

Bone Lake Commissioners Meeting

Saturday, July 13, 2019

9:00 am Georgetown Hall

DRAFT

The meeting was called to order at 9:00 a.m.

Commissioners present:

Phil Foster

Alex Chorewycz

Karen Engelbretson

Mike Musial

Cary Olson

Doug Route, Polk County

Also present:

Bob Boyd, APM, AIS, Fisheries

John Ukura, Luck Lions Club

Nancy Fudali, property owner

The agenda was amended to add appointments of new Chair and new Commissioner.

Motion: The BLMD Board of Commissioners appoints Phil Foster Chairman of the Board of Commissioners. Chorewycz/KJE. Carried.

Motion: The BLMD Board of Commissioners appoints Cary Olson to assume the remainder of the term of Commissioner Bob Murphy, expiring in August 2021. Foster/Chorewycz. Carried.

Minutes. The commissioner meeting minutes from April 23, 2019 were reviewed and adopted without changes.

Treasurer report. Alex Chorewycz presented the document: Approved Budget FYE 2019, Actual and Projected Income and Expenses FYE 2019 and Proposed FYE 2020 Budget. The document is included as part of the pdf of these minutes.

Motion to approve: KJE/Olson. Carried.

Grants report. Phil Foster presented the document: Current Wisconsin DNR Grants for the Bone Lake Mgmt District as of June 30, 2019. The document is included as part of the pdf of these minutes.

Of note: We need to update the Aquatic Plant Management plan at the end of 2019.

Motion to approve: Chorewycz/Ogren. Carried.

COMMITTEE REPORTS

Watershed Runoff — Phil Foster

Holding ponds above 250th Street are backed up.

Stream off 250th Street requires mitigation.

Prokop Creek bank erosion involves five property owners and DNR-owned property.

Agenda

Call meeting to order

Roll call

Approval of Minutes April 13, 2019

Treasurer report

Grants report

Committee reports:

Watershed: Phil Foster

Waterfront runoff: Alex Chorewycz

Fisheries: Bob Boyd

Aquatic Plant Management: Bob Boyd

Boating Safety: Mike Musial

Communications: Karen Engelbretson

Social: Phil Foster

Motion to rescind BLMD Bylaws and adopt Chapter 33: Karen Engelbretson

North Landing dock

Aquatic plant management for north end:

Mike Musial

Proposed budget for 2020: Alex Chorewycz

Annual Meeting agenda and planning

Volunteer award nominations for 2019: Phil Foster

Reports from Towns and County including proposed shoreland zoning comprehensive rewrite:

Town of Georgetown: Ron Ogren

Town of Bone Lake: Andy Brown

Polk County: Doug Route

Old business

New Business

Adjourn

Groundwater report: Phil Foster presented a new graph including the phosphorus load measured from artesian springs flowing at the lakeshore in the document “Groundwater Report”. The phosphorus content of the springs represents 6 percent of the total load. The waterfront runoff load was reduced by six percent to include the ground water number in the total. It was decided to change the title of the report from “groundwater” to “artesian springs” to be more indicative of the source.

Waterfront Runoff— Alex Chorewycz

North landing repairs are underway. Need someone to take care of plantings. Wilkins parking lot runoff mitigation plan using grant dollars: Scott Geddes from Polk County and Wilkins will work for grant funding.

Aquatic Plant Management — Bob Boyd

CLP Report: Spraying has been approved for 32 acres including a channel at the north end up to the entrance of the lagoon.

Fisheries — Bob Boyd

- Smallmouth: committee continues to be on the lookout for small fish to help confirm reproduction.
- The DNR muskie report not available yet.
- Black crappie sarcoma study: in Kayla Boyd’s ongoing research evidence shows the disease may be in decline on Bone Lake. Thirty lakes nearby have the disease. Seems that older fish have it.

APM — Bob Boyd

A channel was sprayed at the north end up to the entrance of the lagoon. Navigation was improved there.

Comment: “Beaver Dam spends 100K/yr on Eurasian water milfoil control, not eradication.” –Bob Boyd

Boating Safety — Mike Musial

Observations that boaters on Bone Lake do not know what hazard buoys mean and have navigated in the opposite way the buoys intended.

Float planes were landing on the lake. Question: Who has the right of way on the lake when involved with a landing float plane? Other rules?

Communications — Karen Engelbretson

Karen will schedule a meeting of the committee in October to include all committee chairs and other contributors to District communications with the goal of coordinating the District’s messaging.

