

# POTTERS LAKE PROTECTION AND REHABILITATION DISTRICT

## Policy and Procedure

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### INTERNAL PROCEDURES

Internal procedures are discretionary and will be documented and stored as separate internal records of the District (not included in this document).

- Aquatic Plant Management (APM)
- Clean Boats Clean Waters (CBCW) Volunteer Program

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### 101 RECORDS RETENTION AND STORAGE

**Section 1. Record Retention Schedule.** Lake Districts are special purpose units of local government. The District will be guided by the State of Wisconsin Statewide General Records Schedules. General Record Schedules (GRSs) are a mechanism for systematic retention and disposition of similar types of records across all government units. The District will follow these GRSs however, it is at the sole discretion of the District Board to retain records beyond the Minimum Retention and Disposition period noted on the GRSs. <https://publicrecordsboard.wi.gov/Pages/GRS/Statewide.aspx> .

- a) Administrative Records: <https://publicrecordsboard.wi.gov/Documents/Admin%20GRS.pdf>
- b) Fiscal and Accounting and Related Records: <https://publicrecordsboard.wi.gov/Documents/Fiscal%20GRS.pdf>

#### **Section 2. Record Storage.**

- a) Outdated documents. Shred, recycle outdated documents that no longer need to be stored.
- b) Hardcopy Records Stored on District Property. Hardcopy records stored on district property shall be clearly labeled by fiscal year and kept in air tight, waterproof containers on shelves, in a secure, locked location.
- c) Hardcopy Records Stored on Personal Property. Hardcopy records stored on personal property of the board members, shall be clearly labeled by fiscal year or topic and kept secure.
- d) Electronic Records. Electronic records, which include both documents and emails, shall be clearly filed and organized by either fiscal year, by the Commissioner's role and/or a combination of both on a secure website, iCloud drive or computer with antivirus software.
- e) Safe Deposit Box. The District rents a safe deposit box to keep important documents protected.

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## 102 ADOPTION, AMENDMENT OR SUSPENSION OF POLICIES & PROCEDURES

**Section 1. Adoption of Policies.** Board policies may be adopted upon a majority vote of the Board members present at a regular or special meeting of the Board.

- a) The Board will reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. These guides will constitute the policies governing the operation of the District. They shall be recorded in writing and posted on the District designated website.
- b) The formulation and adoption of these written policies will constitute the basic method by which the Board shall exercise its leadership in the operation of the District.
- c) Proposed revisions to policy or proposed new policies shall require a two week notice to the entire Board. Formal adoption of policies requires a quorum and majority vote of the members present. Adopted policies will be recorded in the minutes of the District.

### **Section 2. Amendment or Suspension of Policies.**

- a) Board policies may be amended or suspended upon a majority vote of the Board members present at a regular or special meeting of the Board.

**Section 3. Review.** Board policies shall be subject to regular review to ensure that policies keep up with changes to the District operations.

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### 103 ADVISORY COMMITTEES

**Section 1. Elections:** As deemed necessary, the Chair shall appoint three (3) non-interested electors to serve as the elections committee. At the annual meeting those electors shall;

- a) Distribute, collect, and count secret ballots or count show of hands.
  - o Elections of commissioners must be done by secret ballot if there are two or more nominations.
  - o No absentee ballots or proxies are permitted.
- b) Report the results.

**Section 2. Auditing.** The Chair shall appoint three (3) electors to serve as the auditing committee of the financial transactions at the close of the fiscal year. The audit committee shall examine all financial records of the District. The audit findings shall be submitted to the annual meeting, under [Section 33.29(2)].

**Section 3. Other Committees.** The Chair may appoint other committees as deemed necessary to further the interests of the District. These committees shall report to the Chair and/or the Board upon request and shall report all findings to the Chair and/or Board, as needed.

**Section 4. Compensation and Expenses for Committee Members.**

- a) Committee members shall receive no remuneration/compensation for service to the District.
- b) With prior approval from the Chair, committee members may submit vouchers for actual and necessary expenses incurred while conducting the business of the District.
- c) The Chair may set an annual budget for a Committee.

**Section 5. Terms of Committee Members.** All committee members shall serve at the pleasure of the Chair.

- a) The Chair may appoint committee leaders at their discretion. The Committee leaders shall have the ability to conduct meetings and recruit/dismiss volunteers, as needed.

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## 104 CONDUCT OF MEETINGS, ROBERT'S RULES OF ORDER & PUBLIC PARTICIPATION

**Section 1. Conduct of Meetings.** Individuals are expected to uphold the professional and educational purposes of meetings by respecting the rights, privacy, safety, and dignity of all persons. Exercise professionalism, consideration, and respect in their speech and actions. Actions of harassing speech or other harassing behavior shall be refrained.

