

Stormwater management is sued

Magistrate sought information

BY ANDREA UHDE • AUHDE@COURIER-JOURNAL.COM • MARCH 3, 2010

Oldham County Magistrate Scott Davis is suing the Stormwater Management District and its chairman, saying they did not provide all the information he requested in an open records request.

The lawsuit, filed Feb. 12 in Oldham Circuit Court, claims the district and chairman Kevin Eldridge, who is running against Davis in the Republican primary, violated the Kentucky Open Records Act.

The lawsuit says Davis asked in December to see correspondence between the district, Fiscal Court and companies including Veolia Water that involved proposals, quotes and bids for work with the stormwater district.

The district decided last year to partner with Veolia in its work, which involves meeting federal guidelines for clean water.

The lawsuit says Davis knew of alternative proposals that showed ways the district could have been more cost-effective in outsourcing its operations. But those proposals, including a “bound” copy of proposals, were not in the information he received, Davis said.

“What I received was many iterations of what became the final accepted contract,” he said. “I did not receive the information that was considered early on in the process, which was exactly what I was trying to obtain.”

In a statement sent by e-mail, Eldridge said the district's office provided Davis with 49 pages at no cost that included all of the board's e-mails during the contract discussions. The information also included the final contract, he said.

Eldridge said his office provided another 292 pages of information at no charge in January that contained the drafts that were mentioned in those e-mails. He said he was never specifically asked to turn in a “bound copy” of proposals.

Eldridge blamed politics for the lawsuit.

“While I will not engage in it, unfortunately in today's age I think dirty politics is probably the norm,” Eldridge wrote. “That said though, how much more could our courts get done if they didn't have to bother with politics and posturing.”

Davis said the lawsuit is “absolutely not” related to the political race.

He said he spoke with Eldridge in January and received more information, but not the documents he was looking for.

Eldridge said after the lawsuit was filed, the board decided the bound copy Davis mentioned in the suit was a presentation made last summer by Rob Nicholas of Veolia Water. Eldridge said he had not kept that in his files, but the stormwater office had one and it is now in the hands of the district's attorney Stuart Ulferts.

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