

Chapter 2 ADMINISTRATION¹

ARTICLE I. IN GENERAL

Sec. 2-1. Legal status; general town powers.

- (a) The town operates under the town system of government under Wis. Stats. ch. 60 (Wis. Stats. § 60.001 et seq.). The town board has the specific authority, powers and duties, pursuant to Wis. Stats. §§ 60.10, 60.20, 60.22 and 60.23 and has, with authorization of the town meeting, additional statutory authority, powers and duties to manage and direct certain affairs of the town.
- (b) In addition, the town has adopted specific authority to exercise all powers conferred on villages pursuant to Wis. Stats. § 60.10(2)(c) and to engage in watershed protection and soil and water conservation activities as provided in Wis. Stats. § 60.10(2)(i).
- (c) In addition, the town board has additional general specific statutory authority, powers and duties established beyond Wis. Stats. ch. 60 (Wis. Stats. § 60.001 et seq.).

Secs. 2-2—2-20. Reserved.

ARTICLE II. TOWN BOARD OF SUPERVISORS²

Sec. 2-21. Members; terms.

- (a) The town board consists of five members, four of whom are known as "town supervisors" and one of whom is known as the "town chairperson" or "town chair."
- (b) The chairperson is elected to a two-year term expiring in odd-numbered years. Two supervisors are elected to two-year terms expiring in odd-numbered years, and two supervisors are elected to two-year terms expiring in even-numbered years.
- (c) The terms of elected town officers which shall expire after 11:59 p.m. on the 2nd Monday of April in either April, 2012 or April, 2013 shall be extended until the 3rd Tuesday of April in the same year in which the terms would otherwise have expired.

¹State law reference(s)—Towns generally, Wis. Stats. § 60.01 et seq.; town meeting, Wis. Stats. § 60.10 et seq.; town board, Wis. Stats. § 60.20 et seq.; town officers and employees, Wis. Stats. § 60.30 et seq.; town finance, Wis. Stats. § 60.40 et seq.; municipal budget systems, Wis. Stats. § 65.01 et seq.; general municipality law, Wis. Stats. § 62.11 et seq.; municipal borrowing and municipal bonds, Wis. Stats. § 67.01 et seq.; municipal disposal of abandoned property, Wis. Stats. § 66.0139; local government purchasing, Wis. Stats. § 66.0131; municipal finance, Wis. Stats. § 62.12; manner of exercise of home rule, Wis. Stats. § 66.0101; municipal police and fire departments, Wis. Stats. § 62.13; municipal administrative procedures, Wis. Stats. § 68.001 et seq.

²State law reference(s)—Town board generally, Wis. Stats. § 60.20 et seq.; eligibility for municipal office, Wis. Stats. § 66.0501; election and appointment of town officers, Wis. Stats. § 60.30.

(Ord. No. 2012-01, 3-7-2012)

State law reference(s)—Election of town officials, Wis. Stats. § 60.30(1); terms, Wis. Stats. § 60.30(4); town board chairperson as presiding officer, Wis. Stats. § 60.13.

Sec. 2-22. Meetings; agenda.

Town board meetings are held at the town hall on the first Wednesday of each month, at such times as are established by the board. All agenda item requests must be submitted to the town clerk by noon Monday prior to the meeting.

State law reference(s)—Meetings of town board, Wis. Stats. § 60.20(3).

(Ord. No. 2004-04, 12-1-2004)

Sec. 2-23. Town board chairperson.

The board chairperson shall exercise such authority and carry out such duties as may be required or permitted by state law and assigned by the town board.

Secs. 2-24—2-49. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES³

Sec. 2-50. Clerk and treasurer offices combined; appointment; term; salary.

Pursuant to Wis. Stats. § 60.30(1e), the combined office of the town clerk and town treasurer shall be filled by appointment, the appointment to be made by the town board. The salary of the combined offices of town clerk and town treasurer shall be as set by the town board from time to time.

(Ord. No. 1998-06, 9-2-1998)

State law reference(s)—Duties of town clerk, Wis. Stats. § 60.33; duties of town treasurer, Wis. Stats. § 60.34.

