

**Town of Milladore  
Clerk Position Description  
Updated 3/24/2022**

**Financial Reimbursement of Town Clerk position**

Activity	Amount
Mileage Reimbursement Mileage claims submitted with date, distance, and purpose submitted by end of month (2022 state reimbursement of .59 a mile)	
Ink for printer	\$250
Board of Review Meeting (1 x \$50)	\$50

**Salary**

Clerk \$516.67	After Taxes \$477.14	Paid Monthly
Jan	\$477.14	
Feb	\$477.14	
March	\$477.14	
Apr	\$477.14	
May	\$477.14	
June	\$477.14	
July	\$477.14	
August	\$477.14	
September	\$477.14	
October	\$477.14	
November	\$477.14	
December	\$477.14	
Total (before tax)	\$6200.00	

The town clerk is not a member of the town board of supervisors. The clerks statutory duties are listed under 60.33 Wisconsin Statutes.

The clerk does not vote on any legislative matters before the town board. The town clerk could be asked to vote on a town highway application if there are fewer than two board members able to act. See s. 82.11. Also, the town clerk, whether elected or appointed, does vote to fill any vacancy that occurs on the town board (17.25 Wis.Stat.).

Town Clerks have the option of appointing one or more deputies for whom the clerk is responsible. See s. 60.331, Wis. Stat. The deputy serves at the pleasure of the clerk and the deputy has no right to the office if the clerk that

appointed him or her leaves office. The town board may agree to pay a deputy, but the board is not obligated to do so.

1. Elected clerks are not required to put in a certain number of office hours per week.
  - a. The town clerk is responsible for taking minutes of the town board meetings and ensuring that any ordinances or resolutions adopted by the board are posted or published as required under s. 60.80, Wis. Stat.
  - b. Since the clerk is not a member of the town board, the clerk may be excluded from any closed session of the town board. If the clerk is absent from a closed session, the town board would need to appoint someone (such as a supervisor) to take minutes of the closed session in place of the clerk.
2. The clerk is often delegated the responsibility of providing proper notice of town board meetings, public hearings, and other matters such as required public bidding notices.
3. The town clerk provides notice of the annual town meeting (if required) and other town elector meetings under s.60.12(3), Wis. Stat. and serves as clerk of those meetings.
  - a. Within 5 days of a town elector meeting, the clerk must file the minutes of that meeting in his or her office. See s. 60.15. All resolutions, motions, and other actions taken by the electors at a town elector meeting must be posted or published as required within 30 days of the meeting under s. 60.80(1)(a).
4. The town clerk is required to issue numbered receipts for all funds received for the town, showing the date, amount and source of each receipt; and any other information relating to town finances prescribed by the town board.
  - a. Disbursements from the town treasury must be made in accordance with s.66.0607, Wis. Stat. A clerk cannot issue an order for any disbursement that would be in excess of funds available or appropriated for the purposes for which the payment is to be made, s. 66.0607(7), Wis. Stat. Before a claim that would put the town budget out of balance could be paid, the town board would need to amend the budget pursuant to s. 60.40(5), Wis. Stat.
  - b. Town clerks are often called upon by the town board to assist with preparation of the town budget under s. 60.40(2) and preparation of the annual financial statement pursuant to s. 60.41.
  - c. In addition, clerks typically complete the "Municipal Financial Report" (also known as Form C or Form CT) as required under ss. 73.10(2) and 86.303(5) which is due on May 15<sup>th</sup> each year.

### Property Assessment

The town clerk has the responsibility to carefully examine the assessment roll upon receipt from the assessor and prior to the board of review. The clerk is to correct all double assessments and other errors apparent upon the face of the roll. The clerk is also to add any omitted real or personal property and notify the assessor of such omissions. See s. 70.52, for more details.

The town clerk is responsible for providing notice to the public of the open book under s. 70.45 Wis. Stat. and board review under s. 70.74(2), Wis. Stat.

