

BY-LAWS TREGO LAKE PROTECTION AND REHABILITATION DISTRICT BY-LAWS

PREFACE

In keeping with the resolution of the Trego Town Board that created the Trego Public Inland Lake Protection and Rehabilitation District, the electors of the said Trego Lake District do adopt these bylaws. The purpose of these by-laws is to define and regulate the activities of the Lake District, its officers, and committees. These By-Laws shall at all times be interpreted in a manner consistently with the laws of the State of Wisconsin and Wis.Stat. Chapter 33 of the Wisconsin Statutes under which the District was created and operates. Relevant sections of the Statutes are cited in brackets throughout these By-Laws for reference.

ARTICLE I - ELECTORS

Section 1 - RESIDENTS Every resident of the District who is eligible to vote in general elections shall be an eligible elector of the District. [§6.10]

Section 2 - NON-RESIDENT PROPERTY OWNERS: Every person 18 years of age or older who owns real property in the District shall be an eligible elector of the District and may vote at District meetings. The person that is the official representative, officer, or employee who is authorized to vote on behalf of a trust, corporation, foundation, association, or organization that owns real property within the district may also vote. [§ 33.01(9)(ar)3] ~~33.30(3)~~

ARTICLE II – VOTING AT ANNUAL MEETINGS

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

Section 2 - NON-RESIDENT MULTIPLE OWNERS: When more than one name appears on the assessment roll prepared for purposes of real property taxation, joint tenants or tenants-in common shall select no more than two of the co-owners ~~who shall~~ to represent them and each may ~~shall~~ cast one vote.

Section 3 - CASTING BALLOTS: An elector must be present either in person or by Zoom or other video means at the meeting at the time the vote is called in order to vote. An elector must be present in person to vote on the election of commissioners at the Annual Meeting. [§33.30(3)(a), §33.30(5)]. No elector may vote by proxy or absentee ballot ~~or referendum.~~ [§33.30(2)]

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. [§30.30(1)]

Section 2 - NOTICE A written notice of the annual meeting ~~and budget hearing~~ shall be mailed at least ~~40~~ 14 days in advance of the meeting to all property owners whose names appear on the tax roll. Notice shall also be mailed ~~and~~ to the Department of Natural Resources and the University of Wisconsin Extension. ~~The~~ In lieu of sending written notice, a Class 2 notice shall be published in a paper of general circulation in the area at least 15 days before the meeting. [§33.30(2)] The annual meeting notice shall include: ~~a summary of the proposed budget; time, place; and agenda,~~ a summary of the proposed budget. ~~annual meeting and budget hearing~~ [§33.30(2m)] and information on how to attend by Zoom or other video means.

Section 3 - NOMINATION OF COMMISSIONERS ~~The~~ A nominating committee ~~shall~~ may ~~be appointed to~~ nominate candidates to fill all vacancies on the Board. ~~If the remaining elected commissioners, whose terms do not expire, are not resident electors, then at least one of the candidates shall be a resident elector, unless no resident is willing to serve. If ballots are printed for the election, they shall provide space for write-in candidates. Nominations from the floor are in order.~~

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

~~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.~~

Section 5. ~~At subsequent annual meetings,~~ BOARD ELECTIONS. The electors shall elect one commissioner to fill each vacancy on the Board. When a commissioner's term of office has expired, their successor shall be elected to a three-year term. Elected members of the Board serve for staggered three-year terms. [§33.30]

Section 6 - SECRET BALLOT. ~~All~~ Elections for the office of commissioner shall be conducted by secret ballot. [§33.30 (3)(a)]

~~Commissioners shall assume their office immediately following the annual meeting at which they are elected.~~

Section ~~6~~ 7 - 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 levy of the District shall not exceed a rate of 2.5 mills of equalized valuation. [§33.30(4)(1)]

Section 7- SPECIAL CHARGES AND SPECIAL ASSESSMENTS The annual meeting electors may ~~direct the Board to adopt~~ and direct the Board to collect special charges or special assessments. [§33.32].

~~Section 7 8 - PROJECT APPROVAL~~ The annual meeting shall approve or disapprove all ~~proposed projects proposed~~ by the District ~~Board~~, having a cost to the District in excess of \$5,000 ~~\$10,000~~ by special vote of the electors. The annual meeting may also ~~authorize the Board, during the succeeding year until the next annual meeting, to approve or disapprove projects having a cost to the District in excess of \$5,000, and to enter into contracts accordingly, subject to the limitations provided in the authorizing resolution. Wis.Stat. Sec. 33.30(3)(d).. Votes on projects may be taken in secret ballot at the discretion of the chairperson.~~

~~Section 8 9 - OTHER BUSINESS~~ The annual meeting shall take up and consider such other business as comes before it. [§33.30(4)(b)]

ARTICLE IV – POWERS OF THE DISTRICT

Section 1 - GENERAL POWERS OF A BODY CORPORATE: The District has all powers as authorized by Wis.Stat.Ch. 33. It may sue and be sued; make contracts; accept gifts; purchase, lease, devise or otherwise acquire, hold or dispose of real or personal property; disburse money, contract debt; and do such other acts as are necessary to carry out a program of lake protection and rehabilitation. [§33.22]

