

**TITLE 2  
GOVERNMENT AND ADMINISTRATION**

<b>Article 1</b>	<b>VILLAGE GOVERNMENT AND ELECTIONS</b>
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**ARTICLE 1**

**Village Government and Elections**

<b>2.1.1</b>	<b>Official Newspaper</b>
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**2.1.1 OFFICIAL NEWSPAPER**

The official newspaper to be used for the publication of legal and/or official notices and documents by the village, when such publication is required by law, shall be the Eau Claire Leader-Telegram or a newspaper as determined by the village clerk.

**2.1.2 ELECTION POLL HOURS**

The election polls in the Village of Fall Creek, Eau Claire County, Wisconsin shall be open between the hours of 7:00 a.m. to 8:00 p.m. or as otherwise required by law.

**2.1.3 ELECTION OFFICIALS**

Pursuant to Wisconsin Statutes, the village clerk has charge and supervision of elections and voter registration in the village. The village president shall nominate to the village board who shall have the power to approve by a majority vote not less than five (5) persons, who are qualified electors of Eau Claire County, to be election officials to conduct all elections in the village. The village clerk shall see to it that these election officials receive the necessary training as determined by the Wisconsin Election Commission. Election officials may be assigned by the village clerk to work different hours at an election. The village clerk shall determine in advance of each election whether the number of election officials for such election should be reduced from the number prescribed by the Wisconsin Statutes.

#### **2.1.4 NOMINATION OF CANDIDATES BY NONPARTISAN PRIMARY**

Candidates for elective village office of the Village of Fall Creek shall be nominated by a nonpartisan primary. Nomination papers for this purpose shall be supplied by the village clerk and shall be signed by not less than twenty (20) nor more than one hundred (100) electors of the village. Nomination papers shall be circulated pursuant to state law. Notices shall be given as required by state law. A primary election shall be held only when the number of candidates for an elective office in the village exceeds twice the number to be elected to that office. When the number of candidates filing nomination papers for an office does not exceed twice the number to be elected, their names shall be printed on the official ballot for the regular election without a primary.

## ARTICLE 2

### Village Board Organization and Meetings

- 2.2.1 Village Board
- 2.2.2 General Powers of the Village Board
- 2.2.3 Internal Powers of the Board
- 2.2.4 Salaries
- 2.2.5 Trustees
- 2.2.6 Village President
- 2.2.7 Meetings, Times, Dates, and Place
- 2.2.8 Standing Committees
- 2.2.9 Meeting Agendas; Order of Business
- 2.2.10 Introduction of Business; Resolutions & Ordinances
- 2.2.11 Conduct of Deliberations

#### 2.2.1 VILLAGE BOARD

The Trustees of the Village of Fall Creek including the Village President, shall constitute the Village Board. The village board shall be vested with all the powers of the village not specifically given some other officer, as well as those powers set forth elsewhere throughout this Code. (Sec. 61.32, Wis. Stats.)

#### 2.2.2 GENERAL POWERS OF THE VILLAGE BOARD.

- (A) **General.** Except as otherwise provided by law, the village board shall have the management and control of the village property, finances, highways, streets, navigable waters and the public protection service, and shall have the power to act for the government and good order of the village, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language. (Sec. 61.34(1), Wis. Stats.)
- (B) **Acquisition and Disposal of Property.** The village board may acquire property, real or personal, within or outside the village, for parks, libraries, recreation, beautification, streets, water systems, sewage or waste disposal, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the village, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by Ch. 32, Wis. Stats. (Sec. 61.34(3), Wis. Stats.)

- (C) **Acquisition of Easements and Property Rights.** Confirming all powers granted to the village board and in furtherance thereof, the board is expressly authorized to acquire by gift, purchase or condemnation under Ch. 32, Wis. Stats, any and all property rights in lands or waters, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature whatsoever, however denominated, which may be lawfully acquired for the benefit of the public or for any public purpose, including the exercise of powers granted under Sections 61.35 and 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection. (Sec. 61.34(3m), Wis. Stats.)
- (D) **Village Finances.** The village board may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that it was unjust or illegal; and generally manage the village finances.
- (E) **Construction of Powers.** Consistent with the purpose of giving the village the largest measure of self-government in accordance with the spirit of Article XI, Section 3, of the Wisconsin Constitution, the grants of power to the Village throughout this Code of Ordinances and State Statutes shall be liberally construed in favor of the rights, powers and privileges of the village to promote the general welfare, peace, good order and prosperity of the village and its inhabitants. (Sec. 61.34(5), Wis. Stats.)

