

## CHAPTER 5

### Commissions and Committees

<b><i>Section Number</i></b>	<b><i>Title</i></b>	<b><i>Ordinance Number</i></b>	<b><i>Date of Ordinance</i></b>
2-5-1	Board of Review	2001-11 2005-09 Charter 2011-02	8/21/01 06/07/05 12/06/11
2-5-2	Advisory Committees to the Village Board		
2-5-3	Village Plan Commission	2003-12 Charter 2006-002 Charter 2006-003 Charter 2011-02	1/20/2004 03/21/06 06/29/06 12/06/11
2-5-4	Board of Police and Fire Commissioners	2010-03 Charter 2011-02 2013-23	08/10/10 12/06/11 10/21/13
2-5-5	Caledonia Parks and Recreation Commission	Charter 2006-002 Charter 2011-02	03/21/06 12/06/11
2-5-6	REPEALED	2005-12	Repealed
2-5-7	Caledonia Economic Development Committee	2005-05 Charter 2011-02	04/19/05 12/06/11
2-5-8	Caledonia East Sewer and Water Utility Districts and Caledonia West Sewer and Water Utility Districts	2001-01 Charter 2006-002 Charter 2006-005 Charter 2010-01 Charter 2011-02 Charter 2012-01	2/19/01 03/21/06 12/19/06 10/05/10 12/06/11 11/05/12
2-5-9	Storm Sewer Utility Districts	2001-01 Charter 2006-002 Charter 2006-005 Charter 2011-001 Charter 2011-002 2013-21	2/19/01 03/21/06 12/19/06 07/19/11 12/06/11 11/30/13
2-5-10	Historical Protection Commission	2002-20 2001-01 Charter 2006-002 Charter 2006-005	8/6/02 2/19/01 03/21/06 12/19/06

#### **SEC. 2-5-1 BOARD OF REVIEW.**

- (a) **MEMBERSHIP.** The Board of Review shall consist of the Village Clerk and four (4) residents of the Village to be appointed by the Village Board for a term of three (3) years, and one alternate member who is also a resident of the Village.

The alternate member shall serve on the Board of Review when standing members are removed from individual cases pursuant to Section 70.47(6m) of the Wisconsin Statutes. The alternate member is to be appointed by the Village Board, and shall serve for a term of three years.

- (b) **Duties.** The Board of Review shall have the duties and powers prescribed by Section 70.47, Wis. Stats.
- (c) **Meetings.** The Board of Review shall meet annually at any time during the 30-day period beginning on the 2<sup>nd</sup> Monday of May, and may be adjourned from time to time as the Board so designates.
- (d) **Confidentiality.** Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to Section 70.47(7)(af), Wis. Stats., or any successor statute thereto, such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that the information may be revealed to and used by persons in the discharging 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 Section 70.47(7)(af), unless a court determines that it is inaccurate, is, per Section 70.47(7)(af), not subject to the right of inspection and copying under Section 19.35(1), Wis. Stats.
- (e) **Compensation.** The members of the Board of Review, except members who are full-time employees or officers of the Village, shall without compensation.

## SEC. 2-5-2 ADVISORY COMMITTEES TO THE VILLAGE BOARD.

- (a) **Purpose.** The Village Board of the Village of Caledonia may appoint such advisory committees as it may, from time to time, determine to be in the best interests of the Village.
- (b) **Scope of Section.** This Section shall apply to all advisory committees appointed by the Village Board, unless the Village Board, by resolution or ordinance, directs otherwise.
- (c) **Method of Appointment.** Each member of the Village Board shall appoint one (1) person to serve on each Village advisory committee for a term of two (2) years, commencing on the first day of June following the election of the supervisor making the appointment. In the event of a vacancy, any person may be appointed to fill out the remainder of the term of office by the supervisor whose appointment is vacant.
- (d) **Officers.** Each advisory committee shall annually select from among its members a Chairperson, a Secretary, and such other officers, as it may deem necessary. No person shall serve more than two (2) consecutive terms as Chairperson, unless the committee, by unanimous vote, chooses to waive this restriction.
- (e) **Meeting.** Each advisory committee shall meet monthly and at the call of the Chairperson, a majority of the members, or the Village Board. Quorum for a meeting shall be three (3) members. All meetings shall be posted in advance and

shall be open to the public. A written record of the proceedings shall be kept by the Secretary and a copy shall be left on file with the Village Clerk as a public record.