Bone Lake Newsletter budget was discussed and approved for FY2019-2020.

Ad revenue has been increased to net \$3600 per year.

Social — Phil Foster, acting chair

Phil will send thank you letter to Owens family for the 4th of July fireworks display.

Boat parade winners: 1) Margaritaville; 2) Vikings; 3) Wild.

Alex and Phil are bank signers.

BLMD Bylaws — Karen Engelbretson

Karen presented the obsolete BLMD By-laws annotated to show outdated statute numbers, conflicts with Wisconsin Statute § Chapter 33, and erroneous statutes and text. The document “Rescind Outdated BLMD By-Laws/Reasoning” was presented followed by discussion. Two slides for the annual meeting were proposed to be presented for a vote by members at the annual meeting. The document Working List: Policies for the BLMD Board of Commissioners was presented that includes rules that may be adopted by the Board for specific operations of the Board and District such as the date of the annual meeting, appointing additional positions such as recording secretary, bookkeeper, auditor.

Motion: Present the outdated by-laws information to District members at the 2019 Annual Meeting and to vote by show of hands to Rescind the Obsolete BLMD By-laws and Adopt WI Chapter 33 for Governing the Bone Lake Management District Board operations. KJE/Foster. Motion carried.

The documents are included in the pdf version of these minutes.

North Landing Dock - Alex Chorewycz and John Ukuru, Luck Lions Club

John Ukuru presented the problem at the north landing dock by drawing a diagram on the blackboard. The roll-in dock placement cannot be aligned with the underwater concrete boat ramp because of a hole in the lake bottom caused by powerloading. The mis-alignment makes it visually difficult to launch boats. An anchored floating dock would solve the problem. The Luck Lions Club, the Town of Bone Lake and the Bone Lake Management District contribute to the boat landing.

Motion: Amend the Proposed Budget to include to the Luck Lions Club this year and in years forward a donation of \$1,500, increased by \$500 from the amount of the previous annual donation, and include an expenditure for \$7,000 for purchase of a new floating dock for the north landing for a total of \$9,000 in disbursements for the north landing. The old dock may be sold with funds returned to the District to offset the BLMD donation. KJE/Musial. Carried.

Supervisor Doug Route, Polk County report

Supervisor Route reports that the Tourist Rooming House proposed ordinance brings many people to the Environmental Services Committee meetings. The County Board of Supervisors is considering adding more restrictions to the Tourist Rooming House definition that must be met or penalty of loss of permit for 3 months and other penalties.

Old business

The board in discussion agreed to accept the 2019 Volunteer Recognition awards as:

1. Mike Musial
2. Cary Olson
3. Rachel Nusbaum and Mark Randall
4. John Ukura
5. Shelley Rose

New Business

Lagoon Dredging

Mike Musial and Phil Foster introduced adding a resolution and vote to the annual meeting agenda to modify the Proposed FY 2019-2020 budget up to \$25,000 for dredging the lagoon. Mike Musial presented new information about the project methods, and new goals, one being dredging to only 4 feet vs. the previous goal of dredging to 9 feet, that being the original bed. A specific request was made for the BLMD Board to support the resolution.

Motion: The BLMD Board of Commissioners supports including a resolution in the annual meeting agenda to add to the BLMD 2019-2020 budget ten percent of the total lagoon dredging cost up to \$25,000, with the remaining cost being paid by twelve affected property owners. Foster/Olson. Carried.

No Wake Investigation Committee

Motion: Establish a new committee to investigate creating an ordinance to allow the BLMD Board of Commissioners to restrict wake size during times of high water for increased water safety and to prevent shoreline erosion from wave actions. Foster/KJE. Carried.

Adjourned 11:30 a.m.

Respectfully submitted,

Karen Engelbretson
BLMD Secretary
July 30, 2019

BONE LAKE MANAGEMENT DISTRICT
APPROVED BUDGET (FYE 2019), ACTUAL AND PROJECTED INCOME AND EXPENSES (FYE 2019)
AND PROPOSED FYE 2020 BUDGET
FOR COMMISSIONERS MEETING 13 JULY 2019

