

TITLE 3 PUBLIC RECORDS AND FINANCE

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3.1 ARTICLE 1 - FINANCE

3.1.1 Duties of the Treasurer.

The Treasurer of the Village of Fall Creek shall have all duties as prescribed by the laws of the State of Wisconsin and such other and further duties as is provided for by ordinance and as the Village Administrator or Village Board from time to time may direct.

3.1.2 Treasurer's Bond Eliminated; Liability of Village.

Bond eliminated. The Village of Fall Creek elects not to give the bond on the Village Treasurer provided for by W.S.A. s. 70.67(1). Village liable for default of Treasurer. Pursuant to W.S.A. s. 70.67(2), the Village of Fall Creek shall be obligated to pay, in case the Village Treasurer shall fail to do so, all state and county taxes required by law to be paid by such Clerk-Treasurer to the County Treasurer.

3.1.3 Preparation and Adoption of Annual Budget.

- A. Village Administrator to Prepare Budget. On or before the 20th day of October each year the Village Administrator, with the assistance of the Village Treasurer and Finance Committee, shall prepare and submit to the Village Board a proposed budget representing a financial plan for conducting the affairs of the Village for the ensuing year. Before preparing the proposed budget, the Administrator shall consult with the heads of the Village departments and with the other Village officials and shall then determine the total amount to be recommended in the budget for each Village department or activity.
- B. Form of Proposed Budget. The proposed budget shall include the following information:
 - (1) The actual expenditures of each department and activity for the expired portion of the current year and last preceding fiscal year and the estimated expense of conducting each department and activity of the Village for the remainder of the current year and ensuing fiscal year, with reasons for any proposed increase or decrease as compared with actual and estimated expenditures for the current year.
 - (2) An itemization of all anticipated income of the Village from sources other than general property taxes and bond issues, with a comparative statement of the amounts received by the Village from each of the same or similar sources for the last preceding and current fiscal years.
 - (3) All existing indebtedness of the Village, including the amount of interest payable and principal to be redeemed on any outstanding general obligation bonds of the Village and any estimated deficiency in the sinking fund of any such bonds during the ensuing fiscal year.
 - (4) An estimate of the amount of money to be raised from general property taxes which, with income from other sources, will be necessary to meet the proposed expenditures.
 - (5) Such other information as may be required by the Village Board and by state law.
 - (6) The Village Board shall provide a reasonable number of copies of the budget thus prepared for distribution to citizens.

- C. Appropriation Summary & Hearing. The Village Administrator, with the assistance of the Village Treasurer shall submit to the Village Board with the annual budget a draft of an appropriation summary providing for the expenditures proposed for the ensuing fiscal year. Before adoption of a final appropriation summary, the Village Board shall hold a public hearing on the budget and the proposed appropriation summary as required by law.
- D. Amendments to the Final Budget. Upon written recommendation of the Village President, the Village Board may at any time, by a two thirds vote of the entire membership, transfer any portion of an unencumbered balance of an appropriation to any other purpose or object. Notice of such transfer shall be given by publication within ten days thereafter in a newspaper in general circulation in the Village.
- E. Expenditures Limited by Annual Appropriation. No money shall be drawn from the treasury of the Village nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual appropriation summary and changes therein authorized in accordance with sub (D) of this section. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the general fund and shall be subject to re-appropriation; but appropriations may be made by the Village Board, to be paid out of income of the current year, in furtherance of improvements of other objects or works which will not be completed within such year, and any such appropriation shall continue in force until the purpose for which it was made shall have been accomplished or abandoned.

3.1.4 Preparation of Tax Roll and Tax Receipts.

Aggregate tax stated on roll and receipts. Pursuant to W.S.A. s. 70.65(2), the Village Clerk-Treasurer shall insert only the aggregate amount of state, county, school and local taxes for preparation and receipts of the tax roll, in the format needed by the Eau Claire County Treasurer.

3.1.5 Claims Against Village.

- A. Alternate Procedures for Approval of Claims Against the Village: The Village Board has adopted an alternative system of approving financial claims against the Village treasury other than claims subject to Wis. Stats. § 893.80. Payments may be made from the Village treasury after the Clerk/Treasurer or other official designated by the Village Board audits and approves each claim as a proper charge against the treasury, and endorses his/her approval on the claim after having determined that all of the following conditions have been complied with:
 - (1) That funds are available for the claim pursuant to the budget approved by the Village Board.
 - (2) That the item or service covered by the claim has been duly authorized by the Village President, Village Administrator, department head, or Village Board.
 - (3) That the item or service has been actually supplied or rendered in conformity with the authorization described in this section.