- (f) **Removal of Members.** Any time at which it appears that any member of an advisory committee is not attending meetings of the committee or is failing to perform the duties of membership, the supervisor who appointed that member shall be notified and may remove that person from membership by appointing another person to the advisory committee.
- (g) **Abolition of Committee.** Any time at which it appears that an advisory committee has completed its tasks or at any other time whatsoever, the Village Board may abolish that committee.
- (h) **Limitation of Authority of Advisory Committees.** No officer or member of any advisory committee shall purport to commit the Village Board or the Village of Caledonia to any course of action, contract, obligation, or indebtedness. Membership on any advisory committee does not confer upon a member status as an agent, employee, or officer of the Village of Caledonia. This Subsection applies to all committees of the Village of Caledonia, unless expressly waived by the Village Board.

### **SEC. 2-5-3 VILLAGE PLAN COMMISSION.**

(a) **Establishment.** There is established a Village Plan Commission for the Village of Caledonia, Racine County, Wisconsin, in accordance with Sections 61.35 of the Wisconsin Statutes.

(b) **Membership, Appointment and Term.**

- (1) The Village Plan Commission shall consist of seven (7) members who shall serve without compensation. Membership of the Plan Commission shall include the Village President, one Village Trustee and five (5) citizen members who have recognized experience and qualifications but are not Village officials.
- (2) The Village President shall appoint members of the Plan Commission, subject to confirmation by the Village Board.
- (3) Each citizen member shall serve a three (3) year term, commencing on May 1st. Initially, the terms of various members shall be staggered for one, two and three years so that a proportionate number of terms shall expire each year.
- (4) Official oaths shall be taken by all members in accordance with Sec. 19.01 of the Wisconsin Statutes within five (5) days after receiving notice of their appointment.
- (5) A person who is appointed to fill a vacancy on the Plan Commission shall serve for the remainder of the term.

(c) **Organization.**

- (1) The Village President shall serve as President of the Plan Commission. The Village Plan Commission shall annually elect a Vice President and Secretary from among its members.

- (2) The Village Plan Commission shall organize and adopt rules and procedures for its own governance in accordance with the provisions of the Wisconsin Statutes and this Code of Ordinances.
  - (3) Meetings shall be monthly, and at the call of the President or a majority of either the full Commission or the Village Board.
  - (4) A quorum shall consist of four (4) members.
  - (5) Written records shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made; and a copy shall be filed with the Village Clerk as a public record.
  - (6) Special and Standing Committees may be appointed by the President.
  - (7) The Village Engineer shall appear, as requested, at meetings of the Plan Commission.
- (d) **Powers.** The Village Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning in the Village. Such powers shall include the following:
- (1) To employ experts and a staff and to pay for their services, supplies, equipment, and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Village Board.
  - (2) To make reports and recommendations relating to the plan and development of the Village to public officials, agencies, utilities, and other organizations and citizens.
  - (3) To recommend public improvement programs and proposed financing to the Village Board.
  - (4) To request available information from any public official to be furnished within a reasonable period of time.
- (e) **Duties.** The Village Plan Commission shall have the following functions and duties:
- (1) To make and to recommend to the Village Board a plan for the physical development of the Village, including changes therein from time to time.
  - (2) To recommend land division regulations to the Village Board in accordance with Sec. 236.45 of the Wisconsin Statutes.
  - (3) To make recommendations to the Village Board regarding zoning district plans and regulations and amendments thereto.
  - (4) To make recommendations to the Village Board regarding proposed neighborhood plans.
  - (5) To recommend any changes or amendments to the Village Board that it deems necessary or desirable concerning the Official Map, zoning ordinances, and subdivision control ordinances; to cooperate with municipal or regional planning commissions and other land use planning agencies or groups to further the Village planning program and to assure harmonious and integrated planning for the Village and adjoining areas.
  - (6) To hear and make recommendations to the Village Board respecting applications for conditional use permits in accordance with the Village Zoning Ordinance.

