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ADAIR COUNTY

COMMUNITY

VOICE

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28 Pages

Voice organizes public records audit for county offices



Melissa Fletcher, deputy court clerk, manages a lot of the public records located in the county court clerk Sheila Blair's office. Some records held in the office are land deeds, marriage licenses and voting records.

This week is Sunshine Week—A nationwide initiative developed in 2003 to promote transparency in government.

To recognize Sunshine Week, the Community Voice conducted a public records audit on most of the county's public

agencies. The purpose of the audit was to develop a picture of where the county stands when complying to the Kentucky Open Records Act. The law allows "any person" to access records from any public agency.

See **Voice**, page 3

AUDIT RESULTS

Most offices are open with records

The Community Voice organized a public records audit recently to develop a picture of how well employees in public offices react to average citizens requesting public records.

Eight different auditors, average citizens, made requests to the school district, judge executive's office, 911 dispatch, circuit court clerk, industrial authority, court clerk, city hall, Columbia Police Department, Adair County Sheriff's Department, Kentucky State Police, PVA office, utilities district and the Adair County Regional Jail.

The auditors asked for records such as the superintendent's contract, city budget, salaries for the sheriff's department and police department and the jail log for a specific day.

DID AUDITORS GET WHAT THEY ASKED FOR?

(Auditors will not be personally identified and will only be referred to in the generic form of "he.")

See **Results**, next page

Newspaper says Adair man inflated land value, forced bypass delay

An Adair County man inflated the value of his property by 72 percent and forced delays in the long-awaited Columbia bypass, the Lexington Herald-Leader reported this week.

According to the report published Monday, Randy Murray manipulated land transactions by dividing his land into at least 10 smaller lots, built a moveable house on the centerline of the proposed road and shifted deeds among himself, a company he owned, family and friends.

Each maneuver forced a delay in the state's road planning and increased the land's price. The Kentucky Transportation Cabinet ended up paying Murray more than \$1.1 million for property that originally appraised at \$673,500.

Reporter John Cheves interviewed cabinet spokesman Chuck Wolfe, who told the Herald-Leader that Murray's sale was legal and the only option the state had was to cancel the project.

Murray is charged with perjury in Franklin Circuit Court as a result of claims he made at a hearing where he demanded more money for moving a house. He has been offered a plea deal that would reduce the felony charge to a misdemeanor. He would serve 90 days of unsupervised probation and pay the state \$150,000 in restitution, according to the article.

See **Newspaper**, back page

Free tipping days are April 13-14

Free tipping days were announced during Tuesday night's fiscal court meeting.

Residents can take garbage to the county transfer station for free on Friday, April 13 and Saturday, April 14.

Garbage will be accepted on Friday from 8 a.m. until 4 p.m. and on Saturday from 8 a.m. until noon.

County Judge Executive Ann Melton announced that the county's PRIDE cleanup funds have been reduced this year, from around \$9,900 last year to \$6,700 this year, so the county will not sponsor a Saturday roadside pickup event. Melton said she thought residents would be better served with the free tipping days but encouraged citizens to take pride in their community and not throw litter on the roadside.

Fiscal court replaces two water board members

The fiscal court replaced two members of the utilities board Tuesday night.

Rabon "Toon" Burton and Larry Legg were replaced by Tim Baker and David Jones.

Burton served one term on the board. County Judge Executive Ann Melton said Burton "insinuated he would not be interested in serving another term."

Melton said she received a call Friday and was notified that she would have Legg's letter of resignation from the board on Monday.

The utilities board has come under

scrutiny recently after approving a number of projects that resulted in a significant rate increase for utility district customers.

Attempts were made to contact Burton and Legg following the fiscal court meeting Tuesday night but neither one could be reached before presstime.

Baker was appointed to replace Burton and will serve a four-year term. Magistrate Sammy Baker, his father, abstained from the vote. All other magistrates voted in favor of the appointment.

Jones was appointed to replace Legg, completing a term that ends January 2014. All magistrates voted in favor of the appointment.

NUISANCE ORDINANCE GETS FIRST READING

The court approved the first reading of a nuisance ordinance. The ordinance covers a wide spectrum of offenses, such as noise, abandoned vehicles and dilapidated buildings.

The county solid waste coordinator or

See **Road**, back page



Local residents traveled to Eastern Kentucky over the past week to volunteer with the cleanup after this month's tornado outbreak. Above, IDK and Sally Kemp help shovel debris. Left, Bob Barnes helps move debris from fallen structures.

Local residents volunteer in tornado disaster areas

While many have traveled to Eastern Kentucky to help with cleanup, anyone can make donations to help the tornado victims.

