



QUICK LINKS

--Local News--

--U.S./World News--

--Classifieds--

--Special Sections--

--Photo galleries--

SEARCH

Go

- GazetteExtra
- The Web
- Search tips, help

FEATURED ADVERTISER



EXPLORE our newspaper



SAVE MONEY

Look for these money-saving inserts from local merchants in Tuesday's print editions:

- Jotter*
- Kohl's
- Milton Piggly Wiggly*
- Pick 'n Save*
- Papa Murphy's*

[* Limited distribution

You are not logged in

[Login](#) | [Register](#) | [Why register?](#) | [Forgot password](#)

Ethanol plant records opened to public

(Published Friday, March 31, 2006 11:31:33 AM CST)

By Carla McCann
Gazette Staff

MILTON-A Rock County judge ruled Thursday that all documents related to the development of an ethanol plant in Milton's East Side Industrial Park should be open to the public at or before the close of business Monday.

Opponents of the ethanol plant filed an open records request for the documents last year.

"We're gratified by this decision," said Skip Drew, a member of the opposition group. "The public has a right to know what its government is doing, and today, the court agreed."

Judge Daniel Dillon ordered the city in January to open all records pertaining to the plant for inspection. The city released most documents but asked the court for a protective order to shelter those it believed were particularly sensitive.

After reviewing the documents, Dillon said the city had not shown that the records must be kept confidential for competitive or bargaining reasons, according to a release from Christa Westerberg, a Madison attorney representing the opponents group.

"The public has a right to see the records for itself," Dillon said.

The remaining documents tell of another potential

Advertisement



To comment

- » Call our Sound Off line at 608.755.8335
- » Write a [letter to the editor](#)
- » Contact the news department at newsroom@gazetteextra.com.

area]

SEE FOR YOURSELF



[View latest front page](#)

[Get your copy of the Gazette](#)

[Start a subscription to the Gazette](#)

[Try "Special Delivery"](#)

development in the industrial park, center on water rates for the ethanol plant, and include correspondence between plant developer United Ethanol and Douglas Goodger, the former property owner.

The court also rejected the city's claim that a confidentiality pledge to United Coop or Goodger protected the documents, finding insufficient evidence that such a pledge existed, the release said.

Even if it had, the court ruled that "once the need for confidentiality to protect the negotiations no longer existed the reason for non-disclosure expired as well," the release said.

City Attorney Michael Haas said the city withheld about six documents that it believed should be confidential and filed a motion to have those papers reviewed by the judge.

Those records will be released unless the city appeals Dillon's latest ruling, Haas said, adding that he expects a decision to be made today.

The ethanol plant has been the center of controversy since the city council cleared the way for construction April 7 despite pleas from opponents to postpone the annexation and rezoning.

Opponents filed a lawsuit in May against the city council and plan commission, challenging the conditional-use permit granted to United.

In November, Dillon ruled in favor of the city, but he overturned that ruling in December when it was discovered that the storage tanks requested by United exceeded zoning limits.

Although Dillon found that continued construction violated Milton's ordinances, he said granting an injunction would overstep his power.

In February, the city approved two zoning code amendments that cleared the way for the \$60 million plant.

The opponents group also has accused the city of violating state open meetings laws and said it is taking its accusations to the Fourth District Court of Appeals in Madison.

"We need accountability in government, but that's impossible if we don't even know what decisions the government is making," said Kathryn Bornemann, another opponent of the plant. "Getting government

records is an important step in this direction."

[Return to previous page](#)

[Home](#) | [Business directory](#) | [Classifieds](#) | [Contact us](#) | [Dining guide](#) | [Employment](#) |
[Legal notices](#)
[Local/state news](#) | [National/world news](#) | [Newspapers in Education](#) | [Personal ads](#)
[Janesville real estate](#) | [Subscribe](#)

Search engine powered by 

Copyright ©2006 Bliss Communications Inc. All rights reserved.
Use of this material and this site are subject to the [GazetteExtra Terms of Use and Privacy Policy](#).

Content may not be published, broadcast, re-distributed or re-written.