

**Lake District Commissioner  
Training, Workshop 1**

2008 Wisconsin Lakes Convention

---

---

---

---

---

---

---

---

**Lake Districts are:**

- Specialized Units of Government
- Powers and Operations are set by law
- Governed under Chapter 33 of State Statutes
- Governed under Municipal Law

---

---

---

---

---

---

---

---

**Lake Associations are:**

- Organizations, similar to homeowners groups
- Typically voluntary
- May be incorporated
- May be tax exempt
- "Qualified" lake associations are grant eligible

---

---

---

---

---

---

---

---

### Qualified Lake Associations

- Incorporated under Ch 181, Wis Stats
- In existence for at least 1 year
- Formed for the purpose of lake improvement
- Membership open to anyone within 1 mile of the lake
- At least 25 members
- Annual dues between \$5 - \$50

---

---

---

---

---

---

---

---

### What's Best?

- Whatever type meets your needs
- Districts & associations can work together
- What starts as an association may transition into a district in the future

---

---

---

---

---

---

---

---

### Forming a Lake District

- Petition signed by property owners whose names appear on tax role.
- Petition must contain statement of benefit, necessity, public welfare, description of boundaries, proposed name for district.
- Resolution from any city or village with land to be included within the district.
- Government approval.

---

---

---

---

---

---

---

---

### Identity

- **What's your name and where do you live?**
  - **Be consistent with what you call your lake district**
    - Are you Bass Lake District, Bass Lake PRD, District of Bass Lake, Bass Lake District of Polk County, or ...
  - **Establish a PO Box for district mail**

---

---

---

---

---

---

---

---

### A lake district is governed by:

- **The Board of Commissioners**
- **The Annual Meeting**



---

---

---

---

---

---

---

---

### Board of Commissioners - 1

- **Standard board:**
  - **3 elected commissioners**
    - One must be a district resident
  - **2 appointed commissioners**
- **Enlarged board:**
  - **5 elected commissioners**
    - Can not be reversed
  - **2 appointed commissioners**

p. 63-66

---

---

---

---

---

---

---

---

### Board of Commissioners - 2

- **Elected commissioners:**
  - 3 year staggered terms
  - secret ballot is required even if there is no contest
- **Vacancies filled by appointment**
- **Are considered local government officials**
  - May take oath of office

---

---

---

---

---

---

---

---

### Board of Commissioners - 3

- **2 appointed commissioners:**
  - Appointee of the city, village or town with the largest equalized valuation
  - Appointee nominated by county Land & Water Conservation Committee & appointed by county board

---

---

---

---

---

---

---

---

### Board of Commissioners - 4

- **Officers of the District:**
  - Chairperson, secretary, & treasurer
  - One year term
  - Elected by the board of commissioners

---

---

---

---

---

---

---

---

### Duties of Commissioners

- Chair presides at all meetings of district
- Treasurer shall receive and take charge of all monies
- Secretary keeps minutes & other district records, prepares & sends notices of meetings
- The board shall
  - Meet quarterly, not including the annual meeting
  - manage the day to day activities of the district
  - schedule the annual meeting
  - and propose an annual budget

p. 68

---

---

---

---

---

---

---

---

### Ethical Standards for Commissioners

As local government officials...

you are prohibited from:

- Taking action on something you have a financial interest in
- Accepting a gift that could influence vote/action
- Using position to obtain financial gain
- Using position to benefit yourself

p. 68

---

---

---

---

---

---

---

---

### Legal Responsibilities of Commissioners

As local government officials...

You are required to follow:

- Open Meetings Law
- Public Records Law
- Budget & accounting laws in Ch 33, Wis. Stat.

Different from lake associations, clubs, other organizations

p. 36, 68-69

---

---

---

---

---

---

---

---

### What is required by the Open Meetings Law?

- Advance public notice of a meeting — at least 24 hours
- Sub-groups of the board must also post meetings
- All business must be conducted in open session unless otherwise noticed
  - Special requirements for closed sessions [Wis. Stat. Ch 19.85(1)]

---

---

---

---

---

---

---

---

### Requirements for “open session”

- The meeting must be held in an area that is large enough and reasonably accessible to members of the public
- Meetings should not be held in private homes, private rooms in restaurants
- Meetings should be held in locations near the public that is being served

---

---

---

---

---

---

---

---

### The Public Must Be Notified

- Notice may be posted at three different locations in the area frequented by members of the district, or
- Notice may be given in a newspaper
- Email & internet notices may not be used instead of postings or publication

---

---

---

---

---

---

---

---

**A Public Notice Includes:**

- Time
- Date
- Place
- Subject matter
  - The agenda needs to contain enough detail for someone to understand the issue and decide whether or not they need to attend the meeting.
  - It's not enough to say "boating." Specific nature of agenda item should be spelled out: "discussion and possible action on the hiring of water safety patrols".
- Good idea to include time for public comment.

---

---

---

---

---

---

---

---

**Record Keeping**

**Open Records Requirements**

- Keep minutes – at least motions and votes
- Requests for records
  - Need to provide
  - May charge for this service
- Options for making records easily available
  - Website
  - Post at library, public launch, town hall, post office...

