

# Official Election Complaint Form



STEP 1

## Complaint Type

Please select the statutory process that governs your complaint:

**Note:** you should choose only one statutory process per complaint; if you feel that your allegations fall under more than one statutory process, you should submit separate complaints under each process.

[5.05 \(Election Law Violation\)](#)

• [5.06 \(Violations by Election Officials or Appeals of Decisions of Election Officials\)](#)

[5.061 \(Help America Vote Act Violation\)](#)

STEP 2

## Complainant Contact Information

Please provide the following information about yourself.

**Note:** Anyone filing this complaint with you can add their information on a separate page (see page 4).

|   |                            |
|---|----------------------------|
| First Name  | Last Name                  |
| MARIE   | SCHMIDT                    |
| Residential Address   |                            |
| 1205 PARCHER STREET, WAUSAU, WI 54403                                   |                            |
| Mailing Address (if different)  |                            |
| 607 S. 24 <sup>th</sup> AVENUE, SUITE 12, P.M.B. #146, WAUSAU, WI 54401 |                            |
| Telephone (optional)  | Email                      |
|   | dl6.4mhs@use.startmail.com |

STEP 3

## Respondent

Please provide the following information about the individual or individuals whom you allege violated or improperly administered election laws:

**Note:** For 5.06 complaints, each respondent must be an election official. If there are multiple respondents, you can add their information on a separate page (see page 5).

|                                    |                                    |
|------------------------------------|------------------------------------|
| Respondent Name                    | Respondent Title (5.06 complaints) |
| KAITLYN BERNARDE                   | CITY OF WAUSAU CLERK               |
| Mailing Address                    |                                    |
| 407 GRANT STREET, WAUSAU, WI 54403 |                                    |
| Telephone (if available)           | Email (if available)               |
| 715-261-6620                       | KAITLYN.BERNARDE@WAUSAUWI.GOV      |



.....

#### **Applicable Statutes**

Please cite each statute within Chapters 5 to 10 and 12 of the Wisconsin Statutes, as well as any other laws relating to elections, other than laws relating to campaign financing, that you allege were violated or improperly administered.

**Note:** The Commission cannot accept a complaint that does not cite specific provisions, including the correct subsections, of election law.

See following pages and please see all pages submitted as supporting documentation and explanations are included for all of the following.



.....

#### **Allegations**

Set forth in detail the facts that establish probable cause to believe that a violation occurred. Be as specific as possible as it relates to dates, times, individuals, and actions involved. Use as many separate pages as needed and attach copies of any supporting documentation, evidence, or affidavits.

See following pages and please see all pages submitted as supporting documentation and explanations are included for all of the following.

6.84(1) Construction.

(1) Legislative policy. The legislature finds that voting is a constitutional right, the vigorous exercise of which should be strongly encouraged. In contrast, voting by absentee ballot is a privilege exercised wholly outside the traditional safeguards of the polling place. ***The legislature finds that the privilege of voting by absentee ballot must be carefully regulated to prevent the potential for fraud or abuse;*** to prevent overzealous solicitation of absent electors who may prefer not to participate in an election; to prevent undue influence on an absent elector to vote for or against a candidate or to cast a particular vote in a referendum; or other similar abuses.

#### SUMMARY OF COMPLAINT:

Because of 6.84(1), we believe our municipal Clerk, Deputy Clerk, and Finance Director should have followed the guidelines for Absentee Ballot Drop Boxes established by the Wisconsin Elections Commission, Election Administration Manual for Wisconsin Municipal Clerks, Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council and Sector Coordinating Council's Joint COVID Working Group, and the United States Elections Assistance Commission to avoid concerns arising from the use of Absentee Ballot Drop Boxes. The established guidelines provided by the agencies clearly lay out all the necessary steps to safeguard ballots deposited in an Absentee Ballot Drop Box. Our municipal Clerk, Deputy Clerk, and Finance Director made the decision to ignore the above guidelines when the PAYMENT Drop Box was deployed outside the Wausau City Hall. When the municipal Clerk, Deputy Clerk, and Finance Director ignore the said guidelines above, the municipal Clerk, Deputy Clerk, and Finance Director are exercising their will above the will of the electors. The agencies guidelines listed above satisfies 5.01(1) "The Will Of The Electors" and the use of Absentee Ballot Drop Boxes.

In the clerks own words she placed a Payment Drop Box outside and told the electors of the city to use it for ballots. The Clerk, Deputy Clerk, and Finance Director ignored the guidelines and did what they wanted to do. That doesn't mean it's right. What are these guidelines for if they are not to be followed. They have an obligation to protect the integrity of elections and ensure public confidence in the election process.

Wausau did NOT use an Official Absentee Ballot Drop Box for the November 5th Presidential Election. Instead Clerk Kaitlyn Bernarde, Deputy Clerk Kody Hart, and Finance Director MaryAnn Groat decided to use a universal/multi-use/PAYMENT drop box.

The security measures of the 'said' drop box failed from day one. It was put outside on a Friday and left unsecured through the weekend until the Wausau Mayor saw it was unsecured and moved it inside the City Hall building on a Sunday afternoon.

When this box was initially put outside, it did not meet any of the criteria in the guidelines set forth by the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission (dated August 2024), Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council and Sector Coordinating Council's Joint COVID Working Group, nor did it meet the Election Management Guidelines from the United States Elections Assistance Commission EAC.GOV.

When deployed on September 20, 2024, the drop box was not secured to the ground, did not have well-lit adequate lighting, did not have adequate camera surveillance, it was not exclusive for absentee ballots, it was not labeled at all for absentee ballots, it was labeled for PAYMENTS, it was not marked for the time of final retrieval of ballots, it was unable to be secured/locked to prevent the submission of absentee ballots after the retrieval time if it was to be used for other drop off items, it did not have the proper opening of the box for only a ballot to be dropped in it. None of these were done prior to deployment of a box and being used immediately for ballots and other usage. When it was finally secured to the ground on September 30th, it still did not have well-lit adequate lighting, did not have adequate camera surveillance, it was not exclusive for absentee ballots, it was not labeled at all for absentee ballots, it was labeled for PAYMENTS, it was not marked for the time of final retrieval of ballots, it was unable to be secured/locked to prevent the submission of absentee ballots after the retrieval time if it was to be used for other drop off items, it did not have the proper opening of the box for only a ballot to be dropped in it. Documentation regarding lack of lighting and poor video surveillance is included for this in the packet regarding Common Council pages 88, 89, and 91. It's not as if this was a surprise election and didn't have time to properly prepare for it. I was always taught to get my ducks in a row especially BEFORE you implement a very important task.

The lights surrounding other areas of City Hall had no effect whatsoever on the visibility of the box. You cannot even see the box. If you can't see the box, how can you see any activity at the box. See photo on page 88 of the Council packet dated 10/8/24 provided in this packet.

The Mayor tried to bring attention to the lack of security on the box but was unsuccessful due to the "I can do no wrong" attitude because of the Supreme Court ruling in July. These individuals named as respondents are ultimately responsible for the security of our elections. It's their job to make sure everything is done according to the criteria set by the state and federal government. They failed in doing so.

Instead of addressing ALL the guidelines prior to deployment of a box being used for numerous weeks as is, they tried to cover “some” of their egregiously numerous violations weeks after it was being used as is for a universal drop box.

Elections are not safe or secure if those responsible don't care enough to do it right. The trust that the electors in this municipality should have for elections is now in question.

The job descriptions for the Clerk, Deputy Clerk, and Finance Director are included in the packet. All three individuals have failed to fulfill their duties in following the necessary criteria that needs to be met for absentee ballots to be dropped off. They were not consistent with the Guideline's criteria. They did not review regulations before deploying and using a drop box, if they had it wouldn't need any corrective measures being taken after the fact.

The clerk's office was even telling electors who had brought their ballots into the clerk's office to take them back outside and put them into the BILL box that they walked past to get into City Hall **INSTEAD OF TAKING THE BALLOTS RIGHT THEN AND THERE!** Documentation is included for this.

The purple flyer included with each absentee ballot sent out told the electors they can return their ballots to the **PAYMENT BOX**. Documentation is included for this.

Every election is important and the next election we have is early 2025. We take our right to vote, election integrity and election security very seriously. The Clerk, Deputy Clerk, and Finance Director should as well. There is enough mischief out there questioning the election results and inviting trouble by lack of security measures. Wausau elections should not and never be in question. The City of Wausau must do better. Wausau citizens deserve to have 100% Secure Election Integrity.

Please see all pages submitted as supporting documentation and explanations are included for all of the following.

**STEP 6**

**Sign**

Each complainant must complete **either** step 6a, "Unsworn Statement," or Step 6b "Sworn Statement." For either option, you may enter your digital signature by clicking the box and following the instructions, or you may print the form and sign it.

**STEP 6a**

**Unsworn Statement**

I declare under penalty of false swearing under the law of Wisconsin that

the foregoing is true and correct. Signed on the  day of ,

at

(city or other location and state or country).

Printed Name

Signature

**STEP 6b**

**Sworn Statement (to be completed in the presence of a notary)**

I,  being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Complainant's Signature

**Note:** Each complainant listed above in section 6b must have this form sworn before a notary or other official able to swear oaths.

**STATE OF WISCONSIN**

County of,  (county of notarization)

Sworn to before me this day of, .

(Signature of person authorized to administer oaths)

My commission expires on , or is permanent.