- (7) To perform such other duties as may be prescribed by the Wisconsin Statutes, Village ordinances or the Village Board.
- (f) **Referrals.** The Village Board shall refer to the Village Plan Commission for its consideration and report, before the final action is taken, the following matters:
  - (1) Location and architectural design of any public building.
  - (2) Location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition or lease of land for any street, alley or other public way, airport, parking areas, or public grounds.
  - (3) Location, extension, abandonment, or authorization for any public utility, whether publicly or privately owned.
  - (4) Location, character, and extent or acquisition, leasing, or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children.
  - (5) Annexations, incorporation, or consolidations affecting the Village.
  - (6) Divisions of land within the Village's platting jurisdiction.
  - (7) Proposed or requested changes and amendments to the Village plan, the Master Plan, the Official Map, and zoning or land division ordinances.
  - (8) Proposed fire prevention regulations.
- (g) **Additional Powers and Duties.** The Village Plan Commission shall have all additional powers and duties granted or assigned by the Village Board or by the Village Ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to Village Plan Commissions and Planning Agencies and any amendments thereto are hereby granted and assigned to the Commission and such statutes are hereby adopted by reference.

#### SEC. 2-5-4 BOARD OF POLICE AND FIRE COMMISSIONERS.

- (a) **Creation.** There is hereby created a Board of Police and Fire Commissioners of the Village of Caledonia.
- (b) **Definitions.** For purposes of this section, "Board" shall mean the Village of Caledonia Board of Police and Fire Commissioners.
- (c) **Membership.** The Board of Police and Fire Commissioners shall be organized in the same manner as prescribed in Wis. Stat. Sec. 62.13(1), except as provided in this subsection. The Board shall consist of five (5) citizens, three (3) of whom shall constitute a quorum. The President of the Village of Caledonia, subject to confirmation by the Village Board, shall annually, by March 30th, appoint in writing to be filed with the Secretary of the Board, one (1) member for a term of five (5) years. The initial appointment shall be of the required five (5) members, each for varying terms from one (1) to five (5) years. Terms shall commence on May 1st; provided, however, the initial appointments shall commence upon appointment and qualification. No appointment shall be made which will result in more than three (3) members of the Board belonging to the same political party.
- (d) **Organization.** The Board of Police and Fire Commissioners shall annually select a president and a secretary from among its members. The president shall preside over meetings and hearings of the Board, to see that proper notices of all meetings

and hearings are given, and to issue subpoenas to compel the attendance of witnesses. The secretary, subject to the direction of the Board, shall send out all notices required by law, ordinance or the Board, keep a record of all of the proceedings of the Board, and preserve evidence received at any hearing of the Board.

- (e) **Powers and Duties.** The Board of Police and Fire Commissioners shall perform such powers and duties as are prescribed in Wis. Stat. Secs. 62.13(2) to (5) and (7) to (12), to the extent that the provisions apply to second and third class cities and shall:

- (1) Have the following powers:
  - a. Appoint the Chief of Police and Chief of the Fire Department, and establish the selection process and qualifications for these positions.
  - b. Approve appointments of subordinates made by the Police and Fire Chiefs. Prior to approving any appointments to command staff positions (not entry level positions), the Village Board shall review the vacant position(s) to determine if filling the position is appropriate at this time.
  - c. Establish the qualifications, selection process and eligibility list for entry level positions (Police Officer/Firefighter). For the establishment of such list, the Board shall adopt and may repeal or modify, rules calculated to secure the best service in the departments.
  - d. Establish the qualifications, selection process and eligibility list for other than entry level positions in the Police and Fire Departments only when said positions are not filled by promotion. The Police and Fire Chiefs shall make the determination as to whether qualified individuals are eligible for promotion. If such a list is required, the Board shall adopt, and may repeal or modify, rules calculated to secure the best service in the departments.
  - e. Hear an appeal from a subordinate who has been suspended by the Police or Fire Chief and who requests a hearing.
  - f. Hear charges filed against the Chief or charges filed by the Chief against a subordinate. May also hear charges filed by a member of the Board, the Board as a body or any aggrieved person, and determine whether there is just cause to sustain the charges, applying the criteria set forth in Wis. Stat. Section 62.13(5)(em). If the charges are sustained, the Board shall be authorized to impose only one of the following four penalties: suspension, reduction in rank, suspension and reduction in rank, or removal. If the Board or a member of the Board is going to file charges, the Board or the member may conduct an investigation which may lead to the filing of charges.
  - g. Make rules for the administration of the disciplinary appeal review process.