- a) Make arrangements for the meeting place.
- b) Send adequate notice of the meeting to all concerned.
- c) Minutes of Previous Meeting.
  - Minutes of the previous Regular or Special meeting should be enclosed or provided if they have not already been sent for approval at the next Regular or Special meeting.
  - Minutes of the previous Annual meeting should be enclosed or provided if they have not already been sent for approval at the next Annual meeting.
- d) The agenda should be detailed enough to allow all those attending the meeting to arrive fully informed and prepared. In addition to the agenda, supporting documents shall be provided, as needed.

**Section 2. Robert's Rules of Order.** The District shall conduct all meetings following Robert's Rules of Order, a standard set of rules for conducting orderly meetings that accomplish goals fairly. Basic principles include;

- a) A quorum must be present for business to be conducted. Three commissioners shall constitute a quorum for the transaction of business.
- b) All members have equal rights, privileges and obligations.
- c) No person should speak until recognized by the Chair.
- d) Personal remarks or side discussions during debate are out of order.
- e) Only one question at a time may be considered, and only one person may have the floor at any one time.
- f) Members have a right to know what the pending question is and to have it restated before a vote is taken.

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- g) Full and free discussion of every main motion is a basic right.
- h) Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.
- i) The Chair should always remain impartial.

**Section 3. Public Participation at District Meetings.** Public participation at agenda meetings allows district residents to comment on issues of concern or items on the meeting agenda.

- a) The District shall allow comments on any issue on the agenda or any issue related to the Lake District.
- b) Comments are limited to 3 minutes per speaker. Speakers are asked to state their name and address for the record.

**Section 4. Wisconsin Open Meeting Laws.** The Board is not or may not be able to answer questions or respond to public comments. All comments should be directed to the Board, not the audience. Refer to; Open Meetings of Governmental Bodies [Section 19.81 through 19.98].

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## 201 LEGAL COUNSEL

**Section 1. Legal Counsel.** It will be the policy of this Board to employ an attorney for the purpose of obtaining legal advice.

- a) Any legal counsel expense, above the approved budgeted amount, requires a substantial or unexpected need to the District.
  - o Board will discuss and provide estimated expenses for consideration.
  - o Board approval requires a quorum and majority vote of the members present.
  - o Approved legal counsel, above the approved budgeted amount, will be recorded in the minutes of the District.

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### 202 PAYROLL, EMPLOYEE RATES & BOARD STIPENDS

**Section 1. Payroll.** The District's selection of payroll service is at the discretion of the Treasurer. Services shall offer automated payroll and calculations, tax filing support, an employer and/or employee portal and an intuitive interface at an affordable cost.

**Section 2. Employee Wage Rates.** Wage contributes to employees' loyalty and motivation. It makes them feel valued and should be reasonably determined.

- a) The District shall determine a minimum and a maximum hourly wage rate for each type of position, annually and/or;
- b) The District may determine a maximum annual expense for an entire category of labor such as Clean Boats Clean Waters or Direct Labor (for harvesting operations and lake maintenance).

**Section 3. Board Compensation/Stipend.** Commissioners (Chair, Treasurer and Secretary) shall be paid actual and necessary expenses incurred while conducting business of the District. They may also be paid additional compensation if that compensation is established by the annual meeting, [Chapter 33].

- a) Commissioners (Chair, Treasurer, and Secretary) shall receive compensation/stipend for their service in the office, provided sufficient funds are available at the end of the fiscal year.
- b) Compensation/stipend shall be set at the annual meeting preceding the year for which the Chair, Secretary, and Treasurer is being compensated.
- c) The compensation shall be identified as a separate budget line item at the annual budget meeting.
- d) Commissioner compensation/stipends are as follows:

Chair	\$750.00
Secretary	\$750.00
Treasurer	\$750.00



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### 301 MANAGEMENT OF FUNDS

**Section 1. Designated Depositories and Financial/Investment Institutions.** The District should not be put in a position to be captive and unable to have flexibility to invest wisely for the benefit of the District.

- a) The District will receive and disburse funds during the fiscal year and the District requires a depository in connection with the receipt and disbursement of these funds.
- b) The District's selection of its designated depository for receipt and disbursement of funds shall be a licensed and FDIC-insured bank or credit union for assets such as checking, savings, money market accounts or certificates of deposit (CD), maintaining a balance no greater than the Federal's insurance coverage limit.
- c) Investments are not FDIC-insured. Investments include; stocks, bonds, mutual funds, annuities, and life insurance policies. The District requires a quorum and a majority vote of the entire Board for any consideration of investments. Approved investments will be recorded in the minutes of the District.
- d) Establishment of any depository account/s or investment securities requires two Board member signatures, one being the Chair and the other being the Treasurer.