	Budget	Actual	Projected	Proposed
	10/1/19 9/30/19	10/1/2018 thru 6/28/19	7/1/19 9/30/19	10/1/19 9/30/20
Town of Georgetown and Bone Lake	\$ 63,600.00	\$ 37,311.76	\$ 26,079.11	\$ 64,000.00
Frandsen Bank-Interest	\$ 25.50	\$ 21.98	\$ 3.52	\$ 25.50
Newsletter Ads	\$ 3,600.00	\$ 3,280.00	\$ 320.00	\$ 3,600.00
	\$ 400.00	\$ 609.13	\$ -	\$ -
Grants	\$ 40,000.00	\$ 32,792.14	\$ -	\$ 35,000.00
Other-owner cost share & Misc.etc.	\$ 700.00	\$ 678.00	\$ 300.00	\$ 1,000.00
Total Revenue	\$ 108,325.50	\$ 74,693.01	\$ 26,702.63	\$ 103,625.50
Expenditures				
Lake Improvements				
Aquatic Plant Management(incl CBCW)	\$ 62,000.00	\$ 5,899.78	\$ 50,000.00	\$ 62,000.00
Consulting	\$ 2,000.00	\$ 259.26	\$ 1,500.00	\$ 2,000.00
Lake Management				
Watershed	\$ 10,000.00	\$ 8,085.00	\$ 1,000.00	\$ 10,000.00
Waterfront runoff	\$ 30,000.00	\$ 10,081.11	\$ 15,000.00	\$ 21,000.00
Evaluation and Studies	\$ 5,000.00	\$ 5,208.75	\$ 250.00	\$ 5,500.00
Wildlife and Natural Beauty	\$ 3,500.00	\$ -	\$ 1,000.00	\$ 2,500.00
Fisheries	\$ 1,500.00	\$ 578.96	\$ 500.00	\$ 1,000.00
Communications/Recognition	\$ 7,000.00	\$ 623.50	\$ 1,000.00	\$ 5,000.00
Sub- total Lake Mgmt.	\$ 57,000.00	\$ 24,577.32	\$ 32,422.68	\$ 45,000.00
Total Lake Improvements	\$ 121,000.00	\$ 30,736.36	\$ 70,250.00	\$ 109,000.00
Public Safety				
Buoy Maintenance	\$ 6,000.00	\$ -	\$ 4,000.00	\$ 5,000.00
Safety Patrol	\$ -	\$ -	\$ -	\$ -
Total Public Safety	\$ 6,000.00	\$ -	\$ 4,000.00	\$ 5,000.00
Information and Education				
Newsletter	\$ 10,000.00	\$ 5,059.80	\$ 5,500.00	\$ 10,000.00
Dues	\$ 775.00	\$ 775.00	\$ -	\$ 775.00
Website	\$ 2,500.00	\$ 176.00	\$ 1,000.00	\$ 2,500.00
Meetings/Workshops	\$ 1,300.00	\$ 491.00	\$ 809.00	\$ 2,100.00
Total Information and Education	\$ 14,575.00	\$ 6,501.80	\$ 7,309.00	\$ 15,375.00
Administration				
Insurance	\$ 3,000.00	\$ 1,796.00	\$ 500.00	\$ 3,000.00
Donations/Subscriptions	\$ 1,000.00	\$ 1,000.00	\$ 250.00	\$ 9,000.00
Misc office expense	\$ 750.00	\$ -	\$ 250.00	\$ 750.00
Total Adminstration	\$ 4,750.00	\$ 2,796.00	\$ 1,000.00	\$ 12,750.00
Total Expenditures	\$ 146,325.00	\$ 40,034.16	\$ 82,559.00	\$ 142,125.00
Beginning Cash Balance	\$ 241,476.78	\$ 281,110.50	\$ 315,769.35	\$ 259,912.98
Ending Cash balance	\$ 203,477.28	\$ 315,769.35	\$ 259,912.98	\$ 221,413.48
Cash Balance - 6/28/2019				
Checking		\$ 161,457.42	balanced book to bank-6/28/2019	
Money Market Savings		\$ 154,311.93	balanced book to bank-6/21/2019	
Total		\$ 315,769.35		

