

**COUNTIES REPORTING ON KOMA/KORA COMPLAINTS
FOR JANUARY 2007 through DECEMBER 2007**

- **Allen** Jerry B. Hathaway, County Attorney. No KORA or KOMA complaints.
- **Anderson** Frederick B. Campbell, County Attorney. A citizen made a KOMA complaint against the City of Garnett Planning Commission for not allowing recording equipment. The complaint was resolved when the City adopted a new policy allowing the recording of meetings.
- **Atchison** Gerald R. Kuckelman, County Attorney. No KORA or KOMA complaints.
- **Barber** Richard N. Raleigh, County Attorney. No KORA or KOMA complaints.
- **Barton** Douglas Mathews, County Attorney. No KORA or KOMA complaints.
- **Bourbon** Terri L. Johnson, County Attorney. KOMA complaint against Ft. Scott city commissioners regarding a majority of a quorum remaining after a scheduled meeting. A door was inadvertently locked, excluding the public. The county attorney concluded that there was no discussion of city business and no further action was taken.
- **Brown** Kevin M. Hill, County Attorney. No KORA complaints. One KOMA complaint against the City of Morrill for failing to record the purpose for an executive session in the minutes. After investigation it was determined that a violation had occurred and a settlement agreement was reached for KOMA training.
- **Butler** Jan Satterfield, County Attorney. KOMA complaint by citizen against Butler County Commission alleging improper use of executive session authority because the motion did not include a summary of the topic to be discussed. The County Attorney investigated and sent a letter to the Commission reminding them of the appropriate method to make an executive session motion.
- **Chase** Did not report.
- **Chautauqua** Kimberly King, County Attorney. No KOMA complaints. One KORA request from KAKE-TV for certain documents from the sheriff. Request was denied because of a judicial order, no further action taken.
- **Cherokee** John R. Bullard, County Attorney. No KORA or KOMA complaints.
- **Cheyenne** Did not report.
- **Clark** Gerald Woolwine, County Attorney. No KORA or KOMA complaints.
- **Clay** Richard E. James, County Attorney. No KORA or KOMA complaints.
- **Cloud** Robert Walsh, County Attorney. No KORA or KOMA complaints.
- **Coffey** Douglas P. Witteman, County Attorney. No KORA or KOMA complaints.
- **Comanche** James H. Herd, County Attorney. No KORA or KOMA complaints.
- **Cowley** Christopher Smith, County Attorney. No KOMA or KORA complaints.
- **Crawford** John Gutierrez, County Attorney. KOMA complaint from a former elected official for the City of Arcadia based upon serial meetings. County Attorney investigated and found an inadvertent violation had

