



RESOLUTION 2015-5

A RESOLUTION ESTABLISHING PROCEDURES AND FEES FOR PUBLIC RECORD REQUESTS.

This matter came before the Board of Commissioners of the Rivergrove Water District at its regular meeting to consider adopting new policies and fees for public record request pursuant to ORS Chapter 192.

WHEREAS, every person has a right to inspect any public record of a public body in this state, except as otherwise expressly provided by ORS 192.501 to 192.505 and,


WHEREAS, the Board of Commissioners considers the fees and charges of this resolution outlined in Appendix A, attached hereto, to represent the fees reasonably calculated to reimburse the District for the actual costs of making public records available and,

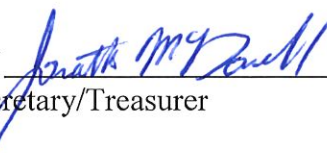
WHEREAS, the Board of Commissioners has established fees and charges for services, including Data and Records;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVERGROVE WATER DISTRICT AS FOLLOWS:

1. The public records disclosure policy and the published schedule of fees and charges are outlined in Appendix A attached hereto.
2. This resolution is effective as of 12:01 AM September 29th, 2015.

This Resolution moved by Commissioner McDowell. Seconded by Commissioner Patterson.
Ayes: Commissioners DeVries, Patterson, Roth, and McDowell Nays: None

BY 
Chair

Attest BY 
Secretary/Treasurer

APPENDIX A

DISCLOSURE OF RECORDS

General: All requests for disclosure of public records shall be handled in accordance with ORS 192.410-192.505. These statutes require disclosure of public records upon request and at a reasonable time and place.

Definition: "Public Records" are defined as "a document, book, paper, photograph, file, sound recording, machine readable electronic record or other material, such as court files, mortgage and deed records, regardless of physical form or characteristics, made, received, filed, or recorded in pursuance of law or in connection with the transaction of public business, whether or not confidential or restricted in use." "Public Records" include correspondence, public records made by photocopying and public writings." (ORS 192.005(5)).

Procedure:

1. Requests for disclosure of public records must be made in writing on the Rivergrove Water Public Information Request form and submitted to the District's Custodian of Records (Manager) or designee.
2. The request must specify the records and time period sought.
3. Upon receipt of the request, the Custodian will review it to determine whether the requested records are statutorily exempt from disclosure. The Custodian may need to inquire as to the propriety of the request with legal counsel.
4. Copies of the records will be made available for a fee as set forth on the attached schedule, and as modified from time to time. Payment shall be in the form of cash or check made payable to the Rivergrove Water District.
5. The District shall permit inspection and examination of its non-exempt public records during regular business hours in the District's offices, or such other locations as the District Manager may reasonably designate from time to time. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.440(2).
6. 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 Commissioners or Manager of the District.
7. 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 Records Fee schedule.
8. 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.

9. 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 District's legal counsel.

Questions about the intent or interpretation of this policy shall be referred to the Custodian of Records or District Counsel.

RECORDS FEE SCHEDULE

In order to recover its costs for responding to public records requests, the following fee schedule is adopted by the District:

- Copies of Public Records; Certified Copies: Copies of public records shall be \$.25 cents per copy for standard, letter size copies.
- Copies of Sound Recordings*: Copies of sound recordings of meetings shall be \$10.00 per copy. *Requester must provide new recording media.
- Copies of Maps and Other Nonstandard Documents: Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the District. A request for a copy of the district map is \$10.00.
- Research Fees: If a request for records requires District personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the minimum fee shall be \$5.00 per 15 min/request.
- The District shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.
- Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the District's normal operation, the District may impose such additional charges as are necessary to reimburse the District for its actual costs of producing the records.
- Reduced Fee or Free Copies: Whenever it determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the Board or District Manager may so authorize. ORS 192.440(4).