Current Wisconsin DNR Grants for the Bone Lake Mgmt District

As of June 30, 2019

		Grant Total	Grant Balance
Bone Lake Lake Mgmt Plan (April 15, 2015 to Dec 31, 2019)	Grant LPT-475-15	\$175,020	
Purpose: Improve water clarity, fisheries, wildlife and natural beauty			
Payment received to date		\$88,711	
Remaining grant balance			\$86,309
CLP Control grant (2/1/15 to 6/30/19)	Grant ACEI-171-15	\$55,988	
Purpose: 50% funding to spray 30 acres of Curlyleaf Pondweed			
Payment received to date		\$50,960	
Remaining grant balance			\$5,027
CLP Control grant (4/1/2018 to 6/30/20)	ACE121418	\$36,700	
Purpose: 50% funding to spray 30 acres of Curlyleaf Pondweed			
Payment received to date			
Remaining grant balance			\$36,700
Clean Boats Clean Waters grant (2/15/19 to 12/31/19)	Grant 65119	\$8,000	
Purpose: Watercraft inspection and boater education on invasive species prevention			
Grant Advance:			
Payments received based on expenditures			
Remaining grant balance			\$8,000
Aquatic Plan update grant (2/15/17 to 12/31/19)	AEPP 49117	\$9,461	
Purpose: Update Aquatic Management Plan and Aquatic Invasive Species monitoring			
Grant Advance:			
Payments received based on expenditures		\$5,705	
Remaining grant balance			\$3,756

Estimation of Ground Water Inflow and Phosphorus Load

Bone Lake, Winter 2018/19

Background

The nutrient budget of Bone Lake was updated in 2018, with more detailed information about internal loading. One potential source of water and nutrients that has not been evaluated previously is groundwater. Typically, groundwater is low in phosphorus and is not a large contributor to the phosphorus budget. However, springs that flow into Bone Lake were recently monitored for phosphorus and some of the readings at half the sites were quite high. For this reason, an estimate of phosphorus loading from groundwater was warranted.

To model a lake's phosphorus sources, a water budget is needed. The water budget simply considers all sources of water entering the lake, and all water leaving the lake. Water entering the lake includes precipitation, surface runoff and groundwater. And, water leaving the lake includes outflow from Fox Creek, evaporation, and groundwater flowing out. The change in lake volume is the difference between water entering and water leaving. It is measured by change in lake level. A groundwater flow map of Bone Lake shows groundwater flows only into the lake and does not predict ground water flow out of the lake.

Estimating groundwater flow into a lake can be very difficult. However, the water budget is simplified in the winter because there is little or no liquid precipitation (rain) or surface runoff, and with ice, there is little to no evaporation. Therefore, with measurements of change in lake volume and Fox Creek outflow in the winter, groundwater inflow volume can be estimated. The phosphorus load is estimated by using the groundwater flow multiplied by the average concentration of phosphorus in groundwater samples to determine a mass of phosphorus flowing into the lake via groundwater.

Methods

Flow was determined from late December, 2018 until March 1, 2019. There was little to no liquid precipitation during this period, and there was never a melt that led to runoff into the lake. The lake was frozen over during this entire time period. The two main tributaries that flow into the lake were monitored for volume and the Fox Creek outflow was monitored for volume. The lake depth was also monitored with a data logger to determine changes in lake volume over the monitoring period. As described above, this provided an estimate of ground water flowing into Bone Lake.

To determine the concentration of phosphorus in groundwater, seven springs/shallow wells were monitored for total phosphorus, orthophosphate and chloride. The chloride measurement was to assess if septic contamination was present which may occur in the shallow wells. Septic contamination can increase phosphorus concentration above the natural groundwater levels. The volume of groundwater estimated from the water budget, along with the average concentration of phosphorus in spring and well samples, was used to estimate the total mass of phosphorus coming in during the monitoring period.



Groundwater collection sites (red dots)

Results

The volume of water coming into Bone Lake during the 69 days monitored was estimated to be: **2.2 hm³**

(hm³ is cubic hectometers or 1 X 10⁹ liters)

This can be adjusted to match the time period during the growing season for the internal loading study. The volume adjusted during the growing season is: **5.83 hm³**.

The mean total phosphorus in the groundwater samples was **32.3 ug/L**

The mean orthophosphate concentration in the groundwater samples was **21.7 ug/L**. This concentration indicates that a large portion of the total phosphorus is in reactive form, available to immediate absorption and assimilation by algae and plants.

This gives a total load of **188.5 kg** of total phosphorus and **126.5 kg** of orthophosphate from groundwater during the growing season.