- (2) Shall not have the following powers:
  - a. Organize and supervise the Fire and Police Departments or prescribe rules and regulations for their control and management.
  - b. Contract for and purchase any necessary apparatus and supplies for the use of the departments under their supervision.
  - c. Audit bills, claims or expenses of the Fire and Police Departments before the same are paid by the Village Treasurer.
  - d. Determine when promotion of subordinates can or cannot be done with advantage, from within the department.
  - e. Establish an Affirmative Action Program.
  - f. Issue or remove oral or written reprimands or other forms of discipline not listed in subsection (1)(f) above.
  - j. Order any Village department or employee to conduct an investigation into any alleged impropriety; however, it may request an investigation.
- (f) **Records.** The Board of Police and Fire Commissioners shall keep a record of its proceedings and provide a copy of each record to the Village Clerk. The Village Clerk shall be the legal custodian of records.
- (g) **Rules and Regulations.** The Board shall also adopt rules and regulations necessary to carry out its duties in compliance with the provisions of Wis. Stat. Section 62.13.

#### **SEC. 2-5-5 CALEDONIA PARKS AND RECREATION COMMISSION.**

- (a) **Establishment.** There is hereby established the Caledonia Parks and Recreation Commission pursuant to Secs. 48.80, 27.13 and 61.34(1), Wis. Stats.
- (b) **Membership.**
  - (1) The Caledonia Parks and Recreation Commission shall consist of six (6) citizen members who shall serve without compensation, and one (1) Village Board Trustee, who shall serve as a liaison to the Village Board. The Village Trustee shall have the same rights as the other Commission members, and shall be counted in determining the number required for a quorum or whether a quorum is present. The Village President shall appoint the liaison member, and an alternate liaison member, subject to confirmation by the Village Board. The citizen members shall be citizens of recognized experience and qualifications and shall be appointed by the Village President, subject to confirmation by the Village Board.
  - (2) Each citizen member shall serve a three (3) year, staggered term, commencing on May 1st of the year of the appointment unless appointed to fulfill a term of a member who had left during his or her term. Initially, two (2) citizen members shall be appointed for a one (1) year term and two (2) citizen members shall be appointed for a two (2) year term and two (2) citizen members shall be appointed for three (3) years in order to stagger the terms. Thereafter, each year two (2) citizen members shall be appointed for staggered three (3) year terms, each term commencing May

- 1st. The Trustee and all citizen members shall be appointed by the Village Board. The Village Board liaison member, and his or her alternative, shall serve a one-year term commencing May 1st.
- (3) The Parks and Recreation Commission members are also dually appointed to the Caledonia/Mt. Pleasant Memorial Park Commission for the same appointed terms set forth above.
  - (4) Official oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within five (5) days after receiving notice of their appointment.
- (c) **Organization.**
- (1) The Village Parks and Recreation Commission shall annually elect a Chairperson, Vice-Chairperson, and Secretary from among its members at the first meeting after May 1 of each year.
  - (2) The Village Parks and Recreation Commission shall organize and adopt rules for its own governance.
  - (3) Meetings shall be monthly and at the call of the Chairperson.
    - (a) Village Parks and Recreation Commission shall meet in January, March, May, July, September, and November.
    - (b) Caledonia/Mt. Pleasant Memorial Park Commission shall meet in February, April, June, August, October, and December.
  - (4) A quorum shall consist of four members.
  - (5) A written record shall be kept showing all actions taken, findings, and recommendations made; and a copy shall be filed with the Village Clerk as public record.
- (d) **Powers and Duties.** The Village Parks and Recreation Commission shall have such powers and duties as specified in the Wisconsin Statutes.

