

WHITEWATER-RICE

Lakes

Management

District

N E W S L E T T E R

Vol. 8 No. 1

June, 1995

NOTICE OF ANNUAL MEETING OF DISTRICT PROPERTY OWNERS:

The ninth Annual Meeting of the Whitewater-Rice Lakes Management District will be held on Saturday, August 19, 1995, at 2:00 p.m. in the gymnasium of Lakeview School, located on Townline Road just west of Whitewater Lake.

Except for the provision for Special Meetings, described in our District By-Laws, these Annual Meetings represent the only opportunity for District property owners to assist in defining the future direction of our Lake District programs. So, it is important for you to attend. Please mark your calendars and plan to be present!

This is the last direct communication from your Lake District that you will receive prior to the Annual Meeting on August 19th. Notices of the meeting will, however, be published in the Whitewater Register during the two weeks prior to the meeting.

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AGENDA OF THE ANNUAL MEETING, AUGUST 19, 1995:

- 1) Minutes of the Annual Meeting of August 20, 1994.
Copies of these minutes will be distributed at the meeting.
- 2) Proposed amendments to the District's By-Laws.
If accepted, the District's elected Board of Commissioners will be enlarged to include five property owners.
- 3) Election of Lake District Commissioners.
Candidates are:
Charles H. Cruse, N7907 County Trunk P
Paul W. Kuchan, N7470 Kettle Moraine Drive
Boris Marohnich, N7729 Ridge Road
Bernard Tangney, N7866 Kettle Moraine Drive
Leo J. Worth, N7401 E. Lakeshore Drive
- 4) Treasurer's Financial Reports.
 - a) Report of the financial Audit Committee.
 - b) Financial report for calendar year 1994.
 - c) Interim financial report for 1995.
 - d) Proposed budget for 1996.

- 5) Public input from district property owners.
- 6) Establish date for 1996 Annual Meeting of our Lake District.
- 7) Introduction of newly elected Commissioners.
- 8) Adjournment.

NOTES ON THE BUDGET:

Following is a summary of the proposed 1996 budget compared to the budget for 1995, and a reconciliation of the projected fund balance, as required by Wis Statute. Attached you will also find a detail budget for 1996 compared to actual for 1994, the budget for 1995 and a current projection of 1995.

The proposed budget for 1996 contemplates a 17% tax reduction from \$96,090 in 1995 to \$80,000 in 1996.

During 1995 we have changed the basis of accounting to give recognition to the value of our harvesting equipment and to spread the cost of this equipment over its useful life. You will note that the budget established last year for 1995 did not contemplate a provision for this depreciation so that the amount that was budgetted for harvesting was unrealistically low.

Accelerated payments on the the loan for the purchase of the harvesting equipment resulted in paying off the loan in 1995.

We currently have a reserve for the purchase of new equipment of \$10,000. Annual depreciation is \$16,555. At year end 1996 we will have accumulated depreciation of \$80,869. To avoid having to borrow again when the equipment needs to be replaced we feel that the reserve should be built up to approximate the value of the accumulated depreciation. We propose that the fund for equipment replacement be increased in 1996 by \$35,000, which is approximately the amount of the annual depreciation plus \$20,000.

BUDGET SUMMARY

	<u>1995 Budget</u>	<u>1996 Budget</u>	%
<u>REVENUES</u>			
Taxes	\$96,090.00	\$80,000.00	-17%
Intergovernment	\$10,000.00	\$0.00	-100%
Misc Revenue	<u>\$0.00</u>	<u>\$3,500.00</u>	0%
TOTAL REVENUE	<u>\$106,090.00</u>	<u>\$83,500.00</u>	-21%
<u>EXPENDITURES</u>			
General Government	\$5,750.00	\$5,500.00	-4%
Harvesting	\$33,100.00	\$44,600.00	
Weed Spraying	\$8,540.00	\$5,000.00	
Management Plan	\$13,500.00	\$0.00	
Fish Stocking	\$3,000.00	\$3,000.00	
Other	<u>\$1,200.00</u>	<u>\$6,300.00</u>	
Total Public Works	\$59,340.00	\$53,900.00	-1%
Debt Service	\$4,300.00	\$0.00	-100%
Other	<u>\$0.00</u>	<u>\$5,000.00</u>	
TOTAL EXPENDITURES	<u>\$69,390.00</u>	<u>\$64,400.00</u>	-7%