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- (4) That the claim is just and valid pursuant to law. The Clerk/Treasurer or other person designated by the Village Board may require the submission of proof to support the claim as the officer considers necessary.
- B. File with Village Board: The Clerk/Treasurer or other person designated by the Village Board shall file with the Village Board monthly a list of the claims approved, showing the date paid, name of claimant, purpose and amount.
- C. Audit: There shall be an annual detailed audit of the financial transactions and accounts by a certified public accountant licensed or certified under Wis. Stats. ch. 442 and designated by the Village Board.
- D. Fidelity Bond: The system under this section is operative only if the Clerk/Treasurer or person designated by the Village Board is covered by a fidelity bond of not less than \$5,000.00.
- E. Conformity with the Section: This alternative procedure is adopted in conformity with this section. The claim procedure required by Wis. Stats. §§ 61.25(6), 61.51, 62.09(10), 62.11 and 62.12 and other relevant provisions, except Wis. Stats. § 893.80, is not applicable in the Village.
- F. Payment of Regular Wages or Salaries: Regular wages or salaries of Village officers and employees shall be paid by payroll, verified by the proper Village official, department head, and filed with the Village Clerk in time for payment on the regular pay day.

3.1.6 Investment of Funds.

The Village of Fall Creek may invest any of its funds, not immediately needed, in any of the instruments listed in Wis. Stat. § 66.0603.

3.2 ARTICLE 2 - PUBLIC RECORDS

3.2.1 Legal Custodian.

- A. The Village Clerk is hereby designated as the legal custodian of the Village of Fall Creek and is vested with full legal power to render decisions and carry out the Village's public records responsibilities pursuant to Wis. Stats. Ch. 19, Subchapter II.
- B. Paragraph (A) above notwithstanding, an elective official is the legal custodian of his or her records and the records of his or her office. However, an elective official may designate the Village Clerk to act as the legal custodian.
- C. The Police Chief subject to the approval of the Village Administrator, may keep and preserve public records in his or her possession by means of optical disk, electronic format, or other reproduction method technology permits. Such records shall meet the standards for reproduction set forth in section 16.61, Wisconsin Statutes, and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department and shall be open to public inspection and copying according to the provisions of state law.

3.2.2 Public Access to Records.

- A. The public may obtain information and access to records in the custody of the clerk or other appropriate legal custodian, make requests for records, or obtain copies of records, and learn the costs of obtaining copies of records from the clerk or other appropriate legal custodian during the Village's regular office hours of 9:00 a.m. until 4:00 p.m. Monday through Friday at the Village Hall located at 122 E Lincoln Fall Creek, Wisconsin.
- B. The legal custodian may require supervision during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.
- C. The Village is not required to create a new record by extracting information from existing records and compiling the information in a new format.
- D. The Village will impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established or authorized to be established by law. Actual, necessary and direct fees for public records requests shall be charged to requestors as follows:
 - (1) The costs of photocopying shall be \$0.25 per page.
 - (2) Staff time calculated on the pay rate of the lowest paid employee capable of performing the task.
 - (3) The legal custodian shall estimate the cost of all applicable fees and require prepayment if such estimate exceeds \$5.00.
 - (4) The Village may provide copies of a record without charge or at a reduced charge where the legal custodian determines that waiver or reduction of the fee is in the public interest.

- (5) Elected and appointed officials of the Village of Fall Creek shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
- (6) Continuing or ongoing requests are not possible. Requests can only be made and fulfilled for records that exist at the time the request is made.

3.2.3 Access Procedures.

- A. A request to inspect or copy a record shall be made to the legal custodian.
- B. A request is deemed sufficient if it reasonably describes the requested record or the information requested. A request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request and may be denied for those reasons. However, nothing herein this Code shall prevent the legal custodian from contacting the record requestor in an attempt to better identify what the person is seeking.
- C. Upon request for any record a legal custodian shall as soon as practicable and without unnecessary delay either fulfill the request or notify the requester of the Village's determination to deny the request in whole or in part and the reasons therefor.
- D. No record may be destroyed after the receipt of a request for inspection or copying of the record until after the request is granted or until at least 60 days after the date that the request is denied.
- E. In limited circumstances a request can experience minor delay in order to properly notify a record subject pursuant to Wis. Stat. § 19.356.

3.2.4 Limitations on Right to Access.

- A. Although there is a presumption of access to a record, the legal custodian must also consider whether there are any explicit rights or prohibitions to access in statute or case law, and finally by a balancing test weighing possible harm against benefit to the public.
- B. If a record contains both information that may be made public and information that may not be made public, the custodian shall provide the information that may be made public and redact the information that may not be made public from the record before release. The custodian may confer with the Village attorney prior to releasing any such record and shall follow the guidance of the Village attorney when separating out the exempt material. 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.
- C. A requester has a greater right of access than the general public to any personally identifiable information pertaining to the requestor that is in a record that is maintained by the Village.

