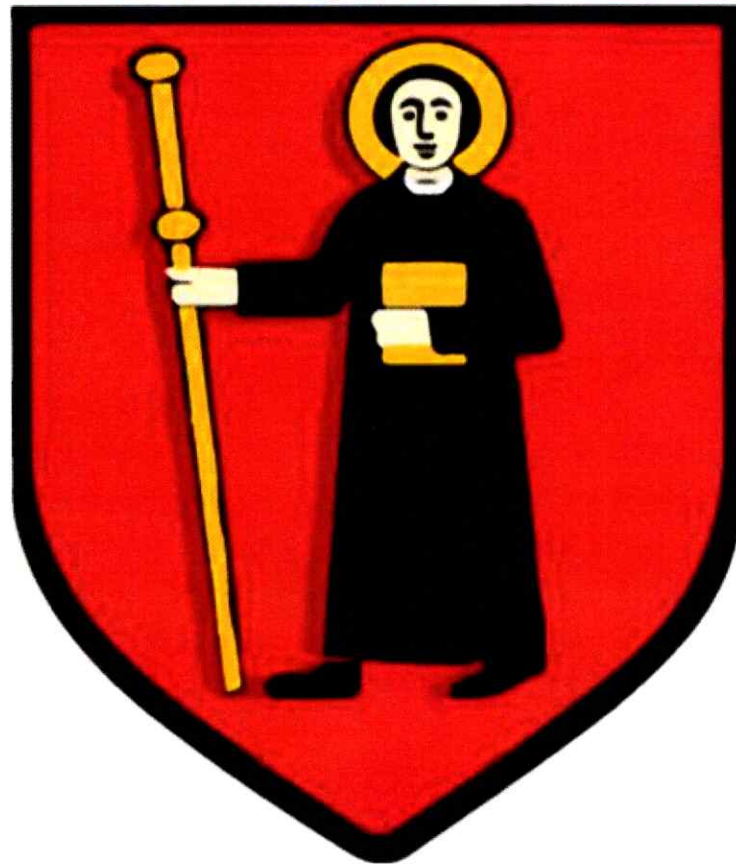


Town of New Glarus

Information Packet

Town of New Glarus



ARTICLES OF INCORPORATION FOR
Friends of Town of New Glarus Parks, Inc.
A Non-Stock Corporation

I. NAME.

The Name of the Corporation is: Friends of Town of New Glarus Parks, Inc.

II. PRINCIPAL OFFICE.

The Principal Office of the Corporation shall be _____

REGISTERED AGENT.

The Registered Agent for the Corporation shall be: _____

MEMBERSHIP STATEMENT.

The Corporation will not have members.

III. DISTRIBUTIONS UNDER THE STATUTE.

The Corporation may make distributions authorized by Wis. Stat. sec. 181.1802, but shall not make any distributions prohibited by sec. 181.1301.

IV. INCORPORATOR.

The Incorporator is _____

V. ADDITIONAL ARTICLES.

A. Organizing Purpose.

The corporation is organized exclusively for charitable, educational and scientific purposes and not-for-profit within the meaning of section 501(c)(8) of the Internal Revenue Code, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code..

B. Operations Restrictions.

Notwithstanding any other provisions of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law), or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law). No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

C. Distribution of Assets on Dissolution.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations,

as said Court shall determine, which are organized and operated exclusively for such purposes.

D. The Corporation's powers shall expressly include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property, and acting as a "holder" of conservation easements under Wis. Stats. sec. 700.41 (1)(b).

EXECUTION:

I hereby execute these Articles of Incorporation as the Organizer of the Friends of Town of New Glarus Parks, Inc.



Date

This Document was draft by
Attorney Mark B Hazelbaker
Madison, WI 53719



CONSERVATION EASEMENTS

REAL ESTATE PROGRAM

In its basic form, an easement is a way to convey some of the land rights associated with ownership to another party. Utility, highway and driveway easements are examples of how both parties use the land in a specific way.

Similarly, a conservation easement is a voluntary legal agreement between a private landowner and a government agency, a non-profit conservation organization or a land trust that permanently limits specified current and future uses.



As with other easements, landowners retain ownership and many uses of their property such as agriculture, hunting and fishing. However, a conservation easement will also help protect water quality, habitat and natural resources.

Although each conservation easement is unique, some examples of land rights purchased by state or local agencies include the right to improve streams, fence livestock out of the stream corridor, permit public access and prohibit development. The agreement will also indicate the geographical boundaries of the easement.

Land ownership stays with the landowner while easement rights "run with the land," that is, the agency retains the easement rights if the landowner sells the land and the new landowner must abide by the easement. The easement document is recorded at the county Register of Deeds.



Some examples of easement protection:

Streambank Easements

The program purchases easements directly from landowners. In return for payment, the landowner allows public fishing and DNR management activities along the stream corridor on their property. The easement area is generally 66 feet of land from the stream bank on either side of the stream.

Easements are perpetual and remain on the land even if it sold or deeded to an heir.

Forest Legacy

Wisconsin's Forest Legacy Program aims to keep forests as forests by protecting large unfragmented blocks of forest lands that provide the highest conservation value and public benefit and minimize conversion of forests to non-forest uses through the purchase of conservation easements.