RECONCILIATION OF FUND BALANCES

	<u>Est 12/31/95</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>Est 12/31/96</u>
Equip-Cost	\$160,000.00			\$160,000.00
Accum Depr	(\$64,269.00)			(\$80,869.00)
Res-Equip Repl	<u>\$10,000.00</u>			<u>\$45,000.00</u>
Total Equip	\$105,731.00			\$124,131.00
Gen Oper Funds	\$29,016.41			\$29,716.41
Loan	\$0.00			\$0.00
Res-Pole Barn	<u>\$10,455.00</u>			<u>\$10,455.00</u>
TOTAL	\$145,202.41	\$83,500.00	\$64,400.00	\$164,302.41

DETAIL BUDGET

	1994	1995 budget	1995 Proj	1996 est
INCOME				
Taxes	\$90,600.01	\$96,090.00	\$96,060.00	\$80,000.00
Donations	\$300.00	\$0.00	\$300.00	\$300.00
Interest	\$1,013.74	\$0.00	\$1,715.22	\$3,200.00
grants	\$0.00	\$10,000.00	\$10,000.00	\$0.00
TOTAL INCOME	\$91,913.75	\$106,090.00	\$108,075.22	\$83,500.00
EXPENSE.				
Harvesting				
Depreciation	\$16,955.17	n/a	\$16,555.17	\$16,600.00
Payroll	\$13,698.20	n/a	\$15,100.00	\$16,000.00
other	\$12,161.71	n/a	\$11,666.76	\$12,000.00
Total Harvesting	\$42,815.08	\$33,100.00	\$43,321.93	\$44,600.00
Gen Adm	\$2,848.51	\$2,750.00	\$3,306.50	\$3,400.00
Fish Stocking	\$0.00	\$3,000.00	\$3,000.00	\$3,000.00
Interest	\$4,316.87	\$4,300.00	\$449.09	\$0.00
Legal	\$0.00	\$1,000.00	\$1,000.00	\$1,000.00
Newsletters	\$1,148.62	\$2,000.00	\$1,000.00	\$1,100.00
Weed Spraying	\$40.00	\$8,540.00	\$8,540.00	\$5,000.00
Studies-lake stage	\$1,200.00	\$1,200.00	\$1,200.00	\$1,300.00
studies-mngmnt plan	\$0.00	\$13,500.00	\$13,500.00	\$0.00
contingencies	\$0.00	\$0.00	\$0.00	\$5,000.00
TOTAL EXPENSES	\$52,369.08	\$69,390.00	\$75,317.52	\$64,400.00
OTHER USES				
loan principle	\$56,894.50	\$26,700.00	\$15,053.55	\$0.00
reserve-pole barn	\$10,455.00	\$0.00	\$0.00	\$0.00
res-equip replacement	\$0.00	\$10,000.00	\$10,000.00	\$35,000.00

