



# REPORT TO APC

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<b>ITEM NAME:</b>	Assignment of Administrator Duties
<b>MEETING DATE:</b>	May 15th, 2025
<b>PRESENTING COMMITTEE:</b>	NA
<b>COMMITTEE CONTACT:</b>	David Baker
<b>STAFF CONTACT:</b>	
<b>PREPARED BY:</b>	David Baker

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**ISSUE:** The Village currently does not have an Administrator and recently has had difficulty finding and retaining an Administrator. The Village still needs the Duties of the Administrator as outlined in Ordinance 115-11 to be fulfilled in order to function properly.

**OBJECTIVES:** Provide a means to fulfill the Duties of the Administrator on an Interim basis to give the Village time to locate and hire a well-qualified Administrator who is a good fit with the Village.

**ISSUE BACKGROUND/PREVIOUS ACTIONS:** Under the prior Administration, the Village President served as the Interim Village Administrator both informally and then formally following a vote of the Board.

At the April 17, 2025 special Village Board meeting, I made it clear that I would not be acting as the interim Village Administrator. This action was taken because I and others were concerned that having the same individual serve both as President and interim or acting Administrator would be a violation of the Doctrine of Incompatibility.

Because the Duties of the Administrator still need to be fulfilled, I proposed that additional duties be assigned to the President to provide time for the Village Board and committees to develop a plan. The Assignment of Duties proposal was passed by the Village Board for 2 weeks at the April 17<sup>th</sup> meeting and then was extended until June 9<sup>th</sup> at the April 28<sup>th</sup> Village Board meeting. The April 28<sup>th</sup> Village Board meeting action also included a referral to APC to discuss and provide a recommendation, specifically including a) discussion of potential hiring and/or transfer of staff, and b) attendance of the President at Village Staff meetings.

Subsequent to the April 17<sup>th</sup> action by the Board, Sean Dumais brought it to the attention of the President that he had previously discussed the approach of assigning duties of the Administrator to the President with the LWM and was told that this approach would still be a violation of the Doctrine of Incompatibility as long as the Duties of the Administrator were listed in Village Ordinance.

The action to refer the issue to APC to discuss and provide a recommendation was a result of the conversation with Sean Dumais.

In preparation for the discussion of this topic, I reviewed LWM documents related to the issue. The attached document discusses a recently adopted Statutory Exception to the Doctrine of Incompatibility for cases where the additional compensation for employment is less than \$15,000 per year. I asked the LWM for an opinion whether a Village President could also serve as Village Administrator as long as the total additional compensation did not exceed \$15,000 per year. The LWM's Assistant General Counsel, Nick Zavos, contacted me by phone yesterday and verbally stated that it was in accordance with Wisconsin Statute and the Doctrine of

Incompatibility for a Village President to also serve as interim Village Administrator as long as the additional pay does not exceed \$15,000 per year.

**PROPOSAL:** I am proposing that APC consider recommending appointing me as Interim Village Administrator at a rate of \$30 per hour to provide the Village with a means to fulfill the duties of the Administrator to provide us time to locate and hire a well-qualified Administrator who is a good fit with the Village. This would work out to up to an additional 500 hours beyond the Duties of the President for the remainder of 2025 if an Administrator is not hired before the end of the year.

For reference the proposed rate of pay is well below the typical rate for an Administrator and is also substantially below what I have earned in the private sector. I have worked 121 hours on Village related business from April 15<sup>th</sup> to May 13<sup>th</sup>.

**ADVANTAGES:**

**DISADVANTAGES:**

**ITEMIZE ALL ANTICIPATED COSTS (Direct or Indirect, Start-Up/One-Time, Capital, Ongoing & Annual, Debt Service, etc.)**

**RECOMMENDED ACTION:** Discuss and recommend a course of action for the Village Board's consideration.

**OTHER OPTIONS CONSIDERED:**

**TIMING REQUIREMENTS/CONSTRAINTS:**

**FUNDING SOURCE(s) – Must include Account Number/Description/Budgeted Amt CFY/% Used CFY/\$**

Remaining CFY

Account Number:

Description:

Budgeted Amount:

Spent to Date:

Percentage Used:

Remaining:

**ATTACHMENTS (describe briefly): 1) League of Wisconsin Municipalities: Ethics and Conflicts of Interest Part 3: The Incompatibility Doctrine and Miscellaneous Conduct Provisions; 2) Assignment of Duties Spreadsheet**