**Section 2 Reconciling Depository and Financial Accounts.** The Treasurer shall make sure that all accounts are reconciled against bank/credit union statements at fiscal year-end.

**Section 3. Borrowing Funds.** Every district may borrow money and use any other financing method prescribed by law under; Power to Finance [Section 33.31].

- a) The District shall be allowed, with discretion to borrow funds, on behalf of the District, a maximum of \$10,000 per year.
  - o These borrowed funds shall be used solely for the operations of the District.
  - o These borrowed funds shall not be used for any special projects or capital expenditures requiring approval by the District at its annual meeting.

**Section 4. Fundraising Funds.** The District may have special fundraising campaigns in which they solicit donations from people on the lake as well as the general public.

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- a) If the District plans to raise significant funds, the District shall consider applying for status as a 501(c)(3) Charitable Organization.
- b) If donations to the District (not including dues) exceeds \$5,000 in a year, the District shall register with the Wisconsin Department of Regulation and Licensing, reference; <https://dsps.wi.gov/pages/Home.aspx> .

**Section 5. Purchase Order, Invoice and Payment of Funds.** The District's internal control shall require two Board member approvals and/or signatures, one being the Chair and the other being the Treasurer for all purchase orders, invoices and payments greater than \$5,000.00.

**Section 6. Accounting Software.** The Treasurer shall use an accounting software to track transactions and provide reports for the District.

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## 302 DISPOSAL OF ASSETS

**Section 1. Disposal of Assets.** The District is responsible for assuring optimal use of all district-owned equipment, materials, and supplies. However, the Board also recognizes that there are items that may last in excess of their usefulness to the District. The Board shall manage the disposal of all equipment, materials and supplies that become obsolete.

- a) Obsolete equipment, materials and supplies shall be disposed of in accordance with approval and direction of the Board which can be sold, recycled, donated, repurposed or disposed of through destruction.
- b) Any sale of property (land/site) belonging to and no longer needed by the district shall be authorized at the District's annual meeting.
- c) All monies received from the sale of equipment, materials, supplies or property (land/site) will be deposited into the District's designated depository.

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## 303 GRANTS

**Section 1. Grants.** It shall be at the discretion of the Board to apply for and receive, on behalf of the District, any applicable grants available. The Board shall report back to the constituents of the District, at the annual meeting, any grants applied for and amounts awarded and received.

- a) State matching grants can pay up to a determined % of the cost. The District shall check availability and eligibility, as needed, for state lake management grants for Lake District such as; restoration and aquatic invasive species (AIS) grants, lake protection grants to purchase environmentally-sensitive areas such as wetlands, grants for implementing a lake protection project, including purchasing land or easements, as deemed necessary.
- b) The District may volunteer for qualified DNR programs such as the Clean Boats Clean Waters (CBCW) program that monitors the boat landing for invasive species. The District shall check availability and apply for a CBCW grant, if eligible.
- c) All monies received from grants will be deposited into the District's designated depository.

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## 401 SLOW NO-WAKE & DAM MANAGEMENT

**Section 1. Slow No-Wake.** The District shall comply with the Town of East Troy's ordinance, Chapter 16.05 Public Waters for slow-no-wake water level limitations.

<https://www.codepublishing.com/WI/EastTroy/#!/EastTroy16/EastTroy1605.html>.

- a) Town of East Troy ordinance, Public Waters [section 16.05.140], references when the elevation of Potter Lake is in excess of 8.8 feet as measured at the dam meter, no person shall operate a watercraft in excess of slow, no-wake in any area of the lake. When the lake level meets or exceeds 8.8 feet at the dam meter, slow, no-wake signs shall be posted by the Potters Lake Protection and Rehabilitation District at all accesses between the dates of May 1 – October 1. Posted signage will be deemed necessary by the District based on weather conditions and the current rate of natural spillage over the gate, an engineered design feature of the dam. The slow-no-wake restriction shall continue until such time as the slow, no-wake signs are removed by the District.
- b) Notice of Slow No-Wake. Slow, No-Wake restrictions shall be posted on the District's website and an email notification may be sent by the Lake District to all riparian owners.
- c) The Operations & Maintenance leadership is responsible to organize the "set up" and "take down" of Slow, No-Wake signage when the PLPRD board establishes high water levels for the lake. The Slow No-Wake signage public access locations are;
  1. Boat Launch
  2. Shorewood Dr. entrance
  3. Potters Circle entrance
  4. Miramar Park #1 (main park)
  5. Corner of Miramar, Walnut and Spleas Skoney roads