DETAIL BUDGET - 1995 Projection

	<u>6/8/95 actual</u>	<u>proj to 12/31/95</u>	<u>1995 proj</u>
<u>INCOME</u>			
Taxes	\$96,060.00	\$0.00	\$96,060.00
Donations	\$0.00	\$300.00	\$300.00
Interest	\$211.92	\$1,503.30	\$1,715.22
grants	\$0.00	\$10,000.00	\$10,000.00
TOTAL INCOME	\$96,271.92	\$11,803.30	\$108,075.22
<u>EXPENSE.</u>			
Harvesting			
Depreciation	\$16,555.17	\$0.00	\$16,555.17
Payroll Related	\$841.00	\$14,259.00	\$15,100.00
other	(\$7.38)	\$11,674.14	\$11,666.76
TOTAL HARVESTING	\$17,388.79	\$25,933.14	\$43,321.93
Gen Adm	\$1,610.77	\$1,695.73	\$3,306.50
Fish Stocking	\$0.00	\$3,000.00	\$3,000.00
Interest	\$449.09	\$0.00	\$449.09
Legal	\$0.00	\$1,000.00	\$1,000.00
Newsletters	\$85.00	\$915.00	\$1,000.00
Weed Spraying	\$0.00	\$8,540.00	\$8,540.00
Studies-lake stage	\$0.00	\$1,200.00	\$1,200.00
studies-manag plan	\$0.00	\$13,500.00	\$13,500.00
contingencies	\$0.00	\$0.00	\$0.00
TOTAL EXPENSE	\$19,533.65	\$55,783.87	\$75,317.52

COMMENTS ON THE STATE OF OUR LAKES:

Considering the unusually light growth of aquatic weeds in Whitewater and Rice Lakes during 1994, the condition in both these lakes in the spring of 1995 was an unexpected surprise. Detailed surveys of weed growth in Whitewater Lake on June 8th, and of Rice Lake on June 10th, showed heavy infestations of Eurasian water milfoil and curly-leaf pondweed. Much of the growth of native plant species, seen in 1994, has so far failed to appear. As usual, the heaviest weed growth was in the South Bay of Whitewater Lake, as well as in Isabelle's Bay in the East lobe of the lake. Elsewhere, there were rather spotty areas of heavy weed growth in the East lobe and also in the North tip of the West lobe. This was also true of Rice Lake.

As a result of these surveys, your Lake District has decided to treat the developed shoreline of Rice Lake with herbicides. We will also treat large portions of the shoreline of Whitewater Lake, concentrating on those areas that show the heaviest growth of aquatic plants. We are pushing negotiations for such treatments as rapidly as possible.

The water in Whitewater Lake is quite clear in most areas. On June 7th, Boris Marohnich recorded a Secchi depth of 13 feet in the East lobe (Bass Lake). This is the best we have seen for some time.

The weed harvesting equipment was launched on Whitewater Lake on May 26th and began operations on May 30th. Harvesting began in the South Bay, and its operations will be extended to other areas of the lake, and also to Rice Lake, as rapidly as possible.

Fish stocking will be continued in 1995. Fish stocking is done with the permission and supervision of Wisconsin's Department of Natural Resources. You may be interested in the accompanying tabulation of the history of the stocking of Whitewater Lake. "Private Stocking" refers to fish paid for by our Lake District. "Cooperatively Raised" relates to attempts to rear walleyes in local ponds--primarily through the efforts of Dale Poeppel. This technique was too labor intensive to be continued.

During the last several years, our fish stocking program has settled down to one in which Northern Pike and Walleyes are stocked on alternate years. So, 1995 is the year for Walleyes. We are pleased to see that the Department of Natural Resources is taking an increasingly active interest in this program.

We have also stocked fish into Rice Lake over the last few years. However, the record of these activities has not been received from the DNR.

The year-long study of Whitewater and Rice Lakes by the U. S. Geological Survey was completed in 1995 with the publication of a document entitled "Hydrology and Water Quality of Whitewater and Rice Lakes in Southeastern Wisconsin, 1990-91" by Gerald L. Goddard and Stephen J. Field. Those of you who would enjoy reading a somewhat technical report on our lakes can obtain a copy by contacting Bill Norris. A limited number of copies are available at our Annual Meeting on a first-come, first-served basis.

We will summarize the results of this study in a future issue of our Newsletter.

WHITEWATER LAKE FISH STOCKING RECORD

The following history of fish stocking was received from Doug Welch, WDNR, Bong State Recreation Area on: 5-10-95.

