



# STATE OF INDIANA

**MICHAEL R. PENCE, Governor**

**PUBLIC ACCESS COUNSELOR  
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December 22, 2015

Ms. Doria LeMay  
2201 Oakenwald Drive  
Long Beach, Indiana 46360

*Re: Formal Complaint 15-FC-308; Alleged Violation of the Access to Public Records Act by the Town of Long Beach Board of Zoning Appeals*

Dear Ms. LeMay:

This letter is in response to your formal complaint alleging the Town of Long Beach Board of Zoning Appeals ("BZA") violated the Access to Public Records Act ("APRA"), Ind. Code § 5-14-3-1 *et. seq.*

Your complaint dated November 16, 2015, alleges the Town of Long Beach Board of Zoning Appeals violated the Access to Public Records Act by failing to provide the records you requested.

You requested a copy of BZA minutes for a meeting which took place on November 10, 2015. You were informed on November 15, 2015 the minutes would not be available for some time.

Under Ind. Code 5-14-1.5-4(c) meeting memoranda "are to be available within a reasonable period of time after the meeting for the purpose of informing the public of the governing body's proceedings." In this case, you filed your complaint less than a week after the meeting. Therefore, your complaint appears too premature at this time. Further, it appears Ms. McFadden was attempting to give an estimate as to when the minutes would likely be ready rather than denying you access to the minutes. It is my sincere hope you obtain the records you are seeking in a reasonable time. Please do not hesitate to contact me with any question.

Regards,



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A handwritten signature in black ink, appearing to read "LH Britt", is positioned above the printed name.

Luke H. Britt  
Public Access Counselor

Cc: Ms. Julie A. Paulson, Esq.