



REPORT TO VILLAGE BOARD

ITEM NAME:	Consideration of Village President David Baker to Serve as Interim Village Administrator
MEETING DATE:	June 23, 2025
PRESENTING COMMITTEE:	APC
COMMITTEE CONTACT:	David Baker
STAFF CONTACT:	Jennifer Poyer
PREPARED BY:	David Baker

ISSUE: The Village currently does not have an administrator but continues to need the duties of the administrator to be fulfilled in order for the Village to function properly and effectively.

OBJECTIVES: Provide a means to fulfill the duties and responsibilities of the administrator while the Village continues the search for a full-time administrator.

ISSUE BACKGROUND/PREVIOUS ACTIONS: The Village Board voted on April 17, 2025 to adopt the proposed assignment of duties for 2 weeks to provide additional time for evaluation and consideration.

The Board voted on April 28th to extend the additional duties of the Administrator until June 9th and send to APC for discussion and recommendation.

The following is from the APC report (attached) for May 15, 2025

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Subsequent to the April 17th 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 15th to May 13th.

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APC voted on May 15, 2025 to request a written, rather than verbal opinion, to provide a higher level of confidence that we are proceeding in accordance with WI State Statute and with the Doctrine of Incompatibility. The APC committee also voted to recommend that the Village Board proceed with the proposal outlined above (with slight modifications) once the written opinion has been received.

The Village Board voted on June 9, 2025 to extend the assignment of duties until the July 14, 2025 meeting to give the Village additional time to obtain a written opinion.

VanderWaal Law, S.C. provided a written opinion on June 12, 2025 "... that the Village President may serve as the Village Administrator as long as his compensation does not exceed \$15,000.00."

PROPOSAL: Appoint the Village President David Baker as interim administrator at a rate of \$30 per hour with the additional pay limited to no more than \$14,750.00 per year.

ADVANTAGES: Continue to provide for fulfillment of the duties of the administrator.

DISADVANTAGES:

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

RECOMMENDED ACTION: Discussion and Possible Action by Board.

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): Written Opinion from VanderWaal Law, S.C.