Sec. 2-51. Elimination of treasurer's bond.

- (a) *Elimination of treasurer's bond.* The town board of the Town of Somerset elects not to give the bond on the town treasurer in their capacity as town treasurer provided for by Wis. Stats. § 70.67(1).
- (b) *Liability for default of treasurer.* Pursuant to Wis. Stats. § 70.67(2), the Town of Somerset shall be obligated to pay all state and county taxes required by law to be paid by such treasurer, to the county treasurer, in case the town treasurer shall fail to do so.

(Ord. No. 2017-01, 11-1-2017)

³State law reference(s)—Town officers and employees generally, Wis. Stats. § 60.30 et seq.; town employees, Wis. Stats. § 60.37; municipal officers and employees generally, Wis. Stats. § 66.0501 et seq.; eligibility for municipal office, Wis. Stats. § 66.0501.

Secs. 2-52—2-73. Reserved.

ARTICLE IV. BOARDS, COMMISSIONS, COMMITTEES, AND AUTHORITIES

Sec. 2-74. Board of review.

Pursuant to Wis. Stats. §§ 70.47(6m)(c) and 70.46(1), the town board hereby provides for the appointment of alternates to serve on the town board of review in the event a standing board member of the board of review is removed or unable to serve for any reason.

(Ord. No. 2000-7, 7-5-2000)

State law reference(s)—Members and organization of boards of review, Wis. Stats. § 70.46; board of review proceedings, Wis. Stats. § 70.47; tax assessor to attend board of review hearings, Wis. Stats. § 70.48; board of review member training required, Wis. Stats. § 70.46; removal of members of local boards of review, Wis. Stats. § 17.14.

Sec. 2-75. Parks and recreation/plan commission.

The town has established a parks and recreation/plan commission as provided in chapter 28.

(Ord. of 5-4-2016(1))

Editor's note(s)—An ordinance of May 4, 2016, in effect repealed the former §§ 2-75 and 2-76, combining § 2-75, planning commission and § 2-76, parks and recreation committee to form the parks and recreation/planning commission.

Sec. 2-76. Reserved.

Editor's note(s)—See editor's note for § 2-75.

Sec. 2-77. Transportation and facilities committee.

- (a) The town has established a transportation and facilities standing committee consisting of three members of the town board. Members of the committee are appointed by the board to serve such terms as the board may determine.
- (b) The committee on dates and at times specified by the committee. All agenda item requests must be submitted to the town clerk by noon Monday prior to the meeting.

Sec. 2-78. Historic Town Hall committee.

- (a) The Historic Town Hall at 331 Main Street is the oldest government building in the Somerset area. Built by Edward Mason in 1886, it was commissioned by the town board, which governed the entire area from 1856 to 1915, when the town incorporated. Ownership of the building and property has remained with Somerset Township, however, the building's central location in the town is witness to a shared heritage.
- (b) The town has established the history town hall committee for the purpose of preserving promoting the Historic Town Hall by managing maintenance of the building and grounds and providing public access as deemed appropriate by the board.

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- (c) The committee shall be an advisory committee appointed by the town board to be comprised of seven members, one each from the Somerset Town Board, Somerset Village Town Board, and the Somerset Library, and four at-large members. The committee is encouraged to have one member be a neighbor and another a newer resident of the community.
 - (d) The member of the committee shall serve staggered terms of one, two, and three years initially to establish a rotation.
 - (e) The committee will submit a budget. Other financial support may be solicited, including Commemorative Bricks, donations, grants, and fund-raising events.
 - (f) The committee shall have responsibility to:
 - (1) Write a vision statement;
 - (2) Develop a plan to promote and provide access to the facility and grounds;
 - (3) Establish a use and fee schedule to help cover expenses (with respect to rules and regulations of the state or county or insurance);
 - (4) Manage activities and projects in keeping with the building usage concepts and the building protection standards provided from time to time by the town and town governing authorities;
 - (5) Keep a reservation calendar for equal access;
 - (6) Monitor use and set limits;
 - (7) Know town and town rules and restrictions;
 - (8) Develop a maintenance plan for the facility and grounds;
 - (9) Collect and preserve local history as it relates to the building;
 - (10) Seek alternative funding sources;
 - (11) Make recommendations with regard to future improvement projects; and
 - (12) Report to the village and town boards at their quarterly joint meetings on use, finances, and maintenance.

