

Chapter 2. ORGANIZATION OF COMMISSION

Section 2.10. Authority. The Pike's Bay Sanitary District is organized under sec. 60.70, et seq., Wisconsin Statutes. This ordinance is promulgated under sec. 60.77(5m), Wisconsin Statutes.

Section 2.20. Commission reorganization meeting. The first Commission meeting held after the third Monday in April in every odd-numbered year shall be a reorganization meeting. The meeting shall be held no later than the third Monday of May.

Section 2.30. Election of Commission officers. At the reorganization meeting the Commission shall elect from its members a President and a Secretary-Treasurer. An officer shall serve for a term of two years, or until the officer's successor is elected. An officer may be re-elected to successive terms.

Section 2.40. Reorganizational business. At each reorganization meeting, the Commission shall:

- (a) Designate each of the following:
 - (1) Official newspaper.
 - (2) Official depository or depositories.
 - (3) District insurance agency or agencies.
 - (4) District legal counsel.
 - (5) District bookkeeper and accountant.
- (b) Review and if necessary revise the public records notice required under sec. 19.34, Wisconsin Statutes.
- (c) Review and if necessary revise the fee schedule.
- (d) Assign primary oversight responsibilities among the Commissioners in each of the following areas:
 - (1) Finance.
 - (2) Operations.
 - (3) Ordinance.
 - (4) Rates.

(5) Town relationships.

(6) Engineering.

(e) Appoint members and chairs to committees as provided in Sec. 2.50.

(f) Conduct any other business as is properly before the Commission.

(g) The Commission may, at any time between reorganizational meetings, change any of the designations, assignments, appointments, or fee schedule items made at the preceding reorganizational meeting. Each designation, assignment, and appointment made at a reorganizational or other meeting, and each fee set at a reorganizational or other meeting shall remain valid until a successor designation, assignment, or appointment is made or fee is set.

Section 2.50. Committees.

(a) The Commission shall have the following standing committees:

(1) Finance. The Finance Committee shall, on or before September 1 of each year, recommend to the Commission the annual budget and shall monitor the Commission's deposits and investments and make recommendations to the Commission on its deposits and investments.

(2) Rates. The Rate Committee shall, on or before October 1 of each year:

A. Review and if necessary recommend to the Commission revisions of the schedule of Residential Equivalent Units for various type of buildings and uses, as provided in Section 3.10(e); and

B. Review, recompute, and report to the Commission on the assignment of residential equivalent units for all users connected to the system.

(b) The Commission may create ad hoc committees as it deems appropriate.

(c) Each standing or ad hoc committee shall be chaired by a Commissioner. At each reorganizational meeting, the President shall appoint members and chairs of each of the Commission's standing committees and of any ad hoc committees then in existence, subject to approval by the Commission. The President may, at any time between reorganizational meetings, make additional appointments, subject to approval by the Commission. Each appointment made at a reorganizational or other meeting shall be for a term lasting until the succeeding reorganizational meeting.

(d) A quorum for the conduct of any business by a committee shall be a majority of the members of the committee then appointed.

Section 2.60. Meetings.

(a) Subject to the notice requirements of the Wisconsin Open Meetings Law, sec. 19.81 et seq., Wisconsin Statutes, a meeting of the Commission may be called by the President, or jointly by the other two Commissioners.

(b) All meetings of the Commission shall be conducted in accordance with Robert's Rules of Order, except as modified by resolution of the Commission. The President may deviate from Robert's Rules of Order and unless a Commissioner objects at the time of the deviation any such objection is deemed waived. The adoption of such rules is for the convenience and good order of the Commission and creates no rights in any third-party. Any deviation therefrom does not create any claim in any third-party.

(c) All committee meetings of the District shall comply with the Open Meetings Law as applicable.

Section 2.70. Use of electronic mail. Commissioners may use electronic mail (email) to communicate with each other in the same manner that they may use regular mail.

(a) In order to avoid the appearance of the use of email to avoid the restrictions of the Open Meetings Law, no Commissioner or member of a Commission committee shall respond to another Commissioner's email, or that of a member of a Commission committee, for at least 24 hours after the date and time of receipt of the email as indicated in the recipient's email program.

(b) The originator of an email shall keep a hard copy of the email for a minimum of seven years.

Section 2.80. Retention and destruction of records. All public records of the District shall be retained for seven years. No fewer than 60 days prior to destroying any record, the District shall notify the Wisconsin State Historical Society of the intended destruction. Such notification shall be directed to the State Archivist, Wisconsin State Historical Society, 816 State Street, Madison, WI 53706-1482, and shall include the following information:

- (a) Titles of each record series to be destroyed.
- (b) Years covered by the records to be destroyed.
- (c) Volume of records to be destroyed.
- (d) Name and phone number of a knowledgeable person who can answer questions about the use and content of the records to be destroyed.

Section 2.90. Emergency action.

(a) Between meetings of the Commission, the President is authorized on behalf of the Commission to take action necessary to protect against an apparent imminent threat to public health or safety, damage to natural resources, or substantial damage to property,

including the physical plant of the District. If the President is unavailable, the two other Commissioners jointly, or if only one other Commissioner is available, that Commissioner, is authorized to act in place of the President. Such action may include incurring expenses on behalf of the Commission not to exceed \$10,000, or such larger amount as may be approved at a Commission meeting.

(b) Before taking action under subsection (a), the President or other Commissioner shall assess whether it is feasible, given the particular nature of the apparent imminent threat, to call a meeting of the Commission, either under the regular (24 hour) notice procedures or the emergency (two hour) notice procedures of sec. 19.84(3), Wisconsin Statutes, prior to taking action. If the President or other Commissioner determines that it is not feasible, he or she shall call a meeting, or arrange to call a meeting, as soon as possible thereafter.

Section 2.95 Finances.

(a) Budget and Sewer User Charge Approval. The Commission shall set the annual budget in a format that is consistent with governmental accounting standards and audit requirements and shall set sewer user charges to be charged for each residential equivalent unit so that the cash operating budget will be balanced and so that all of the District's obligations to lenders will be met, and shall record such action in the official minutes.

(b) Deposit of funds. The funds received by the Commission shall be deposited at regular intervals in the depository designated by the Commission. Said funds shall be available for payment of the costs and expenses of District.

(c) Deposit and use of connection charges. All connection charges collected under Section 4.30(a) shall be deposited into a separate account and shall be used only for major repair and replacement of the physical plant (or parts thereof), specifically approved by majority vote of the Commission, unless any other use is approved by a vote of all three Commissioners.

(d) Annual report. A report of the utility's financial standing shall be made annually. This report will be used to review the adequacy of the then existing rates and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the District's operation.

(e) Commissioner compensation. Commissioners shall be compensated for their service to the District. The President of the Commission shall be paid one-half of the amount paid per year to the Town of Bayfield Chairperson. The other members of the Commission shall be paid one-half of the amount paid per year to the Town of Bayfield Town Board members other than the Chairperson. Compensation shall be paid in two equal installments each year. This provision shall go into effect the day after the Commission reorganization meeting in 2015, or if on any earlier date all persons who

were Commissioners on the date of passage of this provision are no longer Commissioners, then on the first day of the next fiscal year following such date.