

March 17, 2010

Mark Rohrer
Manitowoc County District Attorney
1010 South Eighth Street
Manitowoc, WI 54220

Dear Mr. Rohrer:

Re: Mandamus Action

I am writing to request that you bring a mandamus action against the government of Manitowoc County pursuant to Wis. Stat. § 19.37(1)(b), in order to require the county to comply with an open records request I submitted related to contracted services for the expo center.

On the morning of March 11, 2010, I emailed County Clerk Jamie Aulik a written request for records related to contracted services for the expo center, which I have attached for your review.

In a phone conversation later that morning, I was advised by Mr. Aulik, that he would provide any requested records that he possessed under his authority as county clerk, but that most of the records I sought were held by other records custodians within Manitowoc County. Mr. Aulik informed me that to obtain those records, I would need to submit additional requests to the appropriate records custodian(s). Mr. Aulik informed me he did not have, and could not provide list of records custodians acting under the authority of the county. Mr. Aulik also indicated that he had consulted Manitowoc County Corporate Counsel Steve Rollins regarding my request.

I then sent a follow-up email (also attached) to Mr. Aulik, which I copied to Mr. Rollins, stating my position that the county must fulfill my request, rather than deflecting and delaying it with bureaucratic and technical obstacles.

Later that afternoon, I received a phone call from Mr. Rollins, in which he explained that, in general, each department head, or their designee, is the records custodian for their department. Mr. Rollins also said the county does not maintain a list of records custodians.

On March 16, 2010, I sent an email request (attached) to Mr. Aulik, indicating that I had not received a written response regarding the status of my request, and inquiring if it was necessary for me to duplicate and resubmit my request to the various records custodians. Mr. Aulik promptly sent an email response (attached) indicating that was necessary for me to submit my request to the appropriate records custodian(s). Mr. Aulik indicated that many of my requests should be directed to the county Public Works Department.

Mr. Aulik then sent another email (attached) with his formal response to my open records request of March 11, which essentially said that the office of the county clerk does not have most of the records being requested.

I resubmitted my request to Public Works Director Jeff Beyer, however, there is no basis for me to determine if the county possesses other records falling under the scope of my request, but are held under the authority of other records custodians. Apparently, in Manitowoc County, if a sufficiently determined citizen seeks access to public information held by the county, it is necessary to submit the request to the approximately 20 different records custodians. Unfortunately for the citizen, even attempting to overcome this ridiculously convoluted barrier is essentially impossible, because the county itself cannot identify its records custodians.

Wis. Stat. § 19.31 declares that open records statutes "shall be construed in every instance with a presumption of complete public access, consistent with the conduct of governmental business." It is not expected that citizens who are seeking access to public information should understand the internal organization or workings of a government. Even though the county cannot identify the records custodians operating under its authority, the county places this burden on ordinary citizens, before they are even allowed to request public information. The barriers to obtaining public information that Manitowoc County has imposed on its citizens violates the letter and spirit of Wisconsin's open records statutes.

The failure of the county to fulfill my rightful request for public information has already resulted in nearly a week of delay in releasing the requested information. The information being sought is of potentially great interest to voters in the election for county executive, which is now less than 20 days away. Stalling this request is equivalent to denial.

The relevance of this information to Manitowoc County voters was clear during the county board meeting last night, in which it appears that someone at the county has been approving payments to Triple PPP Inc. for vacations, which is not required or authorized by their contract.

Therefore, I request that you bring a mandamus action pursuant to Wis. Stat. § 19.37(1)(b) to obtain the timely disclosure of these records. Please contact me if you have any questions.

Sincerely,

Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 11, 2010

Jamie J. Aulik, County Clerk
Manitowoc County Courthouse
1010 S. 8th Street
1st Floor, Room 115
Manitowoc, WI 54220

Dear Mr. Aulik,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records.

