

Town of St. Germain

April 7, 2020 Ballot Referendum Questions

In accordance with section 60.30(1e) of the Wisconsin Statutes, the town board has arranged for the following questions to appear on the April 7, 2020 election ballot:

- 1. "Shall the person holding the office of Town Clerk in the Town of St. Germain be appointed by the town board?"**
- 2. "Shall the person holding the office of Town Treasurer in the Town of St. Germain be appointed by the town board?"**

Background:

The offices of St. Germain Town Clerk and Treasurer have historically been filled through the biennial public election process. Wisconsin statutes empower town electors to change either or both of those offices, by referendum questions on a general election ballot, from elected to appointed.

If either (or both) of these questions are answered with a majority of "YES" votes, that office (or offices) will be filled by appointment of the town board following expiration of the current term(s) in April of 2021. The board will also, within 70 days of the election, adopt an ordinance creating the appointed position(s).

What is the status of the current officers?

Clerk: The current clerk will have served the Town in that capacity for 50 consecutive years when the term ends in 2021. The position will be filled by election in April of 2021 unless the majority of responses to the 2020 clerk referendum question authorizes the town board to fill the position by appointment.

Treas: The current treasurer's term will also end in 2021. That position will also be filled by election in April of 2021 unless the majority of responses to the 2020 treasurer referendum question authorizes the town board to fill the position by appointment.

Is changing these positions from elected to appointed the same as combining the clerk and treasurer offices?

No, that is a different process. State statutes empower town electors to combine the two offices at any annual town meeting (3rd Tuesday of each April) or another town meeting of the electors where that item specifically appears on the agenda, provided both offices are either elected or appointed. They cannot be combined if one is appointed and the other elected. The upcoming St. Germain referendum questions pertain only to changing one or both offices to appointed.

Will the duties of either office change if the positions are filled by town board appointment?

State statutes dictate the responsibilities of each office whether appointed or elected. However, when the positions are filled by appointment, town boards have the ability to expand the responsibilities to fit the needs of the town beyond minimum State requirements. For instance, the services currently provided to the town by Business Connections, Inc. could be fulfilled by an appointed clerk.

Additionally, services such as maintenance of the town website, currently being provided by an elected supervisor with limited webmaster experience, could be a function of an appointed clerk as could other community outreach efforts.

If St. Germain electors change either of these positions to appointed on April 7th, the town board will prepare a Position Description for the appointed office(s). That document will stipulate not only the duties defined by statutes and by the town board, but also eligibility requirements and necessary skills for performing those duties.

Why do towns switch to having an appointed clerk or treasurer?

The positives or negatives often depend on one's perspective. Some of the key differences are as follows:

Elected clerks and treasurers:

1. Must be town residents.
2. Cannot be required by the town board to have specific qualifications or to obtain training (unless required by state law, such as election training for clerks). Wages are determined by the electors.
3. Are accountable to the electors, not the town board. Must be elected for each two-year term of office. Can be removed from office during the term only by legal action through the courts for "cause" (misconduct in office or neglect of duties) or by recall by the electors.

Appointed clerks and treasurers:

1. Are not required to be town residents, thereby expanding the base of qualified candidates.
2. Are town employees selected by the town board based on qualifications. Job descriptions and wages/benefits are determined by the town board.
3. Are appointed for a term of six months to three years but cannot be removed by the board during the term of office other than for "cause" (misconduct in office or neglect of duties). However, the board can simply choose not to re-appoint an official at the end of a term without having to establish cause.

How many appointed and elected town clerks and treasurers are there?

Statewide: (*per the Wisconsin Towns Association website, date of survey unknown*):

Of 1,040 clerks, 240 (23%) are appointed, 800 (77%) are elected

Of 1,040 treasurers, 165 (16%) are appointed, 875 (84%) are elected

Vilas County: (*as of a March 2020 telephone survey*)

Of 14 clerks, 3 (21%) are appointed, 11 (79%) are elected

Of 14 treasurers, 2 (14%) are appointed, 12 (86%) are elected