An elected town clerk is a voting member of the town board of review unless the town board has adopted an ordinance to create a citizen's board of review pursuant to s. 70.46(1). An appointed town clerk is not an automatic member of the board of review, s. 70.46(1m). This is because clerks appointed under either s. 60.10(1)(b)(2m) or s.60.30(1e) are not required to be town residents. However, an appointed clerk who is a resident of the town may be appointed by the town board by ordinance to fill the vacancy in the board of review created by the appointed clerk position.

The duties of the town clerk for the board of review are stated in s 70.47, Wis. Stat. The clerk is to provide the proper notices for the board of review and keep a record of the proceedings. The clerk is to swear in all persons testifying before the board of review. The clerk also provides notice of board of review decisions as required by law.

Annually, under 70.65, Wis. Stat. the clerk is to prepare the tax roll and deliver it to the town treasurer by December 8<sup>th</sup> or sooner. See s 74.03, Wis. Stat. If the taxation district has a policy in effect under s. 74.03(2), Wis. Stat. requiring prompt refunds of excess escrow payment amounts, the tax roll may be transferred to the treasurer by the 3<sup>rd</sup> Monday in December.

The clerk assists in preparing the real and personal property tax bills and mails them out to the property owners pursuant to s.74.09(2) & (5) Wis. Stat. This authority has been delegated to the county treasurer who performs this part of the process for many towns.

If a claim for unlawful or excessive taxes is allowed pursuant to s. 74.35 or s.74.37, Wis. Stat., the clerk may seek a charge back through the Wisconsin Department of Revenue if certain conditions are met. See s. 74.41, Wis. Stat.

The clerk must also provide the notice of proportional property tax revenue and credits to the county treasurer as required under s.60.33(10), Wis. Stat.

## ELECTIONS

The town clerk is responsible for performing the functions in Chapter 5-12 of the State statutes relating to elections. Some of these tasks included providing election notices, scheduling election workers, reviewing poll lists, supervising completion of paperwork, maintaining and testing election equipment and swearing in newly elected officials.

## PUBLIC RECORDS

The town clerk is often made the custodian of town records under s.19.33, Wis. Stat. As the custodian the clerk is responsible for complying with requests under the public records law s. 19.34 Wis. Stat. The clerk also typically maintains, preserves and disposes of town records in accordance with s.19.21, Wis. Stat.

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The town board must adopt an approved schedule for the destruction of town records before items may be disposed of. The board may choose to adopt the Wisconsin Municipal Records Schedule which was created by the Wisconsin Historical Society. Information on the Schedule may be found on the Wisconsin Historical Society's website at the following link: <https://www.wisconsinhistory.org/Records/Article/CS3806>

## LICENSES

The clerk may issue licenses granted by the town board. See s. 60.33(8), Wis. Stat. The clerk also processes applications for alcohol licenses and provides the required notice. See s. 125.04, Wis. Stat.

### Additional Duties:

1. Perform the clerk's duties under chapters 115 to 121 relating to public instruction. See s 60.33(9), Wis. Stat.
2. Perform all other duties required by law, ordinance, or lawful direction of the town board s 60.33(11), Wis. Stat.
3. Perform any and all items on the following list of duties or seek assistance with the such duties as needed.
4. Complete US Government Census forms when received
5. Complete payroll for town officials and employees monthly. Complete IRS 941 forms, create W2 documents at the end of the year.

**NOTE: See the "Calendar of Main Events" for a comprehensive timeline of events clerks should be aware of during the entire calendar year.**

## Appendix A

### **60.33 Duties of town clerk.** The town clerk shall:

(1) CLERK OF TOWN MEETING. Serve as clerk of the town meeting under s. 60.15.

(2) CLERK OF TOWN BOARD.

(a) Serve as clerk of the town board, attend meetings of the board and keep a full record of its proceedings.

(b) File all accounts approved by the town board or allowed at town meetings and enter a statement of the accounts in the town's record books.

