

## BEAVER DAM LAKE DISTRICT

### Policy and Procedure for Commissioner Elections and Vacancies

*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 Roberts Rules of Order as a reference for meeting procedures not addressed in state law or herein.*

Section 1. The Board of Commissioners. The district board of commissioners consists of a five commissioners, including one appointed by county board, one appointed by the town with the largest valuation in the District and three electors or owners of property within the District elected by secret ballot by the qualified electors and property owners within the District.

Section 2. Qualification of elected commissioners. Each elected commissioner shall be a U.S. citizen over the age of 18 years who is either a resident elector or owner of property within the District, provided that:

- (a) At least one commissioner shall be a resident elector unless no resident is willing to serve, and
- (b) No person who is husband, wife, parent, brother, sister or child of an incumbent commissioner shall be elected to the Board of Commissioners.

Section 3. Commissioner Terms. Each elected commissioner shall serve for a three-year term expiring on the adjournment of the third Annual Meeting following his or her election or until his or her death, resignation or removal, except as provided in Section 8 below. Appointed members serve at the pleasure of the appointing authority.

Section 4. Vacancies. If a vacancy occurs in the office of an elected commissioner the Chairperson shall appoint a person to fill the remainder of the unexpired term of the Commissioner whose death, resignation or removal created by the vacancy. Such appointment shall take effect upon approval by the Board of Commissioners.

Section 5. Qualifications for voters. Each District voter shall be a U.S. citizen over the age of 18 years old and meet at least one of the following:

- (a) An owner of property whose name appears on the tax roll used for general property taxes the previous year or the spouse of a person referred to on that tax roll may vote and is not required to submit a voter certificate. (Example: Owner listed as “John Doe and wife” or “John Doe, *et ux.*”)
- (b) A person whose name does not appear on the tax roll referenced above, but who submits a voter certificate that the person owns title to property in the District which includes the person’s address in the District. (Examples: Owner purchased property during the current year or is one of multiple co-owners who are not all named on the tax roll.)
- (c) A person who is a resident of the District and qualified to vote in a Town or City within the District and submits a voter certificate that the person resides in the District which includes the person’s address in the District. (Example: Residents of rental property within the District.)
- (d) A person who is the official representative of a trust, foundation, corporation, association or organization that owns property in the District and who submits a voter certificate that the person has been designated by such entity.

Section 6. Nominations

- (a) Resident electors or property owners qualified to vote at the Annual Meeting may nominate themselves or any other person qualified to serve as a Commissioner by submitting a written statement not exceeding 200 words to the Secretary at least 21 days prior to the Annual Meeting. The written statement must include the nominee’s name and address within the District and state the nominee’s willingness to serve as a Commissioner and may include other information regarding the nominee’s interests in the activities of the District.
- (b) Persons qualified to vote at the Annual Meeting may nominate themselves or any other qualified person to serve as a commissioner at the Annual Meeting, provided such nominees are present and state their willingness to serve as a Commissioner.

Section 7. Notice of Annual Meeting and Elections. The Secretary shall provide notice of the number and terms of Commissioner seats with the Notice of the Annual Meeting. The Notice of the Annual Meeting shall be mailed to District property owners and published as a class 2 notice under Chapter 985 of the Wisconsin Statutes.

Section 8. Ballots The Secretary shall prepare a ballot that lists the name of each qualified person nominated under Section 6(a) and makes provision for voters to write in the name of any person nominated at the Annual Meeting under Section 6(b).

Section 9. Election. The election of commissioners shall be conducted by secret ballot at the Annual Meeting. If two or more seats are to be filled at the Annual Meeting, the candidate receiving the largest number of votes shall serve in the seat with the longest term, the candidate receiving the second largest number of votes shall serve in the seat with the second longest term and the candidate receiving the third largest number of votes shall serve in the seat with the third longest term, except that -- unless another resident elector is presently serving or elected to the Board of Commissions -- a candidate who is a resident elector of the District shall be elected and seated as a commissioner even if that candidate receives fewer votes than a candidate who would otherwise be elected by the smallest vote cast in the election.

Section 10. Election Clerks. The Chairperson shall appoint at least two persons qualified to vote at the Annual Meeting as election clerks responsible to qualify voters and to distribute, collect, count and report the results of the election at the Annual Meeting. No incumbent or candidate for the office of commissioner may serve as an election clerk.