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March 7, 2025

Via email

Chris Voll, Village President
Village of Kronenwetter
1582 Kronenwetter Drive
Kronenwetter, Wisconsin 54455
cvoll@kronenwetter.org

RE: Village Board Report for 3/10/25
Review of Village Attorney Invoices

Dear President Voll:

The indicated report references a timeline coinciding with my starting as Village Attorney. As we discussed, I can thus provide some information as to this topic. We further discussed that it would be appropriate to submit this letter as a part of this agenda item to apprise the Board members without my then having to attend the meeting. For any follow on specifics, it may be helpful if I were involved.

Historically, the Village had provided copies of its attorney invoices in redacted form in response to public records requests. This is very common. Shortly after starting at the Village, I was informed of a request that was made by Trustee Charneski that resulted in a \$4,000 charge paid by the Village. This was in response to a very large request that required a lot of redaction. However, the exodus of Village staff had already begun at that time. The charge was apparently incurred because the Village had to pay an outside source to do all of the redacting since the person in house who could have done it was no longer there. Unfortunately, this is an example of the high cost of high staff turnover.

I am unsure why such a request was not denied as unreasonable on the basis of it being such an extreme public expense, but I was not there at the time. In any case, hearing about this was an early indication that work needed to be done on the Village's public records responses. I have described previously the importance of correct formal responses and how we have tried to make template responses for use by the Village staff to the extent that it is possible.

To its credit, the Village Board already made several strides in this area at its meeting on August 26, 2024: the access policy is up at the Village hall; the ordinance that allowed for requests to be poorly tracked internally and made to untrained staff was amended; and the unhelpful provisions of Village policy GEN-001 were eliminated. The previous maladies were all contributing factors to Trustee Charneski's public records lawsuit against the Village. These were sound changes in response that have resulted in reduced liability exposure and what should help contribute to a better process.

Another related change was when the Village corrected several parts of its financial procedures approximately a year and a half ago. The Village used ordinances and policies to properly support paying its bills in the efficient alternative method for municipalities, as opposed to considering each and every single bill individually, as is still commonly done in many small towns.

At some point after the \$4,000 request but before the reforms described above, the Village had changed to reviewing attorney invoices at open meetings. I personally witnessed this at one of if not my first meeting attended. The process involved Trustee Charneski asking everyone in the room for full details on all legal topics in open session. This seemed to take approximately 30 minutes. I had never seen or heard of anything like it.

In the following days I inquired about this with President Voll and Interim Administrator Mahoney, and to advise them that it was unwise to discuss details of all Village legal matters in open session like had been done. Afterwards, the Trustee Charneski process was discontinued. Finally, the Board has since also acted to reclarify that the Village President ought to determine if attorney invoices should be redacted or not on an ongoing basis and before they are released as a response to a public records request.

The above is what has happened in my time with the Village on this topic. As I explained at a recent meeting, the invoices are the way that they are because that was how I was last instructed to do them. In general, my invoices appear to the Village in similar fashion as they do to all of my clients.

All of my clients rely upon a point of contact in order to avoid cross-messages and to help control costs. During the brief periods that the Village has had an Administrator, my contact was chiefly that person, with President Voll only helping out if the Administrator were on vacation or otherwise unavailable. That being said, for most of my time at the Village there has been no Administrator at all.

A special circumstance with this Village is that we have had our own Board members act in personal capacities to be adverse parties to the Village and/or its various officials. This greatly complicates the ethical distribution of legal information.

I hope that this summary has been helpful. Thank you.

Sincerely,
DEMPSEY LAW FIRM, LLP



Lee D. Turonie
Village Attorney