



Town of Jones City – City Attorney’s Office

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December 24, 2021

Press Release Re: Open Records Act

The lawsuit filed against the Town of Jones City alleging a violation of the Open Records Act is both without merit and frivolous. The Open Records Act is clear that no deadline is required for the production of records, and as such, a demand for any deadline is invalid. The City is in compliance with the Open Records Act. The written request made to the City, which Mr. Templeton referenced as “Exhibit 1” but conveniently did not attach to his petition, which is available for public review, is both vague and overbroad. Mr. Templeton did not provide any dates related to the records requested and as such we interpret that request to mean all records regardless of date. Not only does the Act allow for the City to deny the request for being vague or overbroad, it allows for a reasonable amount of time to respond to such a request. Since the City retains a significant number of years of records, we do our absolute best to search for all records relevant to the request and to produce them as soon as reasonably practicable.

The fees adopted by the City in July of 2021 regarding open records requests have never been assessed and were adopted pursuant to the Open Records Act. The fees referred to for legal support would only be assessed if legal support is required to complete a request, for example, when confidential records are requested and legal review and support is required to remain compliant with the Act. A City Attorney’s review and authorization of an open records request is not a violation of the Open Records Act and as such we will continue to utilize this process in order to protect the City from any legitimate liability concerns.

Sincerely,

A handwritten signature in blue ink that reads "Garrett Eller". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Garrett Eller