

Agenda
Governmental Ethics Commission
Zoom meeting
July 28, 2021
1:00 p.m.

1:00 p.m. Call Meeting to Order

Review and Approve June 23, 2021 meeting minutes and July agenda

Opinion 2021-01

Civil Penalty

- Elliott Adams, State Representative Candidate

Civil Penalty Waiver Requests

- Megan Johnson, treasurer for Sara Chenowith
- Andrew Keehn, independent lobbyist

Paid for by Attribution Review

- Eric Strait, candidate for city commission
- Jason Carmichael, candidate for city commission

Consideration of Correspondence Regarding Fine Order

Executive Session

Date of next meeting: August 25, 2021

2:00 p.m. Adjournment

Draft Minutes
Governmental Ethics Commission
June 23, 2021
901 S. Kansas Ave
Topeka, Kansas

Members Present

Nick Hale, Chair
Jerome Hellmer, Vice Chair
Patty Dengler
Jane Deterding
Amy James
Kyle Krull
Ken Moore (by phone)
Todd Scharnhorst
John Solbach

Staff Present

Mark Skoglund, Executive Director
Brett Berry, General Counsel
Sherry Fergel, Office Manager

The regular monthly meeting of the Governmental Ethics Commission was called to order at 1:00 p.m. by Chair Hale.

Minutes

Commissioners reviewed the Jun 23, 2021 meeting agenda and the minutes from the May 26, 2021 meeting. Mr. Moore identified one correction in the meeting minutes. Mr. Solbach moved to approve today's agenda and the corrected May 26 meeting minutes. Mr. Hellmer seconded the motion. The motion passed unanimously.

Executive Director Report

Mr. Skoglund told the Commission that the outdated database purchased in 1994 was being replaced. The new database would improve staff's entry time and enable faster results for public viewing. Discussion ensued.

Mr. Skoglund reported the status of the Statements of Substantial Interest. To date, 21 remained outstanding of the 5,744 required. Mr. Skoglund attributed the high percentage of submissions to Roxie Valdivia's efforts.

Civil Penalty Assessment Orders

Commissioners reviewed civil penalty assessments for the late filing of the following reports:

May 10, 2021 Lobbyist Employment & Expenditure Report

Erin Montroy,	
Kansas Cannabis Business Association	\$1000

January 10, 2021 Receipts & Expenditure Report

Ken Easthouse,	
Candidate for City Commission	\$300

Civil Penalty Assessment Orders will be mailed to the above listed individuals.

Waiver requests for Civil Penalty Assessments

Mr. Skoglund presented the letter submitted by Andy Williams, lobbyist for Burlington Northern Santa Fe Railway requesting waiver of the \$1200 civil penalty assessed for the late filing of reports. \$1000 civil penalty for the late filing of the April 10, 2021 Lobbyist Employment & Expenditure Report and \$200 for the late May 10, 2021 Report. Mr. Skoglund had no recommendation. Discussion ensued. Mr. Scharnhorst moved to waive \$600 of the \$1200 assessed penalty if paid in 30 days. Mr. Solbach seconded the motion. There was no additional discussion. The motion passed with one nay vote.

Mr. Skoglund presented the letter submitted by Debra Fischer Stout, lobbyist for Northern Flyer Alliance, Inc. requesting waiver of the civil penalty for the late filing of the April 10, 2021 Lobbyist Employment & Expenditure Report. Mr. Skoglund would recommend a full waiver, as MS. Fischer Stout had attempted to submit in a timely manner; however, there were technical difficulties with the website submittal. Discussion ensued. Mr. Hellmer moved to waive \$250 in its entirety. Ms. James seconded the motion. There was no additional discussion. The motion passed unanimously.

Consideration of Correspondence Regarding Fine Order

Mr. Skoglund presented the email sent by Scott Hamblin regarding the civil fine order assessed. The Commission determined that they would not be willing to consider Mr. Hamblin's request and the content of the email unless two factors were met: both outstanding reports were filed and the partial fine of \$1,270 is paid by end of business July 24, 2021.