3.3 ARTICLE 3 - PUBLIC RECORD RETENTION AND DESTRUCTION

3.3.1 Record Retention.

The Village shall keep the following records for at least the quantified time periods:

Record Series Title	Retention	Confidential	WHS Notification	Medium
Governing Board, Committees and Commissions				
Appointments to Village Board, Committees, and Commissions	Event+2 years	No	Notify	Paper/ Electronic
Government Operational Plan	Superseded	No	Waive	Paper/ Electronic
Meeting Minutes	Permanent	No	N/A	Paper/ Electronic
Oaths of Office	Event+5 years	No	Waive	Paper
Ordinances	Permanent	No	N/A	Paper/ Electronic
Recordings of meetings used to produce minutes	Event+90 days	No	Waive	Electronic
Resolutions	Permanent	No	N/A	Paper/ Electronic
Administrative				
Affidavits of Publication	Event+7 years	No	Waive	Paper
Complaints	Event+2 years	No	Waive	Paper/ Electronic
Correspondence - General Staff Business	Event+1 year	No	Waive	Paper/ Electronic
Correspondence - Senior Level or Elected Official Business	Event+6 months	No	Notify	Paper/ Electronic
Department Policies and Procedures	Event+7 years	No	Waive	Paper/ Electronic
Organizational Planning	Event+7 years	No	Notify	Paper/ Electronic
Press/News Releases	Creation+3 years	No	Notify	Paper/ Electronic
Building Inspections				
Building Inspection Records	Event+1 year; Event = Life of building	No	Waive	Paper/ Electronic
Building Plan Review and Inspection	Event+4 years; Event=Construction completed	No	Waive	Paper/ Electronic
Code Compliance Inspection Reports	Permanent	No	N/A	Paper/ Electronic
Capital Projects				
Contract and Request for Bid	Event+6 years; Event=End date of resulting contract or cancellation date of contract or	Yes	Waive	Paper/ Electronic

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Record Series Title	Retention	Confidential	WHS Notification	Medium
	bid/proposal			
Construction Plans: Final As- Built Projects: Final as-built plans and original drawings for public for buildings, streets, sewers, sidewalks, etc.	Event; Event=life of structure	No	Waive	Paper/ Electronic
Construction Plans: Final As- Built Projects (Historically Significant)	Event; Event=life of structure	No	Notify	Paper/ Electronic
Environmental Assessment & Impact Statements	Event; Event+6 years	No	Notify	Paper/ Electronic
Election				
Absentee Voting – Applications for Federal Elections	Event+22 months	No	Waive	Paper/ Electronic
Absentee Voting – Applications for State, County, Local Elections	Event+90 days	No	Waive	Paper/ Electronic
Ballots – Unused	Event+3 business days	No	Waive	Paper
Ballots –Voted–Federal Elections	Event+22 months	No	Waive	Paper
Ballots - Voted - State, County, Local Elections	Event+30 days	No	Waive	Paper
Campaign Finance Reports	Event+6 years	No	Waive	Paper
Candidacy Forms (Includes Notification of Non-candidacy)	Event+6 years	No	Waive	Paper
Detachable Recording Units	Retained by E.C. County Event+21 days	No	Waive	Electronic
Detachable Recording Units – Primary Elections	Retained by E.C. County Event+14 days	No	Waive	Electronic
Election Notices – Federal Elections: Includes proofs of publication	Event+22 months	No	Waive	Electronic
Election Notices – Non-Federal Elections Includes proofs of publication	Event+1 year	No	Waive	Paper/ Electronic
Election Voting and Registration Statistics Reports	Event+22 months	No	Waive	Paper/ Electronic
Municipal Canvassers Statements	Event+7 years	No	Waive	Paper/ Electronic
Voter Poll List	Event+22 months	No	Waive	Paper/ Electronic
Financial				
Audit Reports	Event+3 years	No	Waive	Paper/ Electronic
Bank Statements/ Reconciliations	Creation+7 years	No	Waive	Paper/ Electronic
Budget Documents/ Development	Fiscal+6 years	No	Waive	Paper/ Electronic
Cashbook	Event+7 years	No	Waive	Paper/ Electronic
Collection & Disbursement Reports	Event+3 years	No	Waive	Paper/

