

Dear members of the committee,

Monday, Feb. 3, 2025

I would like to provide oral comment at the hearing today based upon my experience with KORA (and KOMA) obstructions in Douglas County. Below is a graphs of the responses to previous requests. Most recently, the county skirted the recording of the Lawrence-Douglas County Metropolitan Planning Committee's orientation citing "technological issues" two days before the meeting, in spite of the fact other meetings were recorded in the same room all the days leading up to the orientation and the Monday morning after at 9:00. It's always something. And without improved KORA/KOMA statutes, the public has little chance of understanding what's going on behind the scenes -- which is substantial. Thank you,

Catherine Ellsworth | Kansas County Chronicle | Eudora, Ks

Open Records Requests	Details	Files/Cost
Request: emails To/From: NextEra/Polsinelli; Planner Sandra Day Time-Range: 11-01-2021 to 01-26-2024 Records Custodian: Lawrence City Clerk Requested: 01-26-2024 Received: 02-09-2024	In November 2021, Alan Anderson (NextEra/ Polsinelli) contacted County Admin Sarah Plinsky about a "Proposed NextEra Wind Project". Included in email thread: County attorney John Bullock, Zoning Director Tonya Voigt, and planners Mary Miller and Sandra Day. Per City Clerk: "Please note, there are records withheld..."	50 PDFs / \$50 (original estimate: \$145) Records withheld under: K.S.A. 45-221(a)(20)
Records requested (02-15-2024): Communications regarding wind/solar regulations or wind/solar projects between NextEra/ Polsinelli and planning staff (Sandra Day, Cece Riley, Mary Miller, Becky Pepper, Jeff Crick); 03-03-2021 to 02-14-2024. NO REPLY FROM RECORDS CUSTODIAN. Re-submitted simplified version (below) on 02-22-2024.		
Request: emails To/From: NextEra/Polsinelli; Sandra Day, Cece Riley Time-Range: 11-01-2021 to 02-22-2024 Records Custodian: Lawrence City Clerk Requested: 02-22-2024 Received: 03-08-2024	From City Clerk's office: 1) Our system is unable to search for "Polsinelli representative" ** 2) Using the emails and timeframe you provided...we are return- ing with 6800+ emails which is too broad for staff to review. 3) there are records withheld from release... **City Clerk added quotation mark to include "repre- sentative" which likely distorted search results.	75 PDFs / \$75 (no estimate provided) Records withheld under: K.S.A. 45-221(a)(20) K.S.A. 45-221(a)(25)
In the batch (above), two emails from NextEra (Alan Anderson) were provided – but in previous KORAs there were 60 docu- ments with "Polsinelli". In reponse to the exemption, a request was submitted for "documents and/or contracts to demonstrate that Douglas County or the City of Lawrence is in an attorney-client relationship with Alan Anderson..." The Custodian stated records withheld were: "product of attorney's employed by the City of Lawrence."		
Request: emails To/From: NextEra/Polsinelli; Commissioner Karen Willey Time-Range: 09-01-2022 to 02-22-2024 Records Custodian: County FOI Requested: 02-22-2024 Received: 03-06-2024	Records provided: out of order, with few headers, unidentified attachments, and numerous duplications. Contained multiple copies of the same Wind Reg edits, GE turbine manual, and KU economic impact report/ppt commissioned by NextEra, and Anderson's letter challenging setbacks, sound limits, and height restrictions, as well as a ppt from the January 24, 2023 meeting, which also contested setbacks, sound limits, and height restrictions.	384 pg total in 3 PDFs; cost \$89.50 Records withheld under: K.S.A. 45-221(a)(20) K.S.A. 45-221(a)(2)
03-08-2024 requested the recordings for meetings on Jan. 24, 2023, and Aug. 10, 2023. (missed the March 20, 2023.) <u>January 24 mtg</u> — (Two days after planning commission review of wind regulations draft.) Zoom invite: "WECS Regulations Discussion" (ie Wind Regs); on invite: Sandra Day, Becky Pepper, Cece Riley, Alan Anderson, Fiona Bagwell. Planner Cece Riley: "This meeting will be recorded and retained as a part of public record." <u>March 20 mtg</u> — (Morning of planning commission review of wind regulations draft.) Zoom invite: "WECS Regulations Discussion" (ie Wind Regs); on invite: Sandra Day, Becky Pepper, Cece Riley, Alan Anderson, Fiona Bagwell. <u>August 10 mtg</u> — (Day after Wind ad hoc subcommittee report to full planning commission.) NextEra: "is the meeting open to the public to attend?" Planner Sandra Day: "All meetings are open to the public...We try to record for the record. We have not posted these to the website, but they can be requested via open information if a person were to request that." (Before the August meeting, at NextEra's request, staff made arrangements to provide the recording of January's meeting.)		