Executive Session

At 1:33 p.m., Mr. Krull stated that for good cause pursuant to K.A.R. 19-6-2, I move to recess this open meeting until 1:48 p.m. for executive session, with staff present, to discuss matters related to complaints, audits, or investigations, made confidential pursuant to K.S.A. 25-4161 and 25-4165. Justification for executive meeting is to consult with the commission's attorney, which is within the attorney-client privilege, as provided for in K.S.A. 75-4319(b)(2). Mr. Hellmer seconded the motion. The motion passed unanimously.

The Commission returned to open session at 1:48 p.m.

Executive Session

At 1:49 p.m., Mr. Krull stated that for good cause pursuant to K.A.R. 19-6-2, I move to recess this open meeting until 2:00 p.m. for executive session, with staff present, to discuss matters related to complaints, audits, or investigations, made confidential pursuant to K.S.A. 25-4161 and 25-4165. Justification for executive meeting is to consult with the commission's attorney, which is within the attorney-client privilege, as provided for in K.S.A. 75-4319(b)(2). Mr. Scharnhorst seconded the motion. The motion passed unanimously.

The Commission returned to open session at 2:00 p.m.

Next meeting date

Chair Hale announced the next meeting will be July 28, 2021.

Adjournment

At 2:05 p.m. Mr. Scharnhorst moved to adjourn the meeting. Mr. Hellmer seconded the motion. There was no discussion and the motion passed unanimously.

June 30, 2021

Mr. Nicholas Hale
Chairman
Kansas Governmental Ethics Commission
109 S. Kansas Avenue
Topeka, KS 66612

Dear Chairman Hale:

The Kansas Racing and Gaming Commission is comprised of five commissioners appointed by the governor and confirmed by the senate. Commissioners are paid a per diem under K.S.A. 74-8803(j), which states:

“Members of the commission shall receive such compensation as determined by the governor, subject to the limitations of appropriations therefor, and, when attending meetings of the commission, or a subcommittee meeting thereof approved by the commission, shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto.”

One commissioner is employed by the Kansas Department of Transportation (KDOT). Her position had been full-time, unclassified, non-exempt and hourly. She has recently reduced her hours and is now working as a part-time, unclassified, non-exempt, hourly employee, working approximately twenty hours per week, typically five days per week. Her duties for the commission require her to, among other things, attend commission meetings, review licensee background reports, analyze complex financial documents, review and approve contracts related to gaming, and review disciplinary case documentation in preparation for meetings and hearings. Her duties as a KRGC commissioner do not involve approving KDOT contracts or performing *any* duties related to KDOT.

I have the following question on her behalf:

1. Would it be an ethics violation for this commissioner to accept per diem compensation for work on the commission that is performed on the same day that she is working part-time hours for KDOT, but during the time that she is not on the schedule working for KDOT (i.e., during the “free”, non-paid portion of her working day.)

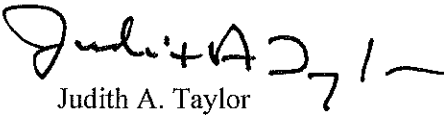
We are seeking clarification because K.S.A. 46-235 (Restrictions on compensation of state officers and employees) states, “No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. ... The receipt of wages or salary from an individual’s non-state employer during a period of service as a state officer or employee shall not be construed as compensation for performance of official duties.” In addition, K.S.A. 75-3223(a) states, “No per diem compensation shall be paid *under this section* to salaried state officers or employees except” However, KRGC commissioners are not paid per diem under K.S.A. 75-3223 but are paid per diem under K.S.A. 74-8803(j).

K.S.A. 46-235 prohibits state employees from accepting compensation, other than compensation the employee is entitled to, for performing official duties. It does not appear that this statute would

prohibit a commissioner from accepting part time pay from KDOT and a per diem from KRGC when working in both positions on the same day because the official duties performed for the KRGC have no overlap with the official duties performed for KDOT, and the work performed for KRGC would not be performed during time compensated by KDOT.

I look forward to your response, and I thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith A. Taylor". The signature is fluid and cursive, with a long horizontal stroke at the end.