(Ord. No. 2008-1, 4-2-2008)

Sec. 2-79. Fire and rescue commission.

The town has established a fire and rescue commission as provided in chapter 18.

Secs. 2-80—2-101. Reserved.

ARTICLE V. FINANCE⁴

⁴State law reference(s)—Town finance generally, Wis. Stats. § 60.40 et seq.; municipal finance and revenues, Wis. Stats. § 66.0601 et seq.; municipal special assessments, Wis. Stats. § 66.0701 et seq.; property tax collection, Wis. Stats. § 74.01 et seq.; multiple installments payment operation for property taxes, Wis. Stats. § 74.12; municipal borrowing and municipal bonds, Wis. Stats. § 67.01 et seq.; general property taxes, Wis. Stats. § 70.01 et seq.

DIVISION 1. GENERALLY

Sec. 2-102. Fiscal year.

The fiscal year of the town shall be the calendar year (i.e., from January 1 through December 31 of each year).

State law reference(s)—Town fiscal year, Wis. Stats. § 60.40(1).

Sec. 2-103. Confidentiality of financial information provided to assessor.

The town has adopted Wis. Stats. § 70.47(7)(af) by reference. Income and expense information provided by property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copying under Wis. Stats. § 19.35(1); provided, however, that an officer may make disclosure of such information under the following circumstances:

- (1) The assessor has access to such information in the performance of his duties;
- (2) The board of review may review such information when needed, in its opinion, to decide upon a contested assessment;
- (3) Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law;
- (4) The officer is complying with a court order;
- (5) The person providing the income and expense information has contested the assessment level at either the board of review or by filing a claim for excessive assessment under Wis. Stats. § 74.37, in which case the base records are open and public.

(Ord. No. 2000-04, 4-5-2000)

Sec. 2-104. Fees established by resolution; fee schedule.

Fees for permits, licenses, and other town services shall be as established from time to time by resolution or ordinance, as required by law, of the town board and set forth in the separate fee schedule adopted and maintained by the town. A copy of the fee schedule is available for inspection and copying in the office of the town clerk and may, at the town's discretion, be posted on the town website.

Sec. 2-105. Grant policy and guidelines.

The town may occasionally award grants to community organizations and agencies for special projects or programs that benefit town residents and has adopted policies and guidelines intended to assist in identifying potential recipients, purposes, and conditions under which such grants may be considered. The policies and guidelines, as well as grant application forms, are available in the office of the town clerk.

Sec. 2-106. Schedule of Disposal for Financial records.

The Town of Somerset officers may destroy the following records of which they are the legal custodians, and which are considered obsolete, after completion of any required audit by an auditor licensed under Chapter 442 of the Wisconsin Statutes, but not less than seven years after payment or receipt of any sum involved in a particular transaction, unless a shorter period has been fixed by the state Public Records Board:

- (1) Assessment work roll: two years.
- (2) Invoices and receipts: seven years.
- (3) Journals, ledgers, receipt books: 15 years.
- (4) Bank statements: seven years.
- (5) Duplicate deposit tickets: one year after audit.
- (6) Payroll records: five years.
- (7) Municipal treasurer's settlement: five years.
- (8) Personal property tax records: 15 years/notify Historical Society.
- (9) State Shared revenue notices: six years.
- (10) Budget worksheets: three years.

Secs. 2-107—2-129. Reserved.

DIVISION 2. IDENTITY THEFT PREVENTION PROGRAM

Sec. 2-130. Purpose; alternate designation division.

- (a) The purpose of this division is to comply with 16 CFR 681.2 in order to detect, prevent and mitigate identity theft by identifying and detecting identity theft red flags and by responding to such red flags in a manner that will prevent identity theft. Pursuant to 16 CFR 681.1, the purpose of this division is also to establish a process by which the town will be able to form a reasonable belief that a consumer report relates to the consumer about whom it has requested a consumer credit report when the town has received a notice of address discrepancy.
- (b) This division may be referred to as the town's identity theft prevention program or ITPP.