<u>Year</u>	<u>Quantity</u>	<u>Type</u>	
1980	1,100,000	Northern Pike Fry	
1985	3,700	Walleye Fingerlings	Private Stocking
1987	29,000	Walleye Fingerlings	Cooperatively Raised
1988	9,000	Walleye Fingerlings	Private Stocking
1989	11,500 1,267	Walleye Fingerlings Walleye Adults	Cooperatively Raised From Delavan Lake
1991	1,000 20,000	Northern Pike Fingerlings Walleye Fingerlings	Private Stocking Private Stocking
1992	2,500	Northern Pike Fingerlings	Private Stocking
1993	1,500	Walleye Fingerlings Large	Private Stocking
1994	1,280	Northern Pike Fingerlings	WDNR

SUMMARY OF BY-LAW CHANGES

The attached copy of the by-laws of the District incorporate several proposed changes to be voted on at the annual meeting on August 19, 1995. These changes are being made primarily to conform to the 1994 revisions of Chapter 33 of the Wisconsin Statutes. Among other things the Statute now allows the board to expand from 3 to 5 elected commissioners. We feel that expanding the board would be beneficial, providing for a wider participation on the part of the electors of the District. Specific changes from the current by-laws are noted below.

The preamble has been changed to refer to Chapter 33 in general. Reference to specific Sections throughout the by-laws has been discontinued as cumbersome and unnecessary.

Article I - Section 2 and Article II - Section 2 have been clarified and expanded to precisely conform to the wording of the Statute.

Article II - Section 3 is changed to state that the election of commissioners must be by secret ballot, in accordance with the Statute.

Article III - Section 2 is being changed to comply with the revised Statute. The change provides that meeting notice must be either mailed to the electors at least 10 days prior to the annual meeting or published in the paper at least 15 days and 7 days prior to the meeting. The current by-laws state that the notice must be mailed at least 60 days prior and must also be published 15 and 7 days prior to the meeting.

Notice to the University of Wisconsin Extension has been dropped as this is no longer required.

We are also clarifying that the District may not consider borrowing funds for projects or levying a tax to pay for such indebtedness unless the meeting notice includes a statement to that effect.

Article III - Section 5 changes the elected commissioners from 3 to 5 and also, if no resident is willing to serve, waives the requirement that at least one must be a resident.

Article III - Section 6 changes the maximum mil rate from 2.0 to 2.5 in conformity with the Statute.

Article III - Section 7 raises the limit requiring elector approval of specific projects from \$2500 to \$10,000 in conformity with the Statute.

Article IV - Section 2 has been changed to state in general that the District has the powers set forth in Chapter 33, rather than enumerate the specific powers granted.

Article V - Section 1 changes the Board from 5 to 7 members, 5 of whom shall be elected rather than 3 at present.

Article V - Section 3 clarifies that the Board can appoint a commissioner to fill a vacancy for an "elected" commissioner. Vacancies in "appointed" positions will be filled by appointment by the appointing authority.

Article V - Section 5 has been amended to discontinue the requirement that the Secretary notify the University of Wisconsin Extension of the names and addresses of the Commissioners. This requirement was dropped by the revised Statute.

Article V - Section 7 provides that the Board shall act subject to the directives of the Annual Meeting or of a Special Meeting in accordance with the Statute. A reference to Section 67.12 of the Wis. Stats. has also been added for clarity as regards borrowing for temporary needs.

Article VI - Section 2 has been reworded to conform to the Statute.

Article VII - Section 7 discontinues the provision that committee changes occur only at the first Board meeting following the annual meeting.

Article VIII - Section 1 has been reworded to conform to the Statute which requires that the Board shall schedule a Special Meeting if petitioned by 10% of the electors. The Notice requirements for Special Meetings are stated (these are the same as for the Annual Meeting). Items that may not receive action at a Special Meeting, as specified in the Statutes, are noted.

Article VIII - Section 4 provides for the amendment of by-laws at Special Meetings as well as at the Annual meeting.

