

Lake District Commissioner Training, Workshop 1

2010 Wisconsin Lakes Convention

Meetings & Operations

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Powers Lake District Commissioner (county)**

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We'd like to meet you...

Every lake district is unique and will have its own unique situations —

- **nothing is too trivial**
- **we are always learning from each other — “networking”**

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**

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**

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**

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**

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**

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**

Is this a walking quorum?



UW-Extension Lakes

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



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**

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**

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.**

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**

Annual Meeting Example Timeline



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**

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.**

The Voting Process

- **Be prepared**
 - **Have a copy of the tax roll**
 - **Voters self-certification example**
 - **Color coded ballots or voter ID cards**
- **Organize the process**
 - **Have a formal check-in process**
 - **Get enough help**
 - **Serve refreshments, have exhibits**
 - **“Complaint department”**
- **No absentee ballots or proxies**

Financing Lake District Operations

- **General property tax (mill levy)**
 - For general operating expenses
- **Special charges**
 - For activities with temporary benefits to individual properties
- **Special assessments**
 - For very large projects – usually involve financing

Review of Tax Rolls

- **County Tax Listing Dept. (TLD)**
 - **Annually updates records where property changes have occurred**
 - **County GIS specialists update maps – should be able to provide copies to lake districts**
 - **Check that all parcels that you believe are in your district are being included in that tax roll**
- **Helps keep district mailing & voting records up to date**

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**

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**

Bids Required

- **If enter into a contract for the performance of work over:**
- **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.**

\$2,500

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**

Communications

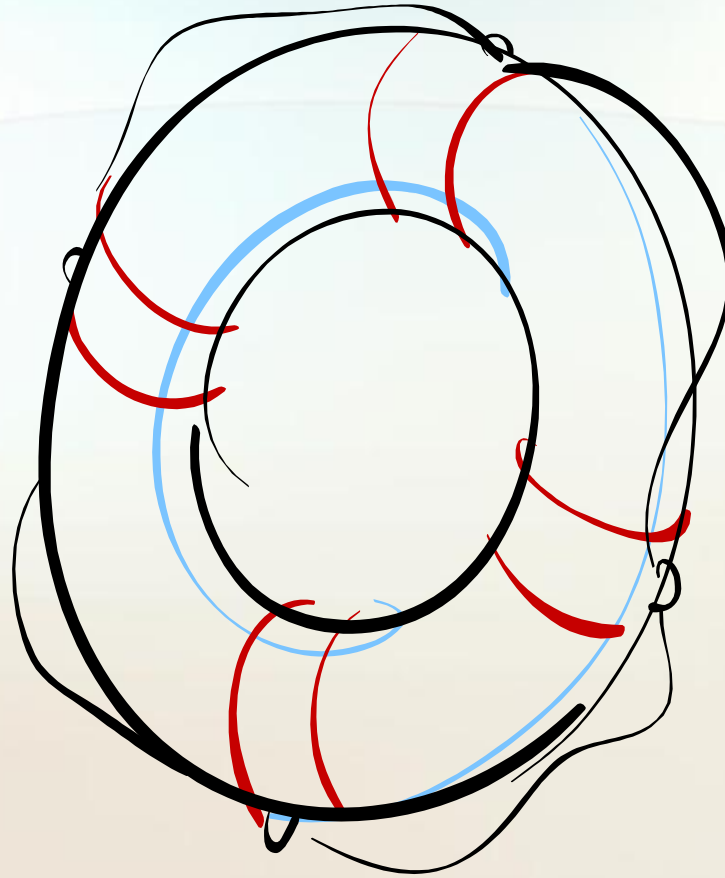
- **How do you communicate with your members?**
 - **Newsletter**
 - **Website**
 - **Other... grapevine, blog?**

Networking

- **WAL**
- **UW-Extension**
- **DNR**
- **Each other**
- **Lake Leaders**
- **Lakes Convention**
- **Lake List**

www.uwsp.edu/cnr/uwexplakes

Insurance





Contact us...

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