### Section 2. Dam Management.

- a) The Potter Lake dam operates accurately and reliably to comply with the Town of East Troy's water level ordinance.
- b) The dam consists of one moving gate. The system manually controls the raising and lowering of the one gate of the dam. This operating system is designed to be completely closed when water levels are below 8.8 feet and opened to varying apertures, set manually by the operator, to release water when the level is in excess of 8.8 feet. The raising and lowering of the gate is set by the operator to meet these levels.

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- c) Only the District Board members and appointed Operations & Maintenance leadership of the Lake District shall manage the dam.
- d) Between April 1 and October 31 the dam shall be checked at least weekly by the Lake District's Operations & Maintenance team and debris shall be monitored and removed. All other operations, maintenance and inspections shall follow the PLPRD Internal Procedure DAM OPERATIONS & MAINTENANCE.

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### **402 MAINTENANCE OF DISTRICT PROPERTY & DNR BOAT LAUNCH**

#### **Section 1. Maintenance of District Property.**

- a) The District shall mow and trim the grass for;
  - o District parcel # PKS 00006, path to and around the dam/spillway.
  - o District parcel # PA238700001, located on W922 County Road L.
  
- b) Remaining parcels P ET1000010 and P ET1000010A shall remain as a nature reserve, protecting the natural resources, preserving animals and plants.

**Section 2. Maintenance of DNR Boat Launch.** The District shall mow and trim the grass around the DNR boat launch parking lot, parcel # PS 0000, per the agreement with the State of Wisconsin Department of Natural Resources - Land Use Agreement dated May 1, 2024, and expiring on May 31, 2039.

**Section 3. Maintenance Responsibility.** At the discretion of the Board, property maintenance and monitoring responsibilities will be performed by District employee/s or a third party vendor.

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## REFERENCES

Reference	Category	Section/Policy/Other
	<b>100 DISTRICT BOARD and MEETINGS</b>	
State Statute	DISTRICT PHILOSOPHY AND GOALS	Chapter 33.21
Policy	RECORDS RETENTION & STORAGE	101
State Statute	FILLING BOARD VACANCIES	Chapter 33.28
State Statute	DISTRICT POWERS AND DUTIES	Chapter 33.22
State Statute	DISTRICT DISSOLUTION [Chapter 33.35]	Chapter 33.35
Policy	ADOPTION, AMENDMENT OR SUSPENSION OF POLICIES & PROCEDURES	102
State Statute	DISTRICT BOARD OF COMMISSIONERS	Chapter 33.28, 33.29
State Statute	BOARD MEMBER AUTHORITY & RESPONSIBILITIES	Chapter 33.29
State Statute	ANNUAL MEETING - Agenda and Notices	Chapter 33.28, 33.29, 33.30, Notices Chapter 985
State Statute	SPECIAL MEETING - Agenda and Notices	Chapter 33.28, 33.305, Notices Chapter 985
State Statute	VOTES & BALLOTS	Chapter 33.01 (9) (ar)
State Statute	OPEN MEETINGS, OTHER MEETINGS	Chapter 19.81-19.98
Policy	ADVISORY COMMITTEES	103
State Statute	ANNUAL MEETING, ELECTORS AND ELECTIONS	Chapter 33.01, 33.23, 33.28, 33.30
Policy	CONDUCT OF MEETINGS, ROBERT'S RULES OF ORDER & PUBLIC PARTICIPATION	104
State Statute	QUORUM	Chapter 33.28
	<b>200 ADMINISTRATION</b>	
State Statute	CONTRACTS, BIDDERS, SECURITY BOND	Chapter 33.22, 66.29
Policy	LEGAL COUNSEL	201
State Statute	COMMISSIONER EXPENSE AND COMPENSATION	Chapter 33.28, 33.30
Policy	PAYROLL SERVICES & EMPLOYEE WAGE RATES, BOARD STIPENDS	202
	<b>300 FISCAL MANAGEMENT</b>	
State Statute	BUDGET	Chapter 33.29, 33.30, 33.305
State Statute	TAX, MILL RATE, LEVY, SPECIAL	Chapter 33.30, 33.31, 33.32