Section 2 - SPECIFIC LAKE MANAGEMENT POWERS: The District may conduct a feasibility study, adopt a plan, and carry out implementation work including but not limited to aeration, nutrient diversion, nutrient removal or inactivation, erosion control, sediment manipulation including dredging, bottom treatments, weed and algae control, swimmer's itch control, and water level control. [§§33.13 - 33.15]

ARTICLE V –BOARD OF COMMISSIONERS

~~Section 1 - COMPOSITION (AMENDED AT ANNUAL MEETING MAY 27, 1995)~~ The affairs of the District shall be managed by the Board of ~~Commissioners~~ which shall consist of seven persons. Five shall be elected as provided in ~~Article III, Section 5, in these By-Laws~~ and one each shall be appointed by the County Board and by the Trego Town Board. [§33.28]

Section 2 - APPOINTMENT A vacancy on the Board shall be filled by appointment of the Board chairperson, with approval of the Board. [§33.28(7)] Terms for appointed commissioners shall be established so as to stagger with the terms of other Board members.

Section 3 - MEETINGS: The Board shall meet at least quarterly, and at other times on the call of the chairperson or the petition of three of the commissioners. [§33.28(6)] Meetings shall be open and proper notice given in accordance with legislation governing meeting of public bodies. Sec. 19.81-98 the Wisconsin Open Meeting Law. [§§19.81-.98] Notice shall include information on how to attend by Zoom or other video means.

~~The Trego Lake District Commissioners will meet quarterly in January, April, July and October at the Trego Town Hall.~~

~~Section 3 4 - QUORUM AND VACANCIES:~~ Four commissioners shall constitute a quorum for the transaction of business. ~~A majority of the commissioners plus one shall be present to borrow money. The Board may appoint an elector to fill any vacancies other than the Town or County appointee.~~ Board members appearing by Zoom or other video means shall be considered present for the purposes of establishing a quorum and voting.

~~Section 4 5 - FUNCTION DUTIES:~~ The Board shall conduct all business of the District not specifically reserved to the electors of the District, shall carry out the provisions of these By-Laws and Chapter 33 of the Wisconsin Statutes, and shall carry out the mandates directives of the annual meeting and special meetings, ~~if any.~~ [§33.29]

~~Section 5 6 - ELECTION OF OFFICERS:~~ Board members shall assume their office at the Board meeting held immediately following the annual meeting at which they are elected. ~~At the this first Board meeting immediately following each annual meeting of the District, the Board shall elect a chairperson, a secretary, and a treasurer from among its members. [§33.29(3)]~~ The Board may elect a single Board member to serve as Secretary/Treasurer with all duties as prescribed for both offices.

~~Section 7 a. - TERM OF OFFICE--All officers' to serve terms are for one year, and not more than four consecutive years.~~

Section 8 b. DUTIES OF THE OFFICERS:

1. The chairperson shall preside at ~~the annual and special meetings, all meetings of the District and the Board. and all public hearings held by the Board.~~ [§. 33.29(3)(a)]

2. The secretary shall keep minutes of all meetings of the District and the Board ~~and hearings held by it, shall maintain a file of the names and addresses of all persons whose name appears on the assessment roll prepared for purposes of real property taxation within the District and shall annually provide the University of Wisconsin Extension, College of Natural Resources, UW Stevens Point with~~

~~names and addresses of commissioners, and by copy of said list shall annually notify the Department of Natural Resources (Lake Management Program) of the continued existence of the District and shall prepare, post and send all notices as required by law and these By-Laws. [§33.29(3)(b)] The secretary is responsible for preserving the records of the District.~~

3. The treasurer shall receive and take charge of all monies of the District and pay out the same ~~only on order of~~ as directed by the Board. [§33.29(3)(c)]

~~Section 6-9~~ - COMPENSATION Commissioners shall be paid actual and necessary expenses incurred while conducting business of the district, plus such compensation as may be established at the annual meeting. [§33.28(5)]

~~Section 3-10~~ - CONFLICT OF INTEREST: Any commissioner shall abstain from voting on any matter before the Board in which ~~he/she~~ the commissioner, as a private person or ~~in which~~ or any member the commissioner's ~~of his/her~~ immediate family (spouse, parents, or child), has a financial interest or a conflict of interest.

