

BY-LAWS OF THE PINE LAKE
PROTECTION AND REHABILITATION DISTRICT

In keeping with the resolution of the Forest County Board that created the Pine Lake Protection and Rehabilitation District, the electors of the said Pine Lake District do adopt these By-Laws. The purpose of these By-Laws is to define and regulate the activities of the Pine Lake District, its officers and committees. These By-Laws shall at all times be interpreted in a manner consistent with the laws of the State of Wisconsin and Chapter 33 of the Wisconsin Statutes under which the District was created and operates.

Article I - Voting Eligibility

Section 1 -- RESIDENT ELECTORS -- Every resident of the District who is eligible to vote in general elections shall be an eligible elector of the District. (Sec. 33.30(2))

Section 2 -- NON-RESIDENT PROPERTY OWNING ELECTORS -- Every person 18 years of age or older who owns real property in the District shall be an eligible elector of the District. Any corporation, partnership, or association that owns real property in the District may appoint an official representative who shall be an eligible elector of the District. (Sec. 33.30(2)) Real property owner is defined as a holder of a fee simple title or land contract on land or the owner of buildings on land which is leased for 20 years or more.

Article II - Voting - Number of Votes Allowed

Section 1 -- MULTIPLE VOTING -- Any elector may cast only one vote on any question called to a vote.

Comment: An owner of real property in the District who is also a resident of the District may cast only one vote. Likewise, a resident of the District who is also the official representative of a corporation may cast only one vote, and an owner of several separate parcels of land may cast only one vote.

Section 2 -- NON-RESIDENT MULTIPLE OWNERS -- Each spouse of a married couple may cast one vote if one or both of them own real property within the District. Other joint tenants or tenants-in-common shall select no more than two of the co-owners who shall represent them and shall each cast one vote.

Comment: This section only applies to non-residents since all residents automatically have full vote. This option would allow husband and wife to both vote if either of them is the legal owner of real property and would allow other co-owners such as four brothers or a mother and two children to select two members of the family to vote.

Section 3 -- VOTING BY PROXY -- Except as absentee ballots are permitted, an elector must be present at the meeting at the time the vote is called in order to vote. No elector may vote by proxy.

Section 4 -- BALLOTS -- All votes shall be counted by a show of hands or written ballot at the discretion of the chairman, unless otherwise specified in these By-Laws or unless a motion is made, seconded, and approved, calling for a secret ballot, in which case the written ballot shall be used.

Section 5 -- ABSENTEE BALLOTS -- Any elector may vote for commissioners by mail addressed to the secretary. The outside of the envelope shall be clearly marked "BALLOT," shall contain the elector's name, and shall be opened at the annual meeting by the elections committee or the secretary if an elections committee is not provided by these By-Laws.

Article III - ANNUAL MEETING
AND BUDGET HEARING

Section 1 -- (Recommended Option)--TIME AND PLACE -- The annual meeting and budget hearing of the District shall be held between May 22 and September 8 at a time and place selected by the District Board of Commissioners, hereinafter referred to as the Board, unless the date has been set by vote of the previous annual meeting. [Sec. 33.30(1) and 65.90(1)]

Section 1 -- (Option B)--TIME AND PLACE -- The annual meeting and budget hearing of the District shall be held on the 4th Saturday of July at an hour and place selected by the District Board of Commissioners, hereinafter referred to as the Board. (Sec. 33.30(1) and 65.90(1))

Section 2 -- NOTICE -- A written notice of the annual meeting and budget hearing shall be mailed at least 30 days, in advance of the event to all non-resident property owning electors whose names appear on the tax roll (and to resident electors whose address can be ascertained from the tax and election rolls) and can't be reached by other means and to the Department of Natural Resources and the University Extension. A summary of the proposed budget and notice of the place where such budget in detail is available for public inspection and notice of the time and place of the annual meeting and budget hearing shall be published twice in a paper of general circulation in the area. The first insertion shall be at least 15 days before the event and the second insertion shall be the following week, at least 7 days before the event. (Sec. 33.30(2) and 65.90(3))

Section 3 -- NOMINATING COMMISSIONERS -- The Board shall nominate candidates to fill all vacancies on the Board. If none of the commissioners whose terms do not expire, are resident electors, two of the candidates shall be resident electors. The minimum number of candidates nominated by the Board shall be equal to the number of vacancies plus one. [Any three electors may nominate additional candidates by submitting written nomination papers to the secretary at least 70 days prior to the annual meeting. The names of all nominated candidates shall appear on the written and published notices of the annual meeting.]