1. Request 1

- a) Any emails between January 1, 2007 and October 31, 2007, that were sent or received by Jeff Beyer, Todd Reckelberg or Gary Neuser, regarding the subject matter of the preparation, selection, execution or administration of the RFP and contract for services for the operation of the ice center and expo grounds.
- b) The subject matter of the requested emails includes, but is not limited to, any discussion with or regarding the agents of Holiday House or Triple P Inc.
- c) This request EXCLUDES email attachments that duplicate records previously publicly released in the packet of documents provided to the county board, such as copies of the request for proposal and initial vendor responses, and copies of meeting minutes which have already been provided in the packet.
- d) This request includes emails sent or received using the county email system or any other email system.
- e) This request includes, but is not limited to, emails that were cc'd or bcc'd to the specified persons.

2. Request 2

- a) Any record regarding contracted services for the operation of the ice center and expo grounds regarding any meeting held between January 1, 2007 and July 31, 2007 regarding of the preparation, selection, execution or administration of the RFP and contract for services for the operation of the ice center and expo grounds.
- b) This request includes, but is not limited to, any record regarding contracted services for the operation of the ice center and expo grounds that was prepared for, presented at, or distributed at the specified meetings.
- c) This request includes, but is not limited to, any records regarding contracted services for the operation of the ice center and expo grounds, that were created during, or pursuant to, the specified meetings, including notes taken during or pursuant to the specified meetings.
- d) This request includes, but is not limited to, any audio, video or similar record of the specified meetings.
- e) This request includes, but is not limited to, any communications or meeting annotations from the county calendar system related to scheduling or holding the specified meetings.
- f) This request EXCLUDES records that duplicate records previously publicly released in the packet of documents provided to the county board, such as copies of the request for proposal and initial vendor responses, and copies of meeting minutes which have already been provided in the packet.

3. Request 3
 - a) The most recent contract that was in effect with Holiday House.
4. Request 4
 - a) All contracts, and contract revisions or amendments, that have been executed or agreed to with Triple P Inc.
5. Request 5
 - a) All contracts, and contract revisions or amendments, that have been executed or agreed to from November 1, 2009 to March 10, 2010 with Engstrom Inc.
6. Request 6
 - a) All invoices from Triple P Inc. submitted between August 1, 2009 and March 10, 2010.

These requests EXCLUDE any duplication of published records that are readily available to the public, such as Wisconsin statutes and administrative codes.

All references to Triple P Inc. in this request include Peters Concrete Company, and any other entity associated or related to Triple P Inc.

Please be aware that if a record contains information not subject to public disclosure, you are not permitted to withhold that record, but are instead required to release the record with the confidential portion(s) redacted. According to Wisconsin statutes, the open records law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied."

If the release of any records under this request is delayed for administrative or judicial review, or for any other reason, I am requesting that the records which are not subject to delay are considered as separate requests and are released immediately.

This is a time-critical request for public information. Wisconsin law requires that open records requests are performed "as soon as practicable and without delay." I am requesting a prompt response according to the spirit of Wisconsin law. In order to expedite the processing of this request, I am requesting that I be immediately advised using the cell phone number provided, should any additional information, authorization or other action on my part be required.

If you are not the records custodian for this information, please forward this request to the appropriate person. Also, please let me know if I can clarify or refine this request.

Thank you,

Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Jamie J. Aulik, County Clerk
Manitowoc County

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

This request is directed to Manitowoc County Government as a whole, however, pursuant to verbal instruction from County Clerk Jamie Aulik and Corporation Counsel Steve Rollins on March 11, 2010, I have provided separate requests for each records custodian which I hypothesize may have records falling under the scope of my request. This duplication of my request is my attempt to follow this instruction, and does not reflect an intent on my part to narrow the scope of my request to the records under the authority of the custodians selected to receive the requests. I do not expect to receive nor be charged for significant amounts of duplicated records that will likely occur because of the lack of coordination among county departments when responding to requests for public information from Manitowoc County citizens.

