



Sawyer County

Agenda

Land, Water, & Forest Resources Committee Meeting
Callahan Lake/Mud Lake Association Public Hearing

Wednesday, November 6, 2024 @ 8:30 AM

Sawyer County Board Room

Revised: Tuesday, November 5, 2024 11:55 AM

Page

1. CALL TO ORDER

- a. To view or participate in the **virtual meeting** from a computer, iPad, or Android device please go to <https://zoom.us/j/99719807086> You can also use the dial in at **1-312-626- 6799** with the Webinar ID: 997 1980 7086. Use *9 to Raise/lower hand and *6 to Unmute/mute. If additional assistance is needed please contact the Sawyer County Forestry Office at 715-634-4846 prior to the meeting. This meeting will be recorded and will be available on our website at: <https://sawyercountygov.org>. If you are on a computer, click the "Raise Hand" button and wait to be recognized. If you are on a telephone, dial *9 and wait to be recognized.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW

5. MEETING AGENDA

6. PETITION FOR CREATION OF CALLAHAN & MUD LAKE DISTRICT - PUBLIC HEARING

5 - 7

- a. [CallahanMudLakeDistrictPUBLIC HEARING NOTICE Boundary_for petition_062624_lowres \(1\)](#)

8 - 11

- b. Links to signed petitions:
<https://www.sawyercountygov.org/DocumentCenter/View/46883/Petitions--Batch-1pdf>
<https://www.sawyercountygov.org/DocumentCenter/View/46882/Petitions--Batch-2pdf>
[signed Sawyer County petition101124](#)

12 - 120

- c. Supporting Documents
- [Callahan Mud Lake District Legal Description 2024.07.12 \(4\)](#)
 - [Callahan-Mud Lake District - Boundary Signature Address Data for Sawyer County 2024.10.10 \(2\)](#)
 - [Petition Cover Letter for Eligible Signers DRAFT v1.5 2024.03.16 \(3\)](#)
 - [Final Petition Cover Letter for Sawyer County100724 \(7\)](#)
 - [CML District Petition 062824 \(2\)](#)
 - [About Flyer 8.5x11 072823 \(4\)](#)
 - [FAQ 11x17 in half 072823 \(2\)](#)
 - [FAQupdate](#)
 - [Guide Chapter4 \(2\)](#)
 - [Guide Chapter5 WI statute \(1\) \(1\)](#)
 - [WI Lake Districts.png](#)
 - [WI statute chapter 33 public inland waters \(1\)](#)

7. CALLAHAN & MUD LAKE DISTRICT PETITION (DISCUSSION & POSSIBLE ACTION)

- a) Report of the Hearing
- b) Committee's Findings and Recommendations

8. PUBLIC COMMENTS

- a. At this time, members of the public will be given the opportunity to address the Committee. Please adhere to the following when addressing the Committee:
- Comments will be limited to 3 minutes or less per individual.
 - Comments should be directed to the Committee as a whole and not directed to individual Committee members.
 - The Committee cannot respond to your comments during this time.
 - Please sign in and fill out a public comment sheet if you wish to speak on an item.

9. CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING

- a. [10.9.24 LWFRM Minutes DRAFT](#)

10. REGISTER OF DEEDS UPDATE

- a. [ROD Monthly Report \(002\)](#)

11. EVENTS (DISCUSSION AND POSSIBLE ACTION)

- a. [Hayward Lions Pre-Birkie 2-8-25](#)
[Seeley Hills Classic 1-11-25](#)

[Seeley Big Fat 1-18-25](#)
[Birkie Tour 1-25-25](#)
[Birkie Week Ski Events 2-19 to 2-22-25](#)
[Fat Bike Birkie 3-8-25](#)
[Epic Bike Fest 6-7 to 6-8-25](#)

12. LAND RECORDS AND COUNTY SURVEYOR DEPARTMENT REPORT

133 - 134

- a. 1) Surveyor November 2024
2) LWFR November 2024

13. SAWYER COUNTY FORESTRY DEPARTMENT

135 - 142

- a. Recreational Trails Report
Motorized-
Non-motorized-
- b. County Forestry Report
[1\) October 2024 Forestry Report](#)
[2\) 2024 Fall Sawyer County Timber Sale Bid Results](#)
- c. DNR Forestry Report

14. ZONING/ CONSERVATION DEPARTMENT

- a. County Report
- b. Wisconsin Land & Water Conservation Board Elections (Discussion/Action)
*Committee would need to cast ballot for 3/5 candidates or designated Tim Seidl (Assistant Conservation Administrator) as a representative to vote on behalf of the Committee.

<https://wisconsinlandwater.org/members-hub/lwcb/elections>

- c. USDA report
- d. LCO report

15. TAX DEED/FORECLOSURE PROCESS

143 - 147

- a. Administration and Management of Tax-Deeded Lands Ordinance
1) Res 2024- Administration Management Tax Deeded Lands Ordinance Resolution
Management Administration Tax Deed Lands (rev-clean)

16. BOARD APPOINTED COMMITTEE UPDATES

17. FUTURE AGENDA ITEMS

18. CORRESPONDENCE, REPORTS FROM CONFERENCES AND MEETINGS

19. ADJOURNMENT

DISCLAIMER:

A quorum of the County Board of Supervisors or of any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made a determination that attendance at the meeting is necessary to carry out the Board or committee's function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed meeting.

Copy sent via email to: County Clerk and News Media. Note: Any person wishing to attend whom, because of a disability, requires accommodation should call the Sawyer County Clerk's office (715.634.4866) at least 24 hours before the scheduled meeting so appropriate arrangements can be made.

Land, Water, and Forest Resources Committee Mission Statement: "Develop, guide and implement policies that protect and ensure the sustainability of our bio-diverse community."

PUBLIC HEARING NOTICE
PETITION FOR FORMATION OF A LAKE DISTRICT FOR CALLAHAN & MUD LAKES
IN ROUND LAKE TOWNSHIP, SAWYER COUNTY

The purpose of the Public Hearing is to receive comments from interested citizens and interested property owners regarding the formation of a Lake District for Callahan & Mud Lakes in Round Lake Township, Sawyer County. Sawyer County has received a petition for said formation, and is required to hold a public hearing within 30 days of receipt to allow comments from citizens and property owners.

The proposed Callahan – Mud Lake District is legally described as:

Located in Sections 27-29 and Sections 32-35, of Township 41 North, Range 7 West, in the Town of Round Lake, Sawyer County, Wisconsin, more particularly described as follows:

Commencing at the West ¼ corner of said Section 28 and the point of beginning; thence northerly along the west line of the Southwest Quarter of the Northwest Quarter of Section 28 to the North 1/16 corner on the west line of Section 28; thence easterly along the north line of the South Half of the Northwest Quarter of Section 28 to the Centernorth 1/16 corner of Section 28; thence northerly along the west line of the Northwest Quarter of the Northeast Quarter of Section 28 to the North ¼ corner of Section 28; thence easterly along the north line of the Northeast Quarter of Section 28 to the northwest corner of Section 27; thence easterly along the north line of the Northwest Quarter of Section 27 to the North ¼ corner of Section 27; thence southerly along the east line of the Northwest Quarter of Section 27 to the Center ¼ corner of Section 27; thence easterly along the north line of the Northwest Quarter of the Southeast Quarter of Section 27 to the Centereast 1/16 corner of Section 27; thence southerly along the east line West Half of the Southeast Quarter of Section 27 to the East 1/16 corner on the north line of Section 34; thence easterly along the north line of the Northeast Quarter of the Northeast Quarter of Section 34 to the northwest corner of Section 35; thence easterly along the north line of the Northwest Quarter of the Northwest Quarter of Section 35 to the West 1/16 corner on the north line of Section 35; thence southerly along the east line of the West half of the Northwest Quarter of Section 35 to the Centerwest 1/16 corner of Section 35; thence southerly along the east line of the Northwest Quarter of the Southwest Quarter of Section 35 to the Southwest 1/16 corner of Section 35; thence westerly along the south line of the Northwest Quarter of the Southwest Quarter of Section 35 to the South 1/16 corner on the east line of Section 34; thence westerly along the south line of the North Half of the Southeast Quarter of Section 34 to the Centersouth 1/16 corner of Section 34; thence westerly along the south line of the Northeast Quarter of the Southwest Quarter of Section 34 to the Southwest 1/16 corner of Section 34; thence westerly along the south line of Government Lot 2 of Section 34 to the southerly line of Lot 1 of Certified Survey Map No.6748 and the northerly right of way of Callahan Lake Road; thence southwesterly along said southerly line of Lot 1 and said northerly right of way to the westerly line of Lot 1 of Certified Survey Map No.6748 and the easterly right of way of South Shore Lane; thence northerly along said west line of Lot 1 and easterly right of way to a point on the easterly extension of the south line of Quit Claim Deed No.199284; thence westerly on the southerly line of said Quit Claim Deed No.199284 to the southwest corner of said deed; thence northerly along the west line of Quit Claim Deed No.199284 to the south line of Warranty Deed No.372703; thence westerly along the south line of Warranty Deed No.372703 and the south line of Quit Claim Deed No.448932 to the northeast corner of Lot 1 of Certified Survey Map No.6211; thence southerly along the easterly line of said Lot 1 to the southeast corner of Lot 1 Certified Survey Map No.6211; thence southwesterly along the southerly line of said Lot 1 to the southwest corner of Lot 1 of Certified Survey Map No.6211; thence northeasterly along the westerly line of said Lot 1 to the Northwest corner of Lot 1 of Certified Survey Map No.6211 and the northeast corner of Certified Survey Map No.8768; thence southwesterly along the northerly line of Certified Survey Map No.8768 and the southerly right of way of South Shore Lane to the intersection of the east line of Lot 1 of Certified Survey Map No.8131; thence southerly along the easterly line of said Lot 1 to the southeast corner of Lot 1 of Certified Survey Map No.8131 and the southeast corner of Certified Survey Map No.6677; thence westerly along the southerly line of Certified Survey Map No.6677 to the northeast corner of Lot 1 of Certified Survey Map No.6972; thence southerly along the east line of said Lot 1 to the southeast corner of Lot 1 and the northerly right of way of County Highway "B"; thence westerly, southerly, and westerly along the southerly

line of Certified Survey Map No.6972 and the northerly right of way of County Highway "B" to the west line of Lot 2 of Certified Survey Map No.6972; thence northerly along the west line of said Lot 2 to the southeast corner of Lot 18 of Certified Survey Map No.2247; thence westerly along the south line of Lot 18 Certified Survey Map No. 2247 to the southwest corner of said Lot 18; thence northerly along the west line of said Lot 18 to the southeast corner of Lot 30 of Certified Survey Map No.2246; thence westerly along said south line of Lot 30 to the southeast corner of Lot 26 of Certified Survey Map No.2261; thence westerly on the south line of Lot 26 to the southwest corner of said Lot 26; thence northerly along the west line of said Lot 26 to the southeast corner of Certified Survey Map No.2254; thence westerly along the south line of Certified Survey Map No.2254 to the southeast corner of Lot 2 of Certified Survey Map No.5203; thence westerly along the south line of said Lot 2 to the southwest corner of Lot 2 of Certified Survey Map No.5203; thence northerly along the west line of said Lot 2 to the southeast corner of Certified Survey Map No.8190; thence westerly along the south line of said Certified Survey Map to the southwest corner of Certified Survey Map No.8190; thence northerly along the west line of said Certified Survey Map to the southwest corner of Certified Survey Map No.7849; thence northerly along said west line of said Certified Survey Map to the East ¼ corner of Section 32; thence westerly along the south line of the Southeast Quarter of the Northeast Quarter of Section 32 to the Centereast 1/16 corner of Section 32; thence northerly along the west line of the East Half of the Northeast Quarter of Section 32 to the East 1/16 corner on the south line of Section 29; thence northerly along the west line of the East Half of the Southeast Quarter of Section 29 to the Centereast 1/16 corner of Section 29; thence easterly along the north line of the Northeast Quarter of the Southeast Quarter of Section 29 to the West ¼ corner of Section 28 and the point of beginning.

The Public Hearing will be held by the Sawyer County Land, Water, and Forestry Committee.

Location: Sawyer County Courthouse Board Room, 10610 Main Street, Hayward, WI 54843

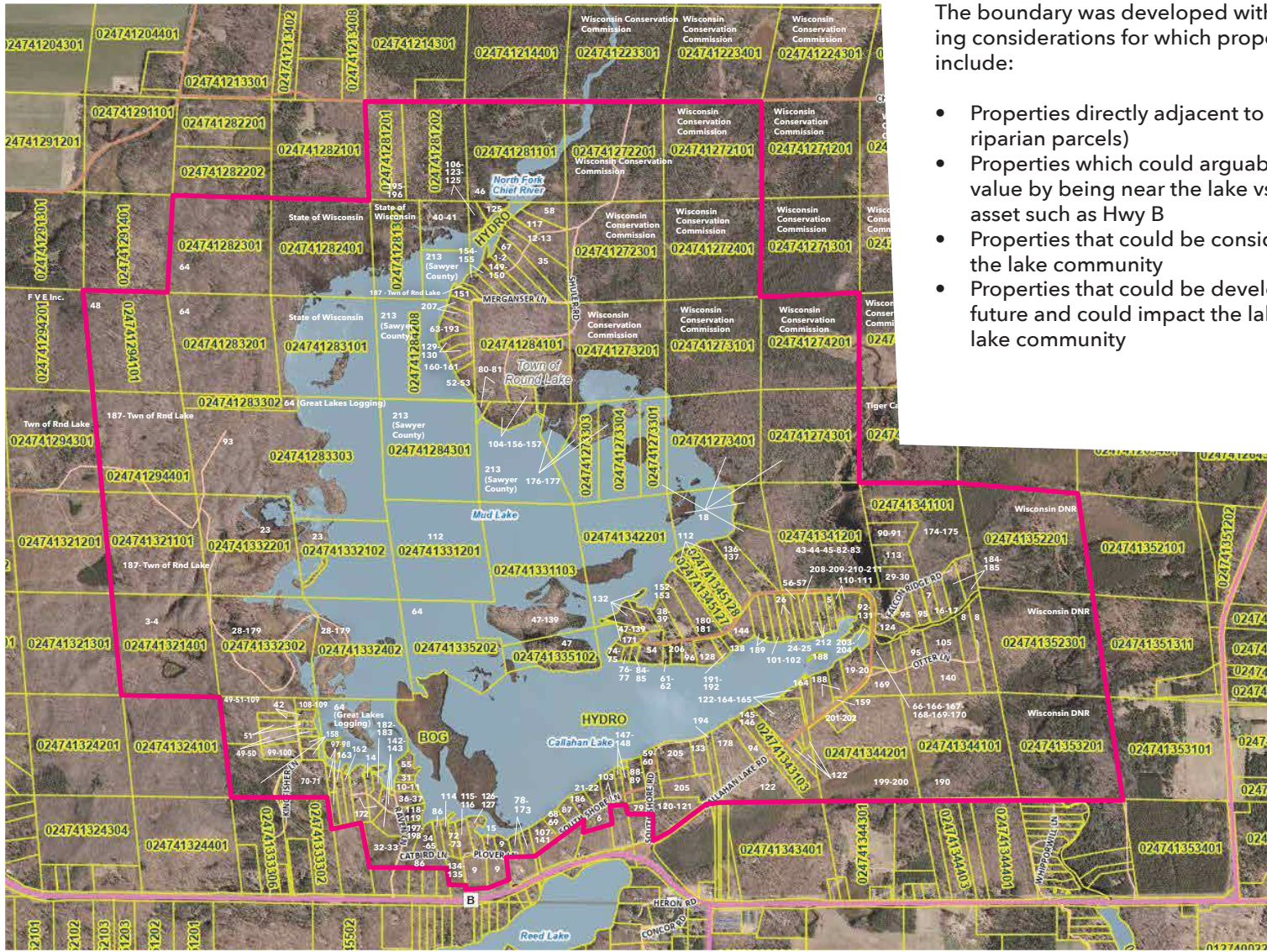
Date and Time: Wednesday, November 6th, 2024 at 8:30am

This meeting site is handicapped accessible. This meeting can also be accessed virtually. The link will be posted on the Land, Water, Forestry Committee agenda for November 6, 2024, available on the sawyercountygov.org website.

Written comments may also be sent for consideration to lynn.fitch@sawyercountygov.org or mailed to the following designee:

Lynn Fitch, County Clerk
Sawyer County Clerk
10610 Main Street
Hayward, WI 54843

Exhibit 1: Proposed Callahan and Mud Lake District Map



The boundary was developed with the following considerations for which properties to include:

- Properties directly adjacent to the lake (aka riparian parcels)
- Properties which could arguably derive value by being near the lake vs. some other asset such as Hwy B
- Properties that could be considered part of the lake community
- Properties that could be developed in the future and could impact the lake quality and lake community

**PETITION TO THE SAWYER COUNTY BOARD OF SUPERVISORS
TO ESTABLISH "CALLAHAN and MUD LAKE DISTRICT"**

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To the County of Sawyer,

We, the undersigned landowners (the "Petitioners") hereby petition the Board of Supervisors of the County of Sawyer to establish a public inland lake protection and rehabilitation district, pursuant to the authority vested in Chapter 33, Wisconsin Statutes, and state as follows that:

1. The petitioners are owners of the land to be included within the proposed district;
2. The district, if established, shall be known as the **Callahan and Mud Lake District** ("The District");
3. The District is necessary to manage issues that challenge the health and preservation of Callahan and Mud Lake (the "Lakes") and to identify problems and to take necessary remedial action to deal with the problems that affect the sustainability of the watershed including activities which include protection of the fishery, maintenance of appropriate lake levels and preservation of the existing lake size and ecosystem, control of aquatic weeds and invasive species, reduction of sedimentation and promotion of the continued harmonious use and protection of the watershed;
4. Establishment of The District will promote the public health, comfort, convenience, necessity and public welfare by keeping the Lakes and their ecosystems healthy and balanced to sustain their standing as a premier destination by all who use the waters and financially contribute to the community;
5. The lands to be included within The District will be benefited by the establishment of The District, as consistent financial support will enhance the preservation and protection of the Lakes. This will enable stable and increasing property values around the Lakes and continued financial support of the businesses and community and promote the public interest in, and enjoyment of, the watershed and the protection of the ecosystem;
6. The boundaries of the proposed district are as follows:

Located in Sections 27-29 and Sections 32-35, of Township 41 North, Range 7 West, in the Town of Round Lake, Sawyer County, Wisconsin, more particularly described as follows:

Commencing at the West ¼ corner of said Section 28 and the point of beginning; thence northerly along the west line of the Southwest Quarter of the Northwest Quarter of Section 28 to the North 1/16 corner on the west line of Section 28; thence easterly along the north line of the South Half of the Northwest Quarter of Section 28 to the Centernorth 1/16 corner of Section 28; thence northerly along the west line of the Northwest Quarter of the Northeast Quarter of Section 28 to the North ¼ corner of Section 28; thence easterly along the north line of the Northeast Quarter of Section 28 to the northwest corner of Section 27; thence easterly along the north line of the Northwest Quarter of Section 27 to the North ¼ corner of Section 27; thence southerly along the east line of the Northwest Quarter of Section 27 to the Center ¼ corner of Section 27; thence easterly along the north line of the Northwest Quarter of the Southeast Quarter of Section 27 to the Centereast 1/16 corner of Section 27; thence southerly along the east line West Half of the Southeast Quarter of Section 27 to the East 1/16 corner on the north line of Section 34; thence easterly along the north line of the Northeast Quarter of the Northeast Quarter of Section 34 to the northwest corner of Section 35; thence easterly along the north line of the Northwest Quarter of the Northwest Quarter of Section 35 to the West 1/16 corner on the north line of Section 35; thence southerly along the east line of the West half of the Northwest Quarter of Section 35 to the

**PETITION TO THE SAWYER COUNTY BOARD OF SUPERVISORS
TO ESTABLISH "CALLAHAN and MUD LAKE DISTRICT"**

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Centerwest 1/16 corner of Section 35; thence southerly along the east line of the Northwest Quarter of the Southwest Quarter of Section 35 to the Southwest 1/16 corner of Section 35; thence westerly along the south line of the Northwest Quarter of the Southwest Quarter of Section 35 to the South 1/16 corner on the east line of Section 34; thence westerly along the south line of the North Half of the Southeast Quarter of Section 34 to the Centersouth 1/16 corner of Section 34; thence westerly along the south line of the Northeast Quarter of the Southwest Quarter of Section 34 to the Southwest 1/16 corner of Section 34; thence westerly along the south line of Government Lot 2 of Section 34 to the southerly line of Lot 1 of Certified Survey Map No.6748 and the northerly right of way of Callahan Lake Road; thence southwesterly along said southerly line of Lot 1 and said northerly right of way to the westerly line of Lot 1 of Certified Survey Map No.6748 and the easterly right of way of South Shore Lane; thence northerly along said west line of Lot 1 and easterly right of way to a point on the easterly extension of the south line of Quit Claim Deed No.199284; thence westerly on the southerly line of said Quit Claim Deed No.199284 to the southwest corner of said deed; thence northerly along the west line of Quit Claim Deed No.199284 to the south line of Warranty Deed No.372703; thence westerly along the south line of Warranty Deed No.372703 and the south line of Quit Claim Deed No.448932 to the northeast corner of Lot 1 of Certified Survey Map No.6211; thence southerly along the easterly line of said Lot 1 to the southeast corner of Lot 1 Certified Survey Map No.6211; thence southwesterly along the southerly line of said Lot 1 to the southwest corner of Lot 1 of Certified Survey Map No.6211; thence northeasterly along the westerly line of said Lot 1 to the Northwest corner of Lot 1 of Certified Survey Map No.6211 and the northeast corner of Certified Survey Map No.8768; thence southwesterly along the northerly line of Certified Survey Map No.8768 and the southerly right of way of South Shore Lane to the intersection of the east line of Lot 1 of Certified Survey Map No.8131; thence southerly along the easterly line of said Lot 1 to the southeast corner of Lot 1 of Certified Survey Map No.8131 and the southeast corner of Certified Survey Map No.6677; thence westerly along the southerly line of Certified Survey Map No.6677 to the northeast corner of Lot 1 of Certified Survey Map No.6972; thence southerly along the east line of said Lot 1 to the southeast corner of Lot 1 and the northerly right of way of County Highway "B"; thence westerly, southerly, and westerly along the southerly line of Certified Survey Map No.6972 and the northerly right of way of County Highway "B" to the west line of Lot 2 of Certified Survey Map No.6972; thence northerly along the west line of said Lot 2 to the southeast corner of Lot 18 of Certified Survey Map No.2247; thence westerly along the south line of Lot 18 Certified Survey Map No. 2247 to the southwest corner of said Lot 18; thence northerly along the west line of said Lot 18 to the southeast corner of Lot 30 of Certified Survey Map No.2246; thence westerly along said south line of Lot 30 to the southeast corner of Lot 26 of Certified Survey Map No.2261; thence westerly on the south line of Lot 26 to the southwest corner of said Lot 26; thence northerly along the west line of said Lot 26 to the southeast corner of Certified Survey Map No.2254; thence westerly along the south line of Certified Survey Map No.2254 to the southeast corner of Lot 2 of Certified Survey Map No.5203; thence westerly along the south line of said Lot 2 to the southwest corner of Lot 2 of Certified Survey Map No.5203; thence northerly along the west line of said Lot 2 to the southeast corner of Certified Survey Map No.8190; thence westerly along the south line of said Certified Survey Map to the southwest corner of Certified Survey Map No.8190; thence northerly along the west line of said Certified Survey Map to the southwest corner of Certified Survey Map No.7849; thence northerly along said west line of said Certified Survey Map to the East ¼ corner of Section 32; thence westerly along the south line of the Southeast Quarter of the Northeast Quarter of Section 32 to the Centereast 1/16 corner of Section 32; thence northerly along the west line of the East Half of the Northeast Quarter of Section 32 to the East 1/16 corner on the south line of Section 29; thence northerly along the west line of the East Half of the Southeast

**PETITION TO THE SAWYER COUNTY BOARD OF SUPERVISORS
TO ESTABLISH "CALLAHAN and MUD LAKE DISTRICT"**

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Quarter of Section 29 to the Centereast 1/16 corner of Section 29; thence easterly along the north line of the Northeast Quarter of the Southeast Quarter of Section 29 to the West ¼ corner of Section 28 and the point of beginning;

7. The boundaries of the land described above are shown on plat shown in Exhibit 1, attached hereto, indicating the approximate area and boundaries of the proposed district.

PETITION TO THE SAWYER COUNTY BOARD OF SUPERVISORS
TO ESTABLISH "CALLAHAN and MUD LAKE DISTRICT"

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The persons signing this Petition request the Board of Supervisors of Sawyer County, in the State of Wisconsin to establish Callahan and Mud Lake District state that **they own land, or are authorized to sign on behalf of entities owning land,** within the boundaries of the proposed district.

Rules for who can sign:

- **Joint owners:** All owners should sign the petition; each signature counts towards the total
- **Ownership by a Corporation or Trust:** only the authorized person may sign (i.e., Jane Smith, Trustee)
- **Owners of multiple parcels of real estate:** People may only sign the petition once

Signature of Signer:

Date:

Unique Signer Code: (Unique Signer Code)

First Name: (First Name)

Last Name: (Last Name)

Legal Mailing Address: (Mailing Address)

(City) (State) (Zip)

Parcel ID Number(s): (Parcel ID #)

----- BELOW TO BE FILLED in BY THE PARTIES CIRCULATING THE PETITION -----

STATE OF WISCONSIN, COUNTY OF SAWYER. Affidavit of Petition Circulator

LYNNE AMUNDSON, being duly sworn, deposes and says that he or she is an owner of land within the boundaries of the proposed district; that to the best of his or her knowledge, all persons who have signed the foregoing petition are landowners within the boundaries of the proposed district and that the accompanying map and description indicates the territory to be included in the proposed district and that the petition has been signed by persons constituting 51 percent or more of the landowners within the proposed district.

Signature of Petition Circulator

Address: 10745W Callahan Obk Rd City: Hayward, WI 54843

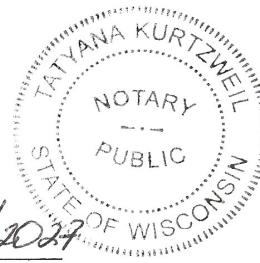
Subscribed and sworn to before me this 11 day of October, 2024.

Tatjana Kurtzweil

Signature of Notary

My commission expires:

07/24/2027



**Jesse Suzan Land Surveying LLC
13731W Sjostrom Circle
Hayward, WI 54843
715-558-4668**

Legal Description of the Callahan and Mud Lake District

Located in Sections 27-29 and Sections 32-35, of Township 41 North, Range 7 West, in the Town of Round Lake, Sawyer County, Wisconsin, more particularly described as follows:

Commencing at the West $\frac{1}{4}$ corner of said Section 28 and the point of beginning; thence northerly along the west line of the Southwest Quarter of the Northwest Quarter of Section 28 to the North $\frac{1}{16}$ corner on the west line of Section 28; thence easterly along the north line of the South Half of the Northwest Quarter of Section 28 to the Centernorth $\frac{1}{16}$ corner of Section 28; thence northerly along the west line of the Northwest Quarter of the Northeast Quarter of Section 28 to the North $\frac{1}{4}$ corner of Section 28; thence easterly along the north line of the Northeast Quarter of Section 28 to the northwest corner of Section 27; thence easterly along the north line of the Northwest Quarter of Section 27 to the North $\frac{1}{4}$ corner of Section 27; thence southerly along the east line of the Northwest Quarter of Section 27 to the Center $\frac{1}{4}$ corner of Section 27; thence easterly along the north line of the Northwest Quarter of the Southeast Quarter of Section 27 to the Centereast $\frac{1}{16}$ corner of Section 27; thence southerly along the east line West Half of the Southeast Quarter of Section 27 to the East $\frac{1}{16}$ corner on the north line of Section 34; thence easterly along the north line of the Northeast Quarter of the Northeast Quarter of Section 34 to the northwest corner of Section 35; thence easterly along the north line of the Northwest Quarter of the Northwest Quarter of Section 35 to the West $\frac{1}{16}$ corner on the north line of Section 35; thence southerly along the east line of the West half of the Northwest Quarter of Section 35 to the Centerwest $\frac{1}{16}$ corner of Section 35; thence southerly along the east line of the Northwest Quarter of the Southwest Quarter of Section 35 to the Southwest $\frac{1}{16}$ corner of Section 35; thence westerly along the south line of the Northwest Quarter of the Southwest Quarter of Section 35 to the South $\frac{1}{16}$ corner on the east line of Section 34; thence westerly along the south line of the North Half of the Southeast Quarter of Section 34 to the Centersouth $\frac{1}{16}$ corner of Section 34; thence westerly along the south line of the Northeast Quarter of the Southwest Quarter of Section 34 to the Southwest $\frac{1}{16}$ corner of Section 34; thence westerly along the south line of Government Lot 2 of Section 34 to the southerly line of Lot 1 of Certified Survey Map No.6748 and the northerly right of way of Callahan Lake Road; thence southwesterly along said southerly line of Lot 1 and said northerly right of way to the westerly line of Lot 1 of Certified Survey Map No.6748 and the easterly right of way of South Shore Lane; thence northerly along said west line of Lot 1 and easterly right of way to a point on the easterly extension of the south line of Quit Claim Deed No.199284; thence westerly on the southerly line of said Quit Claim Deed No.199284 to the southwest corner of said deed; thence northerly along the west line of Quit Claim Deed

No.199284 to the south line of Warranty Deed No.372703; thence westerly along the south line of Warranty Deed No.372703 and the south line of Quit Claim Deed No.448932 to the northeast corner of Lot 1 of Certified Survey Map No.6211; thence southerly along the easterly line of said Lot 1 to the southeast corner of Lot 1 Certified Survey Map No.6211; thence southwesterly along the southerly line of said Lot 1 to the southwest corner of Lot 1 of Certified Survey Map No.6211; thence northeasterly along the westerly line of said Lot 1 to the Northwest corner of Lot 1 of Certified Survey Map No.6211 and the northeast corner of Certified Survey Map No.8768; thence southwesterly along the northerly line of Certified Survey Map No.8768 and the southerly right of way of South Shore Lane to the intersection of the east line of Lot 1 of Certified Survey Map No.8131; thence southerly along the easterly line of said Lot 1 to the southeast corner of Lot 1 of Certified Survey Map No.8131 and the southeast corner of Certified Survey Map No.6677; thence westerly along the southerly line of Certified Survey Map No.6677 to the northeast corner of Lot 1 of Certified Survey Map No.6972; thence southerly along the east line of said Lot 1 to the southeast corner of Lot 1 and the northerly right of way of County Highway "B"; thence westerly, southerly, and westerly along the southerly line of Certified Survey Map No.6972 and the northerly right of way of County Highway "B" to the west line of Lot 2 of Certified Survey Map No.6972; thence northerly along the west line of said Lot 2 to the southeast corner of Lot 18 of Certified Survey Map No.2247; thence westerly along the south line of Lot 18 Certified Survey Map No. 2247 to the southwest corner of said Lot 18; thence northerly along the west line of said Lot 18 to the southeast corner of Lot 30 of Certified Survey Map No.2246; thence westerly along said south line of Lot 30 to the southeast corner of Lot 26 of Certified Survey Map No.2261; thence westerly on the south line of Lot 26 to the southwest corner of said Lot 26; thence northerly along the west line of said Lot 26 to the southeast corner of Certified Survey Map No.2254; thence westerly along the south line of Certified Survey Map No.2254 to the southeast corner of Lot 2 of Certified Survey Map No.5203; thence westerly along the south line of said Lot 2 to the southwest corner of Lot 2 of Certified Survey Map No.5203; thence northerly along the west line of said Lot 2 to the southeast corner of Certified Survey Map No.8190; thence westerly along the south line of said Certified Survey Map to the southwest corner of Certified Survey Map No.8190; thence northerly along the west line of said Certified Survey Map to the southwest corner of Certified Survey Map No.7849; thence northerly along said west line of said Certified Survey Map to the East ¼ corner of Section 32; thence westerly along the south line of the Southeast Quarter of the Northeast Quarter of Section 32 to the Centereast 1/16 corner of Section 32; thence northerly along the west line of the East Half of the Northeast Quarter of Section 32 to the East 1/16 corner on the south line of Section 29; thence northerly along the west line of the East Half of the Southeast Quarter of Section 29 to the Centereast 1/16 corner of Section 29; thence easterly along the north line of the Northeast Quarter of the Southeast Quarter of Section 29 to the West ¼ corner of Section 28 and the point of beginning.

Signature ID #			
	Last Name	First Name	Site Address
1	Albrecht	Patrick O.	N/A
2	Albrecht	Joelle L.	N/A
3	Amrhein	Paul M.	N/A
4	Amrhein	Christine S.	N/A
5	Amundson Rev Trust		10745W Callahan Lake Rd.
6	Armsbury, Jr.	Randall B.	11051W South Shore Rd
7	Asbu	Amanuel B.	10644W Falcon Rdg
8	Bagley Revoc Trust, Judy & Earle		10658W Otter Ln
	Bagley Revoc Trust, Judy & Earle		N/A
9	Baumgarten	Linda M.	11176W Plover Ln.
	Baumgarten	Linda M.	N/A
	Baumgarten	Linda M.	N/A
10	Bautch	Jeffry L.	9826N Raven Ln.
11	Bautch	Kim M.	9826N Raven Ln.
12	Benson	Daniel L.	10351N Canvasback Ln.
13	Benson	Brenda A.	10351N Canvasback Ln.
14	Bluhm Self Decl of Trust, Janet A.		11260W Quail Ln.
15	Boudreau Family Trust		11184W Plover Ln.
16	Braun	Thomas L.	10626W Falcon Rdg
17	Braun	Marjorie J.	10626W Falcon Rdg
18	Brennan	Patrick D.	N/A
	Brennan	Patrick D.	N/A
	Brennan	Patrick D.	N/A
	Brennan	Patrick D.	N/A
	Brennan	Patrick D.	N/A
	Brennan	Patrick D.	N/A
19	Brohaugh	Leroy W.	9931N Callahan Lake Rd.
20	Brohaugh	Karen L.	9931N Callahan Lake Rd.
21	Bussen	Michael J.	11034W South Shore Rd.
22	Bussen	Sharyl J.	11034W South Shore Rd.
23	Casper	Matthew R.	9918N Honeysuckle Ln.
	Casper	Matthew R.	N/A
24	Caywood	Douglas J.	10795W Callahan Lake Rd.
25	Caywood	Donna M.	10795W Callahan Lake Rd.
26	Chester	Nancee J.	10817W Callahan Lake Rd.
27	Chitty	Robert S.	N/A
28	Coplan	Jessica C.	9855N Honeysuckle Ln.
	Coplan	Jessica C.	N/A
29	Czajkowski	Thomas L.	10701W Falcon Rdg
30	Czajkowski	Dawn E.	10701W Falcon Rdg
31	Davis	Rosemary V.	9836N Raven Ln.
32	Decker	Robert L.	N/A

33	Decker	Kimberly	N/A
34	DeWitte	Brandon	11212W Catbird Ln.
35	Dickman Rev. Trust	Thomas M.	10337N Canvasback Ln.
214	Dickman Rev. Trust	Susan M.	10337N Canvasback Ln.
36	DiGiorgio	Marco T.	9798N Raven Ln.
37	DiGiorgio	Kristie L.	9798N Raven Ln.
38	Distad	Eric N.	10918W Callahan Lake Rd.
39	Distad	Brooke L.	10918W Callahan Lake Rd.
40	Donley	William G.	11195W Chief River Rd.
41	Donley	Kathy L.	11195W Chief River Rd.
42	Dugle Family Trust		9901N Kingfisher Ln.
	Dugle Family Trust		N/A
	Dugle	Sandra J.	N/A
43	Egelhoff	Andrew J.	10738W Callahan Lake Rd.
44	Egelhoff	Paul A.	10738W Callahan Lake Rd.
45	Egelhoff	Michael D.	10738W Callahan Lake Rd.
46	Eisold Rev Trust, Gregory A & Rhonda L		11007W Chief River Rd.
47	Equity Trust Co.	FBO Joseph M. Johnston IRA	N/A
	Equity Trust Co.	FBO Joseph M. Johnston IRA	N/A
48	F V E Inc		N/A
	Fitch	Matthew W.	9891N Kingfisher Ln.
49	Fitch	Matthew W.	N/A
	Fitch	Matthew W.	N/A
50	Fitch	Lynn M.	9891N Kingfisher Ln.
	Fitch	Lynn M.	N/A
	Fitch Rev Trust, Mark R		9899N Kingfisher Ln.
51	Fitch Rev Trust, Mark R		N/A
	Fitch Rev Trust, Mark R		N/A
52	France	Matthew	11149W Merganser Ln.
53	France	Kelly J.	11149W Merganser Ln.
54	Frederickson Trust(s)	David A.	10939W Callahan Lake Rd.
215	Frederickson Trust(s)	Sara J.	10939W Callahan Lake Rd.
55	Friedrich Family Cabin, LLC		9840N Raven Ln.
56	Gerczak	Richard G.	10791W Callahan Lake Rd.
57	Gerczak	Stefani J.	10791W Callahan Lake Rd.
58	Gilbertson	David A.	10387N Canvasback Ln.
210	Capouch (Gilligan)	Tiffany A.	10765W Callahan Lake Rd.
211	Gilligan	Bob	10765W Callahan Lake Rd.
59	Gleason	Thomas	9809N South Shore Rd.
60	Gleason	Patricia	9809N South Shore Rd.
61	Glover	Brian L.	10921W Callahan Lake Rd.
62	Glover	Lucy L.	10921W Callahan Lake Rd.
	Great Lakes Logging, LLC		N/A
	Great Lakes Logging, LLC		N/A
64	Great Lakes Logging, LLC		N/A
	Great Lakes Logging, LLC		N/A
	Great Lakes Logging, LLC		N/A

65	Grijalva	Patrick	11212W Catbird Ln.
66	Griswold	Renee I.	9945N Callahan Lake Rd.
67	Hackett	Sandra D.	N/A
68	Hank	Paul G.	11074W South Shore Rd.
69	Hank	Kristen E. Dahn	11074W South Shore Rd.
70	Horton	Scott M.	9885N Kingfisher Ln.
71	Horton	Lisa R.	9885N Kingfisher Ln.
72	Johnson	Robert S.	11186W Catbird Ln.
73	Johnson	Tiffany N.	11186W Catbird Ln.
74	Johnston	Joseph M.	10954W Callahan Lake Rd.
75	Johnston	Debbie R.	10954W Callahan Lake Rd.
76	Joyce	James P.	10947W Callahan Lake Rd.
77	Joyce	Teri L. Dexheimer	10947W Callahan Lake Rd.
78	Kayler	Kimberly	11154W Plover Ln.
	Kayler	Kimberly	11164W Plover Ln.
79	Kern, Jr.	Arthur C	N/A
80	Kersten	Thomas P.	10245N Shuler Rd.
	Kersten	Thomas P.	10245N Shuler Rd.
81	Kersten	Claudette K.	10245N Shuler Rd.
	Kersten	Claudette K.	10245N Shuler Rd.
82	Klatt	Jeffrey S.	10738W Callahan Lake Rd.
83	Klatt	Timothy A.	10738W Callahan Lake Rd.
84	Kohl	Richard R.	10943W Callahan Lake Rd.
85	Kohl	Denise M.	10943W Callahan Lake Rd.
86	Kosinski	Irene F.	11204W Catbird La.
	Kosinski	Irene F	N/A
216	Kosinski	James J.	11204W Catbird La.
	Kosinski	James J.	N/A
217	Krauski	Jerome P.	11058W South Shore Rd.
87	Krauski	Theresa M.	11058W South Shore Rd.
88	Laures	Jeremy R.	10984W South Shore Rd.
89	Laures	Heidi J.	10984W South Shore Rd.
90	Lehnen	Kent	10661W Falcon Ridge
91	Lehnen	Brenda	10661W Falcon Ridge
92	Leifheit	Joanne K.	9975N Callahan Lake Rd.
93	Lennox Logging, LLC		11552W Lawry Rd.
94	Lewandowski Family Trust		9831N Callahan Lake Rd.
95	Lillyblad	Natalie	10730W Otter Lane
	Lillyblad	Natalie	N/A
	Lillyblad	Natalie	N/A
96	Loppnow Trust	Raymond A. & Deborah A.	10905W Callahan Lake Rd.
97	Machesney	Thomas L.	11283W Quail Ln.
	Machesney	Thomas L.	N/A
98	Machesney	Barbara J.	11283W Quail Ln.
	Machesney	Barbara J.	N/A
99	Mansheim, Sr.	Amanda M.	9889N Kingfisher Ln.
100	Mansheim, Sr.	Brian J.	9889N Kingfisher Ln.