Notary Public or  (official title if not notary)





.....  
**Filing the Complaint**

Please send this completed form to the Wisconsin Elections Commission

**Email:**

[elections@wi.gov](mailto:elections@wi.gov)

Please put your name and  
"Complaint" in the email  
subject field

**Mail:**

Wisconsin Elections  
Commission  
P.O. Box 7984  
Madison, WI 53707-7984

**Fax:**

608-267-0500

## Additional Complainants

|   |                            |
|---|----------------------------|
| First Name  | Last Name                  |
| STEVEN  | SCHMIDT                    |
| Residential Address   |                            |
| 1205 PARCHER STREET, WAUSAU, WI 54403                                   |                            |
| Mailing Address (if different)  |                            |
| 607 S. 24 <sup>th</sup> AVENUE, SUITE 12, P.M.B. #146, WAUSAU, WI 54401 |                            |
| Telephone (optional)  | Email                      |
|   | dl6.4mhs@USE.STARTMAIL.COM |

|                                |           |
|--------------------------------|-----------|
| First Name                     | Last Name |
|                                |           |
| Residential Address            |           |
|                                |           |
| Mailing Address (if different) |           |
|                                |           |
| Telephone (optional)           | Email     |
|                                |           |

|                                |           |
|--------------------------------|-----------|
| First Name                     | Last Name |
|                                |           |
| Residential Address            |           |
|                                |           |
| Mailing Address (if different) |           |
|                                |           |
| Telephone (optional)           | Email     |
|                                |           |



## Additional Respondents

|                                    |                                    |
|------------------------------------|------------------------------------|
| Respondent Name                    | Respondent Title (5.06 complaints) |
| KODY HART                          | DEPUTY CLERK                       |
| Mailing Address                    |                                    |
| 407 GRANT STREET, WAUSAU, WI 54403 |                                    |
| Telephone (if available)           | Email (if available)               |
| 715-261-6621                       | Kody.Hart2@ci.wausau.wi.us         |

|                                    |                                    |
|------------------------------------|------------------------------------|
| Respondent Name                    | Respondent Title (5.06 complaints) |
| MARYANNE GROAT, CPA                | FINANCE DIRECTOR                   |
| Mailing Address                    |                                    |
| 407 GRANT STREET, WAUSAU, WI 54403 |                                    |
| Telephone (if available)           | Email (if available)               |
| 715-261-6640                       | MARYANNE.GROAT@WAUSAUWI.GOV        |

|                          |                                    |
|--------------------------|------------------------------------|
| Respondent Name          | Respondent Title (5.06 complaints) |
|                          |                                    |
| Mailing Address          |                                    |
|                          |                                    |
| Telephone (if available) | Email (if available)               |
|                          |                                    |

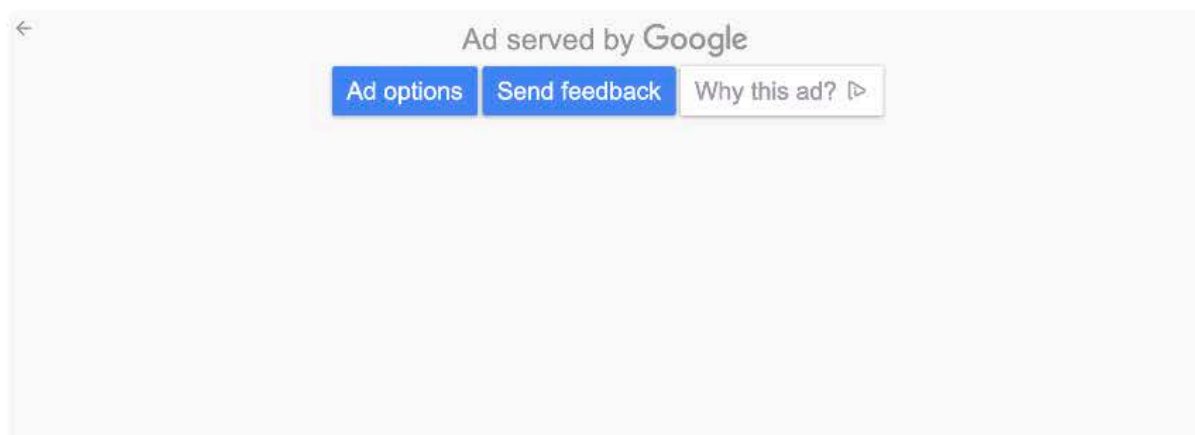
|                          |                                    |
|--------------------------|------------------------------------|
| Respondent Name          | Respondent Title (5.06 complaints) |
|                          |                                    |
| Mailing Address          |                                    |
|                          |                                    |
| Telephone (if available) | Email (if available)               |
|                          |                                    |

**... "The lady behind the desk would not tell me where it was and said I should put it in the bill box outside. The bill box! I am outraged!"**

When someone walked their ballot into city hall to the clerk office with their ballot, she was told by the city clerk's office that she should put her ballot in the "bill box" OUTSIDE. Instead of telling the woman that she would be happy to take her ballot for her, she instructs her to walk back outside and put it in a bill box. This makes absolutely no sense whatsoever! The woman was outraged and understandably so.

...they say they are unsure that the box was removed.

Margaret Klosinski told Wausau Pilot that she tried to cast her vote for president on Wednesday and was startled to find the box missing.



"I parked my car and walked into City Hall and asked if I could put my absentee ballot in the drop box," Klosinski said. "The lady behind the desk would not tell me where it was and said I should put it in the bill box outside. The bill box! I am outraged!"

<https://wausaupilotandreview.com/2024/09/25/investigation-underway-as-furor-builds-over-wausau-mayors-ballot-box-removal/>

The flyer pictured below was included in the envelope with the ballots that were mailed out to Wausau residents who requested an absentee ballot. It clearly indicates that it could be put into a "PAYMENT BOX"! **Not an Official Absentee Ballot Drop Box but a "Payment Box"**! Wausau no longer has an Official Absentee Ballot Drop Box, the Clerk, Deputy Clerk, and the Finance Director and their team decided to use a different box.



## How to Return Your Absentee Ballot

Your ballot must be returned to:  
**City Hall, 407 Grant St, Wausau, WI 54403**  
no later than

**8:00pm on November 5, 2024**

**Plan ahead to return your ballot!**

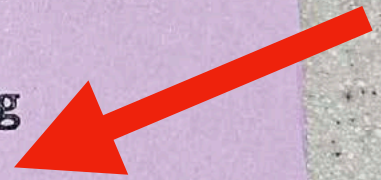
### Mail your ballot:

- Postage is provided
- The USPS recommends allowing one week to mail your ballot

**Return your ballot at City Hall during these times or in the payment box:**

- **Now - November 4:**
  - Monday - Friday 8:00am - 4:30pm
- **Sat. November 2:** 8:00am - 12:00pm
- **Tues. November 5:** 7:00am - 8:00pm

If you require assistance mailing or delivering your absentee ballot due to a



**Steven & Marie Schmidt**

607 S. 24<sup>th</sup> Avenue  
Suite 12, P.M.B. #146  
Wausau, WI 54401

10 October 2024

Dear Wisconsin Elections Commission,

Our names are Steve and Marie Schmidt and we would like to bring to your **URGENT** attention the matter of the universal/multi-use drop box that was put outside for residents to submit absentee ballots, payments, and other important city requests as insisted upon by Wausau's City Clerk, Kaitlyn Bernarde. The official statement by the clerk is below.

**Official Statement from the City Clerk Regarding the Drop Box on 09/30/2024**

<https://www.wausauwi.gov/home/showpublisheddocument/12468/638633025457570000>

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Office of the City Clerk  
Kaitlyn Bernarde



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TEL: (715) 261-6620  
FAX: (715) 261-4106  
Kaitlyn.bernarde@ausauwi.gov

**FOR IMMEDIATE RELEASE**

September 30, 2024

**Wausau City Clerk Statement  
on Official Drop Box Use**

Absentee ballots were mailed starting September 19, 2024. An official drop box is now secured outside City Hall for residents to submit absentee ballots, payments, and other important city requests as was intended. The drop box has been re-labeled for use and is secured to the ground, in accordance with guidelines from the Wisconsin Elections Commission and the United States Election Assistance Commission. The previously utilized silver payment box in front of City Hall has been removed and will no longer be in service. We appreciate the community's patience.

On October 2, 2024 at 9:43 a.m. we submitted via email our strong concerns in a public comment for the Wausau City Council meeting scheduled for October 8, 2024. We sent this to the Wausau City Clerk Kaitlyn Bernarde, Mayor Doug Diny, and Cc: the entire City Council – Carol Lukens, Michael Martens, Terry Killian, Tom Neal, Gary Gisselman, Becky McElhaney, Council President Lisa Rasmussen, Sarah Watson, Victoria Tierney, Lou Larson, and Chad Henke.

We requested that our concerns, which were put into an easy-to-understand pdf document, be included with the public comments for the Wausau City Council meeting on October 8, 2024. City Clerk Kaitlyn Bernarde failed to include our comments with the public comments of the meeting agenda or minutes. Our concerns are listed below.

**This is a picture of the CURRENT "Official Drop Box"**



In the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission book dated August 2024, found here at this link <https://elections.wi.gov/sites/default/files/documents/EA%20Manual-August%202024.pdf>, on page 79 of the 251 pages, you will find “Best Practices: Physical Security of the Drop Box Itself” guidelines.

These are the specific points that we would like to point out. (**Emphasis ours**)

**Point #1.**

The slot of the drop box be appropriately sized so that **only an absentee ballot can be deposited and not other objects** or liquids.

**Point #1 Violation**

Per the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission as stated above “**only an absentee ballot can be deposited and not other objects**”. This would indicate that payments and other important city requests would not be allowed to be put into a drop box intended for Absentee Voter Ballots. “Payment” is clearly at the top of the box.

**Point #2.**

Any damage to or tampering with the drop box be documented and **the drop box be inspected to ensure that it remains secure for the purpose of depositing absentee ballot envelopes.**

**Point #2 Violation**

Per the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission as stated above “**for the purpose of depositing absentee ballot envelopes**”. This would also indicate that payments and other important city requests would not be allowed to be put into a drop box intended for the purpose of Absentee Voter Ballots.