### **2.2.3 INTERNAL POWERS OF THE BOARD**

The village board has the power to preserve order at its meetings. (Sec. 61.32, Wis. Stats.)

### **2.2.4 SALARIES.**

The Village President and Trustees whether operating under general or special law, may, by five-sevenths vote of all the members of the village board, determine the salary to be paid the President and Trustees. Salaries heretofore established shall so remain until changed by ordinance and shall not be increased or diminished during the terms of office. (Sec. 61.32, Wis. Stats.)

### **2.2.5 TRUSTEES**

The Village of Fall Creek shall have six (6) trustees in addition to the president, who is a trustee by virtue of his office as president. The term of office for the trustees shall be two (2) years, commencing on the third Tuesday of April, three (3) of whom shall be elected each year. No person, not a resident elector in the village shall be elected to any office therein. (Sec. 61.19 and Sec. 61.20, Wis. Stats.).

## 2.2.6 VILLAGE PRESIDENT

- (A) **Election.** The village president shall be elected at the annual spring election in odd-numbered years for a term of two (2) years, commencing on the third Tuesday of April in the year of his election.
- (B) **Duties.** The Village President shall by virtue of the office be a trustee and preside at all meetings of the board, have a vote as trustee, sign all ordinances, rules, bylaws, regulations, commissions, licenses, and permits adopted or authorized by the Board and all orders drawn on the treasury, except as provided Sec. 66.0607, Wis. Stat. The village president shall maintain peace and good order, see that the Village ordinances are faithfully obeyed, and in case of disturbance, riot or other apparent necessity appoint as many special marshals as the Village President shall deem necessary, who for the time being shall possess all the powers and rights of constables. (Sec. 61.24, Wis. Stats.)

## 2.2.7 MEETINGS, TIMES, DATES, and PLACE

- (A) **Regular Meetings.** Regular meetings of the Village Board shall be held on the second Monday of each calendar month at 6:00 p.m. Upon a majority vote of those members of the Village Board present at any meeting, the date or time of any regularly scheduled meeting of the Village Board may be changed. [Amended 4/11/2022]
- (B) **Special Meetings.** The village president may call special meetings of the village board by providing notice as required by Sec. 19.84, Wis. Stats. Special meetings of the village board may also be called upon petition filed with the village clerk by at least two (2) trustees. The village clerk shall then provide notice as required by Sec. 19.84, Wis. Stats.
- (C) **Annual Organizational Meeting.** The village board shall hold an annual organizational meeting at the first regular board meeting in May.
- (D) **Place of Meeting.** Unless designated elsewhere by a majority of the village board, all meetings of the village board, including committees and special and adjourned meetings, shall be held at Village Hall located at 122 E Lincoln, WI 54742, after proper legal notice has been posted.
- (E) **Quorum.** A quorum for any regular or special meeting of the village board shall consist of a majority of the members. The presence or absence of a quorum shall be entered in the minutes of the meeting. If a quorum is lacking, the village board may adjourn or adjourn to a time certain. The village board has the power to compel the attendance at meetings of trustees and punish nonattendance, pursuant to s. 61.32, Wis. Stats.