101	Marcsisak	James S.	10821W Callahan Lake Rd.
102	Marcsisak	Mary Lynne	10821W Callahan Lake Rd.
103	McIntosh Rev Liv Trust, Stephen B		11016W South Shore Rd.
104	Merriman	Jeffrey W.	10190N Shuler Rd.
	Merriman	Jeffrey W.	N/A
105	Meyer	Kristine J.	10696W Otter Ln
106	Miller	Michael W.	11181W Chief River Rd.
	Miller	Michael W.	N/A
107	Moes, Jr.	John J.	11090W South Shore Rd.
108	Moore	Larry J.	N/A
109	Moore	Shelley	N/A
	Moore	Shelley	N/A
110	Mumbower	John D.	10737W Callahan Lake Rd.
	Mumbower	John D.	10737W Callahan Lake Rd.
111	Mumbower	Jeanie	10737W Callahan Lake Rd.
	Mumbower	Jeanie	10737W Callahan Lake Rd.
112	Muratori Ugianskis Revocable Trust		N/A
	Muratori Ugianskis Revocable Trust		N/A
	Muratori Ugianskis Revocable Trust		N/A
	Muratori Ugianskis Revocable Trust		N/A
113	Murray Trust, Thomas L & Laura J		10671W Falcon Ridge
114	Nereson	Ginger L.	11196W Catbird Ln.
115	Nutzmann	Donald M.	11200W Plover Ln
116	Nutzmann	Cheryl A.	11200W Plover Ln
117	Nyberg Family Rev Trust		10359N Canvasback Ln
118	Olson	Arvin	9782N Raven Ln.
119	Olson	Carol	9782N Raven Ln.
120	Onarheim	James S.	9788N South Shore Rd
121	Onarheim	Barbara	9788N South Shore Rd
122	Otoupalik	Shelley S.	9863N Callahan Lake Rd.
	Otoupalik	Shelley S.	N/A
	Otoupalik	Shelley S.	N/A
	Otoupalik	Shelley S.	9864N Callahan Lake Rd.
	Otoupalik	Shelley S.	N/A
	Otoupalik	Shelley S.	N/A
	Otoupalik	Shelley S.	9873N Callahan Lake Rd.
123	Palicki	Patricia	11181W Chief River Rd.
	Palicki	Patricia	N/A
124	Palya	Victoria	9970N Callahan Lake Rd
125	Pederson	Kenneth M.	11167W Chief River Rd.
	Pederson	Kenneth M.	11181W Chief River Rd.
	Pederson	Kenneth M.	N/A
126	Peterson, Jr.	Richard A.	11188W Plover Ln.
127	Peterson, Jr.	Mary C.	11188W Plover Ln.
128	Pfeffer Revoc Trust, David J and Karen J		10889W Callahan Lake Rd.
129	Plocher	Michelle A.	N/A
130	Plocher	David W.	N/A

	Plocher Trust, David W. MD & Michelle A.		11132W Merganser Ln
131	Pluska	Rodney S.	9975N Callahan Lake Rd.
	Powell	David G.	N/A
132	Powell	David G.	10950W Callahan Lake Rd.
	Powell	David G.	N/A
	Powell	David G.	10920W Callahan Lake Rd.
133	Powelson	Patricia Ann	9834N South Shore Rd.
134	Puntillo	Bruce E.	11191W Catbird Ln
135	Puntillo	Dawn K.	11191W Catbird Ln
136	Reither	Trevor L.	10798W Callahan Lake Rd.
137	Reither	Itta U.	10798W Callahan Lake Rd.
138	Reuter Rev Trust, Joseph E & Joan		N/A
139	Rieckenberg	Brian R.	N/A
	Rieckenberg	Brian R.	N/A
	Rieckenberg	Katherine A.	N/A
	Rieckenberg	Katherine A.	N/A
140	RJL Income Trust, Attn Joyce Luedke		N/A
141	Robbins	Holly A.	11090W South Shore Rd.
	Robinson	David H.	11244W Quail Ln.
142	Robinson	David H.	N/A
	Robinson	David H.	N/A
	Robinson	Deborah A.	11244W Quail Ln.
143	Robinson	Deborah A.	N/A
	Robinson	Deborah A.	N/A
144	Ross	Michael A.	10843W Callahan Lake Rd.
145	Rudiger	Patrick J.	9853N Callahan Lake Rd.
146	Rudiger	Cynthia A.	9853N Callahan Lake Rd.
147	Russell	Daniel W.	10996W South Shore Rd.
	Russell	Daniel W.	N/A
148	Russell	Carolyn C.	10996W South Shore Rd.
	Russell	Carolyn C.	N/A
	Sawyer County		N/A
213	Sawyer County		N/A
	Sawyer County		N/A
	Sawyer County		N/A
149	Schaefer	Joshua J.	11044W Merganser Ln.
150	Schaefer	Calie J.	11044W Merganser Ln.
151	Schlink Family Revoc Trust		N/A
209	Schmitz	Colleen	10765W Callahan Lake Rd
209	Schmitz	John	10765W Callahan Lake Rd
152	Schnepp	Raymond F.	10896W Callahan Lake Rd
153	Schnepp	Linda L.	10896W Callahan Lake Rd
154	Schuttenbach	Kristy	11064W Merganser Ln
	Schuttenbach	Kristy	N/A
155	Schuttinger	Kevin	11064W Merganser Ln
	Schuttinger	Kevin	N/A
156	Shingler	Aaron J.	10190N Shuler Rd.

156	Shingler	Aaron J.	N/A
157	Shingler	Susan J.	10190N Shuler Rd.
	Shingler	Susan J.	N/A
	Simonson	Angela M.	N/A
158	Simonson	Angela M.	N/A
	Simonson	Angela M.	N/A
159	Sibley	Sonny A.	N/A
160	Sitek	Mark S.	N/A
161	Sitek	Kay M.	N/A
162	Sjoberck Rev Trust, Jack B.		N/A
163	Sjoberck Trust, Elizabeth J.		11288W Quail La.
	Smith	Janice W.	9863N Callahan Lake Rd.
164	Smith	Janice W.	N/A
	Smith	Janice W.	N/A
	Smith	Janice W.	9873N Callahan Lake Rd.
	Smith	Robert P.	9863N Callahan Lake Rd.
165	Smith	Robert P.	N/A
	Smith	Robert P.	9873N Callahan Lake Rd.
166	Spaulding	Randol R.	9945N Callahan Lake Rd.
167	Spaulding	Richard A.	9945N Callahan Lake Rd.
168	Spaulding	Robert L.	9945N Callahan Lake Rd.
	Spaulding	Rodney	9945N Callahan Lake Rd.
169	Spaulding	Rodney	N/A
170	Spaulding	Ronald V.	9945N Callahan Lake Rd.
171	Stack	Marla	10950W Callahan Lake Rd.
172	Stangl Living Trust, Patrick J		11270W Quail Ln.
	Stangl Living Trust, Patrick J		N/A
	State of Wisconsin		N/A
	State of Wisconsin		N/A
	State of Wisconsin		N/A
173	Steinberg	Jason	11154W Plover Ln.
	Steinberg	Jason	11164W Plover Ln.
174	Strottman	Timothy J.	10647W Falcon Ridge
175	Strottman	Kirsten M.	10647W Falcon Ridge
	Sveen	Andrew J.	10198N Shuler Rd.
176	Sveen	Andrew J.	10198N Shuler Rd.
	Sveen	Andrew J.	10198N Shuler Rd.
	Sveen	Kaia J.	10198N Shuler Rd.
177	Sveen	Kaia J.	10198N Shuler Rd.
	Sveen	Kaia J.	10198N Shuler Rd.
178	Swango	Gary A.	9815N Callahan Lake Rd.
179	Tauer	John	9855N Honeysuckle Ln.
	Tauer	John	N/A
180	Tenner	David	10872W Callahan Lake Rd.
181	Tenner	Bonnie	10872W Callahan Lake Rd.
182	Thayer	Phillip Allen	11252W Quail Ln.

183	Thayer	Norma J.	11252W Quail Ln.
184	Theder	Derek J.	10613W Falcon Ridge
	Theder	Derek J.	N/A
185	Theder	Leah J.	10613W Falcon Ridge
	Theder	Leah J.	N/A
186	Toll Rev Trust, Dennis W		11046W South Shore Rd.
187	Town of Round Lake		N/A
	Town of Round Lake		N/A
	Town of Round Lake		N/A
188	Tyler	Marjorie L.	9891N Callahan Lake Rd.
	Tyler	Marjorie L.	N/A
	Tyler	Marjorie L.	N/A
189	Van Blarcom Family Cabin Trust	Colleen	10827W Callahan Lake Rd.
	Van Blarcom Family Cabin Trust	Rick	N/A
190	Vitcenda Family Trust, Robert & Joan		N/A
191	Ward	Jeffrey K.	10861W Callahan Lake Rd.
192	Ward	Deborah J.	10861W Callahan Lake Rd.
193	Wattman	Cynthia Anne	11120W Merganser Ln.
63	Wattman	William G.	11120W Merganser Ln.
194	Webster	Bruce J.	9799N Callahan Lake Rd.
195	Wegener	David C	11123W Chief River Road
196	Wegener	Stephanie F	11123W Chief River Road
197	Weis	Dale M.	9766N Raven Ln.
198	Weis	Crystal A.	9766N Raven Ln.
218	Wessel	Alan E.	N/A
219	Wessel	Judith Ann	16887W 4th St. S.
199	Wiley	J Spencer	N/A
200	Wiley	Sherry A	N/A
201	Willi	Troy	9890N Callahan Lake Rd
202	Willi	Michelle	9890N Callahan Lake Rd
	Wisconsin Conservation Commission		N/A
	Wisconsin Conservation Commission		N/A
	Wisconsin Conservation Commission		N/A
	Wisconsin Conservation Commission		N/A
	Wisconsin Conservation Commission		N/A
	Wisconsin Conservation Commission		N/A
	Wisconsin Conservation Commission		N/A
	Wisconsin DNR		N/A
	Wisconsin DNR		N/A
	Wisconsin DNR		N/A
203	Wojcik	Donald	9969N Callahan Lake Rd.
204	Wojcik	Beverly L.	9969N Callahan Lake Rd.
205	Woodhaven Resort LLC		9824N South Shore Rd.
	Woodhaven Resort LLC		N/A
206	H Wilson Yates Rev Trust		10915W Callahan Lake Rd.
207	Young Trust, Paul B. & Jennifer A.		11108W Merganser Ln.
	Young Trust, Paul B. & Jennifer A.		11108W Merganser Ln.

212	Zietlow Revoc Trust, Alfred J. & Valary D.		10761W Callahan Lake Rd.
	Zietlow Revoc Trust, Alfred J. & Valary D.		10753W Callahan Lake Rd.

Mailing Address	City	State	Zip	Tax ID #	Parcel ID #
6583 137th St. W	Apple Valley	MN	55124	25865	024741281410
6583 137th St. W	Apple Valley	MN	55124	25865	024741281410
6644 Cabbage Dr	Colorado Springs	CO	80924	26110	024741321401
6644 Cabbage Dr	Colorado Springs	CO	80924	26110	024741321401
10745W Callahan Lake Rd.	Hayward	WI	54843	26255	024741341314
11051W South Shore Rd	Hayward	WI	54843	26181	024741334414
4238 28th Ave South	Minneapolis	MN	55406	26266	024741341409
8114 Lavelle Rd.	Athens	OH	45701	26260	024741341403
8114 Lavelle Rd.	Athens	OH	45701	26261	024741341404
S4363 Fox Hill Circle	Baraboo	WI	53913	26226	024741335516
S4363 Fox Hill Circle	Baraboo	WI	53913	26212	024741335502
S4363 Fox Hill Circle	Baraboo	WI	53913	26230	024741335520
9826N Raven Ln.	Hayward	WI	54843	26188	024741335305
9826N Raven Ln.	Hayward	WI	54843	26188	024741335305
541 3rd St. East	Wanamingo	MN	55983	25862	024741281407
541 3rd St. East	Wanamingo	MN	55983	25862	024741281407
21922 N Inglenook Ct.	Deer Park	IL	60010	26190	024741335307
16258 W Arroyo Vista Ln.	Surprise	AZ	85374	26227	024741335517
1324 S Theodore St	Appleton	WI	54915	26267	024741341410
1324 S Theodore St	Appleton	WI	54915	26267	024741341410
11179N Airport Rd.	Hayward	WI	54843	40201	024741342106
11179N Airport Rd.	Hayward	WI	54843	42407	024741342107
11179N Airport Rd.	Hayward	WI	54843	42408	024741342108
11179N Airport Rd.	Hayward	WI	54843	25846	024741274301
11179N Airport Rd.	Hayward	WI	54843	25843	024741273401
11179N Airport Rd.	Hayward	WI	54843	25841	024741273301
9931N Callahan Lake Rd.	Hayward	WI	54843	26245	024741341304
9931N Callahan Lake Rd.	Hayward	WI	54843	26245	024741341304
11034W South Shore Rd.	Hayward	WI	54843	43900	024741335607
11034W South Shore Rd.	Hayward	WI	54843	43900	024741335607
3398 Edinburgh Rd	Green Bay	WI	54311	26151	024741332201
3398 Edinburgh Rd	Green Bay	WI	54311	42504	024741332102
14470 119th St.	Stillwater	MN	55082	26250	024741341309
14470 119th St.	Stillwater	MN	55082	26250	024741341309
15283 Embry Path	Apple Valley	MN	55124	26329	024741345115
1300 S. Reserve Suite H	Missoula	MT	59801	26280	024741343108
14975 N 100th Pl.	Scottsdale	AZ	85260	44129	024741332402
14975 N 100th Pl.	Scottsdale	AZ	85260	44128	024741332302
206 Roller Ave	Beaver Dam	WI	53916	26238	024741341102
206 Roller Ave	Beaver Dam	WI	53916	26238	024741341102
1938 Mulberry La.	Green Bay	WI	54304	26189	024741335306
11250W County Rd B	Hayward	WI	54843	26209	024741335412

11250W County Rd B	Hayward	WI	54843	26209	024741335412
4141 45th Ave.	Rock Island	IL	61201	26202	024741335405
988 South Park Terrace	Chicago	IL	60605	25863	024741281408
988 South Park Terrace	Chicago	IL	60605	25863	024741281408
10711 County Rd. 9	Arlington	NE	68002	26204	024741335407
10711 County Rd. 9	Arlington	NE	68002	26204	024741335407
303 12th Ave. NW	Kasson	MN	55944	40032	024741345125
303 12th Ave. NW	Kasson	MN	55944	40032	024741345125
P.O. Box 46	Hayward	WI	54843	25851	024741281301
P.O. Box 46	Hayward	WI	54843	25851	024741281301
9901N Kingfisher Ln.	Hayward	WI	54843	26158	024741333205
9901N Kingfisher Ln.	Hayward	WI	54843	26159	024741333206
9901N Kingfisher Ln.	Hayward	WI	54843	41354	042741333211
616 Riverview Dr.	Thiensville	WI	53092	26241	024741341201
No Address Listed				26241	024741341201
1809 Alta Vista Ave.	Wauwatosa	WI	53213	26241	024741341201
11007W Chief River Rd.	Hayward	WI	54843	25848	024741281101
226 S. View Dr.	Barron	WI	54812	42434	024741345132
226 S. View Dr.	Barron	WI	54812	42527	024741335102
2304 9 1/2 St	Cumberland	WI	54829	25911	024741294101
9891N Kingfisher Ln.	Hayward	WI	54843	26156	024741333203
9891N Kingfisher Ln.	Hayward	WI	54843	41354	042741333211
9891N Kingfisher Ln.	Hayward	WI	54843	43154	042741333220
9891N Kingfisher Ln.	Hayward	WI	54843	26156	024741333203
9891N Kingfisher Ln.	Hayward	WI	54843	43154	042741333220
9899N Kingfisher Ln.	Hayward	WI	54843	26157	024741333204
9899N Kingfisher Ln.	Hayward	WI	54843	26160	024741333207
9899N Kingfisher Ln.	Hayward	WI	54843	41354	024741333211
4204 Bennington Ct.	Eau Claire	WI	54703	25885	024741284207
4204 Bennington Ct.	Eau Claire	WI	54703	25885	024741284207
501 Nelson Dr.	Wanamingo	MN	55983	41094	024741345129
501 Nelson Dr.	Wanamingo	MN	55983	41094	024741345129
14242 Guadalcanal St. NE	Ham Lake	MN	55304	26186	024741335303
1790 Goodrich	St. Paul	MN	55105	26251	024741341310
1790 Goodrich	St. Paul	MN	55105	26251	024741341310
1120 Oak Hill Pl.	Altoona	WI	54720	25860	024741281405
2712 Vale Crest Road	Crystal	MN	55422	26253	024741341312
2712 Vale Crest Road	Crystal	MN	55422	26253	024741341312
9809N South Shore Rd.	Hayward	WI	54843	26336	024741345203
9809N South Shore Rd.	Hayward	WI	54843	26336	024741345203
10921W Callahan Lake Rd.	Hayward	WI	54843	26326	024741345112
10921W Callahan Lake Rd.	Hayward	WI	54843	26326	024741345112
35C W Eau Claire St.	Rice Lake	WI	54868	42502	024741283302
35C W Eau Claire St.	Rice Lake	WI	54868	25871	024741282301
35C W Eau Claire St.	Rice Lake	WI	54868	25874	024741283201
35C W Eau Claire St.	Rice Lake	WI	54868	42238	024741335202
35C W Eau Claire St.	Rice Lake	WI	54868	26197	024741335314

4141 45th Ave.	Rock Island	IL	61264	26202	024741335405
324 Hillcrest Ln.	Fond du Lac	WI	54935	26247	024741341306
6121 W. 117th Ave	Crown Point	IN	46307	25864	024741281409
109 Culps Hill	Le Sueur	MN	56058	26176	024741334407
109 Culps Hill	Le Sueur	MN	56058	26176	024741334407
9885N Kingfisher Ln.	Hayward	WI	54843	42696	024741333219
9885N Kingfisher Ln.	Hayward	WI	54843	42696	024741333219
11186W Catbird Ln	Hayward	WI	54843	26219	024741335509
11186W Catbird Ln	Hayward	WI	54843	26219	024741335509
226 Southview Dr.	Barron	WI	54812	42436	024741345134
226 Southview Dr.	Barron	WI	54812	42436	024741345134
4916 Washburn Ave. South	Minneapolis	MN	55410	26327	024741345113
4916 Washburn Ave. South	Minneapolis	MN	55410	26327	024741345113
11154W Plover Ln.	Hayward	WI	54843	26211	024741335501
11154W Plover Ln.	Hayward	WI	54843	26225	024741335515
13266 Highland Springs Rd	Mc Cordsville	IN	46055	26287	024741343307
10245N Shuler Rd.	Hayward	WI	54843	25890	024741284403
10245N Shuler Rd.	Hayward	WI	54843	25877	024741284101
10245N Shuler Rd.	Hayward	WI	54843	25890	024741284403
10245N Shuler Rd.	Hayward	WI	54843	25877	024741284101
W162N9507 Blackfoot Dr.	Menomonee Falls	WI	53051	26241	024741341201
616 Mill St.	Adell	WI	53001	26241	024741341201
35490 Opengate Ct	Oconomowoc	WI	53066	41095	024741345130
35490 Opengate Ct	Oconomowoc	WI	53066	41095	024741345130
11204W Catbird Ln.	Hayward	WI	54843	26223	024741335513
11204W Catbird Ln	Hayward	WI	54843	26199	024741335402
11204W Catbird Ln.	Hayward	WI	54843	26223	024741335513
11204W Catbird Ln	Hayward	WI	54843	26199	024741335402
11058W South Shore Rd.	Hayward	WI	54843	26235	024741335605
11058W South Shore Rd.	Hayward	WI	54843	26235	024741335605
2746N Teal Ln.	Birchwood	WI	54817	26338	024741345205
2746N Teal Ln.	Birchwood	WI	54817	26338	024741345205
10661W Falcon Ridge	Hayward	WI	54843	26240	024741341104
10661W Falcon Ridge	Hayward	WI	54843	26240	024741341104
S101W24830 Maple Ave.	Mukwonago	WI	53149	26257	024741341316
1632 18 1/2 St.	Rice Lake	WI	54868	42503	024741283303
9831N Callahan Lake Rd.	Hayward	WI	54843	26281	024741343109
10730W Otter Lane	Hayward	WI	54843	26263	024741341406
10730W Otter Lane	Hayward	WI	54843	26264	024741341407
10730W Otter Lane	Hayward	WI	54843	26265	024741341408
4828 Sherman Rd.	Slinger	WI	53086	26332	024741345118
1727 Quant Ave. S	Lakeland	MN	55043	26192	024741335309
1727 Quant Ave. S	Lakeland	MN	55043	26194	024741335311
1727 Quant Ave. S	Lakeland	MN	55043	26192	024741335309
1727 Quant Ave. S	Lakeland	MN	55043	26194	024741335311
12118N Upper A Rd.	Hayward	WI	54843	43155	024741333221
12118N Upper A Rd.	Hayward	WI	54843	43155	024741333221

513 Steeple View Rd.	West Bend	WI	53095	26330	024741345116
513 Steeple View Rd.	West Bend	WI	53095	26330	024741345116
1436 Harbert Ave	Memphis	TN	38104	26232	024741335602
10190N Shuler Rd.	Hayward	WI	54843	25889	024741284402
10190N Shuler Rd.	Hayward	WI	54843	25878	024741284102
10696W Otter Ln	Hayward	WI	54843	39715	024741341412
11 Benham St.	Westfield	MA	01085	25857	024741281402
11 Benham St.	Westfield	MA	01085	25850	024741281202
4715 Pillsbury Ave. S	Minneapolis	MN	55419	26175	024741334406
1918 Eastern Drive	Jacksonville Beach	FL	32250	26163	024741333210
1918 Eastern Drive	Jacksonville Beach	FL	32250	26163	024741333210
1918 Eastern Drive	Jacksonville Beach	FL	32250	41354	024741333211
673 Providence Lane	Lindhurst	IL	60046	26256	024741341315
673 Providence Lane	Lindhurst	IL	60046	26242	024741341301
673 Providence Lane	Lindhurst	IL	60046	26256	024741341315
673 Providence Lane	Lindhurst	IL	60046	26242	024741341301
2535 S 800 East	W Lafayette	IN	47905	26149	024741331201
2535 S 800 East	W Lafayette	IN	47905	39936	024741342104
2535 S 800 East	W Lafayette	IN	47905	40077	024741345128
2535 S 800 East	W Lafayette	IN	47905	40076	024741345127
13021W 185th St	Mokena	IL	60448	26239	024741341103
11196W Catbird Ln.	Hayward	WI	54843	26222	024741335512
10830 Alberton Ct.	Inver Grove Heights	MN	55077	26229	024741335519
10830 Alberton Ct.	Inver Grove Heights	MN	55077	26229	024741335519
4764 Europa Tr N	Hugo	MN	55038	25861	024741281406
1629 Fourth Ave. SW	New Prague	MN	56071	26205	024741335408
1629 Fourth Ave. SW	New Prague	MN	56071	26205	024741335408
9788N South Shore Rd	Hayward	WI	54843	26289	024741343309
9788N South Shore Rd	Hayward	WI	54843	26289	024741343309
9863N Callahan Lake Rd.	Hayward	WI	54843	26277	024741343105
9863N Callahan Lake Rd.	Hayward	WI	54843	26278	024741343106
9863N Callahan Lake Rd.	Hayward	WI	54843	26319	024741345105
9863N Callahan Lake Rd.	Hayward	WI	54843	26274	024741343102
9863N Callahan Lake Rd.	Hayward	WI	54843	26279	024741343107
9863N Callahan Lake Rd.	Hayward	WI	54843	26280	024741343108
9863N Callahan Lake Rd.	Hayward	WI	54843	43068	024741345135
P.O. Box 1372	Hayward	WI	54843	25857	024741281402
P.O. Box 1372	Hayward	WI	54843	25850	024741281202
9970N Callahan Lake Rd	Hayward	WI	54843	26249	024741341308
10562N Tiger Cat Rd.	Hayward	WI	54843	25859	024741281404
10562N Tiger Cat Rd.	Hayward	WI	54843	25857	024741281402
10562N Tiger Cat Rd.	Hayward	WI	54843	25850	024741281202
317 Heather Ave.	Grayslake	IL	60030	26228	024741335518
317 Heather Ave.	Grayslake	IL	60030	26228	024741335518
2203 Napa Trail	Waukesha	WI	53188	26324	024741345110
1104 Broadway St.N	Stillwater	MN	55082	25883	024741284205
1104 Broadway St N	Stillwater	MN	55082	25883	024741284205

1104 Broadway St N	Stillwater	MN	55082	25882	024741284204
S101W24830 Maple Ave.	Mukwonago	WI	53149	26257	024741341316
4317 10th Ave. South	Minneapolis	MN	55407	40030	024741345123
4317 10th Ave. South	Minneapolis	MN	55407	42345	024741345133
4317 10th Ave. South	Minneapolis	MN	55407	26271	024741342201
4317 10th Ave. South	Minneapolis	MN	55407	40031	024741345124
401 SW Wintergarden Dr.	Lees Summit	MO	64081	26339	024741345206
11191W Catbird Ln	Hayward	WI	54843	26224	024741335514
11191W Catbird Ln	Hayward	WI	54843	26224	024741335514
27035 238th St.	LeClaire	IA	52753	40200	024741342105
27035 238th St.	LeClaire	IA	52753	40200	024741342105
25383 Heims Lake Circle	Wyoming	MN	55092	26322	024741345108
315 E LaSalle Ave.	Barron	WI	54812	42434	024741345132
315 E LaSalle Ave.	Barron	WI	54812	42526	024741331103
315 E LaSalle Ave.	Barron	WI	54812	42434	024741345132
315 E LaSalle Ave.	Barron	WI	54812	42526	024741331103
3605 Cross Pointe Blvd Apt. 371	Weston	WI	54473	39714	024741341413
4715 Pillsbury Ave. S	Minneapolis	MN	55419	26175	024741334406
11244W Quail Ln.	Hayward	WI	54843	42717	024741335315
11244W Quail Ln.	Hayward	WI	54843	42718	024741335316
11244W Quail Ln.	Hayward	WI	54843	26207	024741335410
11244W Quail Ln.	Hayward	WI	54843	42717	024741335315
11244W Quail Ln.	Hayward	WI	54843	42718	024741335316
11244W Quail Ln.	Hayward	WI	54843	26207	024741335410
10843W Callahan Lake Rd.	Hayward	WI	54843	26321	024741345107
9853N Callahan Lake Rd.	Hayward	WI	54843	26275	024741343103
9853N Callahan Lake Rd.	Hayward	WI	54843	26275	024741343103
2631 Ridgetop Road	Ames	IA	50014	26236	024741335606
2631 Ridgetop Road	Ames	IA	50014	26337	024741345204
2631 Ridgetop Road	Ames	IA	50014	26236	024741335606
2631 Ridgetop Road	Ames	IA	50014	26337	024741345204
10610 Main St. Suite 10	Hayward	WI	54843	25854	024741281304
10610 Main St. Suite 10	Hayward	WI	54843	25886	024741284208
10610 Main St. Suite 10	Hayward	WI	54843	25887	024741284301
10610 Main St. Suite 10	Hayward	WI	54843	25891	024741284404
2144 Mingo View Dr.	Wanamingo	MN	55983	25866	024741281411
2144 Mingo View Dr.	Wanamingo	MN	55983	25866	024741281411
6596 Pinnacle Dr.	Eden Prairie	MN	55346	25853	024741281303
20 Bear Tree Creek	Chapel Hill	NC	27517	26253	024741341312
20 Bear Tree Creeek	Chapel Hill	NC	27517	26253	024741341312
10896W Callahan Lake Rd	Hayward	WI	54843	39935	024741345121
10896W Callahan Lake Rd	Hayward	WI	54843	39935	024741345121
11064W Merganser Ln	Hayward	WI	54843	25856	024741281401
11064W Merganser Ln	Hayward	WI	54843	25867	024741281412
11064W Merganser Ln	Hayward	WI	54843	25856	024741281401
11064W Merganser Ln	Hayward	WI	54843	25867	024741281412
5935 Norham Dr.	Alexandria	VA	22315	25889	024741284402

5935 Norham Dr.	Alexandria	VA	22315	25878	024741284102
10190N Shuler Rd.	Hayward	WI	54843	25889	024741284402
10190N Shuler Rd.	Hayward	WI	54843	25878	024741284102
119 Bourbon St.	Blanchester	OH	45107	26162	024741333209
119 Bourbon St.	Blanchester	OH	45107	41356	024741333213
119 Bourbon St.	Blanchester	OH	45107	42695	024741333218
2225 Forest Run	Oconomowoc	WI	53066	26298	024741344202
2405 Iowa Ave.	Superior	WI	54880	25884	024741284206
2405 Iowa Ave.	Superior	WI	54880	25884	024741284206
5771 Willow Lane N	Shoreview	MN	55126	26187	024741335304
5771 Willow Ln. N	Shoreview	MN	55126	26193	024741335310
9863N Callahan Lake Rd.	Hayward	WI	54843	26277	024741343105
9863N Callahan Lake Rd.	Hayward	WI	54843	26319	024741345105
9863N Callahan Lake Rd.	Hayward	WI	54843	42804	024741341318
9863N Callahan Lake Rd.	Hayward	WI	54843	43068	024741345135
9863N Callahan Lake Rd.	Hayward	WI	54843	26277	024741343105
9863N Callahan Lake Rd.	Hayward	WI	54843	26319	024741345105
9863N Callahan Lake Rd.	Hayward	WI	54843	43068	024741345135
1041 Timberline Rd	West Bend	WI	53095	26247	024741341306
551 W22973 Partridge Ln	Waukesha	WI	53189	26247	024741341306
642 David Ave.	Sheboygan	WI	53085	26247	024741341306
2625 River Ridge Dr.	Waukesha	WI	53189	26247	024741341306
2625 River Ridge Dr	Waukesha	WI	53189	26246	024741341305
2604 N. 7th St.	Sheboygan	WI	53083	26247	024741341306
4317 10th Ave.	Minneapolis	MN	53407	42435	024741345133
6441 Enterprise Ln. No. 109	Madison	WI	53719	26191	024741335308
6441 Enterprise Ln. No. 109	Madison	WI	53719	26196	024741335313
PO Box 7921	Madison	WI	53707	25872	024741282401
PO Box 7921	Madison	WI	53707	25873	024741283101
PO Box 7921	Madison	WI	53707	25852	024741281302
11154W Plover Ln.	Hayward	WI	54843	26211	024741335501
11154W Plover Ln.	Hayward	WI	54843	26225	024741335515
10647W Falcon Ridge	Hayward	WI	54843	26237	024741341101
10647W Falcon Ridge	Hayward	WI	54843	26237	024741341101
40 Barton Ave SE	Minneapolis	MN	55414	40029	024741284405
40 Barton Ave SE	Minneapolis	MN	55414	40027	024741273303
40 Barton Ave SE	Minneapolis	MN	55414	40028	024741273304
40 Barton Ave SE	Minneapolis	MN	55414	40029	024741284405
40 Barton Ave SE	Minneapolis	MN	55414	40027	024741273303
40 Barton Ave SE	Minneapolis	MN	55414	40028	024741273304
3615 Tahoe Ct	Normal	IL	61761	26273	024741343101
14975 N 100th Pl.	Scottsdale	AZ	85260	44129	024741332402
14975 N 100th Pl.	Scottsdale	AZ	85260	44128	024741332302
10872W Callahan Lake Rd	Hayward	WI	54843	40075	024741345126
10872W Callahan Lake Rd	Hayward	WI	54843	40075	024741345126
1746 Deerwood Dr.	St. Paul	MN	55122	26185	024741335302

1746 Deerwood Dr.	St. Paul	MN	55122	26185	024741335302
10613W Falcon Ridge	Hayward	WI	54843	26258	024741341401
10613W Falcon Ridge	Hayward	WI	54843	26268	024741341411
10613W Falcon Ridge	Hayward	WI	54843	26258	024741341401
10613W Falcon Ridge	Hayward	WI	54843	26268	024741341411
1530 Royal Poinciana Dr.	Sanibel	FL	33957	43901	024741335608
10625N County Hwy A	Hayward	WI	54843	25914	024741294401
10625N County Hwy A	Hayward	WI	54843	26107	024741321101
10625N County Hwy A	Hayward	WI	54843	25855	024741281305
1506 E. Lexington Blvd.	Eau Claire	WI	54701	26244	024741341303
1506 E. Lexington Blvd.	Eau Claire	WI	54701	42805	024741341319
1506 E. Lexington Blvd.	Eau Claire	WI	54701	42806	024741341320
408 Pinehurst Dr.	Mankato	MN	56001	26316	024741345102
408 Pinehurst Dr.	Mankato	MN	56001	26331	024741345117
1474N State Hwy 40	Exeland	WI	54835	26296	024741344101
21965 Volga St. NE	Wyoming	MN	55092	26323	024741345109
21965 Volga St. NE	Wyoming	MN	55092	26323	024741345109
8010 Durklyn Ln.	Houston	TX	77070	25879	024741284201
8010 Durklyn Ln.	Houston	TX	77070	25879	024741284201
131 N Benton St	Sparta	WI	54656	26335	024741345202
PO Box 1174	Hayward	WI	54843	25849	024741281201
PO Box 1174	Hayward	WI	54843	25849	024741281201
4009 Moore Trail	Nekoosa	WI	54457	26208	024741335411
4009 Moore Trail	Nekoosa	WI	54457	26208	024741335411
N/A	N/A	N/A	N/A	26232	024741335601
	Spooner	WI	54876	26231	024741335601
8761N Wood Trl	Hayward	WI	54843	26297	024741344201
8761N Wood Trl	Hayward	WI	54843	26297	024741344201
W8112 US Highway 10	Ellsworth	WI	54011	26299	024741344203
W8112 US Highway 10	Ellsworth	WI	54011	26299	024741344203
PO Box 7921	Madison	WI	53707	25836	024741272201
PO Box 7921	Madison	WI	53707	25835	024741272101
PO Box 7921	Madison	WI	53707	25837	024741272301
PO Box 7921	Madison	WI	53707	25838	024741272401
PO Box 7921	Madison	WI	53707	25840	024741273201
PO Box 7921	Madison	WI	53707	25839	024741273101
PO Box 7921	Madison	WI	53707	25845	024741274201
PO Box 7921	Madison	WI	53707	26351	024741352201
PO Box 7921	Madison	WI	53707	26352	024741352301
PO Box 7921	Madison	WI	53707	26356	024741353201
10310 Cambridge	Westchester	IL	60154	26248	024741341307
10310 Cambridge	Westchester	IL	60154	26248	024741341307
9824N South Shore Rd.	Hayward	WI	54843	26334	024741345201
9824N South Shore Rd.	Hayward	WI	54843	26340	024741345207
4105 Vincent Ave. S	Minneapolis	MN	55410	26317	024741345103
1000 Oakwood Rd.	Newport	MN	55055	25881	024741284203
1000 Oakwood Rd.	Newport	MN	55055	25880	024741284202

3312 Bayview Ct.	Delafield	WI	53018	26254	024741341313
3312 Bayview Ct.	Delafield	WI	53018	26252	024741341311

Friend of Callahan and Mud Lake,

This is an invitation to support the ongoing health and sustainability of your lake in the form of a petition. The petition is a way for you to directly express your interest regarding the formation of a lake district to manage the current and future needs of the lake and of our community. More specifically, a lake district is a specialized unit of government that exists to protect public inland lakes and there are over 250 of them in the state of Wisconsin.

The Need

The rationale for forming a lake district to replace our existing lake association is fairly simple. While the Callahan and Mud Lake Protective Association (CMLPA) has successfully addressed the proliferation of invasive species, as well as educating and training interested resident volunteers since 2007, a new challenge has recently arisen that necessitates more resources in and standing in order to ensure the ongoing sustainability and existence of our lakes.

Following a routine and required dam inspection by the DNR in 2022, multiple issues were identified including its “poor” overall condition, non-compliant and inadequate construction, the lack of maintenance, and other minor safety concerns. Further, the DNR explained that if action were not taken to determine the dam’s ownership and to begin the dam’s restoration or replacement, the DNR could first deem the dam as “abandoned” and then ultimately remove it for the sake of the environment and the safety of downstream landowners. Simply put, the loss of our dam, either due to DNR removal or catastrophic failure, would result in the loss of our lake and substantial personal property value.

The Effort

Faced with this assessment and the associated consequences, the CMLPA authorized the formation of a Dam Committee to explore how to best address the issues identified by the DNR. Over the last year and a half, volunteers from our community have acted upon the remediation steps outlined by the DNR in their 2022 dam investigation report (installation of signage, maintenance of the area around the dam, etc.), conducted in-person and web-based informational meetings for stakeholders, mailed informational materials to local residents and business owners, established a website with extensive and timely information about the dam’s status and the efforts to seek a solution, and engaged an engineering firm with extensive experience in dam construction to conduct a topographical survey of the dam.

Concurrent with the above activities, the dam committee has spent nearly 2 years interacting with state agencies (DNR, UW Extension Office), local government (Sawyer County, Round Lake Township) and independent organizations/businesses (engineering, lake management, financial services), as well as other existing lake districts in order to identify a long-term solution and a path forward.

The Solution

Fortunately, a viable path has been identified and although it is a lengthy process, it is one that is well-defined by the state, recommended by the DNR, and that can result in the successful

replacement of our dam in addition to its ongoing management and maintenance. The first step in this process is to form a lake district by signing and returning the enclosed petition.

Having a lake district is essential because unlike a lake association, a district can own property (including the dam), tax district property, secure state grants and long-term loans and hold insurance. Each of these supports what the DNR prescribed in its report and are the necessary pieces of ensuring the lake's existence and health. Additionally, the lake district can assume the responsibilities of the existing lake association including any needed efforts to address invasive species. The actions and activities of the district are governed by a board of commissioners from the county, the town, and lake district property owners. Annual public meetings of the board are required by the state in order to present budgets and plans that are voted on by you as a future district member.

During discussions with representatives of Sawyer County, they have clearly expressed that they have no interest in owning our dam or any dam within the county. Short of an individual or group of individuals being willing to fund the purchase and restoration of the dam, there is no other identified alternative to preserve our lake's existence.

Your Participation

As a recipient of this letter, you are an eligible signer of the enclosed petition to form a lake district. Being an eligible signer is an official designation that is defined and recognized by Wisconsin Statute § 33.11. The eligible signers have been determined by referencing the most recent Sawyer County tax rolls (October 2023).

As an eligible signer, your timely response is essential to us reaching the 51% of signatures that are needed to form a lake district.

Please reply to this invitation by signing and returning the petition by / /

Thank you in advance for taking the time to read this letter and for accepting the invitation to support the future of your lake by thoughtfully responding to the petition.

For more information about...

- Our Dam: - <https://callahanandmudlake.org/save-our-dam-lake/>
- Lake Districts: an easy-to-understand guide https://www3.uwsp.edu/cnr-ap/UWEXLakes/Documents/organizations/Lake%20Districts/Guide_Chapter4.pdf
- Lake District Legal Highlights: excerpts from Wisconsin Statute § 33.11-33.37 – see accompanying document titled “xxxxxxx”

If you would like to speak to someone regarding this letter, please contact *provide a name & phone number, list the Dam Committee members, ?*

Sawyer County Board of Supervisors,

We, the residents and property owners of the Callahan Lake and Mud Lake areas, are submitting a petition to form a Lake District to support the long-term health, quality and management of said lakes, per the WI state statute *Chapter 33 – Public and Inland Waters* (<https://docs.legis.wisconsin.gov/statutes/statutes/33>). We are asking for your support in the formation of our Lake District.

The results of our petition are summarized below and reflect that we ***exceeded*** the minimum 51% of eligible signers that is required by WI statute *Chapter 33* in order to continue pursuing a Lake District:

Petition Results

Total Number of Eligible Signatories: 219

Petitions Returned Signed in support of forming a lake district = 136 (62.1%)

Petitions Returned Unsigned or Not Returned = 83 (37.8%)

In accordance with Wisconsin statute *Chapter 33*, this letter is accompanied by the required paperwork to seek the Sawyer County Board’s permission to form the “Callahan and Mud Lake District”. The enclosed paperwork includes:

- Our cover letter to owners
- The proposed name of the Lake District (“Callahan and Mud Lake District”)
- Statements about the necessity and benefit of the district
- A description of the proposed boundaries
- A plat map showing the proposed boundaries
- All the signed petitions
- A master signature list with all of the proposed members of the district with their property information, and each eligible person’s with response to the petition
- A certification of the signatures on the petition

Additional Background

As you are undoubtedly aware, Callahan Lake and Mud Lake are adjoining bodies of water within Sawyer County and the Town of Round Lake. This public inland body of water has been managed in part since 2007 by a lake association – the Callahan and Mud Lake Protective Association (CMLPA). The mission of the Association has been to preserve and protect both lakes and their surroundings, as well as enhancing the water quality, fishery, boating safety, and environmental value.

The Association’s most active effort in recent years, with help of regional organizations and state agencies, has been to assess the ecosystem’s health, to educate and train lake residents on how to protect the lake, and to raise funds through resident donations and grants to treat invasive species. Despite the organization’s past effectiveness, there are new and future challenges that our lakes will be facing that the lake association model will be inadequate to address.

For example, in 2022, as part of the DNR’s responsibility to regularly examine the health of dams within the state, the dam on Callahan Lake underwent a routine inspection. Unfortunately, the report determined that the condition of our dam is currently “poor” and the ownership, provenance and

integrity of the dam are unknown. Should the dam go unaddressed, the DNR has stated that their position would be to declare such dams “abandoned” and that they remove them entirely. Should it get to that point, the loss of the dam on Callahan Lake would dramatically reduce the lakes, thereby eroding our property values and a community asset, and forever changing our way of life on our lakes.