Article VIII - Section 5 has been reworded to conform to the Statute. It states that a petition to dissolve the District may not be considered at the Annual Meeting unless the Board is notified at least 90 days in advance. The previous requirement that it be signed by a minimum of 12 electors has been dropped as not in compliance with the revised Statute. Other procedural rules for dissolution as specified in the Statutes are enumerated.

BY-LAWS OF THE
WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

In keeping with the resolution of the Walworth County Board of Supervisors that created the Whitewater-Rice Lakes Management District in December, 1986, the electors of the said Whitewater-Rice Lakes Management District (hereinafter, the District) do adopt these By-Laws. The purpose of these By-Laws is to define and regulate the activities of the 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 - ELECTORS

Section 1 - RESIDENT ELECTORS: Every resident of the District, who is eligible and registered to vote in general elections shall be an eligible elector of the District.

Section 2 - PROPERTY OWNER ELECTORS: Every U.S. citizen, 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, trust, foundation, association, or organization that owns real property in the District may appoint one official representative who shall be an eligible elector of the District. For the purpose of receiving notice for the purpose of petitioning under these By-Laws, the terms "owner", "property owner", or "landowner" means the person whose name appears on the assessment role prepared for the purpose of real property taxation. For the purpose of petitioning under these By-Laws, the "owner", "property owner", or "landowner" means the person whose name appears on the assessment role prepared for the purpose of real property taxation or the spouse of the person whose name appears on the assessment role.

Article II - VOTING

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

Section 2 - NON-RESIDENT MULTIPLE OWNERS: Joint tenants or tenants-in-common of real property may each cast one vote on any question called to a vote. For the purpose of voting at meetings, the terms "owner", "property owner", or "landowner" means a person who is a U.S. citizen and eighteen years of age or older and who meets any of the following requirements:

A. The person's name appears on the assessment role prepared for the purpose of real property taxation;

B. The person owns title to real property but the person does not appear as an owner of real property on the tax role;

C. The person is the official representative, officer, or employee who is authorized to vote on behalf of a trust, foundation, corporation, association, or organization that owns real property in the District.

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. Except as specified by Statute or provided herein, votes may be counted by a show of hands. At his/her discretion the Chairperson of the meeting may call for a written ballot. However, the election of one or more Commissioners to fill vacancies on the Board shall be by secret ballot.

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, the Board) unless the date has been set by vote of the previous annual meeting.

Section 2 - NOTICE:

A. A written notice of the annual meeting and budget hearing, together with a summary of the proposed budget, shall be mailed at least 10 days in advance of the meeting to all electors within the District and owners of property within the District, whose address is known or can be ascertained with reasonable diligence, and to the Department of Natural Resources. 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 may be published twice in a paper of general circulation in the area in lieu of sending written notice to electors residing within the District. 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.

B. At an annual meeting, the District may not consider nor approve any borrowing or any tax to pay for any indebtedness incurred pursuant to the District's power to finance unless the meeting notice includes a statement that borrowing or a tax levy to pay the indebtedness will be considered at the meeting.

Section 3 - NOMINATION OF COMMISSIONERS: The Board shall nominate candidates to fill all upcoming vacancies on the Board, or the Board may appoint a Nominating Committee to perform this function. If none of the commissioners, whose terms do not

expire, are resident electors, then two of the candidates nominated 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 of the Board at least 45 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: Any elector of the District who is an owner of real property within the District shall be eligible for election to the office of Commissioner.

Section 5 - ELECTING COMMISSIONERS: At each annual meeting, the electors shall elect one commissioner to fill each vacancy on the Board. When a commissioner's term of office has expired, his/her successor shall be elected to a three-year term. If a commissioner leaves office before the expiration of his/her term, the Board may appoint an interim commissioner to fill the vacancy until the next annual meeting. 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 votes shall be elected to the next longest term; and the candidate receiving the third greatest number of votes shall be elected to the shortest term vacancy, if any. One of the five elected commissioners must be a resident of the District; however, if no resident is willing to be elected for a given term, the residency requirement shall be waived until the end of that term. If none of the commissioners, whose terms do not expire, is a resident elector, then the resident elector receiving the greatest number of votes shall be elected to the three-year term. 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 calendar 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 of 2.5 mills of equalized valuation. The annual meeting may direct the Board to adopt and collect special charges or special assessments.

