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(2008 July)

KPA will embrace new ways of doing business

By DAVID THOMPSON
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Cheap training for papers

By DAVID GREER
See page 5



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People and Papers

Ron Filkins, Bardstown publisher, KPA Board member, passes away

Ron Filkins, publisher of The Kentucky Standard in Bardstown and KPA/KPS Board of Director for District 5, passed away June 25 at his home.

Filkins, 57, had been publisher of The Standard since 2002, coming to Kentucky after being publisher of the Perry County New in Tell City, IN., and serving on the Hoosier State Press Association Board of Directors. He had just been elected in January to his second, three-year term on the KPA/KPS Board.

Ron was born Aug. 22, 1950 in Council Bluffs, Iowa. He was a 1968 graduate of Thomas Jefferson High School in Iowa. He earned his undergraduate degree in history and journalism at the State College of Arkansas and received his M.A. in Communications at the University of Iowa.

He began his newspaper career delivering papers in Council Bluffs for The Daily Nonpareil. In Bald Knob, Ark., he single-handedly published the Bald Knob Banner which was the beginning of his career in community journalism. He then honed his skills in Perryton, Texas working under the leadership of Harold Hudson, publisher of The Perryton Herald. Ron joined Southern Newspapers and worked in Dumas and Seguin, Texas, then joined Landmark Communications, Inc. in 1996 where he worked in Tell City, Ind. for the The Perry County



RON
FILKINS

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Journalists, postal service honor leading voice in the effective use of mail as Max Heath steps down from day-to-day newspaper duties

Landmark figure retires

BY JOHN WHITLOCK
KPA NEWS BUREAU

With the announcement he would be retiring June 30 as a vice president with Landmark Community Newspapers Inc., Max Heath has been drawing praise for his commitment educating newspapers across the country about the ins and outs of the U.S. Postal Service.

A native of Campbellsville, Heath graduated from Campbellsville College and began his journalism career as sports editor and news editor of the Central Kentucky News. He later served as managing editor, editor and general manager of CKNJ for more than a decade before being named vice president and executive producer of LCNI in Shelbyville.

Heath's career is marked with achievements and recognition from his peers and the public.

Heath served seven years as chair of the postal committee of National Newspaper Association, which awarded him its President's Award in 1989, Ambassador Award in 1992 and prestigious Amos Award for service in 1994.

He is also a former president of Kentucky Press Association and named most valuable member in 1985 and 1988. He was also recognized for his dedication to community service by the KPA in 1992.

Heath was elected to the Kentucky Journalism Hall of Fame in 1998.

But despite the awards, it's Heath's commitment to helping others that inspires and garners respect within the newspaper industry and the postal service.

Tonda Rush, the director of public policy for the National Newspaper Association, said Heath is a tireless



Brenda Lea, left, senior accountant for Landmark Community Newspapers Inc., and Max Heath share a laugh during a retirement reception for them. Max has been with LCNI 39 years and Brenda celebrates 38 years with the company. Pam Gray was also honored during the reception, retiring after 21 years with Landmark.

advocate for the newspaper industry and his knowledge of postal system is unmatched.

"We know that where Max and postal issues meet, the Energizer Bunny has met his match," Rush said. "So we're delighted to know that as Max's relationship with his company moves into transition, he's still going to be working with NNA member newspapers with his usual enthusiasm."

Rush said respect for Heath extends beyond the newspaper industry.

"Our friends in the postal world

will be glad, too, because they know that he's not going to let them rest until they fix newspaper deliveries and arrange the system so we can continue to serve readers," Rush said. "I count on Max on a daily basis to work with me on postal policy and would be lost without him. The industry owes him a great tribute and also owes its thanks to Landmark for supporting his work these many years."

Marc D. McCreary of the U.S. Postal Service said Heath not only impresses

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P A S S I N G S

Edna Flener

Edna Mae Flener, 96, a long-time columnist with the Butler County Banner, has passed away.

Flener wrote the Cromwell Society News for the Banner and the Ohio County Messenger, often under the name Mrs. Boyce Flener.

Funeral services were held at the Green River Baptist Church in Cromwell.

PEOPLE

Continued from page 1

News and in Bardstown for The Kentucky Standard and PLG-13.

Ron was a Rotarian for three decades and was a Paul Harris Fellow. He was on the board of the Kentucky Press Association, Kentucky Child Now, The Stephen Foster Drama Association and NelCASA. He was a member of the Bardstown United Methodist Church, the Society of Professional Journalists and the Bernheim Arboretum Research Forest.

"Ron not only was a skilled manager for LCNI but also a good friend," said Don Porterfield, regional manager and new revenue director for Landmark Community Newspapers Inc., "I always looked forward to our time together regardless of the situation and I will miss him greatly. It gives me personal satisfaction at this time of sorrow to be able to say that Ron and I talked about our faith often. This is a big loss to those that worked with him and friends close to him.

Survivors include his wife Dr. Kathleen Filkins of Bardstown and his daughter Rachael Turner of Ashland

A memorial service was held June 30 at the Rotunda of My Old Kentucky Home,

In lieu of flowers, expressions of sympathy may take the form of contributions to The Stephen Foster Drama Association, Kentucky Child Now, or The Society of Professional Journalists (Louisville Chapter).

On June 27, the Kentucky Senate passed a resolution honoring Filkins and his work as a journalist and in the community.

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Vaught retires after 36 years Casey County News

One long-standing era at The Casey County News will end in June and another will begin as Casey's award-winning newspaper moves toward a managerial change.

Randall Vaught, who has been with

the paper 36 years (24 as general manager and publisher) recently announced his retirement, effective June 30.

Donna Carman, who has been with the Casey paper for 27 years (the last 10 as editor) will take over as general manager.

Vaught worked his way up, holding a number of different positions under former owner and publisher Burkhard. He took over day-to-day operation of the paper in 1984.

Carman, who has also held a number of positions at the paper typesetter, circulation manager, reporter took over as editor in 1998.



RANDALL VAUGHT



DONNA CARMEN

.....

Mark Ivancic has been named **Kentucky Enquirer** editor.

Ivancic has been with The Enquirer since 1996, first as business editor and later as page 1 editor, night city editor and as a bureau chief. He previously worked at the Wichita Eagle, the Orlando Sentinel, the Dallas Times Herald and Miami Herald in a variety of reporting and editing roles.

He replaces **Dianne Gebhardt-French**, who was named assistant managing editor/community publishing where she is responsible for overseeing user-submitted content at all The Enquirer's publications and Web sites.

.....

Jobe Publishing employee **Lesia Logsdon** was honored as the Office Professional of the Year at the Hart County Chamber of Commerce's annual Office

See PEOPLE on Page 12

Newsprint usage down in March

Newsprint consumption was down 15.2 percent in March 2008 compared with March 2007, according to the National Newspaper Association of America.

Final inventories averaged a 45 day supply at the end of March 2008, compared with 43 days a year earlier.

There were five Sundays in March 2008 and only four in March 2007.



THE MONTHLY PUBLICATION OF THE KENTUCKY PRESS ASSOCIATION

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Changes may be on the horizon

Change. You've heard it all during presidential primary season and you're hearing it here.

Elsewhere in this month's Kentucky Press is a new column, written by Dr. Darryl Armstrong. It is about you, it is about our industry, it is about KPA and KPS. And it is about "our" future. It'll be published monthly for the next few months.

KPA/KPS President Taylor Hayes submitted an idea to the board last fall that KPA/KPS undertake a strategic planning process during his year at the helm. KPA needed this, not because KPA requires change, but because the industry is changing. Rapidly. Thus KPA and KPS probably need to change to make sure we meet the needs of our member newspapers.

We went through what was called a strategic planning process about 13 years ago. That was just a one-day session with Jim Bryant, then with Landmark Community Newspapers, Inc. It came during a KPA Fall Board Retreat and from it, the board came up with 62 ideas to shape the future of the Kentucky Press Association.

