

<b>TITLE:</b> <b>Public Records Policy</b>	<b>PERSONNEL:</b> <b>ADMINISTRATIVE:</b> <b>X</b>	<b>RESOLUTION</b> <b>NO: 23-208</b>
<b>EFFECTIVE DATE:</b> <b>February 21, 2023</b>	<b>TYPE:</b> <b>POLICY:</b> <b>X</b> <b>PROCEDURE:</b> <b>X</b>	<b>SUPERSEDES:</b> <b>POLICY#4d</b> <b>PROCEDURE #</b>

---

**I.    MISSION STATEMENT**

The policy of the Lucas County Board of Commissioners is to at all times fully comply with and abide by both the spirit and letter of Ohio's Public Records Act. This policy fosters transparency that leads to a better-informed citizenry, which in turn leads to better government and better public policy.

**II.    DEFINING PUBLIC RECORDS**

A "record" is a document in any form that is created, received by, or comes under the jurisdiction of the public office that documents the activities and decisions of the office. (See. R.C. 149.011(G)

Ohio law defines "public record" as a "record" that exists and is being kept by the office at the time the public records request is made.

Public records of the Lucas County Board of Commissioners are available to the public unless they are specifically exempt from disclosure under the Ohio Revised Code, or under state or federal law.

**III.    HANDLING RECORDS REQUESTS**

Public records of Lucas County Commissioners are to be available for inspection during regular business hours, with the exception of published holidays. Public records will be made available for inspection promptly. If requested records are not readily available for inspection, the request will generally either be satisfied or acknowledged in writing within three business days of the request following receipt of the request.

Copies of public records must be made available within a reasonable period of time.

The meaning of "promptly" and "reasonable time" under Ohio law takes into account the volume of the records requested; the proximity of the location where the records are stored; the necessity for any legal review and redaction of the requested records in accordance with Ohio law; preparing the request documents; and providing for delivery.

No “official” language is required to make a request for public records, and the request does not need to be in writing. However, the person must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records. The person making the request does not have to provide their identity, nor must they indicate how the records will be used.

If a request is ambiguous or overly broad or the requester does not make clear what records are being sought, the office may deny the request but must contact the requester for clarification, and assist the person in revising the request by explaining how the office’s records are organized and accessed.

In processing a records request, the County Commissioners do not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying.

#### **IV. DEALING WITH DENIALS OR REDACTIONS**

Any denial of public records requested or redaction of information must include an explanation, including legal authority. If portions of a record are public and other portions are exempt, the exempt portions may be redacted while the rest are released. When making records available for public inspection or copying, the requester will be notified of any redaction or the redaction should be plainly visible.

#### **V. COPYING AND MAILING COSTS**

There is no charge to inspect public records. The Commissioners may charge for the actual costs of completing a public records request, which could include paper copies of 5 cents per page, postage and mailing supplies, and requests for electronic files downloaded to a compact disc or mobile storage device.

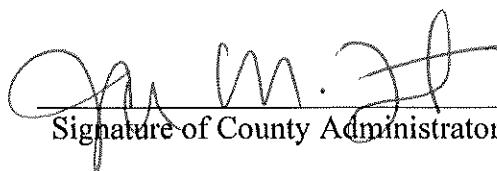
The requester who requests a copy of a public record may choose to have the record duplicated upon paper, duplicated in the same medium as the original, or on another medium on which the office determines the record can reasonably be duplicated as part of the office’s normal operations.

#### **VI. RECORDS RETENTION**

The public records of a public office are subject to records-retention schedules. The Board of County Commissioners’ current records-retention schedules are available at the Front Desk of the Board of County Commissioners offices, on the 8<sup>th</sup> Floor, One Government Center, Toledo, Ohio.

**VII. MANAGING RECORDS**

The records of the Lucas County Commissioners are subject to records retention schedules, which are available by contacting the Commissioner's Records Commission Secretary.



\_\_\_\_\_  
Signature of County Administrator

2/21/2023  
Date

---

**Date:** February 21, 2023

**Resolution No. 23-208**

**Title:** Approval of Updated Public Records Policy (4d)

**Department/Agency:** Administration

**Contact:** Jessica Ford, Administrator

**Summary/Background:** The Board of County Commissioners is subject to the Ohio Public Records Act (Ohio Revised Code 149.43), which provides for prompt inspection of public records and requires copies of existing public records to be provided in a reasonable period of time, pursuant to state statute and County policy.

Lucas County has a public records policy entitled "Inspection of Public Journals and Records", which was last amended January 14, 2008 by Resolution 08-53 (4d).

The Board of Lucas County Commissioners wishes to update its current policy based on incorporating Ohio's Public Records Act, including changes and legal decisions made since the previous policy (4d) was approved.

**Budget Impact:** N/A

**Statutory Authority/ORC:** 149.43

**Commissioner Gerken offered the following resolution:**

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

**Section 1.** The Board hereby approves the updated Public Records Policy (4e), attached as Exhibit A, to comply with any updates, law changes and legal decisions related to the Ohio Public Records Act (149.43). This policy establishes the procedures for all County Departments under the Commissioners.

**Section 2.** The updated Public Records Policy supersedes the Public Records Policy currently on record.

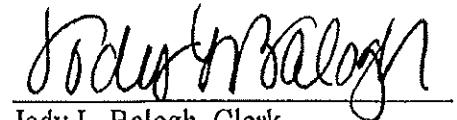
**Section 3.** This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law.

**Section 4.** This resolution shall be in full force and effect from and immediately upon its adoption.

**February 21, 2023**  
**Approval of Updated Public Records Policy (4d)**  
**Page 2**

**Action Taken:**

Commissioner Gerken voted yes  
Commissioner Skeldon Wozniak voted yes  
Commissioner Sobecki voted yes



Jody L. Balogh, Clerk