Wetland Compensatory Mitigation

Wetlands provide many benefits, including flood control, fish and wildlife habitat, and groundwater recharge. When there are unavoidable impacts to wetlands, it is important to compensate for those impacts. Compensatory mitigation involves the restoration, enhancement, establishment or preservation of wetlands to compensate for unavoidable impacts to other wetlands. The goal of wetland mitigation is to compensate for the functional loss resulting from wetland impacts.

RELATED LINKS

- Conservation Easements: [*A landowners guide to easements purchased through WI's Runoff Management and Stewardship Streambank Protection Program*](#)^[pdf] DNR PUB-WT-549 2002

**ORDINANCE 2023-01 CODIFYING THE TOWN OF NEW GLARUS
PARK COMMISSION**

WHEREAS, a recent discussion concerning an issue with the membership of the Town's Park Commission revealed that there is no codified ordinance creating the Park Commission; and

WHEREAS, the following ordinance has been prepared to place the provisions concerning the structure of the Park Commission in the Town's Code of Ordinances;

NOW, THEREFORE, the Town Board of the Town of New Glarus, Green County, Wisconsin, do hereby Ordain as follows:

ARTICLE ONE. CHAPTER 204 of the Town Code of Ordinances is created to read:

CHAPTER 204. TOWN COMMISSIONS AND BOARDS.

200-1 Park Commission

200-2 Plan Commission [Placeholder]

220-1 Park Commission.

- A. Composition. The Park Commission shall consist of seven 7 citizen members appointed by the Chairperson and confirmed by the Town Board. Additionally, the Chairperson shall appoint an alternate member to act in place of any member who is absent or precluded from participating in a matter by reason of conflict of interest or otherwise. In addition, 1 Supervisor annually selected by majority vote of the Town Board shall be an ex officio liaison member.
- B. Each Commission member shall hold such office for a term of 7 years, said terms to end June 30 in the year of expiration.
- C. Compensation; Oaths. Commission members shall receive such compensation as shall be determined by the Town Board from time to time. Members shall take an official oath prescribed by Wis. Stat. § 19.01, to be filed with the Town Clerk.
- D. Organization of Commission. The Commission shall annually in July elect a member as Chair and another member as secretary. The secretary shall be responsible for taking minutes.
- E. Procedure. 4 members shall constitute a quorum. The Chair, or acting Chair, shall be included in determining a quorum. Action shall be by a majority of those present and voting. The Commission may adopt rules of procedure for governing the conduct of its meetings.
- F. Record. The Park Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the Town Clerk. 4 members shall constitute a quorum, but all actions shall require the affirmative approval of a majority of the members of the Commission in attendance once a quorum is present.
- G. Duties. The Park Commission shall have all the powers conferred by law upon park and recreation commissions and shall be chargeable with all the duties so required,

such as recommend, oversee work and oversee funds of all parks, playgrounds and recreational activities as part of properties within the Town. The Park Commission is specifically empowered and directed, under the oversight of the Town Board, to do the following:

- (1) With authorization of the Town Board, manage, improve and care for all public parks located within, or partly within and partly without, the limits of the Town and secure the quiet, orderly and suitable use and enjoyment thereof by the people; also to adopt rules and regulations to promote these purposes.
- (2) To recommend to the Town Board acquisition the name of the Town for park purposes by gift, purchase, devise, bequest or condemnation, either absolutely or in trust, money, real or personal property, or any incorporeal right or privilege, provided gifts to the Town of money or other property, real or personal, either absolutely or in trust, for park purposes shall be accepted only after they have been recommended by the Commission to the Town Board.
- (3) To recommend to the Town Board sale or exchange of property no longer required for park purposes
- (4) To have the powers necessary and convenient for the effective and efficient management, supervision and operation of the Town parks and recreation program, subject to budgetary approval by the Town Board.
- (5) To establish rules and regulations, including user fees as approved by the Town Board and desirable for the proper use, care and operation of parks, park facilities, recreation programs and other activities under their control, provided however that such rules and regulations do not conflict with the laws of the State of Wisconsin or this Code of Ordinances.
- (6) Such other and further duties as may be necessary for the proper carrying out of the purposes of said Commission.
- (7) Public Recreation Program. The Park Commission shall review the Town's recreational needs and shall advise the Town Board on the public recreation program of the Town, including:
 - (i) Establishing park rules and program policies.
 - (ii) Cooperating with public school activities.
 - (iii) Cooperating with any private recreational activities.
 - (iv) Approving schedules of activities in Town parks.
- (8) Finance.
 - (i) Budget. The Park Commission shall assist in preparing an annual budget for submission to the Town Board, which budget shall reflect the Commission's recommendations as to maintenance or acquisition of Town parks, open spaces, park and related facilities, recreation programs and equipment, summer or seasonal employees, etc. Said annual budget request shall contain estimates as to revenues to be derived from recreation programs or activities as well as estimated expenditures for operating the parks and recreation system.

- (ii) Deposits. All revenues and income from the operation of park and recreation programs shall be deposited with the Town Treasurer as general revenue of the Town.
- (iii) Monetary Contributions. All moneys donated to the Town specifically for park or recreation use shall be deposited Town accounts as a nonlapsing fund or reserve for such specific use.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Adopted by the Town Board of New Glarus, August 9, 2023.

TOWN OF NEW GLARUS

Chris Narveson, Town Chairman

Attest:

John Wright, Clerk-Treasurer