Most of those 62 items were implemented or had been by the time the retreat was finished. Compared to what the board is going through now, that wasn't close to a strategic planning process.

This one will take months of discussion, input from board, from staff, from you, from others and hopefully by Oct. 31 at the end of the 2008 Fall Board Retreat, we'll have a picture of the KPA of tomorrow.

The process actually began with you involved. Darryl put together a brief but involved survey about KPA.

Typically, any survey we do of any kind results in no better than a 30-percent return. For this effort, 84 responded. That was encouraging. Many were complimentary of their state press association; others pointed out areas where more emphasis or, here's that word again, change, is needed.

On Second Thought

By DAVID THOMPSON

KPA Executive Director



The board spent five hours with Darryl on May 23 and will spend many more hours in the future. And besides the board, a committee will be meeting monthly. He also spent a couple of hours with two groups of KPA/KPS staff, involving them in the process. After all, whatever this plan develops, it will be the staff bearing most of the responsibility of getting it done.

One thing this exercise could lead to is a new name, a new structure for KPA and KPS. At a time when some state "press" associations are changing their names to "newspapers association," KPA could move away from either name and become a media or new media or even multi-media association.

Not because we want to reflect a new operation but because that's the way the industry we represent, we work for, is changing. Most of you no longer are just newspapers.

As Darryl points out, you're more an "information source" now because of the internet and your website. And because some are developing niche publications.

That's just a possibility right now. And so is everything else. Perhaps there won't be two companies, as at present with KPA and with KPS. It could be combined into one. Or maybe we'll evaluate all the member services, concentrate on those we do best and the ones used most by you and refocus what we offer. Maybe there will be membership status for online newspapers.

It's really an exciting time. Challenging but exciting.

When I readied the staff for what to expect in their meetings with Darryl, I wondered aloud

what 13 gentlemen talked about on Jan. 13, 1869, in downtown Frankfort.

That was when KPA was formed, a "society" for newspaper people around the state. I wondered if they envisioned a day of selling \$5 million in advertising, of 600 people attending a convention, of lobbying the legislature being so important, of days when the newspaper was and wasn't printed on paper, for some offered both the printed and the electronic version.

That was 139 years ago. This strategic planning process isn't designed to think of what the media will be like in 2147. But it is designed to see what KPA/KPS should be in three to five years.

♦♦♦♦

It was from Dec. 22, 1959. Slightly yellowed but still in very good shape.

Five or six times a year, the "old guys" from the 1965 Georgetown High senior class get together to talk about growing up, all the trouble "they" (I never did) get into, and the silly things we did.

At our last gathering, Herndon Price brought a copy of that issue of the Georgetown News. My how newspaper layout and type have changed in those 48 years.

Each of the 10 or 12 gathered that day had our name in that issue because we all played Little League basketball in Georgetown. There were six or eight teams, and it was the first year of little league basketball. We talked about the local retailers that sponsored each team and the colors of the t-shirts for each team.

There was a story, about a quarter page, about the games the previous Saturday. You can't make a story on Little League basketball award-winning but it didn't matter how well it was written.

Because within that story, every one of us had our name in the paper in the box score and in the story for those who were a team's leading scorers in the game.

See THOMPSON on Page 4

First Amendment Center inviting nominations for award

The Scripps Howard First Amendment Center at the University of Kentucky is inviting nominations for its James Madison Award to recognize a Kentuckian for outstanding service to the First Amendment. The award honors the nation's fourth president, whose extraordinary efforts led to the passage and ratification of the Bill of Rights.

The James Madison Award for service to the First Amendment honors someone with significant ties to Kentucky whose efforts have resulted in the preservation or expansion of freedom of the press and/or freedom of speech. Dedication to the First Amendment principle of free expression is not accomplished in a day's work but rather a lifetime. Thus the award recognizes a long-term commitment to such ideals.

The Madison Award will honor those who have labored or taken a stand in one or more of these areas: open government and open records; robust debate in the marketplace of ideas; promotion of the watchdog role of the press; against government or private censorship.

Honorees do not have to be journalists. The Scripps Howard First Amendment Center encourages recognition of those outside the journalism profession for their contributions to protect or expand First Amendment freedoms. Nominees may include, for example, educators, lawyers, judges, scholars, librarians, students, or ordinary citizens. The most deserving recipient will be someone who has made a significant contribution regardless of how much public attention it has received.

The nominator must submit a letter identifying the nominee, listing the nominee's address, phone number and position, and explaining why the nominee would be a worthy recipient. The letter should detail the specific efforts taken on behalf of First Amendment rights and should discuss obstacles and difficulties as well as the impact of the nominee's efforts. The nominator may include up to three letters of support as well as other materials such as published or broadcast information.

Entries will be reviewed by a committee that will include previous win-

ners and the director of the Scripps Howard First Amendment Center.

The director may select two more members of the committee, as appropriate. The committee will have the option of not selecting a recipient if it does not believe any candidate is deserving.

Nominees not elected initially will automatically be considered for two more years.

The postmark deadline for nominations is July 31. Nominations should be sent to the Scripps Howard First Amendment Center, Grehan Building, School of Journalism and Telecommunications, Lexington, Ky., 40506-0042.

For more information, contact Mike Farrell, director of the Scripps Howard First Amendment Center at (859) 257-4848.



MIKE FARRELL

Information is key to strategic planning

The Kentucky Press Association's decision to undergo strategic planning is not only a timely project it is also the right thing to do at the right time. Never before in the history of the newspaper business has the industry faced so many profound changes in such a short period of time.

The first step in such a process is that of information and data gathering. That process is well underway. Members who wished to respond to the survey, the Board and staff of KPA have all provided input.

However, I want to emphasize that as the consultant assisting in this project I am open to input at any stage throughout the process and I am encouraging that.

Please don't hesitate to share it with me by sending me an e-mail at drdarryl@aol.com or calling me at 1.888.340.2006. I will ensure anonymity if you wish. Being open and candid during the information sharing is critical.

Over the next few weeks we will be carefully reviewing all the input we receive. I will in subsequent columns share with you the major findings that we believe could impact the future of KPA and the future of the industry as a whole.

There are 10 parameters that all organizations that are undergoing change must accept at the outset if they are to be successful in the strategic planning process.

First, organizations must accept the reality that change is inevitable.

Second, if an organization doesn't change at its

Strategic Planning

By L. DARRYL ARMSTRONG
Guest Columnist



own pace and assume control of its own destiny the change will be forced upon it by internal and external factors.

Third, the excuse that "we can't do that because we don't have the money" is not acceptable. Money can be reprogrammed, older programs sunset, and new programs can be tested to secure new sources of funding.

Fourth, the inevitable excuse of "we have always done it this way" simply won't stand against the forces of change. Taking control of your destiny as an organization requires taking at least calculated risks and often times new programs will have to be tweaked and restructured more than once to achieve new outcomes.

Fifth, if an organization does the same thing and simply labels it with a new name it will still get the same outcomes. That is organizational insanity. Staying invested in a program just because we have always had the program and done it a certain way leads to self-deception about reality.

Sixth, most all contributors in an organization have valuable ideas that should be thoughtfully considered during the change process. They will share those ideas assuming that they feel comfort-

able doing so and are thanked for their input.

Seventh, organizations are always composed of talented people who, when they feel they are making contributions that can make a difference, will do so. These employees once they see their input being considered and used when possible will become more energized, interested and valuable to the organization in the process.

Eighth, organizations both for profit and non-profit are notorious for not running their business like a business. Department budgets, goals and metrics must be established and managers must manage these criteria while motivating and inspiring their people. Budgets, goals and metrics must be built in a collaborative process with senior management. Such criteria cannot be successfully built at the top and handed down. Once this process is inculcated into the organization employees at all levels will have more "buy-in" and will perform at a higher level because they have been part of the process.

