



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-255

September 12, 2025

In re: Randall Knuckles/Bell County Fiscal Court

Summary: The Office cannot find that the Bell County Fiscal Court (“the Fiscal Court”) violated the Open Records Act (“the Act”) when it did not respond to requests it states it did not receive.

Open Records Decision

On July 1, 2025, Randall Knuckles (“Appellant”) submitted a request to the Fiscal Court by facsimile in which he sought records showing the “date, time, topic, and participants” at a conference allegedly referenced by the Bell County Judge/Executive at the Fiscal Court’s June 10, 2025, meeting. On July 11, 2025, the Appellant submitted a request seeking “[a]ny invoice or other billing instrument from” a consulting firm or a named individual regarding a specific road. On August 7, 2025, having received no response to either request, the Appellant initiated this appeal.

On appeal, the Fiscal Court asserts that it did not receive either of the Appellant’s requests prior to the Appellant’s initiation of the appeal. Under the Act, a public agency “shall determine within five (5) [business] days . . . after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” KRS 61.880(1).

Here, the Appellant claims he sent his first request to the Fiscal Court by facsimile on July 1, 2025, and that he did not receive a response. For its part, the Fiscal Court provides an affidavit supporting its position that it never received the Appellant’s request. Further, the Appellant states he submitted his second request on July 11, 2025, and that he did not receive a response to it, either. But the Fiscal Court states, through an affidavit, that it received the second request on August 8, 2025, and timely responded four days later.

The Office has consistently found it is unable to resolve factual disputes between a requester and a public agency, such as whether an agency received a request to inspect records. *See, e.g.*, 24-ORD-184; 23-ORD-092; 23-ORD-071; 23-ORD-005; 22-ORD-216; 22-ORD-148; 22-ORD-125; 22-ORD-100; 22-ORD-051; 21-ORD-163. Accordingly, the Office is unable to resolve this factual dispute or find that the Fiscal Court violated the Act when it did not respond to requests it claims it did not receive.¹

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), 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

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Distributed to:

Randall Knuckles
Albey Brock, Bell County Judge/Executive
Christopher Douglas, Bell County Attorney

¹ The Fiscal Court states that it responded to the Appellant's first request after receiving notice of it through this appeal.