Judith A. Taylor
General Counsel



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

July 28, 2021

Opinion No. 2021-01

Ms. Judith A. Taylor
General Counsel
Kansas Gaming and Racing Commission
Eisenhower State Office Building
700 SW Harrison St., Suite 500
Topeka, Kansas 66603

Synopsis: A state employee with two separate state positions may accept compensation from each.

Cited herein: K.S.A. 46-221(a), 75-3223, 74-8803(j) and 46-235.

Ms. Taylor:

We understand you request our opinion concerning application of the state governmental ethics laws, K.S.A. 46-215 *et seq.*, as general counsel for the Kansas Racing and Gaming Commission. Our opinion in response to the request is limited in its applicability. This opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

FACTUAL STATEMENT

The opinion request provides the following facts:

Our commissioner is employed by the Kansas Department of Transportation (KDOT). Her position had been full-time, unclassified, non-exempt and hourly. She has recently reduced her hours and is now working as a part-time, unclassified, non-exempt, hourly employee, working approximately twenty hours per week, typically five days per week. Her duties for the commission require her to, among other things, attend commission meetings, review

licensee background reports, analyze complex financial documents, review and approve contracts related to gaming, and review disciplinary case documentation in preparation for meetings and hearings. Her duties as a [Kansas Racing and Gaming Commission (KRG)] commissioner do not involve approving KDOT contracts or performing *any* duties related to KDOT.

QUESTION

Would it be an ethics violation for a commissioner to accept per diem compensation for work on the commission that is performed on the same day that the commissioner works part-time hours for the Kansas Department of Transportation (KDOT), but during the time that she is not on the schedule working for KDOT (i.e. during the “free,” non-paid portion of her working day)?

ANALYSIS AND OPINION

“State officer or employee” is defined by K.S.A. 46-221, which provides in pertinent part:

(a) ... (2) any individual who is in the classified service or unclassified service of the Kansas civil service act, ...and (4) any individual who receives monthly or semimonthly compensation for services from the state or any state agency. ...Also, state officer or employee does not include any appointed member of an advisory council, commission or board, who serves without compensation other than amounts for expense allowances or reimbursement of expenses as provided for in subsection (e) of K.S.A. 75-3223 and amendments thereto, when such member is engaged in performing a function or duty for such council commission or board.

From the facts provided, we find the commissioner in question is a state employee based upon her KDOT employment. We further find that that she is a state employee as a KRG C commissioner based upon the receipt of a per diem as provided in K.S.A. 74-8803(j), in addition to the amounts for allowances and reimbursements provided for in K.S.A. 75-3223(e).

We cannot opine regarding K.S.A. 75-3223(a), since that provision is not involved in interpreting the K.S.A. 46-221(a) definition of “state officer or employee.” However, it does contain the same language as subsection (e): “whenever it is provided by law.” We see no reference in K.S.A. 74-8803(j) to 75-3223(a) which would make it apply to KRG C commissioner per diems.

We next consider K.S.A. 46-235, which provides:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or

offer to pay any state officer or employee performing official duties, except a state officer or employee performing official duties in making payments to state officers and employees. The receipt of wages or salary from an individual's non-state employer during a period of service as a state officer or employee shall not be construed as compensation for performance of official duties.

The facts demonstrate no overlaps between commissioner's schedule and official duties at KRGC and those at KDOT. Consequently, the respective compensation received for each position could not be for the performance of official duties at the other. Under these circumstances a violation of K.S.A. 46-235 does not occur.

CONCLUSION

We concur with your conclusion that K.S.A. 46-235 "would not prohibit a commissioner from accepting part time pay from KDOT and a per diem from KRGC when working in both positions on the same day because the official duties performed for the KRGC have no overlap with the official duties performed for KDOT, and the work performed for KRGC would not be performed during time compensated by KDOT."