Ninth, job descriptions and expectations tied to measurable criteria with incentives have to be developed and followed for any organization to ultimately "exceed the need."

Tenth, successful organizations and the people that work in them understand their customers, their customers' expectations and are always willing to continuously improve their operations to keep their customers satisfied.

Finally, plans that result from such a process are always resilient, flexible and can be easily tweaked and modified as needed.

We look forward to being of assistance to KPA.

West Kentucky Press Association changes name to include others

Organization will now be called West Kentucky Media Association

The West Kentucky Media Association, formerly known as the West Kentucky Press Association, met recently to reform, reorganize and reinvigorate the organization.

Treasurer Loyd Ford of The Lake News presented information about the group's reorganization including the new dues structure (\$25 for individuals, \$50 for companies), and the opening of membership to persons outside of the newspaper industry.

"We have to recognize that this organization is for networking," Ford said. "and we need to invite people from the hospitals, schools, government and other businesses to join us."

WKMA members are encouraged to nominate their contacts for membership in the organization.

Ford has worked diligently to register WKMA with the appropriate governmental agencies and to relocate the group's finances after the tragic and untimely death of long-time treasurer Jed Dillingham.

Ford wants the group to offer more than just networking though.

"We need training, training on web design, on Indesign, and more," Ford said.

Members voted to suspend any non-reorganizational expenditures for the immediate future and concentrate on recruiting more interested parties and charting a course for the future.

A five-member board of directors was elected, and board members will serve staggered three-year terms.

WKMA President Rae Wagoner and Ford will continue to serve until their terms end Dec. 31, 2009 while WKMA Vice President Jared Nelson of the Times-Leader will serve until his terms ends in 2010.

Newly elected board members include Sarah Craig of the Todd County Standard and Amie Waltrip of the McLean County News. Their terms will also end in 2010.

Chip Hutcheson of the Times-Leader shared information with the group about the upcoming postal increase for periodicals and how newspapers can save on postage and get newspapers mailed to their destinations faster.

Hutcheson also cited information from Max Heath at the National Newspaper Association and the NNA's fight against higher postal rates on behalf of its members.



RAE WAGONER



LOYD FORD

THOMPSON

Continued from page 3

The story also included the league standings, the schedule for the next week, and the top 10 scorers for the first six games of the season. None of it was in agate type either.

As I read through the story, it dawned on me that today there wouldn't be a quarter page devoted to Little League basketball, with every boy's/girl's name listed in the boxscore, with league standings and the schedule and top 10 leading scorers. And a 10 or 12 year old today probably won't be carrying around a copy of this week's newspaper 49 years from now to show his/her friends.

We asked Herndon why in the world he kept that one issue of the Georgetown News. All the others were long discarded, maybe as soon as his parents read them.

Herndon responded, "You know what. That's the only time in my life that my first and last name appeared in a sports story." Herndon had scored two points for his team and his name was in the story. His last name only was in the boxscore. He's kept that one issue all these years. Just because his full name was in a sports story.

He made a copy for each of us because our name was in there, either in the story or the box score. But he held tightly onto that original page because there was his name.

Do you have any story this week about a local kid that would make them want to carry around a copy of your paper 49 years from now?

Editorial training on a budget

It's been 10 years since I last had the title "editor" attached to my name in any newspaper. But I still look back at that part of my newspaper career with great fondness. Technology has changed substantially in the past decade - in 1998, cell phones were only slightly smaller than containers of oatmeal and high-end digital cameras cost as much or more than midsized cars.

But one thing hasn't changed in newsrooms across Kentucky and the nation and that's the need for editorial staff training. Nearly all journalists I've worked with want to get better and improve their skills and that often means training. But it seemed, at least in my experience, that the training budget was always small and the time to spend on training was even smaller. Getting that darned paper out every week or every day or every other day always got in the way.

But here are some training regimens that I tried at little cost and without too much time taken from newsgathering:

- Improving grammar skills. Time spent on subject-verb agreement and the differences between its and it's and their, there and they're isn't very exciting but getting it right is paramount if a paper is to maintain its credibility. Older readers may not know how to design web pages or get too excited about the latest iPhone but they know grammar! They spent a huge amount of time studying it in school.

Twice, I managed to find retired English teachers who were willing to come to my newspapers and tutor staffers for free. The teachers - even though retired - were on a mission to right the grammar wrongs of the world. I organized staff brown bag lunches and we munched on sandwiches and chips while going over the finer tips of using s or es to make a word plural. This could be duplicated elsewhere at little or no cost in money or time.

- I've never been a fan of gathering news by telephone. I always preferred to have reporters on the scene of the story. But sometimes reality sets in

Oh, by the way ...

By DAVID GREER

KPA Director of Member Services



and using the phone is the only way to meet deadline. And in this time of rising energy costs, using the phone is more affordable than driving all over the county to gather news in person.

We faced this same issue at one of my papers. Gas wasn't all that expensive at the time but we covered a very big county. Sending a reporter to some outlying communities meant a 50-mile round trip or more. Instead, relying on the phone made sense. But it's hard for reporters to establish a good rapport with sheriff's deputies, firefighters, police, small town mayors and council members and others by using only the phone.

These folks want to know the reporter behind the phone and feel more comfortable working with a reporter if they know that person. I started gathering up my staff in my minivan and driving to the outlying communities on slower afternoons and giving a tour. "There's the such-and-such factory and over there is the volunteer fire department and let's stop in at city hall and meet the mayor" and so on.

Putting a face to a name and seeing the smaller towns in our coverage area in person helped us better understand the communities we were covering. In the big picture, the editorial road trips were time well spent and cost very little.

- My staff wanted to know more about computer-assisted reporting and online resources that were available. I contacted the AP and since we were a member paper, AP sent us a reporter from their Evansville bureau that was an expert on the above topics. The cost? Nothing other than 90-minutes of staff time.

- Whenever a new reporter started with us, I spent the whole first day with them going over the finer points of their new job, their responsibilities

and company policies. We wandered through the paper and I introduced them to people in every department. Then we hit the car and I drove them all over the community to point out the landmarks and other places of interest. I treated them to lunch and asked about their family and their personal interests.

Then I had another reporter show them how to use the newsroom computer system. Making a good impression on a new employee was time well spent.

- Pointing out errors in the paper is a necessary part of an editor's job but one that should be handled with thoughtfulness. Stomping into the newsroom and screaming something about morons and stupid mistakes in the same sentence is not part of the best practices for editors manual. I can assure you that.

- Instead, I made a playful game of it which got the point across without hurting feelings needlessly. If I found a mistake in the paper - whether factual or grammatical - I'd walk into the newsroom and tell everyone, for example, "There's a factual error on page 3. The first one to find it wins a door prize."

My door prize collection was comprised of promotional goodies that came in the mail and I tossed into a box. They ranged from CDs of country music wannabe groups to movie posters to a bottle of prenatal vitamins and so on.

Those looking for the mistake had to right it down and give me the paper. First one to identify the error won a door prize of their choosing. Of course, we identified the error and why it was incorrect. This worked fine for relatively minor errors. If something was a major error, then I talked with the reporter privately about it. But the point is that much of this can be made into an entertaining game that gets the point across at the same time.

I'm sure these ideas are not unique and that other editors around Kentucky are doing similar things today. If you have a best practice you'd like to share, just drop me an e-mail at dgreer@kypress.com and I will share it with others statewide.

eTransparency Task Force holds inaugural meeting

Beshear's initiative for making public information more available and accessible discussed

Gov. Steve Beshear's eTransparency Task Force held its first meeting recently to begin its charge to bring recommendations to the governor by Nov. 1 on the creation and implementation of a "one-stop" online, public information access tool.

The Task Force received testimony from Lee Tompkins, general manager of Kentucky.gov, on the efforts the Beshear Administration has already made to implement the governor's vision.