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Thank you,

Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Todd Reckelberg
Manitowoc County Comptroller

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Steven Rollins
Manitowoc County Corporation Counsel

Dear Records Custodian,

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Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Gary Kennedy
Manitowoc County Highway Commission

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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March 16, 2010

Adam Backus
Manitowoc County Parks Department

Dear Records Custodian,

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Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Sharon Cornils
Manitowoc County Personnel Department

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Jeffery Beyer
Manitowoc County Public Works Department

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

March 16, 2010

Cheryl Duchow
Manitowoc County Treasurer's Office

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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702 New York Avenue
Manitowoc, WI 54220
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March 16, 2010

Records Custodian
Manitowoc County Ice Center

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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702 New York Avenue
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March 16, 2010

Records Custodian
Manitowoc County Human Services Department

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

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March 16, 2010

Records Custodian
Manitowoc County Expo

Dear Records Custodian,

Under Wisconsin statutes 19.31 to 19.37 (open records) I request the following records: Any timesheets, payroll records or other documentation of hours worked or services performed between January 1, 2007 and October 31, 2007, or between August 1, 2009 and March 15, 2010, that document hourly wages, hourly fees, salaries, wages or employee compensation related to hours worked or services performed by Holiday House or Triple P Inc. The reference to Triple P Inc. in this request includes Peters Concrete Company, and any other entity associated or related to Triple P Inc.

This request is directed to Manitowoc County Government as a whole, however, pursuant to verbal instruction from County Clerk Jamie Aulik and Corporation Counsel Steve Rollins on March 11, 2010, I have provided separate requests for each records custodian which I hypothesize may have records falling under the scope of my request. This duplication of my request is my attempt to follow this instruction, and does not reflect an intent on my part to narrow the scope of my request to the records under the authority of the custodians selected to receive the requests. I do not expect to receive nor be charged for significant amounts of duplicated records that will likely occur because of the lack of coordination among county departments when responding to requests for public information from Manitowoc County citizens.

Please be aware that if a record contains information not subject to public disclosure, you are not permitted to withhold that record, but are instead required to release the record with the confidential portion(s) redacted. According to Wisconsin statutes, the open records law "shall be construed in every instance with the presumption of complete public access consistent with the conduct of governmental business. The denial of access generally is contrary to the public interest and only in exceptional cases can access be denied."

If the release of any records under this request is delayed for administrative or judicial review, or for any other reason, I am requesting that the records which are not subject to delay are considered as separate requests and are released immediately. This is a time-critical request for public information. Wisconsin law requires that open records requests are performed "as soon as practicable and without delay." I am requesting a prompt response according to the spirit of Wisconsin law. In order to expedite the processing of this request, I am requesting that I be immediately advised using the cell phone number provided, should any additional information, authorization or other action on my part be required.

If you are not the records custodian for this information, please forward this request to the appropriate person. Also, please let me know if I can clarify or refine this request.

Thank you,

Ronald Kossik
702 New York Avenue
Manitowoc, WI 54220
Cell: 414-704-4571

Subject: Open Records Request
From: Ron Kossik <ron@kossik.com>
Date: Thu, 11 Mar 2010 09:21:18 -0600
To: jamieaulik@co.manitowoc.wi.us

Mr. Aulik,

I am submitting the attached open records request. Please call me at 414-704-4571 to acknowledge receipt of this request.

Thanks,
Ron Kossik

open-records-request-01c.pdf	Content-Type: application/pdf Content-Encoding: base64
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Subject: Re: Open Records Request
From: Ron Kossik <ron@kossik.com>
Date: Thu, 11 Mar 2010 13:11:59 -0600
To: jamieaulik@co.manitowoc.wi.us
CC: stevenrollins@co.manitowoc.wi.us

Jamie,

Thanks for the update on the status of my request. I understand that I must re-submit portions of my records request to the appropriate records custodian for various sub-units of Manitowoc County government, even though the scope of records administered by each of these presumed records custodians is indeterminate, and the number and identity of the records custodians themselves is indeterminate.

I have a call in to Mr. Rollins to inquire how the appropriate records custodian(s) could be determined by a citizen without knowing the organization and internal workings of a government. Given that the county is unable to even produce a list of records custodians subject to its authority, it seems like an unreasonable burden to place on a requester. If the county doesn't even know who its own records custodians are, how could an ordinary person possibly know?