---

---

---

---

---

---

---

---

**Annual & Special Meetings**

- Property owners & electors have voice
- Notices – Open Meetings Law
  - Extra requirements
- Records – Public Records Law
  - Same as for commissioner meetings
- Time – annual meeting must occur between May 22 & September 8, unless another date is selected at the previous annual meeting

p. 70-74

---

---

---

---

---

---

---

---

**Special Meetings - 1**

- **May be held at any time of the year**
  - May be scheduled by the board
  - May be scheduled upon petition of 10% of the property owners & electors
- **Subject to same notice requirements as annual meeting**

p. 74

---

---

---

---

---

---

---

---

**Special Meetings - 2**

- **Can NOT approve an annual budget**
  - May amend the budget
- **Can NOT dissolve the district**
- **Can NOT reconsider a matter resolved during another special meeting.**

p. 74

---

---

---

---

---

---

---

---

**Notice of Annual Meeting**

- **14 days before meeting:**
  - Mail to property owners (required)
  - Mail to electors (option: may vote to use legal ad)
- **Publish paid legal notice in two successive issues of official paper (resolution needed to substitute)**
- **Mail notice to DNR**
- **Provide notice to any media that requests it**

p. 70

---

---

---

---

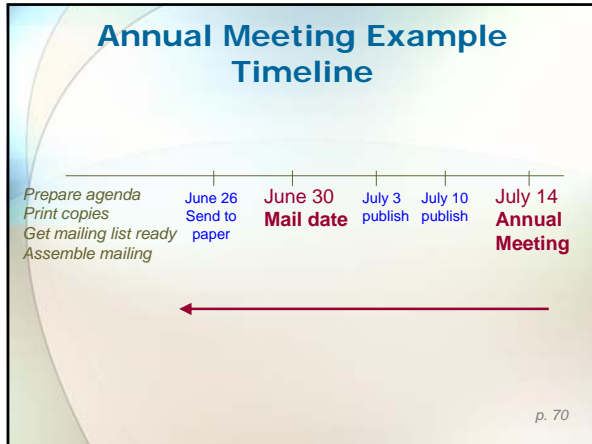
---

---

---

---





---

---

---

---

---

---

---

---

- ### Notice of Annual Meeting
- Time, date, place
  - Agenda
    - List of items to be considered, be specific
    - Public comment period
  - Proposed budget
    - Detail
    - Proposed levy
  - Candidates – not required
- p. 70-72

---

---

---

---

---

---

---

---

- ### Who can vote?
- A person whose name appears on the tax roll.
  - A person who owns title to real property – a "spouse" may vote.
  - One official representative of a trust or corporation in the district.
  - A registered voter resident in the district.
  - Owners of multiple properties can only vote once.
- p. 73

---

---

---

---

---

---

---

---



**The Budget**

- General operating expenses
- Capital fund
- Grants
- Projects \$10,000 or greater
- Attendees may consider and vote on amendments before approving budget

---

---

---

---

---

---

---

---

**Audit**

- Prepared annually
- Presented at annual meeting
- Usually done by an internal committee or an accounting firm

p. 75

---

---

---

---

---

---

---

---

**Odds & Ends**

---

---

---

---

---

---

---

---

**Bylaws – yes / no / maybe...**

- Drawbacks
- The simpler, the better
- Need to comply with Chapter 33 & other laws
  - cannot conflict / Ch 33 supersedes
- Provide for making changes
- Alternatives
  - Operating policies

*p. 82*

---

---

---

---

---

---

---

---

**Bids Required**

- If enter into a contract for the performance of work over: **\$2,500**
- The purchase of any materials exceeding:
- Lowest responsible bidder
- Typically — Written request for proposals sent to local paper and distributed to contractors/vendors
- Don't be afraid to ask contractors/consultants for references, ...and follow up on them.

*p. 81*

---

---

---

---

---

---

---

---

**Professional Services vs. Work**

- Professional services –
  - Define – task requiring specialized knowledge
  - Examples: lake management plan, APM plan, insurance evaluation, legal advice
  - Bids not required
- Work
  - Define – repetitive tasks
  - Examples: dredging, purchase of insurance, aquatic plant treatments,
  - Bids are required

---

---

---

---

---

---

---

---

**Robert's Rules**

- Purpose is to help conduct an orderly meeting
- Become familiar with basics
  - But don't become bogged down in procedure
- Order of motions - on CD
- [www.robertsrules.com](http://www.robertsrules.com)

---

---

---

---

---

---

---

---

**Communications**

- How do you communicate with your members?
  - Newsletter
  - Website
  - Other... grapevine, blog?

---

---

---

---

---

---

---

---

**Networking**

- WAL
- UW-Extension
- DNR
- Each other
- Lake Leaders
- Lakes Convention
- Lake List
  - [www.uwsp.edu/cnr/uwexplakes](http://www.uwsp.edu/cnr/uwexplakes)

---

---

---

---

---

---

---

---