Section 4 -- ELIGIBILITY OF COMMISSIONERS -- The annual meeting can elect to the office of commissioner any elector. [Sec.33.28(2) and 33.285]

Section 5 -- ELECTING COMMISSIONERS -- At the first annual meeting the electors shall elect three commissioners to the Board. The candidate receiving the greatest number of votes shall be elected to a three-year term. The candidate receiving the second greatest number of votes shall be elected to a two-year term. The candidate receiving the third greatest number of votes shall be elected to a one-year term. At subsequent annual meeting, the electors shall elect one commissioner to fill each vacancy on the Board. [Sec. 33.30(3) (a)] When a commissioner's term of office has expired, his successor shall be elected to a three-year term. [Sec. 33.28(20)] If a commissioner leaves office before the expiration of his term, his elected successor shall serve only for the remainder of the unexpired term. In any year in which more than one vacancy exists, the candidate receiving the greatest number of votes shall be elected to the three year term; the candidate receiving the second greatest number of votes shall be elected to the next longest; and the candidate receiving the third greatest number of votes shall be elected to the shortest term vacancy, if any. One of the three elected commissioners must be a resident of the District. [Sec. 33.28(2)] If none of the commissioners, whose terms do not expire, are resident electors, the resident elector receiving the greatest number of votes shall be elected to the three year term. All election for the office of commissioner shall be conducted by secret, written ballot. Commissioners shall assume their office immediately following the annual meeting at which they are elected.

Section 6 -- ANNUAL BUDGET AND TAX -- At the annual meeting and budget hearing the Board shall present a proposed budget and tax for the coming fiscal year beginning October 1. The electors of the District shall approve the budget and vote the tax as proposed or modify the budget and change the tax accordingly. The property tax shall not exceed a rate 2.5 mills of equalized valuation as determined by the Wisconsin Department of Revenue. [Sec. 33.30(3) (c)]

Section 5 -- (Option B)--COMPENSATION -- The commissioners shall receive a per diem remuneration of \$15, for service in office and shall be paid for actual and necessary expenses incurred while conducting the business of the District. This provision will not apply to commissioners who receive remuneration by virtue of their position on town boards, village boards, city councils and county boards.

Section 6 -- POWERS AND DUTIES -- The Board shall be responsible for:

- 1: Initiating and coordinating research and surveys for the purpose of gathering data on the lake, related shorelands and drainage basin. [Sec. 33.29(1) (a)]
- 2: Planning lake rehabilitation projects. [Sec. 33.29(1) (b)]
- 3: Contacting and attempting to secure the cooperation of officials of units of general purpose government in the area for the purpose of enacting ordinances deemed necessary by the Board as furthering the objectives of the District. [Sec. 33.29(1) (c)]
- 4: Adopting and carrying out lake protection and rehabilitation plans and obtaining any necessary permits therefor. [Sec. 33.29(1) (d)]
- 5: Maintaining liaison with those officials of state government involved in lake protection and rehabilitation. [Sec. 33.29(1) (e)]

The Board shall have control over the fiscal matters of the District, subject to the powers and directives of the annual meeting. The Board shall annually, at the close of the fiscal year, cause an audit to be made of the financial transaction of the District, which shall be submitted to the annual meeting. [Sec 33.29(2)] A majority of the commissioners plus one must be present when a resolution is passed to commit the District to borrowing money or to using any other financing method prescribed by law. [Sec 33.31] The Board may use special assessment or charges for the purpose of carrying out District protection and rehabilitation projects, or for other lake management (or sanitary service) activities undertaken by the District. [Sec 33.32(1)]

Section 7 -- PROJECT APPROVAL -- The Annual meeting shall approve or disapprove all proposed projects by the District having a cost to the District in excess of \$5,000, by vote of the resident electors and non-resident property owning electors within the District. [Sec. 33.30(3) (d)]

Section 8 -- TEMPORARY BORROWING -- The Board may exercise its authority to borrow money when in temporary need [Sec. 33.31(5)] but in any one fiscal year the amount borrowed shall not exceed \$5,000.

Section 9 -- OTHER BUSINESS -- The annual meeting shall take up and consider such other business as comes before it. [Sec. 33.30(2) (e)]

Article IV - DISTRICT BOARD OF COMMISSIONERS

Section 1 -- Meetings -- The District Board of Commissioners shall meet at least quarterly, and at other times on the call of the chairman or the petition of three of the commissioners. [Sec. 33.28(6)]

Section 2 -- QUORUM -- Three commissioners shall constitute a quorum for the transaction of business. A majority of the commissioners plus one shall be present to borrow money. The chairman shall appoint an elector to fill any vacancies until the next annual meeting.

