Rights & Responsibilities: The
Rights of Requesters and the Responsibility
lities
of
York
County,
Virginia
under
the
Virginia Freedom of Information Act
FOIA located § 2.2 - 3700 et seq. of th
Code of Virginia, guarantees citizens
of the Commonwealth and representatives
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writing
or
recording
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regardless
of
whether it is a paper record, an elected
ronic file, an audio or video recording.
or
owned
by,
or
in
the
possession
of
a
public body or its officers, employees
r
agents
in
the
transaction
of
public
but
siness.

All public records are presumed

to be open, and may only be with held if
a specific, statutory exemption applies.
activities.

In furthering this policy,
OIA
requires that the law be interpreted
liberally,

in favor of access,

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unty,
you
may
direct
your
request
Officer

wheel
g@yorkcounty.gov

or

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Fax: (757) 890-3300

In addition
vissory

Council
is available to answer
er

any

questions

you

may

have

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- 3
You have the right to
Your FOIA Rights

• You have the right to
request to inspect or receive copies of
public records, or both.

- You have the rig
equested

records

estimated

in

advance
If you believe that your FOIA rights have...
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Making

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Req
ail,
in
person,
or
over
the
phone.
FOIA
does not require that your request be in
writing,
nor
do
you
need
to
specificall
you state that you are requesting records
,

it

may

be

helpful
to

both

you

and

the
request in writing.

This allows you to
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est.

However,

we
cannot
refuse
to
respond.
to your FOIA request if you elect to notification
• Your request must be put in writing.
Identify the records you are seeking with
This is a reasonable specificity.

This is a common
It doesn't refer to standard sense.

m m on - s e n s e
s t a n d a r d.
It does not refer to
ds
that
you
are
requesting;
instead,
requires that you be specific enough so
that we can identify and locate the region.
Your request.
COPY RECORDS - IT DOES NOT APPLY TO A SIT
tions about the work of York County, nor
does it require York County to create a
record

that
does
not
eexist.

- You
  may
  choose
for
mat
used
by
York
County
in
the
regul
- For example, if you...
requesting records maintained in
an Excel database,
/mail
or
on
a
computer
disk,
or
to
receive
• If we

were

printed
copy
of
t hose
records

• I f w e
Have questions about your request, please.
ecoperate
with
staff,
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efforts
to
clar
Making a FOIA request is not an easy task.
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o
discuss your request with you to ensure
seeking.

Additional

York County

FOIA
To request records from the York-Poquoson Sheriff’s Office, you may direct your request to:

Lt. Dennis W. Ivey, Jr.
York-Poquoson Sheriff’s Office

Street address: 301 Goodwin Neck Road
Yorktown VA 23692

Mailing address: P.O. Box 99
Yorktown VA 23690

Phone: 757 890-3665
Fax: 757 890-3649

E-mail: dennis.ivey.
To request records

eye@yorkcounty.gov
From the York County Treasurer's Office,
Dear Deborah,

You may direct your request to:

Best regards,

[Signature]
B.

Robinson.

Treasurer York County

Treasurer
Office
Street
Address:
120 Alexander
er

Hamilton Blvd.

Yorktown,

VA

23690
Mailing address:
P.O. Box 251 Yorktown, Va.
90-3439 Email:

treas@yorkcounty.gov

To
request records from the York-Poquo son
our request to:

Kristen N.

Nelson, Clerk
1Landard
Street
Yorktown,
VA
23690
Mailin
address:

P.O. Box

371 Yorktown, VA 236
Email:
kneelson@courts.va.us
To request records from the York County

York County
you may direct your request to:

Wendy Kurn
Office
Street
Address:
120
Alexander
Hall
g
address:
P.O.
Box
190
Yorktown,
VA
2
to your request within five working days
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is
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The five-day period does not include...
weeks or holidays.

- The reason behind
You're using tools from Yomega for your radio control planes.
County is irrelevant, and you do not
re
you
to
provide
your
name
and
legal
add
dresses.