Discussion

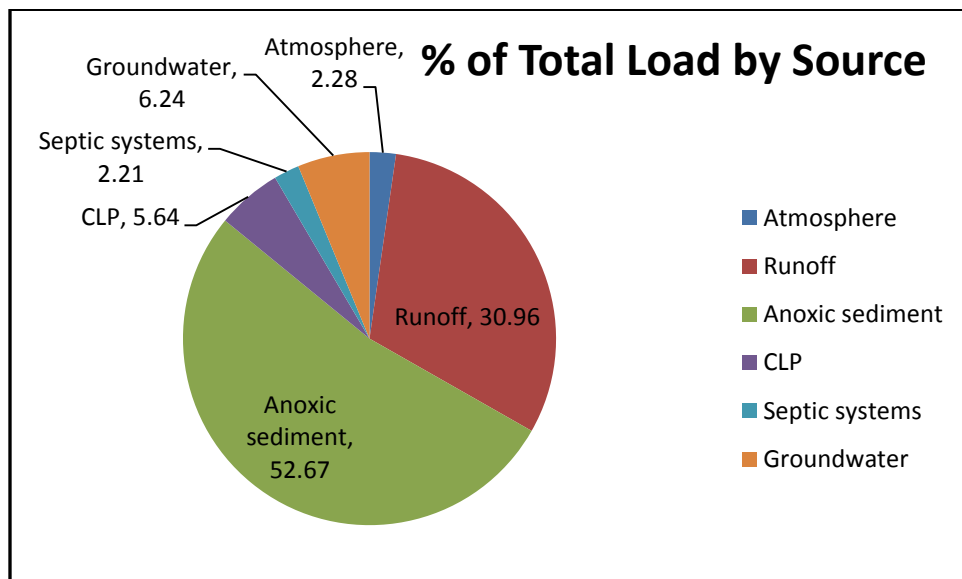
The base flow used to determine groundwater flow into Bone Lake should be considered a “rough” estimate. We can use this data in the nutrient model to gain a basic understanding of the contributions due to groundwater. However, assumptions made can reduce the accuracy of these estimates. First, we will assume that the estimated groundwater volume flowing into lake is similar to the volume flowing in during the 2015-2017 study period. Second, we will assume that the mean concentration of phosphorus in spring and well samples is reflecting the actual phosphorus in groundwater. Neither of these are likely true. Groundwater flow can vary seasonally. Also, the range in phosphorus concentration from one site to another was five-fold. As a result, if the higher or lower phosphorus concentration at particular a spring has higher flow volumes, then the phosphorus contributions would increase or decrease significantly. A weighted mean (considering volume and concentration from each particular spring) would be much better, but that data is not available.

Modeling

The mean Bathtub model from the 2015-2017 study period was adjusted using the groundwater data from winter 2018/19. The water budget was adjusted to account for increased volume inflow due to groundwater. This was done by lowering the surface runoff from the watershed (land) since that was predicted based upon runoff coefficients. Since this watershed runoff volume was reduced, so was the estimate of phosphorus loading from these areas. It is possible that hypolimnetic (lake bottom) accumulation of phosphorus could be affected by groundwater entering in the hypolimnion. However, these data are not available and, therefore, the surface loading was the only source adjusted. Modeling with existing data provides an estimate only, and many factors were unknown, thus allowing an estimate for some sources.

The following graph is the updated estimated percentage of phosphorus from various sources including groundwater:

Source	Kg of P
Atmosphere	69
Runoff	938
Anoxic sediment	1596
CLP	171
Septic systems	67
Groundwater	189
Total load	3030



Rescind Outdated BLMD By-laws

Reasoning

Bone Lake's bylaws were adopted in 1976 shortly after the District was created. An original signed and certified copy is not available. There are no records of updates made to the bylaws as would be evidenced in recorded minutes of the District's meetings since 1976.

Other evidence of the outdated by-laws is provided for review by the Bone Lake Management District Board of Commissioners on July 13, 2019.

Lake districts do not need bylaws. If a district adopts bylaws, they cannot conflict with state statute, as statute will always outweigh local bylaws. Some lakes adopt bylaws that draw references from state statutes; this may be all fine and good, until state statute changes. The legislature does not often change Chapter 33, the section of statute that most directly impacts lake districts, but when they do, the new law can create a conflict with local bylaws.

*For example, a lake district had developed its bylaws after a 1989 law modified Chapter 33 to allow districts to adopt rules relating to voting at annual and special meetings. Statute explicitly said that districts could adopt rules limiting the number of votes that may be cast with respect to any property that has more than one owner. Four years later, the legislature eliminated that specific language from Chapter 33, but the lake district never updated their bylaws to reflect that change. This has created some confusion for them when it comes time to hand out ballots for the annual meeting. The legislature deleted the language allowing for local rules governing ballots, so the district must fall back on the general guidance that statute provides: Chapter 33.01 (9) (a) defines "property owner" for the purpose of voting at an annual or special meeting, and it does not limit the number of owners that can be eligible to vote.**

Source: UWExtension Lake Tides 43(2)

*Note: A trust, foundation, corporation, association or organization that owns real property in the district designates one person as the official representative, officer or employee who is authorized to vote on its behalf.