Tompkins reported that an effort led by State Controller Ed Ross began in January and has already started the process of gathering information and data from every agency and department in government.

Task Force Chairman and state Finance Secretary Jonathan Miller unveiled a prototype of the full public access Web site that he hopes will be operational by the end of the year. Miller asked task force members to study other state's fully operational Web sites for ideas on the structure of the Kentucky site.

Two of the state's constitutional officers also presented their sites currently in operation that will help serve as the transitional bridge to transparency over the next several months.

Treasurer Todd Hollenbach's Web site at www.kytreasury.com allows the public to access spending data from a range of government agencies, including Treasury, the State Auditor, and portions of the Transportation Cabinet. Hollenbach said he will continue to update the site as information becomes available.



STEVE BESHEAR

Secretary of State Trey Grayson also demonstrated the posting of his office's spending data at www.kysos.gov and encouraged other agencies to do the same as the broader statewide site is constructed.

Testimony from State Auditor Crit Luallen, State Controller

Ed Ross, and Finance General Counsel Jeff Mosley revealed that it will take months of painstaking work and careful legal review to produce the final Web site.

The state must protect confidential information, such as relating to minors, personal identifying or other secure or sensitive information.

Citing the need for openness in state government business, Beshear signed an executive order on June 6, 2008 to establish the task force to develop a plan to post on the Internet public information about state expenditures and state programs, such as contract information and expenditures in broad spending categories such as higher education and health care.

HEATH

Continued from page 1

with his knowledge of newspapers and regulations but with his personality and personal commitment to helping the industry.

"Apart from his Kentucky colloquialisms, which we all can recite e.g. dog gonit, dag nabbit, I just think of Max as a true gentleman that deeply cares about his job and who he represents," McCreary said. "It doesn't get much better than that."

Ernie Harris, program manager for the Mailers' Technical Advisory Committee, said Heath's knowledge, expertise and dedication to newspapers and the postal service regulations are unmatched.

"I have known Max Heath for over 20 years as he has so ably represented the interests of the community newspapers at MTAC during this entire period," Harris said. "Max is a true gentleman who quite frankly some - including me - would consider brilliant."

Harris said MTAC is a venue for the postal service to share technical information with mailers and to receive advice and recommendations to enhance customer value and expand the use of mail.

Despite changes and technological advances, Harris said Heath remains a strong liaison between the postal service and the newspaper industry.

"Max truly understands the needs of his constituency," Harris said. "He is consistently tenacious in a nice way and does an outstanding job of making certain the postal service keeps community newspapers in mind as one of the world's largest organizations continues to modernize and adopt new technology."

As chair of the National Newspaper Association's Postal Committee, Heath has guided the successful Benjamin Franklin Community Newspaper and Postal Partnership Award of Excellence program during each of the past 10 years.

"This program between the postal service and NNA recognizes outstanding commitment and

impressed his peers with his commitment to educate and share his knowledge with others in the industry.

"Max is able to take the highly technical aspects of postal service mailing requirements and provide invaluable educational feedback to community newspapers and others through personally presenting at Postal Customer Councils around the country, at various state newspaper association conferences, as a presenter at many National Postal Forums over many years," Harris said.

It is Heath's ability to communicate this complex issue that helped him receive special recognition during his career.

Heath received a Special Achievement Award from the U.S. Postal Service in 1998 when it was said "the U.S. Postal Service recognizes Max Heath, VP of Landmark Community Newspapers Inc for his role in being the voice for community newspapers. He has successfully worked on their behalf to improve relationships between the industry and the Postal Service for many years."

But Harris said it is Heath himself who shines throughout his work.

"Max is a truly unique individual who really cares about things postal, about community newspapers and he consistently provides educational benefit to all," Harris said.

Paul Vogel, USPS Managing Director, Global Business, and Senior Vice President, said he has always been impressed with Heath's dedication to the industry and helping it grow.

"I first got to know Max more than 11 years ago when he became a member of the U.S. Postal Service's National Service Improvement Team," Vogel said. "He was a voice for newspaper publishers not only at postal headquarters, but also on the Hill in Washington. He always, always, always brought the issues facing newspapers to the forefront, whether it was before a local mayor or a national lawmaker. Did I mention newspapers were always his first love and top priority?"

Vogel said Heath's devotion to newspapers and the community draws a parallel to the postal service itself.

"An old-fashioned news guy in the best sense, Max helped reposition the National Newspaper Association as a modern, state-of-the-industry group to advocate for freedom of the press throughout the system including the postal distribution and transportation system," Vogel said. "In that regard, we have similar missions: the Postal Service has kept the United States connected for more than two centuries, supporting freedom of speech and communications for all Americans, much like the newspapers led by Max and other dedicated professionals."

Heath has always been willing to embrace new technology and new methods of operations, knowing that newspapers along with the

postal service should change with the times.

"Max has been a great teacher as well, always finding new and better ways of doing things. He helped introduce new postal regulations and requirements for newspapers that may have seemed difficult at first, but ultimately improved the industry," Vogel said. "Max is a staunch supporter of automated mail processing and he helped publishers see that their papers would be left behind if they didn't embrace it. His work was relevant both to USPS and to the American newspaper industry."

Never hesitating to use every resource possible to improve service, Vogel said Heath got to know postal plant managers throughout Kentucky and used his contacts to get in front of information and to stay

ahead of the curve for the benefit of mailers.

Heath was also one of the first members of the Postal Service's Periodical Operations Advisory Committee - a little group responsible for some big changes including starting the process to allow small newspaper publishers to leave shipments in tubs on office back docks and improving automated versus non-automated mail sorts.

But again, it is the man and not the job he performs that impresses many.

"Max has a great sense of humor, and to put it mildly, can be somewhat opinionated. One minute, you can be ready to kick him out of your office. But wait just another minute and his authentic Southern gentlemanly charm will erase any negative feelings," Vogel said. "It's fitting that Max started his career as a sports editor - he's remained a good sport for nearly 40 years in the business."

Vogel said Heath is worthy of high degree of respect he receives on a personal and professional level.

"Max is a good friend, to me personally, to the postal service, and to his many colleagues at American newspapers," Vogel said. "He has fittingly received many, many awards throughout his career. He can add to that list the award of lifelong friendship at the U.S. Postal Service. His achievements are

much appreciated in the postal and newspaper fields, which are both better thanks to his many contributions."

It is his wealth of knowledge and willingness to share has earned Heath respect across the nation.

Patsy Speights, editor and general manager of the Pentite-Hoodlight in Pentite, Miss., has long appreciated the tutelage of Heath.

"Max has been an important part of my growth as a mailer. He has always been the 'go to' person and always taken the time to respond. I've been preparing mail for over 30 years and claim Max Heath as my professor."

Speights said Heath has been a friend to all NNA members, but freely giving to anyone who depend on

Paul Vogel, USPS Managing Director, Global Business, and Senior Vice President

"(Max Heath) has fittingly received many, many awards throughout his career. He can add to that list the award of lifelong friendship at the U.S. Postal Service. His achievements are much appreciated in the postal and newspaper fields, which are both better thanks to his many contributions."

Paul Vogel, USPS Managing Director, Global Business, and Senior Vice President

those who may know Heath best are the staff members and former employees of LCNI newspapers across the state and other states.

Richard RoBards, who recently announced his retirement as publisher of the Central Kentucky News Journal, wouldn't be surprised if Heath was given a US Domestic Mail Manual as his first grade primer.

He's been the preeminent authority on postal matters in our company and across the U.S. for as long as he's had a postal manual in his hands. He may have been given one as his first reader.

But Max contributes a keen sense of duty to customers, just like the postal service proaches and seldom delivers. He's helped us out of countless postal

jams, and knows the USPS manual better than most postmasters," RoBards said.

But Heath's expertise wasn't limited to or concentrated on postal issues.