Section 7 - PROJECT APPROVAL: The electors present at the annual meeting shall approve or disapprove all proposed projects by the District having a cost to the District in excess of \$10,000. The electors present at 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 \$10,000 and to enter into contracts accordingly, subject to the limitations provided in the authorizing

resolution. Votes on projects may be taken by written ballot at the request of the Chairperson.

Section 8 - OTHER BUSINESS: The annual meeting shall take up and consider such other business as comes before it.

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, maintain, or dispose of real or personal property, disburse money, contract debt and do any other acts necessary to carry out a program of lake protection and rehabilitation.

Section 2 - SPECIFIC LAKE MANAGEMENT POWERS: The District shall have such other powers as set forth in Chapter 33 of the Wisconsin Statutes as amended from time to time.

Section 3 - CONTRIBUTIONS: No monies raised for the lake management district shall be spent as contributions to groups that are seeking funds for purposes other than direct lake management. No political, charitable, or benevolent causes shall be supported with District funds.

Section 4 - WHITEWATER LAKE DAM: The District shall not, by any method, alter the dam at the North portion of Whitewater Lake, nor shall the District take any action to divert water around the dam. The District shall not take any action to change the ownership of the dam.

ARTICLE V - DISTRICT BOARD OF COMMISSIONERS

Section 1 - COMPOSITION: 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 of these By-Laws and one each shall be appointed by the Walworth County Board and by the local municipality with the largest portion by valuation within the District.

Section 2 - OPEN 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. Meetings shall be open and proper notice given in accordance with legislation governing meetings of public bodies.

Section 3 - QUORUM AND VACANCIES: Three commissioners shall constitute a quorum for the transaction of business. A majority of the commissioners plus one shall be present to borrow money. If a vacancy occurs for an elected position, the board shall appoint an elector to fill any vacancies until the next annual meeting, subject to approval by a majority vote of the Board. If

a vacancy occurs in an appointed position, the appointing authority shall appoint a person to fill the vacancy.

Section 4 - 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 5 - OFFICERS: At the 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.

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. The secretary shall keep minutes of all meetings of the District and the Board and hearings held by it, and shall annually notify the Department of Natural Resources (Office of Inland Lake Renewal) 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 6 - COMPENSATION: The commissioners shall receive no remuneration for their service in office, but a commissioner shall be paid for actual and necessary expenses incurred while conducting the business of the District.

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 drainage basin.
2. Planning lake rehabilitation projects.
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.
4. Adopting and carrying out lake protection and rehabilitation plans and obtaining any necessary permits therefor.

5. Maintaining liaison with those officials of state government involved in lake protection and rehabilitation, and providing the Department of Natural Resources with the names and addresses of the current commissioners.

The Board shall have control over the fiscal matters of the District, subject to the powers and directives of the annual meeting or a special meeting of electors. 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. 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. The Board may use special assessments or charges for the purpose of carrying out District protection and rehabilitation projects, or for other lake management activities undertaken by the District. However, the use of special assessment, special charges, or such funding, shall require approval of a majority of electors present at an annual meeting or special meeting. When in temporary need, the Board may borrow money pursuant to Section 67.12 Wis. Stats.

Section 8 - REMOVAL OF A COMMISSIONER: A commissioner is expected to discharge his/her duties in a timely manner, and to the fullest extent possible. If a commissioner is absent from three consecutive Board meetings without just cause (as determined by the Board), the commissioner may be requested to resign, or may be removed from office by a majority vote of the Board. The commissioner must be given written notification of such intended action at least 30 days prior to further action by the Board.