Sincerely,

Nicholas Hale, Chairman
By Direction of the Commission

NH:BB:sf

**GOVERNMENTAL ETHICS COMMISSION**<https://ethics.kansas.gov>

TO: Commission Members

FROM: Mark Skoglund, Executive Director

DATE: July 28, 2021

RE: Candidate Civil Penalty

The following individuals failed to file the form or report by the due date for penalty free filing. K.S.A. 25-4152 provides that a certified notice shall be sent, and that the individual shall have 15 days from the date such notice is placed in the mail to file the report. After that date, the civil penalty is \$10 per day up to a maximum of \$300. The following individual did not file in a timely manner:

<u>Name</u>	<u>Date Filed</u>	<u>Days Late</u>	<u>Amount</u>
Amended October 26, 2020 Receipts & Expenditures Report			
Elliott Adams State Representative Candidate	N/A	+30	\$300



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

TO: Commission Members

FROM: Mark Skoglund, Executive Director

DATE: July 28, 2021

RE: Civil Penalty Waiver Requests

Name	Violation- late filing of Receipts & Expenditures Report unless otherwise noted	Amount
Megan Johnson, Treasurer for Sara Chenowith		\$270
Andrew Keehn, Independent lobbyist		\$700

From: [Megan Stoneberger Johnson](#)
To: [KGEC_Ethics](#)
Subject: GEC Letter
Date: Monday, July 12, 2021 3:23:02 PM
Attachments: [Letter - Sarah Chenoweth.docx.pdf](#)
[Governmental Ethics Commission Letter.pdf](#)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Governmental Ethics Commission,

My name is Megan Johnson. I served as treasurer for Sarah Chenoweth and have been assessed penalties by the commission as such. I have attached a letter seeking your review and consideration. I have also attached a letter Sarah Chenoweth submitted earlier this year.

Thank you for your time and consideration,

Megan Johnson

July 12, 2021

Mark Skoglund
Executive Director
Governmental Ethics Commission
901 S. Kansas Ave.
Topeka, KS 66612

Dear Mr. Skoglund and Commission:

I am writing in regards to the civil penalties that I have been assessed. I received a letter dated June 30th informing me that the Governmental Ethics Commission has not received payment from me. I was unaware that the GEC was expecting payment from me. I spoke to staff at the Governmental Ethics Commission on Thursday, July 8 (which, sadly, happened to be the day of my father's, who passed June 23, memorial service, which I hope explains my slowness in addressing the June 30th letter). During that call, I was advised to write a detailed account of my case. This letter is that account:

During both of Sarah Chenoweth's campaigns for Pittsburg City Commission in 2017 and 2019, Sarah completed and filed all necessary reports with the Governmental Ethics Commission and elsewhere, and any notices of such I passed along to her. After losing her re-election and stating her intent to not run for office again, I was under the impression that there were no further obligations and that if there were, Sarah would take care of them as she had done throughout her campaigns.

On December 20, 2020, I gave Sarah a letter reminding her to file a receipts & expenditures report.

On January 30, 2021, I gave Sarah a copy of the "Notification of Failure to File January 10, 2021, Receipts and Expenditures report" from the Governmental Ethics Commission. She said she would take care of it and thanked me for letting her know.

On March 14, 2021, I gave Sarah a copy of the "Civil Penalty" notice and asked what needed to be done to take care of it and she replied, "I took care of it already!" I asked if I needed to keep any of the papers from GEC and she said no and that it was taken care of a couple weeks prior.

On March 28, 2021, I gave Sarah a copy of the "Civil Penalty Assessment Order." She assured me that she took care of delinquency and would pay the fines. I asked if her account needed to be closed and the GEC informed to end these report requirements. She said she had done that already.

On March 29, 2021, Sarah gave me a copy of "Order Waiving Civil Penalty" from the GEC stating the penalty was waived.

At this point I thought the issue was resolved, so when I received the June 30th letter, I was quite surprised. I certainly do not want this matter to be referred to an attorney for collections or to be prohibited from filing for office in the future. Please consider waiving this penalty as you did with Sarah Chenoweth's.

Sincerely,

Megan Johnson

Dear Ethics Commissioners,

This letter is to explain my tardiness in filing my January 10th Receipts and Expenditures report to the Governmental Ethics Commission, and to ask for a reduction of the penalty fees.

