



STATE OF INDIANA

MIKE BRAUN, Governor

**PUBLIC ACCESS COUNSELOR
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October 31, 2025

Renda Heyerly
*Address
Redacted*

Via email: *Address Redacted*

Re: Complaint 25-FC-034
Heyerly, Blackford County Area Plan Commission (APC) & Blackford
County Board of Zoning Appeals (BZA)

Dear Ms. Heyerly:

This advisory opinion is in response to your complaint, dated March 6, 2025, regarding the Blackford County APC & Blackford County BZA (Respondents).

A Notice of Complaint was sent to Respondents with a copy of your complaint attached on March 21, 2025. Your complaint alleges that Respondent failed to provide you with the documents, specifically all of the 2024 Blackford County APC & Blackford County BZA meeting minutes, you requested under the Access to Public Records Act (APRA). Indiana Code (IC) 5-14-3-1 et seq.

This Notice requested a formal response to the complaint from Respondent. This office has not received a response.

ANALYSIS

Your complaint states that you requested, on January 14, 2025, copies of the minutes of meetings of Respondents for the year 2024. In your email dated October 7, 2025, you confirmed that you received those copies as requested on September 5, 2025. The issue here is what constitutes a "reasonable" amount of time to respond to your records request.

IC 5-14-3-3(b) requires the public agency to provide copies of records within a "reasonable time" after the request is received by the agency. The Respondent,

through Anne Owen, acknowledged receipt of your request on January 14, 2025, and stated that the copies would be provided.

The statute is silent on what constitutes a “reasonable time” to respond to a records request. This office has recognized several factors in determining what effects the concept of reasonable time and those factors are the 1) volume of the request, 2) complexity of the request, 3) number of pending requests, 4) staff available to respond to the request or 5) other operational factors that impact the ability to respond to the request.

The records requested were copies of minutes of meetings. These records should have been submitted to and approved by the Respondents at or near the next public meeting, for each of the meetings over the year of 2024 as a matter of ordinary business practice. These records are permanent records of Respondents and should be filed in the year the records were produced.

Here, failing to copy records that are readily available and permanent records of a public agency for a period of nearly eight (8) months seems unreasonable.

CONCLUSION

This office finds that Respondents violated APRA by failing to provide copies of the requested records within a reasonable time from the date of the request.

Sincerely,



Jennifer G. Ruby
Public Access Counselor

cc: Aubrey Crist, Attorney, *Address Redacted*
Blackford County APC & BZA, *Address Redacted*