Efforts to help tornado victims continue and there are still opportunities to send goods or financial assistance.

Columbia and Adair County teamed up with local radio stations to raise monetary donations Monday night. As of Tuesday,

more than \$5,000 had been raised. Donations are being accepted until a team leaves next week. Checks should be written to Morgan County Tornado Relief Fund.

Many of the items include cleaning supplies, household items, health and beauty aids and other miscellaneous items. Got to www.accvonline.com for a full list of items that can be donated.

RESULTS: Most county offices are open with records

Continued from front page

In most cases, auditors left with some or all of the information.

Auditors who requested information from the Adair County PVA office, circuit court clerk, county court clerk and water board walked into each office and received their information immediately.

• **PVA OFFICE:** The auditor who requested records at the Adair County PVA office asked for values of two specific properties in Columbia. The auditor said he was given the records right away with no questions.

• **CIRCUIT COURT CLERK:** The auditor at the circuit court clerk's office asked to look up specific records on an individual. The auditor was shown the computer and what to do and was able to look up the information with no problem.

• **COUNTY COURT CLERK:** The auditor who requested information at the county clerk's office asked for a print out of voting information for the Little Cake precinct in the November 2010 election. The records the auditor received included results from all of the precincts in the county. The results were also divided in political party and gender.

• **UTILITIES DISTRICT:** The auditor who requested information at the Adair County Utilities District requested water quality reports in the county. The auditor was given

the information immediately with no problem.

• **JUDGE EXECUTIVE – 911 DISPATCH**
Some auditors were able to get the information they asked for but not with ease. Two different auditors requested to see records on the 911 surcharge collected with telephone bills that detailed how much income it brought to the county and where that money was spent.

The first auditor went to the judge executive's office and was told to see Emergency Management Director Greg Thomas. The auditor then went to Adair County 911 Dispatch but couldn't find anyone to speak to.

The second auditor returned on a later day to the Adair County 911 Dispatch but was not able to speak with anyone. The auditor then went to the judge executive's office and obtained the information with no problem.

According to Lisa Lee, administrative assistant at the judge's office, the request from the first auditor was confusing so they sent him to see the emergency management director in hopes he could clarify what they wanted.

When the second auditor came into the judge's office and asked for the records, he was more specific and was given detailed information for appropriations and income for the 911 surcharge.

• **ECONOMIC DEVELOPMENT AUTHORITY**
The auditor who requested information from the Economic Development Authority asked to see any

“My staff is not really trained to deal with that kind of situation.”

Adair County Jailer Rick Wilson

records concerning utility and road access to property at the Green River Commerce Park.

The auditor asked to see information on water, sewer and electricity hookup and road access. Sue Stivers at the Columbia-Adair County Chamber of Commerce told the auditor they did not have those kinds of records onsite, but told him where he could get that information.

Stivers told the auditor he could get the information about water and sewer from the water office, electricity from Taylor County RECC and other information from the website www.ThinkKentucky.com.

When the auditor asked if they had any records available to someone who was interested in property at the Green River Industrial Park, Stivers gave the auditor a packet with regulations on the property.

• **KENTUCKY STATE POLICE**

An auditor mailed in a request to the Kentucky State Police on Thursday, March 1. The auditor requested information on 911 communications regarding a specific case. As of this week, the auditor has not heard back from the agency.

Kentucky law states that a response is required within three days of receiving the request.

A LITTLE BIT OF INFORMATION VERSUS THE ACTUAL RECORD

Auditors had difficulty obtaining records when they requested information from the school board and the regional jail.

• **ADAIR COUNTY SCHOOL BOARD**

An auditor requested a copy of the superintendent's contract at the school board's central office but the secretary wasn't for sure how to handle the request at first, according to Superintendent Darrell Treece.

The auditor was eventually told to fill out an open records request and he could have the information. The auditor was the only one who was told he would have to fill out an open records request.

• **ADAIR COUNTY REGIONAL JAIL**

The auditor who requested information from the Adair County Regional Jail asked for the jail log for Feb. 26.

An employee wrote down the names of inmates that had been incarcerated on

the date in question and gave that to the auditor.

Jailer Rick Wilson later explained that the “log” used daily by the jail includes detailed information about each inmate that is not subject to open records law, so the employee decided to provide the hand-written document. The log includes daily health information and daily routines of inmates.

Wilson said the auditor would have received the document that was requested had he been present when the request was made. Wilson said he generally handles those kinds of requests from the public and he knows how to print the document without the exempt information being added.

“That was an unusual request,” Wilson said. “My staff is not really trained to deal with that kind of situation.”