I ran for local office first in 2017, and again in 2019. From the first election (I won) to the second (I lost), I kept open the same bank account with a small balance and filed all my reports correctly and on time, each time. Spring 2020 brought about many changes; not only had the state-wide pandemic regulations shut down my business for a short time, but I also separated from my husband and moved from Pittsburg to Lawrence. Knowing that I would not be running for office again anytime soon in Pittsburg, I decided to close my campaign account.

On May 12th, 2020 I donated the final amount in my bank account (\$82.21) to a local charity (the SEK Humane Society) and closed the account. Unfortunately in my mind that action closed that chapter of my life, as so many other chapters were also closing in other areas of my life, and I failed to document that expenditure in my own records, and therefore neglected to remember that I needed to file the report. I did receive an email stating that a report needed filing, but somehow in my mind because I had closed the account I just wasn't thinking straight about it and thought it didn't apply to my campaign account (I DID file a report, on time, for a PAC in which I am treasurer).

From December through the end of February I went out-of-state to stay with friends. When I came back just last week I checked my mail for the first time in months, and that is when I saw the notices from the Ethics Commission. The very next day I called into the office to see what I needed to do to get this taken care of asap, which I am now doing. The very kind woman that I talked to there even advised me to write this letter.

I believe my failure to file this report was not "intentional" in the traditional sense, and that I demonstrated this by directly calling the office, promptly filing my report, and taking the time to write this explanation. As my campaign account is closed with no further funds, any penalties will be paid out-of-pocket. I am currently enrolled in a graduate program at the University of Kansas (a masters in public administration) and have very little income, and I am still awaiting a divorce settlement. I loved my time as an elected official so much that I want to pursue a career in government, and am very excited about that future.

I cannot express enough how sorry I am that I neglected this important task, especially because I know how important it is that regulations are set, followed, and reported in a consistent and ethical manner. I am deeply grateful that you took the time to read this letter, and I pray for your consideration in not charging me with a misdemeanor and waiving some of the penalty fees.

Sincerely,

Sarah Chenoweth

Date: June 25, 2021

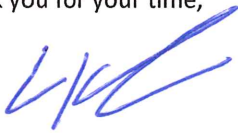
To: Kansas Governmental Ethics Commission

From: Andrew Keehn

I signed up as an Independent Lobbyist to learn more about the political process. I did nothing unethical. I took no money from anyone. I gave no money to anyone. I did not even meet anyone. I was unaware of the requirement to report receipts and expenditures when I had nothing to report.

Unfortunately, work got in my way, and I was unable to make it to the capital during session. I request a waiver of the fine and I to be at the meeting.

Thank you for your time,



Andrew Keehn

RECEIVED

JUN 25 2021

KS Governmental Ethics Commission

June 29, 2021

Dear Executive Director Skoglund:

I am contacting you regarding the letter I received dated 6/23/2021 stating I did not have a "Paid for by" on the Facebook page advocating my election the city commission of the city of Parsons. I have since rectified the situation but thought a letter of explanation was due to the Ethics Commission. This Facebook page has no monetary cost to my campaign, and I was unaware it was required for such free publications.

As stated above, this mistake has since been corrected and I hope to the commission's standards.

Thank you for bringing this matter to my attention.

Sincerely,

Eric Strait

Candidate for Parsons City Commission

From: [Carmichael, Jason](#)
To: [KGEC_Ethics](#)
Subject: Darn.
Date: Friday, July 23, 2021 4:37:19 PM
Attachments: [2021-07-22.png](#)
[2021-07-22 \(10\).png](#)
[2021-07-22 \(1\).png](#)

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello,

I ordered a post card mailer for my campaign.

There was an error that I discovered after the mailing happened.

When I proofed the mailer, my post card had the "Paid for" statement, however when the mailing was completed, the "Paid for" statement got overwritten by the printer/mailer.

I have called the printer/mailer and they explained what happened. They said they have since put in a safeguard to prevent this from happening again when a mailer is sent through them to catch this error.