Section 3 -- FUNCTION -- The Board shall conduct all business of the District not specifically reserved to the electors of the District, and shall carry out the provisions of these By-Laws and Chapter 33 of the Wisconsin Statutes, and shall carry out the mandates of the annual meeting.

Section 4 -- OFFICERS -- At the first Board meeting, immediately following each annual meeting of the District, the Board shall elect a chairman, a secretary, and a treasurer from among its members.

1. The chairman shall preside at the annual and special meetings, all meetings of the board and all public hearings held by the Board.
2. The secretary shall keep minutes of the meetings of the Board and hearings held by it, shall annually notify the Department of Natural Resources of the continued existence of the District, (and shall maintain the District's election roll).
3. The treasurer shall receive and take charge of all moneys of the District, and pay out the same only on order of the Board.

Article VI -- PUBLIC BIDDING

Section 1 -- LOW BID -- All contracts exceeding \$500 for work or materials shall be let by the Board to the lowest responsible bidder. [Sec. 33.22(1)] The manner of soliciting bids and the determination of the responsibility of the bidder shall be at the discretion of the Board. If a bid is accepted which exceeds any other bid by more than (20) percent, the Board must provide a written justification for its action to the next annual meeting.

Section 2 -- SECURITY BOND -- The Board shall require that every contracting party in contracts in excess of \$5,000 give adequate performance and liability security at the time the party submits his bid. [Sec. 33.22(2)]

Section 3 -- CONFLICT OF INTEREST -- Any commissioner shall abstain from voting on any matter before the Board in which he, as a private person or in which any member of his immediate family (spouse, parents, or child), has a financial interest.

Section 4 -- PUBLIC BIDDING LAW -- For contracts in excess of \$5,000, the Board shall establish a formal, competitive bidding process and shall abide by the procedures established for municipal corporations in the letting of public contracts. [Sec 66.29-66.295]

Optional Article VI -- COMMITTEES

Section 1 -- ELECTIONS -- The chairman shall appoint three electors who are not running for the office of commissioner to serve as the election committee. The committee shall distribute, collect, and count the ballots at the annual meeting and report the results to the annual meeting.

Section 2 -- AUDITING -- The chairman shall appoint three electors to serve as the auditing committee. The committee shall examine all financial records of the District and report its conclusions to the annual meeting. If the District conducts business which involves more than \$20,000, summed across all categories of activities in any given year, a professional accountant or the Department of Revenue shall be retained to conduct an audit.

Section 3 -- OTHER COMMITTEES -- The chairman may appoint other committees as he deems necessary to further the interests of the District.

Section 4 -- REPORTING -- All committees shall report to the chairman at his request and to the annual meeting.

Section 5 -- COMPENSATION -- Committee members (except commissioners) shall receive no remuneration for services to the District. With prior approval from the Board, committee members may submit vouchers for actual and necessary expenses incurred while conducting the business of the District.

Section 6 -- TERMS OF MEMBERS -- All committee members shall serve at the pleasure of the chairman and may be replaced by him on an annual basis following the Board meeting immediately following the annual meeting.

Article VII - MISCELLANEOUS PROVISIONS

Section 1 -- SPECIAL MEETING -- Special meeting of the District may be held for the purpose of transacting any lawful business which might be done at the annual meeting. The meeting may be called by the Board or upon written request to the secretary signed by 12 qualified electors of the District. The annual meeting notice requirements under Article III shall be followed and the purpose of the meeting shall be stated. A matter voted upon at any special meeting may not be reconsidered at another special meeting prior to the next annual meeting.

Section 2 -- CONDUCT OF MEETINGS -- All meetings of the District shall be conducted according to Roberts Revised Rules of Order unless contrary to the requirements of these By-Laws. The chairman shall serve as parliamentarian.

Section 3 -- ADOPTION OF BY-LAWS -- These By-Laws may be adopted at any legal annual meeting of the District. Adoption shall require a two-thirds vote of the electors, as defined herein, present and voting at the meeting. The By-Laws shall become effective immediately upon passage.

Section 4 -- AMENDING BY-LAWS -- These By-Laws may be amended at any legal annual meeting of the District. Amendments shall require a two-thirds vote of the electors present and voting at the meeting.