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June 15, 2020

Robert P. Kordus Jr.
320 S. Boulder Ridge Dr.
Lake Geneva, WI 53147

RE: Verified Open Meetings Law Complaint

Dear Robert P Kordus Jr.:

This letter is in response to your Open Meetings Law Complaint based on City of Lake Geneva Resolution 20-R43, which you provided to my office on June 9, 2020. Thank you for reaching out with your concerns. Based upon the information that you provided in your complaint, I am unable to find that Wis. Stats. §§ 19.82 and 19.96 have been violated by members of the Lake Geneva City Council.

Although I understand your concerns about the City of Lake Geneva conducting meetings virtually, instead of in-person, Wis. Stat. § 19.82(3) states that, "open session" means a meeting which is held in a place reasonably accessible to members of the public and open to all citizens at all times. Because this statute does not mandate in-person meetings or attendance, I am unable to find that a temporary order permitting virtual meetings where citizens are allowed to observe and provide public comment through the use of technology is a violation of state statute.

Therefore, pursuant to Wis. Stat. §19.97(4), I am declining to commence an action for a violation of open meetings law. Please feel free to bring your own action under Wis. Stat. §19.97 pursuant to Wis. Stat. §19.97(4).

Thank you for your attention to this matter.

Sincerely,

Zeke S Wiedenfeld
District Attorney
Walworth County