I will also be inquiring if all of these hypothetical records custodians are in compliance with Statute 19.34. (Provided below.)

It is my position that Manitowoc County must fulfill legitimate requests for public information from a citizen, rather than sending them on a scavenger hunt throughout the county bureaucracy.

Thanks,
Ron

19.34(1)

(1) Each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian under s. 19.33 from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. The notice shall also separately identify each position of the authority that constitutes a local public office or a state public office. This subsection does not apply to members of the legislature or to members of any local governmental body.

19.34(2)

(2)

19.34(2)(a)

(a) Each authority which maintains regular office hours at the location where records in the custody of the authority are kept shall permit access to the records of the authority at all times during those office hours, unless otherwise specifically authorized by law.

19.34(2)(b)

(b) Each authority which does not maintain regular office hours at the location where records in the custody of the authority are kept shall:

19.34(2)(b)1.

1. Permit access to its records upon at least 48 hours' written or oral notice of intent to inspect or copy a record; or

19.34(2)(b)2.

2. Establish a period of at least 2 consecutive hours per week during which access to the records of the authority is permitted. In such case, the authority may require 24 hours' advance written or oral notice of intent to inspect or copy a record.

19.34(2)(c)

(c) An authority imposing a notice requirement under par. (b) shall include a statement of the requirement in its notice under sub. (1), if the authority is required to adopt a notice under that subsection.

19.34(2)(d)

(d) If a record of an authority is occasionally taken to a location other than the location where records of the authority are regularly kept, and the record may be inspected at the place at which records of the authority are regularly kept upon one business day's notice, the authority or legal custodian of the record need not provide access to the record at the occasional location.

On 3/11/2010 9:21 AM, Ron Kossik wrote:

Mr. Aulik,

I am submitting the attached open records request. Please call me at 414-704-4571 to acknowledge receipt of this request.

Thanks,
Ron Kossik

Subject: Open Records Request

From: Ron Kossik <ron@kossik.com>

Date: Tue, 16 Mar 2010 00:16:51 -0500

To: jamieaulik@co.manitowoc.wi.us, toddreckelberg@co.manitowoc.wi.us, stevenrollins@co.manitowoc.wi.us, garykennedy@co.manitowoc.wi.us, adambackus@co.manitowoc.wi.us, sharoncornils@co.manitowoc.wi.us, jeffbeyer@co.manitowoc.wi.us, cherylduchow@co.manitowoc.wi.us

Open records custodians,

I am submitting the attached open records request to Manitowoc County. As instructed, I am submitting this request to various records custodians as attached. I am providing everyone a copy of all duplicate requests, in the hope that it will help facilitate some sort of coordination within the county in responding to this request.

Jamie, I am unable to determine a department head or records custodian for the human services department, ice center, and expo. Please direct these requests to the appropriate records custodians.

Thanks,
Ron Kossik

open-records-request-02a.pdf	Content-Type: application/pdf Content-Encoding: base64
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Subject: March 11 request status
From: Ron Kossik <ron@kossik.com>
Date: Tue, 16 Mar 2010 00:27:03 -0500
To: jamieaulik@co.manitowoc.wi.us
CC: stevenrollins@co.manitowoc.wi.us

Jamie,

I haven't received a written response regarding the status of my March 11 open records request. Is it necessary for me to duplicate and resubmit the request to the various records custodians, as I did for today's request? I want to avoid the county delaying the response to my request because of legal or bureaucratic technicalities.

Thanks,
Ron

Subject: Re: March 11 request status
From: Jamie Aulik <jamieaulik@co.manitowoc.wi.us>
Date: Tue, 16 Mar 2010 01:41:51 -0500
To: Ron Kossik <ron@kossik.com>
CC: jamieaulik@co.manitowoc.wi.us, stevenrollins@co.manitowoc.wi.us

Hi Ron:

My apologies for not getting you a response more quickly, but in essence, yes, you will have to ask the records custodians that are responsible for the records that are specified in your request for their records. Many of your inquiries are directed towards the county Public Works Department.

