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3.01 TITLE/PURPOSE. This Ordinance is entitled the "Town of Cooperstown Fiscal Management Ordinance." The purpose of this ordinance is to provide a general guideline for the operation of the Town of Cooperstown according to the powers given to towns by the Wisconsin Statutes.

3.02 AUTHORITY. The Town Board of the Town of Cooperstown has the specific authority, powers and duties pursuant to Chapters 60, 67, 70 and Section 74.12 Wisconsin Statutes to manage, supervise and direct the fiscal operations, and to develop, maintain and implement a fiscal management system for the Town of Cooperstown.

3.03 ADOPTION OF ORDINANCE. The Town Board of the Town of Cooperstown has, by adoption of this Ordinance, confirmed the specific statutory authority, duties and powers of the Town of Cooperstown, its officers, its employees and its agents as established by the above-noted chapters and this Ordinance to manage, supervisor and direct the fiscal operations, and to develop, maintain and implement a fiscal management system for the Town of Cooperstown.

3.04 FISCAL YEAR. The fiscal year for the Town of Cooperstown is the calendar year.

3.05 BUDGET ADOPTION. The Town Board of the Town of Cooperstown shall adopt an annual budget.

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3.06 BUDGET HEARING. The Town Board shall conduct a budget hearing prior to the adoption of the budget pursuant to Section 65.90 Wisconsin Statutes. At least fifteen (15) days prior to the budget hearing, the Town Clerk shall post notice of the budget hearing in at least three (3) public places and website. Summary of budget is also to be posted with notice to the budget hearing date. The budget hearing shall be held at the Town Hall unless otherwise noted by the posted notice.

3.07 ELEMENTS OF BUDGET. Each budget prepared by and approved by the Town Board shall include the following:

- A. All existing indebtedness.
- B. All actual revenues and expenditures for the preceding year.
- C. All actual revenues and expenditures for the current year (for not less than six (6) months).
- D. All estimated revenues and expenditures for the balance of the current year.
- E. All anticipated unexpended or unappropriated balances and surpluses.
- F. All anticipated revenue from all sources for the next year.
- G. All proposed expenditures for the next year (active and reserve).

3.08 ELEMENTS IN BUDGET SUMMARY. Each budget summary prepared by and approved by the Town Board shall include the following:

- A. All expenditures by major expenditure category for the proposed budget, the budget in effect and the budget of the preceding year.
- B. All revenues by major revenue source for the proposed budget, the budget in effect and the budget of the preceding year.
- C. Any financial source and use not identified in A. and B. above.
- D. All beginning and year-end balances for the proposed budget, the budget in effect and the budget of the preceding year.

3.09 INITIAL PREPARATION OF BUDGET. The annual budget shall be initially prepared by and approved by the Town Board based on data and estimates provided by the Town Clerk and Town Treasurer. The Town Board shall publish the summary of the budget, and the hearing date and time in the three posting places and the website. A reasonable number of copies of the budget shall be available for public inspection, at request, prior to the hearing.

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3.10 APPROVAL OF BUDGET. The Town Board, after the public hearing, shall act upon the annual budget. The Town Board may amend the annual budget prior to final adoption. The annual budget shall be finally adopted by the Town Board by a majority roll call vote of the members.

3.11 CHANGES IN FINAL BUDGET. The amount of the tax to be levied or certified, the amounts of the various appropriations and the purposes of the appropriations stated in the approved annual final budget may not be changed unless authorized by a roll call vote of two-thirds (2/3) of the members of the Town Board.

3.12 EXPENDITURE OF FUNDS. The Town Board shall not authorize money to be drawn from the treasury nor shall the Town Board incur any obligation for the expenditure of money except as those expenditures or obligations are made pursuant to the annual final or revised budget appropriations. Any unencumbered budget balance of the authorized appropriations shall revert to the general fund and shall be subject to reappropriation by the Town Board. No order for payment may be issued in excess of funds available or appropriated for the purpose for which the order is drawn unless authorized by a two-thirds (2/3) roll call vote of the Town Board.

3.13 CLAIMS AND PAYMENTS.

SECTION 1. AUTHORITY. This ordinance is adopted pursuant to the authority granted town boards under Wis. Stat.60.44 (2), which allows for the adoption of an alternative claim procedure for approving financial claims against the town which are in the nature of bills and vouchers.

SECTION 2. APPLICABILITY. Payments may be made from the town treasury pursuant to this ordinance for claims against the town not in excess of \$500.00, approved by Town Chairman for highway expenditures.

or

Payments may be made from the town treasury pursuant to this ordinance for bills or vouchers that are of a routine nature, namely: payroll, payroll taxes, utility bills: Cellcom, CenturyLink & WPSC.

SECTION 3. PROCEDURE. Payments may be made from the town treasury after the town clerk audits and approves each claim as a proper charge against the town treasury by first determining that the following conditions have been complied with:

1. Funds are available under the town budget to pay the bill or voucher.
2. The item or service covered by the bill or voucher has been duly authorized.
3. The item or service covered by the bill or voucher has been supplied or rendered in conformity with the authorization.
4. The claim appears to be a valid claim against the town.