Sec. 2-131. Definitions.

For purposes of this division, the following definitions apply:

Covered account means:

- (1) An account that a creditor offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, such as a credit card account, mortgage loan, automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and

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- (2) Any other account that the creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks.

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefor.

Creditor means any person or entity who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes utility companies and telecommunications companies. For the purposes of this division, the town is a creditor.

Customer means a person that has a covered account with a creditor.

Department head means any department head who works at the discretion of the town board, any elected official, and any individual appointed to manage a department on a permanent or temporary basis.

Identity theft means a fraud committed or attempted using the identifying information of another person without authority.

Notice of address discrepancy means a notice sent to the town by a consumer reporting agency pursuant to 15 USC 1681(c)(h)(1), that informs the town of a substantial difference between the address for the consumer that the town provided to request the consumer report and the address in the agency's file for the consumer.

Personal identifying information means a person's credit card account information, debit card information, and bank account information and for a natural person includes their social security number, mother's birth name, drivers' license information and date of birth.

Red flag means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

Service provider means a person that provides a service directly to the town.

Sec. 2-132. Findings.

The town board has found as follows:

- (1) The town is a creditor pursuant to 16 CFR 681.2 due to its provision or maintenance of covered accounts for which payment is made in arrears. Covered accounts offered to customers for the provision of town services include water, sewer, solid waste, and stormwater.
- (2) The processes of opening a new covered account, restoring an existing covered account, making payments on such accounts, and making payments for property taxes and other services have been identified as potential processes in which identity theft could occur.
- (3) The town limits access to personal identifying information to those employees responsible for or otherwise involved in opening or restoring covered accounts or accepting payment for use of covered accounts.
- (4) The town determines that there is a low risk of identity theft occurring in the following ways, if any:
 - a. Use by an applicant of another person's personal identifying information to establish a new covered account;
 - b. Use of a previous customer's personal identifying information by another person in an effort to have service restored in the previous customer's name;
 - c. Use of another person's credit card, bank account, or other method of payment by a customer to pay such customer's covered account or accounts; and

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- d. Use by a customer desiring to restore such customer's covered account of another person's credit card, bank account, or other method of payment.

Sec. 2-133. Process of establishing a covered account.

- (a) As a precondition to opening a covered account with the town, each applicant shall provide the town with personal identifying information of the customer in the form of a valid government issued identification card containing a photograph of the customer or, for customers who are not natural persons, a photograph of the customer's agent opening the account with written confirmation of being the authorized agent for the entity. The applicant shall also provide any other information necessary for the department providing the service for which the covered account is created. The information shall be entered directly into the town's records system and held in a secure storage area with access limited to those town personnel with the need to know.
- (b) For each customer account for which the town may now or hereafter provide individual customer access to the customer's account information, such account shall be assigned an account number and personal identification number (PIN) which shall be unique to that account. The town may utilize computer software to randomly generate assigned PINs and to encrypt account numbers and PIN's.

Sec. 2-134. Password required for access to covered account information.

Access to any customer account that includes personal identifying information shall be password protected and shall be limited to authorized town personnel. Passwords shall be changed by the head of the department providing the service for which the covered account is created, or by such other town employee authorized to carry out the provisions of this division, on a regular basis. The password shall be at least eight characters in length and shall contain letters, numbers and symbols.

Sec. 2-135. Report of unauthorized access.

Any unauthorized access to or other breach of customer accounts is to be reported immediately to the appropriate department head and the password changed immediately.

Sec. 2-136. Customer information confidential; report of requests for access.

Personal identifying information included in customer accounts is considered confidential and any request or demand that specifically asks for such information shall be immediately forwarded to the applicable department head or other person authorized by the town board to carry out the provisions of this division.

Sec. 2-137. Credit card payments.