ARTICLE VI - PUBLIC BIDDING

Section 1 - LOW BID: All contracts exceeding \$2,500 for work or materials shall be let by the Board to the lowest responsible bidder in the manner which the Board prescribes. All due consideration shall be given to Wisconsin and/or Illinois companies submitting bids. The manner of soliciting bids and the determination of the qualifications of the bidder shall be at the discretion of the Board. If a bid is accepted which exceeds any other bid by more than 10%, the Board must provide written justification for its action at the next annual meeting. The Board reserves the right to reject any of all bids.

Section 2 - SECURITY BOND: The Board may require that a 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/she as a

private person, or in which any member of his/her family (spouse, parents, or child), has financial interests. Nor shall any commissioner or member of his/her immediate family contract to conduct business with the District.

ARTICLE VII - COMMITTEES

Section 1 - ELECTIONS: The Chairperson shall appoint three to six electors, who are not running for the office of commissioner, to serve as the elections 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: With Board approval, 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 - ADVISORY COMMITTEES: With Board approval, the Chairperson may appoint ad-hoc advisory committees. These advisory committees shall advise and assist the Board in planning lake studies and management projects, securing cooperation and maintaining liaison with other units of government, and participate in general activities of the District as directed by the Board.

Section 4 - OTHER COMMITTEES: With Board approval, the Chairperson may appoint other committees as deemed necessary to further the interests of the Board.

Section 5 - REPORTING: All committees shall report to the Chairperson at his/her request and to the annual meeting.

Section 6 - 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 7 - TERMS OF MEMBERS: All committee members shall serve at the pleasure of the Board, and may be replaced by the Board.

ARTICLE VIII - MISCELLANEOUS PROVISIONS

Section 1 - SPECIAL MEETINGS:

A. The Board may schedule a special meetings of the District at any time. The Board shall schedule a special meeting upon receipt of a petition signed by at least ten percent (10%) of the electors and property owners in the District.

B. Written notice of a special meeting shall be given to the same persons and in the same manner required under Article III, Section 2; provided however that the District may not

consider nor approve any borrowing or any tax to pay any indebtedness unless the meeting notice includes a statement that borrowing or a tax levy to pay the indebtedness will be considered at the meeting.

C. At a special meeting, electors and property owners may take any action that is required or allowed to be taken at an annual meeting, except that they may not do any of the following:

1. Approve an annual budget, but they may consider and vote on amendments to the annual budget;
2. Consider the dissolution of the District or dissolve the District;
3. Consider a matter that was resolved during another special meeting that was held since the previous 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 Chairperson may serve as parliamentarian or he/she may appoint someone to serve as parliamentarian for a particular meeting.

Section 3 - 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 voting electors, as defined herein, present at the meeting. The By-Laws shall become effective immediately upon passage.

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

Section 5 - DISSOLUTION OF THE DISTRICT: A petition to dissolve this District may not be considered at an annual meeting of the District unless an elector within the District or a property owner within the District notifies the Board of Commissioners in writing at least 90 days before the annual meeting that the elector or property owner intends to petition for dissolution at that annual meeting. The notice of the annual meeting must include a statement that a petition to dissolve the District will be considered. The District may be dissolved upon a two-thirds vote of the electors and property owners present at the annual meeting. The County Board shall, by order, dissolve the District following receipt of the petition if the County Board finds that one or more of the standards for the creation of a district under Section 33.26(3), Wis. Stats., are not met. The order for dissolution shall be conditioned upon proper petition to the Circuit Court and appointment of a receiver to administer the

winding up of the District under the supervision of the Court and a final order of the Court. The Attorney General shall represent the State and shall be a party to every dissolution proceeding where State money is involved.

CERTIFICATION: These Amended By-Laws were adopted by a two-thirds vote at the annual meeting held August 19, 1995.

MURIEL SCHROCK, Secretary



WHITEWATER-RICE

Lakes Management District

P.O. BOX 301, WHITEWATER, WISCONSIN 53190

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