- occurred. He entered into a settlement agreement with the City in which they will receive appropriate KOMA training.
- **Decatur** Steven Hirsch, County Attorney. No KORA or KOMA complaints.
 - **Dickinson** Keith D. Hoffman, County Attorney. One KORA complaint, by citizen, against a township. The township was contacted and agreed to comply with KORA and KOMA. A KOMA complaint was made concerning the Dickinson County Commissioners. It was referred to the Attorney General's office. (See Attorney General's Report.)
 - **Doniphan** Charles Baskin, County Attorney. No KORA or KOMA complaints.
 - **Douglas** Charles E. Branson, County Attorney. No KORA complaints. One KOMA complaint concerning the City of Lawrence. It was referred to the Attorney General's office. (See Attorney General's Report.)
 - **Edwards** Mark Frame, County Attorney. No KORA or KOMA complaints.
 - **Elk** Marla Foster Ware, County Attorney. No KORA or KOMA complaints.
 - **Ellis** Thomas J. Drees, County Attorney. No KORA or KOMA complaints.
 - **Ellsworth** Joe Shepack, County Attorney. No KORA or KOMA complaints.
 - **Finney** John P. Wheeler, County Attorney. No KORA or KOMA complaints.
 - **Ford** John Sauer, County Attorney. No KORA or KOMA complaints.
 - **Franklin** Heather Jones, County Attorney. No KORA complaints. Received one KOMA complaint about the Lane Township Council failure to provide notice of a scheduled meeting. Complainant did not follow-up with requested detailed information.
 - **Geary** Steve Opat, County Attorney. No KORA complaints. "Informal" KOMA inquiries about USD 475 and the Junction City Commission. He determined there was insufficient evidence/information to proceed and provided advice as to proper executive session topics for USD 475. The Junction City Commission complaint is under investigation.
 - **Gove** Mark F. Schmeidler, County Attorney. No KORA complaints. One KOMA complaint involving the USD 291 school board. Allegations concerned discussions outside of regular meeting (in restroom, at a dinner, and by email). School board member who disagreed with a vote asked county attorney to void the vote. County attorney investigated and concluded there was no violation and declined to void the vote. Subsequently, a recall petition was filed and that matter appears to still be pending.
 - **Graham** Tony A. Potter, County Attorney. No KORA or KOMA complaints.
 - **Grant** Robin L. Hathaway, County Attorney. No KORA or KOMA complaints.
 - **Gray** Curtis E. Campbell, County Attorney. No KORA or KOMA complaints.
 - **Greeley** Charles F. Moser, County Attorney. No KORA or KOMA complaints.
 - **Greenwood** Paul E. Dean, County Attorney. No KORA or KOMA complaints.
 - **Hamilton** Robert H. Gale, County Attorney. No KORA or KOMA complaints.
 - **Harper** Laurel D. McClellan, County Attorney. No KORA or KOMA complaints.
 - **Harvey** David E. Yoder, County Attorney. No KORA or KOMA complaints.
 - **Haskell** James C. Dodge, County Attorney. No KORA or KOMA complaints.
 - **Hodgeman** Kenton Gleason, County Attorney. No KORA or KOMA complaints.

- **Jackson** Kristie C. Hildebrand, County Attorney. No KORA or KOMA complaints.
- **Jefferson** Michael C. Hayes, County Attorney. No KORA or KOMA complaints.
- **Jewell** Darrell E. Miller, County Attorney. No KORA complaints. One KOMA complaint concerning the Jewell County Hospital. It was referred to the Attorney General's office. (See Attorney General Report).
- **Johnson** Phill Kline, District Attorney. No KOMA or KORA complaints.
- **Kearny** Dennis C. Jones, County Attorney. No KORA or KOMA complaints.
- **Kingman** Bradford L. Williams, County Attorney. No KORA or KOMA complaints.
- **Kiowa** Candace R. Lattin, County Attorney. No KORA complaints. One KOMA complaint against the county commissioners. After investigation, a settlement agreement was reached for KOMA training.
- **Labette** John R. Bullard, County Attorney. No KORA or KOMA complaints.
- **Lane** Craig D. Kerschner, County Attorney. No KORA or KOMA complaints.
- **Leavenworth** Frank E. Kohl, County Attorney. No KORA complaints. One KOMA complaint against USD School Board. After investigating, no violation was found.
- **Lincoln** Did not report.
- **Linn** John Sutherland, County Attorney. No KORA or KOMA complaints.
- **Logan** Andrea M. Wyrick, County Attorney. No KORA or KOMA complaints.
- **Lyon** Marc Goodman, County Attorney. No KORA or KOMA complaints.
- **Marion** Susan C. Robson, County Attorney. No KORA complaints. One KOMA complaint concerning the City of Marion and who might be included in an executive session. After investigation, it was determined that no violation had occurred.
- **Marshall** Did not report.
- **McPherson** Ty Kaufman, County Attorney. No KORA or KOMA complaints.
- **Meade** Louis Podrebarac, County Attorney. No KORA or KOMA complaints.
- **Miami** David L. Miller, County Attorney. No KORA or KOMA complaints.
- **Mitchell** Jess W. Hoeme, County Attorney. No KORA complaints. KOMA complaints against county commissioners and City of Beloit. No violations were found for the county commissioners. The county attorney concluded there had been a violation for the City of Beloit for failing to provide requested notice of a special meeting. The City was warned and no further action was taken.
- **Montgomery** Larry Markle, County Attorney. One KORA complaint was received concerning the City of Elk City. It was alleged the City had taken inappropriate binding action in an executive session. After investigation, the City rescinded the action and agreed to KORA/KOMA training to avoid any future violations.
- **Morris** Laura E. Allen, County Attorney. No KORA or KOMA complaints.
- **Morton** Eric L. Witcher, County Attorney. No KORA or KOMA complaints.
- **Nemaha** Brad M. Lippert, County Attorney. No KORA or KOMA complaints.
- **Neosho** Melissa Dugan, County Attorney. One KORA complaints was made. An insurance company wanted 911 phone calls and radio traffic for an