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Policy	MANAGEMENT OF FUNDS: DESIGNATED DEPOSITORIES & FINANCIAL/INVESTMENT INSTITUTIONS, BORROWING FUNDS, FUNDRAISING & PAYMENT PROCEDURES	301
State Statute	ANNUAL AUDIT	Chapter 33.29(2)
Policy	DISPOSAL OF ASSETS	302
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	<b>400 DISTRICT LAKE MANAGEMENT</b>	
Policy	SLOW NO-WAKE & DAM MANAGEMENT	401
Policy	MAINTENANCE OF DISTRICT PROPERTY & DNR BOAT LAUNCH	402
State Statute	LAKE PROJECTS	Chapter 33.01, 33.11-18, 33.32
State Statute	PROJECT APPROVAL (over \$10,000)	Chapter 33.22 (4m), 33.30 (3b)
State Statute	LAKE STUDIES, PLAN, IMPLEMENTATION	Chapter 33.13, 33.14, 33.15, 33.29
	<b>OTHER &amp; INTERNAL PROCEDURES</b>	
Internal Procedure	CLEAN BOATS CLEAN WATERS (CBCW) – VOLUNTEER PROGRAM	Separate Document
Internal Procedure	AQUATIC PLANT MANAGEMENT (APM)	Separate Document
	<b>RESOLUTIONS</b>	
XX-01	Set Annual Meeting, Location, Date and Time for Following Year	
XX-02	Levied Tax and Associated Administration Budget	
XX-03	Special Weed Control Tax and Associated Lake & Aquatic Plant Management Budget	
	<b>REFERENCE LINKS</b>	
State Statute	<a href="https://docs.legis.wisconsin.gov/statutes/statutes/33.pdf">https://docs.legis.wisconsin.gov/statutes/statutes/33.pdf</a>	CHAPTER 33 PUBLIC INLAND WATERS
State Statute	<a href="https://docs.legis.wisconsin.gov/statutes/statutes/19">https://docs.legis.wisconsin.gov/statutes/statutes/19</a>	CHAPTER 19 GENERAL DUTIES OF PUBLIC OFFICIALS
State Statute	Wisconsin's Open Meetings Law (WOML) is set forth in Wisconsin Statutes §§ 19.81–19.98. [See link above for Chapter 19]	OPEN MEETINGS OF GOVERNMENTAL BODIES
State Statute	<a href="https://docs.legis.wisconsin.gov/statutes/statutes/985">https://docs.legis.wisconsin.gov/statutes/statutes/985</a>	CHAPTER 985 PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES

# POTTERS LAKE PROTECTION AND REHABILITATION DISTRICT

## Policy and Procedure

*The District is operated in accordance with Chapter 33 of the Wisconsin Statutes and other laws, including; the Open Meetings Law, the Public Records Law and the Local Government Officials Code of Ethics.*

*These policies and procedures provide for matters not specifically addressed in state law and shall not be construed in a manner contrary to the Wisconsin statutes and law.*

*The District uses the publication People of the Lakes: A Guide for Wisconsin Lake Organizations (UW-Extension, latest revised edition) as a general Lake District reference and Robert's Rules of Order as a reference for meeting procedures not addressed in state law or herein.*

State Statute	<a href="https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf">https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf</a>	Wisconsin Public Records Law Compliance Guide
State Statute	<a href="https://ethics.wi.gov/Pages/Resources/StatutesAndRules.aspx">https://ethics.wi.gov/Pages/Resources/StatutesAndRules.aspx</a>	State of Wisconsin Ethics Commission
University of Wisconsin	<a href="https://naturalresources.extension.wisc.edu/programs/extension-lakes-program/">https://naturalresources.extension.wisc.edu/programs/extension-lakes-program/</a>	University of Wisconsin, Extension Lakes Program
University of Wisconsin	<a href="https://www3.uwsp.edu/cnr-ap/UWEXLakes/Documents/organizations/Lake%20Districts/Lake_Org_Guide2018.pdf">https://www3.uwsp.edu/cnr-ap/UWEXLakes/Documents/organizations/Lake%20Districts/Lake_Org_Guide2018.pdf</a>	People of the Lakes: A Guide for Wisconsin Lake Organizations
Other	<a href="https://www.ulm.edu/staffsenate/documents/roberts-rules-of-order.pdf">https://www.ulm.edu/staffsenate/documents/roberts-rules-of-order.pdf</a>	Robert's Rules of Order
State of Wisconsin Public Records Board	<a href="https://publicrecordsboard.wi.gov/Pages/GRS/Statewide.aspx">https://publicrecordsboard.wi.gov/Pages/GRS/Statewide.aspx</a>	General Record Schedules, See: Administrative Records & Fiscal and Accounting and Related Records