

# The Journal Times

Racine County's  
Daily Newspaper

212 4th Street, Racine, WI 53403-1066 • 262-634-3322 • FAX 262-631-1780

November 2, 2009

Mr. Bruce Olsen  
Assistant Attorney General

Dear Mr. Olsen:

I am writing for your opinion on actions a Racine committee has taken, which appear to be in violation of the state's open meeting law. The city's Loan Board of Review is a city committee which is made up of five city officials who review loan applications and administer loans on behalf of the city.

On June 18 the loan board held a meeting to discuss a loan for Jim Spodick. The minutes reflect that a decision was made; however, city officials have said the minutes from the meeting are incorrect and that the decision was deferred. At the board's July 16 meeting, the minutes state a decision regarding Spodick's loan was made via an electronic poll June 30. City officials have confirmed the poll was done through an e-mail and Spodick said he was not notified of the vote until after it happened.

In addition, in a meeting agenda dated Sept. 17, there was no notice of any action scheduled under old business. But the board took action on two items during old business, according to minutes. The minutes state the board's action was "re-affirmation of poll on 9/8/2009 to increase loan amount."

My questions are:

Is it legal for governmental bodies to vote via e-mail?

Should the board have noticed the e-mail vote?

Is it legal for the board to vote on old business, which is not noticed on the agenda?

Are there any other legal questions that arise?

Attached are the agendas and minutes for the board's meetings on June 18, July 16 and Sept. 17.

Please contact me with any questions. I can be reached at (262) 631-1717 or (715) 927-1754, or by email at [stephanie.jones@lcc.net](mailto:stephanie.jones@lcc.net). My fax is (262)631-1780.

Thank you for your assistance.

Sincerely,



Stephanie Jones

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