

SANTIAM WATER CONTROL DISTRICT PUBLIC RECORDS REQUEST POLICY

Purpose - The District shall fully comply with the Oregon Public Records Law, ORS 192.410 to 192.505

Definitions - For purposes of this Policy, the following definitions apply:

"Board" means the Board of Directors of the District.

"District" means Santiam Water Control District.

"Public record" has the meaning provided in ORS 192.410, as amended from time to time.

"Public Records Law" means ORS 192.410 to 192.505.

"Secretary" means the executive secretary for the District.

"Writing" has the meaning provided in ORS 192.410, as amended from time to time.

Procedures for Submitting Public Records Requests - A request for public records that are in the custody of the District must be made by submitting a written request to:

Santiam Water Control District
284 East Water Street
Stayton, Oregon 97383

The request must include:

The name and address of the person requesting the public record(s);

A telephone number, email address, or other contact information for the person requesting the public record(s)

A sufficiently detailed description of the public record(s) requested, furnishing the dates, subject matter and such other detail as may be necessary to allow the District to search for and identify responsive records;

The date of the request; and

The original signature of the person requesting the public record(s).

Calculation of Fees - The District calculates fees for responding to public records requests in the following manner:

\$0.25 per page for letter-sized and legal-sized, black and white photocopies (nonstandard sizes and color copies will be billed at actual cost to the District);

\$5.00 for each true copy certification;

\$5.00 for each electric storage device (e.g., disk, compact disk, USB drive, or similar device) used to deliver the public record(s);

\$25.00 for each sound recording (if available);

Labor charges that require District personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying including researching, locating, compiling, editing, or otherwise processing information and records will be billed at \$65.00 per hour, billed in ¼ hour increments with a \$30.00 minimum charge;

The actual cost for delivery of records such as postage and courier fees; and

Actual attorney fees charged to the District for the cost of time spent by an attorney in reviewing the public records, redacting material from the public records, or segregating the public records into exempt and nonexempt records.

The District will not charge a fee greater than \$25.00 unless the District first provides the requestor with a written notification of the estimated amount of the fee and the requestor confirms that the requestor wants the District to proceed with making the public record available.

The District may require prepayment of estimated fees before taking further action on a request.

The District may furnish copies without charge or at a substantially reduced fee if the Board determines, in its sole discretion, that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public.

Format of Documents - If the public record is maintained in an electronic format, the Secretary will provide a copy of the public record in the format requested, if available. If the public record is not available in the format requested, the Secretary will make the public record available in the format in which the custodian maintains the public record.

Procedures for Responding to Public Records Requests

Scope of Obligation:

Applicable Laws - The District will disclose only those nonexempt public records (or portions thereof) required to be disclosed under applicable laws, including ORS 192.410 to 192.505

Interpretation - The District will interpret its obligation to disclose public records consistently with the Oregon Department of Justice's Attorney General's Public Records

and Meetings Manual (available at http://www.doj.state.or.us/pdf/public_records_and_meetings_manual.pdf), as amended from time to time.

Creation of Public Records - The Public Records Law does not require the District to create public records. In responding to a public records request, the District will disclose only those nonexempt public records that existed on the date the District received the request.

Continuing Requests - The Public Records Law does not require the District to disclose documents on a continuing basis in response to a single public records request. Persons requesting disclosure of public records on a continuing basis must make successive requests for such records.

Timing of Initial Response - Upon receipt of a public records request, the Secretary will provide an initial response as soon as practicable and without unreasonable delay. The District anticipates that, in the normal course, the Secretary will provide the initial response within 10 days after receipt of the public records request. The initial response will acknowledge receipt of the request and will include one of the following:

A statement that the District does not possess, or is not the custodian of, the public record;

Copies of all requested public records for which the District does not claim an exemption from disclosure under ORS 192.410 to 192.505;

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 requester must pay as a condition of receiving the public records;

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 fees for disclosure of the public records will be provided by the District within a reasonable time;

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 as soon as practicable; or

A statement that state or federal law prohibits the District from acknowledging whether the record exists or that 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).


Additional Information - The Secretary may request additional information or clarification from the requester for the purpose of facilitating the District's response to the request.

Authorization Required for Removal of Original Records - At no time shall an original record of the District be removed from the District's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or Secretary of the District.

On-Site Review of Original Records - If a request to review original records is made, the District shall permit such a review provided that search fees are paid in advance in accordance with the fees stated above. A representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

Unauthorized Alteration, Removal, or Destruction of Records - If any person attempts to alter, remove or destroy any District record, the District representative shall immediately terminate such person's review, and notify the attorney for the District.

ADOPTED BY BOARD OF DIRECTORS THIS 10th DAY OF October 2016.



President, Board of Directors

ATTEST:



Secretary, Board of Directors