

**SPENCER COUNTY GOVERNMENT  
OPEN RECORDS POLICY AND PROCEDURES**

Effective: February 6, 2023 (last revised February 3, 2023)

**Purpose**

It is the obligation and intent of Spencer County Government to respond effectively and efficiently to records requests in a consistent and coordinated manner. Therefore, this Open Records Policy (“Policy”) sets forth the standards for all Department employees when a records request is received and ensures compliance with all applicable open records laws.

**Applicability**

This Policy supersedes any relevant policy that previously existed. All department heads shall read this policy and complete the Open Records Policy Acknowledgement Form to indicate they have read, understand, and will comply with this Policy.

**Policy**

**Records Custodian**

The Departments of Spencer County Government shall each designate an employee as its Records Custodian. The Records Custodian shall review the Kentucky Open Records Act, 200 KAR 1:020, and “Your Duty Under the Law – The Kentucky Open Records Act and Open Meetings Act,” published by the Office of the Attorney General. The Records Custodian shall ensure compliance with the Kentucky Open Records Act, 200 KAR 1:020, this Policy, and all relevant requests. The Records Custodian shall not participate in the adjudication of an appeal under the Act.

The Department designates the following Records Custodian:

Brittany Veto  
12 W. Main Street  
P.O. Box 397  
Taylorsville, KY 40071  
Email: [openrecords@spencercountyky.gov](mailto:openrecords@spencercountyky.gov)

**Tracking Records Requests**

Employees shall note the date of any request to inspect or otherwise receive records upon receipt, and deliver the request immediately to the Records Custodian. If the Records Custodian is absent on the date of receipt, the request shall be delivered to an alternate records custodian. If an employee is uncertain whether a request qualifies as an Open Records Request, or does not specifically invoke the Open Records Act but appears to request records, the employee shall immediately refer the request to the Records custodian for a preliminary determination.

The Records Custodian shall notify the Spencer County Attorney's Office of all requests made. The Spencer County Attorney shall determine whether the request relates to pending litigation. If so, the Spencer County Attorney's Office shall notify the records custodian handling the request.

The Records Custodian shall maintain a records request log or spreadsheet to organize and track records requests. The Records Custodian shall update the records request spreadsheet with a new request no later than the close of business on the date the request is received by the Records Custodian. The Records Custodian shall assign a specific identification number to the request (e.g. 2023-001).

### Responding to Records Requests

All requests for copies or review of public records in the custody of the Department must be made in writing. A request may be sent electronically to the email address of the Records Custodian. Email requests for records should include a mailing address and electronic signature. Requests may also be mailed to the Department or hand delivered to the address of the Department from 8:00 a.m. to 4:30 p.m., Monday through Friday, each week, except holidays (Attn.: Records Custodian).

The Records Custodian shall provide a response to the records request that is postmarked or electronically transmitted within the number of business days required by law. The Records Custodian shall promptly notify the requesting party if additional time is needed under KRS Chapter 61. When a response is delayed, the notice shall specifically indicate that additional time is required to process the request and explain the circumstances justifying additional processing time.

The Records Custodian shall determine whether the requester has reasonably described records within the possession of the Department. If no such records are identified, the request may be denied on those grounds. However, if it is reasonably believed that another County agency is in possession of the records described in the request, the Records Custodian shall refer the requester to the appropriate records custodian, providing both their name and contact information. If it is determined that the records are within the Department's possession, the Records Custodian shall gather them for processing. Records that are responsive shall be segregated from nonresponsive records (i.e., records that were not requested). The Records Custodian shall then examine responsive records to determine which records, if any, are exempt from disclosure and contact the Spencer County Attorney's Office to discuss and make appropriate redactions.

If the Records Custodian, in consultation with the Spencer County Attorney's Office, determines that the records request should be denied in whole or in part, the Records Custodian shall notify the requester with an explanation for the decision to withhold any responsive records, citing the specific exemption in statute as the basis for withholding. If any part of a request for records is denied, the Records Custodian shall confer with the Spencer County Attorney's Office to ensure accuracy in applying the law.

If the request places an unreasonable burden for producing public records, or if the Records Custodian has reason to believe that repeated requests are intended to disrupt the essential

functions of the Department, the Records Custodian may refuse to produce the records upon conferring with the Spencer County Attorney's Office prior to denying the request.

### Record Production

When responsive records are to be transmitted electronically to the requester, there is no charge to the requester. However, if the responsive material is more than 8 megabytes ("MB"), the documents will automatically be produced via compact disc ("CD") and mailed to the requester. Prior to mailing, the Records Custodian shall provide an invoice to the requester for the production and postage. The CD will be mailed upon receipt of payment.

When responsive records are to be mailed to the requester, the Records Custodian shall first provide an invoice to the requester for the production and postage. Printing costs are \$0.10 per page, and additional fees shall be justified on any invoice. Copies of photographs, maps, and other such records shall be furnished to any person requesting them on payment of a fee equal to the Department's actual cost to produce the copies. Estimated costs shall be communicated to the requester before costs are incurred. After the invoice is paid, the Records Custodian shall produce the responsive records to the requester.

If the requester wishes to personally inspect responsive records at the location where records are maintained, the Records Custodian shall facilitate with the requester the scheduling of a convenient time and place for inspection. The Records Custodian, or an employee of the Department, shall be present and personally monitor the inspection.