"He also uses common sense in his judgments on news," RoBards said. "He learned long ago that the customer is always right and the first question out of his mouth is usually, what can we do to correct this."

KPA Member Services Director David Greer worked with Landmark before joining the press association.

"When Max was LCNI's executive editor, his 'Max's Purple Pen' and 'Max's Gold Stars' were legendary. Max would scan all of the LCNI papers looking for superior-quality editorial work. When he found something that impressed him, he'd pen a quick complimentary comment on the teatheet - in his purple pen, of course - and send it to the staff member through the intercompany mail," Greer said. "If he saw something that was truly superior work, you'd get one of his gold stars. He'd stick it on the teatheet and mail it to you. That was the LCNI equivalent of the Pulitzer Prize."

The purple pens and gold stars became the stuff of legend.

"I never asked him why he used purple pens and gold stars instead of something else. Maybe he just liked purple and stars or maybe Larry Paden, the former LCNI vice president of operations, known lovingly in Landmark as Mr. Frugality, had found a super buy on purple pens and adhesive gold stars," Greer said. "I know that 'Max's Gold Stars' were highly prized by many LCNI editorial staffers throughout the company. Once, when I was editor of The News-Enterprise in Elizabethtown, a job applicant from another LCNI paper made it a point to show me during the interview how many of Max's gold stars he'd received over the years at his current job. It helped him land the job at The News-Enterprise."

Greer said Heath impressed him by simply keeping his word and delivering on a promise.

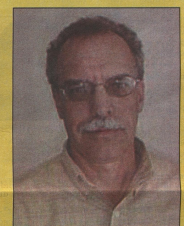
"Many things impressed me about Max but the thing that most stands out in my mind is how he kept his word by in 1987 when LCNI bought the Kentucky Standard from another company," Greer said. "The day Landmark took over the Standard, Max told me that we sorely needed a new computer system. I agreed but the Standard staff had been told repeatedly by the previous owner that we'd get a new computer system for the newsroom but it never happened. They'd promise it but then nothing. I figured Max was just blowing smoke too when he told me that we'd have a new computer system within 90 days. Imagine my total shock when we got a new computer system in less than 60 days after the sale. That made a big impression on me and I know Max made it happen."

Chip Hutchison, publisher of the Times-Leader in Princeton, said everyone involved with newspaper publishing and circulation in Kentucky owes Heath a debt of gratitude.

"Ever since I began attending Kentucky Press Association and National Newspaper Association events, Max has been at the forefront of our industry, especially as it relates to being an advocate for us with the U.S. Postal Service," Hutchison said. "It is incredible to watch as Max uses his way through a crowd, having strong relationships with people all over the country who have benefitted from his expertise and labor on their behalf."

"While I sadly regret his retirement from the newspaper business, I am encouraged that he plans to continue his postal work with NNA. The truth is that if it had not been for Max, we would all be paying much higher postage costs and getting poorer service than we do today," Hutchison said.

Landmark regional publisher steps down



Richard RoBards

A reception was held at the offices of the Central Kentucky News Journal to honor for long-time publisher Richard RoBards who recently retired.

RoBards, 61, announced his retirement on May 27. His last day of work was June 30. "It's been great to work for a company for a full 36-year career, doing something you love and with people and a community you enjoy," RoBards said. "I've been blessed beyond belief, really. I couldn't have asked for a better place to live, raise a family and work."

RoBards, who also has administrative responsibility over papers in Hodgenville, Lebanon, Springfield and Liberty, is exercising a new retiree health care benefit that Landmark, the parent company for the CKNJ, offered in late April.

RoBards landed in Campbellsville in 1972 after a two-year stint in the Army and two final semesters at the University of Kentucky where he earned a degree in communications/marketing. For three years, he wrote and edited sports and covered a variety of public meetings and community events. He later went on to manage papers in Springfield (his hometown) and Mt. Washington before returning to Campbellsville as general manager in 1979.

He was later named publisher and then also regional manager of the four area weekly papers.



Among the many awards and honors he has garnered throughout his career, Max Heath received the Houser State Press Association Distinguished Service Award in 2006.

Turning the spotlight on KPS staff

Rachel McCarty is the oldest member of the KPS ad department. OK - so maybe she isn't the oldest in age but I love it that she has been around the longest. She sells advertising and creates ad copy and campaigns for clients here. Her job is varied and includes media research. Here's how the question and answer session went with Rachel.

How long have you been with KPS? Have you held any other jobs at KPS before joining the ad department?

I've been with KPS since 1984. I was one of the first few people David Thompson hired. First I started working in the clip department reading and clipping newspapers from across Kentucky.

Do you have prior newspaper experience?

I had no newspaper experience at all when I started here. In fact, I hardly ever looked at a newspaper.

Family members?

I have been married to my husband, Jeff for 24 years and we have two kids. Our son Richard, 23, is serving his second tour in Iraq. Our daughter, Tiffany, 22, works two jobs, and is going all the time.

What do you like to do for fun?

In my spare time I read books, like to be outdoors in the sun, and enjoy running around with my kids.

Describe KPS in five words or less.

Roller coaster, wild and unknown

What is the most fulfilling part of your career?

Hearing a client say "thanks, you really helped my business"

What is your pet peeve?

Lazy people

Name your top three favorite destinations - maybe you haven't been there yet but would like to go.

Taylorville Lake, Florida beaches and rafting North Carolina

What advice would you give to someone starting out in advertising?

Be fast talking, fast thinking and be ready to do the impossible

At 6 years old, what did you want to do when you grew up?

A big rig truck driver.

What is your favorite project of all time?

Creating ad copy for the Kentucky State Treasurer. The first time I did this I thought for sure the world was going to end. I created 118 different ad copies and had no real computer training.

If you could write a headline for yourself, what would it be?

Woman found under pile of paperwork--been missing for a week

.....

Holly Willard is next on the seniority list at KPS. She works in media placement and also in bookkeeping. Holly helps out in both Kentucky and Indiana research projects. Her question and answer session was equally as entertaining.

How long have you been with KPS? Have you held any other jobs at KPS before joining the ad department?

I have been working nine years with the ad staff and prior to that was two years in the clipping service.

Advertising Plus

By TERESA REVLETT

KPS Director of Sales

Do you have prior newspaper experience?

No

Family members?

I have two wonderful boys - Addam, 13 and Takoda 5.

What do you like to do for fun?

I love hanging out with my kids or friends and family.

Describe KPS in five words or less.

Crazy, chaotic (and) my second family.

What is the most fulfilling part of your career?

Being given the opportunity to move from tearsheeting to bookkeeping with no prior experience.

What is your pet peeve?

OK since you won't let me list some really irritating ones, I can't stand rude people when they work with the public (cashiers, waitresses, etc.).

Name your top three favorite destinations - maybe you haven't been there yet but would like to go.

France, Hawaii, and California

What advice would you give to someone starting out in advertising?

Just do the best you can. Try to make the job fun.

At 6 years old, what did you want to do when you grew up?

I wanted to be a vet because I love animals.

What is your favorite project of all time?

Helping my mom plan for the concerts and fund raisers that she does all the time.

If you could write a headline for yourself, what would it be?

Woman's kids make her a millionaire. One writes new computer program for NASA and one discovers cure for cancer.

.....

Stephanie Conrad has been the marketing and research coordinator since May of 2004. That doesn't really describe her job though. She is in charge of the statewide classified program, the ARK (Ads Reaching Kentucky) network and the BANK (Banner Ad Network for Kentucky). She loves to talk and as you will see from her survey answers, she has a little sassy side. Someday Stephanie would love to be a morning DJ on a radio show. That's her dream job. Until then she's living a dream, here at KPS. Sometimes it may seem like a nightmare but I assure you, it's only a dream.

How long have you been with KPS?

I've been with KPS since May 2004.

Do you have prior newspaper experience?

I worked as the classifieds manager at the Georgetown News-Graphic before joining the KPS team.

