

Lake District Commissioner Training

2018 Lakes Partnership Convention

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People of the Lakes

A Guide for Wisconsin Lake Organizations



Lake Associations
& Lake Districts

11th Edition - 2006

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Assemble a nucleus of interested people

The beginning of a lake organization

**Develop a list of reasons
forming a lake organization
would benefit the lake**

Lake Associations

- **Voluntary organization**
- **Incorporated or partnership of individuals**
- **Nonprofit?**
- **“Qualified” lake association**
 - **WI DNR grant eligible**
 - **Qualifications include meeting specific purpose, dues, and membership requirements**

Lake Districts

- **Specialized Unit of Government**
 - Open meetings
 - Public records
 - Ethics requirements
- **Taxing authority**
- **Powers if granted**
 - Watercraft regulation
 - Water and septic/sewer programs
- **Chapter 33 of State Statutes**

**Develop a list of reasons
forming a lake organization
would benefit the lake**

Informational meeting about forming a lake organization

Required? No

Good idea? Yes

Determining Boundaries

- lands proposed to be included within the district will benefit as a whole
- need not be excluded because the owner objects

Signed Petition

- 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 to included land in the district
- City or village approval
- Signed verification of the signatures by a petitioner

Petition filed with the clerk

Public Hearing

County/Town Board Decision:

- petition is signed by the requisite number of owners (51% of owners or owners of 51% of land)
- the district is necessary
- public health, comfort, convenience, necessity or public welfare will be promoted
- property included in the district will be benefited

Lake District Governed by:

- **The Board of Commissioners**
- **District Property Owners and electorate at Annual or Special Meeting**

Board of Commissioners

- **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**

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**

2 Appointed Commissioners

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

Municipal Appointee

- **Can be a member of the local government's elected body**
- **If not, appointee must be a resident of the district, ideally one who owns property in the district**

Appointed Commissioners

- Do not need to be property owners or electors of the district
- Have a full voice and vote at the quarterly meetings of the board of commissioners of the district
- Can vote at the annual meeting of the district only if they are a lake district property owner or electorate

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**
 - **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*

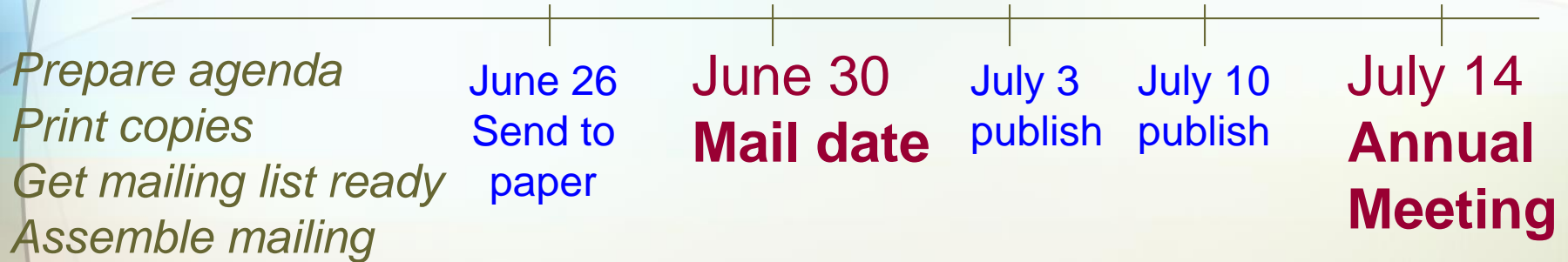
Annual & Special Meetings

- **Property owners & electors have voice and vote**
- **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**

Notice of Annual Meeting

- **14 days before meeting:**
 - Mail to property owners (required)
 - Mail to electors
(Option: Commissioners may vote to publish [paid] legal notice in two successive issues of official paper)
 - Mail notice to DNR
- Provide notice to any media that requests it

Annual Meeting Example Timeline



Annual Meeting Notice Includes

- **Time, date, place**
- **Agenda**
 - **List of items to be considered, be specific**
 - **Public input time suggested**
- **Proposed budget**
 - **Detail (Ch 33.29(1)(g), Stats.)**
 - **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 such as “spouse”
- One official representative of a trust or corporation in the district.
- A registered voter who resides in the district.
- Owners of multiple properties can only vote once.

The Voting Process

- **Be prepared**
 - Have a copy of the tax roll
 - Voter self-certification document
 - 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**

(*your lake name*) LAKE DISTRICT

VOTER CERTIFICATE

The undersigned does solemnly swear (or affirm) that he or she:

Is at least 18 years of age and a citizen of the United States and is not otherwise disqualified to vote in Wisconsin elections, and

Check One:

- Owns land within the boundaries of this Lake District.
- Resides within the boundaries of this Lake District.
- Is the official representative, officer or employee who is authorized to vote on behalf of the following trust, foundation, corporation, association or organization that owns real property in the District:

(print full name of organization that owns property within this Lake District)

(Signature of Voter)

(Print Name)

(Address)

WARNING: VOTER FRAUD IS A FELONY

Section 12.13 of the Wisconsin Statutes (voter fraud) prohibits any person from voting at the Annual Meeting unless the person meets the lake district voting requirements as an owner of property in the District or as an elector who resides within the District. A person who violates Wisconsin's voter fraud statutes may be imprisoned for up to 18 months.

Who can vote?

- Self-certification of eligibility

Financing Lake District Operations

- **General property tax (2.5 mill cap)**
 - For general operating expenses
- **Special charges (\$2.50/\$1000 cap)**
 - For activities with temporary benefits to individual properties
- **Special assessments**
 - For very large projects – usually involves financing

The Budget

- Actual revenues and expenses
- General operating expenses
- Capital fund
- Grants and Loans
- Projects \$10,000 or greater
- Annual meeting “may consider and vote on amendments” before approving budget

Changes

- **Attaching new properties to the lake district boundaries**
- **Detaching property from the lake district boundaries**
- **Merging lake districts**
- **Dissolution of the lake district**

Networking Resources

- **Wisconsin Lakes (WAL)**
- **UW-Extension**
- **DNR**
- **County Land Conservation Dept**
- **Each other**
- **Lake Leaders**
- **Lakes Convention**
- **Lake Tides Newsletter**



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