Following the receipt of the DNR report, the CMLPA voted to form an exploratory Committee to conduct research on how we might approach the dam problem. For the past 2 years we have been investigating our options, and had the DNR recommend the concept of a Lake District as an appropriate and viable way to help address the issues we are facing. We have been consulting with government agencies, private industry experts, the DNR, the UW Extension Service, the Sawyer County Conservation Department, other lake district organizations, engineering firms, and representatives of Sawyer County and the Town of Round Lake. We have held numerous open houses and online and in-person meetings with the members of the community who might be impacted by these issues. We formed a website and sent emails and mailed information packets to all property owners who might have been unaware of the dam’s situation and to share our findings and gather input. With the support of the Lake Association members and many potential members of the prospective Lake District, we circulated a petition (see attached) to all those eligible signers within our proposed boundary. We used the 2023 tax rolls to determine eligibility and made every effort to track down the potential members. Each eligible signer had three possible responses: 1) sign and return the petition in favor of forming a lake district; 2) return an unsigned petition indicating a desire to not form a lake district, 3) or not returning the petition which we also would count “not supporting”. Late in the summer, we garnered enough positive support from the eligible signers to meet the threshold to put our petition before you now.

Although currently there are no Lake Districts in Sawyer County, it is worth noting that there are approximately 250 in existence within the state. Wisconsin state statute *Chapter 33* specifically outlines how a Lake District is formed and its function as a state governmental body. Once formed, this specialized unit of government can own property, purchase liability insurance, raise funds through property taxes, pursue state grants, and secure low-interest long-term loans. The District would be managed by a group of commissioners (one from the county, one from the Town of Round Lake and up to five members of the District) and can potentially help develop and implement plans for replacing and/or maintaining the dam, in addition to assuming all responsibilities that have previously been managed by the lake association for the benefit of the lakes and their users. The Lake District would position its members for the future and give us the resources, support and organization necessary to protect our lakes.

Concurrent with the efforts to pursue a Lake District, the lake association members and residents have also acted upon the remediation steps outlined by the DNR in their 2022 dam investigation report, including the installation of dam warning signage, working with the DNR and the Town to perform maintenance of the area around the dam, and engaged an engineering firm with extensive experience in dam construction to conduct a topographical survey of the dam and propose potential solutions. These efforts and progress are reflective of the interest and motivation that exists among those who value the lakes as a precious ecological and recreational resource that deserves our attention and care.

We look forward to working closely with you to answer any questions that may assist you in supporting our request to form the first Sawyer County Lake District to ensure the sustainable health and qualities

of Callahan and Mud lakes, the value of our properties, and the enjoyment of its residents for generations to come.

Respectfully,

Lynne Amundson

President, Callahan Mud Lake Protective Association

Chair of Lake District Committee

**PETITION TO THE SAWYER COUNTY BOARD OF SUPERVISORS
TO ESTABLISH "CALLAHAN and MUD LAKE DISTRICT"**

Page 1 of 2

To the County of Sawyer,

We, the undersigned landowners (the "Petitioners") hereby petition the Board of Supervisors of the County of Sawyer to establish a public inland lake protection and rehabilitation district, pursuant to the authority vested in Chapter 33, Wisconsin Statutes, and state as follows that:

1. The petitioners are owners of the land to be included within the proposed district;
2. The district, if established, shall be known as the **Callahan and Mud Lake District** ("The District");
3. The District is necessary to manage issues that challenge the health and preservation of Callahan and Mud Lake (the "Lakes") and to identify problems and to take necessary remedial action to deal with the problems that affect the sustainability of the watershed including activities which include protection of the fishery, maintenance of appropriate lake levels and preservation of the existing lake size and ecosystem, control of aquatic weeds and invasive species, reduction of sedimentation and promotion of the continued harmonious use and protection of the watershed;
4. Establishment of The District will promote the public health, comfort, convenience, necessity and public welfare by keeping the Lakes and their ecosystems healthy and balanced to sustain their standing as a premier destination by all who use the waters and financially contribute to the community;
5. The lands to be included within The District will be benefited by the establishment of The District, as consistent financial support will enhance the preservation and protection of the Lakes. This will enable stable and increasing property values around the Lakes and continued financial support of the businesses and community and promote the public interest in, and enjoyment of, the watershed and the protection of the ecosystem;
6. The boundaries of the proposed district are as follows:

(legal written description of boundary to be included in the packet to the County)

The boundaries of the land described above are shown on plat shown in Exhibit 1, attached hereto, indicating the approximate area and boundaries of the proposed district.

**PETITION TO THE SAWYER COUNTY BOARD OF SUPERVISORS
TO ESTABLISH "CALLAHAN and MUD LAKE DISTRICT"**

Page 2 of 2

The persons signing this Petition request the Board of Supervisors of Sawyer County, in the State of Wisconsin to establish Callahan and Mud Lake District state that ***they own land, or are authorized to sign on behalf of entities owning land,*** within the boundaries of the proposed district.

Rules for who can sign:

- **Joint owners:** All owners should sign the petition; each signature counts towards the total
- **Ownership by a Corporation or Trust:** only the authorized person may sign
{i.e., Jane Smith, Trustee}
- **Owners of multiple parcels of real estate:** People may only sign the petition once

Signature of Signer:

Date:

Unique Signer Code: (Unique Signer Code)

First Name: (First Name)

Last Name: (Last Name)

Legal Mailing Address: (Mailing Address)

(City) (State) (Zip)

Parcel ID Number(s): (Parcel ID #)

----- **BELOW TO BE FILLED in BY THE PARTIES CIRCULATING THE PETITION** -----

STATE OF WISCONSIN, COUNTY OF SAWYER. Affidavit of Petition Circulator

_____, being duly sworn, deposes and says that he or she is an owner of land within the boundaries of the proposed district; that to the best of his or her knowledge, all persons who have signed the foregoing petition are landowners within the boundaries of the proposed district and that the accompanying map and description indicates the territory to be included in the proposed district and that the petition has been signed by persons constituting 51 percent or more of the landowners within the proposed district.

Signature of Petition Circulator _____

Address: _____ City: _____

Subscribed and sworn to before me this _____ day of _____, 2024.

_____. Signature of Notary My commission expires: _____



within our control to coordinate. The first is to form a Lake District that establishes a legal government entity that can clarify dam ownership, be eligible to receive state funds, secure state loans and create a board of individuals to determine the optimal way to preserve our lake for all stakeholders. Secondly, the reconstruction of the existing dam will provide the ongoing ability to retain our lake and all of its positive benefits.

As simple as the above may sound, completing what is needed will require a series of parallel activities that include petitions, votes, elections, approvals,

engineering designs, cost estimates and more that will take multiple years to fulfill. Accordingly, a committee was formed by the Lake Association to help lead this effort and what is summarized above is a result of this committee's work thus far.

For More Information and Support

Whether you were already familiar with the current issues at risk of impacting our lake or this is new information, undoubtedly you are interested in understanding more details about what is known and what can be done to bring this to a successful outcome.

A good place to start would be with the Frequently Asked Questions (FAQ's) handout/website section.

There are several ways to stay informed including:

- staying attuned to the website once it is live later this summer and watching for updates;
- attending the Lake Association meetings and reading the meeting minutes that are distributed via email;
- contacting one of the committee members (see below);
- and, of course, volunteering to help with the tasks that will be needed to be accomplished along the way.



Callahan-Mud Lake Protective Association (CMLPA)

Website (launching soon!):
www.callahanandmudlake.org

Mail: PO Box 13040, Hayward, WI 54843

Dam Committee Volunteers

Lynne Amundson	lmamundson@comcast.net
Kimberly Kayler	kimberly.kayler@aoeteam.com
Denise Kohl	richard.denise.kohl@gmail.com
Joanne Leifheit	jleifheit@wi.rr.com
Stephen McIntosh	wit38104@gmail.com
Holly Robbins	holly@thisisfolly.com
Jake Steinberg	jls314ar@gmail.com
Denny Toll	bbdwt@yahoo.com

Please join the CMLPA and support our efforts. Dues are \$50. Find a form on at www.callahanandmudlake.org. We also accept donations above the \$50 membership fee.

Lake District Formation & Dam Reconstruction Frequently Asked Questions (FAQ)

This FAQ is an attempt to provide straight-forward, timely and concise answers to questions about the formation of a Lake District and the potential reconstruction of a dam on Callahan-Mud Lake. The goal of this format is to create a common understanding of essential questions and to focus on facts that will enable us to effectively pursue a path that is in the best interest of those who want to continue enjoying our shared resource.

Please know that it is not an exhaustive list of all of the possible questions and, by design, it does not attempt to answer the covered questions in detail. Also, it is what we know at the time it was created and/or updated – in other words, it is the best information that we have at this moment and it is subject to change as we learn more. As such, it is a living document and it will be periodically updated.

Finally, your feedback and involvement is welcomed. If you have suggestions for questions to be added or questions about the answers provided, please reach out to one of the individuals listed at the end of the FAQ.

Why do we need a Lake District?

A Lake District provides lake residents and stakeholders with several benefits including: (1) creating a legal entity for ownership of the area that includes the existing dam, (2) establishing a state recognized organization that makes us eligible to take advantage of state grants and loans for lake management purposes including milfoil management, dam reconstruction, etc., (3) enabling the Lake District to efficiently tax property to raise funds and to hold insurance on the dam, and (4) providing a forum for organizing activities, sharing information and building community in order to maintain the ongoing health of our lake.

More specifically, the need for a Lake District now is related to the importance of being able to effectively explore the potential design and installation of a dam on Lake Callahan in order to prevent failure of the existing dam or its potential removal by the DNR, and to successfully manage lake water levels on an ongoing basis in the years ahead.

What happens if we don't form a Lake District or take action regarding the dam?

The existing dam was assessed by a DNR inspector in 2022 and its condition was deemed to be "poor". Although near-term dam failure is not predicted, its poor condition increases the possibility that the dam will fail which would result in the loss of our lake and the associated lake benefits, as well as diminished home values.



By not having a Lake District, both the ownership of the dam and its ongoing maintenance remains uncertain which means that it poses a risk to others if it is not actively managed and if it were to fail.

As a result, the DNR has informed us that continued inaction would lead to them deeming the dam to be "abandoned". An abandoned dam would ultimately result in its removal by the state in order to restore the natural flow and thereby eliminate our lake in its current form. However, this outcome is avoidable and the formation of a Lake District is the first in a series of steps to ensure a positive outcome that is within our control.

Who currently owns the dam?

The ownership of the dam is uncertain despite hours of research by multiple individuals including government resources. The passage of time, the transfer of the property to and from various parties, and the lack of clarity



An image of the lakes before the dam was constructed. Notice how the vast majority of the current lakes was originally marsh.

in publicly available documents has contributed to the uncertainty. A DNR representative specifically said that ownership was indeterminable based on the documents that he reviewed and that attempting to figure it out would both be a lengthy process and one that would likely not provide a definitive answer. Uncertain ownership of dams is not an uncommon situation and the DNR has shared that there are more than 400 such dams within the state of WI.

Even if an owner were to somehow be identified, it is unlikely that the party would be able or willing to fund the cost of building a dam that met code requirements. The DNR has recommended that the best alternative would be for us to form a Lake District.

Additionally, based on conversations with Sawyer County and Round Lake Township personnel, there is no interest by either municipality to assume ownership of the dam. However, there would be support for having a Lake District take ownership in order to maintain the health of the dam, the lake, and the property tax revenue that it generates.

Didn't we try to form a Lake District before? What was the outcome?

Yes, an initial attempt was made to form a Lake District in 2012. Unfortunately, despite 77% voting to form a Lake District, the submitted paperwork lacked some of the information and formatting that was necessary to gain approval from the Town of Round Lake Board. At that time, the effort was focused on creating an organization to help manage the milfoil which has subsequently been successfully handled via our Lake Association.

In order to form a Lake District and to successfully complete the application process, a group of individuals were voted into existence as the Dam Committee by the Lake Association. The committee has already begun researching the process and requirements, in addition to specifically resolving any gaps in the prior application to ensure a positive result.

What is the purpose and history of the existing Lake Association that is known as the Callahan-Mud Lake Protective Association (CMLPA)?

The CMLPA was formed in 2007 with the general purpose of preserving and protecting the ongoing health of Callahan and Mud Lakes. The focus of the organization since its inception has largely been devoted to successfully managing invasive aquatic species, including most specifically, milfoil. With the combination of annual voluntary contributions of Lake Association members and state grants, the lake has received regular milfoil treatments. These treatments have resulted in a significant reduction in the amount of milfoil and an improvement in the overall health of the lake's biological ecosystem. Nonetheless, milfoil is nearly impossible to eradicate and ongoing treatment will be necessary.

If a Lake District were to be formed, it would be able to fulfill the purpose and role of the existing Lake Association, including the ongoing treatment of invasive species, and the CMLPA would likely be dissolved.

If we already have a Lake Association, why do we need a Lake District and how do they differ?

While the Lake Association has been very beneficial in curbing the milfoil and restoring the lake to a healthy and manageable level, it is not recognized as an entity that has standing for owning a dam or for being able to receive government grants or loans. A lake district is a special purpose unit of government with powers focused on lake management and the provision of services to property located within its established boundaries.

There are currently ~250 Lake Districts in WI. Although a Lake District can be formed for a multitude of reasons, they have been formed to specifically address issues that mirror the situation that we have on our lake with the dam.

Other than completing the necessary paperwork and receiving municipality approval, what is required from residents/stakeholders in order to form a Lake District?

Prior to seeking approval by a government body such as Sawyer County or the Round Lake Township, residents and stakeholders will need to vote on their interest in forming a Lake District. Greater than 50% of

eligible voters will need to vote in favor of the formation in order for it to be considered by the sanctioning body. (In 2012, 77% voted in favor of forming a Lake District)

If a Lake District is formed does that automatically mean that we have committed to building a dam?

No. Deciding to build a dam and the type of dam to be built is a separate decision that will be made by the Lake District Board of Commissioners once all of the necessary information has been gathered and evaluated. The Board of Commissioners is made up of 3-5 elected lake residents and 2 appointed commissioners from local government.

Who is helping to coordinate this effort?

Currently, a small group of individuals is volunteering their time as the Dam Committee for the CMLPA to understand the requirements and to advance the formation of a Lake District with an initial goal of constructing a safe and permanent dam that can be managed in perpetuity.

Anyone who is interested in supporting this effort is welcome to join the Dam Committee by contacting one of the existing members. (The list of committee members and contact information is at the bottom of this FAQ.) Later this summer, this information along with ongoing FAQ's, research findings, upcoming tasks, accomplishments, etc. will be available on a newly created CMLPA website which will make it easy for any stakeholder to access facts and progress updates.

What agencies and organizations have been involved so far to provide information and guidance on the formation of a Lake District and the potential construction of a dam?

The initial efforts of the committee have focused on gathering information in order to understand what is

needed and to be able to communicate with stakeholders. Thus far, the committee has gathered information from Sawyer County Board members, the Town of Round Lake Board members, the DNR, the UW Extension Office, individuals who participated in the prior Lake District application, and two engineering firms who have historically helped lead similar efforts including one that managed the recent completion of the dam on the Tiger Cat flowage. Going forward, the committee will continue to seek input from these organizations and others including Lake Districts who have already undergone this process in order to benefit from their knowledge and experience.

If a dam were to be built, how much would it cost and how would it be funded?

The cost would be determined with the help of engineers who have done this type of work previously here in WI. The costs would be incurred in three primary areas – the administrative efforts to scope and manage the process/project, the construction, and the ongoing maintenance which will be relatively small compared to the one-time construction expense. Prior to having an engineering-informed cost estimate, the Dam Committee will be contacting other Lake Districts who have undertaken this process in order to better understand the range of costs that have been previously incurred. However, it is worth noting that there are many types of dams, each environment is unique, and the inflation costs of construction are currently unpredictable, so there is a meaningful risk in attempting to estimate the realistic cost of a future dam based on the cost of one that has already been built elsewhere.

It is understood how important this piece of the decision process is and, as more is learned, it will be openly shared with stakeholders.

Funding sources include assessments raised from lake residents and stakeholders who are part of the Lake District, in addition to state grants that could fund up to 50% of the construction costs. Additionally, low interest loans are available to Lake Districts which would enable construction to begin and for the costs to be paid over a period of up to 20 years. In general terms, based on conversations with those who have been through this before and the successful completion of other similar projects elsewhere in the state, it is believed that the costs would not be insurmountable and that they would likely be far less than the property value loss incurred if the lake were to no longer exist.

How long will it take to complete the process of forming a Lake District and building a dam?

Based on the input from the state, county and regional engineering firms who are familiar with this process, we



have consistently been told that it is a multi-year effort to form a Lake District and to construct a dam.

It is also true that the timing is greatly influenced by the collective effort of us as residents and stakeholders. The work of the committee has been focused on understanding the requirements, developing a plan, and communicating to all stakeholders in a way that generates understanding so that we can enlist the needed resources to move forward at the pace that reflects our shared interest.

Your interest, questions and involvement are an essential part of this process. In order to build understanding and momentum, the committee has been developing plans with the existing Lake Association to make information readily accessible and to increase the frequency of activity. Specific examples include moving toward the creation of a website, moving the association meetings to the Round Lake Town Hall to accommodate more people (as they had been prior to COVID), amending the CMLPA bylaws to allow for meetings to occur beyond just the summer months, and to enable remote access to meetings so those who are not here locally can still participate.

How can I help?

There are lots of opportunities to help out. As mentioned previously, the committee would love for you to join our effort. However, it is understood that not everyone has the time to make this commitment. Nonetheless,

volunteering to help complete specific tasks in support of the process/project is also exceedingly valuable and will be increasingly important over time. In the near term, proactively asking questions, seeking facts to be informed, and sharing knowledge with friends and neighbors are all helpful actions.

Finally, if you are not a member now, **please join the existing Lake Association**, attend meetings when you can and stay informed of our plans and needs.

For information on how to join or upcoming meeting dates, contact Denise Kohl at richard.denise.kohl@gmail.com

How can I get more information and stay informed?

There are several ways to stay informed including; attending the Lake Association meetings and reading the meeting minutes that are distributed following each meeting via email; contacting one of the committee members (names and contact info listed below); staying attuned to the website once it is live; and of course, volunteering to join the work of the committee.



Callahan-Mud Lake Protective Association (CMLPA)

Website (launching soon!):
www.callahanandmudlake.org

Mail: PO Box 13040, Hayward, WI 54843

Dam Committee Volunteers

Lynne Amundson	lmamundson@comcast.net
Kimberly Kayler	kimberly.kayler@aoeteam.com
Denise Kohl	richard.denise.kohl@gmail.com
Joanne Leifheit	jleifheit@wi.rr.com
Stephen McIntosh	wit38104@gmail.com
Holly Robbins	holly@thisisfolly.com
Jake Steinberg	jls314ar@gmail.com
Denny Toll	bbdwt@yahoo.com

Please join the CMLPA and support our efforts. Dues are \$50. Find a form on at www.callahanandmudlake.org. We also accept donations above the \$50 membership fee.

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More specifically, the need for a lake district now is related to the importance of being able to effectively explore the potential design and installation of a dam on Lake Callahan in order to prevent failure of the existing dam or its potential removal by the DNR, and to successfully manage lake water levels on an ongoing basis in the years ahead.

What happens if we don't form a lake district or take action regarding the dam?

The existing dam was assessed by a DNR inspector in 2022 and its condition was deemed to be “poor”. Although near-term dam failure is not predicted, its poor condition increases the possibility that the dam will fail which would result in the loss of our lake and the associated lake benefits, as well as diminished home values.

By not having a Lake district, both the ownership of the dam and its ongoing maintenance remains uncertain which means that it poses a risk to others if it is not actively managed and if it were to fail. As a result, the DNR has informed us that continued inaction would lead to them deeming the dam to be “abandoned”. An abandoned dam would ultimately result in its removal by the state in order to restore the natural flow and thereby eliminate our lake in its current form. However, this outcome is avoidable and the formation of a Lake district is the first in a series of steps to ensure a positive outcome that is within our control.

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The ownership of the dam is uncertain despite hours of research by multiple individuals including government resources. The passage of time, the transfer of the property to and from various parties, and the lack of clarity in publicly available documents has contributed to the uncertainty. A DNR representative specifically said that ownership was indeterminable based on the documents that he reviewed and that attempting to figure it out would both be a lengthy process and one that would likely not provide a definitive answer. Uncertain ownership of dams is not an uncommon situation and the DNR has shared that there are more than 400 such dams within the state of WI.

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Additionally, based on conversations with Sawyer County and Round Lake Township personnel, there is no interest by either municipality to assume ownership of the dam. However, there would be support for having a Lake district take ownership in order to maintain the health of the dam, the lake, and the property tax revenue that it generates.

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In order to form a lake district and to successfully complete the application process, a group of individuals were voted into existence as the Dam Committee by the Lake Association. The committee has already begun researching the process and requirements, in addition to specifically resolving any gaps in the prior application to ensure a positive result.

What is the purpose and history of the existing Lake Association that is known as the Callahan-Mud Lake Protective Association (CMLPA)?

The CMLPA was formed in 2007 with the general purpose of preserving and protecting the ongoing health of Callahan and Mud Lakes. The focus of the organization since its inception has largely been devoted to successfully managing invasive aquatic species, including most specifically, milfoil. With the combination of annual voluntary contributions of Lake Association members and state grants, the lake

has received regular milfoil treatments. These treatments have resulted in a significant reduction in the amount of milfoil and an improvement in the overall health of the lake's biological ecosystem. Nonetheless, milfoil is nearly impossible to eradicate and ongoing treatment will be necessary.

If a lake district were to be formed, it would be able to fulfill the purpose and role of the existing Lake Association, including the ongoing treatment of invasive species, and the CMLPA would likely be dissolved.

If we already have a Lake Association, why do we need a lake district and how do they differ?

While the Lake Association has been very beneficial in curbing the milfoil and restoring the lake to a healthy and manageable level, it is not recognized as an entity that has standing for owning a dam or for being able to receive government grants or loans. A lake district is a special purpose unit of government with powers focused on lake management and the provision of services to property located within its established boundaries.

There are currently ~250 Lake districts in WI. Although a lake district can be formed for a multitude of reasons, they have been formed to specifically address issues that mirror the situation that we have on our lake with the dam.

If a Lake district is formed does that automatically mean that we have committed to building a dam?

No. Deciding to build a dam and the type of dam to be built is a separate decision that will be made by the Lake district Board of Commissioners once all of the necessary information has been gathered and evaluated. The Board of Commissioners is made up of 3-5 elected lake residents and 2 appointed commissioners from local government.

Who is helping to coordinate this effort?

Currently, a small group of individuals is volunteering their time as the Dam Committee for the CMLPA to understand the requirements and to advance the formation of a lake district with an initial goal of constructing a safe and permanent dam that can be managed in perpetuity.

Anyone who is interested in supporting this effort is welcome to join the Dam Committee by contacting one of the existing members. (Committee members names and email contact information is at the

bottom of this FAQ.) Additional information regarding the efforts of the Dam Committee including FAQ's, research findings, upcoming tasks, accomplishments, etc. is available on the CMLPA website.

What agencies and organizations have been involved so far to provide information and guidance on the formation of a lake district and the potential construction of a dam?

The initial efforts of the committee have focused on gathering information in order to understand what is needed and to be able to communicate with stakeholders. Thus far, the committee has gathered information from Sawyer County Board members, the Town of Round Lake Board members, the DNR, the UW Extension Office, individuals who participated in the prior lake district application, and two engineering firms who have historically helped lead similar efforts including one that managed the recent completion of the dam on the Tiger Cat flowage. Going forward, the committee will continue to seek input from these organizations and others including Lake districts who have already undergone this process in order to benefit from their knowledge and experience.

How long would it take to complete the process of forming a Lake district and building a dam?

Based on the input from the state, county and regional engineering firms who are familiar with this process, we have consistently been told that it is a multi-year effort to form a lake district and to construct a dam.

It is also true that the timing is greatly influenced by the collective effort of us as residents and stakeholders. The work of the committee has been focused on understanding the requirements, developing a plan, and communicating to all stakeholders in a way that generates understanding so that we can enlist the needed resources to move forward at the pace that reflects our shared interest.

Your interest, questions and involvement are an essential part of this process. In order to build understanding and momentum, the committee has been developing plans with the existing Lake Association to make information readily accessible and to increase the frequency of activity. Specific examples include moving toward the creation of a website, moving the association meetings to the Round Lake Town Hall to accommodate more people (as they had been prior to COVID), amending the CMLPA bylaws to allow for meetings to occur beyond just the summer months, and to enable remote access to meetings so those who are not here locally can still participate.

For more information regarding the steps and time required to form a Lake district, see the next 2 questions.

Are there specific steps that must be completed to form a lake district?

Yes, there are specific steps that must be completed and they are defined in the Sub-Chapter 4 of the Chapter 33 WI State Statute devoted to public inland waters (<https://docs.legis.wisconsin.gov/statutes/statutes/33/iv/21>). Based on the legislation, the committee has identified nearly 20 actions that would be necessary to form a lake district. A simplified overview of the steps necessary to request the formation of a district would be:

- choosing a district name;
- documenting why a district is needed including what it will promote and the benefits;
- defining the district boundaries that includes tax parcel numbers and a plat map; creating and distributing a petition that lists those who are eligible to sign (based on the boundaries);
- collecting the petitions and having them verified
- filing the petition with Sawyer County Clerk (assuming there are enough signatures in favor of forming a district).

How will the lake district boundaries be determined?

Establishing the final boundaries is a multi-phase process that involves evaluating which property owners are affected by the lake's existence and health. As such, there are some obvious property owners who should be included beginning with those who reside on the lake. However, there are no regulations on who must be included. According to a guide for lake organizations published by UW Stevens Point, suggestions for who to consider including are as follows:

- Include all riparian parcels (those touching the water), because they are the most directly benefited from the lake
- Include parcels which are not on the lake but their use is assumed to be benefited by the proximity of the lake (recreation-oriented businesses, marinas, hotels, etc.)
- Include all of the territory to be included in any proposed service area (for example, where sewer or water utility service is contemplated)
- Include properties that have deeded lake access or shared access lots
- Include parcels whose characteristics or location are linked to the lake (for example, businesses that rely on the lake)
- Include entire parcels of land as they are listed on the tax roll. (This is necessary, since taxes and special assessments must be levied on whole tax parcels. There is no mechanism to allocate tax on a parcel that is only partly within the district)

Using the above suggestions and considering guidance from other state authorities who have experience in this process, the Dam Committee would propose an initial lake district boundary. The final

decision would be made by the county and the boundary is established when the official order to create the district is adopted following the receipt of petition signatures and county approval.

Who will get to sign the petition to determine whether or not a lake district should be formed?

Based on the lake district boundary, a list of “eligible signatures” will be formed using state tax rolls. Individuals who are eligible to sign the petition are those whose name appears as a property owner on the previous year’s tax rolls. A partner/spouse is only eligible to sign if they are referred to on the tax roll. An individual with multiple parcels only signs the petition once. And similarly, a trust/partnership/corporation/foundation/association or local unit of government is entitled to one signature by an authorized representative. In simple terms, it is easiest to think in terms of “1 person = 1 signature”.

How many signatures are needed to form a lake district?

51% of the owners of land within the proposed district (this is most common), or the owners of 51% of the land area within the proposed district as determined by eligible signatures. (see question addressing eligible signatures)

What will Sawyer County do if they receive a petition seeking to form a lake district?

Once the Sawyer County Clerk has received the notarized petition with a sufficient number of signatures to request the formation of a lake district, the Sawyer County Board is responsible for acting on the petition by completing the following steps in the required time frames:

- a hearing (within 30 days of filing);
- create a written report of the hearing results (within 3 months of the hearing);
- issue an order either granting or denying the request to form a lake district (within 6 months of the hearing).

Based on the above, it could take up to 7 months from the time that a petition is submitted until a determination has been made by the Sawyer County Board regarding whether or not to approve the formation of a lake district.

If a lake district were to be formed, what happens next?

Once a lake district has been approved to exist, the Sawyer County Board would form a board of Commissioners to represent the district members. The initial board would be appointed by the County and the Town of Round Lake and would be comprised of a minimum of 5 individuals as follows according to WI State Statute Chapter 33:

- 3 landowners within the district (including at least 1 who is a resident);

- 1 member of the County Land Commission (or someone nominated by the County Land Commission);
- 1 additional member who will represent the Town of Round Lake.

Additionally, the statute establishes that each board will have a Chairperson, Secretary and Treasurer with defined duties for each role. At the first annual meeting of the Lake District Board, at least 1 resident member seat will be an elected position. Elections for other landowner/resident seats (which can be increased to as many as 5) will occur as terms expire.

If formed, how would a lake district and board of commissioners operate?

The lake district is a recognized municipality within the state of WI and it exists by definition to protect the lake. The board of commissioners (see make-up of the board in prior question) would have regular meetings including one annual meeting between May 22nd and September 8th. At the annual meeting lake district residents vote to approve the annual budget prepared by the board, vote specifically on assessment amounts, nominate and elect commissioners, and consider other business as presented. In addition to leading the efforts to establish a dam, the lake district would assume responsibilities for milfoil management from the current Lake Association.

Importantly, and in addition to proposing assessments to be voted upon by lake district members as part of the budget presentation at the annual meeting, the lake district board of commissioners has the ability to raise funds via financing or grants. As mentioned in the question about costs and funding, access to low interest loans and state grants can be one of the primary benefits of having a lake district in existence as neither of these are otherwise available to residents or to a Lake Association.

More detailed information about how a lake district board operates (powers and duties, budget management, meeting frequency, voting, commissioner term length, etc.) can be found in WI State Statute Chapter 33 (<https://docs.legis.wisconsin.gov/statutes/statutes/33/iv/21>).

If a dam were built, how much would it cost and how would it be funded?

The cost would be determined with the help of engineers who have done this type of work previously here in WI. The costs would be incurred in three primary areas – the administrative efforts to scope and manage the process/project, the construction, and the ongoing maintenance which will be relatively small compared to the one-time construction expense. Prior to having an engineering-informed cost estimate, the Dam Committee will be contacting other lake districts who have undertaken this process in order to better understand the range of costs that have been previously incurred. However, it is worth noting that there are many types of dams, each environment is unique, and the inflation costs of

construction are currently unpredictable, so there is a meaningful risk in attempting to estimate the realistic cost of a future dam based on the cost of one that has already been built elsewhere.

Funding sources include general tax levys, special charges levy, or assessments raised from lake residents and stakeholders who are part of the lake district, in addition to state grants that could fund up to 50% of the construction costs. Additionally, low interest loans are available to Lake districts which would enable construction to begin and for the costs to be paid over a period of up to 20 years.

According to WI State Statute Chapter 33, a general tax levy or special charges levy may not exceed a rate of 2.5 mills of equalized valuation as determined by the department of revenue. (1 mill is equal to \$1.00 of property tax levied per \$1,000 of a property's assessed value) For example, the maximum annual assessment for a property with an assessed value of \$250,000 would be \$250.

In general terms, based on conversations with those who have been through this before and the successful completion of other similar projects elsewhere in the state, it is believed that the costs would not be insurmountable and that they would likely be far less than the property value loss incurred if the lake were to no longer exist.

How can I help?

There are lots of opportunities to help out. As mentioned previously, the committee would love for you to join our effort. However, it is understood that not everyone has the time to make this commitment. Nonetheless, volunteering to help complete specific tasks in support of the process/project is also exceedingly valuable and will be increasingly important over time. In the near term, proactively asking questions, seeking facts to be informed, and sharing knowledge with friends and neighbors are all helpful actions. Finally, if you are not a member now, please join the existing Lake Association, attend meetings when you can and stay informed of our plans and needs. (For information on how to join or upcoming meeting dates, contact Denise Kohl at richard.denise.kohl@gmail.com)

How can I get more information and stay informed?

There are several ways to stay informed including; attending the Lake Association meetings and reading the meeting minutes that are distributed following each meeting via email; contacting one of the committee members (names and contact info listed below); staying attuned to the website; and of course, volunteering to join the work of the committee.

CMLPA Dam Committee Volunteers

Lynne Amundson	lmamundson@comcast.net
Kimberly Kayler	kimberly.kayler@aoeteam.com
Denise Kohl	richard.denise.kohl@gmail.com
Stephen McIntosh	wit38104@gmail.com
Holly Robbins	holly@thisisfolly.com
Pat Stangl	pstangl@stangllaw.com
Jake Steinberg	jls314ar@gmail.coms
Dave Tenner	ddtenner@gmail.com
Denny Toll	bbdwt@yahoo.com

Chapter 4

Forming a Lake District

This chapter explores the formation of public inland lake protection and rehabilitation districts – better known as lake districts or lake management districts. In some communities, lake districts operate side by side with voluntary associations. Most lake organizations share the goals of preserving and protecting their lakes but the abilities, authorities and structures of lake districts and voluntary groups can vary greatly. *See Chapter 1 for an overview of different lake organizations and Chapter 2 for information about initial strategies to follow when starting any lake organization.*

Are you considering forming a public inland lake protection and rehabilitation district around your lake? Are you a lake district commissioner or are you considering running for election as a new commissioner in an existing lake district? If any of these situations apply to you, this chapter and the next will help you understand how lake districts are created, how they operate, and what responsibilities these governmental bodies have and can undertake.



So What is a Lake District?

A lake district is a specialized unit of government designed to manage a lake or group of lakes. One of the major differences between a lake district and a lake association is a lake district's ability to tax property within the district. Since 1974, when Wisconsin passed legislation allowing the formation of lake districts, over 200 lake communities have formed lake districts.

Lake districts have a unique blend of powers and governance provisions tailored to fit the needs of local lake communities. A lake district is guided and operated by those that live in or own property in the district. A lake district's day-to-day operations are carried out by a board of commissioners composed of elected volunteers and local officials. The financial direction of the district is determined by district residents (electors) and property owners at an annual meeting. Unlike other governmental units, such as towns or sanitary districts, nonresident property owners have the right to vote and hold office in lake districts.

Lake districts in Wisconsin have tremendous opportunities to address lake and watershed management issues. The Wisconsin Legislature has consistently recognized their potential by giving lake districts legal standing, the ability to tax, and eligibility for cost sharing funds and other state assistance. Governmental units, including lake districts, enjoy the advantages of automatically being exempt from federal income tax.

One of the major differences between a lake district and a lake association is a lake district's ability to tax property within the district.

Unlike other governmental units, such as towns or sanitary districts, nonresident property owners have the right to vote and hold office in lake districts.

Since the 1970s, lake districts have shown that small public institutions can achieve remarkable results when it comes to lake management. A key to lake district success is a core of dedicated volunteer leaders willing to learn and work hard to maintain their lake. Through the work of these individuals, Wisconsin communities have identified and addressed threats to water quality, restored habitat, improved recreational boating and generally enhanced the vitality of inland lakes in the state.

Unlike a lake association, a lake district is a governmental body with statutory responsibilities to the resource, local citizens and taxpayers.

A lake district is not a club. Unlike a lake association, a lake district is a governmental body with statutory responsibilities to the resource, local citizens and taxpayers. Like all government entities, the powers and operations of a lake district are set by law with legal responsibilities and consequences designed to ensure that the rights and interests of the public are protected.

The laws governing lake districts can be found in chapter 33 of the Wisconsin State Statutes. Those legal questions that lake districts may have which are not addressed in Chapter 33 are often covered under the same body of municipal laws that govern Wisconsin towns and counties.

Statutory Responsibilities

Various laws have been enacted to encourage good government in Wisconsin. These laws include ethical standards for government officials, requirements for all meetings to be open to the public, and guaranteed access to public records. Lake district commissioners as well as residents within a district should make sure they fully understand the public obligations undertaken by those serving on the board of commissioners. For more information see:

Ethics for local government officials:	Wis. Stat. § 19.59
Open meetings:	Wis. Stat. § 19.81-19.98
Public records:	Wis. Stat. § 19.31-19.39

To assist communities and governmental bodies in meeting the requirements of these laws, the Wisconsin Attorney General's Office (Department of Justice) produces compliance guides and resources on open meetings and public record requirements.

These are available from:

Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707-7857
Phone: 608-266-1221
www.doj.state.wi.us





Good Idea

Forming a lake district is a complex and extensive process which often requires a certain understanding of a variety of laws and legal concepts. Some lake districts have formed with little or no legal assistance. Others have opted to retain some level of professional help. You should consider whether you feel comfortable trying the process alone or if you should obtain some level of professional or legal advice and assistance. There may be someone within your proposed district who has the needed skills and willingness to assist.



Definition of Public Lakes

In Wisconsin, lake districts may only form on lakes that are publicly accessible. Lake districts are formed to undertake the protection, rehabilitation and recreational improvement of all or part of one or more “public inland lakes.” A “public inland lake” is a lake, reservoir or flowage within the boundaries of the state that is “accessible to the public via contiguous public lands or easements giving public access.” The access need not be developed with docking, launching or parking facilities. If a public user can reach the lake without trespassing on private land, the lake is a public inland lake.

Lake districts may only form on lakes that are publicly accessible.

Wis. Stat. § 33.01(8)



General Principles on Boundaries

Once you have decided to go ahead with the official process of forming a lake district, you will need to consider what lands should be included in the district boundaries. The larger the district, the better opportunity you have to include properties that can impact the lake. As you get further from the lake, you lessen the likelihood that folks will perceive themselves to be associated with the lake and therefore may be less interested in supporting a lake district. Deciding the initial boundaries is often a balancing act. Suggestions for working out lake district boundaries are given in the box on the next page.

The organizers typically make the initial decision on the proposed boundaries of a lake district. The final decision is made by the county or town, and the boundary is established when the official order to establish the district is adopted.



Good Idea

Suggested inclusions for a lake district:

- Include all riparian parcels (those touching the water), because they are the most directly benefited from the lake
- Include parcels which are not on the lake but their use is assumed to be benefited by the proximity of the lake (recreation-oriented businesses, marinas, hotels, etc.)
- Include all of the territory to be included in any proposed service area (for example, where sewer or water utility service is contemplated)
- Include properties that have deeded lake access or shared access lots
- Include parcels whose characteristics or location are linked to the lake (for example, businesses that rely on the lake)
- Include entire parcels of land as they are listed on the tax roll. (This is necessary, since taxes and special assessments must be levied on whole tax parcels. There is no mechanism to allocate tax on a parcel that is only partly within the district)



Developing Proposed Boundaries

The tax listing office in your county courthouse maintains large-scale maps showing tax parcels and it is a good place to start to develop a proposed district boundary. County mapping or land information departments may also be good places to obtain maps and tax parcel information. Your county Land and Water Conservation Department may be able to help sketch a map of the lake's watershed or drainage basin. Knowing what lands drain to the lake, viewing the road system surrounding your lake, and having a knowledge of the numbers of properties that could potentially be included in your proposed district are valuable pieces of information to be considered when defining lake district boundaries. *See Appendix C for a sample map and description of proposed boundaries.*

District Size

A larger district with more homes is able to spread the costs of lake management activities over a larger tax base and include more of the watershed area that affects the lake. However, a larger district may also mean more difficulty in organizing and reaching consensus on issues. A smaller district may not include all of the areas affecting the lake, but is typically easier to organize. If need be, district boundaries can be changed after they have been formed (*see Changing Lake District Boundaries, page 82*).

The Laws on Boundaries

The law provides only limited guidance on boundaries for lake districts:

- The district may only include territory found to be benefited by the establishment of the district *(see box on page 51)*.
- The district may not include any portion of a city or village without the approval of the city council or village board.

Wis. Stat. § 33.26(3)

Wis. Stat. § 33.24(2)



Formation Process

Typically, lake districts are formed by the action of county boards in response to a petition from landowners wishing to form a lake district. In some cases, lake districts can be formed by a town board receiving a petition through the same process, but only if the entire frontage of the lake is included within the town. Lake districts can also be formed by resolutions adopted by city councils or village boards or through the conversion of sanitary districts *(for details see page 56)*.

A lake district can be formed in any one of four ways:

- By landowners petition to the county board
- By landowners petition to the town board
- By resolution of municipal governing body
- By conversion of a sanitary district

Wis. Stat. § 33.23(1)

Districts Created by County Boards

In this section we will focus on the most common process for lake district formation – a petition to the county board from landowners wishing to form a lake district. Although this is by far the most common method of lake district formation, a town board may play the role of the county board by receiving the petition and establishing the district when the lake is located totally within its town boundaries *(see Districts Created by Town Boards, page 55)*. (A lake community wishing to form a lake district which is located totally within a single town may opt to petition the county board or the town board.) When a lake extends across several communities, the petition must be sent to the county board.



Key Point



Wis. Stat. § 33.24

Organizing districts within city or village limits

If the proposed district includes any lands that are within a city or village, the petitioners must approach the city council or village board to negotiate inclusion of all or part of its territory within the proposed district.

The city or village may decide on one of three options.

- Vote not to include its lands within the proposed district. In this case the city or village territory could not become part of the district.
- Vote to give its permission to allow all or part of its territory to be included within the proposed district. In this case, petitioners could approach landowners within the city or village for petition signatures.
- Vote to give its permission to allow all or part of its territory to be included within the proposed district and sign the petition on behalf of all landowners within its jurisdiction (*see An Alternative to Individual Signatures, page 47*).