Family members?

I have a husband of five years, Scott; an 11 year old stepdaughter, Shelby; and a 9-month old son, Riley.



RACHEL McCARTY



HOLLY WILLARD



STEPHANIE CONRAD

What do you like to do for fun?

I enjoy doing surveys like this - and coming up with funny answers for the questions. But I also enjoy volleyball and anything that has to do with water in the summer. (And anything that has to do with snow in the winter).

Describe KPS in five words or less.

ALMOST family.

What is the most fulfilling part of your career?

I love the fact that when I talk about my job, people are amazed that there is a company that does what I do. No one dreams of being able to place ads in so many papers without paying an ad agency, or calling all the papers themselves. I make it happen!

What is your pet peeve?

I probably have too many to list, and in truth, I've probably been guilty of committing each of them myself, so I don't want to bring them to light. :-)

Name your top three favorite destinations - maybe you haven't been there yet but would like to go.

Jamaica - been there, "the mountains" - been there. And I dream of going to Ireland - but until I go, I'm not sure it's a "favorite."

What advice would you give to someone starting out in advertising?

#1) Talk about your job outside of work, this gives you the opportunity to get clients by casually talking business. #2) Think of deals you can offer, or special sections to get some infrequent clients more frequent. By trying to keep things moving and new, you won't get bored, and neither will your clients.

At 6 years old, what did you want to do when you grew up?

I wanted to be an IGA checkout girl. That was before scanners, and those girls could punch in those prices so fast - I was amazed. (Where was she when my husband and I owned two IGA supermarkets? - TR)

What is your favorite project of all time?

Personally, I'm probably working on what will eventually be my favorite project. Although building a house has proven stressful, I think I'll ultimately enjoy it. In work, I thoroughly enjoyed developing contests to get readers involved with the paper: "Lotta Lights" contest at Christmas where readers nominated neighbors (or themselves) for best decorated house. "Christmas Angels" for baby's first Christmas pics in the paper. "Just say No" campaigns near prom and graduation.

If you could write a headline for yourself, what would it be?

"Stephanie Conrad wins \$10,000,000 and retires at 28" of course, a more realistic headline would be... "Oh - who am I kidding - I'm in advertising, not a journalist!"

.....

Ashlee Marston completes the employees on the upper floor in the ad department. She is the baby girl of the bunch. She has been here the least amount of time but we all say she has one of the most, if not THE most, important jobs here. She is the tearsheet clerk. Without her completing her job on time, invoicing doesn't happen and without that newspapers couldn't get paid for the ads sold. I think she

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Decision on teacher private reprimands

Addressing a fresh question of Kentucky law, the Attorney General recently held that a public school district acted properly when it refused to disclose "private reprimands" issued to teachers over classroom searches of third-graders after \$5 was suspected stolen.

Because the public has had access to final disciplinary actions against public employees for more than a quarter-century, this outcome represents a step backward for the public's right to know.

There was a ray of light in the decision, however: the Open Records Decision of the attorney general twice pointed out in footnotes that the records at issue in the appeal did not include the complaints against the teachers. Thus, while private reprimands themselves are not open under the decision, we believe all complaints against teachers should remain open records.

The case began with a request April 21, 2008, by Joe Parrino of the Kentucky New Era to the Christian County Public School District. He asked for a number of records, including "all written

From a legal standpoint

By JEREMY ROGERS

Dinsmore and Shoal LLP



reprimands issued to" two named teachers and a teacher's aid.

The school district denied the request under the personal privacy exemption of KRS 61.878(1)(a). The New Era appealed, and had good ground for doing so. The Kentucky Court of Appeals said in no uncertain terms in 1982, in *City of Louisville v. Courier-Journal and Louisville Times Co.*, that the Open Records Act makes record of complaints and final action open to public view.

On appeal, however, the Christian County school district raised a new argument. It cited

KRS 161.790(10), which permits school superintendents to impose sanctions including "suspension without pay, public reprimand, or private reprimand." The district argued that to make a private reprimand public would be contrary to the intent of the legislature in enacting that statute.

The attorney general agreed, holding that "[t]he public's right to know about teacher misconduct and resulting disciplinary action must yield to the legislative prerogative."

Advocates of openness in government are right to be distressed over this decision. However, its effect is not broad.

First, the decision addresses only the authority granted by the General Assembly to school superintendents under KRS 161.790 to issue private reprimands to public school teachers. For almost all other public employees, the legislature has not provided for private reprimands.

Thus, in virtually all disciplinary actions of

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STAFF

Continued from page 8

wants to be a comedian when she grows up.

How long have you been with KPS? Have you held any other jobs at KPS before joining the ad department?

Two years on July 24. I started part time and then went full time Nov. 6.

Do you have prior newspaper experience?

Uumm. I was the editor of my high school newspaper.

Family members?

Parents Dee and Leslie; two sisters Amy, 21, and Kellee, 18, and my nephew Brice, 2, who is my life!

What do you like to do for fun?

I love animals and the outdoors. I like reading, writing, camping, volleyball, softball, friends and of course ME time!!!

Describe KPS in five words or less.

Interesting, entergetic, family, awesome co-workers.

What is the most fulfilling part of your career?

Closing the month in time. Everything I have learned since I have worked here has been fulfilling. How may 24 year olds can name almost every county, county seat and newspaper in their state?

What is your pet peeve?

When people are grammatically incorrect. ie... there, their, and they're or using 'a' followed by a vowel.

Name your top three favorite destinations - maybe you haven't been there yet but would like to go.

Europe, Jamaica, Cabo San Lucas (Mexico period).

What advice would you give to someone starting out in advertising?

Expect the unexpected and be ready to learn new things. Not being directly involved in advertising I had no clue what to expect when I got here. I learn something new every day.

At 6 years old, what did you want to do when you grew up?

Cinderella. But that quickly changed into a vet when I realized how easy it was to hide stray dogs and cats in our barn.

What is your favorite project of all time?

My book. My junior year of high school we were assigned to write a novel. Over the years I have added to it and created a novel.

If you could write a headline for yourself, what would it be?

"Tearsheet clerk out of work due to online advertising"

.....

Last but not least I will share a little about me. I feel like my job as director of sales is a dream job. It is an honor, as I have said many times, to sell advertising for the entire state.

How long have you been with KPS? Have you held any other jobs at KPS before joining the ad department?

I've been with KPS since February 2002. Before that I served on the KPA board of director for 13 years.

Do you have prior newspaper experience?

Before coming to KPS, I worked for the McLean County News which was my hometown newspaper. I covered sports, government meetings, wrote feature articles and sold advertising there. Eventually I became the publisher and loved every minute of small town journalism. I have been involved with newspapers for 31 years. EEK!

Family members?

I have a husband of 19 years - Sam, a 14 year old son, Campbell and a 10 year old son, Beau. My wonderful and supportive mother, Hiawana or Mae Mae as we call her, lives close by and helps out a lot with my boys.

What do you like to do for fun?

My sons play baseball...a lot of baseball. Campbell plays on several teams and we travel all over watching him play. Beau plays baseball, basketball and soccer. Our spare time involves watching them play sports. We always enjoy going to the lake and riding our jet ski. It's a great life!

Describe KPS in five words or less.

Dedicated group of wild women.

What is the most fulfilling part of your career?

I love the fact that when I talk about my job, people are amazed that there is a company that does what I do. Oh wait, that's what Stephanie said! But that really is a fun part. Sometimes I talk to people who say they have been on the phone calling different papers trying to find out sizes of the ads, costs, etc. when all they had to do was call me! We can help with all that information.

What is your pet peeve?

Judgmental people and people who don't always tell the truth. Be honest with me. Always.

Name your top three favorite destinations - maybe you haven't been there yet but would like to go.

The beautiful white sandy beaches in Destin, Rough River (or any other body of water with my boys) and any baseball field where my boys are playing.