**Point #3.**

**The drop box be clearly marked or labeled that the drop box is for the purpose of collecting absentee ballots in return envelopes.**

**Point #3 Violation**

Per the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission as stated above “**The drop box be clearly marked or labeled that the drop box is for the purpose of collecting absentee ballots in return envelopes**”. This drop box is not clearly marked or labeled that it is for the purpose of collecting absentee voter ballots in their respective return envelopes, it is labeled for Payments.

**Point #4.**

**The time of final retrieval of ballot return envelopes be clearly marked on or near the drop box. After the time of final retrieval, the drop box be secured to prevent the submission of absentee ballot return envelopes.**

**Point #4 Violation**

Per the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission as stated above **“The time of final retrieval of ballot return envelopes be clearly marked on or near the drop box. After the time of final retrieval, the drop box be secured to prevent the submission of absentee ballot return envelopes”**. This drop box does not have the time of final retrieval of ballot return envelopes clearly marked on or near the drop box. Furthermore, if the clerk Kaitlyn Bernarde’s intention is to use this box for multi-purposes, how can you secure it to prevent the submission of absentee ballot return envelopes after the final retrieval deadline?

Also per the United States Elections Assistance Commission on the next page, after the ballot return deadline, the box is supposed to be locked so no additional ballots can be deposited.

**From the United States Elections Assistance Commission:**

<https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Ballot Drop Boxes EAC Quick Start Guide 508.pdf>

**Quick Start Guide**

## Ballot Drop Boxes

Helping America Vote

**About the Quick Start Guides:** The EAC’s Quick Start Guides are intended to familiarize local election officials with various topics they will likely encounter in election administration. The guides are a starting point to identify areas of concern and give officials a broad idea of factors they should consider in approaching a given topic.

**Utilizing Drop Boxes**  
In jurisdictions that permit ballot drop boxes, election officials must address several considerations before deploying drop boxes. First, they must familiarize themselves with state law and regulatory requirements. Some states only permit drop boxes in certain locations or with specific security measures. Drop boxes also come with additional costs, including staff to empty the boxes daily, hardware, security seals and locks, ballot containers, and other security equipment.

**Locations**

- Follow state statutes on required or permissible locations for the installation of drop boxes.
- Use demographic data to determine whether there should be a different formula for placing drop boxes in rural or urban locations (i.e., 1 for every 15,000 residents might be every mile in an urban area, but every 50 miles in a rural area).
- Choose a location that is accessible by public transportation (where available).
- Avoid locations that can be obstructed by high traffic events.
- Ensure the drop box is clearly visible and the path to it is accessible with a 30 inch by 48 inch minimum clear and level ground space in front.
- Publish Public Service Announcements on radio and in local newspapers, and share drop box locations on social media.
- Provide a list or map of drop box locations on your website and with mail ballot voting instructions.

**Ballot Return Deadline**  
Election officials must ensure teams are present at each drop box as the ballot return deadline passes. Teams must allow any voters in line by the deadline to deposit their ballots, then collect all ballots, and lock the box so no additional ballots can be deposited.

**Security**

- Teams of two (preferably bipartisan) should empty each drop box at least once a day.
- Utilize unique locks and security seals to secure ballots within the drop box.
- Provide local law enforcement a map of drop box locations and request extra patrols.
- Ensure the area is well lit and any unsupervised drop boxes have video surveillance.
- Implement rigorous chain of custody procedures. For each drop box, teams should record the time and date emptied, verify the box’s seal number, document the number of ballots retrieved, reseal the drop box, and seal the ballot container.
- Track the return of drop boxes after the ballot return deadline passes to ensure all drop boxes are emptied and ballots collected are included in election night unofficial results.

**Point #5**

Best Practices: Security of the Drop Box Surroundings

- The drop box be located in a well-lit area.

**Point #5 Violation**

This universal/multi-use drop box is not in a well-lit area. See pages 88 & 90 at the link below for photographs provided in the council packet.

Wausau Mayor asked for drop box security funding and received zero support from Common Council at the October 8, 2024 meeting. It was the last item on the agenda. Several residents spoke at public comment at the beginning of this meeting with concerns of election integrity and the drop box. Wausau Mayor Doug Diny's request for \$3,000 to fund lighting and a new camera to train on the clerk's office drop box outside City Hall was dismissed at Tuesday's Common Council meeting.

Council packet for October 8, 2024 meeting

<https://www.wausauwi.gov/home/showpublisheddocument/12516/638639856195970000>

Page 86: Drop Box information starts

Page 88: Photo of drop box (it's in the dark, you can't even see it)

Page 90: Photo is not clear

Wausau Mayor Diny has made attempts to address this, sadly unsuccessfully due to the pushback of City Clerk Kaitlyn Bernarde, City Council Members, advice of City Attorney, and Finance Director Mary Ann Groat - who is the city clerk's supervisor and one who also made the decision to make this a universal/multi-use drop box to be used for absentee ballots, payments, and other important city requests.

Per the Election Administration Manual for Wisconsin Municipal Clerks by Wisconsin Elections Commission as stated on page 78, —the Commission recommends that clerks thoroughly complete a security assessment for each intended drop box location prior to deployment. The Wausau City Clerk Kaitlyn Bernarde failed in doing so.

Wausau City Clerk Kaitlyn Bernarde was in such a hurry to get a drop box out for use that she failed miserably at all the requirements to make an Absentee Ballot Drop Box legal and secure. We have brought this to Wausau City Clerk Kaitlyn Bernarde's attention 8 days ago and the box is still non-compliant.

We are requesting your URGENT attention to investigate this matter as we are already in election season and Absentee Ballots are being put into this universal/multi-use drop box which clearly does not meet the standards set by the State of Wisconsin and Wisconsin Election Commissions. This is an important and very big election and we seek 100% election integrity.



**This is a picture of the FORMER "Official Box"**

The City of Wausau used to have a secured box located outside in front of City Hall for the sole purpose of Absentee Ballots only. That is no longer there.

This seems more in line with what the requirements are. It's a shame the clerk got rid of it.

- Clearly marked for Official Absentee Ballots Drop Box
- Not marked for Payments, etc.



**Prior Elections  
used this  
FORMER  
BALLOT DROP  
BOX**

**There was also  
a separate  
payment box.**

This is an important and very big election. One would think that a clerk in charge of elections, knowing full well that election integrity is and will be a hot button topic, that Clerk Kaitlyn Bernarde would take every measure possible to ensure that all regulations, guidelines, rules and stipulations are not only followed but would have gone beyond all these measures to ensure that all parties in this election would not have any concerns about election integrity.

Sincerely,  
Steven & Marie Schmidt



# YOU CAN'T EVEN SEE THE BOX!

-

**Where's the  
adequate  
lighting???**

-

**Where's the  
camera  
surveillance on  
the box?  
If you can't see  
the box how  
can you see any  
activity at the  
box???**

-

**Adequate  
Lighting &  
camera  
surveillance  
was supposed  
to be there**

# BEFORE

**any box was  
deployed for  
usage!**

**Adequate  
lighting?**

-

**Is this really  
adequate  
camera  
surveillance  
on a box?  
Clarity?**

-

**Adequate  
Lighting &  
camera  
surveillance was  
supposed to be  
there**

**BEFORE**

**any box was  
deployed for  
usage!**





box

**Is this really  
adequate camera  
surveillance on a  
box?**

**You can't even tell  
there is a box in  
that location  
unless you know  
one is there.**

**This is a horrible  
example of  
camera  
surveillance in  
good standing.**

-

**Adequate Lighting  
& camera  
surveillance was  
supposed to be  
there**

**BEFORE**

**any box was  
deployed for  
usage!**

WISCONSIN ELECTIONS  
COMMISSION

## Litigation Update: Priorities USA v. WEC

Thursday, July 11, 2024

To: [City of Milwaukee Election Commission](#)  
[Milwaukee County Election Commission](#) [Wisconsin County Clerks](#)  
[Wisconsin Municipal Clerks](#)

Priority: High Priority

### File Downloads

- [Litigation Update FAQ - Priorities USA v. WEC - Drop Boxes - FINAL \(003\).pdf](#)
- [Attachment A - Drop Box Resources from the United States Election Assistance Commission - Pages Labeled.pdf](#)

SUBJECT: Litigation Update: Priorities USA v. WEC<sup>1</sup>  
RE: Unstaffed drop boxes; municipal clerk discretion; Teigen v. WEC<sup>2</sup>

ATTACHMENTS: Attachment A - Drop Box Resources from the United States Election Assistance Commission

On July 11, 2024, the Wisconsin Elections Commission ("the Commission") held a public meeting to review and issue guidance following the Wisconsin Supreme Court's decision in *Priorities USA v. WEC*. The Commission passed the following motion unanimously:

The Wisconsin Elections Commission approves and issues the Clerk Communication and FAQ in Attachment A, including questions 1-16, as amended by discussion. The Commission directs staff to make edits to the Election Administration and Election Day manuals consistent with its discussion, and to bring revised pages back for Commission approval at a future meeting.

The Commission is issuing this guidance in the interest of answering common questions it has received from clerks, voters, and the media since the decision was published by the Wisconsin Supreme Court. The Commission may issue additional guidance in the future to address new questions or aspects of drop box administration and policy ahead of the November 2024 General Election.

**6. Are the Commission's previous memos related to drop boxes prior to the Teigen decision back in effect?**

No. The Commission withdrew memoranda dated March 31 and August 19, 2020 relating to drop boxes as part of the Teigen litigation on February 16, 2022. The Priorities USA decision does not mean either of those memoranda are back in effect.

This memorandum, dated July 11, 2024, is the Commission's sole issued guidance document related to drop boxes as of this date.