Wis. Stat. § 33.25(1)

There are no clear guidelines as to whether you should approach landowners in the city or village for petition signatures before or after approval by city council or village board. If approval is granted, it is a good idea to ask for a copy of the approval from the city or village for your records.

Wis. Stat. § 33.37

Organizing districts across county lines

When the proposed district lies in more than one county, the law gives jurisdiction for receiving the petition to the county with the highest equalized valuation within the proposed district.

The Petition Process

Making sure that people can make an informed decision is vital to the lake community and the whole process of petitioning. If people agree that what you are proposing is best for the lake and lake community, they will be more likely to support your efforts.

There are a few steps you might consider even before you start the petition process. Build a relationship with local units of government and any other key groups and individuals. Arrange a visit, ask them about their lake concerns, tell them what you are considering and why you think it is a good idea. Ask for ways you can help make their work easier and work together. If a city or village may become part of your district, you will need to request their approval (*see Organizing districts within city or village limits, page 40*). You will need to be able to articulate why a lake district will be an asset to the local unit of government.

In circulating the petition, it may be helpful to include a cover letter with the petition describing what a lake district is and why you feel a lake district will be beneficial for the lake, property owners, residents and the lake community.


Key Point


A petition to form a lake district must include:

- The proposed name of the district
- Statements about the necessity and benefit of the district
- A description of the boundaries of the proposed district
- A plat or sketch indicating the approximate area and boundaries
- Signatures of petitioners
- Verification of the signatures

Each of the petition components is described in detail below.

Wis. Stat. § 33.25

Proposed Name of the District

Wisconsin Statutes do not require a lake district to include “Public Inland Lake Protection and Rehabilitation District” or “Inland Lake District” as part of its official name, although many districts are named as such. Some lake districts prefer a simpler name, such as the *Blue Lake District*. The petitioners propose a name, but the county (or municipal) board that establishes the district actually gives the district its name.

Wis. Stat. § 33.26(3)

Statements

The petition needs to set forth specific information:

- That the proposed district is necessary.
- That the public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district.
- That the lands to be included will be benefited by such establishment.

Wis. Stat. § 33.25(2)

Describing the Boundaries

The initial boundaries of the proposed district need to be described accurately. It is important that boundaries be clearly stated and easily identifiable. In describing the boundaries, it is important to use landmarks that last over time, such as section lines or parcel boundaries, so that future generations can accurately locate the district boundary should the need arise. You may consider engaging a professional to write a description of the proposed boundaries. Some groups petitioning for the formation of a lake district have submitted a listing of tax parcel numbers.



Good Idea

It is recommended that you talk with staff of the county government who will be receiving the petition and ask them what they will need in regards to describing the district boundaries. Many counties use parcel identification numbers (PIN) or property identification numbers that you may be able to use to describe the properties in the proposed district. Often, listing the parcel numbers can help with mapping the lands proposed for inclusion in the district as these numbers often form the basis for county and local government mapping systems.



See Appendix C for a sample description of lake district boundaries.

Plat/Sketch

A plat or sketch is required to indicate the approximate area and the boundaries of the proposed district. With current mapping technologies available to many counties and local governments, obtaining and using an accurate map of the lands proposed to be included within the district may be a straightforward task. Visit with your county land information or mapping department or register of deeds office to see if they can assist you in obtaining or creating such a map. The map should be used to show the proposed lake district boundary in as accurate a manner as possible. *See Appendix C for a sample map.*

Wis. Stat. § 33.25(3)

Signatures

The petition should include lines for signatures and addresses for the landowners. Each page of signatures should have a verification component, which includes a signature line for the petitioner who is certifying the petition (*see Verification, page 47*). The petition may be reproduced on several separate sheets for convenience in circulation. Some districts add the name of the circulator on each page that they distributed. A sample petition is included below.

Sample Petition

page 1

PETITION TO ESTABLISH _____ DISTRICT

We, the undersigned landowners (the “Petitioners”) hereby petition the Board of Supervisors of the County of _____ to establish a public inland lake protection and rehabilitation district, pursuant to the authority vested in Chapter 33, Wisconsin Statutes, and state that:

1. The district, if established, shall be known as the _____ District (“The District”).
2. The District is necessary.
3. Establishment of The District will promote the public health, comfort, convenience, necessity and public welfare.
4. The lands to be included within The District will be benefited by the establishment of The District.
5. The boundaries of the proposed district are as follows:

Beginning at the intersection of Upper Red Lake Road and County Road G being the NE corner of the Southeast ¼ of the Northwest ¼ of Section 34 T.28N R.14E and the Point of Beginning; Thence in a Southerly direction on an imaginary line to a point which is on the south side of Hill Street Section 3 T.27N R.14E.; Thence Easterly along...

The boundaries of the land described above are shown on plat/sketch shown in Exhibit 1, attached hereto, indicating the approximate area and boundaries of the proposed district.

See Appendix C for a sample map and description of lake district boundaries.

Sample Petition

page 2

The persons signing this Petition requesting the Board of Supervisors of _____ to establish _____ District state that they own land, or are authorized to sign on behalf of entities owning land, within the boundaries of the proposed district.

<u>Signature*</u>	<u>Name</u>	<u>Property Address</u>	<u>Date</u>	<u>Parcel ID Number**</u>
<i>John Smith</i>	John Smith	123 Lake Rd.	6/6/06	03 83 4 42 00000
<i>David Bell</i>	David Bell	456 Lake Rd.	6/6/06	03 83 4 42 00010
<i>Mary Bell</i>	Mary Bell	456 Lake Rd.	6/6/06	03 83 4 42 00010
<i>James Murray</i>	James Murray	789 Lake Rd.	6/7/06	03 83 4 42 00020
<i>Susan Murray</i>	Susan Murray	789 Lake Rd.	6/7/06	03 83 4 42 00020
<i>Michael Mason</i>	Michael Mason	1 West Shore Dr.	6/7/06	03 83 4 43 00000
<i>John Meyer</i>	John Meyer	2 West Shore Dr.	6/9/06	03 83 4 43 00050
<i>Mary Fee</i>	Mary Fee	2 West Shore Dr.	6/9/06	03 83 4 43 00050
<i>Carl Hill</i>	Carl Hill	2 West Shore Dr.	6/9/06	03 83 4 43 00050
<i>John Wilson</i>	John Wilson	6 West Shore Dr.	6/9/06	03 83 4 43 00045
<i>Ted Williams</i>	Ted Williams	708 Sunset Ln.	6/9/06	03 83 4 43 10002
<i>George Olson</i>	George Olson	710 Sunset Ln.	6/15/06	03 83 4 43 10003
<i>Ryan Peters</i>	Ryan Peters	712 Sunset Ln.	6/15/06	03 83 4 43 10006
<i>Kyle Adams</i>	Kyle Adams	756 Sunset Ln.	6/15/06	03 83 4 43 10026
<i>Robert Jones</i>	Robert Jones	802 Sunset Ln.	6/15/06	03 83 4 43 10035

Circulated by***: _____

I, (name), being duly sworn, state that I am the person described herein and hereby certify that the signatures on the petition attached hereto are true and correct to the best of my knowledge.
 _____ (signature of person certifying petition pages)

STATE OF WISCONSIN ss.

COUNTY OF _____

Subscribed and sworn to this ____ day of _____, 200__.

_____ (signature of notary public)

Notary Public, State of Wisconsin

My Commission Expires _____.

* The signature is the only required element of the petition, but it is a good idea to include other information to help the county determine if the petition has enough eligible signatures.

** May be referred to as a Property ID Number or Tax Parcel Number or something similar. This is not a required element of the petition. If your municipality has a numeric coding system in place, it can be an easy way to identify specific parcels of land and locate them on a map.

*** Some lake districts find it helpful to include a line on the signature pages indicating who circulated each page, for ease in tracking the petition drive. Each petition page will still need to be certified in front of a notary by the person verifying the entire petition.

Number of Signatures Required

In order for a county board to create the lake district, the petition must be signed by either:

- 51% of the owners of land within the proposed district, or
- the owners of 51% of the land area within the proposed district

Wis. Stat. § 33.25(1)

Typically lake districts are formed by petitions signed by 51% of the owners of land. Occasionally, where a few large properties comprise most of the proposed area, it is possible that the petition can be signed by the owners of 51% of the land area.

Who Signs the Petition?

The petitioners need to determine that the petition includes the required number of signatures (at least 51%). Only certain owners of land are qualified to sign a lake district petition:

- Each person whose name appears as an owner of real property on the previous year's tax roll¹ is qualified to sign.
- The spouse of a person named on the previous year's tax roll² is eligible to sign the petition, provided that the spouse is "referred to on the tax roll." For example, some tax rolls include the terms "John Smith and spouse" or "John Smith et ux," which refer to the spouse even though that person is not explicitly named.
- Ownership of more than one parcel of real estate within the proposed district does not entitle the individual to sign more than once. An individual signs the petition only once for all of the parcels he or she may own within the proposed district
- A partnership, corporation, trust, foundation, association or local unit of government is treated as a single owner of property entitled to one petition signature. In these cases, the petition must be signed by the authorized representative.³ State and federal governments are not eligible to sign the petition.

Wis. Stat.
§ 33.01(9)(am)(1)

Wis. Stat.
§ 33.01(9)(am)(2)

Wis. Stat. § 33.25(1)

In the case of condominiums or shared access lots, only those people whose name(s) appear on the tax roll are eligible to sign.

Example determination of the number of eligible signatures for each property:

<u>Name on Tax Roll</u>	<u>Number of eligible signatures</u>
John Smith	1
David and Mary Bell	2
James Murray <i>et ux</i>	2 * (includes wife)
Michael Mason et al	1 **
John Meyer, Mary Fee, Carl Hill	3
Wilson Family Foundation	1
Williams Revocable Trust	1
George and Judith Olson Trust	1 ***
J&M Partnership	1
Adams LLC	1
Co-Tech Inc.	1
Total eligible signatures	15

* an abbreviation for the Latin term “et uxor” meaning “and wife.” Used in deeds and tax rolls

** only persons specifically referred to on the tax roll can sign

*** only one person can sign for a trust



Good Idea

To meet the 51% of the owners requirement, it is helpful to first count the potential number of eligible signatures in the proposed district, and then calculate the minimum number of signatures you will need. In counting potential eligible signatures, remember that a name which appears on the tax roll more than one time (someone who owns more than one piece of property) can only be counted as one potential signature for purposes of the petition.



Good Idea

The purpose of the petition is to determine whether a majority of property owners support the formation of the district. Even though 51% is the legally required minimum, it stands to reason that the larger the percentage of petitioners that support the formation of a district, the more likely the county board will support the wishes of the petitioners. The number of signatures gathered is a reflection of the community support for the formation of the proposed district—which will be important at the public hearing on the proposed district formation.

The number of signatures gathered is a reflection of the community support for the formation of the proposed district.

Obtaining only 51% percent of needed signatures may not be sufficient because some signatures may end up not being accepted as valid. Such occurrences can diminish the number below the required 51%, preventing the county from considering or establishing the district.

It does not matter whether the qualified signers move out of the district or are not living when the petition is considered, provided their names appear on the tax roll at the time the county board considers the petition. The law specifies that the applicable tax roll is the one used to prepare the previous year's tax bills.⁴



Good Idea

From a practical perspective, some signatures may become "stale" if the petitioning process extends from summer through winter and into spring; properties may be sold, title deeds changed, or trusts established that result in changes to the tax roll changing the validity of specific signatures. Gathering additional signatures beyond the specified 51% provides some "assurance" if the validity of specific signatures is denied due to a new tax roll having been published during the petitioning process.

An Alternative to Individual Signatures: As an alternative to obtaining the signatures of individual owners of land, city councils, village boards, and town boards may by resolution represent all persons owning lands within those jurisdictions and sign the petition on behalf of all qualified landowners.

Wis. Stat. § 33.25(1)

Verification



Key Point



One of the petitioners must verify that the petition and the signatures are true and correct to the best of his or her knowledge and sign under oath in the presence of a notary public.

The Wisconsin Court of Appeals upheld the following verification to a lake district petition.⁵

(Name), being duly sworn, states that he/she is the person described herein. This is to certify that the signatures on the petition attached hereto are true and correct to the best of his/her knowledge.

The verification component should be reproduced on each sheet of the petition. *See sample petition on pages 43-44.*

The same person needs to certify all signature sheets of the petition. This person need not be present when each individual actually signed the petition, but this person should have been in charge of the petition drive, and if petitions are returned by mail, this person should have directly received them.

Expense

The petitioning process will incur some cost. The initial expense of the petition process depends on many factors including the size of the proposed district and the effort involved in contacting landowners and circulating petitions. Typically the majority of these expenses are borne by the petitioners. If the lake district is formed, initial expenses incurred after formation can be covered from district funds (*see page 54*).

Presumption

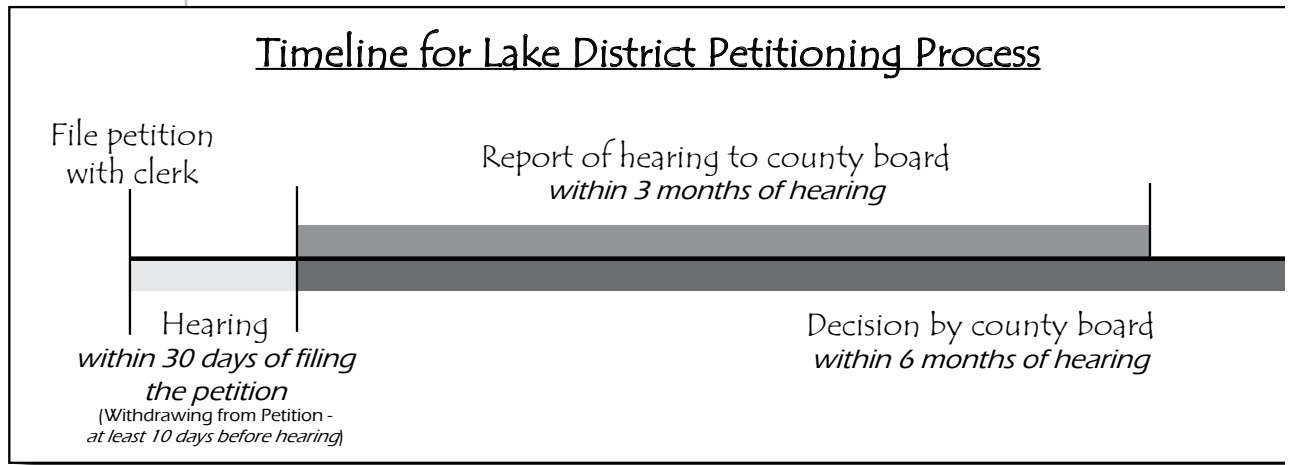
Wis. Stat. § 33.25(4) Every petition is presumed to have been signed by the person whose signature appears on it, until proven otherwise.

Filing the Petition

Wis. Stat. § 33.25 After it has been circulated and verified in the presence of a notary public, the petition is filed with the county clerk. Some lake district petitioners request the clerk to date-stamp a duplicate copy of the petition to confirm the filing date.

When a petition is presented which includes signatures of at least 51% of the owners or the owners of 51% of the land area in the proposed district, the county board must consider and act on the petition.

Once the petition has been filed, there are several actions which are required by law to take place within specified time periods. The maximum time frame for these occurrences are explained in the subsequent pages and marked on the timeline below.



Withdrawing from the Petition

A person who has signed a petition may withdraw from the petition by filing a written notice of withdrawal with the county clerk at least ten days before the hearing on the petition. A withdrawal, like the original petition, must be verified.⁶

Wis. Stat. § 33.25(5)

Hearing

The county board is required to appoint a committee to conduct a public hearing on the formation of a proposed lake district. Frequently, this committee is the committee of the county board tasked with land and water resource conservation. The hearing must be held within 30 days of the date the petition is filed with the clerk.

Wis. Stat. § 33.26(1)

Any person is entitled to appear at the public hearing and testify on matters pertinent to the formation of the proposed lake district. In addition, any person opposing the organization of the district may file objections with the county clerk prior to the date of the hearing.

Wis. Stat. § 33.26(1)

Notice of the Hearing

The county must:

- Publish notice of the hearing, stating the boundaries of the proposed lake district, in a newspaper of general circulation in the county. This is called a Class 1 notice.⁷ A map showing the proposed boundaries may be published, although this is not required.
- Mail notice of the hearing, stating the boundaries of the proposed lake district, to the last-known address of each landowner within the proposed district.
- At the time the hearing date is set, provide written notice of the hearing to the Department of Natural Resources.⁸

Wis. Stat. § 33.26(2)

Wis. Stat. § 33.26(2)

Wis. Stat. § 33.26(5)

Appointment
& Appeal
*within 30 days
of decision*

Organizational meeting of
initial lake district board
*within 90 days of decision
(unless appealed)*

Preparing for the Hearing



Good Idea

Whether you are in favor of the district or against it, it is a good idea to take some time to prepare for the hearing on the proposed district formation:

- Have prepared statements on why you feel the district will be advantageous or not for the lake and the community
- Be aware of possible reasons for support of, or opposition to the district and be prepared to speak to them
- Be ready to justify your reasons for including certain parcels or areas
- Be appreciative and listen to other concerns and opinions that may not coincide with yours
- Encourage people in the proposed district to attend the hearing



Report of the Hearing

Wis. Stat. § 33.26(3)

The committee is required to report its findings to the county board within three months of the hearing. Typically, these committee reports identify the time, date and place of the hearing; include information on persons who attended or testified at the hearing; summarize the verbal testimony presented at the hearing; describe written comments received from residents and other persons at or prior to the hearing; and set forth the committee's findings and recommendations on the petition to the county board.

Decision

Wis. Stat. § 33.26(3)

Within six months of the hearing, the county board is required to issue an order granting or denying the petition to form a lake district. The county board should take into consideration the committee's report, and may review other evidence relevant to the findings it is required to consider.



Key Point



Wis. Stat. § 33.26(3)

The county board is required to issue a decision based on these four findings:

1. That the petition is signed by the requisite number of owners
2. That the district is necessary
3. That the public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district
4. That the property included in the district will be benefited by the district's establishment

What does it mean for land to “benefit” from inclusion in a lake district?

The question of benefit is not a simple one. Generally, a county board’s finding that property to be included in a special district is “benefited” is considered to be a “legislative” decision. It is the kind of judgment and policy call that is entrusted to elected officials, taking into account their knowledge of the community.

The Wisconsin courts have broadly interpreted the “benefit” standard in cases involving lake districts and sanitary districts. The Courts have held that, where the lands proposed to be included within the district will benefit *as a whole*, the district can be formed.⁹ Parcels of land need not be excluded because the owner objects to inclusion.¹⁰ It is not required that each individual parcel of land be benefited or be located in the lake’s watershed. The county board need not examine parcels individually.

The Wisconsin Supreme Court considered the question of lake district “benefit.” *Donaldson v. Rock-Koshkonong Lake District*, 2004 WI 67. When the county board initially formed the lake district it concluded that the property proposed to be included in the district benefited. Years later, an owner petitioned the lake district board of commissioners to “detach” his property from the district. The lake district board rejected the petition because the landowner conceded that there had been no change in circumstances since the county board had made its formal finding that the land within the district’s proposed boundary would be benefited by the establishment of the district. The Court of Appeals agreed with the district, holding that detachment could only be granted when a petitioner can show a change in circumstances since the district was established.

The Supreme Court disagreed. Its decision was based on its conclusion that the county board had not examined each and every parcel to make its benefit determination when it created the lake district. The Court held that when an owner petitions to detach his property, the lake district board must determine whether the particular parcel is “benefited by continued inclusion” in the district, unless the county board made a “particularized” determination on the parcel. The Supreme Court’s decision recognizes the authority of lake district boards to determine whether property is benefited, but (in this case) found that the lake district board did not consistently apply criteria the district had established to determine “benefit.”



Boundary Changes

In issuing its order creating the district, the county board may remove lands proposed in the petition. However, new lands can only be added if another public hearing is held and owners of the property in the proposed addition have received notice of the hearing.

Wis. Stat. § 33.26(6)



Good Idea

Boundary changes should only be made at the edge of the district. Deletions should not create holes in the district and noncontiguous property should not be added.

Adopting and Filing the Order

If the county board finds that the proposed district meets the four criteria *(see Decision, page 50)* for the creation of a lake district, it is required to:

- adopt a formal order which:
 - declares its findings
 - establishes the district's boundaries
 - gives the district a name
 - declares the district organized

Wis. Stat. § 33.26(3)

Upon adoption of this order, the district formation is legally complete.

- appoint four of the five members of the initial board of commissioners of the lake district, to include:
 - three owners of land within the district (at least one should be a resident of the district¹¹)
 - one member of the county land conservation committee (or someone nominated by the county land conservation committee)

Wis. Stat. § 33.27(1)

Wis. Stat. § 33.27(1)

Wis. Stat. § 33.28(2)(a)

The county clerk should notify the city, village or town with the largest assessed value of property within the district of their obligation to appoint the fifth representative to the board of commissioners within 30 days of the lake district's establishment.

Wis. Stat. § 33.27(2)

Denying the Petition

If the evidence does not support the formation of a lake district, the county board should deny the petition to form a district. The county board is required to issue an order stating why it is denying the petition. The county board's order should specifically state why the lake district could not be formed.

Wis. Stat. § 33.26(3)

Appeal

Any person aggrieved by the county board's action may petition for circuit court review within thirty days of the board's decision.

Wis. Stat. § 33.26(7)

Initial Board of Commissioners

When a county board finds in favor of creating a lake district, the county board is responsible for appointing four of the five initial board members. For districts created by county board order, the initial board of commissioners consists of:

- three owners of land within the district, appointed by the county board. At least one of the property owners should be a resident of the district.¹²
- one member of the county land conservation committee (or someone nominated by the county land conservation committee), appointed by the county board.
- one member appointed by the governing body of the town, village, or city having the largest assessed value of property in the district. This member must either be a resident of the district or a member of the governing body. If possible, this member should own property within the lake district.¹³

Wis. Stat. § 33.27(1)

Wis. Stat. § 33.27(1)

Wis. Stat. § 33.28(2)(a)

Wis. Stat. § 33.27(2)
Wis. Stat. § 33.28(2)(b)

Except for the commissioner from the land conservation committee and the commissioner from the town, village or city, the terms of these initial commissioners expire at the first annual meeting of the district.

What Next? The Life of a New Lake District

For lake districts created by county board order, the initial board of commissioners is charged with the responsibility of getting the district up and running and preparing for the first annual meeting. The initial lake district board of commissioners needs to:

- Ensure that a copy of the county board's order, along with a legal description of the district boundary, is recorded with the register of deeds office in each county where the lake district is located. The board may need to enlist the help of the county surveyor or another professional in preparing a legal description of the district boundary. *See Appendix C for a sample legal description.*
- Ensure that a copy of the order and a legal description of the district boundary is filed with the Wisconsin Department of Revenue¹⁴ and the Wisconsin Department of Natural Resources.¹⁵
- Hold an organizational meeting of the initial board within 90 days after the adoption of the county board's order. (If the county board's order is challenged in court, the organizational meeting may be postponed to a date not later than 60 days after the final judgment in any such appeal.) At the organizational meeting, the initial board of commissioners:
 - selects temporary officers from the initial board of commissioners to serve until the first annual meeting
 - commences conducting the affairs of the district.
- Set the first annual lake district meeting date (required to be between May 22 and September 8)

Wis. Stat. § 33.265

Wis. Stat. § 33.265

Wis. Stat. § 33.27(3)

Wis. Stat.
§ 33.30(2m)(b)
Wis. Stat.
§ 33.30(2m)(a)

- Prepare a proposed budget, agenda, ballots, and other materials for the annual meeting. (Approval of a budget and election of new commissioners need to occur at the annual meeting)
- Mail written notice at least 14 days in advance of the annual meeting to all residents and property owners within the district and to the Wisconsin Department of Natural Resources.¹⁶ Notice of the meeting must include the:
 - time
 - date
 - place
 - agenda, which includes a list of each item proposed for consideration at the meeting
 - proposed annual budget

For more detailed information on annual meetings, see Annual Meetings, page 70.



Good Idea

It is a good idea to talk with the clerk or treasurer of each town, village and city within the district to ensure that they have what they will need to correctly assess any tax authorized by vote at the annual meeting to the appropriate properties.

Wis. Stat. § 33.27(4)

The initial board of commissioners can expend necessary funds required to conduct the affairs of the district until the first annual meeting. Typically, these expenses include the costs of posting and mailing notice of the annual meeting to the residents (electors) and property owners of the district, costs associated with the noticing and recording of any board of commissioner meetings, and related administrative expenses. Generally, this initial board does not engage in the conduct of projects, although they may consider application for lake management grants or other items that involve local cost. The initial board of commissioners may recoup these costs through an initial assessment of all taxable property within the district.

Contact local government officials, your WDNR Lakes Coordinator, WAL, and the UW-Extension Lakes office to let them know you exist. The UW-Extension Lakes office can include you in the statewide directory, the *Lake List* (www.uwsp.edu/cnr/uwexlakes/lakelist).

Districts Created by Other Entities

Although the most common process for lake district formation is a petition from landowners to a county board, there are other ways that lake districts can be created.

Districts Created by Town Boards

If a lake is located totally within a single town's boundaries (except any portions outside the State of Wisconsin), the town board may play the role of a county board by receiving a petition from landowners wishing to form a lake district. If a lake extends across several towns, however, the petition must be sent to the county board (*see Districts Created by County Boards, page 39*).

Wis. Stat. § 33.23(1)

When a petition is submitted to a town board, the process is the same as when a petition is submitted to a county board, with the following exceptions:

Wis. Stat. § 33.23

- the town clerk performs the functions of the county clerk
- the town board performs the functions of the county board
- the town board is required to conduct the hearing
- when a town finds in favor of creating a lake district, the town board serves as the board of commissioners, similar to lake districts created by city or village resolution.

Since the town board serves as the board of commissioners, the town board is charged with the responsibility of getting the district up and running, preparing for the first annual meeting, and conducting the subsequent affairs of the lake district. These districts are otherwise governed like other lake districts, with an annual meeting of electors and property owners determining the district's budget and tax levy.

The lake district members can petition the town board to allow for the election of lake district members as commissioners. For an election of the board of commissioners to occur, a petition requesting that form of governance must be filed with the town. That petition must be signed by at least 20% of property owners within the district. Upon presentation of such a petition, an election must be held at the next annual or special meeting of the district, whichever occurs first. In that case, the new board of commissioners will consist of elected representatives as well as two appointed representatives, one from the county and one from the town (*see Board of Commissioners, pages 63-66*).

Wis. Stat. § 33.23(3)

Districts Created by Cities or Villages

Wis. Stat. § 33.23(1)

A city or village may establish a lake district by a simple resolution, provided that all the frontage of the lake is within the city or village, (except any portions outside the state of Wisconsin).

A petition of property owners is not required for the creation of a district by a city council or village board. The resolution establishing the district is adopted in the same manner as resolutions for other municipal business. The law does not require a public hearing to be held in connection with establishing the district. However, most incorporated municipalities do schedule a public hearing or informational meeting on creation of a lake district in order to provide an opportunity for public comment, in the interest of fairness and open government.

When a district is established by a city or village, the city council or village board generally serves as the board of commissioners. These municipal districts are otherwise governed like other lake districts, with an annual meeting of electors and property owners determining the district's budget and tax levy.



Good Idea

In situations where the governing body of a city or village serves as the board of commissioners of a lake district, they sometimes consider establishing a citizen advisory committee or other structure to include citizen input.

Wis. Stat. § 33.23(3)

The city council or village board is required to provide for an election of the board of commissioners if a petition requesting that form of governance is filed. The petition must be signed by at least 20% of property owners within the district. Upon presentation of such a petition, an election must be held at the next annual or special meeting of the district, whichever occurs first. In that case, the new board of commissioners will consist of elected representatives as well as two appointed representatives, one from the county and one from the city or village (*see Board of Commissioners, pages 63-66*). The new board of commissioners will become effective immediately after the election (unless there is a challenge to the election results initiated in circuit court within 14 days of the election).

Districts Created by Conversion of a Sanitary District

Wis. Stat. § 33.235

Sanitary districts may be converted into "restructured districts" to allow district members to have direct input into the district by voting at annual meetings.

Although a lake district may only be formed on a lake that is accessible to the public, there is no such restriction for a sanitary district, consequently, a restructured district created by conversion of a sanitary district does not carry the requirement that the lake be accessible to the public. *For more information on sanitary districts, see Chapter 6.*

When the Sanitary District Encompasses All the Frontage

If the sanitary district encompasses all the frontage of a lake, the town board may, by resolution, convert the sanitary district into a restructured district with the same boundaries. The restructured district automatically assumes all the rights and liabilities of the sanitary district.

The sanitary district commissioners serve as the initial board of commissioners until the first annual meeting of the restructured district, at which time three (or five if approved at the annual meeting) commissioners are elected and two commissioners are appointed (one each by the county and town), as for any other lake district (*see Board of Commissioners, pages 63-66*).

Wis. Stat.
§ 33.235(1m)

When the Sanitary District **Does Not** Encompass All the Frontage

If the sanitary district **does not** encompass all the frontage of a lake, the commissioners of the sanitary district may (with approval of the town board) petition the county board for conversion of the sanitary district into a restructured district. The restructured district includes all of the territory of the pre-existing sanitary district and any additional frontage on the lake deemed appropriate by the commissioners. The commissioners may sign the petition for the landowners within the existing sanitary district, while the owners of the additional lands would be invited to sign the petition in the same manner as required for the formation of a new lake district by a petition. This petition would then be presented to the county board and considered in the same manner as a petition to create a new lake district (*see Districts Created by County Boards, page 39*).

Wis. Stat. § 33.235(2)

Wis. Stat. § 33.25

A restructured district created by a county board assumes all the rights and liabilities of the pre-existing sanitary district, but the method of apportioning the rights and liabilities within the restructured district must be set out in the county board order creating the district.

Wis. Stat. § 33.235(2)



Endnotes

Wis. Stat.
§ 33.01(9)(am)

¹ The tax roll delivered on or before the 3rd Monday in December of the previous year.

² Ibid

³ Signature power can vary greatly in these cases. Whenever an entity other than an individual is the owner of land, care should be taken to ensure the petition is signed by an official representative, officer or employee who is authorized to sign on behalf of the entity.

Wis. Stat.
§ 33.01(9)(am)

⁴ The tax roll delivered on or before the 3rd Monday in December of the previous year.

⁵ Nielsen v. Waukesha County Board of Supervisors, 178 Wis.2d 498, 504 N.W.2d 621, (Ct. App. 1993).

⁶ Ibid

Wis. Stat. § 985.07

⁷ Class 1 notice – A legal notice published in a newspaper that is required to be inserted one time.

⁸ Hearing notice should be sent to the Wisconsin Department of Natural Resources, Lakes Management Section, 101 S. Webster Street, Box 7921, Madison, WI 53707-7921

⁹ Haug v. Wallace Lake Sanitary District, 130 Wis.2d 347, 387 N.W.2d 133 (Ct. App. 1986).

¹⁰ Fort Howard Paper Company v. Town of Ashwaubenon, 250 Wis. 145, 26 N.W.2d 661 (1947)

Wis. Stat. § 33.27(1m)

¹¹ If no resident is willing to serve, this requirement is waived.

¹² Ibid

Wis. Stat. § 33.28(2)(d)

¹³ If the district includes a lake controlled by a dam that is not located in the town, village, or city within which the largest portion by valuation of the district lies, then the governing body that would normally make an appointment can defer to the governing body of the town, village, or city within which the dam is located. The person appointed shall be a resident of the district who owns property within the district if possible or shall be a member of the governing body of the town, village, or city within which the dam is located.

¹⁴ Wisconsin Department of Revenue, Local Government Services, Box 8971, Madison, WI 53708

¹⁵ Wisconsin Department of Natural Resources, Lakes Management Section, 101 S. Webster Street, PO Box 7921, Madison, WI 53707-7921

¹⁶ Ibid

Chapter 5

Operating a Lake District

A lake district is a special purpose unit of government with powers focused on lake management and the provision of services to property located within its established boundaries. A lake district operates on its own, independent of its creating entity, in accordance with its statutory powers.

Wis. Stat. § 33.21
Wis. Stat. § 33.22

The laws governing the formation and operation of lake districts can be found in Chapter 33 of the Wisconsin State Statutes. Those legal questions that lake districts may have which are not addressed in Chapter 33 are often covered under the same body of municipal laws that govern Wisconsin towns and counties.

Lake districts can work cooperatively with other government bodies and private organizations to carry out authorized activities. Wisconsin local governments (including lake districts) have broad powers to undertake cooperative efforts with other government bodies and Indian tribes. For example, some lake districts construct and operate public sewer systems within their boundaries and jointly own and operate wastewater treatment plants with adjacent cities or villages. Other lake districts work cooperatively with counties or other government bodies on boating law enforcement, erosion control, and other programs important to the lake or its watershed. Lake districts can also work cooperatively with nonprofit organizations on conservation projects beneficial to the lake and the district's mission.

Wis. Stat. § 66.0301

Wis. Stat. § 33.22(4)(r)



General Management

Activities

Lake districts can conduct a broad range of activities to manage and enhance the lake or lakes they are organized around. Some typical activities include:

1. Understanding the lake's water quality and its ecosystem by:
 - Monitoring water quality
 - Inventorying and monitoring aquatic plants
 - Mapping the lake's watershed
 - Identifying pollution sources
 - Developing long range lake management plans
2. Protecting lake habitat through:
 - Educational efforts
 - Wetland restoration
 - Acquisition of land or conservation easements to protect sensitive areas
 - Erosion control programs
 - Invasive or nuisance aquatic plant management programs (like harvesting, chemical treatment and education)

Wis. Stat.
§ 33.22(2)(m)

3. Maintaining water levels through dam ownership and/or operation
4. Enhancing recreational boating and boater safety through:
 - Boating ordinances
 - Operation of water safety patrols
 - Boating safety classes
 - Developing water trails
 - Developing informational/educational tools (such as boat landing signs, brochures, or maps)
5. Providing public services such as:
 - Sewer and water
 - Solid waste/recyclable collection

Powers

Wis. Stat. § 33.22(1)
Wis. Stat. § 30.30(4)(a)
Wis. Stat. § 33.32
Wis. Stat. § 33.31

The legislature has given lake districts a broad range of financial and administrative powers to undertake lake management programs. All lake districts have been granted the power to:

- Levy taxes and impose special charges and special assessments
- Borrow money
- Disburse money
- Make contracts
- Accept gifts
- Buy, hold, and sell property
- Undertake projects to enhance recreational uses, including recreational boating facilities (such as boat launches or breakwaters)
- Sue and be sued
- Take other acts necessary to carry out a program of lake protection and rehabilitation

Specialized Powers

The following powers require special authorization from electors (resident voters) and property owners at an annual meeting or from other local government bodies:

Public Water and Sanitation Programs

Wis. Stat. § 33.22(3)(b)

The electors (resident voters) and property owners at the annual meeting can authorize a lake district to exercise some or all of the statutory powers of a sanitary district, which chiefly relate to sewer and water systems.¹ Some of the most important of these are the authority to: (1) require the inspection of septic systems; (2) provide financial assistance for the replacement of failing private septic systems; and (3) plan, construct and operate public sewer or water systems.

Wis. Stat. § 60.77

A lake district that has been granted the powers of a sanitary district continues to exercise its own lake district financing powers and does not assume authority to levy additional taxes.



Key Point



The exercise of sanitary district powers are often complex undertakings that require professional legal and engineering assistance.

Recreational Boating Regulations

All lake districts have the authority to establish water safety patrols and contract with certified law enforcement officers to enforce state boating laws and any local boating ordinances that affect the lake. Lake districts that operate water safety patrols are eligible for state aid. *(For more information on state aid for water safety patrols, see www.dnr.wi.gov/org/caer/cfa/Grants/safetypatrols.html).*

Wis. Stat. § 30.79(2)

Wisconsin law generally gives towns, villages and cities the authority to enact local boating regulations. In some communities, this power has been delegated to a lake district. For a lake district to enact a boating ordinance, it must be authorized by resolutions adopted by at least one-half of the cities, villages and towns having frontage on the lake, the approving units of government must include at least 60% of the lake's frontage, and the entire lake must be within the district's boundaries.

Wis. Stat.
§ 30.77(3)(am)(1)

Whether a boating ordinance is adopted by a lake district, city, village or town, various statutory requirements must be met. The adopting local government (including a lake district) must take into account local conditions in developing boating ordinances, including the lake's size and shape, environmental features and the extent of congestion and conflict among boaters. There are also detailed procedural requirements, including published notices, public hearings, DNR advisory review and other steps.

Wis. Stat.
§ 30.77(3)(cm)

The Legislature has expressly authorized boating regulations that restrict speed or establish time or location standards for different types of boating activities. Boating ordinances may not be inconsistent with state boating law, but may generally be more restrictive than state laws. If a lake district enacts boating ordinance provisions that conflict with town, village or city boating ordinances, the lake district provisions supersede the local conflicting provisions. Local boating ordinances may be enforced by citations, similar to "traffic tickets."

Wis. Stat.
§ 30.77(3)(cr)



Good Idea

Lake districts considering a boating ordinance should work with an experienced attorney to make sure that the proposed regulations are realistic, enforceable and do not run afoul of the constitutional interests of boaters.



For more information on the subject of boating, see *How's the Water? Planning for Recreational Use on Wisconsin Lakes & Rivers* and *Local Boating Regulation in Wisconsin: A Guide for Lake Management Organizations* (see *Appendix D* for ordering information).

Seaplanes and Icebound Waters Regulations

Wis. Stat. § 30.78

Wis. Stat. § 30.81

All local governments (including lake districts) may enact ordinances to regulate seaplanes and travel on icebound lakes by boats and other craft, including snowmobiles and other motor vehicles. A lake district may enact icebound waters ordinances only if the entire lake is within its boundaries and each town, village and city on the lake has adopted a resolution authorizing the lake district to do so.

Conservation Initiatives

Wis. Stat. § 33.22(4)(r)

Wis. Stat. § 281.69

Wis. Stat. § 23.0915

All lake districts have authority to acquire land and other interests in property. If authorized by electors (resident voters) and property owners at an annual meeting, a lake district may also appropriate money for use by nonprofit organizations to undertake conservation efforts that benefit the district. For example, some lake districts work closely with nonprofit organizations to protect wetlands and other open space lands through acquisition of land or conservation easements that contribute to the lake's ecosystem. State funds are available for some of these activities through the lake management grant program or the Knowles-Nelson Stewardship Fund, a program aimed at the acquisition and protection of land for nature-based outdoor recreation purposes. For more information on conservation initiatives, see www.gatheringwaters.org or www.dnr.state.wi.us.



Key Point

The authority to govern a lake district is shared by the board of commissioners and the electors (resident voters) and property owners at the annual meeting. The board of commissioners has general responsibility for conducting the business of the district. The district's electors and property owners control major policy matters by electing commissioners, setting the annual budget and exercising other powers at an annual or special meeting.

Wis. Stat. § 33.28

Wis. Stat. § 33.30

Wis. Stat. § 33.305

When a new lake district is created by a county board, the board appoints an initial board of commissioners to operate the district until the first annual meeting. City councils or village or town boards do not need to appoint any commissioners because the members of the governing body themselves serve as lake district commissioners (unless a petition requesting the standard form of lake district governance is presented). *For more information on initial boards of commissioners, see Initial Board of Commissioners, page 53.*

Wis. Stat. § 33.23

Board of Commissioners

Composition

Five commissioners: Most lake districts have five commissioners. Three members are elected from the residents or property owners within the district. The other two commissioners are appointed by the local units of government. One of the appointed members is selected by the county board of supervisors. (If the district includes territory in more than one county, this appointment is made by the county with the highest equalized valuation in the district). The other appointed member is selected by the governing body of the town, village or city with the highest valuation in the district.

Wis. Stat. § 33.28(2)

Seven commissioners: The electors (resident voters) and property owners at the annual meeting may choose to permanently increase the number of elected commissioners from three to five to provide for a seven-member board of commissioners. Although the law does not set forth a detailed procedure for approving the expansion to a seven-member board, it is a good idea to put the proposal in the form of a written resolution (rather than just a motion) for consideration at the annual meeting. *More information on resolutions and motions can be found in Robert's Rules of Order, see www.robertsrules.com or Appendix D.*

Wis. Stat.
§ 33.28(2m)(a)

Board of Commissioners for Districts Created by Towns, Villages or Cities

In districts created by a city council or village board, the city council or village board constitutes the board of commissioners. *See Districts Created by Cities or Villages, page 56.* However, these districts must convert to the standard lake district commission (with the elected and appointed membership described above) if a petition requesting that form of governance signed by at least 20% of the property owners within the district is presented.

Wis. Stat. § 33.23

Although town boards can also create lake districts, they may do so only upon presentation of a landowner petition. *See Districts Created by Town Boards, page 55.* When a town board establishes a lake district, the board itself constitutes the district's board of commissioners.

All municipally created districts (city, village, and town) must convert to the standard form of lake district governance (with the elected and appointed commissioners described above) if a petition is presented that is signed by at least 20% of the property owners within the district.

