

**TOWNSHIP OF WATERFORD
RACINE COUNTY, WISCONSIN**

**TOWN BOARD'S FINDINGS, DETERMINATIONS AND RESOLUTION
RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES
WITHIN THE TOWN OF WATERFORD**

THE TOWN BOARD, of the Township of Waterford, at its regular and duly-noticed monthly meeting, hereby finds and determines as follows:

WHEREAS, the Town Board is obligated to provide fire protection services to the Town by Wis. Stat. § 60.55(a)(1); and

WHEREAS, the Tichigan Volunteer Fire Co., Inc. currently provides fire protection services to the Town; and

WHEREAS, the Tichigan Volunteer Fire Co., Inc. has requested that the Town supply it with a replacement fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services to the Town; and

WHEREAS, the Town Board has previously commissioned an independent study which found that a replacement fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to maintain continuing fire protection services at the level currently provided; and

WHEREAS, the Town Board finds that the purchase of a replacement fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services will benefit all residents of the Town; and

WHEREAS, the proposed expenditure for the fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services will enable to the Town to continue to receive fire protection at the level currently provided; and

WHEREAS, the proposed expenditure for the fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services will be less than the cost of establishing a Town of Waterford Fire Department or contracting with another fire protection services provider;

NOW THEREFORE, pursuant to Wis. Stat. §§ 60.55(2)(a) and / or 61.34(1) (which is applicable to the Town by virtue of its village powers) and / or 66.0627 the Town Board of the Town of Waterford does hereby resolve:

1. That it will pay for a replacement fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services to the Town of Waterford.
2. That whether the fire engine is purchased by the Tichigan Volunteer Fire Co., Inc. and paid for by the Town of Waterford or whether the Town purchases the fire engine directly, the Town will retain ownership of the fire engine and will make it available free of charge to the Tichigan Volunteer Fire Co., Inc. in order to provide fire protection services to the Town.
3. That in the event the Tichigan Volunteer Fire Co., Inc. purchases the fire engine, the sale and any contract for sale must be approved by the Town Attorney for the Town of Waterford and the Town Board.

4. That pursuant to Wis. Stat. §§ 60.55(2)(a) and / or 61.34(1) and / or 66.0627, funds expended in order to purchase the fire engine and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services and any debt service thereon shall be recouped by charging a fee for the fire protection provided to every owner of a residence in the Town of Waterford. The fee charged shall be established according to the fee schedule contained in the addendum to this resolution.
5. That the fee charged shall be wholly separate and apart from the Town tax levy and shall appear on property tax bills as a special charge
6. That the Town intends to purchase the fire engine and charge residence owners within the Town for fire services notwithstanding the invalidation of its ability to do so under any of the Statutes cited above. In the event that one or more of the sections cited are later determined invalid and / or inapplicable to grant the Town the authority to purchase the fire and other replacement equipment and / or services which may in the future be necessary for the Tichigan Volunteer Fire Co., Inc. to provide fire protection services and recoup the funds so expended by charging residence owners for fire protection services, it is specifically the Town's intention that its action adoption of this resolution be interpreted as having been made pursuant to the remaining section(s) not so invalidated or determined to be inapplicable.
7. That upon the Town fully recouping the funds expended in order to purchase the fire engine and any debt service thereon, the Town Board shall review the fees established in the addendum to this resolution as well as whatever costs are then being incurred

by the Town in connection with the provision of fire protection services and adjust the fee charged accordingly.

PASSED AND ADOPTED this 12th day of September, 2011, to take effect upon posting and publication as required by law.

ON FILE
ROBERT E. LANGMESSER
Town Chairman

ATTEST:

ON FILE
TINA MAYER

ADDENDUM

TOWN OF WATERFORD FIRE PROTECTION FEE SCHEDULE

Pursuant to Wis. Stat. §§ 60.55(2)(a) and / or 61.34(1) and / or 66.0627, each owner of a residence located within the Town of Waterford shall be charged a fee for fire protection services. The fee shall be:

- \$40.00 per annum