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TOWN OF FULTON

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September 16, 2013

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Re: Town of Albion
Rock Koshkonong Lake District --
Denial of Request for Public Records
Our File: 15715.66588

Dear Counsel:

Please be advised that we represent the Town of Albion ("Albion"), located within Dane County, Wisconsin. This letter is being submitted on behalf of Albion, as well as on behalf of the Towns of Fulton, Milton and Koshkonong, which are located in Rock and Jefferson Counties. The foregoing are herein collectively referred to as the "Towns."

The Rock Koshkonong Lake District is a "Public Inland Lake Protection and Rehabilitation District" created and operated pursuant to the provisions of Sec. 33.21, Wis. Stats. (the "Lake District"). The Lake District is located in portions of the foregoing Towns. By letter dated February 5, 2013, the Towns of Albion and Koshkonong made a public records request of the Lake District, seeking copies of the District's annual audits for the last three completed fiscal years. Enclosed is a copy of that letter, marked as Exhibit 1.

No response was given to this letter by the Lake District. As a result, I wrote a letter to the Lake District under date of April 17, 2013, a copy of which is enclosed and marked as Exhibit 2. My letter generated a response from the Lake District, which is a letter dated April 22, 2013, a copy of which is enclosed and marked as Exhibit 3. As you can see from the response, the Lake District has neglected and refused to provide the records requested.

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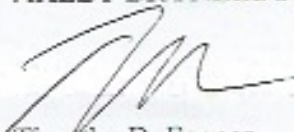
Accordingly, we believe that the Lake District is in violation of applicable provisions of Wisconsin law, as follows:

1. Section 33.29(2), Wis. Stats. requires the Lake District to, "...annually at the close of the fiscal year cause an audit to be made of the financial transactions of the district." We have reason to believe that the Lake District has not had such an audit done for several years.
2. If an audit has been done, then the audit constitutes a public record, which should be provided in response to a request therefor. The only response we have received to Exhibit 1 dated February 5, 2013 is the letter from the Lake District under date of April 22, 2013, marked as Exhibit 3. That document does not answer the questions nor does it provide copies of the requested audit or indicate what must be done to obtain copies of the audit.
3. It also appears that the Lake District may be imposing a "special assessment" or a "special charge" contrary to the provisions of Section 33.32, Wis. Stats.

We would appreciate it if all or any one of you would undertake an investigation of this matter to determine whether or not the Lake District is in compliance with applicable provisions of law. If it is not, we would request that appropriate enforcement action be taken.

Sincerely,

AXLEY BRYNELSON, LLP



Timothy D. Fenner

TDF:avr

Enclosures

cc: Town of Albion (w/encls.)
Town of Fulton (w/encls.)
Town of Koshkonong (w/encls.)
Town of Milton (w/encls.)