## 2.2.8 STANDING COMMITTEES

- (A) **Appointments.** Standing committee members shall be appointed by the Village President, subject to confirmation by a majority of the village board. The committees listed in Section 2.2.8(B) shall consist of at least four (4) Village Trustees. The appointments to each committee shall be made at the annual organizational meeting of the village board. Standing committees shall review such matters as required by this Code or as may be referred to them by the village board and shall submit recommendations for board action.
- (B) **Committees Established.** The following standing committees are established:
- (1) Community Relations, Recreation and Health Committee
  - (2) Finance, Personnel and Economic Development Committee
  - (3) Public Works, Public Safety and Property Committee
- (C) **President to Designate Chairperson of Standing Committees.**
- (1) The village president shall be an ex officio member of each committee.
  - (2) The village president shall serve as chairperson of the Finance and Personnel Committee as a fifth member.
  - (3) The village president shall designate the chairperson of each standing committee.
  - (4) All trustees shall serve on at least one standing committee.
- (D) **Committee-of-the-Whole.**  
From time to time, the village board may meet as a committee of the whole. The purpose of such meetings may be to discuss issues before one or more of the standing committees. Such meetings may be presided, in sequence, by the appropriate committee chairperson, as specific issues or topics are addressed. All village board members shall participate in the discussion of any issue before the committee of the whole. The committee of the whole may recommend action or actions to be taken at a regular or special village board meeting.
- (E) **Special Committees.**  
The Village President may, from time to time, appoint such special committee or committees as he or she deems advisable or as provided for by motion or resolution of the board, stating the number of members and object thereof to perform such duties as may be assigned to them. Any such special committee(s) shall cease to exist after it has made a written recommendation to the village board for the purpose it was formed unless reappointed by the Village President or extended by the village board.

(F) **Committee Reports.**

- (1) Committee reports. Each committee shall, at the next regular meeting, submit a report on all matters referred to it. Any committee may require any village officer to confer with it and supply information in connection with any matter pending before it.
- (2) Because there is the potential to have a quorum of the Village Board present at any standing committee meeting and to ensure that there is no violation of Wisconsin's Open Meetings Law, standing committee meetings shall also be posted. However, it is noted that these standing committee meetings shall be for the purpose of reviewing a matter and making a recommendation to the full Village Board at a later meeting. It is further clarified that at these standing committee meetings, no final Village Board action will be taken, thereby eliminating the need for every Village Board member to attend every standing committee meeting. This is not to be confused with the Village Board's right to call a special Village Board meeting, in which the Village Board will have the right to conduct full business, including action.

(G) **Commissions & Boards Established.** The following boards or commissions are established:

- (1) Board of Review
- (2) Plan Commission
- (3) Zoning Board of Appeals
- (4) Police Conduct Committee
- (5) Library Board
- (6) Fire Board
- (7) Inland Lake Board

### 2.2.9 MEETING AGENDAS; ORDER OF BUSINESS

(A) **Agenda.** At the direction of the village president, the village administrator shall set the agenda for all regular or special meetings. All information to be presented at a regular Board meeting for an agenda item shall be filed with the village administrator no later than 12:00 p.m. (noon) on the Friday preceding the regularly scheduled board meeting. Information filed after 12:00 p.m. (noon) on the Friday preceding the regular Board meeting may not allow for the required notifications and may be omitted on the agenda.

(B) **Order of Business.** The following order shall be observed in the conduct of all regular board meetings, except the same may be temporarily suspended by majority vote of the village board present at such meeting:

- (1) Call to Order.

- (2) Roll Call.
- (3) Pledge of Allegiance.
- (4) Certify Open Meeting Law Requirements Have Been Met.
- (5) Recognition of Visitors/ Citizen Input.
- (6) Adopt Agenda.
- (7) Approval of Minutes.
- (8) Financial Report.
- (9) Approval of Bills.
- (10) Report of Village Administrator.
- (11) Committee Reports.
- (12) Unfinished Business.
- (13) New Business.
- (14) Adjournment.

(C) **Order to Be Followed.** Business may be taken up out of order if authorized by the village president or by majority consent of all trustees.

(D) **Recognition of Visitors:** In order to maintain and hold meetings in an orderly fashion the following procedure will be followed regarding visitors unless having previously made a request to be placed on the agenda for a specific item:

- (1) Visitors will be recognized at the meeting under Order of Business item (5).
- (2) No discussion will be allowed from visitors during the course of the meeting unless requested by the Board.

