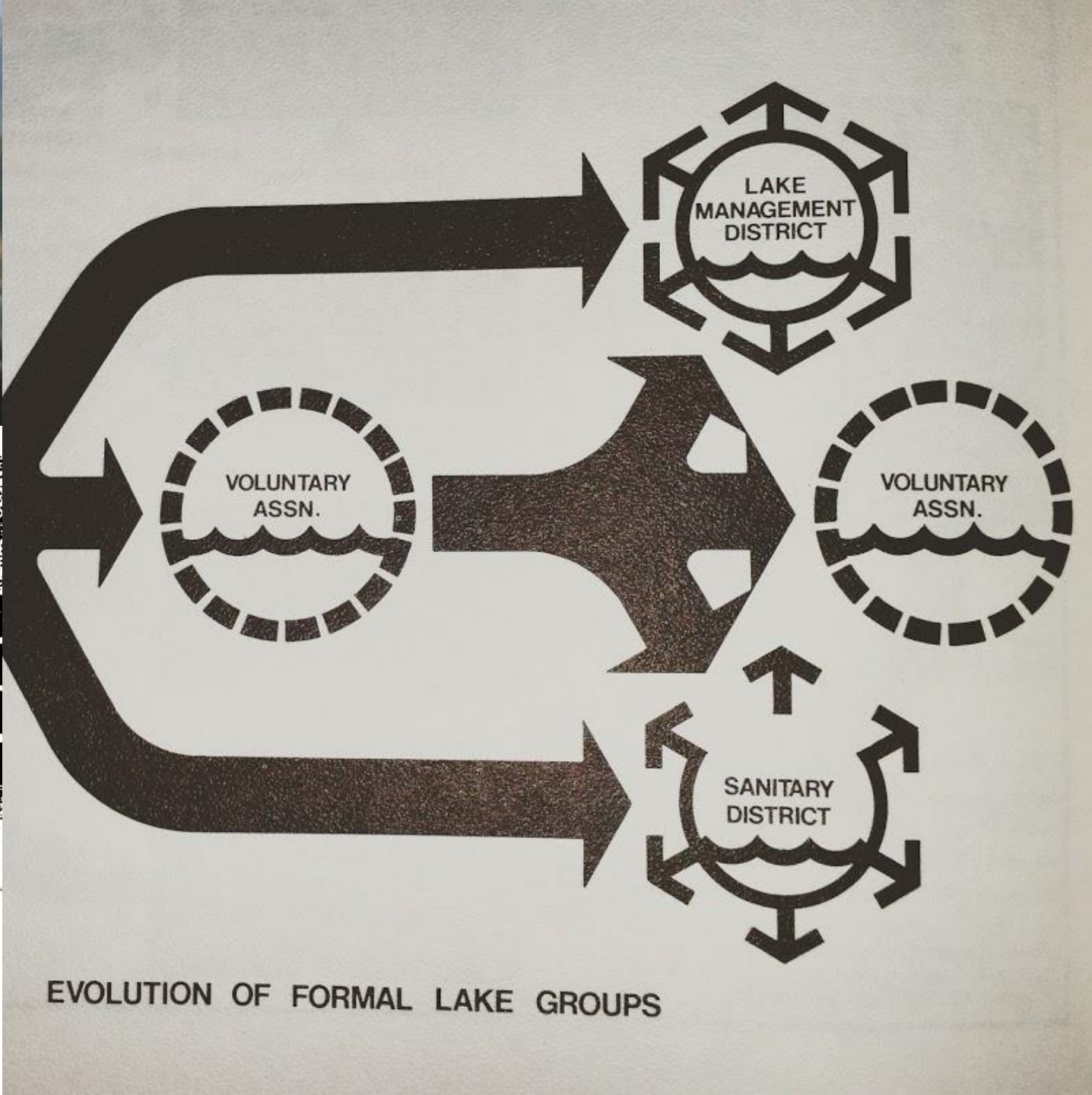


Lake District Commissioner Training

2019 Lakes Partnership Convention

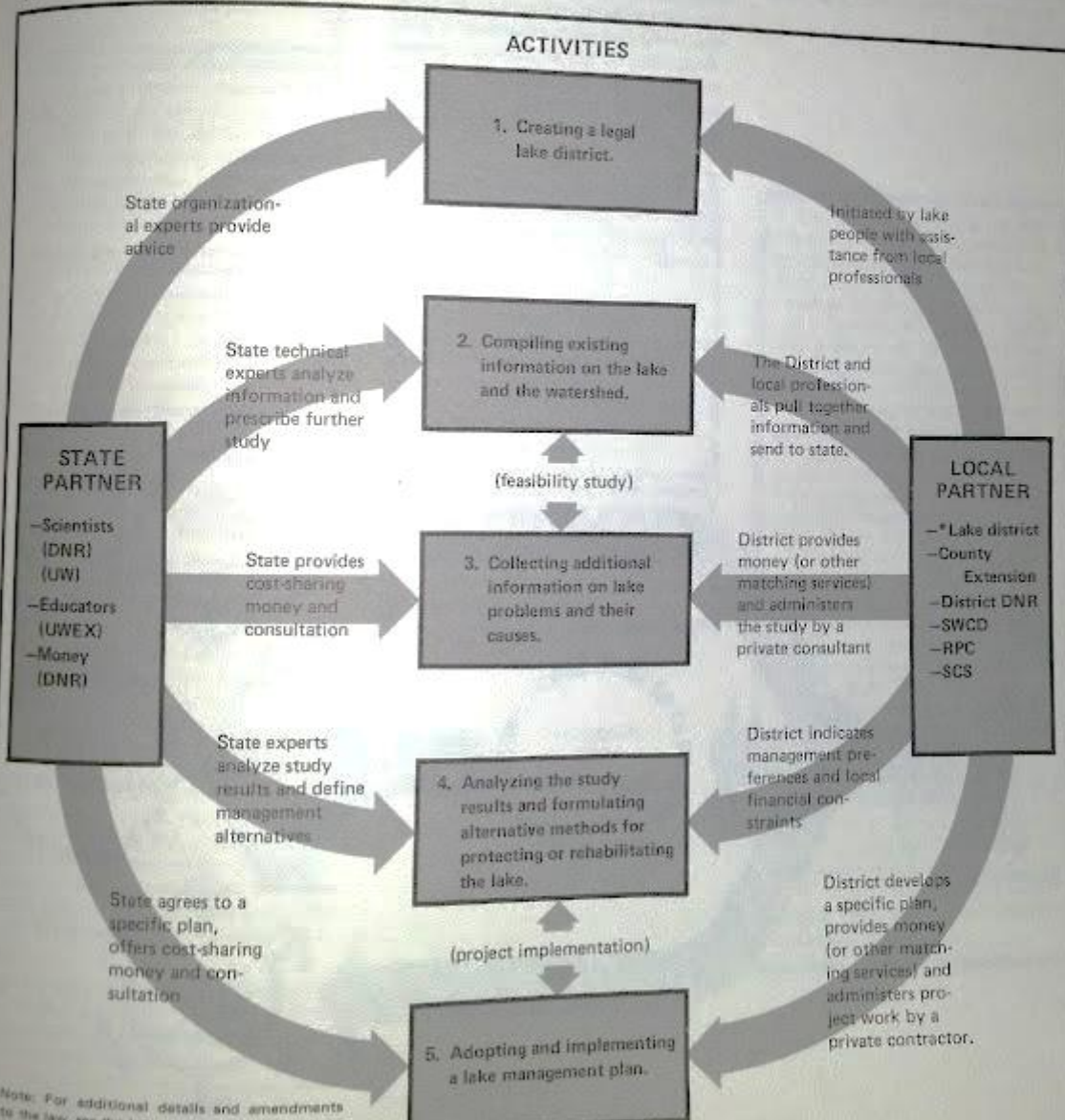
Eric Olson
UW Extension Lakes
eolson@uwsp.edu





How The State—Local Partnership Works

State aids to lake districts consist of technical assistance and money (cost-sharing grants). If a district decides to apply for