Wis. Stat. § 33.23



Good Idea

Where a city council or a village or town board serves as a lake district board of commissioners, they often establish a citizen advisory committee to provide for more direct involvement of district residents and property owners.

Elected Commissioners

Wis. Stat. § 33.01(9)(b)
Wis. Stat. § 6.10

Qualifications: To serve as an elected lake district commissioner, a person must be a U.S. citizen, eighteen years of age or older, and either an elector (resident voter) or an owner of property within the district. In order to qualify as an elector, a citizen must be a resident of the district. A person who is an official representative of an organization which is an owner of property may hold office as a commissioner even though the person does not own property within the district or qualify as an elector.

Wis. Stat. § 33.285

Wis. Stat.
§ 33.28(2m)(b)

At least one commissioner must be a district resident, unless no resident is willing to serve. If no resident is willing to serve, this requirement is waived until the end of that term.

Wis. Stat. § 33.28(2)(c)

Elections: Commissioners are elected at the annual meeting by secret ballot to serve for staggered three-year terms. The use of staggered terms ensures that the board of commissioners will have some institutional memory as leadership evolves over the years. Commissioners' terms of office expire at the conclusion of the annual meeting at which their successors are elected.

In order to stagger the terms of commissioners, the three commissioners elected at the first annual meeting serve for terms of one, two and three years. (The length of the term is sometimes determined by the number of votes each receive, the most votes gets the three-year term, second most the two-year term and so on.) As these initial terms expire, successor commissioners are elected to regular three-year terms. This means that an election for one commissioner is held at each annual meeting, except in cases where the lake district has expanded the number of elected commissioners. If the annual meeting expands the size of the board of commissioners, one of the newly created seats expires in two years and the other in three years. In subsequent years, these districts hold elections for two commissioners each year, except every three years, when only one commissioner is elected. When their initial terms expire, all five commissioners are elected for regular three-year terms.

Wis. Stat. § 33.30(3)(a)
Wis. Stat. § 33.30(2)(b)



Chapter 33 does not set detailed election procedures, but it does mandate the use of secret ballots and prohibits the use of absentee ballots and proxies. Electors (resident voters) and property owners are eligible to vote in lake district elections only if they are physically present at the annual meeting. *For more information on voter eligibility, see Voting, page 73.*



Good Idea

Most lake districts permit nominations from the floor or submitted to the board of commissioners before the annual meeting. Many provide an opportunity for candidates to briefly address the voters at the annual meeting before the vote. Typically, the district chair appoints two or more canvassers to count the ballots and announce the election results. Some lake districts have adopted more detailed procedures for nominations, acceptance and voting.



Good Idea

Oath of Office

Lake district board of commissioners are elected government officials, similar to town and county supervisors, city alderman, or village trustees. Although the law does not require that commissioners take an oath of office,² many do so to acknowledge the importance of serving as elected officials for the lake district. Some lake districts invite the town or county clerk, a dignitary, or community leader to publicly administer an oath of office at the annual meeting. *See Oath of Office, page 95.*

Vacancies: If a vacancy occurs with an elected commissioner, the district chairperson appoints a successor to serve the remainder of the unexpired term, subject to approval by the majority vote of the board.

Wis. Stat. § 33.28(7)

Appointed Commissioners

The appointment of commissioners by counties and municipalities helps promote harmony and coordination among local governments and the district. Members of lake district boards appointed by a county, town, village or city serve at the pleasure of the appointing authority, rather than for fixed terms. They can be replaced whenever the appointing authority chooses.

Qualifications: The county appointee needs to be either a member of the county land conservation committee or nominated by the county land conservation committee and then appointed by the county board. Town, village, or city appointees must either be members of the governing body that appoints them or residents of the district, and if possible, owners of property within the district³.

Wis. Stat. § 33.28(2)

Chapter 33 does not establish further qualifications for appointed commissioners, giving local governments broad discretion to select persons they consider suitable. Typically, these appointed commissioners live or own property within the district or have a known interest in lake and water management.

Voting: Appointed commissioners have the same voting power on the lake district board as the elected commissioners. However, they are not eligible to vote at the annual meeting unless they qualify as a lake district property owner or elector.

Wis. Stat. § 33.28(7)

Vacancies: Vacancies in the offices of appointed commissioners are filled by the appointing city council or village, town or county board.

Officers

Wis. Stat. § 33.29(3)

Immediately following each annual meeting, the board of commissioners is required to meet to elect a chair, secretary and treasurer from the board members to serve for one-year terms. Only commissioners may hold these offices.



Good Idea

Lake district boards may create positions such as a recording secretary and bookkeeper, however, these positions are not considered officers and are not voting board members.

Wis. Stat. § 33.29(a)

The chairperson presides at all meetings and public hearings held by the board of commissioners and at the annual and special meetings. The secretary keeps minutes of all meetings of the district and is responsible for the preparation and distribution of meeting notices.

Wis. Stat. § 33.29(3)(b)

Wis. Stat. § 33.29(3)(c)
Wis. Stat. § 33.30(4)(a)

The treasurer is responsible for the receipt of monies due to the district, the payment of district liabilities upon order of the board of commissioners and for certifying taxes and assessments levied by the annual meeting to the clerks of each town, village or city within the district for collection.

Compensation

Wis. Stat. § 33.28(5)

Commissioners shall be paid actual and necessary expenses that they incur while conducting the business of the district. They may also be paid additional compensation if that compensation is established by the annual meeting.

Responsibilities

Wis. Stat. § 33.29
Wis. Stat. § 33.28(1)

The board of commissioners is broadly responsible for the governance of the lake district. Except for powers reserved to the electors and property owners at the annual meeting, all of the powers of the lake district are exercised by the board of commissioners.

Powers

The board of commissioners has the specific power to:

- Initiate and coordinate research and surveys for the lake
- Plan lake protection and rehabilitation projects
- Cooperate with other units of government in enacting ordinances as needed.
- Adopt and carry out lake protection and rehabilitation plans
- Maintain liaisons with state government officials involved in lake protection and rehabilitation and provide the Department of Natural Resources with the names and addresses of current commissioners
- Control the fiscal matters of the district, subject to the powers and directives of the electors and property owners at the annual meeting

Wis. Stat. § 33.29(1)
Wis. Stat. § 33.29(2)

If the district has been authorized to exercise sanitary district powers or adopt boating ordinances, these powers are generally exercised by the board of commissioners.

Duties

The board of commissioners is legally required to carry out specific duties:

- Schedule the annual meeting of the lake district between May 22 and September 8 (unless a majority vote at the previous meeting scheduled a time outside those dates)
- Prepare an agenda and proposed budget for the annual meeting
- Have an audit prepared at the end of each fiscal year for the annual meeting. *For more information see Audit, page 75.*
- Mail a written notice (including the agenda and proposed budget) of the annual meeting (and any special meetings) at least 14 days in advance to:
 - each owner of property (as listed on the tax roll)
 - each elector whose address can be ascertained with reasonable diligence⁴
 - the Department of Natural Resources⁵
- Conduct the annual meeting (and any special meetings or public hearings). This is the responsibility of the chairperson
- Immediately following the annual meeting, select a chairperson, secretary and treasurer from among the commissioners
- Take charge of the finances of the district, including delivering certified statements by November 1st of any tax levied at the annual meeting to the clerk of each municipality in the district for collection (responsibility of the treasurer)
- Schedule special meetings, if needed
- Appoint persons to fill vacancies in the board as needed (responsibility of the chairperson)
- Meet at least quarterly as a board. The secretary is responsible for posting notices and keeping minutes of board meetings and any hearings held by the board. The chairperson is responsible for presiding at board meetings

Wis. Stat. § 33.29(1)(f)
Wis. Stat. § 33.30(1)
Wis. Stat. § 33.29(1)(g)

Wis. Stat. § 33.29(2)

Wis. Stat. § 33.30(2)(a)

Wis. Stat. § 33.29(3)

Wis. Stat. § 33.29(3)(c)
Wis. Stat. § 33.30(4)(a)
Wis. Stat. § 33.305(1)

Wis. Stat. § 33.28(7)

Wis. Stat. § 33.28(6)
Wis. Stat. § 33.29(3)

Ethical Standards

Lake district commissioners are government officials, subject to various laws intended to protect the public interest and ensure accountability. Commissioners should become familiar with Wisconsin laws that regulate the conduct of public officials and government bodies. Like other elected officials, commissioners have a duty to act in the best interest of the district.

Wis. Stat. § 19.59

Lake district commissioners are subject to ethical standards relating to conflicts of interest and other matters under Wisconsin's codes of ethics for local government officials. As local government officials, lake district commissioners are prohibited by Wisconsin law from:

- taking any action on something in which they, or their immediate family, or an organization with which they are associated, have a substantial financial interest
- accepting a gift that could be expected to influence their vote, action, or judgment on an issue
- using their position to obtain financial gain for themselves, their immediate family, or an organization with which they are associated
- using their position in a way that provides a substantial benefit to themselves, their immediate family, or an organization with which they are associated

For more detailed information, see section 19.59 of the Wisconsin Statutes.

Meetings of the Board of Commissioners

Wis. Stat. § 33.28(6)

Chapter 33 requires the board of commissioners to meet at least quarterly. The chairperson or any three commissioners may call meetings at other times.

Most decisions and actions of the board of commissioners can be taken by consideration and adoption of motions. If a motion is of considerable importance or length, it may be helpful to put the motion in writing in the form of a resolution. *More information on resolutions and motions can be found in Robert's Rules of Order, see www.robertsrules.com or Appendix D.*

Wis. Stat. § 33.28(3)

Quorum: Three commissioners constitute a quorum to conduct business on behalf of a five-member board of commissioners. (Although it is not expressly addressed in Chapter 33, lake districts with seven-member boards generally recognize that four members represent a quorum.)

Wis. Stat. § 19.85(1)

Notices and Postings: Meetings of the board of commissioners are public meetings, subject to the Wisconsin Open Meetings Law. Among other things, this requires that meetings of the commissioners must be held in a place accessible to the public unless a specific exception authorizes a closed meeting.

Notice of meetings should include essential information on agenda items. The information needs to be sufficient to allow an individual to understand the issue and decide whether or not they want to attend the meeting.

Notice should be posted at least 24 hours before the meeting in three locations likely to be seen by the general public. (Alternatively, the board of commissioners may give notice by paid publication in a news medium likely to give notice in the area, such as the local newspaper.) In addition, the secretary must mail copies of the notices to any media source that requests them. *For more detailed information on the open meetings law, see sections 19.81-19.98 of the Wisconsin Statutes and the Attorney General's Open Meetings Law Compliance Guide found at www.doj.state.wi.us.*

While the open meetings law grants citizens the right to attend and observe meetings of the board of commissioners, it does not grant citizens a right to participate in those meetings. The board is free to determine for itself whether to allow citizen participation, however, most boards allow some time for public comment during the board of commissioner meetings. Any committees established by the board of commissioners are also subject to open meetings law requirements.

Records: The records of the board of commissioners are public records, subject to the Wisconsin Public Records Law. That law generally requires that the district promptly provide a requester with any record in the commissioners' possession relating to the district's activities, subject to narrow exceptions.

The secretary is required to keep minutes for each meeting including a record of motions and votes. All records of the district must be available for public inspection. *For more detailed information on the public records law, see sections 19.31 - 19.39 of the Wisconsin Statutes and the Attorney General's Public Records Law Compliance Outline found at www.doj.state.wi.us.*

Wis. Stat. § 19.88(3)
Wis. Stat. § 19.21

Annual Meetings

Wis. Stat. § 33.30(1) Every lake district, regardless of how it was formed, must hold an annual meeting of electors (resident voters) and property owners. The first such meeting must be held between **May 22 and September 8**. Subsequent annual meetings must be held during the same time period, unless the preceding annual meeting sets a different date. The statutes do not specify the location of the meeting; however, meetings should be held in an accessible public place.

Wis. Stat. § 33.29(3)(a) The chairperson of the board of commissioners presides at the annual meeting, all special meetings, and any public hearings held by the board.

Most districts use Robert's Rules of Order for running meetings and conducting deliberations. Some districts have adopted bylaws or rules of procedure in addition to Chapter 33; others just use Chapter 33 as their guide. Bylaws are not required, but compliance with Chapter 33 is essential. *For more information see Bylaws, page 82.*

Notice

Wis. Stat. § 33.30(2)(a) The district secretary is responsible for preparing and mailing written notice of the annual meeting at least 14 days in advance of the meeting to all district property owners and electors. The district is required to use "reasonable diligence" to ascertain mailing addresses. As an alternative to mailing notice to the electors, the district may publish notice of the meeting in two successive issues of the local newspaper (known as a Class 2 notice⁶).

Wis. Stat. § 33.30(2)(a) The district is also required to mail notice of the annual meeting to the Wisconsin Department of Natural Resources.⁷

To comply with Wisconsin open meetings law requirements, the district should also post the meeting notice at least 24 hours before the annual meeting in three locations likely to be seen by the general public. (Alternatively, the district may give notice by paid publication in a news medium likely to give notice in the area, such as a local newspaper.) In addition, the secretary must mail copies of the notice to any media source that requests them. *For more detailed information on the open meetings law, see section 19.81-19.98 of the Wisconsin Statutes and the Attorney General's Open Meetings Law Compliance Guide found at www.doj.state.wi.us.*

Wis. Stat. § 19.84

Notice of the meeting must include the:

- time
- date
- place
- agenda, which includes a list of each item proposed for consideration at the meeting *(see Agenda, page 71)*
- proposed annual budget *(see Budget, page 74)*

Wis. Stat.
§ 33.30(2m)(b)

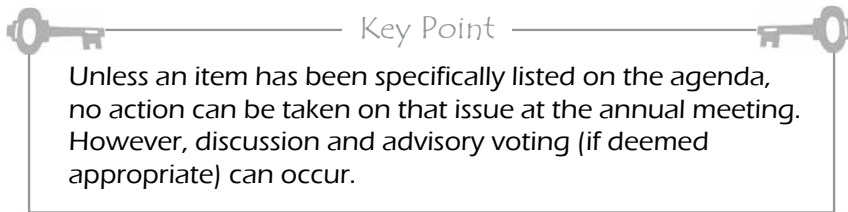
Wis. Stat.
§ 33.30(2m)(a)

Agenda

It is the board of commissioners' responsibility to develop the agenda for the annual meeting. The agenda should include essential information on items that may require action. That information needs to be sufficient to allow an individual to understand the issue and decide whether or not they need to attend the meeting to voice their opinion and vote.

Typically an agenda will include such items as:

1. Call meeting to order
2. Approve minutes of last year's annual meeting
3. Chairperson and committee reports
4. Treasurer's report
5. Presentation and submission of the annual audit
6. Report on/consideration of projects or other actions *(list specific items and what is being proposed)*
7. Review and consider approval of proposed budget *(see Budget, page 74)*
8. Consider approval of corresponding tax levy
9. Election of commissioners
10. Old business *(no action can be taken unless specific items are listed)*
11. New business *(no action can be taken unless specific items are listed)*
12. Adjourn meeting



Certain items require specific notices on the annual meeting agenda:

- Any authorization to borrow money
- Any proposal to dissolve the district
- Any items proposed for consideration at the annual meeting that are submitted by a petition to the board at least 30 days before the annual meeting, signed by at least 20% of the number of parcels in the district (provided the item relates to an issue that is within the district's authority)

Wis. Stat. § 33.31(4)
Wis. Stat. § 33.35

Wis. Stat.
§ 33.30(2m)(c)

Actions

Required Actions

The lake district law requires that the electors and property owners at the annual meeting:

1. Conduct an election to fill vacancies in the positions of elected commissioners by secret ballot (except where the town board, village board or city council serves as the district's board of commissioners) *(See Elections, page 64)*, and
2. Approve a budget for the coming year *(See Budget, page 74)*

Wis. Stat.
§ 33.30(3)(a)

Wis. Stat.
§ 33.30(3)(b)

Additional Actions

In addition to these required actions, the electors and property owners at the annual meeting are authorized to take any of the following actions:

Wis. Stat. § 33.30(4)(a)

Wis. Stat. § 33.31(4)

Wis. Stat. §
33.28(2m)(a)

Wis. Stat. § 33.22(3)(b)

Wis. Stat. § 33.22(4r)

Wis. Stat. § 33.30(4)(d)

Wis. Stat. § 33.30(4)(c)

Wis. Stat. § 33.30(1)

Wis. Stat. § 33.35

- Vote a tax on all taxable property within the district. Except for taxes levied to repay debt, and for “capital costs,” the annual meeting may not levy a tax up to 2.5 mills (\$2.50 per \$1,000 of equalized value of property)
- Approve borrowing
- Permanently increase the number of elected members of the board of commissioners from three to five
- Authorize the assumption of sanitary district powers⁸
- Appropriate money for the conservation of natural resources or for payment to a nonprofit organization for the conservation of natural resources within the district or beneficial to the district
- Create a non-lapsible fund to finance specifically identified capital costs and for maintenance of capital equipment
- Establish any compensation to be paid to the district board of commissioners
- Change the annual meeting date
- Dissolve the district



Key Point



These discretionary powers may only be used by the electors and property owners. These actions cannot be taken by the board of commissioners without authorization by the electors and property owners at the annual meeting or a special meeting.



Good Idea

Wis. Stat. § 33.22(3)(b)

Most decisions and actions at the annual meeting can be accomplished by consideration and adoption of motions. If a motion is of considerable importance or length, it may be helpful to put the motion in writing in the form of a resolution. Some actions, such as the adoption of sanitary district powers, require adoption of a resolution. *More information on resolutions and motions can be found in Robert’s Rules of Order (see www.robertsrules.com or Appendix D).*



Voting

Who Can Vote?

To vote at annual meetings of the lake district, a voter must be a U.S. citizen over 18 years of age who is either:

1. An elector (a qualified voter who resides in the district)⁹
2. An owner of property within the district:
 - A person whose name appears as an owner of real property on the tax roll¹⁰
 - A person who owns title to real property even though the person's name does not appear on the tax roll (i.e. a spouse)
 - A person who is the official representative, officer or employee authorized to vote on behalf of a trust, foundation, corporation, association or other organization owning real property in the district

Wis. Stat.
§ 33.01(9)(ar)
Wis. Stat. § 33.30(3)

Wis. Stat.
§ 33.01(9)(ar)(1)

Wis. Stat.
§ 33.01(9)(ar)(2)

Wis. Stat.
§ 33.01(9)(ar)(3)

Determining Qualifications for Property Owners

In order to determine the qualifications of property owners for voting purposes, the district should obtain a copy of the tax roll and have it available at the annual meeting. Eligible voters can be checked off as they arrive and given a colored card or other identification to indicate their qualification to vote. Persons whose names appear on the tax roll are qualified to vote. If a person is not named on the tax roll, it is up to that person to provide evidence to the district that he or she is an owner of property or a designated representative of an organizational property owner. Wisconsin law does not define what evidence of ownership is sufficient for a person not named on the tax roll or for an official representative of an organization. Some lake districts require prospective voters who are not named on the tax roll to provide either: (1) a copy of a deed indicating ownership of the property; or (2) a letter on the stationery of an organization owning property which clearly authorizes the person to vote on behalf of that organization. Notification of the district's policy regarding proof of eligibility to vote should be included in the notice of the annual or special meeting.

Voting Details

Each qualified voter is entitled to cast one vote at the annual meeting. Ownership of more than one parcel of real estate within the district does not entitle the owner to more than one vote. Corporations, governmental bodies and other organizational owners are treated as single owners with one vote.

Commissioners appointed by the county or town/village/city are eligible to vote at the annual meeting only if they qualify as lake district property owners or electors.

Wis. Stat.
§ 33.01(9)(ar)
Wis. Stat. § 33.30(3)

Chapter 33 does not specify voting procedures such as a voice vote or show of hands, except that:

- Elections of commissioners must be done by secret ballot
- No absentee ballots or proxies are permitted

Wis. Stat. § 33.30(3)(a)
Wis. Stat. § 33.30(2)(b)

There is no quorum requirement for the annual meeting.

Special Meetings

- Wis. Stat. § 33.305(3) In addition to the annual meeting, the electors and property owners may conduct business at special meetings. Any action that can be taken at an annual meeting may be taken at a special meeting, except as follows:
1. No motion to consider the dissolution of the district may be taken up at a special meeting
 2. The annual budget may not be approved at a special meeting (although it may be amended)
 3. The special meeting may not consider any matter that was resolved during another special meeting held since the previous annual meeting
- Wis. Stat. § 33.305(2) A special meeting may be called at any time by a majority of the board of commissioners. In addition, the board is required to schedule a special meeting if at least 10% of the persons qualified to vote at the annual meeting so request.
- Wis. Stat. § 33.305(4) Notice and voting requirements for special meetings are the same as for annual meetings.



Budget and Financing

The management activities undertaken by Wisconsin lake districts vary widely. Some focus chiefly on water quality monitoring and educational efforts carried out through the efforts of lake district commissioners and volunteers. Other lake districts, especially those that collect solid waste and recyclables or operate public sewer or water systems, require paid staff or contractors. Even volunteer-operated lake districts sometimes undertake relatively large-scale projects.

Budget

The lake district board of commissioners is responsible for the preparation of the proposed annual budget. Typically, the treasurer prepares the proposed budget as recommended by the board so it can be included in the meeting notice. *See Appendix F for a sample lake district budget.*

- Wis. Stat. § 33.29(1)(g) The proposed annual budget presented to the annual meeting must include all of the following:
- The actual revenues and expenditures for the preceding year
 - The actual revenues and expenditures for at least the first six months of the current year. (If the annual meeting is held before July 1, the lake district should show revenues and expenses to a date as close as possible to the date the notice of the annual meeting is mailed)
 - The estimated revenues and expenditures for the balance of the current year
 - A list of all existing indebtedness and all anticipated revenue from all sources for the ensuing year

- A list of all proposed appropriations for each department, activity and reserve account for the ensuing year
- For informational purposes by fund, all anticipated unexpended or unappropriated balances and surpluses

The statutes also require that the budget specify any item with a cost to the district in excess of \$ 10,000 and separately identify capital costs and costs of operation of the district.

Wis. Stat. § 33.30(3)(b)

Capital costs - the costs of acquiring equipment and other capital assets, including sewerage system capital costs, for a program undertaken by the lake district.

Wis. Stat. § 33.01(1c)

Costs of operation of the district - all costs of a program undertaken under section 33.001 to 33.37 of the Wisconsin Statutes, except capital costs.

Wis. Stat. § 33.01(1g)

The electors and property owners may propose, consider and vote on amendments to the budget before approving the budget. However, the authority of the annual meeting to amend the budget is limited. For example, the electors and property owners may not eliminate a mandatory portion of the budget, such as an irrevocable tax levied in order to secure repayment of a district debt, or where a payment in the current budget is required by contract.

Once the budget has been approved at the annual meeting, amendments may be considered and voted on at a special meeting */see Special Meetings, page 74/*. Chapter 33, however, does not specify whether or not lake district commissioners can change the budget without authorization from the electors and property owners. Municipal law suggests that a governing body may change the appropriations by a 2/3rds vote of the board of commissioners, provided a notice has been published 10 days before the vote. Lake district commissioners may want to consider potential political ramifications and challenges if they change the budget in a significant way.

Wis. Stat. § 33.305(a)

Wis. Stat. § 65.90(5)



Good Idea

The statutes do not specify the date a lake districts budget should start. Most lake district budgets operate on the calendar year.

Audit

The board is required to have an audit of the financial transactions of the district prepared at the close of each fiscal year. The audit must be presented and submitted to the annual meeting.



Good Idea

The law does not specify further requirements for an audit. Most districts have audits performed by an accounting firm or by an internal committee.

Wis. Stat. § 33.29(2)

Raising Funds

In order to provide lake districts with the resources they need, the Legislature has authorized them to use a wide variety of funding mechanisms, including general property tax, special charges and assessments, saving and borrowing, grants and gifts. Some projects and activities are funded with a combination of different revenue sources. Some are used only occasionally when large-scale capital projects are being undertaken. The discussion that follows focuses on lake districts, but also generally applies to sanitary districts.

General Property Tax (Mill Levy)

Lake districts have the power to levy a general property tax on all taxable property within the district. General property taxes are typically used for operating expenses, such as administrative costs (like bookkeeping, printing and postage), lake studies and monitoring and other general government activities. General property taxes are applied as a tax rate that must be uniformly imposed on each taxable parcel within the district.

Wis. Stat. § 33.30(4)(a)

Lake district taxes are capped at the rate of 2.5 mills or \$2.50 per \$1,000 of equalized valuation. This cap applies only to the costs of operation, it does not apply to taxes levied to pay principal and interest on debt. All property subject to general taxes is taxable by the lake district. Public and other property exempt from taxes may not be taxed by a lake district.

General property taxes are apportioned among the municipalities (cities, villages and towns) within the district on the basis of equalized valuation.¹¹ Each October, the Wisconsin Department of Revenue is required to send each lake district a “certificate of equalized value.” This certificate shows the percentage of total assessed value of district property within each city, village and town, as adjusted or “equalized” by the Department of Revenue. The lake district is required to apportion the tax levy to each town, village and city within the district, according to its relative proportion of the district’s tax base as shown on the certificate. Prior to the last working day in October, the lake district treasurer is required to deliver a certified statement¹² of the tax to each municipal clerk.

Example: The Blue Lake District includes territory in the Towns of Trout and Bass. The July 4 annual meeting of the District approved an annual budget that included a tax levy of \$30,000. The “Certificate of Equalized Value” provided by the Department of Revenue shows that the equalized value of lake district property within the Town of Trout is \$5,000,000 and that within the Town of Bass is \$10,000,000. On October 15, the district treasurer sends a certified statement to the Trout Town Clerk reporting a lake district tax levy of \$10,000 (or 1/3 of the total amount approved by the annual meeting). The treasurer sends a certified statement to the Bass Town Clerk reporting the district’s tax levy within that Town of \$20,000 (or 2/3 of the amount approved by the annual meeting).

The overall tax levy in this case is \$30,000 for \$15,000,000 of equalized valuation, or 2.0 mills.

The property tax approved by the annual meeting is included in the tax bills sent out in December by the treasurers of the towns, villages and cities with territory in the district. The taxes are then collected by the municipal treasurers and distributed to the lake district. Taxes collected before January 1 are distributed by January 15. Taxes received in the month of January are distributed by February 15. All remaining taxes are paid to the district in the final August 15 settlement date.

Wis. Stat.
§ 74.23-74.29

Special Charges

Lake districts are also authorized to impose special charges for services identified in the annual budget. These special charges are typically used to pay for services that benefit individual properties, such as sewer or water service, aquatic plant harvesting, algae control and garbage pickup. Special charges imposed for sewerage system service are subject to special procedural requirements.

Wis. Stat. § 33.32(5)

Wis. Stat. § 66.0821

Lake district special charges may not exceed the rate of \$2.50 per \$1,000 of assessed valuation. This special charge cap applies to the total amount of the special charge as a proportion of the total assessed value of the district, not to the special charge on a particular parcel.

Wis. Stat. § 33.32(5)

Although special charges may be collected directly by the lake district, most districts certify the special charge to the local municipal treasurers using the process described above so they can be billed and collected with property taxes. The special charges are then collected by the municipal treasurers and the funds paid to the districts through the tax settlement process.

Wis. Stat. § 33.32(5)
Wis. Stat. § 66.0627(4)

The electors and property owners may specify how special charges are allocated by approving a resolution at the annual meeting or a special meeting. Otherwise, the board of commissioners is responsible for allocating the charges in a manner prescribed by them. The charges can vary from one category of property to another, depending on the benefit or service received. Special charges are often used by districts where lake district services will similarly benefit properties of widely varying value.

Wis. Stat. § 33.32(5)

Certain activities, like aquatic plant harvesting, provide both general community benefits and special benefits to specific property owners. In these cases, some lake districts finance these activities using a combination of a general tax levy and a special charge on benefited properties.

Special Assessments

Special assessments are typically used for larger capital projects. Special assessments may only be levied against benefited property. The procedures for special assessments are quite complex, including required notices, reports and public hearings. Special assessments may be imposed in a lump sum, or may be made payable in up to ten annual installments. Like with special charges, most districts certify special assessments to the local municipal treasurers for collection.

Wis. Stat. § 33.32(1)
Wis. Stat. § 33.32(2)
Wis. Stat. § 60.77(5)(f)
Wis. Stat. § 66.0703



Good Idea

Districts should use an attorney when arranging for financing for large projects.

How to Assess

After approval of a project at an annual or a special meeting, the board of commissioners determines the local share of the cost of the project and the benefited property to be subject to special assessments. County and municipally-owned real estate within the district may be included, but state and federally owned property within the district is not subject to special assessments. Size, proximity to the lake, present and potential use of the land including zoning regulations and other factors, may be considered in selecting a method of making assessments.

Wis. Stat. § 33.32(3)
Wis. Stat. § 33.32(1)(b)

Wis. Stat. § 33.32(1)(b)

Notice of Assessment

Notice of the assessment must be mailed to every person having an interest in an affected parcel within the lake district. The district is required to use "reasonable diligence" to ascertain mailing addresses. As a practical matter, notice is typically sent to the person(s) whose name appears on the tax roll with instructions to share it with anyone else with an interest in the property.

Wis. Stat. § 33.32(1)(c)

The notice must include:

- a statement of the assessment
- a location where a report of all the assessments may be reviewed for a period of 30 days
- a date (not more than 3 days after the 30 day review period) when the board of commissioners will hold a hearing on objections to the assessments

The lake district must also publish a notice of the assessment twice in a newspaper of general circulation in the area, which is called a Class 2 notice.¹³ A report of the assessments must be filed in the county clerk's office.

Hearing

During the hearing the board of commissioners may review, modify and correct the assessments as they deem appropriate. At the conclusion of the hearing, the board shall make a final determination of the assessments.

Wis. Stat. § 33.32(d)

If, as a result of the hearing, an assessment is increased, additional notice and a new hearing must be provided.

Wis. Stat. § 33.32(d)

Final Notice

Once a final determination has been made, the lake district secretary must mail a notice specifying the amount of assessment to every person having financial interest in an affected parcel. The secretary must also publish a notice of the final determination once in the local paper (a Class 1 notice¹⁴).

Wis. Stat. § 33.32(e)

Appeal

Affected persons have 40 days within which to appeal to circuit court.

Wis. Stat. § 33.32(1)(f)

Saving and Borrowing

At times, lake districts undertake projects that are simply too large to be funded in a single year. The costs of major projects can be spread out over a longer period if the electors and property owners at the annual meeting vote either to save money for a future purchase or to authorize borrowing.

Saving for a Future Expense

Generally, lake districts and other local governments are required to apply any surplus funds they have at the end of the year to the next year's annual budget. Although the law does not permit lake districts to retain surplus funds for general purposes, the annual meeting is authorized to establish a non-lapsible fund in order to finance specifically identified capital costs and for the maintenance of capital equipment.

Wis. Stat. § 33.30(4)(d)

A non-lapsible fund must be established by the annual meeting. However, the board of commissioners may propose a budget that includes creation of a non-lapsible fund for consideration at the annual meeting.

Wisconsin law regulates the placement of local public funds in depository institutions. Many districts place saved funds in the state's local government pooled investment fund. *For more information on saving funds, see www.ost.state.wi.us/home/lqip.htm.*

Wis. Stat. § 25.50

Borrowing

Wis. Stat. § 33.31
Wis. Stat. § 33.31(4)

Lake districts are generally authorized to borrow money and use other municipal financing methods prescribed by law. Whenever a lake district is considering borrowing, notice of the proposed borrowing must appear in the notice of the annual or special meeting at which it will be considered.

Wis. Stat. § 33.31(3)

Whenever a lake district borrows money, the electors and property owners are required to levy an annual, irrepealable tax to pay the principal and interest on the indebtedness when they are due. Taxes levied to pay debt are not subject to the tax levy limit described above in the general property tax section.

Wis. Stat. § 67.03(1)(a)

Like other local governments, lake districts are subject to a debt limit equal to five percent of the equalized valuation of the district.

Wis. Stat. § 24.61

Lake districts are authorized to borrow funds from the State Board of Commissioners Public Lands. Many lake districts have borrowed funds from the State Board because it offers attractive interest rates to governments and the application procedure is relatively simple. *For more information on borrowing these funds, see www.bcpl.state.wi.us.*

Wis. Stat. § 33.31(2)
Wis. Stat. § 67.12

Lake districts are also authorized to borrow money when in temporary need under the municipal borrowing laws.

Grants, Gifts, and Cooperative Agreements

There are occasions when lake organizations take on projects or become involved in matters that require more funding than they possess. Grants, gifts, and cooperative agreements are tools that districts may use to raise needed capital or undertake projects.

Grants can be used for a wide variety of needs, usually to supplement local funding for projects. Funds are often used for public works projects, but may also be used for educational materials or programs, research, planning, or other projects.

The majority of grants given to Wisconsin lake districts in the 1980s and 1990s have been Lake Planning and Lake Protection Grants from the Wisconsin Department of Natural Resources. Lake districts also receive grant funding from federal agencies like the Environmental Protection Agency (EPA) and other international, state, and private sources. Funding usually comes from governments but can also be obtained through foundations, corporations, individuals, educational or research institutions or special interest groups.



Some grant sources include:

Lake planning and protection grants:
dnr.wi.gov/aid/surfacewater.html

Knowles Nelson Stewardship Program grants:
dnr.wi.gov/topic/Stewardship/Grants/

Recreational Boating Facilities grants:
dnr.wi.gov/aid/rbf.html

Voluntary contributions to lake districts are generally deductible as charitable contributions, like contributions to churches and other charities.

In addition to grants and gifts, lake district resources can sometimes be leveraged by entering into cooperative agreements with town, county or other local governments. In many cases, lake projects benefit not only the district property owners, but the general community. Many lake districts have successfully worked with county and other local governments to undertake projects to enhance lake water quality, reduce pollution and enhance recreational boating opportunities.



Other Considerations

Bids

Whenever a lake district enters into a contract for the performance of any work or the purchase of any materials that exceeds \$2,500, contracts for the work must be let through a public bidding process. The board of commissioners is required to award the work to the lowest responsible bidder. Although the statutes do not specify the procedure for soliciting bids, most lake districts and sanitary districts typically prepare a written request for proposals, specifying the work or material required and prescribing a deadline for bids. These notices are typically published in local newspapers and distributed to contractors or vendors. More formal bidding procedures should be followed for large-scale projects, including detailed plans and specifications for the work and the use of specially prepared bidding documents.

Wis. Stat. § 33.22(1)

Taxes

Governmental units, including lake districts, enjoy the advantages of being exempt from federal and state income tax automatically.

Lake districts that purchase items subject to state sales tax (in quantities large enough to have significant cost savings), may want to look into applying for state sales and use tax-exempt status. Lake districts should apply with the Wisconsin Department of Revenue for a Certificate of Exempt Status (CES) using Form S-103, Application for Wisconsin Sales and Use Tax Certificate of Exempt Status. The department will issue a CES number to exempt a lake district from sales tax when making purchases. *For more information and a copy of the form, contact the Wisconsin Department of Revenue or see www.dor.state.wi.us.*

Insurance

Decisions regarding insurance coverage can be complex for lake districts. The costs of insurance can range greatly, depending on the lake district's size and activities. *For more information about insurance, see Chapter 7.*

Bylaws

Most districts rely on Chapter 33 and other state statutes to guide their rules of procedure. A lake district should only develop bylaws if it has the need for more specific rules of order. For example, some lake districts having multiple lakes may use bylaws to add representation requirements for the elected members of the board of commissioners.

If bylaws are used, they need to comply with Chapter 33. In the event of a conflict between the bylaws and Chapter 33 (or another state statute), the statutes control. Bylaws should avoid addressing issues already covered by statute. Districts that do adopt bylaws should take care to insure that the bylaws are periodically updated to reflect state law requirements.

Alternatively, lake district policies can be adopted for specific areas of procedure that are not addressed in the statutes. Often, these are more easily changed and provide a better alternative to lake district bylaws.

Changing Lake District Boundaries

After a lake district has been established, its boundaries may be expanded or reduced.

Attachment

Contiguous territory may be attached in two ways:

1. A landowner may request attachment by petitioning the board of commissioners. The board may accept the request for attachment by majority vote.
2. The board of commissioners may initiate attachment proceedings by notifying the owners of the affected land and petitioning the county board. The county board proceeds with notice, hearing, and decision in the same manner used to establish the districts. The same rights of appeal also apply.

Detachment

Upon petition of a landowner or motion of the commissioners, territory may be detached from a district if the commissioners find that the territory is not benefited by continued inclusion in the district. The board's decision can be appealed.

Wis. Stat. § 33.33(3)

Some lake districts have established procedures to consider detachment requests that provide for notice and a hearing where the petitioning landowners and others can testify and provide evidence on the benefit question.

Some districts have established criteria they will review when they consider detachment requests. Views, access and proximity to the water may be important factors for the board to consider in determining benefit. It may also be important to consider whether there has been a change in circumstances affecting the property since the district was created. However, sometimes detachment may be warranted even where there has not been any significant change since the county (or town) board established the lake district and found that the property within its boundaries would be benefited. In 2004, the Wisconsin Supreme Court found that a lake district incorrectly declined to detach two parcels. The Court's lengthy decision included considerable discussion about the determination of benefit and stated that detachment did not require a change in circumstances since the lake district was created. *For more information see "Benefit" box, page 51, or Donaldson v. Bd. of Commissioners, 276 Wis. 2d 32 (2004).*

Merger of Two Lake Districts

Any district may be merged with a contiguous district. First, a merger resolution must be passed by four-fifths of the members of each board of commissioners. Then the merger must be endorsed by a majority of electors and property owners who are present and voting at the next annual or special meeting, whichever occurs first. Upon ratification, the board of commissioners shall be constituted in the following manner:

Wis. Stat. § 33.33(1)

1. The two boards act jointly as the governing body of the merged district until the next annual or special meeting.
2. At the first annual or special meeting of the merged district, three commissioners are elected for staggered, three-year terms.
3. The representative of the county and the representative of the town, village or city having the largest portion by valuation within the merged district shall remain on the board of the merged district.

A lake district and a sanitary district may also merge if their boundaries are identical or contiguous. The procedures listed above would be followed except that the merger resolution would need to be passed by two-thirds of the sanitary district commissioners and ratified by majority vote in a sanitary district referendum. In addition, town board approval would be necessary. All the rights and liabilities of the sanitary district would be assumed by the lake district, but the method of discharging such rights and obligations would need to be set out in the merger resolution.

Wis. Stat. § 33.235

Filing Changes

Wis. Stat. § 33.265

When the boundaries of a lake district are altered, the board of commissioners must file a copy of the authorizing document and legal description of with the register of deeds in each county where the district is located. The board must also file the document and legal description with the Wisconsin Department of Revenue and Wisconsin Department of Natural Resources.

Dissolution

Wis. Stat. § 33.35

An existing lake district may be dissolved. To dissolve a lake district, the issue must first be placed on the annual meeting agenda by one of the following:

1. A majority vote of the members present at the previous annual meeting.
2. Unanimous vote of the commissioners.
3. Notification of the commissioners by an individual voter at least 90 days prior to the annual meeting.

The notice of the annual meeting must include a statement that a petition to dissolve the district will be considered. A two-thirds vote of the electors and property owners present at the annual meeting is required to decide to dissolve the district and forward the petition on to the county board for an official dissolution order. The county board may order dissolution following receipt of the petition. The order shall be conditioned on petition to the circuit court for appointment of a receiver to conclude the affairs of the district under court supervision. The dissolution becomes complete upon the final order of the circuit court.

Staying Connected

It is a good idea for lake districts to stay connected locally and regionally. Local issues may require detailed knowledge of people and their viewpoints; regional or statewide issues may require a broader understanding of the implications of different issues and how they affect others. It is important to stay connected around the lake, but also in the county, region, and across the state. To stay connected:

- Develop a way to communicate with the membership, other stakeholders, state government and other lake organizations such as the publication of a newsletter, email, or website
- Use the Lake List Directory (see box) to identify and include neighboring lake organizations
- Consider using a logo or stationery for the lake district to help create and maintain a professional presence
- Contact local government officials, the DNR, UW-Extension Lakes Program and WAL to keep them informed of district activities

The Lake List Directory



Lake organizations do best when they stay in touch with their neighbor organizations and keep a finger on the pulse of town, county and state policies and issues that impact lakes. Who could be better than another lake organization to help answer questions on how much insurance costs, who is a good contractor, or how neighboring lakes deal with aquatic invasives? The state keeps contact information and some other pertinent information on lake organizations, as well as businesses providing services to lakes, in a directory called the *Lake List*. The directory can be found at www.uwsp.edu/cnr/uwexlakes. Contact the UW-Extension Lakes Program at 715-346-2116 or uwexlakes@uwsp.edu to update contact information on an annual basis. The *Lake List* is the most comprehensive directory of lake organizations in Wisconsin.

Developing a Vision

Lake districts that have taken the time to articulate their vision have a better track record of accomplishing their goals. The clearer your vision of your lake's future, the easier it will be to develop and follow a roadmap to your destination.