Thanks,

Jason Carmichael

(316) 371-4224



Search

Help is here. 1.866.207.4955 | My Account Hello Jason | Cart

- All Products
- Business Cards
- Marketing Materials
- Signs & Banners
- Photo Gifts & Wall Art
- Invitations & Stationery
- Clothing & Bags
- Promotional Products
- Labels & Stickers
- Digital Marketing
- Design Services
- Trending Now
- Deals

My Account / Order History / Order Details Account # 1200-9084-7198

Order Details | Order # BNML4-L6A98-9Q2

Order Total

Product Total

Shipping & Pro

Sales Tax

You Paid:

2 Item(s)



4" x 6" postcards - standard glossy front

Front Back

Close

Confirmation Email

2021

\$267.29



Qty 618

Base Price ~~\$67.50~~ **\$57.38**

Item Total * **\$57.38**

*State sales tax is required on this item.



Search

Help is here. 1.866.207.4955 | My Account Hello Jason | Cart

- All Products
- Business Cards
- Marketing Materials
- Signs & Banners
- Photo Gifts & Wall Art
- Invitations & Stationery
- Clothing & Bags
- Promotional Products
- Labels & Stickers
- Digital Marketing
- Design Services
- Trending Now
- Deals

My Account / Order History / Order Details Account # 1200-9084-7198

Order Details | Order # BNML4-L6A98-9Q2

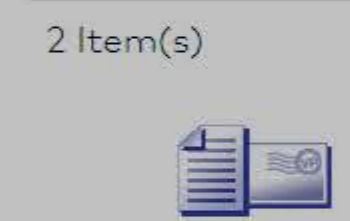
Order Total

Product Total

Shipping & Pro

Sales Tax

You Paid:



4" x 6" postcards - standard glossy front

Front **Back**

Jason for City Council
 329 W Carlyle
 Wichita, KS 67217
 (316) 371-4224

Hello!
 Jason is running for City Council in Wichita
 Kansas District 3.

Jason needs your support.

Voting is right around the corner, starting
 July 19th.

Paid for by Jason for City Council, Jason Carmichael, Treasurer

Close



Qty	618	
Base Price		\$67.50 \$57.38
Item Total *		\$57.38

*State sales tax is required on this item.

Jason for City Council

329 W Carlyle
Wichita, KS 67217
(316) 371-4224

Presorted
First-Class Mail
US Postage
PAID
Vistaprint
48174

Hello!

Jason is running for City Council in Wichita
Kansas District 3.

Jason needs your support.

Voting is right around the corner, starting
July 19th.

JB

~~CURRENT RESIDENT
DALLAS BROZ
934 S WEST ST
WICHITA, KS 67213-1626~~

9250 Red Rock Road
Reno, NV 89508

VAC



From: [Scott Hamblin](#)
To: [KGEC_Ethics](#)
Subject: Petition/Appeal Paperwork and Payment Date
Date: Sunday, June 13, 2021 2:34:02 PM

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

To Whom it May Concern,

I was given this email address from Mark Skoglund. We disagreed about the date I was able to turn in my paperwork and pay the fee. He stated I would need to follow your process somehow. I told him I guess I have no choice but to choose that option. I also needed to follow up with an email and this is it to my knowledge.

