

A Citizen's Guide to Using Open Records

Wisconsin's Public Records Law (Wis. Stat. §§ 19.31-19.39) is a powerful tool for transparency. It operates on the presumption that all government records are public unless a specific legal exemption applies. This includes emails, text messages, memos, and other communications related to official business, even if they are on personal devices. For residents concerned about Project Nova, this law provides a direct method to request information and hold officials accountable.

Step 1: Identify What to Request

Be specific but comprehensive. Your goal is to uncover communications that could reveal premature agreements, conflicts of interest, or dismissal of public concerns. Key records to request include:

- **The Pre-Development Agreement:** The reported agreement between the Village and the developer from August 2025.
- **Communications:** All emails, text messages, meeting notes, and memos between Village Board members, Plan Commission members, and village staff (like the Development Director) and representatives of We Energies, Dewberry Engineers, or the RCEDC.
- **Financial Disclosures:** Statements of Economic Interests for all Village Board and Plan Commission members to identify potential financial conflicts.
- **Meeting Records:** All internal notes, drafts, and recordings related to meetings where Project Nova was discussed, including any closed-session meetings.

Step 2: Submit a Formal Request

Your request should be a formal, written document submitted to the official records custodian for the Village of Caledonia, which is typically the Village Clerk. Email is often the best method as it creates a clear timestamp and record of your request.

Sample Open Records Request Template

Subject: Open Records Request Regarding Project Nova

Dear Village Clerk,

Pursuant to Wisconsin's Public Records Law (Wis. Stat. §§ 19.31-19.39), I am requesting copies of the following public records. I request that these records be provided in an electronic format (e.g., PDF).

1. The fully executed "pre-development agreement" concerning "Project Nova" or a "data center," reportedly approved by the Village Board in August 2025.
2. All electronic and written correspondence (including but not limited to emails, text messages, and internal memos) from January 1, 2024, to the present, between any

member of the Village Board or Plan Commission and any representative of We Energies, Dewberry Engineers, or the Racine County Economic Development Corporation (RCEDC) containing the keywords: "Project Nova," "data center," "rezoning," "confidential," or "anonymous developer."

3. All Statements of Economic Interests filed for 2024 and 2025 by all current members of the Village Board and the Plan Commission.

If any part of this request is denied, please provide a written explanation citing the specific legal exemption. As this request is in the public interest, I ask that you waive any fees associated with locating and copying these records.

Please respond within the time required by law. Thank you for your assistance.

Sincerely,

Step 3: Analyze the Records

Once you receive the documents, search for keywords that may indicate backdoor deals, bias, or conflicts of interest. Look for:

- **Secrecy:** Phrases like "off the record," "confidential," "do not forward," or discussions about keeping the developer's name secret.
- **Bias:** Language that dismisses resident concerns ("ignore the opposition," "NIMBYs") or seeks to "fast-track" the project before public hearings.
- **Conflicts:** Any discussion of personal or financial benefits, jobs for relatives, or business interests that could be affected by the project's approval. Cross-reference names and companies with the financial disclosure forms.

By systematically requesting and analyzing these public records, you can connect the dots and bring a new level of transparency to the Project Nova approval process.