- Prioritize lake issues.
- Start the process of arranging for a pre-planning, or "futuring," meeting where all district members and those interested in the lake can be heard. Such a process can help the district to prioritize issues and help to craft a vision for the lake. (You may consider using a facilitator who can assist you in developing an inclusive process that is respectful of the many points of view that frequently exist in lake communities; trained individuals can be engaged through your county UW-Extension Educator.)
- Have a plan. A sound written plan that all interested parties have contributed to can benefit your lake community and the lake in many ways. It will be the short and long-term "road map" that will determine where your efforts and funding will go. A lake management plan can present a coordinated strategy and assure that everyone knows what is planned for your lake. It can enhance communication, build consensus, assure that you will be cost effective with your projects and make sure you comply with state and federal laws and local considerations. A written plan can communicate your vision for the lake to new members of the community, and provide the basis for checking progress toward your lake protection goals.

The Seven Step Plan

What are the steps in creating a plan? No matter what type of plan you are developing for your lake district, the basic steps in planning remain the same. While the specifics and details vary depending on lake size and management issues, the process of planning (and a plan) typically includes the following general steps:

1. **Goal setting** – Organize the effort, identify issues to be addressed, and agree on the goals
2. **Inventory** – Collect base information to define past and existing conditions
3. **Analysis** – Synthesize the information, quantify and compare current conditions to desired conditions, research opportunities and constraints, and set directions to achieving goals
4. **Alternatives** – List all the possible management alternatives and evaluate their strengths, weaknesses and general feasibility
5. **Recommendations** – Prioritize and select preferred management options, set objectives based on priorities and assets, then draft the plan
6. **Implementation** – Formally adopt the plan, line up funding, and schedule activities for taking action to achieve the goals
7. **Monitor & Modify** – Develop a mechanism for tracking activities and adjust the plan as it evolves

While each step is necessary, the level of effort and detail for each step will vary depending upon the project's goals, size of the lake, and number of stakeholders. For many Wisconsin lakes, there may be a number of plans that fold into a whole lake management plan. Lake districts can develop plans to deal with water recreation or aquatic plant management, which should fit easily into a whole lake plan. You should carefully assess your lake's needs and then consider the detail required for each step in the process. A rule of thumb may be that the more complex the issue and the larger the lake and population, the more comprehensive the plan will need to be. *(For more details on planning, contact your county UW-Extension Educator)*

Learning About Your Lake

Wisconsin is fortunate to have over 15,000 lakes and a great network of people to help you get the answers you need. There is probably someone out there who has dealt with the same issue, can help with funding or has developed educational materials on the subject. Take the time to learn about the assets that the Wisconsin Lakes Partnership can bring you:

- Attend the annual Wisconsin Lakes Convention in the spring, and/or attend one of the numerous regional Wisconsin lake education events sponsored by area lake organizations. Agenda items and displays usually include a lot of “how-to-do-its” and “how-they-did-its” on various lake issues. Most importantly, you get to meet and talk with others who share common lake interests. Information on upcoming events is posted on the web at www.uwsp.edu/cnr/uwexlakes
- Make use of the resource organizations described at the beginning of this guide, including UW-Extension Lakes, your county UW-Extension Educator, WAL and your WDNR Lake Coordinator.
- Get on the mailing list of Lake Tides, the free quarterly newsletter published by UW-Extension Lakes, on the web at www.uwsp.edu/cnr/uwexlakes/laketides
- Consider joining Wisconsin Lakes and subscribe to their email lists. Find more information at www.wisconsinlakes.org
- Subscribe to the bimonthly WDNR magazine, Wisconsin Natural Resources, at PO Box 7191, Madison, WI 53707, 800-678-9472

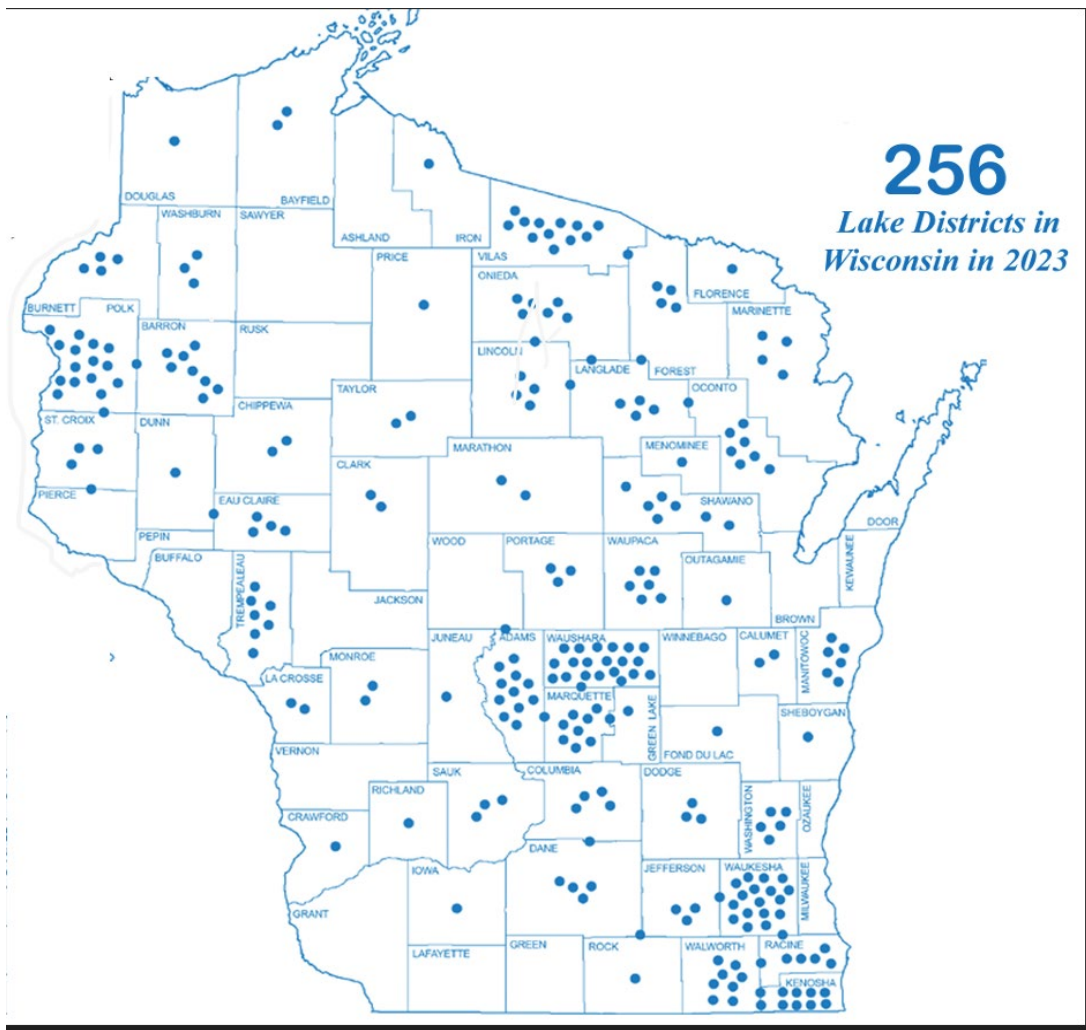
Finding a Rhythm

There you have it! It is a lot of work but something that most people feel is well worth the effort. As the years pass, your lake district will probably find a rhythm. Local folks, members, local businesses and government people who know the lake will develop a certain level of trust for your mission and work, some may become active partners in implementing your program. Revisit your plan to see how closely you have been able to follow it. Identify those priorities that may have changed; a plan should evolve and change as the lake and needs of the community evolve and change. Make sure people stay engaged in this process, and that they are able to understand how their actions play a role in the health of the lake and the lake community. It is important that everyone understands, and relates to, the issues and priorities of the lake and its surrounding community.



Endnotes

- Wis. Stat. § 60.75 ¹ Through approval of a resolution at the annual meeting.
- Wis. Stat. § 32.28(2)(d) ² An oath of office is required for sanitary district commissioners.
- Wis. Stat. § 985 ³ If the district includes a lake controlled by a dam that is not located in the town, village, or city within which the largest portion by valuation of the district lies, then the governing body that would normally make an appointment can defer to the governing body of the town, village, or city within which the dam is located. The person appointed shall be a resident of the district who owns property within the district if possible or shall be a member of the governing body of the town, village, or city within which the dam is located.
- Wis. Stat. § 985.07 ⁴ A legal notice published two times in a newspaper of general circulation in the area (known as a Class 2 notice, may be substituted in lieu of sending written notice to electors (resident voters).
- Wis. Stat. § 6.10 ⁵ Wisconsin Department of Natural Resources, Lakes Management Section, 101 S. Webster St., Box 7921, Madison, WI 53707-7921
- Wis. Stat. § 985.07(2) ⁶ A resolution is required for this action.
- Wis. Stat. § 985.07(1) ⁷ Class 2 notice – a legal notice published in a newspaper of general circulation in the area, required to be inserted two times
- ⁸ Wisconsin Department of Natural Resources, Lakes Management Section, 101 S. Webster Street, PO Box 7921, Madison, WI 53707-7921
- ⁹ In order to qualify as an elector, a citizen must be a resident of the district. The qualifications of electors are set forth in the Wisconsin Statutes.
- ¹⁰ The tax roll delivered before the 3rd Monday in December of the previous year.
- ¹¹ Equalized value is derived by using the assessed value multiplied by a ratio of market value to assessed value. This equalizes assessments and gives the value of the property to which the tax rate is applied.
- ¹² A certified statement is typically a signed letter to the clerk indicating the total amount of the tax to be levied in that municipality for the district.
- ¹³ Class 2 notice – A legal notice published in a newspaper that is required to be inserted two times.
- ¹⁴ Class 1 notice – A legal notice published in a newspaper that is required to be inserted one time.



CHAPTER 33

PUBLIC INLAND WATERS

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Cross-reference: See also ch. NR 60, Wis. adm. code.

SUBCHAPTER I

INTENT; DEFINITIONS; AND DEPARTMENTAL POWERS

33.001 Findings and declaration of intent. (1) The legislature finds environmental values, wildlife, public rights in navigable waters, and the public welfare are threatened by the deterioration of public lakes; that the protection and rehabilitation of the public inland lakes of this state are in the best interest of the citizens of this state; that the public health and welfare will be benefited thereby; that the current state effort to abate water pollution will not undo the eutrophic and other deteriorated conditions of many lakes; that current efforts to protect and rehabilitate the water quality of the navigable waters in Dane County, which receive intense urban, recreational and agricultural usage, are seriously handicapped by the fact that numerous governmental bodies have jurisdiction over the management of the watersheds in Dane County; that lakes form an important basis of the state's recreation industry; that the increasing recreational usage of the waters of this state justifies state action to enhance and restore the potential of our inland lakes to satisfy the needs of the citizenry; and that the positive public duty of this state as trustee of waters requires affirmative steps to protect and enhance this resource and protect environmental values.

(2) In accordance with sub. (1), the legislature declares all the following:

(a) It is necessary to embark upon a program of lake protection and rehabilitation, to authorize a conjunctive state and local program of lake protection and rehabilitation to fulfill the positive duty of the state as trustee of navigable waters, and protect environmental values.

(b) A state effort of research, analysis, planning and financing, and a local effort undertaken by districts, the Dane County Lakes and Watershed Commission and the Southeastern Wisconsin Fox River Commission of Planning and Plan Implementation are necessary and desirable and that the districts should be formed by persons directly affected by the deteriorated condition of inland waters and willing to assist financially, or through other means, in remedying lake problems.

(c) State efforts are needed to aid and assist local efforts, to ensure that projects are undertaken only if they promote the public rights in navigable waters, environmental values and the public welfare.

(d) State efforts are needed to administer a program of financial aids to support protection and rehabilitation projects with benefits to all state citizens.

History: 1973 c. 301; 1985 a. 332; 1989 a. 159, 324, 359; 1995 a. 349; 1997 a. 27.

33.01 Definitions. In ss. 33.001 to 33.37:

(1c) "Capital costs" means the cost of acquiring equipment and other capital assets, including sewerage system capital costs, for a program undertaken under ss. 33.001 to 33.37.

(1g) "Costs of operation" means all costs of a program undertaken under ss. 33.001 to 33.37, except capital costs.

(2) "Department" means the department of natural resources.

(3) "District" means a public inland lake protection and rehabilitation district.

(4) "Lake rehabilitation" means the improvement or restoration of lakes from an undesirable or degraded condition to a former, less deteriorated condition or to a condition of greater usefulness.

(5) "Municipality" means any city, village or town.

(6) "Program" means measures to effect lake protection and rehabilitation, including surveys of sources of degradation, treat-

2021–22 Wisconsin Statutes updated through 2023 Wis. Act 33 and through all Supreme Court and Controlled Substances Board Orders filed before and in effect on October 4, 2023. Published and certified under s. 35.18. Changes effective after October 4, 2023, are designated by NOTES. (Published 10–4–23)

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ment of aquatic nuisances, securing cooperation of units of general purpose government to enact necessary ordinances, undertaking of projects as defined in sub. (7) and any other necessary measures.

(7) “Project” means activities or works such as are described in s. 33.15 (4) which are subject to the procedures of subch. III.

(8) “Public inland lake” or “lake” means a lake, reservoir or flowage within the boundaries of the state that is accessible to the public via contiguous public lands or easements giving public access. “Lake” also includes any lake, reservoir or flowage within the boundaries of the state that is under the jurisdiction of a restructured district.

(9) “Owner”, “property owner” or “landowner” means:

(a) For the purpose of receiving notice under this chapter, a person whose name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year.

(am) For the purpose of petitioning under this chapter, any of the following:

1. A person whose name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year.

2. The spouse of a person whose name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year if the spouse is referred to on that tax roll.

(ar) For the purpose of voting at meetings of the district, a person who is a U.S. citizen and 18 years of age or older and who meets any of the following requirements:

1. The person’s name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year.

2. The person owns title to real property but the person’s name does not appear as an owner of real property on the tax roll specified in subd. 1.

3. 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.

(b) For the purpose of holding office in the district, a person who is a U.S. citizen and 18 years of age or older and either:

1. Whose name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year; or

2. Who owns title to real property but whose name does not appear as an owner of real property on the tax roll specified in subd. 1.

(9g) “Restructured district” means a district for a lake that results from a conversion under s. 33.235 (1m), a formation under s. 33.235 (2) or a merger under s. 33.235 (3).

(9m) “Sewerage system capital costs” has the meaning given for capital costs in s. 200.21 (1).

(10) “Valuation” or “equalized full value” means the assessed value of the property adjusted to reflect full value as determined by the department of revenue under s. 70.57.

History: 1973 c. 301, 336; 1975 c. 197, 198, 422; 1977 c. 391; 1979 c. 299; 1989 a. 159, 324; 1991 a. 39; 1993 a. 167; 1995 a. 349; 1997 a. 27; 1999 a. 150 s. 672; 2023 a. 12.

33.02 Department; powers and duties. (1) RULES. (a) *Generally.* The department shall promulgate rules necessary to administer this chapter.

(b) *Financial aids.* These rules shall provide for the administration of financial aids to districts and shall prescribe data to be secured, methods of analysis and evaluation, duration of data gathering and other technical regulations for the efficient adminis-

tration of the program and efficient intergovernmental organization.

(c) *Priorities for funding levels.* These rules shall establish priorities for different methods utilized in implementing lake protection and for lake rehabilitation based on cost-effectiveness and factors considered under s. 33.16 (4) especially s. 33.16 (4) (f).

(d) *Funding levels for different methods.* These rules shall establish differing levels for the share of state funds to be provided for financial assistance for implementation work depending on the methods to be utilized on the projects based on priorities established under par. (c).

(e) *Priorities when inadequate funds.* If the department does not have adequate appropriations to provide financial assistance under s. 33.16 for eligible projects, it shall establish priorities based on the type of project and methods to be utilized in implementing the projects and these priorities shall rank dredging, other than dredging to provide public access, as a low priority.

(f) *Dredging; sedimentation control.* These rules shall require that an application for financial assistance for the implementation of any project involving dredging include the identification of long-term controls which are being or will be undertaken to prevent sedimentation.

(g) *Algae abatement; nutrient control.* These rules shall require that an application for financial assistance for the implementation of any project involving algae or aquatic plant abatement programs include the identification of long-term controls which are being or will be undertaken to reduce or prevent nutrient pollution.

(h) *Guidelines for feasibility and implementation grants.* These rules shall establish guidelines for providing financial assistance for feasibility studies and implementation costs.

(2) **STUDIES, INVENTORIES.** The department shall undertake studies and inventories to assist the council in carrying out its duties.

(3) **AIDS.** The department shall administer a program of financial assistance to districts, using such funds as are appropriated by the legislature or made available from other sources.

(4) **ASSISTANCE.** The department shall assist districts seeking technical aid in any phase of lake protection or rehabilitation activity.

(5) **CLEARINGHOUSE.** The department shall serve as a clearinghouse for scientific data on lakes and information on accepted and experimental lake protection or rehabilitation techniques.

History: 1973 c. 301; 1975 c. 197; 1977 c. 26, 325; Stats. 1977 s. 33.02; 1979 c. 154; 1981 c. 317; 1985 a. 332 s. 251 (1).

33.03 Cooperation by state agencies. All departments and agencies of state government shall make available to the department such information and assistance as may be necessary to enable it to carry out its functions under this chapter.

History: 1973 c. 301; 1977 c. 26; Stats. 1977 s. 33.03.

SUBCHAPTER III**LAKE PROTECTION AND REHABILITATION PROJECTS**

33.11 Goals. The primary goal of activity under this chapter shall be to improve or protect the quality of public inland lakes. In addition, compilation of basic scientific data on lakes of this state and assessment of experimental and innovative techniques of lake rehabilitation and protection shall be goals of the program. Districts may undertake protection and rehabilitation projects to achieve the purposes of such districts specified in s. 33.21. Projects may be undertaken in cooperation with the department, the University of Wisconsin System, and other government agencies, and public and private organizations. Projects shall be divided into study, planning and implementation phases.

History: 1973 c. 301; 1975 c. 197.

2021–22 Wisconsin Statutes updated through 2023 Wis. Act 33 and through all Supreme Court and Controlled Substances Board Orders filed before and in effect on October 4, 2023. Published and certified under s. 35.18. Changes effective after October 4, 2023, are designated by NOTES. (Published 10–4–23)

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33.12 Scope. Any proposed activity by a district which does not involve an application for state aids or an application for a ch. 30 permit is exempt from subch. III. If a proposed activity by a district involves an application for state aids, subch. III applies. If a proposed activity by a district involves an application for a ch. 30 permit, subch. III shall apply only if the department determines that the activity requiring the permit is an integral part of a lake rehabilitation project.

History: 1973 c. 301.

33.13 Feasibility study. (1) Feasibility study work done through government agencies and public or private organizations shall include gathering data on the lake, drainage basin, sources of pollution or nutrients or other information necessary to determine the causes of degradation and remedial courses of action to prevent continued degradation or to determine potential causes of degradation and preventive courses of action. The department shall prescribe data to be secured, methods of analysis and evaluation, and duration of data-gathering to be used in feasibility studies.

(2) (a) The district may contract for feasibility study work with the lowest responsible bidder who submits a bid in the manner the district commissioners prescribe.

(b) In order to receive financial assistance for feasibility study work the district shall obtain the advice and approval of the department before entering a contract for feasibility study work and the department shall be made a party to the contract.

(3) Data gathered shall be forwarded to the department, which shall analyze it on an interdisciplinary basis.

(4) The department shall formulate suggested alternative methods, including cost estimates, of protecting or rehabilitating the water quality of the lake or portions thereof. Alternative protection schemes shall include steps necessary to maintain the water quality of the lake. Alternative rehabilitative schemes shall include steps necessary to abate continued degradation of the lake following implementation of a given rehabilitative plan.

History: 1973 c. 301; 1975 c. 197; 1981 c. 317.

33.14 Plan preparation and adoption. (1) **PROPOSED PLAN.** If specific lake protection and rehabilitation measures developed under s. 33.13 appear feasible and if financial assistance under s. 33.16 is sought, then the commissioners of the district shall develop a proposed plan based upon the recommendations of the department and the formulated alternatives or upon other technically valid bases.

(2) **SUBMISSION OF PROPOSED PLAN.** Prior to adopting a plan by formal resolution under s. 33.15, the commissioners shall:

(a) Forward a copy of the proposed plan to the department;

(b) Refer the proposed plan to the appropriate county land conservation committee and to the appropriate regional planning agency for the area, if any, for review and comment within 60 days of receipt; and

(c) Make application for any required permits and file an application for financial aid.

(3) **DEPARTMENT REVIEW.** Within 21 days after receipt of the proposed plan and applications the department shall advise the district if additional information is needed to conduct its technical and environmental review of the proposal. If an environmental impact statement is required, the department shall complete its environmental impact review before taking final action on the proposed plan.

(3m) **NOTICE; HEARING.** The department shall schedule a hearing on the proposed plan or follow the notice procedures under s. 31.06 (1).

(4) **CONSIDERATIONS AT HEARING.** If a hearing is conducted, the department shall consider the following:

(a) Compliance with s. 1.11;

(b) The issuance of permits which have been applied for;

(c) Whether the implementation of the plan is likely to cause long-range environmental pollution as defined in s. 299.01 (4);

(d) Comments made by the reviewing county land conservation committee and regional planning agency, if any; and

(e) Such other subjects as the department by rule deems necessary for making the order required by sub. (5).

(5) **APPROVAL.** Within 60 days following the hearing, the department shall by order either approve, approve with modification or disapprove the plan. The department shall concurrently rule on all permit applications.

History: 1973 c. 301; 1975 c. 197; 1979 c. 34 s. 2102 (39) (g); 1981 c. 20, 317; 1981 c. 346 s. 38; 1995 a. 227, 349.

33.15 Implementation. (1) No plan developed under this subchapter which involves financial assistance under s. 33.16 may be formally adopted for implementation by the district until the department approves the plans or whatever modifications it finds appropriate. If the department modifies an application by order, it shall clearly explain reasons why the modifications are being made.

(2) Following receipt of the department's order, the district may adopt the approved plan by resolution, in which case it shall forward a copy of the resolution and plan to the department.

(3) The district may then carry out the adopted plan of implementation.

(4) Implementation work may consist of any work in the lake or its watershed which will protect or enhance the opportunities for public enjoyment of the lake.

History: 1973 c. 301; 1975 c. 197; 1981 c. 20.

33.16 Financial assistance program. (1) Feasibility work contracted under s. 33.13 (2) (b) is eligible for financial assistance subject to guidelines established by rule by the department for funding feasibility studies. Receipt of financial assistance for feasibility work does not guarantee financial assistance for implementation costs and the department may not make this type of commitment for future financial assistance.

(3) A district desiring financial assistance shall apply to the department on forms provided by it and prescribing the information to be submitted.

(4) The department shall review all applications for financial assistance under this section. In the course of review of applications for financial assistance for implementation work the department shall consider, without limitation because of enumeration, the following factors where appropriate:

(a) Whether the citizens of the state will reasonably benefit from any improvements made or information obtained, and the degree of benefit;

(b) Whether sufficient long- and short-term benefits will be derived from the project, in relation to its cost;

(c) Whether the project is financially viable, given the resources of the district and the possibility of financial and non-monetary aid;

(d) Whether adequate steps have been or will be taken to ensure that the improved conditions resulting from the project will be sustained by adequate controls over potential sources of lake degradation including, where appropriate, control of sediments as suggested by the county land conservation committee;

(e) Whether experimental techniques involving a high risk of failure are being undertaken;

(f) Whether contamination from deleterious substances emitted by residential, municipal or industrial sources, sedimentation, siltation and nutrient fertilization from uncontrolled agricultural sources or septic tanks, groundwater, municipal and industrial wastes and other drainage sources, and any other sources responsible for lake degradation, are or will be substantially eliminated as a source of lake degradation, in order that any lake rehabilitated under this chapter may be protected or maintained in its protected or rehabilitated state;

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(g) Whether the project involves dredging and, if it does, the expected useful duration of the proposed dredging, whether other techniques are available to provide relief from the problem to be solved by dredging and whether long-term controls are or will be undertaken to prevent sedimentation; and

(h) Whether the project involves algae or aquatic plant abatement programs and, if it does, whether long-term controls are or will be undertaken to reduce or prevent nutrient pollution.

(5) The department may not approve any application for financial assistance for the implementation of any project which involves dredging if the expected useful duration of the dredging is less than 50 years. The department may not approve any application for financial assistance for the implementation of any project which involves dredging if the state funding provided by the department under the financial assistance program would provide more than 50 percent of the funding necessary for dredging other than dredging to provide public access. The department may not approve any application for financial assistance for the implementation of dredging if the amount of the financial assistance to be provided for dredging for a single project exceeds 10 percent of the funds available for all projects in the biennium. The department may not approve any application for financial assistance for the implementation of dredging unless no other reasonable alternative is available to provide relief from the problem to be solved by dredging.

(6) The department shall act upon each application for financial assistance within 60 days following plan approval and issuance of permits unless lack of adequate funding or the need to invoke a priority system dictates a delay in determination. Plan disapproval, delay in funding or other action not approving the application shall be explained by the department to the district in writing.

(7) (a) *District share.* The department may not grant financial assistance for implementation work in an amount which reduces a district's share of the project cost to less than 10 percent, except that up to 100 percent funding may be allowed on high-risk experimental projects where eventual results are highly uncertain.

(b) *Grant limit.* No grant for financial assistance under this section may exceed 25 percent of state funds available in the biennium.

(c) *Dredging limit.* No grant for financial assistance under this section may provide for funding for dredging in an amount which exceeds 10 percent of the funds available in the biennium.

(d) *Renewal.* The department may not renew a grant for financial assistance under this section in future bienniums unless the council finds that a special situation exists and recommends renewal of the grant.

(e) *North-south split.* The department shall grant financial assistance under this section so that not less than 25 percent of the moneys granted in any fiscal year are granted to districts north of a line running east-west across the state and commencing at the southernmost point on the southern boundary of the city of Stevens Point, except that this subsection does not preclude the full utilization of available funds if all applications north of this line aggregate less than 25 percent of the annual appropriations.

(f) *Level of funding; priorities.* The department shall grant financial assistance under this section with the appropriate level of state funding based upon rules promulgated under s. 33.02 (1) (d).

(d). The department may deny financial assistance under this section based upon priorities promulgated by rule under s. 33.02 (1) (e).

(8) The department may evaluate or contract with the University of Wisconsin System to evaluate projects receiving financial assistance under this section.

History: 1973 c. 301; 1975 c. 197; 1981 c. 20, 317; 1981 c. 346 s. 38; 1981 c. 391; 1987 a. 27.

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33.17 Unfunded application to continue. (1) Aid applications approved but unfunded because of a lack of funds remain eligible for future funding, subject to updating as the department may require. A lack of funding under this subchapter does not preclude a district from implementing all or part of an approved plan with funding from any other source but these projects are not eligible for retroactive financial assistance.

(2) The department shall return rejected applications to the district with a concise statement of the reasons for rejection.

History: 1973 c. 301; 1975 c. 197; 1981 c. 20.

33.18 Use of tax incremental financing prohibited. A district may not apply for or utilize tax incremental financing to fund an inland lake protection and rehabilitation program or project.

History: 1981 c. 317.

SUBCHAPTER IV**PUBLIC INLAND LAKE PROTECTION AND REHABILITATION DISTRICTS**

33.21 Public inland lake protection and rehabilitation districts; purposes. Districts may be created for the purpose of undertaking a program of lake protection and rehabilitation of a lake or parts thereof within the district.

History: 1973 c. 301; 1995 a. 349.

A district may rehabilitate part of a lake only if the entire lake lies within the district. *Kaiser v. City of Mauston*, 99 Wis. 2d 345, 299 N.W.2d 259 (Ct. App. 1980).

33.22 District; powers. (1) Any district organized under this chapter may select a name for the district, sue and be sued, make contracts, accept gifts, purchase, lease, devise or otherwise acquire, hold, maintain or dispose of property, disburse money, contract debt and do any other acts necessary to carry out a program of lake protection and rehabilitation. All contracts in excess of \$2,500 for the performance of any work or the purchase of any materials shall be let by the commissioners to the lowest responsible bidder in the manner they prescribe.

(2) The district 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.

(2m) Any district may create, operate and maintain a water safety patrol unit, as defined in s. 30.79 (1) (b) 2.

(3) (a) 1. Except as provided in par. (b) 1., any district organized under this chapter may have the powers of a town sanitary district under ss. 60.77 and 60.78, other than the power under s. 60.77 (6) (b), that are authorized by resolution of the board of the town having the largest portion by valuation of the district.

2. The board of commissioners of a district that has the powers of a sanitary district under subd. 1. shall possess the powers of town sanitary district commissioners under s. 60.77 that are authorized by resolution of the town board that adopts the resolution under subd. 1.

(b) 1. Beginning on April 9, 1994, any district organized under this chapter may assume the powers of a town sanitary district under ss. 60.77 and 60.78, other than the power under s. 60.77 (6) (b), that are authorized by resolution by the annual meeting of the district.

2. The board of commissioners of a district that assumes the powers of a sanitary district under subd. 1. shall possess the powers of town sanitary district commissioners that are authorized by resolution by the annual meeting of the district.

(4) Districts shall not exercise the town sanitary district powers authorized under sub. (3) within the boundaries of an incorporated municipality unless the governing body of the municipality consents. In addition, districts shall not exercise town sanitary

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district powers in any territory included in an existing town sanitary district except by contract under s. 66.0301 or unless the sanitary district merges under s. 33.235 (3).

(4m) A district may undertake projects to enhance the recreational uses of a lake within its jurisdiction, including recreational boating facilities as defined under s. 30.92 (1) (c).

(4r) If authorized by an annual meeting of a district, the district may appropriate money for the conservation of natural resources or for payment to a bona fide nonprofit organization for the conservation of natural resources within the district or beneficial to the district.

(5) Nothing in this chapter shall limit the authority of the department to establish town sanitary districts under s. 60.72.

History: 1973 c. 301; 1975 c. 197; 1977 c. 391; 1983 a. 532 s. 36; 1989 a. 159; 1991 a. 316; 1993 a. 167; 1995 a. 349; 1999 a. 150 s. 672.

A low bidder under s. 33.22 who is apparently a “responsible” bidder has standing to seek a permanent injunction against the award of a contract to any other bidder. *Aqua-Tech v. Como Lake Protection & Rehabilitation District*, 71 Wis. 2d 541, 239 N.W.2d 25 (1976).

33.23 Municipalities may establish district. (1) The governing body of a municipality may by resolution establish a district if the municipality encompasses within its boundaries all the frontage of the public inland lake within this state. Except as provided under sub. (3), the governing body of the municipality which establishes the district shall perform the function of the board of commissioners. For purposes of this subsection, “district” does not include a restructured district.

(2) Establishment of districts by towns under this section shall conform to the procedures of ss. 33.25 and 33.26 except that the town clerk shall perform the functions of the county clerk and the town board shall perform the functions of the county board and in addition shall hold the hearing.

(3) Districts established by municipalities under this section may adopt the form of governance provided under s. 33.28 by petition to the governing body of the municipality. Upon presentation of a petition conforming to the requirements of s. 8.40 requesting the change and signed by at least 20 percent of the property owners within the district, the governing body of the municipality shall provide for the necessary election of commissioners. The election shall be held by secret ballot at the next annual or special meeting, whichever occurs first, of the district and the change becomes effective at that time unless a challenge to the results of that election is initiated in circuit court within 14 days after the election. The court shall stay the change pending the decision on the challenge.

History: 1973 c. 301; 1975 c. 197; 1977 c. 141, 391; 1981 c. 18, 229; 1989 a. 159, 192, 359; 1995 a. 349.

33.235 Restructured districts; conversion and merger of town sanitary districts. (1) In this section:

(a) “Lake” means a lake, reservoir or flowage within the boundaries of the state.

(b) “Lake district” means a public inland lake protection and rehabilitation district that does not include a restructured district.

(1m) A town board by resolution may convert a town sanitary district which encompasses all the frontage of a lake within its boundaries into a restructured district. The town sanitary district commissioners shall serve as the initial board of commissioners until the first annual meeting of the restructured district, at which time the commissioners shall be selected under s. 33.28. Conversion shall not affect any preexisting rights or liabilities of the town sanitary district. All such rights or liabilities shall be assumed automatically by the restructured district.

(2) The commissioners of a town sanitary district that does not encompass all the frontage of a lake within its boundaries may, with approval of the town board, petition under s. 33.25 for the formation of a restructured district to include the territory of the existing sanitary district and any additional frontage on the lake that is deemed appropriate by the commissioners. The commissioners may sign the petition for the landowners in the sanitary district.

If necessary to meet the requirements of s. 33.25, signatures of owners of land lying outside the sanitary district shall be obtained. Formation of a restructured district that includes such additional territory shall not affect any preexisting rights or liabilities of the town sanitary district, and all these rights and liabilities shall be assumed automatically by the restructured district. The method by which these rights and liabilities are apportioned within the restructured district shall be determined by the county board, and set out in the order issued under s. 33.26 (3) forming the restructured district.

(3) A town sanitary district having boundaries coterminous or contiguous to a lake district may merge into the lake district. Merger is effected by approval of an identical merger resolution by a two-thirds vote of the commissioners of the town sanitary district and the lake district, followed by ratification by a majority of those voting at an annual or special meeting of the lake district and a majority of those voting in a referendum of the town sanitary district under s. 60.785 (2). Merger may not become effective unless the town board which created the sanitary district approves the merger. The commissioners of the town sanitary district and the district shall act jointly until the next annual or special meeting, whichever occurs first, of the restructured district at which time the board of the restructured district shall be created subject to the requirements under s. 33.28. Merger does not affect the preexisting rights or liabilities of the town sanitary district or the lake district. All these rights and liabilities are assumed automatically by the restructured district, but the method of discharging these rights or obligations shall be set out in the merger resolution.

(4) Any restructured district shall have all powers granted to districts under this chapter and to town sanitary districts under ch. 60, except the taxation power under s. 60.77 (6) (b). Such powers shall be exercised using the procedures and methods set out in this chapter.

History: 1975 c. 197; 1979 c. 299; 1983 a. 532 s. 36; 1989 a. 159; 1995 a. 349.

33.24 County board may establish district. (1) Notwithstanding s. 33.01 (3), in this section, “district” does not include a restructured district.

(2) The county board of any county may establish districts within the county if the conditions stated in s. 33.26 are found to exist. Before a district that includes any portion of a city or village may be formed under authority of this section, the city council or village board must have previously approved the inclusion of its territory within the boundaries of a proposed district.

History: 1973 c. 301; 1995 a. 349.

33.25 Petition. (1) **WHO TO MAKE.** (a) Before a county board may establish a district under s. 33.235 or 33.24, a petition requesting establishment shall be filed with the county clerk, addressed to the board and signed by persons constituting 51 percent of the landowners or the owners of 51 percent of the lands within the proposed district. Governmental subdivisions, other than the state or federal governments, owning lands within the proposed district are eligible to sign such petition. A city council or village or town board may by resolution represent persons owning lands within the proposed district who are within its jurisdiction, and sign for all such landowners.

(b) For a landowner that is a trust, foundation, corporation, association or organization, a petition under par. (a) shall be signed by an official representative, officer or employee who is authorized to do so by that landowner.

(2) **CONTENTS.** The petition shall set forth:

(a) The proposed name of the district;

(b) The necessity for the proposed district;

(c) That the public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district and that the lands to be included therein will be benefited by such establishment; and

(d) The boundaries of the territory to be included in the proposed district.

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(3) **VERIFICATION, PLAT.** The petition shall be verified by one of the petitioners, and shall be accompanied by a plat or sketch indicating the approximate area and boundaries of the district.

(4) **PRESUMPTION.** Every petition is presumed to have been signed by the persons whose signatures appear thereon, until proved otherwise.

(5) **WITHDRAWING FROM PETITION.** Any landowner who is considered to have signed the petition under sub. (1) may withdraw from the petition if the landowner files a written notice of the withdrawal with the county clerk at least 10 days before the date of the hearing under s. 33.26.

History: 1973 c. 301; 1975 c. 197; 1993 a. 167, 246; 1995 a. 349.

The requirements for a verification under sub. (3) are that it is made under oath and carries the jurat of a notary public. Every person giving the oath is considered to have been lawfully sworn. Use of the word “certify” rather than “verify” is irrelevant. *Nielsen v. Waukesha County Board of Supervisors*, 178 Wis. 2d 498, 504 N.W.2d 621 (Ct. App. 1993).

33.26 Hearings, time, notice, boundaries, approval, limitations. (1) Upon receipt of the petition the county board shall arrange a hearing to be held not later than 30 days from the date of presentation of the petition, and shall appoint a committee to conduct the hearing. At the hearing all interested persons may offer objections, criticisms or suggestions as to the necessity of the proposed district as outlined and to the question of whether their property will be benefited by the establishment of such district. Any person wishing to object to the organization of such district may, before the date set for the hearing, file objections to the formation of such district with the county clerk.

(2) Notice announcing the hearing and stating the boundaries of the proposed district shall be published in a paper of general circulation in the county in which the proposed district is located as a class 1 notice, under ch. 985, and shall be mailed by the county board to the last-known address of each landowner within the proposed district.

(3) The committee shall report to the county board within 3 months after the date of the hearing. Within 6 months after the date of the hearing, the board shall issue its order under this subsection. If the board finds, after consideration of the committee’s report and any other evidence submitted to the board, that the petition is signed by the requisite owners as provided in s. 33.25, that the proposed district is necessary, that the public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the district, and that the property to be included in the district will be benefited by the establishment of the proposed district, the board, by order, shall declare its findings, shall establish the boundaries and shall declare the district organized and give it a corporate name by which it shall be known. Thereupon the district shall be a body corporate with the powers of a municipal corporation for the purposes of carrying out this chapter. If the board does not so find, the board, by order, shall declare its findings and deny the petition.

(5) The department shall be notified in writing of the hearing for the creation of the district at the time the hearing date is set.

(6) In establishing the district, the county board may change the boundaries from those originally proposed. However, lands not originally proposed for inclusion may not be included until a public hearing is held under this section.

(7) Any person aggrieved by the action of the board may petition the circuit court for judicial review. A verified petition shall be presented to the court not more than 30 days after the decision of the board, and shall specify the grounds upon which the appeal is based.

History: 1973 c. 301; 1979 c. 34 s. 2102 (39) (g); 1981 c. 20; 1991 a. 316; 1993 a. 167; 1995 a. 227; 2003 a. 275.

Although not specified, the right to review under sub. (7) is by statutory certiorari. *Donaldson v. Board of Commissioners of Rock-Koshkonong Lake District*, 2004 WI 67, 272 Wis. 2d 146, 680 N.W.2d 762, 01–3396.

33.265 Notice, filing and recording requirements. If a district is created or its boundaries altered, the board of commissioners shall record the authorizing document, including a legal

description of the boundary, with the register of deeds in each county where the district is situated, and file the document and legal description with the department of natural resources and the department of revenue.

History: 1981 c. 20; 1993 a. 301.

33.27 Initial district board of commissioners. (1) The county board shall, at the time of making the order establishing a district, appoint 3 owners of property within the district, at least one of whom is a resident of the district, to serve as commissioners until the first annual meeting of the district, and shall also make the appointment required under s. 33.28 (2).

(1m) If no resident is willing to serve as required under sub. (1), the residency requirement shall be waived for the initial district board of commissioners.

(2) Within 30 days following the county board’s order establishing the district, the governing body of the town, city or village having the largest portion by valuation within the district shall appoint one of its members to the district board under s. 33.28 (2).

(3) At any time following the making of the order establishing a district, but no later than 60 days following the expiration of time for appeal to the circuit court, or, if appealed, no later than 60 days following the final judgment in any appeal, the district board shall hold an organizational meeting, shall select officers to serve until the first annual meeting, and may commence conducting the affairs of the district.

(4) The board may make an initial assessment of all taxable property within the district to raise funds to pay organizational costs and operate the district until the receipt of the tax voted by the first annual meeting. The manner of making the assessment shall be within the discretion of the board.

History: 1973 c. 301; 1975 c. 197; 1979 c. 299; 1993 a. 167.

33.28 District board of commissioners. (1) Management of the affairs of the district shall be delegated to a board of commissioners.

(2) Except as provided in sub. (2m) (c), the board of commissioners shall consist of all of the following:

(a) One person appointed by the county board who is a member of the county land conservation committee or who is nominated by the county land conservation committee and appointed by the county board.

(b) One person who is appointed by the governing body of the town, village, or city within which the largest portion by valuation of the district lies. The person appointed under this paragraph shall be a resident of the district who owns property within the district if possible or shall be a member of the governing body of the town, village, or city within which the largest portion of the valuation of the district lies.

(c) Three electors or owners of property within the district elected by secret ballot by the qualified electors and property owners within the district, for staggered 3-year terms. At least one of the elected commissioners shall be a resident of the district.

(d) If the district includes a lake that is controlled by a dam, if the dam is not located in the town, village, or city within which the largest portion by valuation of the district lies, and if the governing body of the town, village, or city within which the largest portion by valuation of the district lies elects not to make an appointment under par. (b), as provided in sub. (2m) (c), one person who is appointed by the governing body of the town, village, or city within which the dam is located. The person appointed under this paragraph shall be a resident of the district who owns property within the district if possible or shall be a member of the governing body of the town, village, or city within which the dam is located.