aids under this program, a set procedure must be followed. The general approach and type of aid available is shown below.



Lake Associations are:

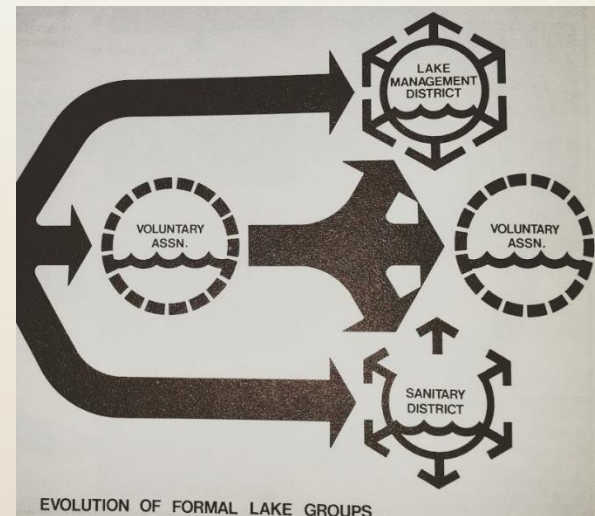
- **Organizations, similar to homeowners groups**
- **Typically voluntary**
- **May be incorporated**
- **May be tax exempt**
- **“Qualified” lake associations are WI DNR grant eligible**