**SEC. 2-5-6 REPEALED.**

**SEC. 2-5-7 CALEDONIA ECONOMIC DEVELOPMENT COMMITTEE.**

- (a) **Establishment.** There is hereby established a seven (7) person Caledonia Economic Development Committee for the Village of Caledonia, Racine County, Wisconsin.
- (b) **Membership.** The committee members shall be comprised of the President of the Village Board, one other Village Trustee and five (5) persons from the community, at least three (3) of whom shall be residents of the Village. The members of the committee shall be appointed by the President subject to confirmation by the Village Board. Each member shall serve for a three (3) year term, except that of those community members first appointed two (2) shall serve for one year, and three (3) for two (2) years. Each term shall commence on May 1st.
- (c) **Meetings.** Meetings shall be held and conducted in accordance with the provisions of Section 2-5-2 of this Code of Ordinances.



- (d) **Organization.** The Caledonia Economic Development Committee shall organize itself in accordance with the provisions of Section 2-5-2 of this Code of Ordinances.
- (e) **Duties.** The Caledonia Economic Development Committee shall have the following duties and functions along with those others the Village Board may direct:
  - (1) To investigate and report to the Village Board on the impact that any commercial or industrial development may have on the provision of services.
  - (2) Investigate and report lands within the Village of Caledonia which are suitable or potentially suitable for commercial or industrial development.
  - (3) Investigate and report to the Village Board on means by which commercial and industrial establishments may be attracted to the Village of Caledonia.
  - (4) Investigate and report to the Village Board on the economic impact any particular commercial or industrial development may have on the Village or the community in general.
  - (5) Investigate and report to the Village Board on the economic impact any particular commercial or industrial development may have on the Village or the community in general.

#### **SEC. 2-5-8 CALEDONIA SEWER AND WATER UTILITY DISTRICTS.**

- (a) **Creation.** There shall be one sewer utility district and one water utility district for a portion of the Village of Caledonia organized pursuant to the Wisconsin Statutes, which shall be known as “Caledonia Sewer Utility District,” and “Caledonia Water Utility District.”
- (b) **Commission.** The Caledonia Sewer and Water Utility Districts shall be governed by one Utility District Commission, comprised of one (1) Village Board Trustee and six (6) commissioners who are residents of the Village, at least five (5) of whom shall reside in one (1) of the districts.. The six citizen (6) Commissioners shall be appointed for staggered three (3) year terms by the Village Board, each term commencing May 1<sup>st</sup>. The one (1) appointed Village Board Trustee shall serve as a liaison to the Village Board. Initially, the terms of the various members shall be staggered so that two terms shall expire each year. Citizen Commissioners currently serving terms on the effective date of the Charter Ordinance No. 2011-02 may be allowed to continue until the expiration of the appointed four (4) year term and any reappointments or new appointments shall be for the three (3) year terms under this ordinance. The Village President shall appoint the liaison member, and an alternate liaison member, subject to confirmation by the Village Board. The compensation paid to the citizen commissioners shall be determined from time to time by resolution of the Village Board. The liaison member shall have the same rights as the other Commission members, and shall be counted in determining the number required for a quorum or whether a quorum is present. The liaison member, and his or her alternate,

shall serve a one-year term commencing on May 1st. The commission shall have the following powers and obligations:

- (1) The commission shall have charge and management of the districts subject to the general control and supervision of the Village Board as provided in this section.
- (2) The commission shall prepare a proposed budget for the districts in accord with Sec. 65.90, Wis. Stats., and shall file it with the Village Clerk for review and approval by the Village Board.
- (3) The commission shall choose a president and secretary from its membership. Subject to the appropriations in the budget, as approved by the Village Board, the commission may appoint and establish the compensation of a manager for the districts, may employ and fix the compensation of subordinates as necessary, and may employ the services and fix the compensation of such other agents or consultants as the commission deems necessary or convenient for the operation and management of the districts.
- (4) The commission shall keep books of account in the manner and form prescribed by the accountants retained by the Village and as required by law. Utility expenses shall be audited by the commission at its regular meetings, and if approved by the commission and signed by the President and Secretary, shall be paid by the Village Clerk and Treasurer pursuant to Sec. 66.0607, Wis. Stats. The commission may authorize the payment of wages, salaries and such other regular expenses as the commission may determine to be paid as they become due, if approved by the President and Secretary. The requirements of this subsection (4) may be modified by Resolution of the Village Board under subsection (5) which may include a delegation of responsibilities for accounting tasks, including general ledgers and payroll as therein set forth.
- (5) The Village Board, by resolution, may authorize one or more of the utility districts to obtain separate employer identification numbers from the Internal Revenue Service if allowed by law, process their own payroll and accounts payable, maintain the general ledger functions, retain a separate accountant for such tasks and/or completion of an audit. If so authorized for any or all of the above activities, the commission and the utility districts' personnel shall still be bound by all Village policies, including personnel unless the Village Board has specifically authorized the district to establish separate appropriate personnel policies and provide for the retention of confidential personnel files. The Village Board may also authorize the utilities to pay approved utility expenses from separate bank accounts established or authorized by the Village Board for that purpose. At all times, the both districts' personnel shall remain and be considered Village employees. The utility commission shall from time-to-time as required by the Village Board, provide the Village Board with reports and other details of all activities authorized under such Resolution.

