



## COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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25-OMD-216

August 8, 2025

In re: Christy Shannon/London-Laurel County 911 Communications Center Board

**Summary:** The Laurel County 911 Communications Center Board's ("the Board") May 27 meeting was not a "public meeting" subject to the requirements of the Open Meetings Act ("the Act"). The Office lacks jurisdiction to determine the adequacy of the appointments of the Board's members.

### *Open Meetings Decision*

On July 3 and 18, 2025, Christy Shannon ("Appellant") submitted complaints alleging the Board had violated the Act at its May 27, June 10, June 24, and July 15, 2025, meetings.<sup>1</sup>

Regarding the May 27 meeting, the Appellant alleges the Board violated the Act at its May 27 meeting by conducting a "proxy vote" without a quorum and by not possessing minutes of action taken at that meeting as required by KRS 61.835. In response, the Board admitted to conducting a meeting without a quorum and took up that meeting's planned actions at a later meeting.<sup>2</sup> Regarding KRS 61.835, the Board stated that because the May 27 meeting was invalid, it did not record minutes for that meeting.

The remainder of the Appellant's appeal alleges that the Board has continually violated its bylaws, the interlocal agreement creating the Board, KRS 83A.130, and

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<sup>1</sup> The Appellant also submitted a complaint on June 25 that did not propose remedies for the Board's alleged violations and therefore did not comply with KRS 61.846(2). After the Board pointed out this deficiency to the Appellant, she resubmitted her complaint—with proposed remedies—on July 3.

<sup>2</sup> The Office takes notice of its decision in 25-OMD-162, between the same parties, in which the Office lacked jurisdiction to consider the Appeal because the Appellant had not strictly complied with KRS 61.846.

the Kentucky Constitution by conducting meetings with members whose appointments were improper. The Board has continually denied that, after the May 27 meeting, any appointments were improper. This appeal followed.

The scope of the Office's review is set out in KRS 61.846(2), which states that a decision issued by the Office shall "state[] whether the agency violated the provision of KRS 61.805 to 61.850." *Id.* Adhering to this statutory limitation, the Office has consistently declined to determine whether an agency violated statutory provisions outside the Act. *See, e.g.*, 02-OMD-22 (declining to determine whether a university's board of regents complied with its own bylaws); 95-OMD-99 (finding the Office "cannot decide whether other statutes and various local procedures and regulations have been violated"). Indeed, the Office has previously stated in an appeal brought by the Appellant that it cannot conduct the review she seeks. *See, e.g.*, 25-ORD-162 n.3 ("[I]nterpreting the terms of the interlocal agreement creating the Board is beyond the scope of the Office's review.").

Here, the Appellant again asks that the Office determine whether certain Board members were properly appointed to their positions. Such analysis would require the Office to interpret the Board's bylaws and the interlocal agreement creating the Board. This the Office cannot do in the context of an appeal under the Act. Accordingly, the Office declines to determine whether the appointment of the Board's members complied with its bylaws.

"All meetings of a *quorum* of the members of any public agency at which any public business is discussed or at which any action is taken by the agency, shall be public meetings, open to the public at all times." KRS 61.810(1) (emphasis added). "The minutes of action taken at every *meeting* of any such public agency, setting forth an accurate record of votes and actions at such meetings, shall be promptly recorded and such records shall be open to public inspection." KRS 61.835 (emphasis added). The parties agree that a quorum of the Board's members did not attend its May 27 meeting. Thus, that meeting, standing alone,<sup>3</sup> was not a "public meeting" subject to the requirements of the Act. As such, the Board was not required to record and make available minutes from that meeting. Accordingly, the Board did not violate the Act by conducting a meeting without a quorum of its members.

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<sup>3</sup> Of course, "[a]ny series of less than quorum meetings, where the members attending one (1) or more of the meetings collectively constitute at least a quorum of the members of the public agency and where the meetings are held for the purpose of avoiding the requirements of [the Act], shall be subject to the requirements of" the Act. KRS 61.810(2). That exception is not at issue here as the Appellant does not claim that a series of less than quorum meetings occurred.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court pursuant to KRS 61.846(4)(a). The Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

**Russell Coleman**  
**Attorney General**

/s/ Zachary M. Zimmerer  
Zachary M. Zimmerer  
Assistant Attorney General

#354

Distributed to:

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