**7. Did the decision discuss where drop boxes may be located and who can set them up?**

Yes. The decision stated that drop boxes are set up, maintained, secured, and emptied by the municipal clerk, which includes their authorized representatives. A single person need not set up, maintain, secure, and empty all drop boxes in a municipality. The drop boxes may be placed in a location other than the municipal clerk's office, and may be placed in any location that the municipal clerk, within his or her statutory discretion, designates.

**8. Do drop boxes need to be secure? What should clerks consider when examining drop box security?**

Yes. The decision held that state law permits clerks to lawfully utilize secure drop boxes in an exercise of their statutorily conferred discretion. The decision did not provide guidance on what it means for a drop box to be "secure." The Commission recommends that clerks keep the following non-exhaustive security considerations in mind when planning to utilize drop boxes, which are consistent with guidance from the U.S. Election Assistance Commission (EAC) and the U.S. Cybersecurity and Infrastructure Security Agency (CISA). These considerations are merely a starting point—the Commission recommends that clerks thoroughly complete a security assessment for each intended drop box location prior to deployment. The Commission recommends the following best practices:

***Best Practices: Physical Security of the Drop Box Itself***

- The drop box be securely affixed to the ground or the side of the building, or secured such that the drop box cannot be removed or tampered with.
- If located outside, the drop box be sturdy enough to withstand the elements so the ballots inside will remain unspoiled.
- The drop box be secured against unlawful access or emptying.
- The slot of the drop box be appropriately sized so that only an absentee ballot can be deposited and not other objects or liquids.
- Any damage to or tampering with the drop box be documented and the drop box be inspected to ensure that it remains secure for the purpose of depositing absentee ballot envelopes.
- The drop box be clearly marked or labeled that the drop box is for the purpose of collecting absentee ballots in return envelopes.
- The time of final retrieval of ballot return envelopes be clearly marked on or near the drop box. After the time of final retrieval, the drop box be secured to prevent the submission of absentee ballot return envelopes.

The decision does not say that drop boxes need to be staffed, nor does the decision require a clerk to ask any questions of a voter who is attempting to return a ballot to a drop box.

**11. What steps should clerks take if they want to display their drop box locations on MyVote ahead of the August 13, 2024 election?**

Once implemented, clerks will be able to add drop box locations and information to WisVote under Election Specific Absentee Options, which will make the drop box locations viewable to voters in their municipality on MyVote. Registered voters in these municipalities will be able to see the information under "Find My Local Absentee Options" button from the Vote Absentee section (<https://myvote.wi.gov/en-us/VoteAbsentee>). Clerks will receive detailed instructions when this functionality becomes available again.

Clerks are encouraged to communicate to voters as to the dates, times, and locations of drop boxes, as well as final retrieval dates and times.

**12. Does the decision require clerks to track which ballots are received by drop box?**

No. Nothing in the decision requires clerks to track, mark, or otherwise separate or indicate which returned absentee ballots were received via secure drop box.

**13. May a clerk place an insert informing voters of the availability of drop boxes?**

Yes. Clerks may place an insert informing voters of the availability of drop boxes for the return of absentee ballot envelopes. Those inserts are recommended to include the locations of the drop boxes, dates and times of availability, and date and time of final retrieval of absentee ballot envelopes. Such an insert would be considered additional administrative or logistical instructions pursuant to administrative rule EL § 6.05(2).

**14. Will there be additional training on drop boxes?**

Yes. Commission staff intend to provide training to clerks in ElectEd that will be consistent with the Commission's guidance.

**15. Are private citizens permitted to watch drop boxes if they are located in public?**

Yes, but not if the watching interferes with voting. Whoever "interrupt[s] or disturb[s] the voting... proceedings" may be fined not more than \$1,000, or imprisoned not more than 6 months or both.<sup>5</sup> Additionally, anyone who "by abduction, duress, or any fraudulent device or contrivance, impede[s] or prevent[s] the free exercise of the franchise at an election" is guilty of a Class I felony.<sup>6</sup>

Clerks immediately contact law enforcement if anyone tampers with, defaces, destroys, unlawfully empties, or interrupts, impedes, or prevents the use of a drop box.

**16. What should I do if I still have questions?**



# Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984  
(608) 266-8005 | elections@wi.gov | elections.wi.gov

**DATE:** July 11, 2024

**TO:** Wisconsin Municipal Clerks  
Wisconsin County Clerks  
City of Milwaukee Election Commission  
Milwaukee County Election Commission

**FROM:** The Wisconsin Elections Commission

**SUBJECT:** **Litigation Update: *Priorities USA v. WEC***<sup>1</sup>  
RE: Unstaffed drop boxes; municipal clerk discretion; *Teigen v. WEC*<sup>2</sup>

**ATTACHMENTS:** **Attachment A - Drop Box Resources from the United States Election Assistance Commission**

On July 11, 2024, the Wisconsin Elections Commission (“the Commission”) held a public meeting to review and issue guidance following the Wisconsin Supreme Court’s decision in *Priorities USA v. WEC*. The Commission passed the following motion unanimously:

The Wisconsin Elections Commission approves and issues the Clerk Communication and FAQ in Attachment A, including questions 1-16, as amended by discussion. The Commission directs staff to make edits to the *Election Administration* and *Election Day* manuals consistent with its discussion, and to bring revised pages back for Commission approval at a future meeting.

The Commission is issuing this guidance in the interest of answering common questions it has received from clerks, voters, and the media since the decision was published by the Wisconsin Supreme Court. The Commission may issue additional guidance in the future to address new questions or aspects of drop box administration and policy ahead of the November 2024 General Election.

## ***Priorities USA v. WEC*** **Frequently Asked Questions** **July 11, 2024**

**Decision Issued:** On July 5, 2024, the Wisconsin Supreme Court overruled its prior decision, in part, in *Teigen v. WEC*, and held that secure drop boxes were permitted under state law as a valid method of absentee ballot return. The decision is binding on all lower Wisconsin courts. The use of drop boxes is not mandatory and is at the discretion of the municipal clerk.

<sup>1</sup> 2024 WI 32. Wisconsin Supreme Court Number: 2024AP000164; Dane County Circuit Court Number: 2023CV1900

<sup>2</sup> 2022 WI 64, 403 Wis. 2d 607; 976 N.W.2d 519.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Don M. Millis | Carrie Riepl | Robert Spindell | Mark L. Thomsen

Administrator  
Meagan Wolfe



**8. Do drop boxes need to be secure? What should clerks consider when examining drop box security?**

Yes. The decision held that state law permits clerks to lawfully utilize secure drop boxes in an exercise of their statutorily conferred discretion. The decision did not provide guidance on what it means for a drop box to be "secure." The Commission recommends that clerks keep the following non-exhaustive security considerations in mind when planning to utilize drop boxes, which are consistent with guidance from the U.S. Election Assistance Commission (EAC) and the U.S. Cybersecurity and Infrastructure Security Agency (CISA). These considerations are merely a starting point—the Commission recommends that clerks thoroughly complete a security assessment for each intended drop box location prior to deployment. The Commission recommends the following best practices:

**Best Practices: Physical Security of the Drop Box Itself**

- The drop box be securely affixed to the ground or the side of the building, or secured such that the drop box cannot be removed or tampered with.
- If located outside, the drop box be sturdy enough to withstand the elements so the ballots inside will remain unspoiled.
- The drop box be secured against unlawful access or emptying.
- The slot of the drop box be appropriately sized so that only an absentee ballot can be deposited and not other objects or liquids.
- Any damage to or tampering with the drop box be documented and the drop box be inspected to ensure that it remains secure for the purpose of depositing absentee ballot envelopes.
- The drop box be clearly marked or labeled that the drop box is for the purpose of collecting absentee ballots in return envelopes.
- The time of final retrieval of ballot return envelopes be clearly marked on or near the drop box. After the time of final retrieval, the drop box be secured to prevent the submission of absentee ballot return envelopes.

**Best Practices: Security of the Drop Box Surroundings**

- The drop box be located in a safe location with adequate parking and safe access for pedestrians.
- The drop box be located in a well-lit area.
- The drop box be clearly visible, and the path to the drop box be accessible with clear and level ground space in front.

**Best Practices: Security of Ballot Retrieval/Emptying**

- The drop box be emptied often enough to avoid the box from being filled with ballots, and a record of the times and dates of retrieval, number of ballots retrieved and the person or persons participating in the retrieval be maintained.
- Ballots retrieved from a drop box be securely transported to the office of the clerk.
- The drop box be equipped with unique locks or seals to secure ballots.

**12. Does the decision require clerks to track which ballots are received by drop box?**

No. Nothing in the decision requires clerks to track, mark, or otherwise separate or indicate which returned absentee ballots were received via secure drop box.

**13. May a clerk place an insert informing voters of the availability of drop boxes?**

Yes. Clerks may place an insert informing voters of the availability of drop boxes for the return of absentee ballot envelopes. Those inserts are recommended to include the locations of the drop boxes, dates and times of availability, and date and time of final retrieval of absentee ballot envelopes. Such an insert would be considered additional administrative or logistical instructions pursuant to administrative rule EL § 6.05(2).

**14. Will there be additional training on drop boxes?**

Yes. Commission staff intend to provide training to clerks in ElectEd that will be consistent with the Commission's guidance.

**15. Are private citizens permitted to watch drop boxes if they are located in public?**

Yes, but not if the watching interferes with voting. Whoever "interrupt[s] or disturb[s] the voting...proceedings" may be fined not more than \$1,000, or imprisoned not more than 6 months or both.<sup>5</sup> Additionally, anyone who "by abduction, duress, or any fraudulent device or contrivance, impede[s] or prevent[s] the free exercise of the franchise at an election" is guilty of a Class I felony.<sup>6</sup>

Clerks immediately contact law enforcement if anyone tampers with, defaces, destroys, unlawfully empties, or interrupts, impedes, or prevents the use of a drop box.

