

**RESOLUTION NUMBER: 032525. 01**

The Montville Township Board of Trustees, Medina County, Ohio met in regular session on March 25, 2025 with the following members present: Trustee Sally Albrecht, Trustee Allen Biehl and, Trustee Jeff Brandon.

Trustee Brandon offered the following resolution and moved the adoption of same which was duly seconded by Trustee Biehl:

**A RESOLUTION TO AMEND  
MONTVILLE TOWNSHIP'S POLICE DEPARTMENT  
OPEN RECORDS MISSION STATEMENT  
OF PRINCIPLES AND POLICY EFFECTIVE APRIL 3, 2025**

**WHEREAS**, House Bill 315 amends Section 149.43 of the Ohio Revised Code ("RC") to allow local law enforcement agencies to charge a requester of a video record the actual cost associated with preparing the video record for inspection or production, in an amount not to exceed seventy-five dollars per hour of video produced from a video record, nor seven hundred fifty dollars total for the video recording; and

**WHEREAS**, the Board of Trustees of Montville Township ("Board") desires to amend its public records policy to authorize the Montville Township Police Department to charge the actual cost associated with reviewing, blurring or obscuring, redacting, uploading, or producing the video records, which can include staff time, and any relevant overhead necessary to comply with the request; and

**WHEREAS**, the effective date of the authorization for local law enforcement agencies to charge actual costs associated with preparing Police Department video recordings for inspection or production is April 3, 2025, and the Board desires to authorize the Montville Police Department to implement actual charges for preparation of such videos as of the effective date of April 3, 2025.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Montville Township hereby amends its Open Records Mission Statement, Principles, and Policy to read as set forth below effective April 3, 2025:

**OPEN RECORDS MISSION STATEMENT**: Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is Montville Township's mission and intent to at all times fully comply with and abide by both the spirit and the letter of Ohio's Open Records Act and Open Meetings Act.

**STATEMENT OF PRINCIPLES**: In order to accomplish the mission of fully complying with both the letter and spirit of the Open Records and Open Meetings Acts, we do hereby adopt the following Statement of Principles by Resolution:

## Montville Township

- Will ensure that all personnel become and remain fully trained in and aware of the provisions of the acts;
- Will do nothing that abridges the public's right to obtain information about their government of that inhibits or discourages citizens from doing so;
- Will do everything possible to aid those who are seeking information, including but not limited to, fully explaining the scope and operation of the acts and assisting citizens in the formulation of requests;
- Will construe the provisions of the acts in a manner that favors compliance with requests for information;
- Will seek guidance from the Medina County Prosecutor's Office, other legal counsel and/or the Office of the Ohio Attorney General whenever a question arises about the application of the acts or about the appropriateness of a request for information;
- Will clearly and concisely state the reason or reasons why a request for information has been denied in writing.

## **OPEN RECORDS POLICY**

It is the policy of this office to adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. The explanation will be provided in writing.

I: This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of Montville Township are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

II: It is the policy of Montville Township that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are updated as needed and available upon request.

III: Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian will contact the requester for clarification and will assist the requester in revising the request by informing the requester of the manner in which the office keeps its records.

IV: The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record.

V: Public records from Montville Township are to be available for inspection during regular business hours posted with the exception of published holidays or inadvertent days when the office is closed. Public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

VI: Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records will be satisfied immediately if feasible to do so. If fewer than 20 pages of copies are requested, they will be made as quickly as the equipment allows. Montville Township reserves the right to make documents available for inspection prior to duplicating.

All requests for public records will either be satisfied or acknowledged in writing by Montville Township in a reasonable amount of time following the office's receipt of the request. If a request is deemed beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement will include the following:

1. An estimated number of business days it will take to satisfy the request.
2. An estimated cost if copies are requested.
3. Any items within the request that may be exempt from disclosure.