accident. The request was denied because of an ongoing investigation. Two KOMA complaints were made. One was made by the *Chanute Tribune* against the City Council, no violation was found. The second was against the county commissioners, by a fellow commissioner, for an executive session on an inappropriate subject. After investigation, the commissioners entered into a settlement agreement for KOMA training to be conducted within 6 months.

- **Ness** Craig Crosswhite, County Attorney. No KORA or KOMA complaints.
- **Norton** Karen L. Griffiths, County Attorney. No KORA or KOMA complaints.
- **Osage** Brandon L. Jones, County Attorney. No KORA or KOMA complaints.
- **Osborne** Paul S. Gregory, County Attorney. One inquiry by the County register of deeds; whether a settlement agreement must be approved in an open meeting and whether a non-disclosure clause in an agreement is subject to KORA. Concluded that the KORA does not require provision of documents a court has closed and that the KOMA does require a settlement agreement to be approved in a public meeting.
- **Ottawa** Bruce Barefield, County Attorney. No KORA or KOMA complaints.
- **Pawnee** John M. Settle, County Attorney. No KOMA complaints. One KORA complaint against the City of Garfield. Because of a conflict, it was referred to the Attorney General's Office. (See Attorney General's report.)
- **Phillips** David O. Baumgartner, County Attorney. No KORA or KOMA complaints.
- **Pottawatomie** Sherri L. Schuck, County Attorney. No KORA complaints. Mayor of Emmet complained that the city council may be violating KOMA by calling special meetings without notifying the Mayor or City Clerk. County Attorney determined there might have been a violation of K.S.A. 15-106 (calling special meetings in a city of the third class), but no KOMA violations.
- **Pratt** Kenneth Van Blaricum, County Attorney. No KORA complaints. One citizen complained about the City of Byers and potential violations of KOMA. Contacted the city and advised them of the KOMA and KORA requirements. They said they would comply.
- **Rawlins** Scott Beims, County Attorney. No KORA or KOMA complaints.
- **Reno** Keith D. Schroeder, District Attorney. No KORA or KOMA complaints.
- **Republic** Frank G. Spurney, County Attorney. No KORA or KOMA complaints.
- **Rice** Scott. E. McPherson, County Attorney. No KORA or KOMA complaints.
- **Riley** Barry Wilkerson, County Attorney. No KOMA or KORA complaints.
- **Rooks** Edward C. Hageman, County Attorney. No KORA complaints. One KOMA complaint referred to the Attorney General's office. (Under investigation.)
- **Rush** Tony W. Rues, County Attorney. No KORA or KOMA complaints.
- **Russell** Daniel W. Krug, County Attorney. No KORA or KOMA complaints.
- **Saline** Ellen Mitchell, County Attorney. A former board member made a KORA complaint against the Salina Housing Authority. The complaint

was investigated, but there was no evidence of a violation. No KOMA complaints.