Wilson said he realizes being open to the public is part of the law but it can be difficult for a jail to be accessible to the public.

“It causes problems for our facility because we don't have a designated location to do something like that,” Wilson said. “One of the things that we have to be concerned about is we run a facility where we have to maintain security.”

A LITTLE BIT HARDER TO GET

When it came to asking for salary information, public agencies were slightly more guarded when auditors made requests.

• **ADAIR COUNTY SHERIFF'S DEPARTMENT**

At the Adair County Sheriff's Department, an auditor requested the salaries for all employees in the department.

The auditor was asked multiple questions while in the office. Employees in the front office of the sheriff's department gave the auditor the salaries but the removed all of the names of the employees. All the

auditor received was a list of numbers.

According to office staff at the sheriff's department, they asked the auditor if he wanted the names to be included and the auditor said he didn't need the names. The auditor said he didn't specify that he didn't need the names.

• **COLUMBIA POLICE DEPARTMENT – CITY HALL**

An auditor who requested information from the Columbia Police Department and Columbia City Hall had some trouble getting the information he wanted.

The auditor first went to the Columbia Police Department and asked for salaries for employees at the police department. The auditor was told to go to the mayor's office.

Later in the week, the auditor went to city hall to request a copy of the city's budget and salaries for the police department. The auditor received the budget for the city and a general figure for how much the department spends on salaries. Again, individual salaries were not provided.

City Clerk Sonya Roy said she asked the auditor if the general figure was okay and the auditor said it was okay. Once the auditor left the building, he realized he needed more information.

“If they would have been specific, I would have made them fill out an open records request,” Roy said.

Each auditor was trained on how to respond to questions and scenarios before they participated in the audit. They were each told not to misrepresent themselves, not to provide false information but at the same time not to reveal their purpose for obtaining the records.

The Kentucky Open Records Law indicates that any person who is requesting a public record does not have to reveal his reason for the request.

By Allison Hollon and Sharon Burton

To read the Kentucky Open Records and Meetings Acts, go to www.accvonline.com

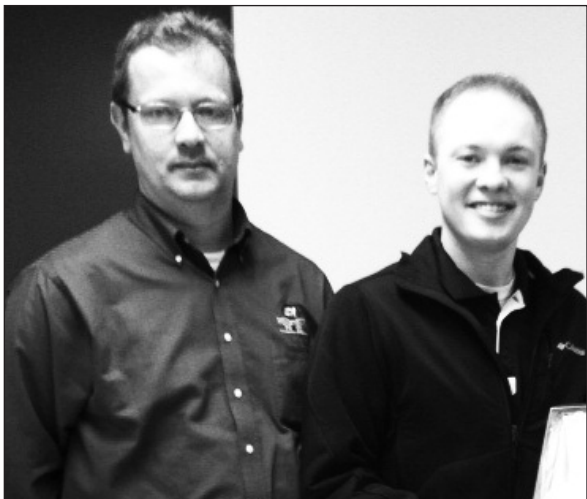
Salvation Army honors volunteers at banquet



Susan Upchurch - 2010 Volunteer of the Year



Willard Pritchard, Walmart, 2011 Supporting Agency



Tilford Hadley and Brandon Woods, IGA, 2011 Supporting Agency

The Salvation Army recently held its annual volunteer appreciation luncheon in lieu of its regular meeting on Tuesday, March 6, where each volunteer was recognized with an appreciation certificate and internationally recognized red Salvation Army Bell.

Locally its focus is meeting community needs through various programs, including Fire Assistance, Angel Tree, Senior Angels, Summer Camp, Christmas Kettles and local Disaster Relief.



Noah Richard, ACHS student, 2011 Volunteer of the Year.



Susan Breeding and Kaye Bowman, Community Medical Services, 2011 Supporting Agency

CARD OF THANKS

To all of our wonderful friends who visited, called, sent flowers and food, and prayed for us –
THANK YOU SO MUCH FOR EVERYTHING!

Life wouldn't be as good without you.

GOD BLESS YOU ALL.

Thank You

With Love,
Ken & Jeri Babcock

HAPPY BIRTHDAY!

March 11

Terry Phillips

March 12

Sherry Phillips

March 14

Ryan Dial, 17
Meagan Coomer, 16
Kelli Shepherd

March 15

Kristi Irvin
Sharon Pike

March 16

Larry Brown
Donald Gene Burton

March 17

Brittany Edwards
Mildred Thomas
Randy Burton

March 18

Geneva Kahns

March 19

Trinity Hancock
Tommy Dial, 43
Donnie Ray Burton
Lois Piercy, 90

March 20

Vickie Johnson

March 21

Keishia Mae Helm, 17

March 23

Eddie Dean Burton
Austin Coffey, 9
Hayden Young, 3

March 25

Josh Taylor, 21

March 26

Chris Roach
Tish Burton

March 27

Dollie Burton, 80

March 29

Zach Dial, 19

March 31

Aaran Maurice Taylor, 14

Happy Birthday



Expect the Unexpected.