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 and often do work together**
- **What starts as an association may transition into a district in the future**



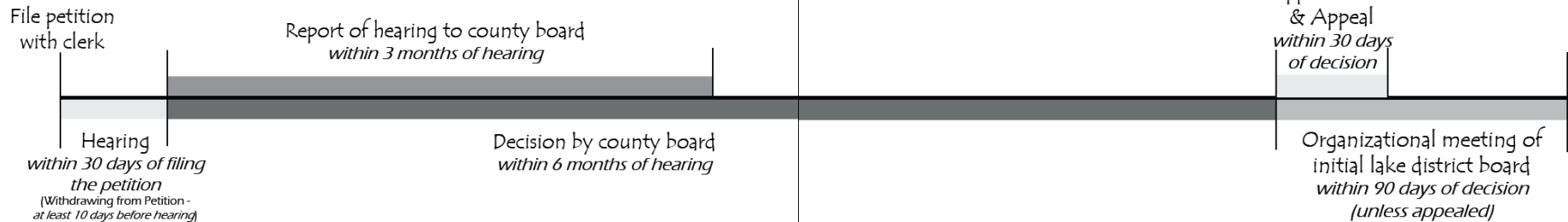
Forming a Lake District

- **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.**

1. Petition from landowners goes to County Clerk

2. County committee holds hearing

Timeline for Lake District Petitioning Process



3. County committee reports to County Board

4. County Board decides

5. Appointment and appeal

6. Initial organizational meeting

County board decision based on:

- **petition is signed by the requisite number of owners (50% of owners or owners of 50% 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**

Determining Boundaries

- **lands proposed to be included within the district will benefit as a whole (Need not examine parcels individually)**
- **need not be excluded because the owner objects**
- **not required that each individual parcel of land be benefited or be located in the lake's watershed.**

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

Town, City, Village 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 (2015 Act 25)**

Board of Commissioners - 5

Appointed Commissioners:

- do not need to be property owners or electors of the district
- have a full voice at the quarterly meetings of the board of commissioners of the district
- can vote at the annual meeting of the district only if they meet the annual meeting voting requirements

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



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**

Notice of Annual Meeting

- **14 days before meeting:**
 - **Mail to all property owners (required)**
 - **Mail to electors (who are they?)**
(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**

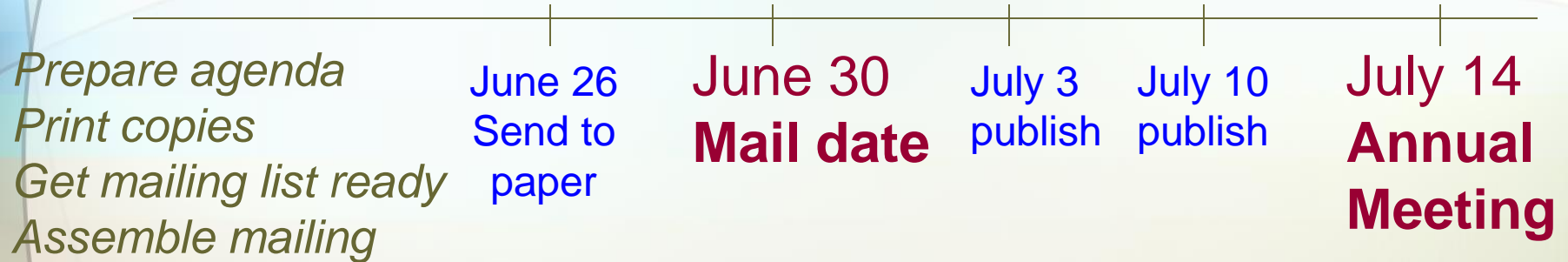
33.30 Annual meeting of district.

(2)

(a) The annual meeting shall be preceded by written notice mailed at least 14 days in advance of the meeting to all electors within the district whose address is known or can be ascertained with reasonable diligence, to all owners of property within the district at the owner's address as listed in the tax roll, and to the department. The district board of commissioners may substitute a class 2 notice, under ch. 985, in lieu of sending written notice to electors residing within the district.

Note the comma...

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 – a “spouse” may vote.**
- **One official representative of a trust or corporation in the district.**
- **A registered voter who resides in the district (aka “electors”).**
- **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

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

Networking

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

<http://www.uwsp.edu/uwexplakes/>

**2020 Wisconsin Lakes Partnership
Convention**

April 1-3

These workshops: April 1

**Holiday Inn Hotel & Convention Center
Stevens Point**