- (a) In the event that credit card payments that are made over the Internet are processed through a third party service provider, such third party service provider shall certify that it has an adequate identity theft prevention program in place that is applicable to such payments.
- (b) All credit card payments made over the telephone or the town's website shall be entered directly into the customer's account information in the computer database.
- (c) Account statements and receipts for covered accounts shall include only the last four digits of the credit or debit card or the bank account used for payment of the covered account.

Sec. 2-138. Sources and types of red flags.

All employees responsible for or involved in the process of opening a covered account, restoring a covered account or accepting payment for a covered account shall check for red flags as indicators of possible identity theft and such red flags may include:

- (1) Alerts from consumer reporting agencies, fraud detection agencies or service providers. Examples of alerts include but are not limited to:
 - a. A fraud or active duty alert that is included with a consumer report;
 - b. A notice of credit freeze in response to a request for a consumer report, or a notice of address discrepancy provided by a consumer reporting agency;
 - c. Indications of a pattern of activity in a consumer report that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as a recent and significant increase in the volume of inquiries, an unusual number of recently established credit relationships, a material change in the use of credit, especially with respect to recently established credit relationships, or an account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.
- (2) Suspicious documents. Examples of suspicious documents include:
 - a. Documents provided for identification that appear to be altered or forged;
 - b. Identification on which the photograph or physical description is inconsistent with the appearance of the applicant or customer;
 - c. Identification on which the information is inconsistent with information provided by the applicant or customer;
 - d. Identification on which the information is inconsistent with readily accessible information that is on file with the financial institution or creditor, such as a signature card or a recent check; or
 - e. An application that appears to have been altered or forged, or appears to have been destroyed and reassembled.
- (3) Suspicious personal identification, such as suspicious address change. Examples of suspicious identifying information include:
 - a. Personal identifying information that is inconsistent with external information sources used by the financial institution or creditor, such as instances in which the address does not match any address in the consumer report or the social security number (SSN) has not been issued, or is listed on the social security administration's death master file.
 - b. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer, such as a lack of correlation between the SSN range and date of birth.
 - c. Personal identifying information or a phone number or address, is associated with known fraudulent applications or activities as indicated by internal or third-party sources used by the financial institution or creditor.
 - d. Other information provided, such as fictitious mailing address, mail drop addresses, jail addresses, invalid phone numbers, pager numbers or answering services, is associated with fraudulent activity.
 - e. The SSN provided is the same as that submitted by other applicants or customers.

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- f. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of applicants or customers.
 - g. The applicant or customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
 - h. Personal identifying information is not consistent with personal identifying information that is on file with the financial institution or creditor.
 - i. The applicant or customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- (4) Unusual use of or suspicious activity relating to a covered account. Examples of suspicious activity include:
- a. Shortly following the notice of a change of address for an account, the town receives a request for the addition of authorized users on the account.
 - b. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns, as in instances where the customer fails to make the first payment or makes an initial payment but no subsequent payments.
 - c. An account is used in a manner that is not consistent with established patterns of activity on the account, such as instances where there is nonpayment when there is no history of late or missed payments or a material change in purchasing or spending patterns.
 - d. An account that has been inactive for a long period of time is used, taking into consideration the type of account, the expected pattern of usage and other relevant factors.
 - e. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's account.
 - f. The town is notified that the customer is not receiving paper account statements.
 - g. The town is notified of unauthorized charges or transactions in connection with a customer's account.
 - h. The town is notified by a customer, law enforcement or another person that it has opened a fraudulent account for a person engaged in identity theft.
- (5) Notice from customers, law enforcement, victims or other reliable sources regarding possible identity theft or phishing relating to covered accounts.

Sec. 2-139. Procedure regarding existing covered accounts.

- (a) In the event that any town employee responsible for or involved in restoring an existing covered account or accepting payment for a covered account becomes aware of red flags indicating possible identity theft with respect to existing covered accounts, such employee shall implement the procedural policy prescribed by the department head, including, but not limited to, the procedure provided in this section, to determine whether such red flag or combination of red flags suggests a threat of identity theft.
- (b) If, in his discretion, the employee determines that identity theft or attempted identity theft is likely or probable, the employee shall immediately report such red flags to his department head.
- (c) If, in his discretion, the employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to his department head, who may in his discretion determine that no further action is necessary.

