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October 12, 2022

VIA EMAIL AND CERTIFIED MAIL

Kathleen Marsicek
Republic County Clerk
1815 M Street
Belleville, KS 66935
kmarsicek@republiccounty.org

RE: High Banks and Other Wind Farm Proposals; KORA Demand

Dear Ms. Marsicek:

We represent concerned landowners in Republic County. We have been retained to investigate any potential violations of the law by Republic County or Republic County officials. Such potential violations may include, but not be limited to, violations of the Kansas Open Meetings Act, K.S.A. 75-4317 *et seq.* or Kansas conflicts of interest laws, K.S.A. 75-4301a *et seq.* Our clients are concerned about the close relationship between county officials and business interests associated with the “High Banks Proposal” (hereinafter “HBP”) that was formally revealed when the proposed contracts were released on October 5, 2022. The Republic County Board of County Commissioners (“BOCC”) has held numerous executive sessions regarding “the proposed wind farm project,” some such executive sessions lasted multiple hours. *See eg.* Minutes of Republic County BOCC, August 22, 2022, P. 3. On September 26, 2022, Commissioner Doug Garmin admitted that Nextera Energy, Inc. (“Nextera”) “is being invoiced for all the work our hired attorney is doing to prepare the agreements for Republic County.” *See* Minutes of Republic County BOCC, September 26, 2022, P. 1. On October 5, 2022, High Banks Wind, LLC, not Republic County, proposed the four agreements that make up the HBP. We intend to fully investigate all communications between the County and High Banks Wind, LLC to determine if the terms of these “proposed” agreements have already been approved in any way whatsoever by any county officials or individuals working on behalf of the County.

To further understand these potential issues and pursuant to the Kansas Open Records Act (“KORA”), K.S.A. 45-215 *et seq.*, I hereby request from the County the following records:

1. All communications, in any form, including but not limited to email correspondence, text messages, any other electronic communications application, meeting notes, call notes, message logs, etc. between any Republic County Commissioner with any other Republic County Commissioner referencing any of the following terms: “High Banks,” “wind farm,” “wind turbine,” “windmills,” “Nextera,” Next-Era,” “Voth,” “Polsinelli,” or “Foulston.”
2. The Engagement Agreement between the County and Trish Voth Blankenship.

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EXHIBIT A

FOR SETTLEMENT PURPOSES ONLY

3. Any third-party financing agreement for Trish Voth Blankenship.
4. Any conflict of interest agreements or waivers executed by the County regarding Trish Voth Blankenship, Nextera, or High Banks, LLC.
5. All billing records for Trish Voth Blankenship's work on behalf of the County.
6. All communications, in any form, including but not limited to email correspondence, text messages, any other electronic communications application, meeting notes, call notes, message logs, etc. between Trish Voth Blankenship on behalf of the County with High Banks, LLC, NextEra Energy, Inc. or any representative, agent, or subsidiary thereof, including, but not limited to Alan Claus Anderson.
7. All previous drafts of the HBP agreements in the possession of the County and any email non-privileged correspondence by any county employee, official, or agent regarding any such draft. All claims of privilege should be specifically identified pursuant to K.S.A. 45-218(d).
8. Copies of any notes taken or documents reviewed by any Republic County Commissioner in any Executive Session related to "the proposed wind farm project."

I authorize the County to fulfill the above KORA request and bill Kriegshauser-Ney Law Group, LLC for any fees, provided the amount does not exceed \$100.00. If this request will cost more than \$100.00, please provide the County's policy regarding open records request costs and prepayment and contact me before processing additional records not included in the first \$100.00 of costs. With that said, please provide separate estimates for each numbered paragraph to the extent fulfilling any separate request can be expedited by separate payment.

To expedite the disclosure of records, please provide relevant records in electronic form. No paper copies are requested unless unavailable in electronic form. If some records can be produced more readily than others, please disclose those records as soon as possible and disclose remaining records on a rolling basis as circumstances permit. Again, we are potentially willing to pay estimated costs for specific requests if some of the records can be produced quicker than others on a rolling basis. If you have any questions about this request, please contact me at ryan@knlawgroup.com.

Thank you for your attention to this matter. I look forward to receiving the requested records within the timeline contemplated under KORA.

Sincerely,

/s/ Ryan A. Kriegshauser
Ryan A. Kriegshauser

CC: Justin Ferrell, Republic County Attorney/Counselor (1815 M. Street, Belleville, KS 66935).