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The town clerk may require submission of proof to determine compliance with the conditions under (1-4), prior to approval. For example, the clerk may require verification of quantity, quality, etc., by another town official or employee.

After determining that the conditions have been met, the clerk shall indicate approval of the claim by placing his or her signature on the bill. Upon approval of a bill or voucher under this procedure, the clerk shall prepare and sign a check and have it countersigned by the town treasurer and the town chairperson, pursuant to Wis. Stat. 66.0607. The treasurer shall then mail or deliver the completed checks to the appropriate parties.

At least monthly, the town clerk shall file with the town board a written list of claims approved pursuant to this ordinance. The list shall include the date paid, name of claimant, purpose, and amount.

General Policy for Claims. All claims pursuant to Section 893.80 Wisconsin Statutes, accounts and demands for money shall be filed with the Town Clerk by 5:00 P.M. on the Friday preceding the second Tuesday of the month. The Town Board shall approve or disallow any claims, accounts or demands for money from the voucher list submitted by the Town Clerk at the regular monthly Town Board Meeting. A "Notice of Town of Cooperstown Payment Procedures" letter shall be sent to each new account with the Town to make them aware of the Town's policy stated above. The voucher list shall be approved or rejected by the Town Board prior to payment. The Town Treasurer shall make disbursements from the Town Treasury upon motion of approval by the Town Board. Any disbursement of Town funds from deposits shall be by draft or check. Any disbursement of the Town's fund from savings or time deposits shall be by written transfer order. All drafts or checks shall be signed by the Town Treasurer and the Town Clerk. The Town Chair shall countersign all drafts and checks.

3.14 FINANCIAL BOOK/ANNUAL FINANCIAL STATEMENT. The Town Board shall prepare a written annual statement of the financial condition of the Town. This statement shall be prepared and submitted by the Town Clerk at the Annual Town Meeting. In addition, the Town Clerk shall maintain a finance book which shall contain a complete record of the finances of the Town. This book shall show the date, amount and source of each receipt, and the date amount and object of each disbursement. The annual financial statement shall include previous year's revenues and expenditures and the current indebtedness of the Town.

3.15 PUBLIC CONTRACTS.

Items Required for Bids. The Town Board shall give a Class 1 notice for bids for any public contract with an estimated cost of more than five thousand dollars \$5,000 but not exceeding \$25,000. Public contracts estimated to cost over \$25,000 must be advertised and let to the lowest responsible bidder. A public contract means a contract for the construction, execution, repair, remodeling or improvement of any public work or building or for the furnishing of materials or supplies. The Town

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Board shall, prior to execution of any public contract, require proof of notice of publication (if publication of the bids are required) pursuant to Section 60.47 Wisconsin Statutes.

Advertising Required for Bids. The Town Board shall advertise for proposals to perform the terms of the public contract by publishing a proper notice under Chapter 985 Wisconsin Statutes.

Lowest Bidder. The Town shall let a public contract for which advertising for proposals is required to the lowest responsible bidder.

Exceptions to Bid Process. This Ordinance does not apply to any public contract entered into by the Town of Cooperstown with another municipality. Municipality, for this Ordinance, is defined as the State of Wisconsin or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, water utility district, municipal electric company, county or city transit commission or regional planning commission. In addition, the public bid requirements are optional with respect to public contract for the repair and construction of public facilities in the Town when damage or threatened damage creates an emergency. The emergency must be declared by the Town Board prior to entering into the contract and the emergency must endanger the public health or welfare of the Town. This exception does not apply when the Town Board declares that the emergency no longer exists. Finally, the public bid requirements do not apply to any public work performed directly by the Town of Cooperstown.

Private Interest in Public Contract Prohibited. All Town of Cooperstown officers and employees shall not violate Section 946.13 Wisconsin Statutes.

3.16 BONDING. The Town Board is authorized to bond pursuant to Chapter 67 and Section 60.10 Wisconsin Statutes and this Ordinance.

3.17 BOARD OF REVIEW.

Membership of Board of Review. At least, three members of the Town Board and the Town Clerk shall comprise the Board of Review. The Town Clerk shall be the clerk of the Board of Review. No assessor may serve on the Board of Review.

1. **AUTHORITY**. The Town Board of the Town of Cooperstown, Manitowoc County, Wisconsin, has the specific authority under s. 70.47 (1) and (6m) (c), Wis. stats., to remove members from and to appoint alternate members to the Board of Review for the Town of Cooperstown.

2. **MANNER OF APPOINTMENT**. The Town Board of the Town of Cooperstown, Manitowoc County, Wisconsin, by this ordinance, establishes and shall maintain a public list of names of persons eligible and appointed by the town

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board to serve as alternate members of the board of review. The list shall be arranged and maintained by the town clerk in a priority order of probable and likely service as an alternate. The town clerk shall notify any named member who has been lawfully removed under s. 70.47 (6m) (a) or (b), Wis. stats., and shall then notify the alternate member of his or her appointment to replace a named member of the board of review. The alternate, once notified, if he or she approves the appointment, and if the appointment would not violate s. 19.59, Wis. stats., shall then take the oath of office and act as a member of the board of review under s. 70.47 (6m) (c), Wis. stats.