The Board of Commissioners must agree to present Rescinding the By-Laws at the August 10, 2019 Annual Meeting.

References:

Chapter 33 is found at <https://docs.legis.wisconsin.gov/statutes/statutes/33>. This online version of state statutes is continually updated to reflect bills (acts) that have been signed into law by the Governor.

Lake Tides 43(2) can be found here:

<https://www.uwsp.edu/cnr-ap/UWEXLakes/Documents/resources/newsletter/vol41-vol45/vol43-2spring2018web.pdf>

See page 4

For more information on lake districts, see People of the Lakes: A Guide for Wisconsin Lake Organizations, www.uwsp.edu/cnr/uwexlakes/districts.

By-laws are not addressed in Chapter 33

Voting eligibility is defined in §33.01 (9) (ar)

Property ownership is the first requirement, not registered voter. Voters must be 18 yo and a U.S. citizen.

Challenges to voting eligibility are not addressed in Chapter 33

BY-LAWS OF THE
BONE LAKE MANAGEMENT DISTRICT

PREFACE

In keeping with the resolution of the Georgetown Township Village Board and ratified by unanimous vote at the 1976 Bone Lake Association Meeting, that created the Bone Lake Management District, the electors of the said Bone Lake Management District do adopt these By-Laws. 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 consistent with the laws of the State of Wisconsin and Chapter 33 of the Wisconsin Statutes under which the District was created and operates. Sections of the Statutes are cited in brackets throughout these By-Laws.

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. [Sec. 33.30(2)]

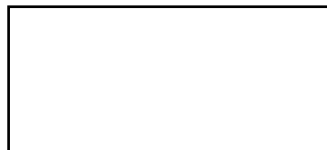
Section 2 -- NON-RESIDENT PROPERTY OWNERS: Every person 18 years of age or older who owns real property in the District shall be an eligible elector of the district and may vote in accordance with Section 2 of Article II. Any corporation, partnership, or association that owns real property in the District 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. [Sec. 33.30(3)(a)]

Section 3 -- CHALLENGES: Any elector may challenge the eligibility of another elector at any annual or special meeting of the District provided such challenge is made prior to the first vote of the meeting. The challenge shall be directed to the secretary as a point-of-information inquiring as to whether the challenged elector's name appears on the District's election role.

Article II - VOTING

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

Legend:



Complies with Chapter 33



Conflicts with Chapter 33



Erroneous statute or text

Voting eligibility is defined in §33.01 (9) (ar)

Elections of commissioners must be by secret ballot.

Actual date of annual meeting can be a policy. Chapter 33 specifies an annual meeting must be held between May 22 and September 8 unless scheduled outside those dates by a majority vote of the previous annual meeting.

Notices are defined in §33.30 (2) (a) 14 day notice is required.

Publication of legal notices is defined in Chapter 985, publication of Legal Notices, Public Newspapers, Fees.

Maximum of five commissioners specified at §33.28 (2) and (2m) (a)

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. [Sec. 33.30(3)(g)]

Section 3 -- CASTING BALLOTS: 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 or absentee ballot or referendum. All votes shall be counted by a show of hands, unless otherwise specified by Statute or in these By-Laws. [Sec. 19.88(1)]

Article III - ANNUAL MEETING
AND BUDGET HEARING

Section 1 -- TIME AND PLACE: The annual meeting and budget hearing of the District shall be held during August 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: A written notice of the annual meeting and budget hearing or two newspaper notices at least 10 days in advance of the meeting to all property owners whose names appear on the tax roll and to the Department of Natural Resources and the University of Wisconsin 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 meeting and the second insertion shall be the following week, at least 7 days before the meeting. [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, then at least one of the candidates shall be a resident elector. Additional nominations from the floor shall be requested by the chairman.

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 a minimum of five commissioners to the Board. Commissioner terms of office shall be three,

§33.29
Board of
commissioners,
officers,
powers and
duties defined.

At least one of
the elected com-
missioners shall
be a resident of
the district.

§33.28 (2) (c)

§33.30
Annual meeting
of district,
budget, tax

\$10,000
§33.30 (3) (b)

§33.31
Power to finance

\$985.67.12
Borrowing
authority

§33.22
District powers
are more exten-
sive than this

- 3 -

two and one year terms to be decided by the commissioners. At subsequent annual meetings, 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, the successor shall be elected to a three-year term.

