

A RESOLUTION ADOPTING A PUBLIC RECORDS REQUEST POLICY AND FEE SCHEDULE

RESOLUTION NO. _____

WHEREAS, the Molalla Aquatic District (“District”) is an Oregon special district which is subject to Oregon’s public records laws, Oregon Revised Statutes (“ORS”) Chapter 192; and

WHEREAS, ORS 192.420(I) provides that “Every person has a right to inspect any public record of a public body in the state, except as otherwise expressly provided by ORS 192.501 to 192.505; and

WHEREAS, it is appropriate for the District to adopt a policy and establish fees for public record requests;

NOW, THEREFORE, be it resolved by the Molalla Aquatic District Board of Directors, as follows:

Section 1. Policy Adoption. The Board of Directors hereby adopts the public record request policy and fee schedule as attached.

Section 2. Effective Date. This resolution shall become effective on the 25th day of July 2017.

PASSED AND ADOPTED BY THE Molalla Aquatic District Board of Directors on July 25, 2017.

Paula Beck, District President

ATTEST:

Marilyn Bloch, District Secretary

Molalla Aquatic District
Public Records Policy

Public record includes any writing containing information relating to the conduct of the district's business. Writing means handwriting, typewriting, printing, photographing, and every means of recording, including letters, words, pictures, sounds or symbols or combination thereof, and papers, maps, files, facsimiles, electronic recordings and email, including deleted email on backup. Public record does not include messages on voice mail or on other telephone message storage and retrieval systems.

Board meetings and records will be matters of public information subject to such restrictions set by federal law or regulation, by state statute or by pertinent court rulings.

The Board's official minutes, its written policies and its financial records will be made available in a timely manner upon request. All such information will be made available to individuals with disabilities in any appropriate format upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio, recordings, readers, assistance in locating materials or other equally effective accommodations.

No records will be released for inspection by the public or any unauthorized persons if such disclosure would be contrary to the public interest as described in state law.

If a copy of a record is requested, the district will provide a copy. If a request to inspect a record is made and the public record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If not available in the form requested, it will be provided in the form the public record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under ORS 30.275 (5)(a) asks to inspect or to receive a copy of a public record that the person relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of the district records and at the same time to the district's attorney.

Employee and volunteer addresses, electronic addresses, social security numbers, dates of birth and telephone numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to ORS 192.445 and ORS 192.502 (3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. Confidential records and working papers are exempt from public disclosure. Additionally, the district will not disclose an identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on a badge of card shall not be disclosed.

Upon receipt of a request, the district will respond in a timely manner and without unreasonable delay. The response must acknowledge the receipt of the request and one of the following:

1. A statement that the district does not possess or is not the custodian of the public record.
2. Copies of all requested public records for which the district does not claim an exemption from disclosure under ORS 192.410 to 192.505.
3. A statement that the district is the custodian of at least some of the requested public records, an estimate of the time the district requires before the public records may be inspected or copies of the records will be provided, and an estimate of the fees that the requestor must pay as a condition of receiving the public records.
4. A statement that the district is the custodian of at least some of the requested public records and that an estimate of the time and the fees for disclosure of the public records will be provided by the district within a timely manner.
5. A statement that the district is uncertain whether the district possesses the public record and that the district will search for the record and make an appropriate response in a timely manner.
6. A statement that state or federal law prohibits the district from acknowledging whether the record exists or acknowledging whether the record exists would result in the loss of federal benefits or other sanction. A statement under this paragraph must include a citation to the state or federal law relied upon by the district.

The board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making copies of public records for the public. There will be no additional charge for the auxiliary aids and service provided for qualified persons with disabilities.

Requests for copies of documents shall be in writing and will be presented to the Aquatic Director.

Public Records Fee Schedule

Type of Fee	Formula
Copies	\$0.25 per page (8 1/2" x 11") \$0.50 per page (11" x 17") Oversized documents (larger than 11" x 17") = \$5.00 per page
Color Copies and Prints	\$2.00 per page
Research	Salary plus benefits of minimum staff required, converted to hourly rate. Full cost of Attorney review, if required
Audio Tape	\$10.00 each
Maps	Actual Printing Cost
Photos	Photo printing cost plus staff time
CD's	\$5.00 per CD plus postage, if mailed
Postage	Actual Cost
Shipping	Actual Cost
Certified Copy	\$5.00 plus actual copying costs
Other Copies/Department Publications	Actual copying/printing costs, plus research costs