- **Scott** Did not report.
- **Sedgwick** Sharon A. Werner, Chief Attorney for Nola Foulston, District Attorney. Five KORA complaints. Two against Minneha Township. They were resolved when complainant received copies and there was a determination that there was no KORA violation. One KORA complaint against the City of Bentley, no violation. Two complaints against the City of Wichita, no violation. No KOMA complaints.
- **Seward** Don Scott, County Attorney. No KORA or KOMA complaints.
- **Shawnee** Robert D. Hecht, District Attorney. **(a)** A letter from the Attorney General's Office referring a citizen complaint. No further contact with the complainant was received. **(b)** City complaint concerning KORA request of the City of Topeka; DA determined information and responses were adequate and appropriate. **(c)** Topeka City Council member complained that information later publically revealed that was discussed in executive session was confidential and subject to KOMA violations; KORA, nor any other state law prohibits a participant from revealing what is discussed in executive sessions. **(d)** KORA complaint by the Kansas Aggregate Producers Association concerning the Kaw River Drainage District; the records requested were provided and the issue settled. **(e)** KORA request/complaint by the former county treasurer seeking statements gathered during an investigation; was advised her attorney had copies of all of the materials. **(f)** Initiated an investigation concerning the Topeka City Council and possible KOMA violations by the use of serial meetings to circumvent the requirements of KOMA; determined that no violation had occurred.
- **Sheridan** Michael H. Hass, County Attorney. No KORA or KOMA complaints.
- **Sherman** Bonnie J. Selby, County Attorney. No KORA or KOMA complaints.
- **Smith** Allen Shelton, County Attorney. No KORA or KOMA complaints.
- **Stafford** Joe Shepack, County Attorney. No KORA or KOMA complaints.
- **Stanton** David C. Black, County Attorney. No KORA or KOMA complaints.
- **Stevens** Paul Kitzke, Assistant County Attorney for Robert Johnson II, Stevens County Attorney. No KORA or KOMA complaints.
- **Sumner** Kassie L. McEntire, County Attorney. Two KOMA and one KORA complaints against the Milan Township. No violation for one KOMA and the KORA complaint. The second KOMA complaint was determined to be valid based upon a lack of understanding. The matter was closed after a warning letter was issued. A KOMA complaint against the Argonia City Council by the City Clerk alleging binding action had taken place in executive session. The complaint proved to be unfounded. A KOMA complaint against the Conway Springs City Council for failing to provide notice. The complaint proved to be unfounded.
- **Thomas** Andrea M. Wyrick, County Attorney. No KORA complaints. One

- **Trego** KOMA complaint against the County Commissioners. It was referred to the Attorney General's Office. (See Attorney General's Report.)
- **Wabaunsee** David J. Harding, County Attorney. No KORA or KOMA complaints.
- **Wallace** Norbert C. Marek, Jr., County Attorney. No KORA or KOMA complaints.
- **Washington** Charles F. Moser, County Attorney. No KORA complaints, but two KOMA complaints by the same person, one against the County Commissioners and one against the Wallace County Economic Development Board (WCEDB). After discussion with the Commissioners, a change in their procedure was made to assure compliance with KOMA. The WCEDB agreed to provide the requested notice of all meetings, the error occurred because of a staff vacancy.
- **Wichita** Jason E. Brinegar, County Attorney. No KORA or KOMA complaints.
- **Wilson** Laura Lewis, County Attorney. No KORA or KOMA complaints.
- **Woodson** Jill E. Chard, County Attorney. No KORA or KOMA complaints.
- **Wyandotte** Jerry B. Hathaway, County Attorney. No KORA or KOMA complaints.
- Jerome Gorman, District Attorney. The office received one KOMA complaint forwarded by the Attorney General's office concerning the Board of Public Utilities. No further contact was made by the complainant. A KORA complaint was received by a citizen concerning the refusal of the City of Edwardsville to release certain information about the police department. After contacting the City, the requested information was released.