[Sec. 33.28(2)] If a commissioner leaves office before the expiration of their term, the elected successor shall serve only for the remainder of the unexpired term. One-third of the elected commissioners must be residents of the District.

[Sec. 33.28(2)] 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 the proposed budget and tax for the District, covering the new fiscal year. 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 2.5 mills of equalized valuation. [Sec. 33.30(3) (c)] [Sec. 65.90(2)]

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 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. [Sec. 33.30(3) (d)]

Section 8 -- BORROWING AUTHORITY: The Board may exercise its authority to borrow money [Sec. 33.31(5)] not to exceed \$10,000 in any one fiscal year.

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

Section 10 -- FISCAL YEAR: The fiscal year of the District shall be defined as commencing October 1, and ending September 30.

Article IV - POWERS OF THE DISTRICT

Section 1 -- GENERAL POWERS OF A BODY CORPORATE: The District 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. [Sec. 33.22(1)]

§ 33.11 - §33.18
Lake protection
and rehabilitation
projects

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, and bottom treatments. [Sec. 33.13-15]

Article V - DISTRICT BOARD OF COMMISSIONERS

Section 1 -- MEETINGS: The District Board of Commissioners shall meet at least four times per year or at any time on the call of the chairperson or the petition of three of the commissioners.

Section 2 -- QUORUM: Two elected officers with one-third of the elected commissioners shall constitute a quorum for the transaction of business. The chairperson 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 chairperson, a vice chairperson, a secretary, and a treasurer from among its members.

1. The chairperson shall preside at the annual and special meetings, all meetings of the board and all public hearings held by the Board.

2. A vice chairperson shall assist the chairperson on all matters and be in charge whenever the chairperson is not present.

3. The offices of secretary and treasurer may be combined into one office at the discretion of the Board.

4. The secretary shall keep minutes of all 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).

5. The treasurer shall receive and take charge of all moneys of the District, and pay out the same only on order of the Board.

A quorum of a
7-member
board of
commissioners
is four elected
commissioners

Vice chairperson
is not specified
in Chapter 33.
We can make it
one of the Board
of Commission-
ers policies.

District's
election role is
maintained by
the county
assessor's office

§33.28 (2m) (5)
Commissioners shall be paid actual and necessary expenses incurred while conducting business of the district, plus such compensation as may be established by the annual meeting.

Removal of commissioners is not part of Chapter 33. This could be a policy item.

Powers and duties are defined in §33.29, more completely and up-to-date than in these By-laws

§33.32 includes many updates

Section 5 -- COMPENSATION: The commissioners may upon approval of an annual meeting, receive a per diem remuneration of \$25.00 for service in office and shall be paid for actual and necessary expenses incurred while conducting the business of the District. This provision shall not apply to commissioners who receive remuneration by virtue of their position on town boards, village boards, city councils, and county boards.

Section 6 -- REMOVAL OF COMMISSIONERS: Commissioners may be removed from office after two unexcused absences from commissioner meetings. It shall take three-fourths of the Board for removal of a commissioner from office.

Section 7 -- 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 the 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)] and
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 transactions 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 activities undertaken by the District. [Sec. 33.32(1)].

Security Bond can be a policy. Other minimum is \$10,000. See page 3.

Conflict of interest is covered under §19.46 General Duties of Public Officials.

Bylaws Article VI Committees and Article VII Miscellaneous Provisions can be part of a policies document.

Committees §33.45 (3)

Section 8 -- 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 9 -- CONFLICT OF INTEREST: Any commissioner shall abstain from voting on any matter before the Board in which they, as a private person or in which any member of their immediate family (spouse, parents, or child), has a financial interest.

Article VI - COMMITTEES

Section 1 -- ELECTIONS: The chairperson shall appoint an elector who is not running for the office of commissioner to serve as the elections committee chairperson. 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 chairperson shall appoint three electors or an independent auditing firm to perform an annual fiscal audit. The committee or auditing firm shall examine all financial records of the District and report its conclusions to the annual meeting. An audit shall be performed two weeks prior to the annual meeting, or when the office of treasurer is changed at times other than the annual meeting.

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

Section 4 -- REPORTING: All committees shall report to the chairperson at his 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 MEMBERS: All committee members shall serve at the pleasure of the chairperson and may be replaced by the chairperson on an annual basis following the Board meeting immediately following the annual meeting.

Article VII - MISCELLANEOUS PROVISIONS

Section 1 -- 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 chairperson shall serve as parliamentarian.