(2m) (a) An annual meeting may permanently increase the number of members of the board of commissioners to be elected under sub. (2) (c) from 3 to 5.

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(b) If no resident is willing to be elected as required under sub. (2) (c) for a given term, the residency requirement shall be waived until the end of that term.

(c) If the district includes a lake that is controlled by a dam and if the dam is not located in the town, village, or city within which the largest portion by valuation of the district lies, the governing body of the town, village, or city within which the largest portion by valuation of the district lies may elect not to make an appointment under sub. (2) (b).

(3) Three commissioners shall constitute a quorum for the transaction of business.

(4) The board shall select a chairperson, secretary and treasurer from among its members.

(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.

(6) The board shall meet at least quarterly, and at other times on the call of the chairperson or the petition of 3 of the members.

(7) If a vacancy occurs in the membership of the board under sub. (2) (a) or (d), the appointing authority shall appoint a person to fill the vacancy. If a vacancy occurs in the membership of the board under sub. (2) (b) that is not a result of the appointing body electing not to make an appointment under sub. (2m) (c), the appointing authority shall appoint a person to fill the vacancy. If a vacancy occurs in the membership of the board under sub. (2) (c), the chairperson of the board shall appoint a person to fill the remainder of the unexpired term, subject to approval by a majority vote of the board.

History: 1973 c. 301; 1975 c. 197; 1977 c. 391; 1979 c. 299; 1981 c. 18, 346; 1989 a. 159, 359; 1991 a. 32; 1993 a. 167; 2015 a. 25, 140.

Sub. (2) (a) provides that the county representative upon a public inland lake protection and rehabilitation board is to be a person appointed by the county board. By operation of s. 59.17 (2) (c), the power of appointing the county representative to a public inland lake protection and rehabilitation district is therefore transferred from the county board to the county executive once the office of county executive is created, subject to confirmation by the board. *OAG 2–09.*

33.285 Property owning requirements. Any requirement under s. 33.27 (1) or 33.28 that a person own property within the district to be eligible for membership on the board of commissioners is satisfied if a person is an official representative, officer or employee of any trust, foundation, corporation, association or organization which is an owner of property within the district.

History: 1975 c. 197; 1979 c. 299.

33.29 Board of commissioners; officers; powers and duties. (1) The board shall be responsible for:

(a) Initiating and coordinating research and surveys for the purpose of gathering data on the lake, related shorelands and the drainage basin;

(b) Planning lake protection and rehabilitation projects;

(c) Contacting and attempting to secure the cooperation of officials of units of general purpose government in the area for the purpose of enacting ordinances deemed necessary by the board as furthering the objectives of the district;

(d) Adopting and carrying out lake protection and rehabilitation plans and obtaining any necessary permits therefor;

(e) Maintaining liaison with those officials of state government involved in lake protection and rehabilitation, and providing the department with the names and addresses of the current commissioners;

(f) Scheduling the annual meeting of the district; and

(g) Preparing the proposed annual budget for presentation at the annual meeting of the district. The proposed annual budget shall include all of the following:

1. A list of all existing indebtedness and all anticipated revenue from all sources during the ensuing year.

2. A list of all proposed appropriations for each department, activity, and reserve account during the ensuing year.

3. The actual revenues and expenditures for the preceding year.

4. The actual revenues and expenditures for not less than the first 6 months of the current year.

5. The estimated revenues and expenditures for the balance of the current year.

6. For informational purposes by fund, all anticipated unexpended or unappropriated balances and surpluses.

(2) The board shall have control over the fiscal matters of the district, subject to the powers and directives of the annual or a special 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.

(3) 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.

History: 1973 c. 301; 1989 a. 159, 359; 2003 a. 275; 2015 a. 197 s. 51.

33.30 Annual meeting of district. (1) Every district shall have an annual meeting. Each annual meeting shall be scheduled during the time period between May 22 and September 8 unless scheduled outside those dates by majority vote of the previous annual meeting.

(2) (a) The annual meeting shall be preceded by written notice mailed at least 14 days in advance of the meeting to all electors within the district whose address is known or can be ascertained with reasonable diligence, to all owners of property within the district at the owner's address as listed in the tax roll, and to the department. The district board of commissioners may substitute a class 2 notice, under ch. 985, in lieu of sending written notice to electors residing within the district.

(b) No absentee ballots or proxies are permitted at the annual meeting.

(2m) The notice of the annual meeting under sub. (2) shall include all of the following:

(a) The proposed annual budget required under s. 33.29 (1) (g).

(b) A list of each item proposed for consideration at the annual meeting in addition to the proposed annual budget.

(c) A list of any items proposed for consideration at the annual meeting by persons eligible to vote at the annual meeting if all of the following conditions are met:

1. The item relates to an issue that is within the district's authority.

2. Each item is submitted by a petition to the board at least 30 days before the annual meeting.

3. The petition is signed by persons who are eligible to vote at the annual meeting.

4. The number of persons signing the petition equals or exceeds 20 percent of the number of parcels located in the district that are subject to the property tax.

(3) At the annual meeting, electors and property owners who attend the meeting shall do all of the following:

(a) Elect by secret ballot one or more commissioners to fill vacancies occurring in the elected membership of the district board.

(b) Approve a budget for the coming year. The electors and property owners may consider and vote on amendments to the budget before approving that budget. The budget shall separately

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identify the capital costs and the costs of operation of the district, shall conform with the applicable requirements under s. 33.29 (1) (g) and shall specify any item that has a cost to the district in excess of \$10,000.

(4) At the annual meeting, electors and property owners may do any of the following:

(a) Vote by majority a tax upon all taxable property within the district. That portion of the tax that is for the costs of operation for the coming year may not exceed a rate of 2.5 mills of equalized valuation as determined by the department of revenue and reported to the district board. The tax shall be apportioned among the municipalities having property within the district on the basis of equalized full value, and a report shall be delivered by the treasurer, by November 1, by certified statement to the clerk of each municipality having property within the district for collection.

(b) Take up and consider such other business as comes before it.

(c) Establish compensation to be paid the district board commissioners.

(d) Create a nonlapsable fund to finance specifically identified capital costs and for maintenance of capital equipment.

(5) All of the following apply to an election under sub. (3) (a):

(a) Ballots shall be distributed only to qualified electors and property owners in attendance at the meeting. No ballots may be distributed after collection of the ballots commences.

(b) Ballots shall be counted immediately following the election and results read to those attending the meeting, including the total number of ballots cast and the number of votes each candidate received. Any candidate for the district board or his or her designee may be present to observe the counting of ballots.

(c) After the procedure under par. (b) is complete, any elector or candidate may request a recount. If a recount is requested, the secretary shall note the request in the meeting minutes. A recount requested under this paragraph shall be conducted following the same procedure as under par. (b). The recount results are final when one of the following applies:

1. If the total number of votes cast is fewer than 100, when 2 successive recounts yield identical results.

2. If the total number of votes cast is 100 or more, after one recount, unless a recount is requested under par. (d).

(d) If par. (c) 2. applies, the runner-up candidate may request another recount. If a recount is requested under this paragraph, the secretary shall note the request in the meeting minutes and the following process applies:

1. The ballots shall be enclosed in a container sealed with a tamper-evident seal.

2. The container of ballots shall be delivered, unopened, to the clerk of the most populous municipality in the district within 2 business days after the election.

3. The clerk under subd. 2. shall conduct a recount of the ballots within 2 weeks of receiving the ballots and shall immediately transmit the results of the recount to the secretary of the board. The clerk shall inform all candidates of the time and location of the recount at least 48 hours in advance. Any candidate for the district board or his or her designee may be present to observe the recount.

4. The clerk under subd. 2. may charge the actual cost of conducting the recount under subd. 3. to the district.

(e) No recount under this subsection may be requested after the meeting at which the election is held has been adjourned.

History: 1973 c. 301; 1975 c. 197; 1977 c. 142, 391, 447; 1979 c. 299; 1981 c. 18, 20; 1989 a. 159; 1993 a. 167; 1995 a. 349; 2003 a. 275, 327; 2019 a. 99.

33.305 Special meetings of district. (1) The board of commissioners of a district may schedule a special meeting of the district at any time. The board of commissioners shall schedule a special meeting upon receipt of a petition signed by at least 10 percent of the electors and property owners in the district.

(2) Written notice of a special meeting shall be given to the same persons and in the same manner required under s. 33.30 (2) (a).

(3) 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 they may not do any of the following:

(a) Approve an annual budget but they may consider and vote on amendments to the annual budget.

(c) Consider the dissolution of the district or dissolve the district.

(d) Consider a matter that was resolved during another special meeting that was held since the previous annual meeting.

(4) No absentee ballots or proxies are permitted at a special meeting.

History: 1989 a. 159; 1995 a. 349; 2003 a. 275.

33.31 Power to finance. (1) Every district may borrow money and use any other financing method prescribed by law. In utilizing financing powers, the commission shall follow the procedures required by statute for the selected financing methods so far as they are applicable and not in conflict with this subchapter.

(2) Any district, when in temporary need, may borrow money under s. 67.12.

(3) The district shall levy an annual, irrevocable tax to pay the principal and interest of the indebtedness incurred under subs. (1) and (2) when they are due. The district shall levy this tax without limitation as to rate or amount on all taxable property within the district. The tax shall be reported in accordance with s. 33.30 (4) (a) and may not be included nor includable in the operations tax limit of s. 33.30 (4) (a).

(4) At an annual or special meeting, the district may not consider or approve any borrowing or any tax to pay the indebtedness incurred under sub. (1) or (2) unless the meeting notice under s. 33.30 (2) (a) or 33.305 (2) includes a statement that borrowing or a tax levy to pay the indebtedness will be considered at the meeting.

History: 1973 c. 301; 1975 c. 197; 1977 c. 391; 1983 a. 207; 1989 a. 159; 1993 a. 167; 2003 a. 275.

33.32 Special assessments and special charges.

(1) Special assessments for the purpose of carrying out district protection and rehabilitation projects, or for other lake management or sanitary service activities undertaken by the district, may be levied by the commissioners as an exercise of the district's police powers in the following manner:

(a) Upon approval of plans for any work by the annual or by a special meeting of the district, the commissioners shall determine the entire cost to the district of the work to be done.

(b) The commissioners shall then apportion the special assessment within the district, other than state or federal lands, on a reasonable basis. In apportioning the special assessment, the commissioners shall examine each parcel and determine the benefits to each parcel from the project, considering such factors as size, proximity to the lake and present and potential use of the parcel, including applicable zoning regulations. After benefits to each parcel are determined, assessments shall be made in an aggregate amount equal to the cost to the district of the project. Such assessments shall be made in accordance with s. 66.0703, so far as it is applicable and not in conflict with this subchapter.

(c) The commissioners shall file in the office of the county clerk a report of the assessments made. Notice shall be given to each owner, mortgagee, lessee or other person having an interest in an affected parcel that the report is open for review at a specified place within the district for 30 days after the date of the notice and that on a day named therein, which shall not be more than 3 days after the expiration of the 30 days, the commissioners will hear objections that may be made to the report. Notice shall be by mail to each person whose post-office address is known or can be ascertained with reasonable diligence, accompanied by a statement of the assessment, and shall also be published as a class 2

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notice, under ch. 985, in a newspaper having general circulation within the district.

(d) At the time specified for hearing objections to the report, the commissioners shall hear parties interested who may appear for that purpose and may review, modify and correct the report as they deem just and at the conclusion of the hearing shall make a final determination of assessments. No assessment may be increased without additional notice to affected persons and provisions for hearing objections to such increases.

(e) When a final determination of assessments has been made, the secretary shall publish a class 1 notice, under ch. 985, within the district that a final determination has been made, and shall notify by mail each person entitled to notice under par. (c) of the amount assessed against the affected parcel.

(f) An owner, mortgagee, lessee or other person having an interest in any parcel affected by the determination who feels aggrieved thereby may, within 40 days after the date of mailing of notice, appeal therefrom to the circuit court of the county in which the district is located by causing a written notice of appeal to be served upon the secretary of the district. The secretary in case such appeal is taken shall make a brief statement of the proceedings had in the matter and shall transmit the same with all papers in the matter to the clerk of the circuit court. Such appeal shall be tried and determined in the same manner as cases originally commenced in said court.

(2) The commissioners of any district may provide that special assessments levied may be paid in annual installments, not more than 10 in number, in the manner provided in s. 66.0715 (3).

(2m) Any delinquent special assessment or special charge that is collected under s. 66.0627 (4) or 66.0703 (13) shall be levied without limitation as to rate or amount on all taxable property within the district, shall be reported in accordance with s. 33.30 (4) (a) and shall not be included or includable in the operations tax limit of s. 33.30 (4) (a).

(3) (a) County and municipally owned real estate within a district shall be subject to special assessments.

(b) If a county or municipality fails to pay a special assessment levied by a district, the clerk of the district may certify this fact to the department of administration, and shall state the amount due. The department, at the time of making the next scheduled distribution under s. 79.035, shall deduct the amount claimed from the payment due the county or municipality, and shall forward it to the district.

(4) Outstanding unpaid assessments on privately owned lands shall be paid in full by any public body, including the state, which purchases such lands.

(5) Sewerage system service charges imposed by districts with town sanitary district powers shall be in conformance with s. 66.0821. Special charges may be imposed for other services identified in the annual budget adopted under s. 33.30 (3) (b). The special charges may not exceed the rate of \$2.50 per \$1,000 of assessed valuation. The special charges may be certified by the district secretary to the clerk of each municipality having property within the district for collection and settlement in the same manner as provided under ch. 74. The commissioners shall allocate the charges to the property served in a manner prescribed by them unless the manner is specified by a resolution of the annual or of a special meeting. Delinquent special charges shall be governed by s. 66.0627 (4).

History: 1973 c. 301; 1975 c. 197; 1977 c. 391; 1983 a. 27 s. 2202 (45); 1989 a. 159; 1991 a. 316; 1993 a. 167; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 30; 2003 a. 275; 2011 a. 32.

33.33 Merger, attachment, detachment. (1) **MERGER.** Any district may be merged with a contiguous district by resolution passed by a four-fifths vote of all the members of each board of commissioners. At the next annual or special meeting, whichever occurs first, the electors and property owners shall vote on whether to ratify the merger. If a majority of the electors and property owners present and voting in each district endorse the merger,

it takes effect. Following ratification, the boards of commissioners of merging districts shall act jointly until the next annual or special meeting whichever occurs first, at which time the board of the merged district shall be conformed to the requirements specified in s. 33.28. The governing body of the county, town, village or city having the largest portion by valuation within the district shall make the appointments under s. 33.28 (2).

(2) **ATTACHMENT.** Contiguous territory may be attached to a district upon petition by the owner or motion of the commissioners.

(a) *Petition.* A petition by an owner, directed to the district and requesting attachment, may be accepted by majority vote of the commissioners, upon which the attachment shall become effective.

(b) *Motion.* If the commissioners by motion initiate attachment proceedings, they shall notify the owners of the territory contemplated for attachment and the county board. The county board shall schedule a hearing on the motion, using the procedure of s. 33.26 as far as is applicable. Following the hearing, the board shall make a finding on the necessity of attachment of territory, using the standards of s. 33.26 (3), and shall declare the territory to be either attached or not. Appeals of the board's decision shall be taken under s. 33.26 (7).

(3) **DETACHMENT.** Territory may be detached from the district following petition of the owner or motion of the commissioners. Proposals for detachment shall be considered by the commissioners, and territory may be detached upon a finding that such territory is not benefited by continued inclusion in the district. Appeals of the commissioners' decision may be taken under s. 33.26 (7).

History: 1973 c. 301; 1975 c. 197; 1981 c. 20; 1989 a. 159; 2003 a. 275.

It is not always necessary for the petitioner in a detachment proceeding to prove that there has been a change in circumstances since the district was created. The finding of benefit to property required under s. 33.26 (3) in forming a district is not the same as the finding that the property is not benefited as required under s. 33.33 (3) to detach a property from the district. The s. 33.26 (3) finding is general and predictive. Section 33.33 (3) requires an individualized evaluation of property under present circumstances. *Donaldson v. Board of Commissioners of Rock-Koshkonong Lake District*, 2004 WI 67, 272 Wis. 2d 146, 680 N.W.2d 762, 01–3396.

Although not specified, the right to review under sub. (3) is by statutory certiorari. *Donaldson v. Board of Commissioners of Rock-Koshkonong Lake District*, 2004 WI 67, 272 Wis. 2d 146, 680 N.W.2d 762, 01–3396.

33.35 Dissolution of districts. A petition to dissolve an existing district created under this chapter 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 district 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 s. 33.26 (3) 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.

History: 1973 c. 301; 1989 a. 159.

33.36 Alteration of districts. (1) Whenever any territory that contains an entire district is incorporated as a city or village, consolidated with a city or village or annexed to a city or village, the district shall survive and shall be subject to s. 33.23.

(2) Whenever any territory containing less than an entire district is incorporated as a city or village, consolidated with a city or village or is annexed to a city or village, the district shall survive, and the district shall continue to operate under this chapter, subject to the following modifications:

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(a) The district shall exercise only those powers granted under this chapter. Sanitary district powers shall not be exercised unless consent for such exercise is obtained in advance from the governing body of the city or village.

(b) The governing body of the city, village or town having the largest portion by valuation of the district within its jurisdiction shall make the appointment under s. 33.28.

(c) Ownership of any water or sewerage system shall be determined according to s. 60.79 (2) (d).

History: 1975 c. 197; 1983 a. 532 s. 36; 1989 a. 159.

33.37 Districts in more than one county. (1) Where the proposed district is in more than one county, the county board of the county within which the largest portion, by valuation, of the proposed district lies shall have jurisdiction under ss. 33.24 to 33.28.

(2) The county within which the largest portion, by valuation, of a district lies shall have jurisdiction on motions for attachment under s. 33.33 (2) (b) and on petitions for dissolution under s. 33.35.

History: 1977 c. 391.

SUBCHAPTER V

DANE COUNTY LAKES AND WATERSHED
COMMISSION

33.41 Definitions. In this subchapter:

(1) “Board of commissioners” means the board of commissioners of the Dane County Lakes and Watershed Commission.

(1m) “Commission” means the Dane County Lakes and Watershed Commission created under s. 33.42.

(2) “County” means Dane County.

(3) “County board” means the county board of the county.

(5g) “Municipality” means any city, village or town.

History: 1989 a. 324.

33.42 Creation. There is created a Dane County Lakes and Watershed Commission as part of county government. The board of commissioners shall govern the commission.

History: 1989 a. 324.

33.44 Board of commissioners; composition. (1) The board of commissioners shall consist of the following persons, all of whom shall be residents of the county:

(a) The county executive of the county or his or her designee.

(b) The mayor of the city of Madison or his or her designee.

(c) Two members who are supervisors on the county board and who represent supervisory districts located entirely outside the city of Madison.

(d) Two members who are supervisors on the county board and who represent supervisory districts located entirely within the city of Madison.

(dm) One member who is a member of the Yahara Lakes Association.

(e) 1. Except as provided in subd. 2., one member who is not a supervisor on the county board, who resides in the city of Madison and whose name is on a list of at least 2 nominees submitted to the county executive by the mayor of the city of Madison.

2. If the list of nominees required under this paragraph is not submitted at least 60 days before the term of the member appointed under this paragraph expires or at least 60 days before the county executive must fill a vacancy under this paragraph, the county executive shall appoint a member who is not a supervisor on the county board and who resides in the city of Madison.

(f) 1. Except as provided in subds. 2. and 3., one member who is not a supervisor on the county board, who resides outside the city of Madison and whose name is on a list of at least 2 nominees

submitted to the county executive by the Dane County Towns Association.

2. For terms subsequent to the initial term, the person appointed under this paragraph must reside outside the city of Madison and the person’s name must be on a list of at least 2 nominees submitted to the county executive by the Dane County Towns Association. Unless the person has served continuously as the member appointed under this paragraph for all previous terms, including the initial term, the person may not be a supervisor on the county board.

3. If the list of nominees required under this paragraph is not submitted at least 60 days before the term of the member appointed under this paragraph expires or at least 60 days before the county executive must fill a vacancy under this paragraph, the county executive shall appoint a member who resides outside the city of Madison and who either has served continuously as the member appointed under this paragraph for all previous terms, including the initial term, or who is not a supervisor on the county board.

(g) 1. Except as provided in subds. 2. and 3., one member who is not a supervisor on the county board, whose name is on a list of at least 2 nominees submitted to the county executive by a majority of the chief executives of the villages and cities, except the city of Madison, that are located at least partially in the county, and who is a resident of such a village or city.

2. For terms subsequent to the initial term, the person appointed under this paragraph must not be a supervisor on the county board. Unless the person has served continuously as the member appointed under this paragraph for all previous terms, including the initial term, the name of the person must be on a list submitted to the county executive by a majority of the chief executives of the villages and cities, except the city of Madison, that are located at least partially in the county, and the person must be a resident of such a village or city.

3. If the list of nominees, when required under this paragraph, is not submitted at least 60 days before the term of the member appointed under this paragraph expires or at least 60 days before the county executive must fill a vacancy under this paragraph, the county executive shall appoint a member who is not a supervisor on the county board and who either has served continuously as the member appointed under this paragraph for all previous terms, including the initial term, or who is a resident of a village or city, except the city of Madison, that is located at least partially within the county.

(2) The county executive shall appoint the members listed under sub. (1) (c) to (g) subject to confirmation by the county board.

(2g) In making the appointments under sub. (1) (c) and (d), the county executive shall appoint persons who will represent the diverse interests of the urban and rural communities in improving the water quality and the scenic and environmental value of the county surface waters and groundwaters.

(2m) The term of a member appointed under sub. (1) (c) to (g) begins on the 3rd Tuesday in April of the year in which the member is appointed and ends on the 3rd Tuesday in April in the 3rd year following the year in which the member is appointed.

(3) Six commissioners shall constitute a quorum for the transaction of business.

(5) Commissioners shall be paid actual and necessary expenses incurred while conducting business of the commission and shall be paid the same per diem as members of county board committees.

(6) (a) If a commissioner appointed under sub. (1) (c) or (d) is not reelected to be a supervisor on the county board during his or her term on the commission, he or she may continue to serve on the commission until the position is filled as provided in par. (b).

(b) Vacancies occurring during the term of any commissioner appointed under sub. (1) (c) to (g) shall be filled within 90 days in

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the manner provided in s. 17.27 (1n). A commissioner appointed to fill a vacancy may be reappointed for subsequent full terms.

(7) The board of commissioners shall meet at least quarterly, and at other times on the call of the chairperson or on the petition of 6 of the members.

(8) Any action by the board of commissioners requires the affirmative vote of the majority of members present and voting.

(9) The board of commissioners shall elect a chairperson, vice chairperson and secretary from its members each year, and these officers shall have the following duties:

(a) The chairperson shall preside at all meetings and all public hearings held by the board of commissioners.

(b) The vice chairperson shall preside at any meeting or any public hearing held by the board of commissioners at which the chairperson is unable to preside.

(c) The secretary shall keep minutes of all meetings of the board of commissioners and hearings held by it.

History: 1989 a. 324; 1999 a. 9; 2001 a. 103.

33.445 Board of commissioners; duties. (1) The board of commissioners shall initiate and coordinate surveys and research projects for the purpose of gathering data relating to the surface waters and groundwaters of the county.

(2) The board of commissioners shall maintain a liaison with agencies of the federal, state and local governments and other organizations that are involved in programs or projects designed to protect, rehabilitate and manage water resources.

(3) The board of commissioners shall develop a public information and education program on issues related to the surface waters and groundwaters of the county.

History: 1989 a. 324; 2003 a. 33.

33.45 Board of commissioners; powers. (1) The board of commissioners may develop and implement plans, projects or programs to do any or all of the following:

(a) Improve the water quality and the scenic, economic and environmental value of the surface waters and the groundwaters of the county.

(b) Protect or enhance the recreational use of the navigable waters of the county.

(c) Coordinate and integrate, for efficient and effective cost management, any county programs or projects for the waters of the county that relate to any of the following:

1. Surface water and groundwater quality.
2. The recreational use of and public access to navigable waters.
3. Water safety and boating regulations.
4. Algae and aquatic plant management.

(d) Reduce soil erosion and bring cropland soil erosion loss into conformance with s. 92.025.

(2) The board of commissioners may develop and propose to the county board programs or projects to make improvements to the navigable waters in the county including, but not limited to, constructing and maintaining public boat launching facilities, maintaining park or other open natural areas adjacent to the navigable waters, implementing shoreline maintenance requests, maintaining and improving locks and dredging waterways.

(3) The board of commissioners may create advisory committees as it considers necessary to apprise the board of commissioners of the information necessary to implement its duties and powers. The advisory committees may include, but are not limited to, representatives of the following: fishing groups; farmers; businesses; riparian and other real property owners; industry groups; public bodies; sailing clubs; boating clubs; environmentalists; scientists; conservationists; hunters; and water skiing, diving and other sports clubs.

(4) The board of commissioners may promulgate any rules necessary to implement the duties and powers granted to the board of commissioners.

History: 1989 a. 324.

33.455 Regulation proposed by board of commissioners. (1) **ORDINANCES AND LOCAL REGULATIONS.** The board of commissioners may propose to the county board the adoption, modification or rescission of any ordinance or local regulation relating to boating, recreation or safety upon the navigable waters of the county.

(2) **MINIMUM STANDARDS.** The board of commissioners may propose to the county board minimum standards for local regulations and ordinances for municipalities and the county to protect and rehabilitate the water quality of the surface waters and groundwaters of the county that relate to any of the following:

(a) The environmental control of land surfaces, which includes, but is not limited to, one or more of the following:

1. Erosion control.
2. Construction site control.
3. Zoning of shorelands, wetlands and floodplains.
4. Subdivision of land under ch. 236.
5. Environmental control of agricultural land.
6. Other conservation programs or projects that relate to the environmental control of land surfaces.

(b) The maintenance of property owned or maintained by a municipality, including public ways and shorelands.

(3) **ADOPTION BY COUNTY BOARD.** (a) Subject to the requirements under s. 281.33 (3m), the county board may adopt a minimum standard, an ordinance or a local regulation, or a modification to or rescission of an ordinance or a local regulation, as proposed by the board of commissioners under sub. (1) or (2).

(b) Notwithstanding s. 30.77 (3) (a), an ordinance, local regulation or minimum standard as adopted by the county board under this section shall apply to the county and to any municipality partially or totally within the county and shall supersede any less restrictive and conflicting provision of a minimum standard, ordinance or local regulation adopted by a municipality.

History: 1989 a. 324; 2013 a. 20.

33.457 Implementation plan. (1) The board of commissioners shall develop an implementation plan, with the advice of the Dane County Regional Planning Commission, and shall submit the plan to the presiding officers of each house of the legislature, the chairperson of the county board and the county executive of the county by July 1, 1992.

(2) The implementation plan shall include all of the following:

- (a) Minimum standards for shoreland, floodplain and wetland zoning ordinances to control polluting activities.
- (b) Storm drainage system plans that incorporate water quality protection measures to the maximum extent feasible.
- (c) Minimum standards in urban areas for street sweeping, salt usage reduction, shoreline maintenance and leaf collection.
- (d) Plans for bringing cropland soil erosion loss into conformance with the standards in s. 92.025.
- (e) Barnyard and feedlot runoff and waste management control plans.
- (f) Minimum standards for construction site erosion control ordinances. Minimum standards under this paragraph that are applicable to activities regulated under s. 281.33 (3) shall strictly conform with applicable uniform statewide standards established under s. 281.33 (3).

(g) Standards for algae and aquatic plant management.

(h) Proposals to finance the effectuation of the implementation plan.

(3) The implementation plan may include recommendations for any of the following:

2021–22 Wisconsin Statutes updated through 2023 Wis. Act 33 and through all Supreme Court and Controlled Substances Board Orders filed before and in effect on October 4, 2023. Published and certified under s. 35.18. Changes effective after October 4, 2023, are designated by NOTES. (Published 10–4–23)

33.457 PUBLIC INLAND WATERS

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- (a) Dredging and maintenance of navigability of waterways.
- (b) Operation of navigation locks and control of water levels and flow.
- (c) Maintenance, protection and improvement of shorelines, banks and beds of navigable waters.
- (cm) Protection of banks of nonnavigable streams, wetlands, groundwater recharge areas and other areas significant to environmental quality.
- (d) Access to shoreline recreational areas and facilities.
- (e) Water safety, navigational and boating regulations.
- (f) Research activities and feasibility studies.
- (4) Within 3 months after the implementation plan is developed and submitted under sub. (1), the department and the designated planning agency under s. 281.51 that covers the county shall evaluate the implementation plan to determine whether it is consistent with the criteria for water quality planning under s. 281.51 and whether the plan is adequate to:

- (a) Protect and rehabilitate the water quality of the surface waters and the groundwaters of the county.
- (b) Protect and enhance the recreational use of the navigable waters of the county.
- (c) Increase water and boating safety on the navigable waters of the county.

History: 1989 a. 324; 1995 a. 227; 1997 a. 252; 2013 a. 20.

33.46 Budget proposals. (1) **PROCEDURES.** (a) Annually, the board of commissioners shall prepare a proposed budget for the commission's activities for plans, programs or projects under this subchapter as follows:

1. The budget shall list all anticipated revenue from all sources during the ensuing year and shall list all proposed appropriations for each activity and reserve account for the ensuing year. The budget shall also show actual revenues and expenditures for the preceding year, if applicable, actual revenue and expenditures for the current year and estimated revenues and expenditures for the balance of the current year. The budget shall also show for informational purposes by fund all anticipated unexpended or unappropriated balances and all surpluses.

2. A summary of the budget, a notice of the place where a copy of the budget is located for public inspection and a notice of the time and place for a public hearing on the budget shall be published as a class 1 notice under ch. 985 in the county at least 15 days before the public hearing.

3. The summary required under subd. 2. shall include all of the following for the proposed budget, for the budget in effect and for the budget of the preceding year, if applicable:

- a. All expenditures, by major expenditure category.
- b. All revenues by major revenue source.
- c. Any financing source and use not included under subd. 3. a. and b.
- d. All beginning and year-end fund balances.

(b) Not less than 15 days after the publication of the summary of the budget and of the notices required under par. (a) 2., the board of commissioners shall hold a public hearing at the time and place specified in the notice. At the hearing, any resident or taxpayer of the county shall have the opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time to time. At the hearing, the board of commissioners may adopt changes to the budget.

(c) After the public hearing, the board of commissioners shall submit the proposed budget to the county for incorporation in the county's budget to be subject to any review procedures that apply to the county budget under ss. 59.60 and 65.90.

(2) **TAXES; SPECIAL ASSESSMENTS; SPECIAL CHARGES; FEES.** As part of the commission's budget, the board of commissioners may propose that the county board levy or impose any of the following:

- (a) A tax upon all taxable real property in the county for the costs of operation of the commission for each fiscal year.
- (b) Special assessments or special charges under s. 33.47.
- (c) Fees that the county is empowered to charge under ss. 30.77 (3) (e), 33.475 and 59.54 (2).

History: 1989 a. 324; 1995 a. 201.**33.47 Special assessments and special charges.**

(1) The county board may levy special assessments or special charges to implement programs or projects undertaken under this subchapter as an exercise of the county's police power.

(1m) The county board shall determine the boundaries of any area within which any special assessment or special charge will be levied.

(2) The county board shall determine the total amount of any special assessment or special charge to be levied.

(3) The board of commissioners shall make a recommendation to the county board regarding the manner in which any special assessment or a special charge to be levied will be apportioned to real property that is benefited within the area determined under sub. (1m).

(4) The county board shall apportion any special assessment or special charge it levies to real property within the county on a reasonable basis.

(5) Any special assessment or special charge levied shall be in accordance with ss. 66.0627 and 66.0703 to the extent that those sections are applicable to and not in conflict with this subsection.

(6) The county board may allow annual installment payments of special assessments, but not to exceed 10 in number.

(7) Real property located in the county that is owned by any county or a municipality is subject to special assessments and special charges. The procedure for collecting special assessments under s. 33.32 (3) (b) shall apply to collections of special assessments and special charges under this subsection.

(8) Outstanding unpaid assessments on privately owned real property shall be paid in full by any public body, including the state, that purchases the real property.

History: 1989 a. 324; 1999 a. 150.

33.475 Boating fees. Notwithstanding the prohibition in s. 30.77 (1) against ordinances and local regulations that exclude any boat from the free use of the waters of the state, and in addition to the powers granted the county under ss. 30.77 (3) (e) and 59.54 (2), the county may charge boat operators reasonable fees for the costs of providing other recreational boating services not specified in ss. 30.77 (3) (e) and 59.54 (2).

History: 1989 a. 324; 1993 a. 167; 1995 a. 201.

The delegation of authority to local governments to collect boater fees for miscellaneous "recreational boating services" under ss. 30.77 (3) (e) 1. c. and 33.475 is unconstitutional. 79 Atty. Gen. 185.

33.48 Continued expenditure level by county and municipalities.

The county or a municipality within the county may not reduce in any fiscal year its expenditures relating to environmental control of land surfaces below the expenditures it made in the fiscal year ending in 1990 if the county or the municipality makes the expenditures for the purposes of protecting or rehabilitating the quality of the surface waters and the groundwaters of the county. These expenditures include, but are not limited to, spending for erosion control, for construction site control, for environmental control of agricultural land and for conservation programs or projects but do not include extraordinary or nonrecurring expenses for these purposes.

History: 1989 a. 324.

SUBCHAPTER VI

SOUTHEASTERN WISCONSIN
FOX RIVER COMMISSION

2021–22 Wisconsin Statutes updated through 2023 Wis. Act 33 and through all Supreme Court and Controlled Substances Board Orders filed before and in effect on October 4, 2023. Published and certified under s. 35.18. Changes effective after October 4, 2023, are designated by NOTES. (Published 10–4–23)

13 Updated 21–22 Wis. Stats.**PUBLIC INLAND WATERS****33.55****33.53 Definitions.** In this subchapter:

(1) “Board of commissioners” means the board of commissioners of the commission.

(2) “Commission” means the Southeastern Wisconsin Fox River Commission created under s. 33.54.

(3) “Commissioner” means a member of the board of commissioners.

(5) “County board” means the county board of a river county.

(6) “Municipality” means any city, village or town.

(6m) “River county” means Kenosha County, Racine County or Waukesha County or any county in the Illinois Fox River basin that is designated by the commission under s. 33.57 (5).

(7) “River municipality” means any of the following municipalities that is located in a river county:

- (a) The city of Waukesha.
- (b) The town of Waukesha.
- (c) The village of Waterford.
- (d) The town of Waterford.
- (e) The village of Big Bend.
- (f) The town of Vernon.
- (g) The town of Mukwonago.
- (h) The village of Mukwonago.
- (i) The village of Rochester.
- (j) The town of Burlington.
- (k) The city of Burlington.
- (L) The town of Wheatland.
- (m) The town of Salem.
- (n) The village of Silver Lake.

(o) Any city, village, or town in a river county that is designated by the commission under s. 33.57 (5).

(8) “Surface waters” include surface water in drainage ditches.

History: 1997 a. 27; 2015 a. 226.

33.54 Creation, funding. There is created a Southeastern Wisconsin Fox River Commission for the Illinois Fox River basin. For the purposes of this subchapter, the Illinois Fox River basin extends from the northern boundary of the city of Waukesha downstream to the Wisconsin–Illinois border, except that the commission may extend this area by an affirmative vote of the majority of voting commissioners. The board of commissioners shall govern the commission. A county or river municipality may appropriate money to the commission. The commission, a river county or a river municipality may solicit gifts, grants, and other aid for the commission to enable the commission to perform the functions in this subchapter.

History: 1997 a. 27; 2015 a. 226.

33.55 Board of commissioners; composition. (1) The board of commissioners shall consist of the following persons, all of whom shall be residents of the river county:

- (a) The county executive of Racine County or his or her designee.
- (b) The county executive of Waukesha County or his or her designee.
- (bg) The county executive of Kenosha County or his or her designee.
- (br) The county executive of any county admitted to the commission under s. 33.53 (7) (o) or his or her designee.
- (c) The mayor of the city of Waukesha or his or her designee.
- (d) The town board chairperson of the town of Waukesha or his or her designee.
- (e) The village president of the village of Waterford or his or her designee.

(f) The town board chairperson of the town of Waterford or his or her designee.

(g) The village president of the village of Big Bend or his or her designee.

(h) The town board chairperson of the town of Vernon or his or her designee.

(i) The town board chairperson of the town of Mukwonago or his or her designee.

(j) The village president of the village of Mukwonago or his or her designee.

(p) The village president of the village of Rochester or his or her designee.

(q) The town board chairperson of the town of Burlington or his or her designee.

(r) The mayor of the city of Burlington or his or her designee.

(s) The town board chairperson of the town of Wheatland or his or her designee.

(t) The town board chairperson of the town of Salem or his or her designee.

(u) The village president of the village of Silver Lake or his or her designee.

(v) The mayor, village president, or town board chairperson of any city, village, or town, respectively, designated as a river municipality by the commission under s. 33.53 (7) (o) or his or her designee.

(w) One nonvoting representative from the Southeastern Wisconsin Regional Planning Commission, who shall be appointed by the chairperson of the Southeastern Wisconsin Regional Planning Commission.

(x) One nonvoting representative from the department of natural resources, who shall be appointed by the secretary of natural resources.

(1m) If an elected official who is a member of the commission or his or her designee, if designated, is unable to attend a meeting of the commission, the elected official may authorize another resident of the river county to attend the meeting and exercise the duties of the member.

(2) (a) If a commissioner listed under sub. (1) (a) to (j) is an elected official, his or her term on the commission runs concurrently with his or her term in office. If the elected official resigns from the commission during his or her term in office, the elected official shall appoint a designee to take his or her place on the commission within 90 days of his or her resignation.

(b) If a commissioner listed under sub. (1) (a) to (v) is appointed to the commission by an elected official, as the designee of an elected official, his or her term on the commission begins and ends on dates determined by the appointing river county or river municipality. Vacancies occurring during the term of the designee of an elected official shall be filled within 90 days of the vacancy by another designee who is appointed by the elected official, or the elected official may become the commissioner. The river county or river municipality shall inform the board of commissioners in writing that a new designee is appointed no more than 90 days after the appointment.

(d) The term of a commissioner appointed under sub. (1) (w) or (x) begins and ends on dates determined by the appointing authority. Vacancies occurring during the term of the appointee shall be filled by the appointing authority within 90 days of the vacancy. The appointing authority shall inform the board of commissioners in writing that a new commissioner is appointed no more than 90 days after the appointment.

(3) A number equal to a majority of voting commissioners shall constitute a quorum for the transaction of business. If an elected official under sub. (1) (a) to (v) notifies the board of commissioners in writing that he or she will not participate in the commission and will not appoint a designee or authorize an alternate under sub. (1m), that person may not be included in the number

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of voting commissioners for purposes of determining the number that constitutes a quorum for the transaction of business.

(4) The board of commissioners shall meet at least quarterly, and at other times on the call of the chairperson or on the petition of 5 commissioners.

(5) Any action by the board of commissioners requires the affirmative vote of a majority of the members present and voting.

(6) Annually, the board of commissioners shall elect a chairperson, vice chairperson and secretary from its members, and these officers shall have the following duties:

(a) The chairperson shall preside at all meetings and all public hearings held by the board of commissioners.

(b) The vice chairperson shall preside at any meeting or any public hearing held by the board of commissioners at which the chairperson is unable to preside.

(c) The secretary shall keep minutes of all meetings of the board of commissioners and hearings held by it.

History: 1997 a. 27, 252; 2015 a. 226; 2017 a. 365.

33.56 Board of commissioners; duties. The board of commissioners shall do all of the following:

(1) Initiate and coordinate surveys and research projects for the purpose of gathering data relating to the surface waters and groundwaters of the Illinois Fox River basin that are located in a river municipality.

(2) Maintain a liaison with agencies of the federal, state and local governments and other organizations that are involved in programs or projects designed to protect, rehabilitate and manage water resources.

(3) Develop a public information and education program on issues related to the surface waters and groundwaters of the Illinois Fox River basin that are located in a river municipality.

History: 1997 a. 27; 2003 a. 33.

33.57 Board of commissioners; powers. The board of commissioners may do all of the following:

(1) Develop and implement plans, projects or programs to do any of the following:

(a) Improve the water quality and the scenic, economic and environmental value of the surface waters and the groundwaters of the Illinois Fox River basin that are located in a river municipality.

(b) Protect or enhance the recreational use of the navigable waters of the Illinois Fox River basin that are located in a river municipality.

(c) Coordinate and integrate, for efficient and effective cost management, any county programs or projects for the waters of the river county that relate to any of the following:

1. Surface water and groundwater quality of the Illinois Fox River basin that is located in a river municipality.

2. The recreational use of and public access to navigable waters of the Illinois Fox River basin that is located in a river municipality.

3. Water safety and boating regulations for the Illinois Fox River basin that is located in a river municipality.

(2) Develop and propose to the county board programs or projects to make improvements to the navigable waters in the Illinois Fox River basin that is located in a river municipality, including constructing and maintaining public boat launching facilities, maintaining park or other open natural areas adjacent to the navigable waters, implementing shoreline maintenance requests, maintaining and improving locks and dredging waterways.