- FOIA requires that York County
  makes
Keep one of the following responses to you
request
within the five-day period
1) We provide you with the records that...
you have requested in their entirety.

2) We
withheld all of the records that you have
ve requested, because all of the records
are subject to a specific statutory ex
If all of the records are being monitored.
writing.

That writing must identify the
volume
and
subject
matter
of
the
record
section of the Code of Virginia that all
lows
us
to
with hold the records.

3) We prove
ide some of the records that you have
quested,
but
withhold
other
records.
We
can not
with hold
an entire record if only
a portion of it is subject to an exempt
In that instance, we may redact the information.
portion of the record that may be with him
eld,

and

must

provide

you

with

the

remain
nder
of
the
record.
We
must
provide
you
with a written response stating the specifications.
specific section of the Code of Virginia that
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allows
portions of the requested record
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to
be
withheld.
4) We inform you in writing.
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5) If it is practical...
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to your request within the five-day period
odd,
we must state this in writing, explained.
in the conditions that make the response
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This
will
allow
us
seven.
additional
working
days
to
respond
to
In days to respond to your request.

• If
you make a request for a very large number
ber
of
records,
and
we
feel
that
we

cann
working
days
without
disrupting
our
other
to respond to your request.

However,

FO
or we go to court to ask for more time.
exchange not to exceed its actual cost
associated with creating or maintaining
freed by a public body shall not
exceed the actual cost of duplication.
records
shall be estimated
in advance
at
the
request
of
the
citizen
as
set
for
in subsection F

\$2.2 - 3704

of the
Code of Virginia.

You may have to pay for...
request for your records that you request from York
County.

FOIA allows us to charge forth
actual costs of responding to FOIA requests
uses.

This would include items like

sta
records, copying costs, or any other c
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equested records.

It cannot include gene
r al o ve r he a d c o s t s.

- If we e st im ate t h at
it will cost more than $2000 to respond.
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ur request.
The five days that we have
o
responder
to
your
request
does
not
include
between when we ask for a deed

deed
the time between when we ask for a deed
position and when you respond.

- You may request.
This will allow you to know the passwords with which you can enter the system.
ow about any costs upfront, or give you
the opportunity to modify your request
n a n a t m p t o w h e r t i m a d c o t
s.

• If you owe us money from a previous F
more than 30 days,
York County may require
ire
paym
ent
of
the
past
due
bill
before
Types of records

The following is a
general
description
of
types
of
record
concerning employees and officials of
York County has entered into

• Financial
documents,
etc.

• Correspondence (letter...
If your unsure, make a reminder, and emails)
Where is Your Company Headed (s)?
use
seek,
please contact
Gail
Whittaker,
i.t.t.g.l. @
Y.o.r.k.c.o.u.n.t.y.
g.o.y.
P.
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B.o.x
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Y.o.r.k
Virginia allows any public body to with
subject to the following exemptions:
• Personnel records Va. Code § 2.2-3705.1 (1)

• Records subject to attorney-client privilege Va. Code § 2.2-3705.1 (2) or attorney work product Va. Code § 2.2-3705.1 (3)

• Vendor proprietary information Va. Code § 2.2-3705.1 (6)

• Records relating to the negotiation and award of a contract, prior to a contract being awarded Va. Code § 2.2-3705.1 (12)

• Working papers and correspondence of the County Administrator, Va. Code § 2.2-3705.7 (2)

• The general policy of York County is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of York County.

• The general policy of York County is to invoke the contract negotiations exemption whenever it applies in order to protect York County’s bargaining position and negotiating strategy.

• The general policy of York County is to invoke the attorney-client privilege and work product exemptions whenever they apply, to protect the confidentiality of legal advice and to preserve York County’s litigation strategy.

• The general policy of York County is for County officials to exercise their discretion in a reasonable manner when an exemption applies, weighing the public interest in inspecting the record, and the public interest in maintaining the confidentiality of the record.
• The general policy of York County is to release any records when the reason or legal basis for withholding it no longer applies.