

Taxpayer activist group awaits ruling on records

A Richmond County Superior Court judge is reviewing arguments in a case involving public records access.

By **Sandy Hodson** | *Staff Writer*
Thursday, May 15, 2008

Judge Carl C. Brown Jr. said Wednesday that he will issue a decision after reviewing written and oral arguments in a Richmond County Superior Court case involving access to public records in Augusta's procurement or purchasing department.

Opposing attorneys argued their positions before the judge for about an hour Wednesday, with city attorney Steve Shepard insisting the department had satisfied the state's Open Records law by allowing both representatives of the Association for Fair Government and media access to several dozen bid packages and thousands of purchasing orders.

However, Robert Mullins, an attorney for the Association for Fair Government - a taxpayer activist group - countered by saying every Open Records request has been met with extensive delays, and that he is still waiting to see documents he requested in October.

The Augusta Chronicle joined in the lawsuit against the city six months ago, but the newspaper agreed to a settlement Wednesday, after gaining assurance of access to a computer-programed compilation of information about the city's purchases in 2007.

The computer-generated compilation resulted from a collaboration of the city's information technology experts, the city attorney, Mr. Mullins and a Chronicle reporter. The goal was to develop access to public documents that are created and maintained in electronic format.

On Wednesday, Mr. Shepard told the judge that the state's Open Records law doesn't require the city to do any compilation of data.

Mr. Mullins argued to the judge that procurement is a very important government function and taxpayers need to see how and why their tax dollars are spent.

"It's the one (city) department that continues to violate the Open Records law. No one wants this case over more than the plaintiffs. We just want to get the documents and go home," Mr. Mullins said.

WHAT STARTED IT: The Association for Fair Government's lawsuit against the city began last fall as its attorney contended he was denied complete access to certain purchasing documentation.

The Augusta Chronicle joined the lawsuit, alleging Open Records requests were met with unreasonable delays, expense and restrictions. The plaintiff attorneys and city attorneys have worked toward a settlement for months. The Chronicle reached an agreement Wednesday.

WHAT'S NEXT: Superior Court Judge Carl C. Brown Jr. said he will review the oral and written arguments presented by the association and city before deciding the case.

WHAT'S LEFT: The remaining issues in the case are:

- The association's access to 2007 purchasing documents
- Whether the city should face financial sanctions for Procurement Director Geri Sams' refusal to be deposed on March 17
- Whether the city should pay the association's legal bills

Reach Sandy Hodson at (706) 823-3226 or sandy.hodson@augustachronicle.com.

From the Thursday, May 15, 2008 edition of the Augusta Chronicle