To simply make a very long story as short as possible, I spoke with him on March 4th. I was leaving for Mexico for a week and had quite a bit of trouble finding out what was needed and who to pay the reduced fine to and how. I never received anymore information than "That's a good question". Even just to figure out what and how the paperwork that needed corrected was supposed to look was extremely difficult. Due to the difficulties with every step, I had decided that to hand deliver everything was probably my best option. After a hearing I have no record of being notified, I've asked for anything Ethics has showing I was notified, but haven't received. Scott Hamblin the person forgave Scott Hamblin the campaign in February I believe was the timeframe when I looked it up. Yet that never seemed to go anywhere. I even asked what paperwork was required since just forgiving the loan sounded easier, I was specifically told there is not any and you just need to tell us. Obviously I did that. Apparently no record. Because this situation could not have become more mixed up, as is clear simply due to the fact that nobody would refuse to comply with the simple ask and elect to pay an extra 10k. Hand delivery seemed to be clearly the best and maybe only option. On the 4th when I was to be going thru Topeka due to leaving on a 33 person family vacation and within the mailing date requirement, I started by calling. This time I had no choice but to demand accurate information and was put thru to Mark Skoglund. This was the first time I ever spoke with him. I only knew the name because I found out about this hearing I missed in the KC Star and he was quoted as stating the he "spoke with the campaign" several times who refused to comply. Just simply not true so along with the confirmation I knew about any hearing I also have had to request from the KC Star the accuracy of their reporting. I've been out of the country for a week so haven't had time to follow up. Entire separate story though. Along with fines in excess of 10k resulting from mail with no signature, especially to addresses who has had a recent zip code change and misses mail on a regular basis. Plus, paperwork that defines the deadline from a "mailing date" and does not refer anywhere to a "Certificate of Service", to even why those dates don't match. To be honest, I did not believe a Certificate of Service could even be signed and then afterwards be placed inside an envelope containing the papers to be served, especially on separate dates. Anyways, the entire thing has been extremely hard to follow with little or even different information being given.

All that being said, I attempted to pay the fine and ensure the paperwork was delivered and to satisfaction. I was almost immediately told I was outside of the window of the mailing date because Mr. Skoglund was not going to allow it after a Certificate of Service date that didn't match the date my envelope shows it was even stamped with postage. I am writing to you to

look for a solution where my paperwork and payment would simply be accepted by the postage date as my simple intent was.

I have no other choice but to wait for a response from this commission on the next step of the process. I attached the requirement that states "mailing date" as well as the actual envelope that would need postage to be mailed. As I stated to Mr. Skoglund, I will comply with what I am told to do but I am trying to follow the process to hopefully just pay this and be done. I strongly believe that if a requirement is going to be a Certificate of Service date, then that is the verbiage that should be specifically stated in the paperwork as the requirement. Because the requirement does not refer to that document at all, and those dates appear to not match, my hope is that we can come to a common sense conclusion and hopefully clear that wording up for the next person. \$10,000 is a lot of money that I personally don't find that ethical to assess on using a document not referred to as the no exception deadline. Especially when the term "mailing date" is used and the postage was applied on a date within the window of acceptance.

Please contact me at this email or phone number 913-709-2168 at anytime to discuss anymore about this situation or the next step of the process Mr. Skoglund advised me to follow if I disagreed with his refusal to accept my paperwork and fine on that date, as I believe almost all reasonable respondents would have. Also, if you are able to assist in have them provide me with what it is they have the assure me I was notified of any hearing. I would greatly appreciate it and any other assistance at this point. Clearly there is some form of miscommunication happening between the Ethics Commission and myself. It's unlikely the I will seek an elected office again so I would prefer to just have this payment and paperwork reasonably accepted and behind me. As of right now I am stuck between the media and Mr. Skoglund over a mailing date that doesn't match a service date and those two telling me the other is inaccurate. Needless to say, I greatly look forward to hearing from you on the next step necessary to complete this process.

Thanks,

Scott Hamblin
913-709-2168

U.S. POSTAGE  FITNESS



ZIP 64108

\$ 000.56⁰

02 4W

0000341452 MAY 04 2021

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the commission that if \$1,000 of the fine assessed for violations in Counts 1 and 3 (\$5000) is paid within thirty (30) days of the date of the mailing of this report and order, and the respondent files the amended January 10, 2020, Receipts and Expenditures Report and the January 10, 2021, Receipts and Expenditures Report, the remaining portion of the fine assessed for Counts 1 and 3 (\$4,000) shall be waived.

