paid within thirty (30) days may accrue interest at the Town's standard delinquent rate and may be referred for collection as allowed by law.

i. **Document retention.** The Clerk shall retain the complete Request file, supporting documents and accounting for a period of not less than seven (7) years.

j. **Scope of this policy.** This Resolution governs scheduling and cost recovery only and does not authorize denial of a request on the basis of its content or viewpoint.

2. Request, Submission & Clerk Coordination (Board Will Not Convene Solely to Accept/Deny)

a. **Written request / electronic submission.** A request for a Requested Special Meeting must be a written request delivered to the Town Clerk. For purposes of this Resolution, a "written request" includes: (i) a paper request bearing the applicant's original signature; (ii) a signed electronic document; and (iii) an email sent from the Applicant's email account to clerk@townofclearfieldwi.gov. Email requests must use the subject line "**Special Meeting Request.**" An email will be treated as a written request only if it includes the applicant's full legal name and business name (if applicable), mailing address, daytime phone number and email address; a clear statement describing the subject matter and the relief or action requested; any preferred dates/times; the required certification (see form language below); and proof of payment of the required deposit or confirmation that payment was delivered to the Town Clerk. The Clerk shall reply to confirm receipt within three (3) business days.

b. **Clerk scheduling (no Board meeting to accept/deny).** The Town Board will not convene a special meeting solely to accept or deny a Requested Special Meeting. Instead, upon receipt of a complete written request and the required deposit, the Clerk shall coordinate scheduling as follows: the Clerk shall promptly email all Board members (to the addresses on file) with specific proposed dates and times for the Requested Special Meeting (the dates/times may include the Applicant's preferences). The Clerk shall make reasonable efforts to locate a date and time on which a quorum of Board members is available to attend and hear the request. The Clerk shall document all scheduling efforts in the public file for the request and shall confirm the scheduled date once a quorum is identified.

c. **Quorum failure treated as denial for scheduling.** If, despite reasonable efforts (including emailing Board members with proposed dates/times and offering reasonable alternatives), the Clerk is unable to secure a date within thirty (30) calendar days on which a quorum of Board members is available to conduct the Requested Special Meeting, then the Clerk shall treat the request as denied for scheduling purposes, shall refund the deposit in full, and shall place the matter on the next regular Town Board meeting agenda for Board consideration (unless the Applicant requests in writing that the matter be withdrawn or scheduled differently). The Clerk's scheduling attempts shall be documented in the request file.

d. **Board action at scheduled meeting.** If the Clerk is able to schedule a Requested Special Meeting (by identifying a date/time when a quorum can attend), the Town Board will hear and decide the merits of the Applicant's request at that scheduled special meeting. The Board retains the authority to approve, deny, or take other action at that meeting.

e. **Fee/Deposit required prior to scheduling (with limited exception for payment at meeting start).** The Clerk shall not schedule any Requested Special Meeting unless and until the required deposit has been received as set forth in Section 3. **Alternative at Clerk's discretion:** the Applicant may request, and the Clerk may permit, that payment be made at the beginning of the scheduled special meeting rather than prior to scheduling. If the Clerk allows payment at the meeting start, the Applicant must provide written confirmation (signed or emailed) that payment will be made at the meeting and must appear in person at the meeting with the agreed payment method. The Clerk shall require proof of actual payment before the Town Board may hear the Applicant's matter. If the Applicant fails to present payment at the start of the meeting as promised, the Clerk shall treat the failure as an Applicant cancellation and shall handle the matter under Section 6, including placing the matter on the next regular Board meeting agenda if required.

3. Deposit / Fee (Cost Recovery)

a. **Deposit amount & payee.** At the time of filing the written request, the Applicant shall pay an Applicant-Requested Special Meeting Deposit of **\$300.00** to the Town Clerk. (The Board may set a different amount by resolution.) Receipt or proof of payment must accompany the written request unless the Clerk has approved payment at the beginning of the meeting under Section 2.e. The Town shall not schedule the meeting until payment is received or the Clerk has approved payment at meeting start. The Clerk shall deliver all deposits to the Town Treasurer for deposit into the Town's accounts within three (3) business days of receipt.

b. **Purpose of deposit.** The Deposit is intended to reimburse the Town for actual costs incurred in connection with the Requested Special Meeting, including but not limited to: clerk time for notice/agenda/packet preparation, posting/publication costs, copying/postage, attorney review, and compensation for Town officials and staff for meeting preparation and attendance.

c. **Final accounting.** After the meeting or after scheduling attempts conclude per Section 2.c, the Town will prepare an itemized final accounting of actual costs. If actual costs exceed the Deposit, the Applicant shall pay the additional billed amount within thirty (30) days of invoice. If actual costs are less than the Deposit, the difference shall be refunded to the Applicant within thirty (30) days of final accounting.