Although tornadoes typically occur between April and July, they can strike throughout the year. Prepare yourself in advance so that you will know what to do before, during, and after the storm to minimize its impact.

Protect yourself from the unexpected. Call us today.

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Voice organizes public records audit for county offices

Continued from front page

“We decided to conduct a public records audit for Sunshine Week, a national initiative to promote a dialogue about the importance of open government,” said Voice editor and publisher Sharon Burton.

Burton said conducting the audit was a learning experience for not only the newspaper but for local government officials and government employees.

“For the most part, we find local officials to be open with us and willing to provide us with information we need to do our jobs, be we can always do better,” Burton said. “We all need a reminder—government officials and citizens alike—that the government is actually doing the work of the people and documents they generate belong to the people.”

Throughout the audit, auditors rarely dealt with public officials directly. They made their requests to employees who work in the public agencies.

David Thompson, executive director of the Kentucky Press Association, said public officials can’t be there every hour that the agency is open, so they can appoint one or more people to handle records requests.

“It doesn’t have to be every single employee, but that would be great if they did,” Thompson said. “But it has to be someone within the office designated to handle these requests in their absence. When (the agency) is open, any person that walks in there should

be able to make a request for the record.”

Each elected official receives information on Kentucky open meetings and records laws after they are elected. Thompson said it is important for public officials to uphold the Kentucky open records laws and open meetings laws because they are state laws and the public has a right to know.

“(Public officials) are the servants of the public,” Thompson said. “They cannot consider these records theirs. They are the public’s records. They are just the holder of the records for the public. They are the custodians of records.”

Thompson said public officials or employees in public agencies do not have any right whatsoever to ask who the person is, what they are going to do with the record or why they want it. Thompson said they have to give the records to the public unless it is exempted by law, such as a Social Security number or HIPAA information. Then it can be redacted, or marked out, he said.

Information such as addresses or names are not private.

WHY DO A PUBLIC RECORDS AUDIT?

Public records audit are important because newspapers are the watchdogs for open government.

“It’s because these things are the public’s right to know,” Thompson said. “Government business is the public’s business. The public has a right to know what the government is doing. It is up to the news-

“*The public has a right to know what the government is doing.*”

KPA Executive Director
David Thompson

paper to make sure they are complying.”

Thompson said newspapers usually get the information they ask for but the same can’t be said for the

public. He said the public is often asked questions that a newspaper isn’t.

Auditors reported several instances where they felt intimidated or uncomfort-

able asking for records. That may not be the fault of the public employee, but the public servant can put citizens at ease by treating them in a friendly and cooperative manner.

Auditors particularly reported warm welcomes from the PVA office, water department, county court clerk and circuit court clerk’s office.

Some auditors faced questions about why they wanted the records. Anyone requesting a public record doesn’t have to give the public agency a reason for his or her request.

Understanding the role of government and the rights

of citizens is an ongoing process, Burton said.

“As the watchdog of government, it’s our job as journalists to bring the conversation of government openness to the forefront for our readers,” Burton said.

The Kentucky Open Records and Open Meetings Acts concern everyone and not just journalists. The laws allow citizens to have access to public documents. A direct link to both laws can be found on www.accvonline.com at the top of the page.

By Allison Hollon
allison@accvonline.com



Bahama Beauties holds ribbon cutting ceremony

Bahama Beauties Tanning salon held its ribbing cutting last weekened. Pictured is Roger Meadows, Brooke Harmon, Jessica Froedge, Daniel Froedge, Gina Froedge, Faylene Jones, Kendall Bennett, Barbara Curry, Shelley Bennett and Sue Stivers.

TV show American Pickers is traveling to Kentucky

American Pickers, a popular television show that follows two collectors as they travel across the country looking for antiques, is coming to Kentucky.

The collectors are looking for places to visit during their trip the week of March 28.

The two “pickers” from the History Channel series, Mike Wolfe’ and Frank Fritz, are looking for everything from old advertising signage to vintage police and firefighter memorabilia.

Anyone with items of interest should email his or her name, num-

ber, address and pictures of the item to AmericanPickers@Cineflix.com or leave a message at 646-493-2184.

A complete list of items they are searching for can be found at accvonline.com.