As I will summarily state at the end of my response, county government has a fragmented records maintenance system as opposed to a much more unified system found in schools. Our state constitution and state statutes dictate the difference between the two.

Respectfully,

-Jamie

Jamie J. Aulik
Manitowoc County Clerk
(920) 683-4004

-----Ron Kossik <ron@kossik.com> wrote: -----

To: jamieaulik@co.manitowoc.wi.us
From: Ron Kossik <ron@kossik.com>
Date: 03/16/2010 12:27AM
cc: stevenrollins@co.manitowoc.wi.us
Subject: March 11 request status

Jamie,

I haven't received a written response regarding the status of my March 11 open records request. Is it necessary for me to duplicate and resubmit the request to the various records custodians, as I did for today's request? I want to avoid the county delaying the response to my request because of legal or bureaucratic technicalities.

Thanks,
Ron

This message is intended for the use of the person or organization to whom it is addressed. It may contain information that is confidential, privileged, or otherwise protected from disclosure by law. If you are not the intended recipient or a person responsible for delivering this message to the intended recipient, any copying, distribution, or use of this message or the information that it contains is not authorized and may be prohibited by law.

Subject: Fwd: Open Records Request
From: Ron Kossik <ron@kossik.com>
Date: Tue, 16 Mar 2010 06:18:29 -0500
To: jeffbeyer@co.manitowoc.wi.us
CC: jamieaulik@co.manitowoc.wi.us, stevenrollins@co.manitowoc.wi.us

Mr. Beyer,

Pursuant to instruction from County Clerk Jamie Aulik, I am submitting the attached records request specifically to your department, which I have already submitted to Manitowoc County.

Thanks,
Ron Kossik

open-records-request-01c.pdf	Content-Type: application/pdf Content-Encoding: base64
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Subject: Fwd: Open Records Request

From: Ron Kossik <ron@kossik.com>

Date: Tue, 16 Mar 2010 06:18:29 -0500

To: jeffbeyer@co.manitowoc.wi.us

CC: jamieaulik@co.manitowoc.wi.us, stevenrollins@co.manitowoc.wi.us

Mr. Beyer,

Pursuant to instruction from County Clerk Jamie Aulik, I am submitting the attached records request specifically to your department, which I have already submitted to Manitowoc County.

Thanks,
Ron Kossik

open-records-request-01c.pdf	Content-Type: application/pdf Content-Encoding: base64
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Subject: March 11 request
From: Jamie Aulik <jamieaulik@co.manitowoc.wi.us>
Date: Tue, 16 Mar 2010 10:16:09 -0500
To: Ron Kossik <ron@kossik.com>
CC: Steven Rollins <StevenRollins@co.manitowoc.wi.us>

Hi Mr. Kossik:

Attached is my response to your open records request dated March 11th, 2010.

If you have any questions, feel free to call or email.

Respectfully,

-Jamie

Jamie J. Aulik
Manitowoc County Clerk
(920) 683-4004

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Kossik Open Records Request 3-11-2010.pdf	Content-Type: application/octet-stream Content-Encoding: base64
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Subject: Re: March 11 request status
From: Ron Kossik <ron@kossik.com>
Date: Tue, 16 Mar 2010 06:53:17 -0500
To: Jamie Aulik <jamieaulik@co.manitowoc.wi.us>
CC: stevenrollins@co.manitowoc.wi.us

Jamie,

I sent an email at 12:27 AM and you've already responded at 1:41 AM? Now that's good service!

I understand that there are some legal and political divisions of authority within the county owing to the authorities of directly elected officials, however, this does not prevent these authorities from working cooperatively to provide better service to their collective duty to provide public information when requested by their citizens.

I also dispute that legal or political barriers prohibit a collective response from the majority of county departments, which are simply bureaucratic divisions within the county, and not constitutionally or statutorily separate records authorities.