How to Request a Special Meeting

Submit a written request to the Town Clerk (paper, signed PDF, or email to clerk@townofclearfieldwi.gov). Subject line must say "**Special Meeting Request.**" The request must include: your full name, address, phone, and email; exactly what you want the Board to do; why you cannot wait for the next regular meeting; preferred dates/times (at least 3 choices); and the following signed/typed statement:

"I understand this is a special meeting held only for my request. I agree to pay the \$300 deposit and any additional costs so the Town and its officials are fully reimbursed for their extra time."

4. Compensation / Direct Payment to Officials

a. **Authorized compensation.** Applicant-Requested Special Meetings are in addition to, and outside the scope of, the regular duties covered by any annual salary or per diem established for regular Town Board meetings. Therefore, the Town authorizes additional compensation, payable solely from deposits and fees collected under this resolution (and not from general Town funds), to

Town officials for preparation for and attendance at an Applicant-Requested Special Meeting as follows:

- **Chairperson:** \$75.00 per Requested Special Meeting
- **Each Supervisor:** \$75.00 per Requested Special Meeting
- **Town Clerk:** \$40.00 per hour for meeting preparation and attendance (minimum 2 hours)

b. **Direct payment.** The Treasurer is authorized to pay such compensation to the Chairperson and Supervisors and to reimburse the Clerk for authorized time and expenses from fees collected under this resolution, provided all payments are processed in accordance with Town payroll/accounts-payable procedures and applicable law. Payment may be by check or electronic payment consistent with Town practice.

c. **Timing of payment.** Compensation checks for the Chairperson and Supervisors (and any reimbursement checks to the Clerk) shall be prepared and disbursed at the next regular Town Board meeting following the special meeting (unless the Board directs an alternative payment mechanism consistent with Town policy and law). All payments shall be recorded and accounted for in accordance with Town accounting procedures.

5. Scheduling, Notice & Open Meetings Compliance

If the Clerk schedules a Requested Special Meeting pursuant to this resolution, the Clerk shall post and publish the meeting in compliance with Wisconsin's Open Meetings Law and any applicable notice/publishing requirements. The meeting shall be a public meeting and be conducted in accordance with applicable statutes and Town ordinances; charging a deposit or fee shall not limit public access or the public's right to attend or comment under law.

6. Denial, Failure to Secure Quorum & Refund Policy

a. **Clerk scheduling failure (treated as denial).** As provided in Section 2.c, if the Clerk cannot secure a quorum for any proposed dates/times within thirty (30) calendar days, the Clerk shall refund the Deposit and place the matter on the next regular Town Board meeting agenda for Board consideration.

b. **Applicant cancellation.** If the Applicant cancels the Requested Special Meeting more than seven (7) calendar days prior to the scheduled date, the Town shall refund the Deposit less documented actual costs incurred up to the date of cancellation. If the Applicant cancels seven (7) calendar days or less before the scheduled meeting, the Deposit shall be forfeited to cover Town costs or shall be applied to actual costs (whichever is greater).

c. **Town cancellation.** If the Town cancels the meeting for any reason, the Town shall refund the full Deposit.

7. Billing & Accounting

Fees collected under this resolution shall be deposited in the Town's general fund (or other designated fund) and accounted for as Applicant-Requested Special Meeting Fees. The Treasurer is authorized to disburse funds to pay authorized compensation and other costs for the meeting; any balance or shortfall shall be handled per Section 3. Unpaid balances not paid within thirty (30) days

may accrue interest at the Town's standard delinquent rate and may be referred for collection as allowed by law.

8. Fee Schedule Amendment

The Town Fee Schedule (Resolution 16-2010) is hereby amended to include the Applicant- Requested Special Meeting Deposit and the listed compensation line items. The Clerk/Treasurer shall update the Fee Schedule and make the updated schedule available per Town practice.

9. Verification & Public Records

The Clerk may require a scanned or original signature or additional documentation where the Clerk reasonably deems it necessary to verify the Applicant's identity. All requests and communications (including accepted emails) are public records subject to Wisconsin public records law. The Clerk shall retain the complete Request file, supporting documents and accounting for a period of not less than seven (7) years.

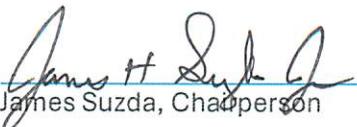
10. Legal Review & Compliance

This resolution is intended to be consistent with applicable Wisconsin law and the Town's ordinances. The Board directs the Town Attorney to review the compensation and payment provisions and the Town Treasurer/Auditor to confirm compliance with accounting and payroll requirements prior to any payments being made. If any provision is found invalid, the remainder shall remain in full force and effect.

11. Effective Date

This resolution shall take effect immediately on adoption.

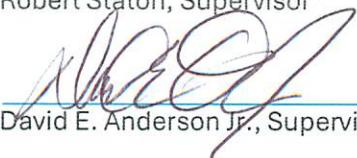
Adopted this 13 day of January, 2020.



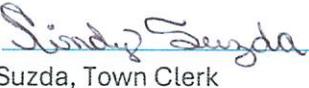
James Suzda, Chapperson



Robert Staton, Supervisor



David E. Anderson Jr., Supervisor

Attest: 

Cindy Suzda, Town Clerk