What advice would you give to someone starting out in advertising?

RUN! FAST! But seriously, enjoy the ride. Someday you will look back on your early days in the business as the most fun ever. It may be stressful but I promise it will always be fun.

At 6 years old, what did you want to do when you grew up?

I was convinced that someday I would be Dick Clark's replacement on American Bandstand. Because of that lofty goal in life, I have a lot of useless musical knowledge. Go ahead, quiz me sometime!

What is your favorite project of all time?

My Grandmother, Leona Campbell, once told me that my children would be my best work ever. When I told her that I was pregnant in 1992, she was a little shocked. I don't think anyone in my family thought that I would ever have children since I waited until I was pushing 30 to take the plunge into motherhood. She was right - my boys are the joy of my personal life. At work, however, I have to say anything that involves statewide coverage is the best. The first year here I worked on a placement for an amendment that involved a lot of research. That was fun! Often I work on special projects for clients with new revenue streams for our newspapers such as poly bags, rubber bands, etc. and that is always interesting work.

If you could write a headline for yourself, what would it be?

Ad staff sets record with \$2 million in sales for month of August.



ASHLEE MARSTON

STAFF

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public employees, complaints and final actions remain open records. For school teachers, complaints and final actions other than "private reprimands" also remain open.

The decision, 08-ORD-128, is available at <http://ag.ky.gov/civil/oromlist.htm>.

Hotline Questions

If you have questions of your own, direct them to the Hotline attorneys listed in this column. Here is a sampling of some questions we fielded last month and their answers.

Question: The local economic development corporation is telling us that it does not need to comply with the Open Meetings Act, although it is governed by the Open Records Act. How can this be so?

Answer: The Open Records Act and Open Meetings Act contain very similar definitions for "public agency," which include just about any state or local government entity or officer you can imagine. However, there is one definition of public agency under the Open Records Act that is not contained in the Open Meetings Act. The Open Records Act, at KRS 61.870(1)(h), defines "public agency" to include "any body which derives at least twenty-five percent (25%) of its funds expended by it in the Commonwealth of Kentucky from state or local authority funds." There is no similar provision in the Open Meetings Act.

In this case, the local economic development corporation is organized as a non-profit corporation and its board of directors is not appointed by any fiscal court, city government, or other public agency. However, the economic development corporation receives a majority of its funding from various city and county governments. Therefore,

the economic development corporation is subject to the Open Records Act but not the Open Meetings Act.

This is not to say that every non-profit organization that gets money from state or local government sources is exempt from the Open Meetings Act. The Open Meetings Act would apply to the economic development corporation in this situation if, for example, the corporation had been created by a city or county ordinance, or if the majority of its board were appointed by city council or fiscal court officials.

As for those entities that are subject to the Open Records Act only by virtue of their funding from state or local government sources, the law provides that such agencies are only required to disclose records related to the functions, activities, programs or operations that are funded by the state or local government funds. This can be a difficult exercise for the agency. Many agencies take funds from multiple sources but do not differentiate which funds are applied for which expenses. The burden of distinguishing between funds should be on the agency, and if the agency cannot make the distinction, then all of its records should be open.

Question: Our local school board went into closed session to meet with the new superintendent to discuss what the board expected from his job performance this year. They said it was a "personnel matter." Did they violate the Open Meetings Act?

Answer: Yes. This is one of the most common violations that public agencies commit. The Open Meetings Act does not permit a public agency to go into closed session simply to discuss "personnel matters" generally.

The Open Meetings Act, at KRS 61.810(1)(f), permits an agency to go into closed session for "Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student..." So, not

If you have any legal questions, call the KPA hotline attorneys:

Jon L. Fleischaker: 502-540-2319

R. Kenyon Meyer: 502-540-2325

Ashley C. Pack: 502-540-2385

Jeremy S. Rogers: 502-540-2384

DINSMORE & SHOHL LLP

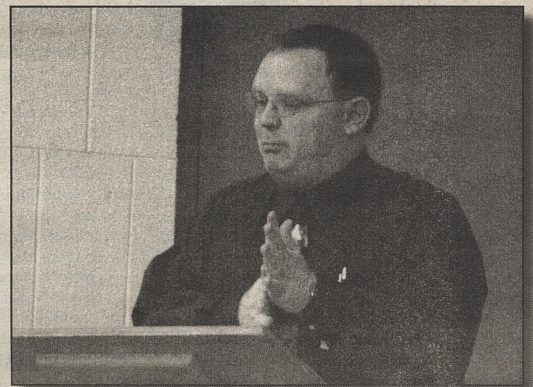
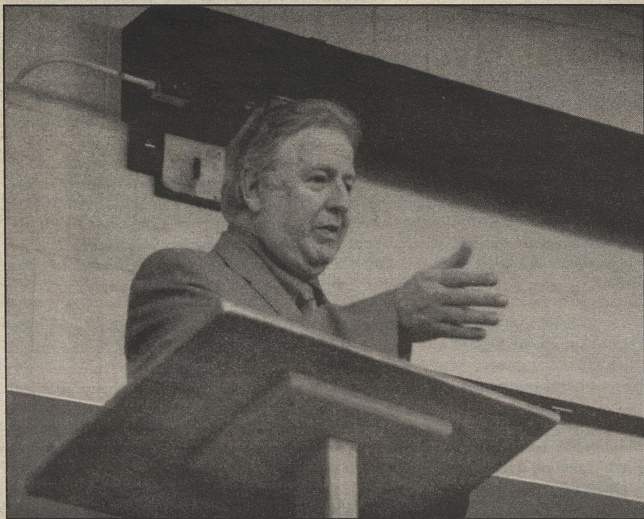
Switchboard: 502-540-2300

Facsimile: 502-585-2207

just any personnel matter will do. In fact, that exception goes on to say that, "This exception shall not be interpreted to permit discussion of general personnel matters in secret."

In order to properly go into closed session for a personnel matter, not only must the closed session involve the appointment, discipline or dismissal of a particular person, but the agency must announce the general nature of the business. The agency has to say whether it will be discussing appointment, discipline or dismissal. The Attorney General has held several times that it is a violation of the Open Meetings Act for an agency simply to say that it is going into closed session to discuss "personnel matters" without explaining more particularly what the personnel matter is (i.e. Is it appointment, discipline or dismissal? Is it a student, member or employee?).

Speaking freely



Gene Policinski, left, of the First Amendment Center, spoke about sports journalism ethics at the local, college and professional level to members of the Bluegrass Chapter of the Society of Professional Journalists at a recently meeting. Jessamine Journal Managing Editor Mike Moore, above, was the host for the event.

PHOTOS SUBMITTED

In the opinion of the Attorney General ...

Donor's name doesn't have to be released

The Office of the Attorney General has upheld a decision by a county official to withhold the name of a person who gave Oldham County a gift of \$100,000 anonymously.

The question presented in this appeal is whether the Office of the Oldham County Judge-Executive violated the Open Records Act by denying the request of Dewey R. Wotring on April 10 that he be provided in writing the name of the donor of an anonymous donation of \$100,000 to the Oldham County Fiscal Court and the project to which the money was donated.

In a letter dated April 14, Oldham County Judge-Executive Duane Murner replied to the request, saying revealing the name would constitute an invasion of privacy.

"The project to which the money was donated was expressed on the check stub as 'Support Oldham County,'" Murner wrote. "It has been deposited to our general fund. I will not reveal the name of the donor. To do so would be an unwarranted invasion of personal privacy, a permitted exception to the public records statute."

Wotring started an instant appeal asserting in part that an anonymous donation of the size of \$100,000 "creates the perception that the donor may be purchasing influence" and "in order to remove the perception, it is in the best interest that the name of the donor be disclosed."

In a response directed to the A.G.'s office, Murner said state law supported the exemption.