~~Section 7~~ – ARTICLE VI – BOARD POWERS AND DUTIES

Section 1 - 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 the drainage basin [§33.29(1)(a)]

2. Planning lake rehabilitation projects. [§33.29(1)(b)]

3. Contacting and attempting to secure the cooperation of units of general purpose government in the area for the purpose of enacting ordinances deemed necessary by the Board to further the objectives of the District. [§33.29(1)(c)]

4. Adopting and carrying out lake protection plans and obtaining any necessary permits therefore. [§ 33.29(1)(d)]

5. Maintaining liaison with those officials of state government involved in lake protection and rehabilitation. [§33.29(1)(e)]

6. Implementing the ~~decisions~~ directives of the electors at annual and special meetings. [§33.29(2)]

Section 2 - 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 transactions of the District, which shall be submitted to the annual meeting. [§33.29]

Section 3 - Subject to the ~~decisions~~ directives of the annual or special meetings, the Board may borrow money or use any other financing method prescribed by law. [§33.31]

Section 4 - Subject to the directives of the annual meeting and special meetings and as authorized by law, the Board may use special assessment or special charges. ~~for the purpose of carrying out District protection and rehabilitation projects, or for other lake management activities undertaken by the District.~~ [§33.32]

~~The Board may exercise its authority to borrow money when in temporary need. Sec. 33.31(2)~~

ARTICLE VII - CONTRACTS

Section 1 ~~LOW BID CONTRACTING~~ All contracts exceeding \$2,500 for work or materials shall be let by the Board to the lowest responsible bidder. ~~The manner of Soliciting bids and the determination of the reliability of the bidder shall be at the discretion of~~ in the manner prescribed by the Board. ~~The procedure for public works under Sec. 66.29 shall be utilized to the extent feasible for large scale projects.~~ If a bid is accepted which exceeds any other bid by more than 20 percent, or if a sole source purchase is made or considered, the Board must provide ~~written~~ justification for its action to the ~~next~~ annual meeting. [§33.22(1)]

~~1. All successful bids must provide the Trego Lake District treasurer with a copy of liability insurance in the Lake District's name.~~

Section 2 - SECURITY BOND AND INSURANCE The Board ~~shall~~ may require that every contracting party ~~in contracts exceeding \$2,000~~ give adequate performance and liability security at the time the party submits their bid. [§33.22(2)]. All successful bids must provide the Trego Lake District treasurer with a copy of liability insurance in the Lake District's name.

ARTICLE VIII - COMMITTEES

Section 1 - ELECTIONS NOMINATING: The chairperson ~~shall~~ may appoint three electors who are not running for the office of commissioner to serve as the ~~elections nominating~~ committee. If appointed, the committee shall make nominations as provided in these By-Laws. ~~in Article III, Section 3.~~

Section 2 - AUDITING: The chairperson 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.

Section 3 - OTHER COMMITTEES: The chairperson may appoint other committees as he/she deems appropriate or necessary to further the interests of the District. [§33.29(2)]

Section 4 COMMITTEE REPORTING: All committees shall report to the chairperson or the Board upon request and to the annual meeting.

Section 5 - COMPENSATION: Committee members shall receive no remuneration for service 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 COMMITTEE MEMBERS: All committee members shall serve at the pleasure of the chairperson, ~~and may be replaced by him/her on an annual basis.~~

ARTICLE IX - MISCELLANEOUS PROVISIONS SPECIAL MEETINGS

Section 1 - PURPOSE OF SPECIAL MEETINGS: Special meetings of the District may be held for the purpose of any action that can be taken at an annual meeting except as follows:

1. No ~~motion~~ petition to consider dissolution of the District may be taken up at a special meeting. [§33.305(3)(c)]
2. The annual budget may not be approved at a special meeting, although it may be amended. [§33.305(3)(a)]
3. The special meeting may not consider any matter that was resolved during any other special meeting held since the previous annual meeting. [§33.305(3)(d)]
4. By-Laws may not be amended at a special meeting.

Section 2 - CALLING A SPECIAL MEETING. A special meeting may be called at any time by a majority of the Board. ~~of Commissioners In addition~~ The Board is ~~required to~~ shall schedule a special meeting if when petitioned by at least 10 percent of the persons qualified to vote at the annual meeting. ~~so request~~ . [§33.305(1)]

Section 3 - NOTICE AND VOTING Rules regarding notice and voting are the same for a special meeting as for the annual meeting. [§§33.305(2), 33.305(4)]

~~Section 2~~ -ARTICLE X - CONDUCT OF MEETINGS

All meetings of the Board and District shall be conducted according to the current edition of Roberts Revised Rules of Order unless contrary to Wisconsin Statutes or the requirements of these By-Laws. The chairperson, ~~or a person appointed by him/her, shall serve as~~ may appoint a parliamentarian.

ARTICLE XI ~~Section 4~~ —AMENDING BY-LAWS

~~Section 3 - ADOPTION OF BY-LAWS: These by-laws may be adopted at any legal annual meeting of the District providing the proposed adoption was included in the notice. Adoption shall require a two-thirds vote of the electors present and voting at the annual meeting. The by-laws shall become effective immediately upon passage.~~

Section 1 - ANNUAL MEETING These By-Laws may only be amended at an annual meeting.

Section 2 - VOTE Amendments to these By-Laws shall require a two-thirds vote of the electors present and voting at the annual meeting.

~~Section 5~~ -ARTICLE XII DISSOLUTION

Any petition to the County Board to dissolve the District ~~shall require~~ requires a two-thirds vote of ~~eligible~~ electors present ~~and voting~~ at the annual meeting. [§33.35]

CERTIFICATION

~~These revised by-laws were voted upon and adopted at the annual meeting on this 24" day of May, 2003.~~