



Extension  
UNIVERSITY OF WISCONSIN-MADISON

# Lake District Commissioners Introduction

Patrick Nehring

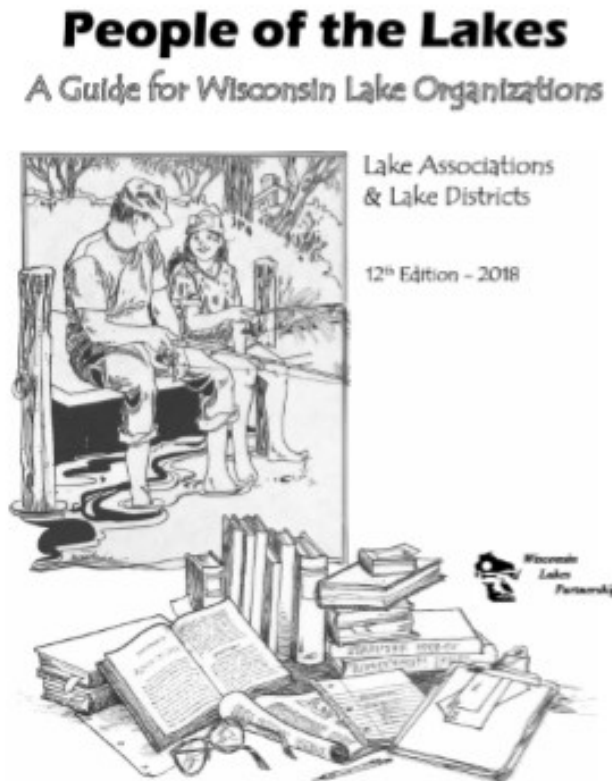
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# Lake Organization Structure Resources

- People of the Lakes: A Guide for Wisconsin Lake Organizations
  - <https://www.uwsp.edu/cnr-ap/UWEXLakes/Pages/organizations/guide.aspx>
- Wisconsin Statutes
  - Chapter 33 – Lake District
  - Chapter 181– Lake Association
    - 281(3m) – Qualified Lake Assoc.
  - Other Chapters
- UW-Madison Extension
  - County Extension Office
  - Extension Lakes at UW-Stevens Point



# The beginning of a lake organization

- Assemble a nucleus of interested people



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

- At the top of your screen use the pull down menu and select annotate. Use the text or draw options to list reasons to form a lake organization:

# What is your lake connection?

At the top of your screen use the pull down menu and select annotate. Use the stamp option to put a checkmark in the boxes that describe you:

Property Owner near a lake	Resident near a lake	Vacation near a lake
Lake Association Member	Lake District Resident or Property Owner	Municipal, County, or State Official or Staff
None of the above		

# Extension Lakes Website

<https://www.uwsp.edu/cnr-ap/UWEXLakes/Pages/organizations/default.aspx>

# Lake Associations

- Voluntary organization
- Incorporated or partnership of individuals
- Nonprofit?
- “Qualified” Lake Association
  - WI DNR grant eligible
  - Qualifications include:
    - Formed to protect or improve the lake(s) for benefit of general public
    - Any resident or property owner with 1-mile can be a member
    - Charge an annual membership fee



Poy Sippi Betterment Dam by Patrick Nehring

# 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



Big Silver Lake by Patrick Nehring



# Informational meeting about forming a lake organization

At the top of your screen use the pull down menu and select annotate. Use the stamp option to put a checkmark in the box:

Required?	Yes	No
Good idea?	Yes	No

# Informational meeting about forming a lake organization

		No
Required?		
Good idea?	Yes	

# Lake District Boundaries

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



Waushara County Tax Parcel Viewer

# Lake District Formation Options

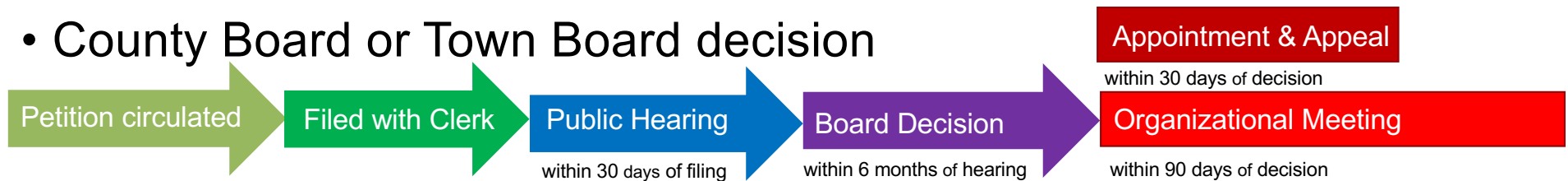
- City or Village may create a lake district by resolution
- Conversion of a sanitary district
- By petitioning the county board or town board



Redgranite Quarry by Patrick Nehring

# Petition

- Petition Circulated
  - 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
  - A town, village, or city may by resolution sign the petition on behalf of all property owners within their boundaries
  - Signed verification of the signatures by a petitioner
- Petition filed with the Clerk, who verifies names on the tax roll
- Public hearing
- County Board or Town Board decision



# County/Town Board Decision:

- Petition signed by the requisite number of owners
  - (51% of owners or owners of 51% of land)
- District is necessary
- Public health, comfort, convenience, necessity or public welfare are promoted by forming the district
- Property included in the district will be benefited



*"AIS Management, Variable Leaf Milfoil in Long Lake"* by *Adirondack Watershed Institute* is licensed under [CC BY 2.0](#).