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Record Series Title	Retention	Confidential	WHS Notification	Medium
				Electronic
Final Budget Submittal	Fiscal+6 years	No	Waive	Paper/ Electronic
Financial Support Records	Event+1 year	No	Waive	Paper/ Electronic
Grants Received	Event+4 years	No	Waive	Paper/ Electronic
Municipal Borrowing-Bond Records	Event+7 years	No	Waive	Paper/ Electronic
Purchasing Invoices	Event+3 years	No	Waive	Electronic
Receipts	Event+3 years	No	Waive	Paper/ Electronic
Legal				
Agreements with Other Governmental Units or Businesses	Event+4 years	No	Waive	Paper/ Electronic
Attorney Opinions	Permanent	No	N/A	Paper/ Electronic
Contracts and Agreements	Event+6 years	No	Waive	Paper/ Electronic
License Applications – Alcohol	Creation+4 years	No	Waive	Paper/ Electronic
License Applications – Other	Creation+3 years	No	Waive	Paper/ Electronic
Open Records Requests and Responses	Event+3 years	No	Waive	Paper/ Electronic
Permits	Creation+5 years	No	Waive	Paper/ Electronic
Municipal Land Ownership				
Land Titles, Conveyances and Easements	Permanent	No	N/A	Paper/ Electronic
Sales of Facilities and/or Land: Includes appraisals and related valuations.	Event+6 years	No	Waive	Paper/ Electronic
Parks				
Park Master Plan	Superseded	No	Notify	Paper/ Electronic
Personnel/Payroll				
Employee Payroll & Benefit File	Event+7 years	No	Waive	Paper/ Electronic
Grievance Case File	Event+7 years	Yes	Waive	Paper/ Electronic
Monthly and Quarterly Payroll Reports	Event+5 years	No	Waive	Paper/ Electronic

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Record Series Title	Retention	Confidential	WHS Notification	Medium
Payrolls and Payroll Registers	Creation+4 years	No	Waive	Paper/ Electronic
Personnel Files	Event+7 years; Event=End of employment/service	No	Waive	Paper/ Electronic
Maintenance & Operations				
Facilities Monitoring and Inspection Reports	Creation+6 years	No	Waive	Paper/ Electronic
Sewer Inspection Records	Event	No	Waive	Paper/ Electronic
State Highway Aids Program Records	Creation+7 years	No	Waive	Paper/ Electronic
Street and Sidewalk Operations File	Creation+7 years	No	Waive	Paper/ Electronic
Water, Storm & Sanitary Sewer Main Maps	Permanent	No	N/A	Paper/ Electronic
Planning and Zoning				
Annexation Records	Permanent	No	N/A	Paper/ Electronic
Comprehensive Growth and Development Plan	Event+7 years	No	Notify	Paper/ Electronic
Conditional Use Permits	Event+7 years	No	Waive	Paper/ Electronic
Easements	Permanent	No	N/A	Paper/ Electronic
Final Plats	Permanent	No	N/A	Paper/ Electronic
Preliminary Plats	Event	No	Waive	Paper/ Electronic
Property Survey Records	Permanent	No	N/A	Paper/ Electronic
Zoning Appeals, Approved	Permanent	No	N/A	Paper/ Electronic
Zoning Appeals, Unapproved	Event+7 years	No	Notify	Paper/ Electronic
Zoning Board of Appeals Meeting Material	Permanent	No	N/A	Paper/ Electronic
Zoning Ordinance	Permanent	No	N/A	Paper/ Electronic
Police Department				
Accident Reports	Event+0 Confirmation that WIS DOT received the form and any attachments	No	Waive	Electronic