Bylaws are not
addressed in
Chapter 33.

Unsigned,
not dated.

The document
appears to be a
draft copy used by
other districts to
write By-laws.

Section 2 -- ADOPTION OF BY-LAWS: These By-Laws may be adopted at any legal annual meeting of the District. Adoption shall require a majority vote of the electors, as defined herein, present and voting at the meeting. The By-Laws shall become effective immediately upon passage.

Section 3 -- AMENDING BY-LAWS: These By-Laws may be amended at any legal annual meeting of the District. Amendments shall require a majority vote of the electors present and voting at the meeting.

CERTIFICATION:

These By-Laws were adopted by vote of _____ yes and _____ no at the annual meeting on this _____ day of _____, 1977.

Secretary

ADDENDUM "A" TO BY LAWS
RECREATION AND SOCIAL COMMITTEE

As we have learned, the District cannot directly fund recreation and social activities.

The purpose of a Lake District is limited to protection and rehabilitation projects.

A recreation and social committee must be a separate entity not under the jurisdiction of the District nor managed by the District.

PURPOSE

The purpose of a Bone Lake Management District Recreational and Social Committee is to formally recognize and provide a means for funding Recreational and Social activities. Recreation and Social activities may be defined as voluntary activities which are satisfying, healthful and socially acceptable.

FUNDING

Funds for Social and Recreational activities must come from direct contributions or fund raising activities approved by the Bone Lake Management District according to State and Federal Statutes.

CHECKING ACCOUNTS

The Recreation and Social Committee shall have its own checking account and/or savings account. Two signatures shall be required on each check. Three persons shall be authorized to issue checks, two of these people from the Recreation and Social Committee, one being an elected Commissioner or elector. The third person shall be either the Chairman or Secretary-Treasurer of the district.

BUDGET AND FINANCIAL REPORT

The Recreation and Social Committee shall submit a financial report for the year ending and a budget for the upcoming year to the Chairman of the district by July 31 each year.

SCHEDULE

A proposed schedule of events for the coming year shall be submitted at the annual meeting for the approval by the general electors.

OFFICERS

The Vice Chairman of the Bone Lake Management District shall serve as Chairperson of the Recreation and Social Committee. Two additional Commissioners appointed by the Chairperson of the district shall serve on this committee to assist in the committee's operations.

Approved: Vote of electors

Date: _____

Chairman: _____

Two slides for annual meeting:

Board Proposal Regarding The Obsolete 1976 BLMD By-Laws

District operation & public officials are governed by Wisconsin Statutes:

- Chapter 33 Public Inland Waters
- Chapter 19 General Duties of Public Officials
- Chapter 985 Publication of Legal Notices
- Chapter 66 Municipal Law (Bids)
- Chapter 65 Budget Systems
- Chapter 30 Navigable Waters
- Others: Open Meeting Law, Public Records Law

Whereas the State of Wisconsin has comprehensive statutes governing the operation of Lake Districts and its public officials:

The Board of Commissioners recommends that the voters at the August 10, 2019, BLMD Annual Meeting, rescind the obsolete By-Laws of the Bone Lake Management District in favor of compliance with the Laws of the State of Wisconsin.

Vote to agree by show of hands. We do not need a resolution to say we are going to comply with state law.

Policy document items, working list

1. Define duties of officers

Chapter 33 states:

The board, immediately after each annual meeting, shall elect a chairperson, secretary and treasurer, whose duties shall be as follows:

- (a) The chairperson shall preside at the annual meeting, at all special meetings and meetings of the board and at all public hearings held by the board.
- (b) The secretary shall keep minutes of all meetings of the board and hearings held by it. The secretary shall prepare and send the notices required for the annual meeting, any special meeting, and any meeting of the board.
- (c) The treasurer shall receive and take charge of all moneys of the district, and pay out the same only on order of the board.

- We can add additional duties as policy.
- We can create a policy to appoint a vice chair and define duties.
- Establish board composition as seven commissioners, five being elected commissioners, one commissioner from Town of Georgetown, and one from the Polk County Board of Supervisors.
- Add rules for removal of a commissioner.
- Establish an oath of office.
- Establish commissioner education and training requirements:

2. Set date of annual meeting as second Saturday in August of every calendar year.

3. Create additional positions such as recording secretary, bookkeeper, auditor.

4. Specify the date the budget starts. Most districts operate on the calendar year.

5. Establish intervals for updates to the lake management plan and aquatic plant management plan.

6. Establish process for updating plans, step-by-step.