

## TOWN of LA POINTE \* MADELINE ISLAND

PO BOX 270 LA POINTE, WI 54850  
(715)747-2707 FAX: (715)747-6654 CELL: (715)209-0199  
[lapointeza@cheqnet.net](mailto:lapointeza@cheqnet.net)

April 23, 2009

Michael Starck  
Boxholder  
La Pointe, WI 54850

RE: Letter from you dated 4-15-09 hand delivered same day

Dear Mr. Starck,

This letter is in response to the above correspondence and to document our conversation in the Town Hall on the same day. I am responding to your request to explain my 'professionalism'. At the time of the 4-15-09 correspondence it is my understanding you were no longer a Town Official. Your letter, therefore, is a written and signed complaint from a member of the public regarding how I perform my function as Zoning Administrator. As with every other complaint, a copy of the complaint and this response is being forwarded to my Supervisors.

At no time did you inform me, verbal or in writing, that you wished to remain anonymous. You made it clear the persons who wished to file a complaint/obtain public information desired to remain anonymous. You made it clear you were acting as Town Board Supervisor on behalf of a person(s) who wished to remain anonymous both verbally and in writing.

I have clear and descriptive notes of our 4-9-09 telephone conversation. At that time I documented you saying, and I clearly recall, you were "passing on a few complaints" while you were still on the Town Board. I stated at that time I would place what information I could gather regarding the complaints in your box. You did not object at that time. I followed through with an explanatory memorandum and attachments on 4-10-09 distributing them to your box and Chair Greg Nelson's at approx 4:00 p.m. I placed Larry Hildebrandt's copy in the outgoing mail. I was not in the Town Hall Easter weekend. I am not responsible for what happens to the mail in your box after delivery particularly when you have another person pick up your mail for you.

The Zoning Administrator emails of 4-9-09 and 4-10-09 show no correspondence to any website or any other entity regarding our telephone correspondence of 4-9-09 or my memorandum dated 4-10-09. My memorandum was not created or distributed to you, a Town Board Supervisor, until the afternoon of 4-10-09 therefore it is impossible it could appear on a website, as you report in your 4-15-09 letter, on 4-9-09. I have documentation as to the date and time of creation of the 4-10-09 memorandum if you require it.

On 4-13-09 I completed my ZA Report. At 3:06 p.m. and subsequent to the distribution of my ZA Report I received a Public Information Request for my memorandum to you listed in my ZA Report regarding (4) complaints. I filled the request in electronic format prior to leaving work that day.

As the Custodian of Records for the Zoning Department I have studied and reviewed the laws governing records in detail. The 2008 Department of Justice WI Public Records Law Compliance Guide cites the Hempel, 2005 WI court case in saying "The custodian, mindful of the strong presumption of openness, must perform the [public] records analysis on a case-by-case basis" but follows up by stating "**caution:** An agreement to keep a certain record confidential will not necessarily override disclosure requirements of the public records law". As I read on it states "Persons of public prominence have little expectation of privacy regarding professional conduct, even if allegation against them were disproven." Also, "The public interest

in not injuring the reputations of public employees must be given due consideration, but it is not controlling and would not, by itself, override the strong public interest in obtaining information regarding their activities while on duty.” It is my understanding at this time that your letter of 4-15-09 and this response are public record subject to disclosure upon request.

Please forward any issue or complaint regarding this letter to my Supervisors Greg Nelson and/or Larry Hildebrandt. At this time the Town of La Pointe Town Board has not designated a Zoning Liaison for contact.

Sincerely,

Jennifer M. Croonborg  
Town of La Pointe Zoning Administrator  
Ashland County Assistant Zoning Administrator  
State of WI POWTS Inspector

cc: Greg Nelson and Larry Hildebrandt