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- (d) In either event, the employee shall provide a memorandum, in the form prescribed by the department head, to the department heading detailing the red flag issue, all actions taken by the employee as a result of the issue, and the conclusions reached by the employee.
 - (e) If the department head in his discretion determines that further action is necessary, a town employee shall perform one or more of the following responses, as determined to be appropriate by the department head:
 - (1) Contact the customer;
 - (2) If, after contacting the customer, it is apparent that someone other than the customer has accessed the customer's covered account change any account numbers, passwords, security codes, or other security devices that permit access to an account; or close the account;
 - (3) Cease attempts to collect additional charges from the customer for the covered account in question and decline to sell the customer's account to a debt collector in the event that the customer's account has been accessed without authorization and such access has caused additional charges to accrue;
 - (4) Notify a debt collector within 24 hours of the discovery of likely or probable identity theft relating to a customer account that has been sold to such debt collector in the event that a customer's account has been sold to a debt collector prior to the discovery of the likelihood or probability of identity theft relating to such account;
 - (5) Notify law enforcement, in the event that someone other than the customer has accessed the customer's account causing additional charges to accrue or accessing personal identifying information; or
 - (6) Take other appropriate action as determined by the department head to prevent or mitigate identity theft and provide a detailed report of the issue, the actions taken by the employee and the department head, and the conclusions reached.

Sec. 2-140. Procedure regarding new covered accounts.

- (a) In the event that any town employee responsible for or involved in opening a new covered account becomes aware of red flags indicating possible identity theft with respect an application for a new account, the employee shall implement the procedural policy prescribed by the department head, including, but not limited to, the procedure provided in this section, to determine whether such red flag or combination of red flags suggests a threat of identity theft.
- (b) If the employee determines that identity theft or attempted identity theft is likely or probable, the employee shall immediately report such red flags to his department head.
- (c) If the employee deems that identity theft is unlikely or that reliable information is available to reconcile red flags, the employee shall convey this information to his department head, who may in his or her discretion determine that no further action is necessary.
- (d) In either event, the employee shall provide a memorandum, in the form prescribed by the department head, to the department heading detailing the red flag issue, all actions taken by the employee as a result of the issue, and the conclusions reached by the employee.
- (e) If the department head in his discretion determines that further action is necessary, a town employee shall perform one or more of the following responses, as determined to be appropriate by the department head:
 - (1) Request additional identifying information from the applicant;
 - (2) Deny the application for the new account;
 - (3) Notify law enforcement of possible identity theft; or

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- (4) Take other appropriate action as determined by the department head to prevent or mitigate identity theft and provide a detailed report of the issue, the actions taken by the employee and the department head, and the conclusions reached.

Sec. 2-141. Updating the program.

The town administrator shall annually review this division and, if deemed necessary, recommend to the town board changes with regard to any needed amendments, including amendments of the designation of red flags, in order to reflect changes in risks to customers or to the safety and soundness of the town and its covered accounts from identity theft. In so doing, the town board shall consider the following factors and exercise its discretion in amending the program:

- (1) The town's experiences with identity theft;
- (2) Updates in methods of identity theft;
- (3) Updates in customary methods used to detect, prevent, and mitigate identity theft;
- (4) Updates in the types of accounts that the town offers or maintains; and
- (5) Updates in service provider arrangements.

Sec. 2-142. Program administration.

- (a) The town administrator is responsible for oversight of the program and for program implementation, including, but not limited to reviewing reports prepared by staff regarding compliance with red flag requirements and with making material changes to the program, as necessary in the opinion of the town board, to address changing identity theft risks and to identify new or discontinued types of covered accounts.
- (b) Department heads shall report to the town administrator, who shall report to the town board at least annually, on compliance with the red flag requirements. The department head reports will address material matters related to the program and evaluate issues such as:
 - (1) The effectiveness of the policies and procedures of the town in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
 - (2) Service provider arrangements;
 - (3) Significant incidents involving identity theft and management's response; and
 - (4) Recommendations for material amendments of this division.
- (c) The town's department heads, under the supervision of the town administrator, are responsible for providing training to all employees responsible for or involved in opening a new covered account, restoring an existing covered account or accepting payment for a covered account with respect to the implementation and requirements of this division.