(3) Create advisory committees as it considers necessary to apprise the board of commissioners of the information necessary to implement its duties and powers. The advisory committees may include representatives of the following: fishing groups; farmers; businesses; riparian and other real property owners; industry groups; public bodies; sailing clubs; boating clubs; envi-

ronmentalists; scientists; conservationists; hunters; and water skiing, diving and other sports clubs.

(4) Adopt any rules necessary to implement the duties and powers granted to the board of commissioners.

(5) Designate as a river municipality or river county, by an affirmative vote of the majority of voting commissioners, a town, village, city, or county that requests through a resolution adopted by its governing body to be designated as being under the commission's jurisdiction.

History: 1997 a. 27; 2015 a. 226.

33.58 Regulation proposed by board of commissioners. (1) **ORDINANCES AND LOCAL REGULATIONS.** The board of commissioners may propose to the governing body of a river municipality the adoption, modification or rescission of any ordinance or local regulation relating to boating, recreation or safety upon the navigable waters of the Illinois Fox River basin that is located in a river municipality.

(2) **MINIMUM STANDARDS.** The board of commissioners may propose to the governing body of a river municipality minimum standards for local regulations and ordinances for municipalities to protect and rehabilitate the water quality of the surface waters and groundwaters of the Illinois Fox River basin that are located in a river municipality.

History: 1997 a. 27.

33.59 Implementation plan. (1) The board of commissioners shall develop an implementation plan by April 1, 1998, and shall submit the plan to the department of natural resources, the county planning agency, the chairperson of the county board and the county executive of the river county by April 1, 1998.

(2) With regard to the Illinois Fox River basin that is located in a river municipality, the implementation plan shall include all of the following:

(a) A plan for, including the method of payment for, an engineering study to determine areas for selective dredging, including the dredging of selective shallow areas of the impoundment area in Waterford.

(b) A plan for clearing channels of fallen trees and other debris.

(c) A water use plan.

(d) A plan for operating the Waterford Dam with a winter drawdown level.

(e) A plan for streambank erosion protection.

(f) A plan for automating the Waterford Dam with upstream sensors.

(g) A plan for maintenance, protection and improvement of shorelines, banks and beds of navigable waters.

(h) A plan for access to shoreline recreational areas and facilities.

(i) Water safety, navigational and boating regulations.

(3) Within 3 months after the implementation plan is developed and submitted under sub. (1), the department and the designated planning agencies under s. 281.51 that cover each river county shall evaluate the implementation plan to determine whether it is consistent with the criteria for water quality planning under s. 281.51 and whether the plan is adequate to:

(a) Protect and rehabilitate the water quality of the surface waters and the groundwaters of the Illinois Fox River basin that are located in a river municipality.

(b) Protect and enhance the recreational use of the navigable waters of the Illinois Fox River basin that are located in a river municipality.

(c) Increase water and boating safety on the navigable waters of the Illinois Fox River basin that are located in a river municipality.

History: 1997 a. 27; 2015 a. 226.

33.60 Budget proposals. (1) (a) The commission's fiscal year shall commence July 1 of each year and end June 30 of the

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following year. Annually, the board of commissioners shall prepare a proposed budget for the commission's activities, plans, programs, or projects under this subchapter.

(b) The budget shall include all of the following elements:

1. A list of all anticipated revenue from all sources during the upcoming year.
2. A list of all proposed appropriations for each activity and reserve account for the upcoming year.
3. Actual revenues and expenditures for the preceding year, if applicable.
4. Actual revenue and expenditures for the current year.
5. Estimated revenues and expenditures for the balance of the current year.
6. A list, by fund, of all anticipated unexpended or unappropriated balances and all surpluses.

(c) The commission shall publish as a class 1 notice under ch. 985 in Racine County and in Waukesha County, at least 15 days before the public hearing, a summary of the budget, a notice of the place where a copy of the budget is located for public inspection and a notice of the time and place for a public hearing on the budget.

(d) The summary required under par. (c) shall include all of the following for the proposed budget, for the budget in effect and for the budget of the preceding year, if applicable:

1. All expenditures, by major expenditure category.
2. All revenues, by major revenue source.
3. Any financing source and use not included under subds. 1. and 2.
4. All beginning and year-end fund balances.

(2) Not less than 15 days after publication of the summary of the budget and of the notices required under sub. (1)(c), the board of commissioners shall hold a public hearing at the time and place specified in the notice. At the hearing, any resident or taxpayer of a river county shall have the opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time to time. At the hearing, the board of commissioners may adopt changes to the budget.

(3) After the public hearing, the board of commissioners shall submit the proposed budget to Racine County, Waukesha County, and Kenosha County for incorporation into each river county's budget to be subject to any review procedures that apply to a county budget under ss. 59.60 and 65.90.

History: 1997 a. 27, 252; 2015 a. 226.

**Minutes of the October 9, 2024 meeting of the Sawyer County
Land, Water & Forest Resources Committee
Of the Sawyer County Board of Supervisors
Board Room; Sawyer County**



Voting Committee Members (X) Present:

- ☒ Chair: John Suralski
- ☒ Vice Chair: Steve Kariainen
- ☒ Kay Wilson
- ☒ Randy Neumann
- ☐ Brian Bisonette - exc

Lynn Fitch
Greg Peterson
Cathy LaReau
Jay Kozlowski
Brian DeVries

Others Present:

Andy Albarado
Natalie Ehrler
Brody Fischer
Seth Zesiger

Call to Order – Chair Suralski called the meeting to order at 8:30 am.

Certification of Compliance with the open meeting law was met. Roll Call was taken; a quorum was met.

Meeting Agenda –

Public Comments – Rhonda Eisold

Minutes from the previous meeting dated: September 10, 2024

Motion to approve made by: Mr. Neumann Second by: Mr. Kariainen
Motion carried without negative vote.

Register of Deeds Update -

A written report was provided showing activity for the month.

Events -

Land Records and County Surveyor Department Report -

Written reports were provided. County surveyors identified area projects completed, including corner maintenance, reviewing one County Plan, one preliminary County Plat, and six CSMs. The Real Property report identifies 160 transfers recorded and 6 CSMS recorded. The Towns of Bass Lake and Meadowbrook have scheduled their Boards of Review in October.

Sawyer County Forestry Department -

Recreational Trails Report – Cathy LaReau advised that trail prep for winter has been ongoing. Most trails are encountering 2,000-3,000 riders a month and peak riding period is 9a-4p. She shared ATV/UTV statistics from a recent state report.

County Forestry Report – A written report was included and reviewed. Timber sales are \$4,083,365.50 and bid openings are scheduled for October 29th. A list of ATV/UTV trail projects was included.

Seeley Forest Trails Proposal – A new trail system was proposed and a slide presentation was shared and included in the packet. Mr. Neuman made a motion to table approval and request Mr. Pederson to work with other user groups to work out concerns; second by Mr. Kariainen. Motion carried without negative vote.

DNR Forestry Report – Mr. Fischer advised there is a concern of fire danger now.

U.S. Forest Service Great Divide Ranger District Update – Mike Martin, District Ranger, provided a verbal update. There are two active sales being harvested now with 30 on the books. He reviewed forest health concerns in the area.

Zoning/Conservation Department -

County Report – A written report was provided and reviewed. The department has been busy with site visits, cost sharing project design work, dam monitoring and getting a better policy in place with law enforcement for the Sawyer County Decontamination Ordinance

Resolution for Authorization – Mr. Kozlowski shared the resolution for Aquatic Invasive Species Program to apply for grant programs. A motion was made to approve the resolution by Mr. Neumann, second by Ms. Wilson. Motion carried without negative vote.

2024 Crop Prices – An overview of the program was provided. A motion was made by Mr. Neuman to accept the prices proposed for crop damage; second by Mr. Kariainen. Motion carried without negative vote.

2024 Damage Assessment Deadline – Mr. Zesiger shared a spreadsheet of the prices and sources as well as a crop price proposal worksheet. A motion was made by Mr. Neuman to set the date of December 20th for the crop damage deadline; second by Ms. Wilson. Motion carried without negative vote.

Wildlife Damage 2025 Budget – A motion was made by Ms. Wilson; second by Mr. Neuman to accept the budget as presented. Motion carried without negative vote.

USDA Report – No update

LCO Report – No update

Tax Deed/Foreclosure Process -

Mr. Albarado advised that we received the template version of this document from WCA so it will be on a future agenda.

Board Appointed Committee Updates --

Future Agenda Items –

Other Topics for Discussion Only –

Adjournment – 9:35 am

Next Meeting: November 6, 2024 **Time:** 8:30 am
Minutes recorded by Lynn Fitch, County Clerk

Location: Board Room

ROD Monthly Report

October, 2024

Activity	Number of Copies	Total Revenue including amounts to State
Emailed Copies		336.00
Counter Copies		244.00
Birth	28	634.00
Death	48	975.00
Marriage	25	335.00
Divorce	0	0
Recorded Documents		429
Transfer Fees		72,541.80
Laredo		4,372.60

General:

Attended annual Register of Deeds fall conference October 2-4. Had speakers from the state of Wisconsin Prevention Board, the Wisconsin Historical Society, the Wisconsin Department of Revenue, the Wisconsin Department of Justice and the Director of State Courts. It was very informative.

October started off gang-busters, lots of closing and transfer returns.

This report reflects the numbers and revenue through 10/29/2024.

SAWYER COUNTY APPLICATION FOR USE OF COUNTY FOREST LANDS

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, 10610 Main Street, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application 10/11/2024 Date of Event 02/08/2025

Name of Event Hayward Lions Pre-Birkie

Type of Event (please describe in detail)

XC Ski Race Fundraiser for Hayward Lions Club

prebirkie.com

Responsible Person

Tom Danczyk

Phone Number

715-558-5118

Address

16163 Eagle Trce

Hayward

WI

54843

Street/Box/Fire Number

City

State

Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 600-800

Entry Fee \$70-90

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, Sawyer County Courthouse, 10610 Main Street, Suite 100, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County as co-insured.

5/11

**SAWYER COUNTY APPLICATION
FOR USE OF BIRKEBEINER SKIING AND HIKING TRAIL**

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application 10/18/2024 Date of Event 01/11/2025

Name of Event Seelen Hills Classic

Type of Event (please describe in detail)

ski race beginning and ending at HWY 60
trailhead

Responsible Person

Kristy Maki

Phone Number

(715)-634-5025

Address

PO Box 911
Street/Box/Fire Number

Hayward
City

WI
State

54843
Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 500

Entry Fee _____

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, P.O. Box 879, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County (and Bayfield County if the event will use Bayfield County's portion of the trail) as co-insured. The American Birkebeiner Ski Foundation should be named co-insured if it is a winter event where grooming is required.

1/2009

SAWYER COUNTY APPLICATION FOR USE OF COUNTY FOREST LANDS

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, 10610 Main Street, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application October 25, 2024 Date of Event January 18, 2025

Name of Event Seeley Big Fat Race

Type of Event (please describe in detail)

See Attached

Responsible Person

Phone Number

Sabrina Jacobson 414-688-8777

Address

10639 Hayward Court, Hayward, WI 54843
Street/Box/Fire Number City State Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 125 Entry Fee \$55 - \$100
(Short & Long course option)

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, Sawyer County Courthouse, 10610 Main Street, Suite 100, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County as co-insured.

5/11



SEELEY BIG FAT

Event Date - January 18, 2025

The Seeley Big Fat is a fat bike race held by the Chequamegon Area Mountain Bike Association (CAMBA) on groomed trails. CAMBA grooms 70 miles of trail for winter biking in Sawyer and Bayfield Counties. The race is the primary fundraiser for the club's winter trail grooming activities.

The race will have a short and long course – both will be held on the Seeley Hills trail system.

We limit the race to 125 participants in order to ensure that the groomed trails will hold up for all participants.

Our medical plan includes Bike Patrol and two evacuation sleds.

Sawyer County is listed as a co-insured for this event. The County should have a copy of the insurance declaration on file, but another will be provided upon request.

The Event Director is Board Member Ken Raiche. CAMBA's Development Director is Sabrina Jacobson. Please direct any questions concerning the event or the permit to her at sjacobson@cambatrails.org.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/11/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh & McLennan Agency LLC
6160 Golden Hill Dr
Minneapolis MN 55416

CONTACT NAME: Select Certificates (Mpls)

PHONE (A/C, No, Ext): 763-746-8000

FAX (A/C, No):

E-MAIL ADDRESS: SelectProcessing@marshmma.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Acuity Insurance

14184

INSURER B: Accident Fund Ins Co of America

10166

INSURER C: Everest National Insurance Company

10120

INSURER D:

INSURER E:

INSURER F:

INSURED
Chequamegon Area Mt Bike Assn
P O Box 141
Cable WI 54821

CHEQUAREA

COVERAGES

CERTIFICATE NUMBER: 1567535649

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:			SI8BE00120241	3/1/2024	3/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			ZA1244	5/20/2023	5/20/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A		AFWCP100028463	5/12/2023	5/12/2024	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Sawyer County Forest is included as Additional Insured as required by written contract or agreement limited to the General Liability coverage.

CERTIFICATE HOLDER

Sawyer County Forest
Attn: Greg Peterson
10610 Main Street Suite 100
Hayward WI 54843

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

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**SAWYER COUNTY APPLICATION
FOR USE OF BIRKEBEINER SKIING AND HIKING TRAIL**

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application 10/18/2024 Date of Event 01/25/2025

Name of Event Birkie Tour

Type of Event (please describe in detail)

Ski tour entering & exiting Sawyer County trails
from the northern Bayfield County line to DO.

Responsible Person

Phone Number

Kirsty Maki

(715) - 634 - 5025

Address

PO BOX 911
Street/Box/Fire Number

Hayward
City

WI
State

54843
Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 400

Entry Fee _____

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, P.O. Box 879, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County (and Bayfield County if the event will use Bayfield County's portion of the trail) as co-insured. The American Birkebeiner Ski Foundation should be named co-insured if it is a winter event where grooming is required.

1/2009

SAWYER COUNTY APPLICATION FOR USE OF BIRKEBEINER SKIING AND HIKING TRAIL

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application 10/18/2024 Date of Event 02/19-22, 2025

Name of Event Birkie week - Ski Events

Type of Event (please describe in detail)

Birkie week events + ski races, including:
American Birkebeiner, Korte Lapet, Prince Haakon, &
open track events

Responsible Person

Phone Number

Kristy Maci

(715) - 634 - 5025

Address

PO Box 911 Hayward WI 54843
Street/Box/Fire Number City State Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 11,000

Entry Fee _____

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, P.O. Box 879, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County (and Bayfield County if the event will use Bayfield County's portion of the trail) as co-insured. The American Birkebeiner Ski Foundation should be named co-insured if it is a winter event where grooming is required.

1/2009

**SAWYER COUNTY APPLICATION
FOR USE OF BIRKEBEINER SKIING AND HIKING TRAIL**

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application 10/18/2024 Date of Event 03/08/2025

Name of Event Fat Bike Birkebe

Type of Event (please describe in detail)

Fat Bike Race entering exiting sawyer county trails
from the northern Bayfield county line to DO.

Responsible Person

Kristy Maki

Phone Number

(715) - 634-5025

Address

PO Box 911
Street/Box/Fire Number

Hayward
City

WI
State

54843
Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 500

Entry Fee _____

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, P.O. Box 879, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County (and Bayfield County if the event will use Bayfield County's portion of the trail) as co-insured. The American Birkebeiner Ski Foundation should be named co-insured if it is a winter event where grooming is required.

1/2009

SAWYER COUNTY APPLICATION FOR USE OF BIRKEBEINER SKIING AND HIKING TRAIL

Application must be submitted to the Sawyer County Forestry Office, Sawyer County Courthouse, Suite 100, Hayward, WI 54843, **60 days prior to the event.**

Please include a **copy of the entry form and route map** with your application.

Date of Application 10/18/2024 Date of Event 06/07-08, 2025

Name of Event EPIC BIKE FEST

Type of Event (please describe in detail)

Bike race beginning at Wheeler Rd on the Birkebeiner trail, ending in Bayfield county. Utilizing the Hatchery Creek trail, Makwa trail, Seelye Pass, & Birkebeiner trail.

Responsible Person

Phone Number

Kristy Maki

(715)-634-5025

Address

PO Box 911

Hayward

WI

54843

Street/Box/Fire Number

City

State

Zip

Fee Schedule: \$1.00 per entrant

Number of Entrants 650

Entry Fee _____

Payment is due 10 days after the event. Checks should be made payable to the Sawyer County Treasurer and forward to the Sawyer County Forestry Department, P.O. Box 879, Hayward, WI 54843.

Proof of Insurance must be provided at least 15 days prior to the event. Please note that you will be required to name Sawyer County (and Bayfield County if the event will use Bayfield County's portion of the trail) as co-insured. The American Birkebeiner Ski Foundation should be named co-insured if it is a winter event where grooming is required.

1/2009



Sawyer County Surveyor's Department
10610 Main Street, Suite 54
Hayward, Wisconsin 54843-0248
Telephone 715-634-3564 Fax 715-634-3546
<https://sawyercountygov.org/>

County Surveyor's Report 11/6/24

This past month we re-monumented a number of PLSS Corners which were affected by road construction in Highway C (T37N-R8W), Highway D (T37N-R6W), and Company Lake Rd (T41N-R9W). We also performed maintenance on several corners in the Town of Draper, T39N-R4W.

We installed a batch of approximately 80 new and replacement address signs throughout the county.

I reviewed 6 Certified Survey Maps, one preliminary County Plat, and two final-draft County Plats in October.

Respectfully Submitted,

Chris Gregory
Sawyer County Surveyor



Sawyer County Land Records
10610 Main Street, Suite 54
Hayward, Wisconsin 54843-0248
Telephone 715-634-3564 Fax 715-634-3546
<https://sawyercountygov.org/>

October 31, 2024

Real Property Lister Report

Our office has been staying up-to-date on property transfers with about 175 transfers recorded this month. Only four Certified Survey Maps were recorded in October, keeping with the slow trend from last month.

One Board of Review is remaining for 2024. The Town of Radisson has scheduled their BOR for November 11th.

The Real Property Lister job has been posted to replace Rachel Thompson as she leaves at the end of the year to become the new Register of Deeds.

Respectfully submitted,

Kimberly Peterson
GIS Technician and Real Property Lister

715-638-3279

kimberly.wendt@sawyercountygov.org

Forestry Report October 2024

Active Sales

Twenty sales listed as active in month of October

Sale Date	# of Sales	Acres	Bid Value	Received	Est. Remaining
11/1/19	0	0	\$0	\$0	\$0
5/5/20	0	0	\$0	\$0	\$0
11/3/20	0	0	\$0	\$0	\$0
5/7/21	3	332	\$209,970.00	\$124,853.53	\$85,116.47
10/22/21	2	179	\$150,547.00	\$47,625.50	\$102,921.50
5/11/22	3	142	\$192,555.10	\$114,198.45	\$78,356.65
11/1/22	1	41	\$27,300.00	\$3,098.86	\$24,201.14
5/10/23	3	240	\$308,121.20	\$178,432.43	\$129,688.77
11/3/23	2	206	\$124,028.36	\$63,659.91	\$60,368.45
5/7/24	6	411	\$294,398.72	\$181,952.83	\$112,445.89
Totals	20	1551	\$1,306,920.38	\$713,821.51	\$593,098.87

Inactive Sales

Sale Date	# of Sales	Acres	Bid Value	Received	Est. Remaining
11/1/19	1	83	\$83,319.14	\$56,223.74	\$27,095.40
5/5/20	1	193	\$177,313.50	\$276,000.00	\$0*
11/3/20	2	113	\$54,230.00	\$9,000.00	\$45,230.00
5/7/21	6	511	\$308,096.00	\$121,096.91	\$239,956.00*
10/22/21	4	396	\$237,057.20	\$143,825.22	\$102,136.17*
5/11/22	9	647	\$549,204.75	\$460,601.15	\$161,516.60*
11/1/22	9	907	\$518,578.00	\$109,590.05	\$408,987.95
5/10/23	6	401	\$618,967.50	\$114,216.54	\$509,412.50*
11/3/23	13	1133	\$540,929.75	\$0	\$540,929.75
5/7/24	14	1229	\$1,220,302.45	\$0	\$1,220,302.45
Totals	65	5613	\$4,307,998.29	\$1,290,553.61	\$3,255,566.82

* Sales having overruns

** Sales having underruns

Three sales closed out in October.

Timber Sale Value (sold contracts-uncut) on file = **\$3,848,665.69**

<u>Timber Revenue</u>	<u>October</u>	<u>YTD</u>
Timber Sales	\$233,534.16	\$2,405,468.35
<u>Christmas Trees/Boughs</u>	\$55	\$55
<u>Performance Bond Cashed</u>	\$0	\$4,231.70
<u>Other Revenue</u>		
<u>Camping/Firewood/Access/Hay</u>	\$119	\$405
<u>Park Reservations</u>	\$50	\$1100
		<u>Budget</u>
Gross Timber Sale Revenue	\$ 2,405,468.35	\$1,850,000
10% Payment to Towns	\$ 240,546.84	
Net Timber Sale Revenue	\$ 2,164,921.52	
Performance Bonds Drawn	\$ 4,231.70	
Total Other Revenue	\$ 1,560.00	
Timber Sale Revenue Billed Out	\$ 111,142.81	

Timber Sale Inspections	<u># month</u>	<u>YTD</u>
	40	262

Comments: Goal for timber sale inspections is one inspection per week while sale is actively being harvested or wood is being hauled.

Tract Establishment	<u># sales month/ YTD</u>	<u>acres month/YTD</u>	<u>Goal</u>
	1/31	48/2576	3600

Comments:

Recon Acres Updated	<u>October</u>	<u>YTD</u>	<u>Annual Goal</u>
	451	5772	6,000 acres

Comments: Recon is the assessment of geographic, structure and compositional attributes of forest stands. Field information is stored in the Wisconsin Forest Inventory & Reporting System (WisFIRS). Basic resource information is collected, stored, and updated systematically and continuously. Database is used to analyze existing resources, evaluate management alternatives, and assist in the development and implementation of management plans.

<u>Good Neighbor Authority (GNA) Hours</u>	
<u>October</u>	<u>FY25 Contract</u>
22	266.5
<u>Current Contract:</u> FY25: Approximately 595 hours of timber sale establishment/admin. \$39,647.87	

Comments: Under the federal Good Neighbor Authority, the USDA Forest Service is authorized to enter into cooperative agreements with states to perform forest management activities on national forest lands. WDNR has entered a GNA agreement with the Chequamegon-Nicolet National Forest (CNNF). WDNR is authorized to contract with counties to assist with forest management activities on national forest lands. The focus of the GNA program is to assist in the implementation of the CNNF Forest Plan, which will provide:

- Forest products to the local economy
- Collaboration between federal, state and county forest managers
- Improved health and resiliency of forestlands and watersheds within Wisconsin

Oak Wilt:
Nothing new to report.

Mountain Bike Trails:
Nothing new to report.

Birkie Trail:
Nothing new to report.

ATV/UTV/Snowmobile Trails:

Trail 11 rehab project, Tuscobia to Lost Lake Rd. completed. 3.1 miles, grant funded, \$87,068 project cost.

Tuscobia rehab project, Schrock Rd to Wooddale Rd completed. 2.0 miles, grant funded, \$26,620.00 project cost.

Trail 15 rehab project, Phipps Fire Ln to Hwy 77 completed. 1.7 miles, grant funded, \$37,386.75 project cost.

Trail 77 rehab project, Janet Rd. to Telemark Rd completed. 2.0 miles, grant funded, \$45,210 project cost.

Trail 3 rehab project, Green Lake Rd to Washburn County line started. 2.79 miles, grant funded, \$52,500 project cost.

Trail 5 rehab project is still on hold, waiting for contractor to complete. Deadline is 12/31/24. 7.27 miles from FR 784 to 2.35 miles west of FR 174. Grant funded, \$188,250 project cost.

Parks:

Hatchery Park: Nothing new to report.

Nelson Lake Park: Nothing new to report.

Carbon Credit Project:

Nothing new to report.

2024 Fall SAWYER COUNTY TIMBER SALE BID RESULTS

10/29/2024

TRACT NO. 5-24										
Town of Winter	Mix Hwd	Aspen	Basswood	Mix Hwd	Hard Maple					Total Bid
	510 Cords	10 Cords	10 Cords	19 MBF	10 MBF					
MINIMUM BID	<u>\$15.00</u>	<u>\$25.00</u>	<u>\$5.00</u>	<u>\$100.00</u>	<u>\$200.00</u>					<u>\$11,850.00</u>
J & J Logging Enterprises	\$15.00	\$30.00	\$7.50	\$200.00	\$250.00					\$14,325.00
Sappi North America	\$15.75	\$25.30	\$5.05	\$153.00	\$260.00					\$13,843.00
Schloer Logging, LLC	\$15.00	\$25.00	\$5.00	\$100.00	\$200.00					\$11,850.00
TRACT NO. 7-24										
Town of Spider Lake	Mix Hwd	Aspen	Basswood	Balsam	Mix Hwd	Basswood				Total Bid
	125 Cords	1000 Cords	35 Cords	60 Cords	8 MBF	3 MBF				
MINIMUM BID	<u>\$15.00</u>	<u>\$25.00</u>	<u>\$5.00</u>	<u>\$15.00</u>	<u>\$100.00</u>	<u>\$100.00</u>				<u>\$29,055.00</u>
Futurewood Corporation	\$16.47	\$42.00	\$4.35	\$2.13	\$250.00	\$100.00				\$46,638.80
Northern Timber, LLC	\$12.00	\$42.00	\$8.00	\$5.00	\$100.00	\$100.00				\$45,180.00
Schloer Logging, LLC	\$15.00	\$25.00	\$5.00	\$15.00	\$100.00	\$100.00				\$29,050.00
TRACT NO. 8-24										
Town of Winter	Mix Hwd	Basswood	Mix Hwd	Basswood						Total Bid
	650 Cords	125 Cords	110 MBF	40 MBF						
MINIMUM BID	<u>\$15.00</u>	<u>\$5.00</u>	<u>\$100.00</u>	<u>\$100.00</u>						<u>\$25,375.00</u>
Theodore Strzok Logging	\$15.00	\$5.00	\$250.00	\$100.00						\$41,875.00
TRACT NO. 12-24										
Town of Spider Lake	Red Oak	Mix Hwd	Basswood	Aspen	Fir	Red Oak	Mix Hwd	Basswood		Total Bid
	210 Cords	160 Cords	120 Cords	110 Cords	20 Cords	67 MBF	3 MBF	3 MBF		
MINIMUM BID	<u>\$12.00</u>	<u>\$15.00</u>	<u>\$5.00</u>	<u>\$25.00</u>	<u>\$15.00</u>	<u>\$200.00</u>	<u>\$100.00</u>	<u>\$100.00</u>		<u>\$22,570.00</u>
Park Falls Hardwoods	\$14.00	\$18.00	\$8.00	\$25.00	\$15.00	\$420.00	\$150.00	\$100.00		\$38,720.00
Ashland Mat, LLC	\$12.30	\$21.02	\$6.00	\$26.40	\$15.00	\$351.16	\$203.76	\$101.73		\$34,314.39
Caleb Waggoner	\$17.00	\$16.00	\$10.00	\$35.00	\$15.00	\$300.00	\$200.00	\$150.00		\$32,630.00
Theodore Strzok Logging	\$12.00	\$15.00	\$5.00	\$35.00	\$15.00	\$275.00	\$175.00	\$100.00		\$28,920.00

TRACT NO. 22-24	Aspen	Mix Hwd								
Town of Winter	1345 Cords	115 Cords								
<u>MINIMUM BID</u>	<u>\$25.00</u>	<u>\$15.00</u>								Total Bid
										<u>\$35,350.00</u>
Futurewood Corporation	\$45.59	\$4.88								\$61,879.75
Darin Duncan Logging	\$35.10	\$15.00								\$48,934.50
Northern Timber, LLC	\$33.00	\$7.00								\$45,190.00
Theodore Strzok Logging	\$30.26	\$15.26								\$42,454.60
Bruce Burmeister JR.	\$28.00	\$15.50								\$39,442.00
Kinsley Forest Products, Inc	\$26.70	\$15.75								\$37,722.75
Schloer Logging, LLC	\$25.00	\$15.00								\$35,350.00

TRACT NO. 24-24	Aspen	Mix Hwd								
Town of Lenroot	990 Cords	150 Cords								
<u>MINIMUM BID</u>	<u>\$25.00</u>	<u>\$15.00</u>								Total Bid
										<u>\$27,000.00</u>
Futurewood Corporation	\$46.16	\$9.76								\$47,162.40
Bruce Burmeister JR.	\$32.00	\$15.50								\$34,005.00
Kinsley Forest Products	\$31.20	\$20.70								\$33,993.00
Darin Duncan Logging	\$30.10	\$15.10								\$32,064.00
Schloer Logging, LLC	\$25.00	\$15.00								\$27,000.00
Northern Timber, LLC	\$25.00	\$15.00								\$27,000.00

TRACT NO. 25-24	Aspen	Mix Hwd	Basswood	Mix Hwd	Basswood					
Town of Winter	1175 Cords	90 Cords	10 Cords	1 MBF	3 MBF					
<u>MINIMUM BID</u>	<u>\$25.00</u>	<u>\$15.00</u>	<u>\$5.00</u>	<u>\$100.00</u>	<u>\$100.00</u>					Total Bid
										<u>\$31,175.00</u>
J & J Logging Enterprises	\$35.10	\$15.10	\$5.10	\$200.00	\$100.00					\$43,152.50
Northern Timber, LLC	\$30.00	\$8.00	\$8.00	\$100.00	\$100.00					\$36,450.00
Futurewood Corporation	\$29.90	\$6.34	\$5.00	\$13.96	\$11.00					\$35,800.06
Kinsley Forest Products	\$26.75	\$17.60	\$10.00	\$105.00	\$100.00					\$33,520.25
Bruce Burmeister, JR.	\$26.00	\$15.00	\$6.00	\$105.00	\$105.00					\$32,380.00
Schloer Logging, LLC	\$25.00	\$15.00	\$5.00	\$100.00	\$100.00					\$31,175.00

TRACT NO. 26-24	Aspen	Mix Hwd	Basswood							
Town of Winter	1450 Cords	430 Cords	100 Cords							
<u>MINIMUM BID</u>	<u>\$25.00</u>	<u>\$15.00</u>	<u>\$5.00</u>							Total Bid
										<u>\$43,200.00</u>
Northern Timber, LLC	\$27.00	\$11.00	\$8.00							\$44,680.00

TRACT NO. 27-24										
Town of Edgewater										
	Aspen	Mix Hwd								
	1760 Cords	50 Cords								
<u>MINIMUM BID</u>	<u>\$25.00</u>	<u>\$15.00</u>								
Northern Timber, LLC	\$39.00	\$17.00								\$69,490.00
Darin Duncan Logging	\$38.50	\$15.10								\$68,515.00
Futurewood Corporation	\$38.03	\$19.52								\$67,908.80
Theodore Strzok Logging	\$31.00	\$21.00								\$55,610.00
TRACT NO. 15-23										
Town of Lenroot										
	Mix Hwd	Basswood	Aspen	Red Oak	Basswood	Mix Hwd	Red Oak	Hard Maple		
	590 Cords	310 Cords	140 Cords	30 Cords	48 MBF	15 MBF	10 MBF	7 MBF		
<u>MINIMUM BID</u>	<u>\$15.00</u>	<u>\$5.00</u>	<u>\$25.00</u>	<u>\$12.00</u>	<u>\$100.00</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$200.00</u>		
Caleb Waggoner	\$17.25	\$12.50	\$35.00	\$15.00	\$125.00	\$100.00	\$275.00	\$250.00		\$31,402.50
TRACT NO. 36-23										
Town of Winter										
	Mix Hwd	Aspen	Mix Hwd							
	900 Cords	30 Cords	120 MBF							
<u>MINIMUM BID</u>	<u>\$15.00</u>	<u>\$25.00</u>	<u>\$100.00</u>							
Theodore Strzok Logging	\$15.00	\$25.00	\$225.00							\$41,250.00
TRACT NO. 7-22										
Town of Winter										
	Mix Hwd	Basswood	Aspen	Mix Hwd	Basswood	Hard Maple				
	990 Cords	200 Cords	10 Cords	48 MBF	27 MBF	2 MBF				
<u>MINIMUM BID</u>	<u>\$20.00</u>	<u>\$5.00</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$100.00</u>	<u>\$200.00</u>				
No Bid										

1
2
3 **SAWYER COUNTY BOARD OF SUPERVISORS –**
4 **AMENDMENT TO SAWYER COUNTY ORDINANCE – TAXATION CHAPTER 24 –**
5 **ADMINISTRATION AND MANAGEMENT OF TAX-DEEDED LANDS**

6 **RESOLUTION NO. _____**
7

8 **WHEREAS**, Wisconsin law permits Sawyer County (the “County”) to adopt and enforce
9 ordinances addressing administration and organization; and
10

11 **WHEREAS**, the County is responsible for the collection of property taxes; and
12

13 **WHEREAS**, when property owners do not pay their property taxes the County may be
14 forced to take ownership of this property through a tax deed process; and
15

16 **WHEREAS**, recent changes in State law necessitate changes in County policy and
17 ordinance pertaining to the tax deed process; and
18

19 **WHEREAS**, an amendment to the Sawyer County Code of Ordinances has been prepared
20 to address the tax deed process and incorporate terms required under applicable State Statute.
21

22 **NOW, THEREFORE, BE IT RESOLVED**, the Sawyer County Board of Supervisors
23 determines, adopts and directs the following:
24

- 25 1. Recitals. The Recitals set forth above are true and accurate, and are therefore
26 incorporated into the Resolution and shall be used not just for reference.
27
- 28 2. Approval of the Administration and Management of Tax-Deeded Lands Ordinance.
29 The Sawyer County Board of Supervisors hereby approves and adopts the
30 Administration and Management of Tax-Deeded Lands Ordinance attached hereto as
31 Exhibit A, which repeals and replaces current Sawyer County Ordinance 24-1-3
32 Collection of Tax Liens.
33
- 34 3. Health, Welfare and Safety. The Sawyer County Board of Supervisors finds that the
35 County’s approval and adoption of the Administration and Management of Tax-
36 Deeded Lands Ordinance is beneficial to, and in the best interest of, the health, welfare,
37 safety and other interests of Sawyer County’s residents, taxpayers, visitors, and natural
38 resources.
39
- 40 4. Additional Actions. The Sawyer County Treasurer, Administrator, Corporation
41 Counsel and Land, Water, and Forest Resource Committee are hereby authorized to
42 take all necessary steps to ensure that Sawyer County Board of Supervisor’s action and
43 decision set forth herein is completed.
44
- 45 5. Conflict with Other Laws. Nothing in this Resolution shall be deemed to conflict with
46 any other applicable state law, including but not limited to Chapter 75, as each may be

amended. In the event of any conflict between the County ordinance and state law, the state law shall control.

This Resolution is hereby recommended for approval by the Sawyer County Board of Supervisors at its meeting on November 12, 2025 by the Sawyer County Land, Water, and Forest Resource Committee at its meeting on November 6, 2024.

John Suralski, Chair

Steve Kariainen, Member

Kay Wilson, Member

Randy Neumann, Member

Brian Bisonette, Member

This Resolution adopting the Administration and Management of Tax-Deeded Lands Ordinance, as set forth in Exhibit A, is hereby adopted by the Sawyer County Board of Supervisors this 12th day of November, 2024.

Ron Kinsley,
Sawyer County Board of Supervisors Chairman

Lynn Fitch,
Sawyer County Clerk

Exhibit A (Attached): Sawyer County Ordinance – Taxation Chapter 24, Article 4.

Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Beneficiary shall have the meaning ascribed to such term in Wis. Stat. § 851.03

Heir means any person, including the surviving spouse, who is entitled under the statutes of intestate succession to an interest in property of a decedent.

Owner-Occupied, Single-Family Residence means any single-family residential unit used by one family which owns the property as their permanent and primary residence and, upon request, is able to provide the County Treasurer with evidence establishing the satisfaction of these terms (e.g., a utility bill.)

Tax-deeded lands shall have the meaning ascribed to such term in Wis. Stat. § 75.35(1).

Administration and Management of Tax-Deeded Lands

- (1) The County shall comply with the provisions of Wis. Stats. §§ 75.35, 75.36 and 75.69 in the disposition of tax-deeded lands.
- (2) Pursuant to Wis. Stat. § 75.35(2)(d), the County Board of Supervisors hereby delegates to the **County Treasurer and the Land, Water, and Forest Resources Committee** the power to acquire, manage and sell tax-deeded lands including the power to determine which properties to acquire.
- (3) The County Board of Supervisors recognizes that there may be properties where it is undesirable for the County to acquire the property through the process set forth in Wis. Stats. Chap. 75 and hereby delegates to the **County Treasurer and the Land, Water, and Forest Resources Committee** the authority to make such determination. In **April** of each year, the **Treasurer** or shall provide a report to the **Land, Water and Forest Resources Committee** listing all properties the **Treasurer** has refused to foreclose upon with a reason for such refusal. If a property is not acquired for any reason authorized in this section, the **Treasurer** or shall notify the appropriate assessor and request that the value of such property be reduced.
- (4) Within **20** days of the County's acquisition of a tax-deeded land, the **Treasurer** shall notify the former owner, by registered mail or certified mail sent to the former owner's mailing address on the tax bill, that the former owner may be entitled to a share of the proceeds of a future sale of the tax-deeded land.

- (5) Within **120** days of the County's acquisition of a tax-deeded land, the **Treasurer** shall determine the appraised value of the tax-deeded land. **The appraised values will be approved by the Land, Water, and Forest Resources Committee or be done by a certified appraiser as defined in Wis. Stat. § 458.01(7).**
- (6) The following provisions in this Section (6) relate to tax-deeded lands that are owner-occupied, single-family residences. This Section (6) may, in the sole discretion of the **Treasurer** be applied to tax-deeded lands that are not owner-occupied, single-family residences.
- a. Within **60** days of the County's acquisition of a tax-deeded land, the **Treasurer** shall provide notice to the former owner of the former owner's, the former owners heirs or the former owners beneficiaries right to repurchase the tax-deeded land. Such notice shall be mailed to the former owner's last known address on file with the Treasurer.
 - b. If a former owner of tax-deeded land, or such former owner's heir or beneficiary, notifies the Treasurer of an intent to repurchase the tax-deeded land within **90** days of the date the County acquired the tax-deeded land, the **Treasurer** or shall order a title report from a title insurance company showing all liens of record against the tax-deeded land in existence on the day prior to the judgment of foreclosure in favor of the County, the cost of which shall be paid in advance by the person notifying the Treasurer of the intent to repurchase the tax-deeded land.
 - c. If the former owner, or such former owner's heir or beneficiary, provides proof of satisfaction of all liens of record as established in the title report within **30** days of the date of the title report, the **Treasurer** or shall convey the tax-deeded land to the former owner, or such former owner's heir or beneficiary, by quit-claim deed provided the former owner, or such former owner's heir or beneficiary, has provided the County with funds necessary to satisfy all costs and expenses due the County as provided in Wis. Stat. § 75.35(3).
- (7) Unless a tax-deeded land is repurchased under Section (6), within 240 days of the County's acquisition of a tax-deeded land and 180 days for tax-deeded lands acquired on or after January 1, 2026, the **Treasurer** or shall publish on the County's website and either (i) publish a class 1 notice or (ii) advertise on a multiple listing service the availability of a tax-deeded land for purchase and the appraised value of the tax-deeded land, as determined in Section (5). The publications shall include information regarding the method of sale to be utilized.
- (8) The **Treasurer** is authorized to sell tax-deeded lands by open or closed bid or engage a licensed real estate broker or salesperson to assist in selling any tax-deeded land.

- (9) The **Treasurer** may accept the bid most advantageous to it but, at the first attempt to sell a tax-deeded land, every bid less than the appraised value of the tax-deeded land shall be rejected. Tax-deeded land previously advertised for sale may be sold for any amount determined by the **Treasurer and approved by the Land, Water, and Forest Resources Committee** but only after advertising the sale of such tax-deeded land by publication of a class 1 notice, under Wis. Stat. Chap. 985. No tax-deeded land may be sold for an amount that is less than the tax-deeded land's appraised value determined under Section (5) unless the **Land, Water, and Forest Resources Committee** has reviewed and approved such a sale and no tax-deeded land may be sold for an amount that is less than the amount of the highest bid unless the **Land, Water, and Forest Resources Committee** prepares a written statement, available for public inspection, that explains the reasons for accepting a bid that is less than the highest bid. The **Treasurer** or shall notify, by mail, the clerk of the municipality in which a tax-deeded land is located of the sale of a tax-deeded land at least three weeks prior to the time of the sale.
- (10) The Treasurer shall send to the owner any proceeds to which the former owner is entitled under Wis. Stat. § 75.36(2m)(a) by certified mail to the former owner's last known address. If the payment to the former owner is returned to the County or otherwise not claimed by the former owner within one year following the mailing of the proceeds, the payment shall be considered unclaimed funds and disposed of pursuant to Wis. Stat. § 59.66(2). Neither the former owner nor any person making a claim for any funds under this Section (10) is entitled to interest on sums owed by the County hereunder.
- (11) Sections (7), (8), (9) and (10) do not apply to the withdrawal and sale of county forest lands, nor to the sale or exchange of lands to or between the County and a municipality or the state.