**16. What should I do if I still have questions?**

If you have additional questions, please email [elections@wi.gov](mailto:elections@wi.gov).

<sup>5</sup> See Wis. Stat. §§ 12.13(3)(x), 12.60(1)(b).

<sup>6</sup> See Wis. Stat. §§ 12.09(2), 12.60(1)(a).

Attachment A - Drop Box Resources from the United States Election Assistance Commission



# ELECTION MANAGEMENT GUIDELINES

[WWW.EAC.GOV](http://WWW.EAC.GOV)



Attachment A - Drop Box Resources from the United States Election Assistance Commission

ELECTION MANAGEMENT GUIDELINES

There are a significant number of states that authorize the return of mail or electronically transmitted ballots by email, fax, or other electronic means such as an upload to a portal. Security procedures, chain of custody, and ballot duplication procedures in offices are determined by state law and guidance.

*Drop Boxes*

Election officials should review state law and regulations before using ballot drop boxes. When locating drop boxes, election officials consider population, geographic areas, security, and available funding. Election officials should consider using city and county facilities, public assistance offices, senior and community centers, locations in areas with significant minority or traditionally disenfranchised communities as drop box locations when applicable.

When determining locations and drop box placement, consider the following factors:

- Access for voters with disabilities
- Security
- Voter convenience
- Parking

Election officials should be sure to inform voters of the location and hours of operation for all drop boxes in their jurisdiction. The EAC's **Ballot Drop Boxes Quick Start Guide** provides additional information on locating and securing drop boxes.<sup>2</sup> The Quick Start Guide and the EAC's **Best Practices: Chain of Custody** include guidelines for developing robust chain of custody procedures applicable to emptying drop boxes.<sup>3</sup> Additionally, the **Making Voting Accessible Quick Start Guide** outlines general accessibility considerations for ballot drop boxes.<sup>4</sup>

Ballot drop boxes must be locked and secure at all times. They should be placed in monitored areas or under video surveillance, whether indoor or outdoor. The drop boxes should be accessible only by a unique key, and two staff members (preferably bipartisan) should access the box to collect ballots.

Election officials should establish a predetermined collection schedule. A team of two election workers (preferably bipartisan) should transfer the voted ballots to a locked or sealed ballot box, bag, or pouch and deliver it to the elections office. On Election Day, election workers should monitor the drop box locations until the close of the polls or the deadline for ballot receipt. Two election workers (preferably bipartisan) should be assigned to lock each drop box location, collect all remaining ballots, and ensure the drop box is removed or cannot accept any additional ballots after the deadline.

*In-Person Voting Locations*

If state law allows the voter to drop off voted absentee ballots at in-person voting locations, election officials must include instructions and procedures for poll workers to use in returning these voted ballots to the central elections office. Depending on the jurisdiction, mail ballots returned to a voting location may either be scanned at the location or centrally scanned at the elections office. Poll workers must understand how to document receipt of mail ballots and track tabulation, if applicable, and return to the elections office.

*Returned Ballot Audit Trail*

Elections office staff must create an audit trail throughout the ballot reception process. Election officials should maintain logs for processing the ballots through each step. All statistical information must be maintained for each batch of ballots processed, including:

- Number of ballots received
- Number of ballots counted
- Name, team number, or persons involved
- Date and time processed
- Number of challenged ballots
- Number of write-ins and duplicated ballots
- Number of envelopes that do not contain a ballot
- Number of envelopes containing more than one ballot

<sup>2</sup> [https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Ballot\\_Drop\\_Boxes\\_EAC\\_Quick\\_Start\\_Guide\\_508.pdf](https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Ballot_Drop_Boxes_EAC_Quick_Start_Guide_508.pdf)

<sup>3</sup> [https://www.eac.gov/sites/default/files/bestpractices/Chain\\_of\\_Custody\\_Best\\_Practices.pdf](https://www.eac.gov/sites/default/files/bestpractices/Chain_of_Custody_Best_Practices.pdf)

<sup>4</sup> [https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Making\\_Voting\\_Accessible\\_EAC\\_Quick\\_Start\\_Guide\\_508.pdf](https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Making_Voting_Accessible_EAC_Quick_Start_Guide_508.pdf)

**Quick Start Guide**

Attachment A - Drop Box Resources from the United States Election Assistance Commission

**Ballot Drop Boxes**



Helping America Vote

**About the Quick Start Guides:** The EAC's Quick Start Guides are intended to familiarize local election officials with various topics they will likely encounter in election administration. The guides are a starting point to identify areas of concern and give officials a broad idea of factors they should consider in approaching a given topic.

**Utilizing Drop Boxes**

In jurisdictions that permit ballot drop boxes, election officials must address several considerations before deploying drop boxes. First, they must familiarize themselves with state law and regulatory requirements. Some states only permit drop boxes in certain locations or with specific security measures. Drop boxes also come with additional costs, including staff to empty the boxes daily, hardware, security seals and locks, ballot containers, and other security equipment.



**Locations**



- Follow state statutes on required or permissible locations for the installation of drop boxes.
- Use demographic data to determine whether there should be a different formula for placing drop boxes in rural or urban locations (i.e., 1 for every 15,000 residents might be every mile in an urban area, but every 50 miles in a rural area).
- Choose a location that is accessible by public transportation (where available).
- Avoid locations that can be obstructed by high traffic events.
- Ensure the drop box is clearly visible and the path to it is accessible with a 30 inch by 48 inch minimum clear and level ground space in front.
- Publish Public Service Announcements on radio and in local newspapers, and share drop box locations on social media.
- Provide a list or map of drop box locations on your website and with mail ballot voting instructions.

**Ballot Return Deadline**  
Election officials must ensure teams are present at each drop box as the ballot return deadline passes. Teams must allow any voters in line by the deadline to deposit their ballots, then collect all ballots, and lock the box so no additional ballots can be deposited.

**Security**



- Teams of two (preferably bipartisan) should empty each drop box at least once a day.
- Utilize unique locks and security seals to secure ballots within the drop box.
- Provide local law enforcement a map of drop box locations and request extra patrols.
- Ensure the area is well lit and any unsupervised drop boxes have video surveillance.
- Implement rigorous chain of custody procedures. For each drop box, teams should record the time and date emptied, verify the box's seal number, document the number of ballots retrieved, reseal the drop box, and seal the ballot container.
- Track the return of drop boxes after the ballot return deadline passes to ensure all drop boxes are emptied and ballots collected are included in election night unofficial results.

**Sample Drop Box Chain of Custody Log**

| Date & Time     | Removed Seal # | # Ballots | New Seal # | Signatures                         |
|-----------------|----------------|-----------|------------|------------------------------------|
| 10/31/22 3:25pm | 00987654       | 174       | 00123456   | Team Member One<br>Team Member Two |
| 11/01/22 3:15pm | 00123456       | 88        | 00456789   | Team Member One<br>Team Member Two |

May 1, 2022 v. 1.0

EAC | Helping America Vote



eac.gov



clearinghouse@eac.gov



@EACgov



@eacgov1



@us.eac

Attachment A - Drop Box Resources from the United States Election Assistance Commission

Many of these last-minute voters drop their ballot off at a voting location (which may not be allowed by state law). Setting up ballot drop boxes and educating voters to use them mitigates a number of COVID-19-related risks associated with in-person voting. It also minimizes the number of people that will need to access voting locations, thereby providing more space for those who are engaged in in-person voting.

### How many ballot drop boxes will you need?

At a minimum, you should have a drop box at your main county or city office building. Voters generally know the locations of these buildings and are already accustomed to voting or doing business there. Some other best practices include:

- Have one drop box for every 15,000–20,000 registered voters.
- Consider adding more drop boxes to areas where there may be communities with historically low vote by mail usage.
- Use demographic data and analysis to determine whether there should be a different formula for rural and urban locations (i.e., 1 for every 15,000 residents may be every mile in an urban area, but every 50 miles in a rural area).

To get a better idea of how many voters use ballot drop boxes when voting by mail is the primary method of voting, look at the [Ballot Drop Box Usage](#) chart put together by the Washington Secretary of State. It shows ballot drop box use as a percentage of total ballots returned for Washington state, where voting by mail has been the primary method of voting for over a decade.

Timeline: The number of drop boxes and their locations should be finalized in time to be included in the instructions with your mail ballot packet—typically 80 days before the election.

### Where should ballot drop boxes be located?

Ballot drop boxes should be placed in convenient, accessible locations, including places close to public transportation routes, near or on college campuses, and public buildings, such as libraries and community centers familiar to voters and easy to find. If there is time, getting input from citizens and community groups is recommended.

All drop box locations should be evaluated for:

- Security
- Lighting (well-lit 24 hours a day)
- High visibility
- Security cameras (more on cameras in the *Security Considerations* section below)
- Accessibility
- Voter convenience
- Parking or drive-through options

## What equipment and supplies are needed for ballot drop boxes?

Whether you are collecting ballots just from a USPS facility, ballot drop boxes, or both, you will need ballot drop box collection teams. Ideally, these are bipartisan teams (poll workers or temporary workers) hired to drive a collection route and pick up ballots on a regular basis. Each of these teams will need:

- Vehicle such as a van or SUV where the seats can be laid flat (county owned or rented)
- Radio or cell phone
- Secure ballot collection bag/box
- Security seals
- Chain of custody procedures/forms
- Personal protective equipment (e.g. disposable, sterile gloves), as appropriate and in accordance to current CDC guidance

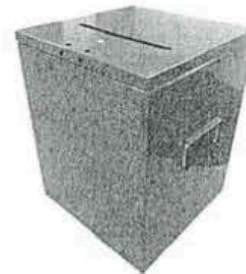
Timeline: Reservations should be made as soon as possible if you plan to rent vehicles, radios, or cell phones—no later than 35 days before the election.

