

**BY-LAWS OF THE PINE LAKE
PROTECTION AND REHABILITATION DISTRICT**

Established July 16,1975
Revisions Approved 7/2/2022
Rev. 2 Approved 7/5/2025

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.

If there is ever a conflict between Wisconsin Statute 33 and the following By-Laws, the statutes will govern.

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 (1) vote on any question called to a vote. See Comments at the end of the By-Laws

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. See Comments at the end of the By-Laws

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: At the annual meeting, electors and property owners shall vote by secret ballot for one or more commissioners to fill vacancies occurring in the elected membership of the district board in the manner prescribed under Wis. Stat. § 33.30(5). The chairperson may prescribe the manner of all other votes, including by show of hands, voice vote, or written ballot.

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 - 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 2 – NOTICE: 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 Wisconsin Department of Natural Resources. The Board may substitute a class 2 notice, under Wis. Stat. ch. 985, in lieu of sending written notice to electors residing within the district.

Section 3 – VACANCY ON THE BOARD: If a vacancy occurs in the elected membership of the Board, the chairperson of the Board shall appoint a person to fill the remainder of the unexpired term, subject to approval by a majority vote of the Board.

Section 4 - ELIGIBILITY OF COMMISSIONERS: The Board of Commissioners shall consist of:

- a) One person appointed by the county board who is a member of the county land conservation committee or is nominated by the county land conservation committee and appointed by the county board.
- b) One person who is appointed by the governing body of the town, village or city within which the largest portion by valuation of the District lies. The person appointed under this paragraph shall be a resident of the District who owns property within the District if possible or shall be a member of the governing body of the town, village, or city within which the largest portion of the valuation of the District lies.
- c) Five ~~(5)~~ electors or owners of property within the District elected by secret ballot by the qualified electors and property owners within the District, for staggered 3-year terms. At least one of the elected commissioners shall be a resident of the District.

Section 5 - 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 January 1.

Section 6 - PROJECT APPROVAL: The Annual meeting shall approve or disapprove all proposed projects by the District having a cost to the District in excess of \$40,000, (Rev 2) by vote of the resident electors and non-resident property owning electors within the District.

Section 7 - TEMPORARY BORROWING: The Board may exercise its authority to borrow money when in temporary need [Sec. 33.31(2)] but in any one fiscal year the amount borrowed shall not exceed \$10,000.

Section 8 - OTHER BUSINESS: At the annual meeting, electors and property owners may do any of the following: Vote by majority a tax upon all taxable property within the District. That portion of the tax that is for the costs and operation for the coming year may not exceed a rate of 2.5 mills of equalized valuation as determined by the department of revenue and reported to the District Board. The tax shall be apportioned among the municipalities having priority within the District on the basis of equalized full value, and a report shall be delivered by the treasurer by November 1 by certified statement to the clerk of each municipality having property with the District for collection.

- a) Take up and consider such other business as comes before it.
- b) Establish compensation to be paid to the District Board commissioners
- c) Create a nonlapsible fund to finance specifically identified capital costs and for maintenance of capital equipment.

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: Four commissioners shall constitute a quorum for the transaction of business. A majority of the commissioners plus one shall be present to borrow money.

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.
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.

Section 5 - COMPENSATION: The commissioners shall receive a per diem, as established by the electors of the District at and annual meeting 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:

- a) 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)]
- b) Planning lake protection and rehabilitation projects. [Sec. 33.29(1) (b)]
- c) 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)]
- d) Adopting and carrying out lake protection and rehabilitation plans and obtaining any necessary permits therefor. [Sec. 33.29(1) (d)]
- e) 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)]

Article V - PUBLIC BIDDING

Section 1 - LOW BID -- All contracts in excess of \$2,500 for the performance of any work or the purchase of any materials shall be let by the commissioners to the lowest responsible bidder in the manner they prescribe.

Section 2 - SECURITY BOND: The Board may require that every contracting party give adequate security to assure performance of the contract and to pay all damages which may arise from inadequate performance

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.

Article VI - COMMITTEES

Section 1 – COMMITTEES: The chairperson may organize committees for any purpose that furthers the interest of the District. The chairperson may appoint any elector or property owner to serve on a committee organized under this section.

Section 2 - TERMS OF MEMBERS: All committee members shall serve at the pleasure of the chairperson and may be replaced by him/ her at any time.

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 – 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.

Article VII - MISCELLANEOUS PROVISIONS

Section 3 - CONDUCT OF MEETINGS: All meetings of the District shall be conducted according to Roberts Rules of Order unless contrary to the requirements of these By-Laws.

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.

Comments:

Article II – Voting – Number of Votes Allowed

Section 1 - MULTIPLE VOTING: *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: *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.*