- (6) The commission shall have authority to enter into contracts as are necessary or convenient for the management and operation of the districts; provided, however, that contracts for any purchase, service, or project that involves an expenditure of \$25,000.00 or more shall be subject to prior approval by the Village Board.
  - (7) The commission shall have the authority to administer each district and set such rules and regulations for the operation of each district and the delivery of services within each district as are authorized by law. The commission may also adopt rules for its own governance. All such rules and regulations shall be subject to approval by the Village Board and shall be kept in printed form, and a copy shall be filed with the Village Clerk as a public record.
- (c) **Obligations to District.** Nothing in this section shall be construed as discharging any person, firm, corporation, or organization from any obligation to the Caledonia East Sewer and Water Utility Districts or the Caledonia West Sewer and Water Utility Districts, or their predecessor utility districts, incurred prior to the enactment of this section, including, but not limited to, compliance with the rules and regulations of the district, payments of any monies owing to the district and performance of any contracts entered into with the district. Nothing herein shall affect the obligations that the district has as to any outstanding bond issuances or other debt obligations.
- (d) **District Boundaries.** The boundaries of the two utility districts shall be established by resolution of the Village Board.

#### **SEC. 2-5-9 STORM SEWER UTILITY DISTRICTS.**

- (a) **Creation.** The currently existing two districts known as "Lake Michigan Storm Sewer Utility District" and the "Root River Storm Sewer Utility District" shall be consolidated into one Village-wide storm water utility district for all of the Village of Caledonia pursuant to Sec. 66.0827, Wis. Stats., which district shall be known as the "Village of Caledonia Storm Water Utility District". The Village of Caledonia Storm Water Utility District (the "District") shall be Village-wide and shall be considered the successor entity to both the "Lake Michigan Storm Sewer Utility District" and the "Root River Storm Sewer Utility District".
- (b) **Commission.** The Village of Caledonia Storm Water Utility District shall be governed by the Village of Caledonia Storm Water Utility District Commission (the "Commission"), comprised of seven (7) commissioners, one (1) of whom shall be a Village Trustee. The Trustee shall serve a one (1) year term, commencing on May 1st of the year of his or her appointment, and the six (6) citizen members shall be appointed for staggered three (3) year terms, each term commencing on May 1st. The terms of the various citizen members shall be staggered so that two terms shall expire each year. The Trustee and all citizen members shall be

appointed by the Village Board. At the time of consolidation, the previously existing appointments to the prior Caledonia Storm Sewer Utility District Commission shall continue and are hereby ratified to continue and fulfill the remaining terms as if the appointments had been made to the Village of Caledonia Storm Water Utility District Commission. The intention is that the persons serving on the Commission when there were two utility districts will continue to serve on the Commission for the consolidated utility District until the expiration of their terms. At such time, they may be reappointed in accordance with this ordinance. The presence of any four (4) commissioners, when duly assembled, shall constitute a quorum. All commissioners shall serve on this Commission without compensation. The Commission shall have the following powers and obligations:

