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OFFICE OF THE PUBLIC ACCESS COUNSELOR FOR 06 2017
FORMAL COMPLAINT
State Form 49407 (R6 / 3-14)

PUBLIC ACCESS COUNSELOR
Indiana Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Telephone: (317) 234-0906
Toll free: (800) 228-6013
Fax: (317) 233-3091

INSTRUCTIONS: This form is to be used only when filing complaints under Indiana Code 5-14-5.
All information provided is disclosable under the Access to Public Record Act. PLEASE TYPE OR PRINT.

PUBLIC ACCESS COUNSELOR

FOR OFFICE USE ONLY

Date received (month, day, year) 2/6/17	Complaint number 17-FC-24	Date due (month, day, year) (3/8/17) (2/27/17) (3/20/17)
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Name (last, first, middle initial) Colin Receveur			
Address (number and street) 819 Mount Tabor Road Suite 8		City New Albany	State IN
Telephone number (502) 741-1413		Fax number (502) 371-0659	E-mail address creceveur@gmail.com

Name of public agency City of New Albany			
Address (number and street) 311 Hauss Square		City New Albany	State IN
Telephone number (812) 948-5333		Fax number (812) 948-5329	E-mail address sgibson@cityofnewalbany.com

Name of elected / appointed official or presiding officer responsible for the denial
Shane Gibson, Vicki Glotzbach, Larry Summers, Scott Wood, Linda Barksdale, Mark Seabrook, Trish Byrd, Don Lopp, Warren Nash

<input type="checkbox"/> Open Door Law Violation	<input checked="" type="checkbox"/> Public Records Access Violation
<input type="checkbox"/> Executive Session	<input checked="" type="checkbox"/> Denial of Access
<input type="checkbox"/> Notice	<input type="checkbox"/> Copy Fee
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Denial of Electronic Access
	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Request for priority status [See Indiana Administrative Code (62 IAC 1-1-3).] (Must include in narrative the reason for priority status.)	

IMPORTANT

Date denied access to public record (month, day, year) 02/02/2017	Date notified of denial of access to meeting (month, day, year)
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Please describe denial of access to meeting or public records below. Attach additional sheets if necessary. (Required)

A request for public records was hand delivered by Colin Receveur to Shane Gibson, city attorney, as well as to the above named individuals on 01/31/2017, requesting public records. I followed up by email to Mr. Gibson on 2/4 and received no response. Over 24 hours has passed and no response has been received, which constitutes a denial of my request.

Under I.C. § 5-14-5-10 I am requesting a 7 day priority response time. Per Public Access Counselor Administrative Rule, 62 IAC 1-1-3, I meet the criteria for requesting priority response because 1) I intend to file an action in court under I.C. § 5-14-1.5-7 if these public records are not produced and 2) my use of the public records requested is for use in proceedings against another public agency.

Ref: http://www.in.gov/pac/files/Guide_to_Filing_a_Formal_Complaint.pdf

PLEASE ATTACH COPIES OF ANY WRITTEN DENIAL OR DOCUMENTATION CONCERNING DENIAL.

Signature 	Date (month, day, year) 02/06/2017
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Colin Receveur
 819 Mount Tabor Road, Suite 8
 New Albany, IN 47150
 502-741-1413

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FEB 07 2017

PUBLIC ACCESS COUNSELOR

Frish Byrd

Public Records Request

Date Requested: January 31st, 2017

Custodians of Records Notified:

Vicki Glotzbach
 City Clerk, City of New Albany
 311 Hauss Square, New Albany, IN 47150

Larry Summers
 City Engineer, City of New Albany
 311 Hauss Square, New Albany, IN 47150

Don Lopp
 Floyd County Planner
 311 Hauss Square, New Albany, IN 47150

Linda Barksdale
 Executive Plan Director for
 Floyd County Planning Commission
 2524 Corydon Pike Suite 203, New Albany IN 47150

Floyd County Assessor
 311 Hauss Square, New Albany, IN 47150

Scott Wood
 Director of Plan Commission
 311 Hauss Square, New Albany, IN 47150

Mark Seabrook
 Floyd County Commissioner, District I
 311 Hauss Square, New Albany, IN 47150

Warren Nash
 President of the Board of Public Works and Safety,
 City of New Albany
 311 Hauss Square, New Albany, IN 47150

Dear Aforementioned Custodians of Records:

Under the **Indiana Access to Public Records Act § 5-14-3-1 et seq.**, I am requesting an opportunity to obtain copies of public records that your respective agency holds pertaining to: All property between and including 809 Mount Tabor Road, New Albany, IN 47150 and 821 Mount Tabor Road, New Albany, IN, 47150 on only the north side of Mount Tabor Road. This includes, but not limited to: 809, 815, 819 & 821 Mount Tabor Road.

1. Details/copies of all appraisals performed since 1970 to the present day
2. Details/copies of property tax assessments and diagrams related to those assessments performed since 1970 to the present day
3. Details/copies of all driveway permits issued or denied since 1970 to the present day
4. Details/copies of all approved and denied road cuts performed since 1970 to the present day
5. Details/copies of all special exceptions and variance permits issued or denied since 1970 to the present day
6. Details/copies of all records pertaining to any Planned Unit Developments since 1970 to the present day

- 7. Details/copies of all building permits issued and denied since 1970 to present day
- 8. Details/copies of all zoning board meeting minutes since 1970 to the present day
- 9. Details of all payment offers made by any governmental agencies from 1970 to the present day

This information is not being sought for commercial purposes. Per Indiana law, I do not need to give any further statement of purpose as to why I am seeking these public records.

Please be aware that I am delivering these requests in person and "If a requestor is physically present in the office of the public agency or makes a request by telephone or requests enhanced access to a document, the public agency must respond to the request within 24 hours after any employee of the agency receives the request."

If access to the records I am requesting will take longer than expected, please contact me with information about when I might expect copies or the ability to inspect the requested records. In addition, please contact me if the cost of copying the records I have requested will exceed \$50.00.

Furthermore, if you deny any or all of this request, please 1) cite each specific statutory exemption you feel justifies the refusal to release the information, 2) the name and title of the specific employee responsible for the denial, and 3) notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,
Colin Receveur
819 Mount Tabor Road, Suite 8
New Albany, IN 47150
502-741-1413