"We also believe that the name of a person who has donated money to the county on a condition of anonymity is an exempt record and that we properly relied on KRS 61.878(1) (a), when we denied Mr. Wotring's request ...," Murner said. "In our correspondence to Mr. Wotring, we clearly stated our reasons for not disclosing the identity of the donor."

In its response to Wotring's appeal, the A.G.'s office cited 04-ORD-066 as the authority for a public agency to withhold names of donors under privacy exemptions to the Open Records Law.

In its decision, the A.G.'s office cited a case, "University of Louisville vs. Cape Publishing, Inc."

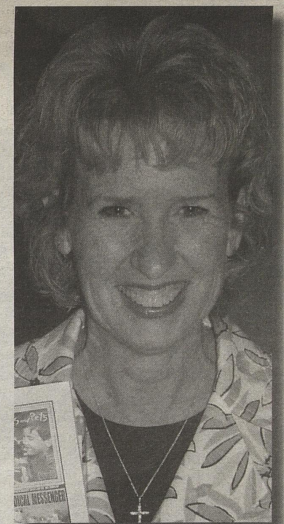
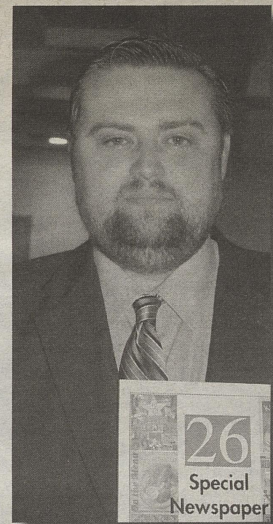
Although the case was never published and cannot be used as legal authority, state law and the precedent of the case, lead the office to conclude that for the purposes of the Open Records Law, the privacy interest of the anonymous donors outweighs the public's right to access records of their identity.

"We do not agree with the statement in Mr. Wotring's appeal that a gift of money creates a presumption that some kind of breach of the public trust may have taken place," the A.G.'s office wrote in its decision. "Given that this particular donation came with no string attached and the anonymous identity was kept confidential from the other members of the fiscal court, that inference is even less credible," the A.G.'s office wrote. "We agree with the Office of the Oldham County judge-executive's position that existing legal authority permits the non-disclosure of the name of the private donor and find the agency properly withheld the name of the donor under the authority of (state law)."

The A.G.'s office said it has consistently upheld the non-disclosure of the names of private donors on the basis that their privacy interests outweigh the public's interest in disclosure of records relating to donations.

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Lessons in advertising



Top Photo: Becky Crum of the Big Sandy News talks with Jeff Greene during the session. The seminar focused on how to sell online advertising. Jeff also presented sessions on Effective Campaign Selling and How to Overcome Objections.

The Spring Seminar was held in Louisville May 15 and 16.

Bottom Left: Ryan Craig, of the Todd County Standard in Elkton, won a door prize during the Friday ad seminar before the advertising contest awards luncheon. The book has 26 creative special sections. It was compiled by former Texas Press Ad Director Ken Long.

Bottom Right: Nancy Hamilton of the Henderson Gleaner was also a door prize winner when her name was pulled from the hat for a special sections booklet.

ATTORNEY GENERAL

Continued from page 11

The A.G.'s office upheld an appeal directed against the city of Hiseville properly relied on an exception in denying a request for records identifying by name donors to a city-owned cemetery maintenance fund but that it was required to disclose the amounts donated to enable the public to accurately monitor the amounts received in donations and correlate those amounts to the amounts expended on the purpose ... for which they were solicited."

In that decision, the A.G.'s office announced that the line of decisions cited were premised on the notion that some people enjoy whatever publicity

they receive as a result of their donations. However, the A.G.'s office said, other people prefer that their donations be kept confidential and this may be particularly true in the case of people making large donations. If the identity of the donors becomes public, the A.G. ruled, they might be contacted and pressured by other organizations seeking donations.

In Opinion of the Attorney General No. 86-76, the office held that the public interest is protected when the amounts donated are disclosed, enabling the public to know how much is being spent even if it does not know specifically on whose behalf it is being spent.

In *The University of Louisville v. Cape Publication, Inc. d/b/a The Courier-Journal*, the Kentucky Court of Appeals concluded that the identities of all private donors, and not just those who had specifically requested anonymity, should be exempt from disclosure.

This case, the A.G.'s office points out, is currently pending before the Kentucky Supreme Court for review.

.....

Because court records are not covered by the Open Records Act, the Attorney General's Office has upheld a decision to deny a request made to the McCracken Circuit Court Clerk.

The question in the appeal was whether the McCracken Circuit Court Clerk Mike Lawrence violated the Kentucky Open Records Act in failing to respond to a request by Roger Gibson for a copy of the "indictment, judgment of conviction, docket sheet, guilty plea, police reports and uniform offense report concerning an indictment against Gibson.

Records in the custody of circuit court clerks are characterized as court records, which are not governed by the Open Records Act.

PEOPLE

Continued from page 2

Professional Luncheon.

Logsdon has been employed with the newspaper and printing operation for 18 years.

Jobe Publishing owner Jeff Jobe said Logsdon "has been a personal friend to the business and family and it's good to see that the community feels the same."

Logsdon has been active with Relay for Life for several years and served as its chairperson in 2007.

.....

Mary Faulkner has been named advertising manager of the **Clay City Times**.

Faulkner worked for the times from 2005 through 2007.

She and her husband Albert along with their children Lane and Ashley live in Stanton.

Nikki Holiday has joined the **Sentinel-News** as a real estate representative.

Holiday received her bachelor's degree in marketing and management from the University of Kentucky and recently worked in public relations for the Environmental and Public Protection Cabinet.

She is a native of Harrodsburg and currently resides in Shelbyville.

.....

Lisa King has joined the staff of the **Sentinel-News** as a staff writer and photographer.

King was born and raised in Lexington where she still lives.

King graduated from the University of Kentucky with a degree in journalism. She previously worked as a reporter for the **Jessamine Journal**.

.....

Garry Barker, publisher of the **Flemingsburg Gazette**, has won the first-place fiction Kentucky Literary Award from the Southern Kentucky Book Fest in Bowling Green for his book *Kentucky Waltz*.

The award also comes with a \$1,000 prize.

In a column, Barker said he was considering using the money to buy a Colt .22 Scout revolver.

.....

Rachel Parsons has been named as community editor of the **Winchester Sun**.

Parsons earned her master's degree in English from the University of Louisville.

Parson is succeeding longtime community editor **Betty Smith** who retired in January.

Parsons will handle community news, briefs and the occasional feature story as well.

.....

Jerry Boggs has been named editor of the **Appalachian News-Express**.

Boggs had been serving as sports editor of the Pineville newspaper.

Boggs is a native of Harlan County and began his newspaper career as a general assignment reporter at the **Harlan Daily Enterprise**.

.....

Jenny Blandford has joined the staff of the **Kentucky Standard** as a reporter and photographer.

A native of Springfield, Blandford is a 2005 graduate of Eastern Kentucky University where she received a bachelor degree in public relations.

After graduating Blandford gained experience at **Thoroughbred Times** and her hometown paper, **The Springfield Sun**.

.....

Ashley Marie Smith has been awarded a \$300 scholarship from **The LaRue County Herald News**.

Smith has been involved with numerous activities during her high school career and was named a Governor's Scholar.

She plans to attend the University of Kentucky and will seek a nursing degree.

.....

The **Manchester Enterprise** has announced several personnel changes.

Jonathan Dobson, who has been with the Enterprise on a full-time basis mainly as an editor since 2001, has been promoted to the position of information technologies manager for the seven-paper chain that included the Manchester paper.

Dobson's promotion created an opening in the editor's position that will be filled by Travis Smith as interim editor.

The paper has also announced that Cecil Blair has assumed the position of advertising director.

Blair replaces **Mark Hoskins**, who accepted a job within the Kentucky Department of Transportation.



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