# Who governs the lake district?

**At the top of your screen use the pull down menu and select annotate. Use the stamp option to put a checkmark in the boxes:**

Lake District property owners over age 18

Entire city council or village/town board

Lake District residents over age 18

Wisconsin Department of Natural Resources

Lake District Board of Commissioners

County Land Conservation Staff

# Who governs the lake district?

Lake District property  
owners over age 18

Lake District residents  
over age 18

Lake District Board of  
Commissioners



# Lake District Governed by:

- District property owners and electorate at the Annual or Special Meeting
- Board of Commissioners meets at least quarterly

# At the Annual or a Special Meeting, 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
- An electorate, a person eligible to vote in US/state/local election, whose official residence in the district
- Owners of multiple properties can only vote once



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# Annual & Special Lake District 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



UW Lakes Program & WI Lakes Partnership Bob Korth

# Notice of Annual Meeting

- 14 days before meeting:
  - Mail to property owners (required)
  - Mail to electors or 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
- Post in three places and/or one website at least 24 hours in advance

Example Annual Meeting Notice Timeline



# Item to list on the Annual Meeting agenda

- At the top of your screen use the pull down menu and select annotate. Use the text or draw options to list items that should be included on the Annual Meeting agenda:

# Annual Meeting Notice Includes

- Time, date, place
- Agenda
  - List of items to be considered, be specific
  - Public input time suggested
- Presentation of the annual audit report
- Proposed budget
  - Details as required
  - Proposed levy
- Election of Commissioners
  - Candidates – not required



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# The Budget

- Actual revenues and expenses
- Estimated revenues and expenses to the end of the year
- General operating expenses
- Capital fund
- Grants and Loans
- Projects \$10,000 or greater
- Annual meeting “may consider and vote on amendments” before approving budget
- Budget may be amended at a Special Meeting
- Municipal law suggests the Board may adjust appropriations with a 10-day published notice and a two-thirds vote

# Voting Process at an Annual/Special Meeting

- 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



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# Who can vote?

- Self- certification of eligibility

(*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.



# Informational meeting about forming a lake organization

At the top of your screen use the pull down menu and select annotate. Use the stamp option to put a checkmark in the box for your board size:

5 Commissioners (3 elected / 2 appointed)	7 Commissioners (5 elected / 2 appointed)	Lake Association Board of any size	Don't know
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# Elected Commissioners

- Standard board: 3 elected commissioners
- Enlarged board: 5 elected commissioners
  - Vote to enlarge at the Annual Meeting
  - Can not be reversed
- 3-year staggered terms
- One must be a lake district resident
  - If no resident is willing to serve, the requirement is waived until the end of the term.
- Secret ballot is required even if there is no contest
- Vacancies filled by appointment
- Are considered local government officials
  - May take oath of office



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## 2 Appointed Commissioners

- Appointee nominated by county Land & Water Conservation Committee and appointed by county board
  - Does not need to be property owner or elector of the district
- Municipal appointee of the city, village or town with the largest equalized valuation
  - 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
- 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



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# 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



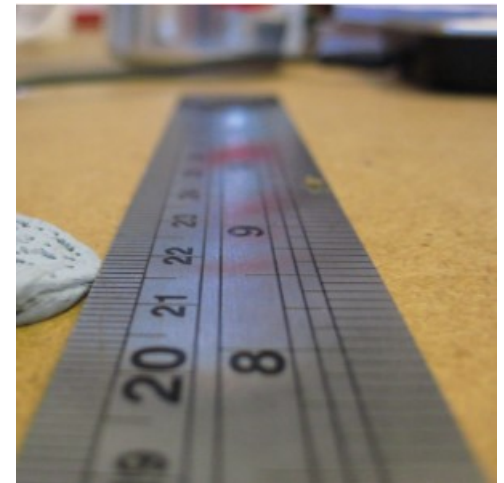
Clean Boats Clean Water Training picture by Patrick Nehring

# 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



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# 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*



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# Changes

- Attaching new properties to the lake district boundaries
  - Majority of Board of commissioners may approve a petition from landowner(s) to attach
  - Board may initiate the petition process for a county board
- Detaching property from the lake district boundaries
  - Similar to attachment process
- Merging lake districts
- Dissolution of the lake district
  - Two-thirds vote at Annual Meeting



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# Networking Resources

- University of Wisconsin-Madison Extension
- Wisconsin Association of Lakes (WAL)
- Wisconsin Department of Natural Resources
- County Land Conservation Department
- Each other
- Lake Leaders
- Lakes Convention
- Lake Tides Newsletter



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