TRANSFER OF REPAYMENT
LOAN ALSO FORGIVEN - ANY AND ALL
Description: ONLINE BNKG TRANSFER FROM DDA
Account: ****7654
Amount: \$87.57
Transaction Date: Jun 04, 2021
Reference Number: 1155010460317

SLOTT HAMBLEN
913-709-2168

NO DESIRE TO SPEAK W/
MR. SKOGLUND. PLEASE CALL

Print NO INSTRUCTIONS ENCLOSED
W/ A DEMAND TO COMPLY

REIMBURSEMENT FOR 10/23/19

EXPENSE THAT RESULTED IN COMPLAINT
696. THE WORD "PERSONAL" WAS
ADDED TO THE OFFICIAL EXPENDITURE
FILED. THAT WORD RESULTED IN A
VIOLATION THEN A HEARING I WAS
NOT NOTIFIED OF. RECEIVED A LETTER
ON FEB 2ND THAT CONTAINED THE REPORT
AND A POST-IT NOTE DESIGNATING " ← HERE"
HAVING NO CLUE AS THE NOTE WAS LOOSE AT THE
BOTTOM OF THE ENVELOPE I CALLED A SPOKE
WITH JENN SCHNEIDER WHO ADVISED ME OF
THE EXPENSE. UNFORTUNATELY I DIDN'T CHOOSE
TO APPEAL THE ADDED LANGUAGE AS SHE SAID
IT ONLY REQUESTED THAT I PAY MY CAMPAIGN BACK
THE \$87, OR SIMPLE FORGIVE MY CAMPAIGN FOR THE
"LOAN". I ASKED FOR THE PAPER TO JUST FORGIVE
AND WAS TOLD THERE WAS NO PAPERWORK AND
I JUST ADVISED THEM. REASONABLE TO ASSUME
IT WAS FORGIVEN →

CURRENTLY, I HAVE A LETTER THAT WAS MAILED AFTER THE OFFICIAL CERTIFICATE OF SERVICE WAS SIGNED AND STAMPED. WAS ABLE TO GET ONE EMAIL TO COMMISSION WHO STARTED THE DEADLINE OVER THANKFULLY. I RECEIVED AN ~~EMAIL~~ LETTER LESS THAN A WEEK AGO ADVISING ME OF A NEW 30 DAY DEADLINE ENDING IN LESS THAN A WEEK. A LETTER THAT DID NOT BEGIN THE COMPLIANCE TIME AND WAS LUCKILY FOUND IN SHARON SPRING KANSAS NEAR THE CO. BOARD² HOURS AWAY FROM OVERLAND PARK. THE STAMPED IT AS IT WAS AN OLD POSTMARK BY THEN I HAVE ATTEMPTED TO COMPLY IN EVERY DIFFERENT WAY ADVISED AND HAD MY ATTORNEY TO CONFERENCE CALL THAT THIS WAS SETTLED. HOWEVER, MR. SKORSGUND WILL NOT PERMIT ANY COMMUNICATION BETWEEN ME AND THE OFFICE OR COMMISSION. I WOULD APPRECIATE A PHONE CALL FROM ANYONE ONE OR ASSOCIATED WITH ~~THE~~ THE COMMISSION. DOES NOT APPEAR THE MINUTES FROM THE HEARING I SKIPPED TO TURN FORWARDING MYSELF INTO IZK. NOT VERY REASONABLE. I DIDN'T RECEIVE ANY PHONE CALLS FROM MARK OR STATE AS REFLECTED IN MINUTES. MAIL THAT CONTAINED CERTIFICATES OF SERVICE BUT PROOF THE MAIL STATEMENT WAS NOT ACCOMPLISHED AS WELL AS HAVING WORDS ADDED TO AN EVIDENCE WITH NO OPPORTUNITY TO DEFEND ~~MYSELF~~ MYSELF + MUCH MORE.

Attachment to Commission Meeting Minutes

July 28, 2021

Motion for Executive Session

(statutory confidential matters review)

For good cause pursuant to K.A.R. 19-6-2, I move to recess this open meeting until _____ p.m. for executive session, with staff present, to discuss matters related to complaints, audits, or investigations, made confidential pursuant to K.S.A. 25-4161 and 25-4165. Justification for executive meeting is to consult with the commission's attorney, which is within the attorney-client privilege, as provided for in K.S.A. 75-4319(b)(2).