(E) **Participation by the Public.** Members of the public may not participate in a discussion or debate by the village board. However, a trustee may request that a member of the public answer a question, or questions, pertinent to the discussion or debate, provided that leave for such participation is granted by the other members of the village board. The presiding officer may limit, as necessary, the time and the topics which can be discussed by the public.

#### **2.2.10 INTRODUCTION OF BUSINESS; RESOLUTIONS AND ORDINANCES; DISPOSITION OF COMMUNICATIONS**

(A) **Ordinances and Resolutions.** All ordinances and resolutions shall be prepared as follows:

1. Ordinances, resolutions, bylaws, communications, and other matters submitted to the Board shall be read by title and author. No ordinance, resolution or bylaw shall be considered unless presented, in writing, by the president, a trustee, or the Administrator/Public Works Director. Unless requested by a trustee before final vote is taken, no ordinance, resolution or bylaw need be read in full.



2. Readings, prior to the adoption of a village ordinance. The proposed ordinance shall have two readings at duly called meetings of the board which are separated by a minimum of seven days. Ordinances are to be acted upon at the meeting of the second reading.
  3. Posting of reading. The proposed ordinance and the date of the second reading shall be posted at three public locations in the village after the first reading.
- (B) **Subject and Numbering of Ordinances.** Each ordinance shall be related to no more than one subject.
- (C) **Notice.** The village board shall take action on an ordinance only if it appears on the written agenda for a meeting at which action is requested.
- (D) **Effective Date.** Unless otherwise provided, all ordinances shall take effect and be in force from and after passage or as provided by law.
- (E) **Communication.** Every petition or other correspondence from citizens addressed to the village board or to the village clerk or other village officer for referral to the village board, shall be delivered by such village officer to the village president or to the presiding officer of the board as soon as convenient after receipt of same, and in any event, prior to or at the opening of the next meeting of the village board following the receipt of same.
- (F) **Reference and Reports.** The village board may refer new business coming to the board to the appropriate committee, unless otherwise acted upon. All referrals, unless otherwise provided for in the referral, shall be reported on at the next regular board meeting. Village board motions based upon committee or commission action is permissible only on items specifically on the agenda.
- (G) **Presiding officer.**
- A. Control of meeting. The village president shall preserve order and conduct the proceedings of the meeting. A member may appeal from the decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority of the members present, exclusive of the presiding officer.
  - B. Absence of President. If the president is absent at any meeting, the clerk/treasurer shall call the meeting to order and preside until the board selects a trustee to preside for that meeting.
  - C. Presiding officer's participation in debate. The presiding officer may participate in discussion and debate and may make and second motions. However, he or she may choose to vacate the chair. Should a member perceive that the chairperson participation is interfering with the chairperson's ability to preside, they may by majority vote require the chairperson to designate a trustee to temporarily

preside at the meeting and vacate the chair. After the conclusion of discussion and debate on the given topic the chairperson may resume the chair.

### **2.2.11 CONDUCT OF DELIBERATIONS**

- (A) **Roll Call Votes.** Roll call votes shall only be necessary as follows:
- (1) When the ayes and nays are requested by any member.
  - (2) When required by the state statutes of Wisconsin.
  - (3) When requested by the presiding officer of the meeting.
- (B) **Record of Votes.** All aye and nay votes shall be recorded in the official minutes. The ayes and nays shall be ordered upon any question at the request of any member of the village board.
- (C) **Parliamentary Procedure.** The village board shall in all respects determine the rules of its procedure, which may utilize Robert's Rules of Order Newly Revised for reference, unless otherwise provided by ordinance or Statute.
- (1) No Trustee shall address the board until he or she has been recognized by the presiding officer. He or she shall thereupon address himself to the board and confine his or her remarks to the question under discussion.
  - (2) When two (2) or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
  - (3) When a question is in debate, no action shall be in order except:
    - (a) To adjourn;
    - (b) To lay on the table;
    - (c) To approve or disapprove the previous question;
    - (d) To postpone to a certain date;
    - (e) To refer to a standing, select or special committee;
    - (f) To amend;
    - (g) To postpone indefinitely; and these several motions shall have precedence in the order in which they stand.
  - (4) The maker of a motion may request leave to withdraw a motion at any time prior to voting on the question. Such a request requires no second. If any member objects, the presiding officer shall put the question of granting the request to vote.