Again, I state my objection that it is unacceptable to deflect and delay a legitimate request for public information by a citizen simply because a citizen doesn't direct the request to the appropriate sub-unit of the county. This is an especially unreasonable burden to place on a citizen, since the county cannot even provide a list of records custodians acting under county authority. I am considering my option of requesting the district attorney to intervene on my behalf to require the county to appropriately service my initial request.

Thanks,
Ron

On 3/16/2010 1:41 AM, Jamie Aulik wrote:

Hi Ron:

My apologies for not getting you a response more quickly, but in essence, yes, you will have to ask the records custodians that are responsible for the records that are specified in your request for their records. Many of your inquiries are directed towards the county Public Works Department.

As I will summarily state at the end of my response, county government has a fragmented records maintenance system as opposed to a much more unified system found in schools. Our state constitution and state statutes dictate the difference between the two.

Respectfully,

-Jamie

Jamie J. Aulik
Manitowoc County Clerk
(920) 683-4004

-----Ron Kossik <ron@kossik.com> wrote: -----

To: jamieaulik@co.manitowoc.wi.us
From: Ron Kossik <ron@kossik.com>

Date: 03/16/2010 12:27AM
cc: stevenrollins@co.manitowoc.wi.us
Subject: March 11 request status

Jamie,

I haven't received a written response regarding the status of my March 11 open records request. Is it necessary for me to duplicate and resubmit the request to the various records custodians, as I did for today's request? I want to avoid the county delaying the response to my request because of legal or bureaucratic technicalities.

Thanks,
Ron

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**COUNTY OF MANITOWOC
COUNTY CLERK**

1010 South 8th St., Ste. 115
Manitowoc, WI 54220-5399

Jamie J. Aulik
Manitowoc County Clerk

Telephone: (920) 683-4004
Fax: (920) 683-4007

March 16, 2010

Mr. Ronald Kossik
702 New York Ave.
Manitowoc, WI 54220

Dear Mr. Kossik:

I have received your request dated March 11, 2010. As one of many records custodians in Manitowoc County government, it is my duty to make records available for public inspection that fall under my department's responsibility. The numbering system below corresponds to the numbering system that you used in your request.

Request #1:

Our department is not in possession of emails between January 1, 2007 and October 31, 2007, that were sent or received by Jeff Beyer, Todd Reckelberg or Gary (Gerry) Neuser, regarding the subject matter of the preparation, selection, execution, or administration of the RFP and contract for services for the operation of the Ice Center and Expo grounds.

Request #2:

Our department is in possession of a copy of the March 2007 Contracted Services Agreement for the Ice Center and Expo, however it was included in records that were released to the County Board.

We are not in possession of any records, other than the Contracted Services Agreement, that was prepared for or presented to meetings that concern the contracted services for the Ice Center and Expo grounds. We are also not in possession of any notes, audio, or video of such meetings.

Request #3:

Our department is not in possession of the most recent contract for contracted services at the Ice Center and Expo grounds with Holiday House.

Request #4:

Other than the March 2007 Contracted Services Agreement, our department not in possession of any contract revisions or amendments that have been executed or agreed to with Triple P Inc.

Request #5:

Our department is not in possession of any contracts, contract revisions, or amendments that have been agreed to from November 1, 2009 to March 10, 2010 with Engstrom Inc.

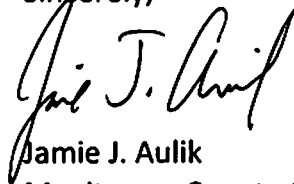
Request #6:

Our department is not in possession of invoices from Triple P Inc. submitted between August 1, 2009 and March 10, 2010.

In sum, other than previously released documents to the County Board, the County Clerk's Office is not in possession of any of the requested documents.

I will say, however, that over the course of the past week, you have brought to my attention the need to make the policies and procedures in making open records requests to Manitowoc County more readily available to the public. To that end, I will do what I am able to.

Sincerely,



Jamie J. Aulik
Manitowoc County Clerk