



# STATE OF INDIANA

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March 9, 2026

Re: Complaint 25-FC-145  
Farm and Home Publishers – Charles Sheakley (Complainant) v.  
Vermillion County Board of Supervisors (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed July 8, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 14, 2025, requesting a formal response by November 12, 2025. A formal response, submitted by Steve Leatherman of WTH Technology on behalf of Respondent, was received in this office on November 12, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by charging an excessive fee for copies of bulk electronic mapping and/or Geographic Information System (GIS) data.

## **ANALYSIS**

The public policy of APRA states that “[p]roviding persons with information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information.” Indiana Code (IC) 5-14-3-1.

Respondent is a public agency for purposes of APRA; and therefore, subject to the requirements. IC 5-14-3-2(q). As a result, unless an exception applies, any person has the right to inspect and copy Respondent’s public records during regular business hours. IC 5-14-3-3(a).

Complainant sought to obtain a copy of GIS materials for Vermillion County from Respondent. Respondent has a contract for GIS data sharing services with WTH Technology, Inc that maintains, updates and provides access to the GIS data of Vermillion County pursuant to a contractual agreement for a fee. Respondents referred Complainant to WTH for the requested electronic mapping data. WTH handles requests for commercial access to the GIS data

through a contract approved and signed by Respondents County Board of Commissioners (User Agreement).

The User Agreement provides access to the full county GIS data for commercial users at a fee of \$750.00. Individual users for non-commercial purposes have free access. Specifically, Respondent states:

*Free GIS Data Available to the General Public – For the 32 Counties where WTH provides data sharing services, the vast majority of GIS data sharing requests are addressed by GIS data that is made available free to the general public. Each of the 32 Counties has a public WebGIS Site that provides a full set of parcel and tax information, and other GIS layer information that is updated and is current. The parcel and tax information that WTH would be providing to Farm and Home Publishing as a part of a Commercial Data Sharing Request is the same information that is available on the Public WebGIS Site for free. However, the GIS data on the Public WebGIS Site would have to be manually collected for each parcel and does not provide for a bulk download of County parcel information.*

Complainant argues that the fee is too high and unjustified for the short amount of time required to compile the information. Complainant alleges that the fee violates the APRA provision regarding fees.

APRA provides that a public agency may charge a fee, uniform to all purchasers, for providing an electronic map that is based upon a reasonable percentage of the agency's direct cost of supplying the electronic map in the form requested by the purchaser. If the public agency is within a political subdivision having a fiscal body, the fee is subject to the approval of the fiscal body of the political subdivision. IC 5-14-3-8(j).

APRA also provides that the fee charged by a public agency under subsection 8(j) to cover the *costs of maintaining, upgrading and enhancing an electronic map* may be waived by the public agency if the electronic map for which the fee is charged will be used for a noncommercial purpose. IC 5-14-3-8(k).

Section 8(k) expressly enumerates the types of costs that may be considered when establishing a fee for GIS maps. The fee is not limited to the direct cost of transfer or copy of the map but includes the cost of maintaining the GIS system so that the GIS map is available when requested.

The User Agreement is used for all commercial users. The fee of \$750.00 is printed in the agreement precluding the individual negotiation of fees on a case-by-case basis. Therefore, the fees are uniform to all users.

The User Agreement references the County's Electronic Map Data Ordinance (Ordinance). The Ordinance sets forth the criteria for computation of the fee.

The response of Respondent shows WTH's detailed analysis and the method of calculation of the fee, including a breakdown between actual cost of providing the maps and the costs associated with maintaining, upgrading and enhancing the system. WTH confirmed that calculation of the fee based upon the County's and statutory requirements resulted in the \$750.00 amount. Respondent states that the fees are in line with the provisions of APRA governing acceptable fees.

## **CONCLUSION**

This office finds that the Respondent did not violate APRA. The electronic mapping records are free if collected through Respondent's website. If accessed through the Commercial Data Sharing Request agreement, the cost is appropriate under C 5-14-3-8(j).



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