In the case of requests for a Police Department video recording, the Montville Township Police Department is hereby authorized to charge the actual cost to review, blur or obscure, redact, upload, or produce the video record, including but not limited to staff time, storage medium on which the record is produced, and any relevant overhead necessary to comply with the request, not to exceed seventy-five dollars per hour of video produced from a video record, nor seven hundred fifty dollars total for each video record. When the Montville Township Police Department receives a public records request for a Police Department video recording, the Police Department shall do the following:

1. Within five business days of the receipt of the request provide the requester with an acknowledgement of the request, and include in the acknowledgement the following:
  - a. An estimate of the actual cost the Police Department expects to incur in reviewing, blurring or obscuring, redacting, uploading, or producing the video record for viewing or production.
  - b. Notice that the Police Department shall not begin the process of reviewing and preparing the video recording for review or production until the estimated cost is paid to the Township.
  - c. In those cases where the estimated cost is below the hourly or aggregate limit, advise the requester that the Police Department may charge the requester actual costs up to an additional twenty percent higher than the original estimate of cost, though within the hourly and aggregate limits.
2. The Police Department shall not begin the process of preparing the requested video until the estimated cost has been deposited.
3. Upon the requester paying said deposit, the Police Department shall promptly begin the process of preparing the video record for viewing or production.
4. If, upon final preparation of a video recording the Police Department finds that its cost have exceeded the estimated actual costs, and the Police Department notified the requester of the possibility of additional charges, the Police Department may charge actual costs up to twenty percent more than the original estimate, though within the hourly and aggregate limits
5. The Police Department is authorized to exercise its discretion to waive the costs for requests for Police Department video recordings when requested by a victim of a crime associated with the requested recording.

VII: Any denial of public records requested will include an explanation. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation.

VIII: Those seeking public records must pay the fee for said records prior to receipt/delivery, and in the case of a Police Department video recording, the estimate of actual costs of preparing the recording for viewing or production shall be deposited with the Police Department before the Department begins to prepare the recording for viewing or release. The requestor will be charged only the actual cost of making copies and the supplies and/or the Montville Township's Cost Schedule for Public Records as follows:

1. The first twenty-five paper copies of any request are at no charge; Color - \$.10 per page.
2. The charge for twenty-six or more copies for black and white \$.05 per page and color is \$.10 per page
3. The charge for USB Flash Drive is \$5.00 plus postage (if available)
4. Documents requested to be mailed will be charged the actual cost of the postage and mailing supplies.
5. Any third party or contractor fees, costs and or charges that are incurred, will be charged to the requestor.
6. In the case of a Police Department video recording, the requester shall be required to pay in advance the estimated cost of preparing the recording for viewing or release, in accordance with the costs set forth in RC Section 149.43 and in section VI of this policy (above).

IX: Documents in electronic mail format are records as defined by the Ohio Revised code when their content relates to the business of the office. The key issue of electronic mail format is content. If an e-mail or other electronic communication involves the business of a public office, it is a record of that office.

X: Montville Township recognizes the legal and non-legal consequences of failure to properly respond to a public records request.

Upon roll call, the vote was as follows:

Trustee Sally Albrecht,  Aye \_\_\_ Nay  
Trustee Allen Biehl,  Aye \_\_\_ Nay  
Trustee Jeff Brandon,  Aye \_\_\_ Nay

Adopted: March 25, 2025  
Resolution No. 032525. 01

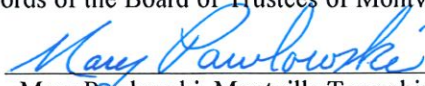
  
\_\_\_\_\_  
Trustee Sally Albrecht

  
\_\_\_\_\_  
Trustee Allen Biehl

  
\_\_\_\_\_  
Trustee Jeff Brandon

#### CERTIFICATE OF THE FISCAL OFFICER

I, Mary Pawlowski, Fiscal Officer of Montville Township, Medina County, Ohio, do hereby certify that the foregoing is a true and correct copy of the original resolution now on file in the records of the Board of Trustees of Montville Township, Medina County, Ohio.

  
\_\_\_\_\_  
Mary Pawlowski, Montville Township Fiscal Officer  
Certified this 25th of March, 2025