3. APPOINTMENTS. The following electors of the Town of Cooperstown are named as alternate members of the board of review, to serve in the order indicated:

Alternate 1: Bernadette Duescher Alternate 2: Michael Glandt

Alternates shall be appointed by the Town Board at their April Town Board Meeting in the event a standing board member of the board of review is removed or unable to serve for any reason and there is no longer a quorum.

Note: The town board may name as many alternates as it deems necessary to meet the statutory requirement that no less than 5 Board of Review members are needed to make a final determination of an objection to a property assessment.

Compensation for Board of Review. See Chapter 15 Appendix A.

3.18 INVESTMENT PROCEDURE/PUBLIC DEPOSITORY. The Town Treasurer of the Town may invest, at his or her discretion, long-term funds and temporary funds not immediately needed by the Town. These investments must comply with Section 66.0603 Wisconsin Statutes. The Town Treasurer shall deposit funds in a timely fashion at a financial institution designated by the Town Board by resolution.

3.19 FINANCIAL AUDIT. The Town Board shall receive an interim financial statement from both the Town Clerk and Town Treasurer at the monthly Town Board meeting. It is also recommended to have an audit completed by a certified public accountant every five (5) years or whenever there is a change in the office of Town Clerk or Town Treasurer.

3.20 OVERPAYMENTS AND UNDERPAYMENTS.

A. PURPOSE AND INTENT. It is the declared intent of this ordinance that tax payments made in excess of the tax bill amounts shall be refunded pursuant to the procedures established under

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this ordinance within 15 business days of the payment. Further it is the declared intent that this policy shall be in full force and effect upon adoption by the town board with the purpose of complying with Sec. 74.03 (2) of Wis. Statutes (as adopted by 1997 Wis. Act 315).

- B. **AUTHORITY.** This ordinance is adopted pursuant to the authority granted to town boards under Sec. 60.44 (2) of Wis. Statutes to adopt an alternative claim procedure for approving financial claims against the town which are in nature of bills and voucher.
- C. **Required Procedures of Treasurer upon payment of excess amount over tax bill amount.** Pursuant to sec. 60.34 of Wis. Statutes upon receipt of tax payments in excess of the tax bill, the town treasurer shall deposit as soon as practicable all payments in the name of the town in public depositories designated by the town board. Upon verification by the town treasurer that the payment as deposited has cleared and not been returned as insufficient funds, but not later than 10 days after depositing, the treasurer shall notify the town clerk in writing: the name and mailing address of the taxpayer for whom a refund in excess of the tax bill amount is due, the amount of the refund in excess of the tax bill, the date payment was received, and a statement that the payment as made has cleared and not be returned as insufficient fund.
- D. **Required Procedures of Clerk upon notification from treasurer of excess payment of tax bill amount.** Upon written notification from the town treasurer that a taxpayer has made a tax payment in excess of the tax bill amount, the town clerk shall issue the normal voucher or authorization for payment of the refund of the excess amount over the tax bill amount upon finding the following:
1. Funds are available to pay the bill, assuming the tax payment has cleared and not be returned as is evidenced by the treasurer's notice.
 2. The town board has authorized the refund of excess tax payments as established by the adoption of this ordinance.
 3. The refund is due in the amount noticed by the town treasurer as a tax payment in excess of the amount of the tax bill.
 4. The refund is a valid claim against the town, being a payment in excess of the tax bill amount.
 5. Unless otherwise provided by law, the town clerk and the town treasurer may retain the town overpayment of fees, licenses, and similar charges when the overpayment in \$2.00 or less, unless such refund is specifically requested in writing. Underpayments of not more than \$2.00 may be waived when the administrative cost of collection would exceed the amount of the underpayment.

Further, the town clerk shall prepare monthly, to be submitted to the town board at each

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monthly board meeting, a list of claims paid under this procedure, listing the amount of the claims, the date paid, the name of the taxpayer/claimant, and that the payment was a refund for excess tax payment.

- E. Issuance of Disbursement from local treasury. Upon approval of a voucher (or proper authorization) by the Town Clerk under the procedure listed in Sec 4 of the Ordinance a refund check payable to the taxpayer/claimant named in the voucher or authorization and in the amount approved shall be written by the town clerk and countersigned by the town treasurer and town chairman, pursuant to Sec. 66.042 of the Wis. Statutes shall be issued not later than 15 business days from the date the tax payment was received by the town treasurer as noticed by the town treasurer in Sec 3 of the ordinance.
- F. Mailing or delivery of refund check to taxpayer/claimant. Upon issuance of the proper countersigned refund check, pursuant to the procedures in this ordinance the refund check shall be delivered to the taxpayer/claimant or mailed the last known mailing address of the taxpayer/claimant by the town clerk.

Amended November 11, 2014 3.20 Overpayments and Underpayments

Amended 05082018 Posted 0522018 Ordinance 2018-3

Amended 08072018 Posted 08092018 Ordinance 2018-5