(c) File with the town board claims approved by the clerk, as required under s. 60.44 (2) (c).

(3) FINANCE BOOK. Maintain a finance book, which shall contain a complete record of the finances of the town, showing the receipts, with the date, amount and source of each receipt; the disbursements, with the date, amount and object of each disbursement; and any other information relating to town finances prescribed by the town board.

(4) ELECTIONS AND APPOINTMENTS.

(a) Perform the duties required by chs. 5 to 12 relating to elections.

(b) Transmit to the county clerk, within 10 days after election or appointment and qualification of any town supervisor, treasurer, assessor or clerk, a written notice stating the name and post-office address of the elected or appointed officer. The clerk shall promptly notify the county clerk of any subsequent changes in such offices.

(c) Transmit to the clerk of circuit court, immediately after the election or appointment of any constable or municipal judge in the town, a written notice stating the name of the constable or municipal judge and the term for which elected or appointed. If the judge or constable was elected or appointed to fill a vacancy in the office, the clerk shall include in the notice the name of the incumbent who vacated the office.

(5) SALE OF REAL PROPERTY. Execute the conveyance of real property of the town.

(6) NOTICES.

(a) Publish or post ordinances and resolutions as required under s. 60.80.

(b) Give notice of annual and special town meetings as required under ss. 60.11 (5) and 60.12 (3).

(7) RECORDS.

(a) Comply with subch. II of ch. 19 concerning any record of which the clerk is legal custodian.

(b) Demand and obtain the official books and papers of any municipal judge if the office becomes vacant and the judge's successor is not elected or appointed and qualified, or if any municipal judge dies. The town clerk shall dispose of the books and papers as required by law.

(8) LICENSES. Issue any license or permit granted by the town board when presented with a receipt from the town treasurer indicating that any required fee has been paid.

(8m) STREET TRADE PERMITS. Stamp or endorse street trade permits at the request of an employer under s.

103.25 (3m) (b). (8p) TRAVELING SALES CREW WORKER PERMITS. Stamp or endorse traveling sales crew worker permits at the request of an employer under s. 103.34 (11) (c).

(9) SCHOOLS.

- (a) Perform the clerk's duties under chs. 115 to 121, relating to public instruction.
- (b) Within 10 days after the clerk's election or appointment, report his or her name and post-office address to the administrator of each cooperative educational service agency which contains any portion of the town. The clerk shall report to the administrator the name and post-office address of each school district clerk within 10 days after the name and address is filed in the clerk's office.
- (c) Make and keep in the clerk's office a map of the town, showing the exact boundaries of school districts within the town.
- (d) Apportion, as provided by law, tax revenues collected by the town for schools.

(10) HIGHWAYS AND BRIDGES. Perform the duties specified in chs. 82 to 92, relating to highways, bridges and drains.

(10m) NOTICE OF PROPERTY TAX REVENUE. Notify the treasurer of the county in which the town is located, by February 20, of the proportion of property tax revenue and of the credits under s. 79.10 that is to be disbursed by the taxation district treasurer to each taxing jurisdiction located in the town.

(11) IN GENERAL. Perform all other duties required by law, ordinance or lawful direction of the town meeting or town board. History: 1983 a. 532; 1985 a. 39 s. 17; 1989 a. 113; 1991 a. 39; 1995 a. 27; 1997 a. 27; 2003 a. 214; 2009 a. 3. NOTE: 2003 Wis. Act 214, which affected this section, contains extensive explanatory notes. The offices of president of a common school district board and chairperson of a town board within the school district and the offices of school board member and town clerk are probably compatible. 74 Atty. Gen. 50.

**60.331 Deputy town clerk.** Each town clerk may appoint one or more deputies for whom the town clerk is responsible. A deputy shall take and file the official oath and bond under s. 60.31. The town clerk may designate a deputy to perform the clerk's duties during the absence, sickness or other disability of the clerk. History: 1983 a. 532.