- (1) The Commission shall have charge and management of the District subject to the general control and supervision of the Village Board as provided in this section. The Commission shall oversee the consolidation of the books of accounts, records and budgets of the two previous districts subject to the general control and supervision of the Village Board as provided in this section.
- (2) The Commission shall prepare a proposed budget for the District in accord with Sec. 65.90, Wis. Stats., and shall file it with the Village Clerk for review and approval by the Village Board.
- (3) The Commission shall choose a president and secretary from its membership. Subject to the appropriations in the budget, as approved by the Village Board, the Commission may appoint and establish the compensation of a manager for the District, may employ and fix the compensation of subordinates as necessary, and may employ the services and fix the compensation of such other agents or consultants as the Commission deems necessary or convenient for the operation and management of the District.
- (4) The Commission shall keep books of account for the District in the manner and form prescribed by the accountants retained by the Village and required by law. Utility expenses of the District shall be audited by the Commission at its regular meetings, and if approved by the Commission and signed by the President and Secretary, or their designee, shall be paid by the Village Clerk and Treasurer pursuant to Sec. 66.0607, Wis. Stats. The Commission, or its designee, may authorize the payment of wages, salaries and such other regular expenses as the Commission may determine to be paid as they become due, if approved by the President and Secretary.
- (5) The Commission shall have authority to enter into contracts as are necessary or convenient for the management and operation of the District; provided, however, that contracts for any purchase, service, or project that involves an expenditure of \$15,000.00 or more shall be subject to prior approval by the Village Board.

- (6) The Commission shall have the authority to administer the District and set such rules and regulations for the operation of the District and the delivery of services within the District as are authorized by law. The Commission may also adopt rules for its own governance. All such rules and regulations shall be subject to approval by the Village Board and shall be kept in printed form, and a copy shall be filed with the Village Clerk as a public record.
- (c) **Village Board's Authority.** Nothing in this section shall be construed as limiting the Village Board's authority to appoint one (1) commission to govern all of the utility districts within the Village of Caledonia.
- (d) **Assets, Budgets and Obligations to District.** The books of accounts, records and budgets of the Lake Michigan Storm Sewer Utility District and the Root River Storm Sewer Utility District shall be consolidated. The budgets currently in effect for the Lake Michigan Storm Sewer Utility District and the Root River Storm Sewer Utility District shall be consolidated into one budget for the remainder of the year 2013 and the Village Board shall adopt a budget amendment to such effect. Nothing in this section shall be construed as discharging any person, firm, corporation, or organization from any obligation to the Lake Michigan Storm Sewer Utility District or the Root River Storm Sewer Utility District incurred prior to the enactment of this section, including, but not limited to, compliance with the rules and regulations of either district, payments of any monies owing to either district and performance of any contracts entered into with either district. Nothing herein shall affect the obligations that either district has as to any outstanding bond issuances or other debt obligations.
- (e) **District Boundaries.** The boundaries of the District shall match the municipal boundaries of the Village of Caledonia and shall encompass all parcels of land within the Village.

#### **SEC. 2-5-10 HISTORICAL PROTECTION COMMISSION**

- (a) **Creation.** There is hereby created the Historical Protection Commission of the Village of Caledonia.
- (b) **Definitions.**
  - (1) "Commission" means the Historic Protection Commission created under this section.
  - (2) "Historical Preservation Covenant" means an agreement entered into under this section.
  - (3) "Historic Site" means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred, and which has been so designated under this section, or an improvement parcel, or part thereof, on which is situated a Historic Structure and any abutting improvement parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.
  - (4)

