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25-ORD-225

August 22, 2025

In re: Brandi Lanham/Webster County Fiscal Court

Summary: The Webster County Fiscal Court (“the Fiscal Court”) violated the Open Records Act (“the Act”) when it failed to respond to a request for records within five business days.

Open Records Decision

On July 17, 2025, Brandi Lanham (“the Appellant”) submitted a request to the Fiscal Court for an “updated employee salary list” for fiscal years 2023–24, 2024–25, and 2025–26. Having received no response to her request by July 25, 2025, the Appellant initiated this appeal.

Under KRS 61.880(1), a public agency must respond to a request for public records within five business days after receiving it. On appeal, the Fiscal Court does not deny that it failed to respond to the Appellant’s request in a timely manner. Thus, the Fiscal Court violated the Act.¹

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Pursuant to KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

¹ After this appeal was initiated, the Fiscal Court responded to the Appellant by providing copies of what it identified as the requested records. The Appellant disputes whether the documents provided are “the updated list” because she “think[s] that there are several employees and salaries that are not on the list.” However, the Attorney General “is not an arbiter of the veracity of public records,” 09-ORD-144, and “[d]isclosure of public records under [the] Act does not constitute a guaranty of the accuracy of all information contained therein,” 97-ORD-183. Therefore, “questions relating to the verifiability, authenticity, or validity of records disclosed under the [Act] are not capable of resolution” under the Act. 04-ORD-216 n.1.

Russell Coleman
Attorney General

/s/ James M. Herrick
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Distributed to:

Ms. Brandi Lanham
Hon. Stephen R. Henry
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