- (D) **Suspension of rules.** These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of 5/7 of the members present.
- (E) **Compelling Votes.** No member may be compelled to vote.
- (F) **Majority Vote.** Unless a larger number is required by statute, ordinance, a majority vote of those members present at a legally constituted meeting is necessary to carry a question.

**ARTICLE 3**  
**Officials and Personnel**

- 2.3.1 Appointed Officials, Boards & Committees**
- 2.3.2 Regulations Governing Officials**
- 2.3.3 Municipal Employees and Personnel**

**2.3.1 Appointed officials, Boards & Committees**

- (A) **Appointed Officials.** The following village officials shall be appointed by the Village President:
  - (1) Administrator
  - (2) Chief of Police
  - (3) Fire Chief (as recommended by the fire department)
  - (4) Building Inspector
  - (5) Clerk/ Treasurer
  - (6) Assessor
  - (7) Zoning Administrator
  
- (B) **Appointed Commissions.** The following commissions shall be appointed by the Village President:
  - (1) Board of Review
  - (2) Plan Commission
  - (3) Zoning Board of Appeals
  - (4) Police Conduct Committee
  - (5) Library Board
  - (6) Fire Board (two representatives)
  
- (C) **Manner of Appointment.** Board and commission, members shall be appointed by the Village President, subject to confirmation by a majority of the village board, officials for vacancies in any appointive office as they occur, be it due to the expiration of a term of office or otherwise. The term of office for appointed members of the plan commission and board of appeals shall be set by ordinance elsewhere within this code. The appointed officials designated in Sec. 2.3.1(A) shall serve without term.
  
- (D) **Removal from Office.** Any appointed official may be removed from office upon a five seventh (5/7) vote of the entire village board upon a showing of incompetency, misconduct, failure to perform duties or for other just cause. If required by state law, by village ordinance or by contractual agreement, a hearing may be required before the village board removes an appointed official from office.
  
- (E) **Removal from Committee or Commission.** Any appointed commission member may be removed from committee at the pleasure of the appointing authority, or by a majority vote of the entire village board.

- (F) **Village Attorney and Engineer.** The village board, from time to time, may designate and employ one or more attorneys or law firms to serve as the village's attorney for general legal advice and assistance and/or as counsel for specific legal matters. The village board may also, from time to time, designate, contract or employ one or more engineers or professional engineering firms as the village's engineer to perform such duties as the village board may direct and determine.

### 2.3.2 REGULATIONS GOVERNING OFFICIALS

- (A) **Effect of Regulations.** The provisions of paragraphs 2.3.2 (B) through 2.3.2 (G), below, shall apply to all officers of the village regardless of the time of creation of the office or selection of the officer, unless otherwise specifically provided for by state law, village ordinance or contractual agreement, except that such provisions shall not apply to positions of village attorney and village engineer.
- (B) **Oath of Office.** Every elected and appointed official of the village, including the members of its boards and commissions, shall, before entering upon that official's duties, take the oath of office prescribed by law and file said oath in the office of the village clerk, except that the person performing the functions of village clerk shall file the oath with the office of the village president. Any person re-elected or re-appointed shall take and file an official oath for each term of service.
- (C) **Public Official Bond.** The village board shall acquire public official errors and omissions insurance coverage for each village official required by law to be bonded under state law. Such coverage for each village official, the amount as may be determined and approved by the village board, is conditioned upon the faithful performance of the official's duties.
- (D) **Salaries.** All officers of the Village shall receive such salaries or compensation as may be approved from time to time by the village board. No official receiving a salary from the village shall be entitled to retain any portion of any fees collected in the performance of the duties as such officer in the absence of a specific law or ordinance to the contrary. No such salary or other compensation may be increased or decreased during a term of office, except for such offices as may have indefinite terms.
- (E) **Vacancies.** Vacancies in elective offices shall be filled by a majority vote of the village board and such person, upon appointment, shall serve for the remainder of the unexpired term. Vacancies in appointive offices shall be filled in the same manner as the original appointment for the remainder for the unexpired term, unless the term for such office is indefinite.