Outlined below is a list of the typical items you will need to rent or buy, depending on the type of drop box or drop-off location you are installing.

### STAFFED – INDOOR TEMPORARY BALLOT DROP BOX

When demand for a ballot drop box is low, a temporary ballot box located inside is a good solution. These boxes should be constructed of durable material and include a key or combination lock as well as a way to securely fasten the box to prevent it from being moved or tampered with. This type of box looks similar to the example pictured here. In addition to purchasing or renting the **ballot box**, you will need:

- Padlock and keys (if not included)
- Bike chain or some other way to fasten the box to prevent it from being removed (if not staffed)
- Security seals



Timeline: Depending on the lead time required by the manufacturer, boxes may need to be ordered 3 months in advance—90 days before the election.

### OUTDOOR, TEMPORARY DRIVE-THROUGH DROP OFF

A drive-through drop-off location is an easy way to keep traffic flowing when demand for a ballot drop box is at its peak, especially on Election Day. This drive-through is typically set up in a parking lot or a street depending on the location.

The team staffing the site accepts ballots from voters as they pull through, depositing them directly into a ballot box. For voters who prefer placing the ballot directly into the box

Attachment A - Drop Box Resources from the United States Election Assistance Commission

- Identifying the voter or car in line at the time polls close and ensuring they have the opportunity to deposit their ballots.
- Retrieving the temporary indoor boxes and returning them to the counting facility.
- Locking the drop slot on the 24-hour boxes and transferring ballots to a ballot transfer bag or box and returning them to the counting facility.
- Completing chain of custody forms.

## Security Considerations

Ballot drop boxes must be secured and locked at all times. Only an election official or a designated ballot drop box collection team should have access to the keys and/or combination of the lock. In addition to locks, all drop boxes should be sealed with one or more tamper evident seals.

Ideally, unstaffed 24-hour drop boxes should be located in areas with good lighting and be monitored by video surveillance cameras. When this is not feasible, positioning the box close to a nearby camera is a good option. Also consider placing it in a high traffic area and inviting local law enforcement to make regular observations.

Try to place indoor drop boxes in locations where they can be monitored by a live person. When ballot boxes are unstaffed and not being monitored, the box should be securely fastened to a stationary surface or immovable object in a way that prevents moving or tampering.

## Chain of Custody

- Chain of custody logs must be completed every time ballots are collected.
- All ballot collection boxes/bags should be numbered to ensure all boxes are returned at the end of the shift, day, and on election night.
- Team members should sign the log and record the date and time, security seal number at opening, and security seal number when the box is locked and sealed again.



EXHIBIT B



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Office of the City Clerk  
Kaitlyn Bernarde

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TEL: (715) 261-6620  
FAX: (715) 261-4106  
Kaitlyn.bernarde@wausauwi.gov

TO: Common Council

FROM: Kaitlyn Bernarde, City Clerk

DATE: October 3, 2024

RE: Resolution 24-1008 Regarding City's Use of Absentee Drop Boxes for November 2024 Election

**BACKGROUND:** The previous Wausau City Clerk procured, installed, and secured an absentee ballot drop box in 2020. It was in use for 5 elections without incident until the Wisconsin Supreme Court ruled in the 2022 *Tiegen v. WEC* decision. Working with the Finance Director and maintenance staff, we decided to turn the absentee ballot drop box into a universal payment drop box for the city. The box stayed secured and locked in front of City Hall awaiting repurpose without incident until April 2024 when Mayor Diny demanded it be removed.

On July 5, 2024, the Wisconsin Supreme Court overruled its prior decision, in part, in the *Priorities USA v. WEC* decision allowing municipalities to use drop boxes again. Their decision and the following Wisconsin Elections Commission (WEC) guidance permit all municipal clerks to choose to use secure absentee ballot drop boxes in their jurisdiction.

I firmly believe that drop boxes can be a secure and convenient customer service tool to help our department work towards our goal of helping every eligible voter be able to cast their ballot. It can be a great option for voters who:

- are disabled or homebound,
- work the exact same time the Clerks Office is open, or
- are college students away at school

This drop box option is especially useful since the United States Postal Service does not recommend mailing your ballot back the last week before an election. Even though we start mailing absentee ballots out 47 days before an election, eligible voters can still request our office mail them a ballot up through the Thursday before an election.

My office took steps to ensure the security and transparency of the box and ballots once it is open. These steps already implemented include:

- A security camera focused on the box 24/7,
- The box is bolted to the sidewalk instead of a concrete slab,
- The box has a small but wide opening to only be able to accept paper and envelopes,

- Requiring 2 staff members to collect from the box together and record returned ballots on a chain of custody log
- Securing returned ballots following our already established process for absentee ballots that are mailed or dropped off at a Clerk's Office window

I respect and value the Common Council's opinion. I did not make this decision in a vacuum, but spoke with several City officials and staff, and Wisconsin clerks. I also discussed this issue with staff in my office who are the front-line customer service, whose job this drop box option also affects. I also spoke with neighboring clerks who successfully used drop boxes without incident during 2020, 2021, 2022 and in the Partisan Primary election in August. Based on these discussions, legal advice, and election administration guidance, I already made the decision to use an absentee ballot drop box in the City of Wausau.

Resolution #24-1008 is not my resolution. The mayor asked me to draft a resolution based on the City of Brookfield resolution. I feel it would be improper for the governing body to vote on this matter.

**RECOMMENDATION:** Do not move to take up this resolution.

Sincerely,



Kaitlyn A. Bernarde  
City Clerk



TEL: (715) 261-6800  
FAX: (715) 261-6808

Office of the Mayor  
Doug Diny

DATE: October 1, 2024  
TO: Anne Jacobson, City Attorney  
Kaitlyn Bernarde, City Clerk  
FROM: Doug Ding, Mayor *DYO*  
SUBJECT: Council Resolution on Having a Ballot Drop Box

The issue of whether Wausau should have a ballot drop box has become highly controversial. Therefore, it is incumbent upon the Common Council to take up the question and make policy. With this memo, I am directing that a resolution on whether to have a ballot drop box be drafted and placed on the Common Council agenda for a vote on October 8, 2024. This memo should be included in the council packets with the resolution.

The correct procedure for considering a resolution that does not originate in council committee is outlined in Chapter 2.16 of the municipal code, Standing Rules of the Common Council. Rule 12 states that prior to consideration of such a measure, one of the alders must make a motion for immediate consideration. The presiding officer then asks for objections. If none are offered, the council proceeds to consider the main resolution. If an alder objects, a roll call vote is taken on the motion for immediate consideration. If a simple majority of the council members agree, the motion for immediate consideration passes, and the council proceeds to consider the main motion. There is no suspension of the rules, rather we should follow Rule 12-B.

For reference, the text of Rule 12 follows:

**RULE 12 RESOLUTIONS**

A. *Referral of resolutions.* All resolutions under consideration shall have been first considered by the appropriate committee who shall make an action recommendation on the matter to Council, unless an Alder moves for immediate consideration of the resolution.

B. *Immediate consideration of the resolution.* Upon a motion for immediate consideration, the presiding officer shall put the question, "Is there any objection to an immediate consideration of the resolution?" If an objection is voiced by an Alder, a roll call vote on the motion for immediate consideration is required. If no objection is voiced, then the Clerk shall record unanimous consent to the motion for immediate consideration. The presiding officer shall then state the principal question.

My hope is that providing this memo ahead of time will help everyone come to the meeting with an understanding of the procedure that needs to be followed.

Should you have any questions or concerns about this directive, please contact me in a timely manner.

Thank you, in advance, for your help in resolving this policy matter.



# JOB DESCRIPTION

## City Clerk

|                 |                  |                    |                              |
|-----------------|------------------|--------------------|------------------------------|
| Job Title:      | City Clerk       | Reports To:        | Finance Director             |
| Department:     | Finance          | FLSA Status:       | Exempt                       |
| Division:       | Finance          | EEO Code:          | 1-Officials & Administrators |
| Salary Grade:   | 12               | Job Code:          | CW 0380                      |
| Employee Group: | General Employee | Training Category: | B-Supervisors & Managers     |
| Created:        |                  | Last Revision:     | October 2023                 |

*This description is not an announcement of a position opening. To view current openings please visit [www.ci.wausau.wi.us](http://www.ci.wausau.wi.us). The following statements are intended to describe, in broad terms, the general functions and responsibility levels characteristic of positions assigned to this classification. They should not be viewed as an exhaustive list of the specific duties and prerequisites applicable to individual positions that have been so classified.*

### **Purpose of the Position**

The purpose of this position is to plan, coordinate, direct, implement and perform City Clerk programs, operations and services consistent with governing State of Wisconsin Statutes and ordinances of the City of Wausau. This position requires a thorough knowledge of governing election law, current technology of the Wisconsin Elections Commission Statewide Voter Registration System, and electoral principles and practices and knowledge of record management principles and practices.

### **Essential Duties and Responsibilities**

1. Act as Clerk of the Common Council. Attend City Council and various committee meetings. Record and prepare minutes. Administer the preparation of council meeting agendas, distribution and publication. Review materials for completeness and accuracy. Preserve records of all council actions.
2. Conduct and administer all elections within the City. Manage city voter registration records on State of Wisconsin, WisVote. Create ballot and election notices, printing and publications. Recruit and train poll workers and provide registration and absentee voting materials. Supervise voting machine maintenance. Supervise and prepare voter registration and related computerized registration lists. Supervise tabulation for City of Wausau and act as City's Chief Election Official and serve on Board of Canvass. Prepare or supervise preparation of election documents. Purchase and distribute election supplies. Register electors and administer campaign financing documents and reporting.
3. Supervise and direct the issuance of City regulated licenses, permits, and applications. Respond to oral and written inquiries regarding license requirements and restrictions.
4. Plan, direct, and supervise assigned customer service staff. Set work priorities and assign tasks.
5. Supervise official city records maintenance including developing procedures for records management preservation, retrieval and disposal. Maintain custody and care of City Corporate Seal.
6. Prepare and implement Department goals, policies and procedures.
7. Advise Mayor regarding committee appointment expirations, coordinate letters of appointment.
8. Act as Clerk to Board of Review. Coordinate the training and certification of members. Schedule meetings, prepare agendas, notices and publications, record proceedings and prepare minutes.
9. Survey owners of exempt properties to confirm continued exemptions and prepare and file with the state a report of exempt property.
10. Receive claims and suits against the City. Receive and validate petitions. Administer Oaths or affirmations.
11. Oversee, supervise and respond to public records requests under close communication with the City Attorney.
12. Prepare and implement census documentation.
13. Administer redistricting processes based on census reports of population numbers.