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Record Series Title	Retention	Confidential	WHS Notification	Medium
Applications	Creation+1 year	Yes Wis.Stat S.S. 19.36(10)	Waive	Paper/ Electronic
Arrest Records	Creation+7 years	No	Waive	Paper/ Electronic
Capital Improvement Project	Event+2 years	No	Waive	Paper/ Electronic
Cash Register Documents	Creation+1 year	No	Waive	Paper/ Electronic
Citations/ Municipal Ordinance	Event+7 years = case closed	Yes	Waive	Electronic
Citations/ Parking	Event+3 years = case closed	Yes	Waive	Paper/ Electronic
Citations/ Traffic	Event+7 years = case closed	Yes	Waive	Paper/ Electronic
Citizen Complaints	Event+7 years = case closed	Yes	Waive	Paper/ Electronic
Department Memos	Creation+5 years	No	Waive	Paper/ Electronic
Dispatch Records	Creation+7 years	No	Waive	Paper/ Electronic
Dispatch Audio Recordings	Event+3 months	No	Waive	Electronic
Employee Files	Event+7 years = termination	Yes Wis.Stat S.S. 19.36(10)	Waive	Paper
Employment Advertisements	Event+1 year	No	Waive	Paper/ Electronic
Evidence Room Procedure Manuals	Permanent until superseded	No	Waive	Paper/ Electronic
Evidence Room Inventory and Audit	Fiscal Year+10 years	Yes Wis.Stat S.S. 905.045, 950.04(1v)	Waive	Paper/ Electronic
Firearms and Armory	Event-Superseded	No	Waive	Electronic
Goose Hunting Permits	Current Year+1 year	No	Waive	Paper
Incident Reports and Misdemeanors	Event+7 years = case closed	Yes Wis.Stat S.S. 48.396, 938.396, 19.35(1)(am)(2)(a), 19.36(2)	Waive	Paper/ Electronic
Incident Reports/Felony	Event+10 years or until case closed due to statute of limitations, but no less than 10 years	Yes Wis.Stat S.S. 48.396, 938.396, 19.35(1)(am)(2)(a), 19.36(2)	Waive	Paper/ Electronic
Incident Reports/Unsolved Major Crimes-Unlimited Statute of Limitations	Permanent	Yes Wis.Stat S.S. 48.396, 938.396,	N/A	Paper/ Electronic

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Record Series Title	Retention	Confidential	WHS Notification	Medium
		19.35(1)(am)(2)(a), 19.36(2)		
Insurance Requests	Event+3 years Event= Adjudication Date	No	Waive	Paper/ Electronic
Inventory/Police Department	Fiscal Year+4 years	No	Waive	Paper/ Electronic
Invoices	Fiscal year+7 years	No	Waive	Paper/ Electronic
Open Records Requests	Event+3 years	Wis.Stat 19.31- 19.37	Waive	Paper/ Electronic
Press Releases	Current Year+7 years	No	Waive	Paper/ Electronic
Project Files, non CIP	Event+2 years	No	Waive	Paper/ Electronic
Records Check	Event+1 year	Yes	Waive	Paper/ Electronic
Squad Car Video Recordings	Creation+120 days	Yes Wis.Stat 893.90, 893.82	Waive	Electronic
Training Records	Creation+ length of employment Event+7 years = Separation	Yes Wis.Stat S.S. 19.36(10)	Waive	Paper/ Electronic
Work Schedules	Current Year+1 year	No	Waive	Paper/ Electronic
Property Assessment				
Assessor' Final Reports	Event+5 years	No	Waive	Paper/ Electronic
Board of Review: Form of Objection	Event+7 years	No	Waive	Paper/ Electronic
Board of Review: Minutes	Creation+7 years	No	Notify	Paper/ Electronic
Board of Review: Notice of Determination	Event+7 years	No	Waive	Paper/ Electronic
Board of Review: Proceedings/Audio Recordings	Event+7 years	No	Waive	Paper/ Electronic
Final Assessment Rolls	Creation+7 years	No	Notify	Paper/ Electronic
Master Property Records	Assessor Retains Event+5 years	No	Notify	Paper/ Electronic
Notice to Property Owners of Increased Assessment	Assessor Retains Creation+7 years	No	Waive	Paper/ Electronic
Personal Property Statements	Assessor Retains Creation+5 years	Yes	Waive	Paper/ Electronic
Taxation Exemption Reports	Creation+7 years	No	Waive	Paper/ Electronic

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Record Series Title	Retention	Confidential	WHS Notification	Medium
Property Tax Calculation and Collection				
Final Property Tax Roll	Creation+7 years	No	Notify	Paper/ Electronic
Statement of Taxes	Permanent	No	N/A	Paper/ Electronic
Tax Calculation Support Records	Event+7 years	No	Waive	Paper/ Electronic
Tax Receipts	Event+7 years	No	Waive	Electronic
Tax Settlements	Event+7 years	No	Waive	Paper/ Electronic
Special Assessments				
Final Resolution	Permanent	No	N/A	Paper/ Electronic
Preliminary Resolutions	Creation+2 years	No	Waive	Paper/ Electronic
Receipt Register for Special Assessments	Event+7 years	No	Waive	Electronic
Report of Special Assessment: Report of project that includes plans, specifications, cost estimates, and property affected.	Creation+2 years	No	Waive	Paper/ Electronic

3.3.2 Historical Society Notification.

Prior to the destruction of any public record described in Section 3.3.1, at least sixty (60) days' notice in writing shall first be given to the State Historical Society of Wisconsin unless notification has been waived.

3.3.3 When Authorized.

This Ordinance shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state administrative regulations. However, where the Public Records Board has adopted a shorter period pursuant to Wis. Stat. § 16.61(3)(e), it may apply instead.