### 2.3.3 MUNICIPAL EMPLOYEES AND PERSONNEL

- (A) **Village Administrator.** There is created and established the office of the village administrator. The village administrator shall be the chief administrative staff employee of the village, equally responsible to the village president and the village board for the

proper administration of the business and affairs of the village pursuant to the statutes of the state of Wisconsin, the ordinances of the village, the personnel policy, and any directions of the village board and president, with duties and responsibilities as formally described in a job description passed the village board and president.

- (1) Employee status. The village administrator shall be considered for all purposes a village employee, and shall comply with all rules, policies, procedures and practices required of all village employees.
  - (2) State laws controlling. The authority and responsibility of the village administrator shall be subject to limitations and restrictions imposed by state law.
- (B) **Chief of Police.** There is hereby created the office of Chief of Police, which shall be filled by appointment by a majority vote of the members of the Village Board for an indefinite term, subject to removal by a three-fourths vote of the members of the Board for incompetency, misconduct, inefficiency, cowardice or failure to perform duties. The Chief shall exercise the powers and duties of Village marshals and Village constables and any other powers and duties as provided from time to time by the Village Board.
- (C) **Fire Chief and Fire Inspector.** Appointment. The office of Fire Chief shall be filled by election of all of the volunteer firemen, with the approval of a majority of the Fire Board. The Chief shall hold office until removed for cause after a hearing by members of the Board, unless his services are sooner terminated by resignation or death. Upon occurrence of a vacancy in the office of Fire Chief, the ranking officer of the Fire Department shall perform the duties of the Chief until such vacancy is filled. The Fire Chief shall, by virtue of his office, hold the office of Fire Inspector.
- (1) Qualifications. The Fire Chief shall be a member of the Fire Department in good standing and who has had training and experience in Fire Department operations.
- (D) **Personnel Policies.** From time to time, the village board shall cause to have the pay schedules, employment and personnel policies of the Village of Fall Creek reduced to writing in a personnel handbook

**ARTICLE 4**  
**BOARDS, COMMISSIONS AND COMMITTEE**

- 2.4.1 Board of Review**
- 2.4.2 Zoning Board of Appeals**
- 2.4.3 Plan Commission**
- 2.4.4 Police Conduct Committee**
- 2.4.5 Library Board**
- 2.4.6 Fire Board**

**2.4.1 Board of Review**

- A. The Board of Review of the Village of Fall Creek shall be composed of 7 (seven) members, including the Village President, the Village Administrator, the Village Clerk-Treasurer, and the Village Finance Committee. All remaining Village Board Members will be considered alternate Board of Review members. Alternates shall be used when needed to constitute a quorum of the Board of Review, or to replace a removed or recused member during a hearing. The salary of each eligible Board of Review member shall be \$24 per day.  
[Amended 3/20/2022]
  
- B. Oath by Telephone or Written Statement: W.S.A. s.70.47(8), authorizes the board of review to consider requests from a property owner or the property owner's representative to appear before the board under oath by telephone or to submit written statements under oath to the board of review.

(1) Procedure: In order for a property owner or property owner's representative to submit a request to testify by telephone or submit a sworn written statement, he or she must first comply with the following procedures:

- (a) The legal requirement to provide notice of intent to appear at the Board of Review must be satisfied; and
- (b) An Objection Form for Real Property Assessment (PA-115A) must be completed and submitted to the Board of Review as required by law.

After the two requirements outlined above have been met, a Request to Testify by Telephone or Submit a Sworn Written Statement at Board of Review Form (PA-814) may be submitted to the Village Clerk-Treasurer. Such request must be submitted in time to be considered by the board at the first meeting of the Board of Review.