14. Schedule staff to keep adequate coverage for the front service counter and work the front service counter as needed.
15. Provide information to the public, news media representatives, civic groups and other interested groups and individuals regarding City Clerk activities, records, events, license and regulation updates and elections.
16. Maintain knowledge of current ordinances, statutes, rules, and regulations regarding City Clerk activities.
17. Continue to be informed and abreast of continual changes in Election laws and regulations. Educate staff and poll workers of any updates that affect their roles and involvement with elections.
18. Maintain effective cooperative relationships both internally and with other governmental agencies.
19. Maintains a high level of knowledge of current ordinances, statutes, and other related professional standards and the effective integration of evolving technologies.
20. Provide related high-level expertise and consultation to the Mayor and Common Council. Represent the interests of the city in a wide variety of internal and external settings.
21. Manage appropriate components of the City's website to ensure timely and accurate reporting on license and permitting, elections and council meetings and actions and announcements are available to the public.
22. Prepare legal notices and distribute for publication.
23. Invoicing for Special Events for use of equipment and city services based on staff information.

### **Additional Duties and Responsibilities**

- Perform various duties and special projects as assigned.

### **Education and Experience Requirements**

- Bachelor's degree in Accounting, Finance, Public Administration, Business Administration, or related field, and
- Three (3) or more years of progressively responsible experience in office management, and
- Ability to obtain certification as a State of Wisconsin Municipal Clerk from the Wisconsin Municipal Clerk's Association within four (4) years of hire.

A combination of education and experience that provides the equivalent knowledge, skills, and abilities may be considered.

Preferred Qualifications:

- Two or more years of supervisory experience
- Possession of certification as a State of Wisconsin Municipal Clerk from the Wisconsin Municipal Clerk's Association.

### **Knowledge, Skills and Abilities**

- Ability to interpret, apply and ensure compliance with Federal, State and local policies, procedures, laws and regulations.
- Ability to maintain effective working relationships with governmental officials.
- Ability to manage workflow and sequence of operations within an organizational framework, as well as the ability to oversee their execution. Ability to analyze and categorize data and information using established criteria, in order to determine consequences and to identify and select alternatives.
- Ability to counsel, mediate and/or provide first line supervision. Ability to persuade, convince, and train others. Ability to advise and provide interpretation regarding the application of policies, procedures and standards to specific situations.
- Ability to utilize a variety of advisory data and information such as financial statements, cash reports, tax bills, assessment reports, tax rolls, time sheets, bank reconciliations, tax increment district reports, trust fund reports, journal/payment vouchers, tax levy information, debt schedules, census reports, government accounting system manuals and standards, City ordinances and resolutions, state statutes,

computer software operating manuals, audit summaries, investment literature, procedures, guidelines and non-routine correspondence.

- Ability to communicate orally and in writing with internal and external customers of the City. Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret basic descriptive statistical reports.
- Ability to use functional reasoning in performing influence functions such as supervising, managing, leading, teaching, directing and controlling.
- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against measurable criteria.
- Ability to operate equipment and machinery with some requiring complex and rapid adjustments, such as computer keyboard/terminal, computer printer, calculator,, council voting system and presentation audio/visual equipment, telephone and fax machine.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Ability to exert moderate to substantial heavy, physical effort, typically involving lifting, carrying, pushing and pulling.
- Ability to perform advanced levels of MS Office Suite products and several other specialized software programs.

### **Physical and Working Environment**

Normal office working conditions within minimal exposure to disagreeable elements.

Normal mental and visual attention is required. Moderate physical demands to include bending, twisting, turning, and some heavy lifting. Limited exposure to workplace hazards.

Work extended hours to clerk regularly and specially scheduled council, committee meetings and Election Day duties. Attendance at the Council meetings held twice a month and election night tabulation is expected.

### **Acknowledgement**

All requirements of the described position are subject to change over time. The employee may be required to perform other duties as requested by the City.

Signature of Department Director: \_\_\_\_\_ Date: \_\_\_\_\_

I acknowledge that this job description is neither an employment contract nor a legal document. I have received, read, and understand the expectations for the successful performance of this job.

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The City of Wausau is an Equal Opportunity Employer. In compliance with the American with Disabilities Act, the City will provide reasonable accommodations to qualified individuals and encourages both prospective and current employees to discuss potential accommodations with the employer.



# JOB DESCRIPTION

## Deputy City Clerk

|                 |                   |                    |                          |
|-----------------|-------------------|--------------------|--------------------------|
| Job Title:      | Deputy City Clerk | Reports To:        | City Clerk               |
| Department:     | Finance           | FLSA Status:       | Non Exempt               |
| Division:       | Finance           | EEO Code:          | 6-Administrative Support |
| Salary Grade:   | 19                | Job Code:          | CW 0385                  |
| Employee Group: | General Employee  | Training Category: | D-Staff                  |
| Created:        |                   | Last Revision:     | April 2023               |

*This description is not an announcement of a position opening. To view current openings please visit [www.ci.wausau.wi.us](http://www.ci.wausau.wi.us). The following statements are intended to describe, in broad terms, the general functions and responsibility levels characteristic of positions assigned to this classification. They should not be viewed as an exhaustive list of the specific duties and prerequisites applicable to individual positions that have been so classified.*

### **Purpose of the Position**

The Deputy City Clerk supports and assists the City Clerk in carrying out the statutory functions of the office. The Deputy City Clerk performs a variety of highly responsible, technical, and complex administrative duties involving council and committee records management, business licensing, and special event management requiring in depth knowledge of legal requirements, processes, and procedures.

### **Essential Duties and Responsibilities**

1. Assumes and complete the responsibilities of the City Clerk in his or her absence, including meeting attendance, election coordination and oversight, and records management.
2. Administers the City's recording and agenda/minute management system, including providing training and system set-up, coordinating with other departments for agenda/minute creation, troubleshooting and assistance as necessary.
3. Drafts, finalizes, and distributes City Council meeting agendas, to Council, Mayor, City departments and other interested parties. Posts agendas in accordance with state open meetings laws.
4. Arranges for official publication and posting of notices, prepares meeting minutes and meeting transcripts upon request; prepares and distributes follow ups on Council actions and directions; distributes and files documents following Council action; finalizes resolutions and minutes; attends City Council meetings as requested.
5. Serves as administrative assistant to several committees including Finance, Public Health and Safety, Liquor License Subcommittee, Joint Review Board, Room Tax Commission, and CIP Committee. Prepares agendas, committee packets, attends meetings, and takes minutes.
6. Coordinates scheduling of Special Committee/Council meetings.
7. Maintains the Wausau Municipal Code including paper and electronic copies and website/internet.
8. Assists in conducting elections in compliance with state law, including election tasks in WisVote such as voter registration, absentee ballot requests/processing, address validation, e-poll book set-up, poll book printing, and results entry; creates and publishes respective notices; tests equipment, prepares election supplies/forms; and certifies results as required in absence of the City Clerk.
9. Processes and maintains business and alcohol licenses and annual renewals within the City of Wausau in accordance with City ordinances and state laws. Advises and works closely with the Police Department, legal staff, Public Health and Safety Committee and Alcohol task force regarding licensing regulations and licensing approval. Prepares reports and manages renewal schedules to ensure licensing is timely. Performs background checks and evaluates delinquencies for applicants. Works with licensees, sends out delinquency notices and other related materials regarding renewals.
10. Manages special event application processing. Assists event organizers with application process. Reviews

applications for completeness, obtains necessary insurance documentation and coordinates internal event review with public works, fire, police, parks, and city attorney's office. Prepares applications, reports, and other necessary documentation for committee consideration. Supports the Public Health and Safety committee with information, data, and legal requirements.

11. Builds and maintains effective cooperative relationships with City officials, city staff, and the public.
12. Provides information by telephone, email, fax or in writing to department, council members, the media and the public relating to all types of city documents and processes.
13. Builds and maintains professional knowledge through such means as attending seminars, reviewing professional publications, and participating in professional organizations.
14. Ensures compliance with statutory and other regulatory requirements; reviews, analyzes and interprets legislative provisions and proposals and recommends appropriate actions.
15. Assists in website maintenance, social media posts, and the development of marketing campaigns.

#### **Additional Duties and Responsibilities**

- Supports the customer service counter as needed.
- Notarizes and certifies City Documents.

#### **Education and Experience Requirements**

Associate degree in Business Administration, Public Administration, Secretarial Science, Office Management or related field and four (4) or more years of experience involving same or similar duties and responsibilities of this position; **or** any combination of education and experience that provides equivalent knowledge, skills, and abilities to successfully perform the functions of the position.

#### **Preferred Qualifications**

- Wisconsin Municipal Clerk certification preferred or interest and commitment in working towards the requirements of certification through the Wisconsin Municipal Clerks Institute, and any other professional certifications that will promote growth and knowledge in this position.
- Previous work involving election and liquor licensing laws; parliamentary procedures, committee work and council proceedings; and council vote system software and reports during meetings.
- Experience creating and publishing professional designs and graphics for website, newsletters, and social media.