- (5) “Historic Structure” means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the Village, state or nation, and which has been so designated by under this section.
- (c) **Commission Membership and Organization.** The Commission shall be composed of seven (7) members who shall be appointed by the Village Board to five-year terms. At least six Commissioners shall be residents of the Village and all shall have a known, and preferably demonstrated interest in local, state, or national history and/or the protection of historical sites and structures. Commissioners shall not be compensated. The Commission shall appoint from among its membership a President who shall retain such title for the period of one year. The Commission shall meet as often as its membership determines necessary and in any event no less than once per month.
- (d) **Commission Powers and Duties.**
- (1) The Commission shall designate, applying the criteria set forth in paragraph (e), Historic Sites and Historic Structures located within the Village, and prepare a list of such Historic Sites and Historic Structures against which the Village Building Department shall cross-reference parcels for which building construction, plumbing, electrical, HVAC and razing permits have been applied. When designating Historical Sites and Historical Structures, the Commission shall cause to be recorded, either in its meeting minutes or in some other appropriate written form, the reason that each Historic Site or Historic Structure was so designated.
  - (2) The Commission shall undertake to educate the Village generally as to the historical significance and value of Historical Sites and Historical Structures within the Village, and the Commission shall also endeavor to educate the owners of Historical Sites and Historical Structures and to encourage their participation in federal, state, and local programs related to historical preservation.
  - (3) The Commission shall contact the owners of Historical Sites or Historical Structures for which raze, building construction, electrical, plumbing and HVAC permit applications have been made, ascertain whether such work, if undertaken, would threaten the Historical Site or Historical Structure, inform the property’s owner of such Historical Site or Historical Structure’s historical significance and, if appropriate, advise the owner of possible alternatives. Unless, in the opinion of the Village Building Inspector, such a delay would pose a serious threat to residents of the property or to the public’s health or safety, no building construction, electrical, plumbing, HVAC or raze permit shall be issued for thirty days unless the Commission earlier has an opportunity to review the property’s historical significance and, if appropriate, contact the owner regarding the same, and if the Commission thereafter informs the Building Inspector that the requested permit may be issued, if otherwise appropriate.

- (4) The Commission shall advise the Board regarding the significance and advisability of accepting Historical Preservation Covenants respecting any Historical Site or Historical Structure.
  - (5) The Commission shall advise the Village Board regarding any other historical matters as the Board may, from time to time, refer to it or as may come to the attention of the Commissioners.
- (e) **Historical Criteria.** In designating any site or structure as a Historic Site or Historic Structure, pursuant to subparagraph (d)(1) above, the Commission shall find and indicate in writing that the particular site or structure possesses one or more of the following criteria, namely it:
  - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or locality;
  - (2) Is identified with historic personages or with important events in national, state or local history;
  - (3) Embodies the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;
  - (4) Is representative of the notable work of a master builder, designer or architect who influenced his age;
  - (5) Has yielded, or may be likely to yield, information important to prehistory or history.
  - (6) Is seventy-five years old or older and, by virtue of its age and other significant characteristics, the Commission, in its discretion, determines that the structure's designation as a Historical Structure is appropriate.
- (f) **Records.** The Secretary of the Commission shall be responsible for preparing minutes of the Commission's meetings and shall be considered the Commission's records custodian for the duration of his or her term as Secretary, but such records shall be maintained at the Village Hall.
- (g) **Village Protection of Historical Sites and Historical Structures.**
  - (1) Owners of Historical Sites or Historical Structures, which have been so designated by the Commission, pursuant to subparagraph (d)(1) above, may petition the Village to enter into a Historical Preservation Covenant to protect the historical value of such site or structure for posterity. No owner of a Historical Site or Historical Structure shall be required to petition for such protection of his or her property; participation in the program shall be strictly voluntary.
  - (2) Following a petition by the owner of a Historical Site or Historical Structure, the decision for the Village to participate in a Historical Preservation Covenant with respect to any property shall be made by the Village Board, upon advice from the Commission. The Village Board shall not be required to agree to any such petition, regardless of the historical significance of the particular Historical Site or Historical Structure at issue.

- (3) If participation is approved by the Village Board, the petitioner and the Village shall execute, in triplicate, a Historic Preservation Covenant in a form agreeable to the Village and the petitioner. The Village shall thereafter cause such Historical Preservation Covenants to be recorded in the Racine County Register of Deeds office. One such recorded Covenant shall remain with the Register of Deeds, one shall remain with the Village, and one shall be returned to the petitioner. Once a Historical Preservation Covenant has been recorded, the Historical Site or Historical Structure may not be withdrawn by the property owner from participation in the program without the Village Board's approval, although the Village may, in its discretion and by a two-thirds majority of its Board, vote to rescind any Historical Preservation Covenant. Once a Historical Preservation Covenant has been entered, work impacting on the Historical Site's or Historical Structure's historic significance may be undertaken only with the Village Board's consent thereto, on advice of the Commission.
- (4) A Historical Site or Historical Structure participating in the Village's Historical Preservation Covenant program shall be exempt from all building construction, plumbing, electrical and HVAC permit fees, excepting any penalties for not pulling an applicable permit or not doing so in a timely manner, for the duration of the property's participation in the program.