Sec. 2-143. Outside service providers.

In the event that the town engages a service provider to perform an activity in connection with one or more covered accounts the applicable department head, under the supervision of the town administrator, shall exercise his discretion in reviewing such arrangements in order to ensure, to the best of his ability, that the service provider's activities are conducted in accordance with the policies and procedures in this division, as agreed upon by contract, that are designed to detect any red flags that may arise in the performance of the service provider's activities and take appropriate steps to prevent or mitigate identity theft.

Sec. 2-144. Annual report to town board.

An annual report will be submitted to the town board on such annual date as is established by the town board. The report shall be submitted by the town administrator and will include a summary of department head reports and recommendations for any amendment to this chapter. The annual report will be prepared by the clerk, or such other person as may be designated by the town board.

Sec. 2-145. Treatment of address discrepancies.

In the event that the town receives a notice of address discrepancy, the town employee responsible for verifying consumer addresses for the purpose of providing the town service or account sought by the consumer shall verify the information in the consumer report with the consumer or compare the information in the consumer report with:

- (1) Information the town obtains and uses to verify a consumer's identity in accordance with the requirements of the Customer Information Program rules implementing 31 USC 5318(l); or
- (2) Information the town maintains in its own records, such as applications for service, change of address notices, other customer account records or tax records; or
- (3) Information the town obtains from third-party sources that are deemed reliable by the relevant town employee.

Sec. 2-146. Furnishing consumer's address to consumer reporting agency.

- (a) In the event that the town reasonably confirms that an address provided by a consumer to the town is accurate, the town is required to provide such address to the consumer reporting agency from which the town received a notice of address discrepancy with respect to such consumer. This information is required to be provided to the consumer reporting agency when: The town is able to form a reasonable belief that the consumer report relates to the consumer about whom the town requested the report; The town establishes a continuing relation with the consumer; and The town regularly and in the ordinary course of business provides information to the consumer reporting agency from which it received the notice of address discrepancy.
- (b) Such information shall be provided to the consumer reporting agency as part of the information regularly provided by the town to such agency for the reporting period in which the town establishes a relationship with the customer.

Sec. 2-147. Methods of confirming consumer addresses.

The town employee charged with confirming consumer addresses may, in his or her discretion, confirm the accuracy of an address through verifying the address with the consumer, reviewing the town's records to verify the consumer's address, verifying the address through third party sources, or using other reasonable processes.

Sec. 2-148. Schedule of disposal of all records other than financial records.

Town of Somerset officers may destroy the following records of which they are the legal custodians and which are considered obsolete, but not less than seven years after the record was effective unless another period has been set by statutes, and then after such a period, or unless a shorter period has been fixed by the state Public Records Board:

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- (1) Successful bids: seven years after contract has expired.
 - (2) Board of Review records: seven years after final action.
 - (3) Dog licenses: three years.
 - (4) Liquor and beer licenses (stubs and applications): four years.
 - (5) Poll list (after partisan primary or election): four years. (after non-partisan primary or election): two years.
 - (6) Nomination papers Declaration of Candidacy: two years.
 - (7) Campaign and registration statement (Ebl): six years.
 - (8) Campaign financial reports (Wb2): six years.
 - (9) Election notice: one year after election.
 - (10) Absentee ballot application: 90 days after local election; 22 months after federal.
 - (11) Tally sheets and inspector statement of defective and challenged ballots: same as Subsection 10.
 - (12) Twin Spring Park permit applications: two years.
 - (13) Audio tapes: 90 days for meetings, permanent for hearings.
 - (14) Affidavits of publication: three years.
 - (15) Insurance records: permanent.
 - (16) Tax roll: permanent.
 - (17) Management minutes: permanent.
 - (18) All other records: seven years.

Prior to the destruction of any public record described in §§ 2-105 and 2-148, at least 60 days' notice in writing shall be given the State Historical Society of Wisconsin.

Sec. 2-149. When authorized to dispose of all records.

This chapter shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state administrative regulations.