#### **Knowledge, Skills, and Abilities**

- MS Word-Advanced
- MS Excel- Intermediate
- Statewide Voter Registration System- Advanced
- Financial Systems – Proficient
- Knowledge and understanding of election and liquor licensing laws; parliamentary procedures, committee work and council proceedings; and council vote system software and reports during meetings.
- Ability to communicate orally and in writing with Department personnel, other City department personnel, and citizens.
- Ability to exercise the judgment, decisiveness and creativity in situations involving a variety of pre-defined duties subject to frequent change.
- Ability to advise and provide interpretation to others how to apply technical laws, regulations, policies, procedures, and standards to specific situations.
- Ability to utilize a wide variety of descriptive data and information, such as regulations, non-routine correspondence, billing statements, invoices, payroll records, time sheets, schedules and calendars, a variety of departmental reports, computer software, ordinances, and contracts.
- Ability to classify, compute and tabulate data and information, following a prescribed plan requiring the exercise of judgment. Ability to compare, count, differentiate, measure and sort information. Ability to assemble, copy, record and transcribe data and information.
- Ability to add and subtract, multiply, and divide, and calculate percentages, fractions, and decimals.
- Ability to use functional reasoning in and independently apply rational judgment in performing diversified



work activities.

- Ability to operate, maneuver and/or steer equipment and machinery requiring simple but continuous adjustments, such as computer keyboard, calculator, multi-line telephone, photocopier, fax machine and computer printer.
- Ability to coordinate eyes, hands, feet, and limbs in performing skilled movements such as rapid keyboard use.
- Ability to exert light physical effort in sedentary.

**Physical and Working Environment**

Normal office working conditions within minimal exposure to disagreeable elements.

Normal mental and visual attention is required. Minimal physical demand with minimal exposure to workplace hazards.

**Acknowledgement**

All requirements of the described position are subject to change over time. The employee may be required to perform other duties as requested by the city.

Signature of Department Director: \_\_\_\_\_

Date: \_\_\_\_\_

I acknowledge that this job description is neither an employment contract nor a legal document. I have received, read, and understand the expectations for the successful performance of this job.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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## JOB DESCRIPTION

### Finance Director

|                 |                  |                    |                              |
|-----------------|------------------|--------------------|------------------------------|
| Job Title:      | Finance Director | Reports To:        | Mayor                        |
| Department:     | Finance          | FLSA Status:       | Exempt                       |
| Division:       | Finance          | EEO Code:          | 1-Officials & Administrators |
| Salary Grade:   | 5                | Job Code:          | CW 0365                      |
| Employee Group: | General Employee | Training Category: | A-Leaders/Department Heads   |
| Created:        |                  | Last Revision:     | December 2013                |

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#### **Purpose of the Position**

The purpose of this position is to provide strategic leadership in all aspects of fiscal affairs for the City of Wausau. The position strategically supports the City of Wausau's organizational vision and mission through effective work performance and the promotion of superior constituent services. The position advises and makes recommendations on fiscal policy matters to maintain and enhance the financial health of the City and provides input on broad organizational policy. The position oversees the Accounting, Payroll and City Clerk Divisions.

#### **Essential Duties and Responsibilities**

1. Provides oversight for financial planning including the development and monitoring of a five year financial plan, capital improvement program, and annual operational budget. Directs City's annual operating budget preparation and assists in the Mayor in the development of budget strategies. Monitors financial performance and directs fund transfers. Analyzes fiscal trends affecting budget surplus/deficits.
2. Administers the City's tax increment financing districts. Monitors financial performance, prepares cash flow projections, supports the development of project plans, establishes budgets, manages and suggests financing tools; oversees financial compliance reporting, manages incentive/grant obligations. Provides financial and strategic advice as it pertains to the economic development goals of the city. Serves on the City's development team.
3. Formulates and proposes financial policies and program recommendations that support and enhance City-wide goals and organizational objectives, sustain best financial and accounting practices, provide effective internal controls and recommend the appropriate allocation of resources.
4. Directs financial reporting including the comprehensive annual financial report, financial assistance schedules, annual state financial report, utility public service commission financial report and monthly financial reports. Oversees the annual audit process.
5. Prepares and commissions a variety of studies and reports including: indirect cost studies, utility rate studies and actuarial implicit rate studies.
6. Manages contractual services including: auditing services, EMS billing services and software as a service contracts.
7. Reviews and authorizes all City disbursements for payroll, operational, and contract payments.
8. Supervises and directs fiscal operations and related automated accounting systems including: tax receivable, financial management, accounts payable, accounts receivable, payroll, budget, utility billing, cash collections, fixed asset accounting and job-costing, parking enforcement and parking permits.

- Provides advisory support to other automated systems including municipal court and community development loan receivables.
9. Directs the City's participation in the State of Wisconsin Tax Intercept Program.
  10. Directs all treasury collection activity and the custody of public funds. Oversees the City and utility investment portfolio to maximize interest revenues that comply with local, State and Federal bond restrictions. Serves as the City Treasurer.
  11. Manages insurance related activities for general liability, umbrella, commercial automobile, property, public officials and employee liability, monies and securities, employee blanket bond, underground storage tank, airport, and boiler insurance policies and related claims activity.
  12. Provides oversight for the issuance of city and utility debt. Interacts with Bond Counsel, financial advisors and rating agencies. Prepares official statements and related documentation to support debt issuance. Manages all aspects of the debt portfolio to ensure future affordability and compliance with federal and state regulations including continuing disclosure requirements. Supervises annual payments. Reviews financial market conditions affecting refunding. Makes appropriate entries.
  13. Supervise, plans, assigns, directs and evaluates the activities of the Finance Department and its employees.
  14. Maintains effective relationships with council, mayor, employees, constituents, customers and stakeholders that advance organizational goals and objectives. Promotes inter and intra-department communications and workflow that results in effective operations. Provides technical, policy and financial information and assistance to staff, departments, Mayor, council, committees, citizens and other stakeholders that supports decision making and accountability at all levels in the organization. Communicates and makes presentations to council, committees, staff and general public.
  15. Leads and supports efforts to continually improve business practices and processes, improve operational efficiencies and standardize practices that maximize city-wide resources and achieve operational excellence.
  16. Supervises and directs competitive bidding practices.
  17. Acts as member of Board of Public Works.
  18. Serves as member of City-County Data Center Commission. Researches automated information management hardware and software.
  19. Serves as the liaison for the City on a variety of committees to include the IT Prioritization Committee, and others as determined by the Mayor.

### **Additional Duties and Responsibilities**

- Reviews customer account receivable status and initiates appropriate action on delinquent account.
- Prepares accounting journal entries.
- Monitors fixed asset activity.
- Promotes a workplace safety culture.
- Adheres to and promotes the City of Wausau's core values.
- Performs various duties as assigned.

### **Education and Experience Requirements**

Master Degree in Accounting/Finance is required with 10+ years of public financial accounting experience with two years public accounting supervisory and planning experience, or any combination of education and experience that provides equivalent knowledge, skills, and abilities. Certified Public Accountant required.

### **Knowledge, Skills and Abilities**

Intermediate Level – MS Word and PowerPoint  
Advanced Level – Excel  
Proficient Use of software specific to departmental functions.

- Ability to demonstrate superior customer service, integrity, a commitment to innovation, efficiency, government transparency and fiscally responsible activity.
- Ability to create and maintain a work environment that builds talent; support the development of employees that results in improved performance; provide performance management through regular feedback and coaching; address performance issues in a timely and responsible manner; recognize high performance.
- Ability to communicate the city-wide mission, goals and objectives to staff in a way that encourages support and action.
- Ability to predict and plan for future events impacting the organization, as well as the ability to make strategic and tactical decisions at the highest organizational levels. Ability to analyze data and information, in order to determine consequences and to identify and select alternatives. Ability to decide the time, place and sequence of operations within an organizational framework, as well as the ability to oversee their execution. Ability to modify existing policies, strategies and/or methods to meet unusual conditions within the context of existing management principles.
- Ability to manage and direct a group of workers, including the ability to provide counseling and mediation. Ability to persuade, convince and train others. Ability to advise and interpret regarding the application of policies, procedures and standards to specific situations.
- Ability to utilize a variety of advisory data and information such as financial statements, budgets, audit summaries and schedules, job applications, insurance documents, time sheets, billing invoices, accounts payable/receivable, capital improvement forms, budget requests, journal entries, payment vouchers, technical reports, performance appraisals, billing statements, bond transfers, state reports, financial analysis, revenue projections, ordinances, State, statutes, accounting principles, meeting minutes and agendas, investment portfolios, computer software operating manuals, procedures, guidelines and non-routine correspondence.
- Ability to communicate orally and in writing with City Department Heads, Mayor, City Council members, contractors, Bond Counsel, job applicants, independent financial auditors, developers, bond rating agency personnel, contractors, insurance company personnel, bankers and city residents.
- Skilled in creating and delivering public presentations to a variety of constituents.
- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret basic descriptive statistical reports.
- Ability to use functional reasoning in performing influence functions such as supervising, managing, leading, teaching, directing and controlling.
- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria.
- Ability to operate equipment and machinery with some requiring complex and rapid adjustments, such as computer keyboard/terminal, calculator, fax machine and telephone.
- Ability to perform basic functions of all MS Office suite products.

### **Physical and Working Environment**

Normal office working conditions within minimal exposure to disagreeable elements.

Normal mental and visual attention is required. Light physical demands to include bending, twisting, turning, and light lifting. Limited exposure to workplace hazards

**Acknowledgement**

All requirements of the described position are subject to change over time. The employee may be required to perform other duties as requested by the City.

Signature of Department Director: \_\_\_\_\_ Date: \_\_\_\_\_

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Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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