(2) Criteria to Be Considered: The board may consider any or all of the following factors when deciding whether to grant or deny the request:

- (a) The requester's stated reason(s) for the request as indicated on form PA-814.
- (b) Fairness to the parties.
- (c) Ability of the requester to procure in person oral testimony and any due diligence exhibited by the requester in procuring such testimony.
- (d) Ability to cross examine the person providing the testimony.
- (e) The Board of Review's technical capacity to honor the request.
- (f) Any other factors that the board deems pertinent to deciding the request.

C. Confidentiality of Information About Income and Expense: Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to W.S.A. s. 70.47(7)(af), or any successor statute thereto, then such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis; except, however, that said information may be revealed to and used by persons in the discharge of duties imposed by law; in the discharge of duties imposed by office (including, but not limited to, use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under W.S.A. s. 70.47(7)(af), unless a court determines that it is inaccurate, is, per W.S.A. s. 70.47(7)(af), not subject to the right of inspection. and copying under W.S.A. s.19.35(1).

#### **2.4.2. Zoning Board of Appeals.**

The Zoning Board of Appeals of the Village of Fall Creek shall consist of five members, who shall be residents of the village, appointed by the Village President and confirmed by a majority vote of the Village Board. Members of the Zoning Board of Appeals shall serve three-year terms and shall have the powers and duties prescribed by Chapter 266, Floodplain and Shoreland-Wetland Zoning, Chapter 267, Subdivision of Land, and Chapter 268, Zoning, of this Code and W.S.A. s. 62.23.

#### **2.4.3. Plan Commission.**

There shall be and hereby is created a Village Plan Commission to consist of the President of the Village, a Board member and five citizens, three of which shall be residents of the Village of Fall Creek. The member of the Village Board that serves on the Plan Commission shall serve for a one-year term as appointed by the Village President upon creation of the Commission and during each May thereafter. The five citizens as members shall be appointed by the President of the village, upon creation of the Commission, two citizens to hold office for a period ending one year, two citizens to hold office for a period ending two years and one citizen to hold office for a period ending three years, respectfully, from the succeeding first day of May, and thereafter annually during April the office of the citizen or citizens which shall terminate shall be appointed for a term of three years.



- A. The Village Plan Commission shall have the power and authority to employ experts on its staff and to pay for their services and such other expenses as may be necessary or proper, not exceeding, in all, the appropriation that may be made for such Commission by the Village Board or placed at its disposal through gift and subject to any ordinance or resolution enacted by the Village Board.
- B. The Village Plan Commission created hereby shall have the functions, powers, duties, authority and method of procedure as prescribed in W.S.A. s. 62.23.

#### **2.4.4. Police Conduct Committee**

The Police Committee of the Village of Fall Creek shall consist of five members, who shall be residents of the village, appointed by the Village President and confirmed by a majority vote of the Village Board. Members of the Police Committee shall serve staggered five-year terms.

- A. The Police Committee shall have the power and duty to hear and make judgments on appeals regarding police department personnel matters.

#### **2.4.5. Library Board**

The Fall Creek Library shall be administered by a library board composed of 7 members. Members shall be residents of the Village, except that not more than 2 members may be residents of surrounding Townships. Members shall be appointed by the village president, with the approval of the Village Board. Appointment shall be for a term of 3 years, divided as nearly as practicable into 3 equal groups. Vacancies shall be filled for unexpired terms in the same manner as regular appointments are made. The Village President shall appoint as one of the members a school district administrator, or the administrator's representative, to represent the Fall Creek School District. Up to one Village Board trustee may be a member of the library board.

#### **2.4.6. Fire Board**

The Fall Creek Area Fire District shall be governed by a joint Board of Fire Commissioners (Fire Board) consisting of six (6) voting Commissioners. Each commissioner shall serve a term of three years. Two Commissioners appointed by the Fall Creek Village President. Two Commissioners appointed by the Ludington Town Board Chairperson. Two Commissioners appointed by the Lincoln Town Board Chairperson. The Fire Chief of the District shall be a de facto non-voting commissioner.

## **ARTICLE 5**

### **Joint Municipal Court**

#### **2.5.1 County Court Named Official Court**

The county court for Eau Claire County shall be the official court for the hearing of all actions involving violation of ordinances of the Village of Fall Creek.