

**Policy: Data Requests**

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Date: May 16, 2016, April 19, 2021

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**PURPOSE AND DEFINITIONS**

Becker Township recognizes that data requests are a natural part of a democratic society. This policy also takes into consideration the particular circumstances of the Town of Becker, which include, but are not limited to, the following:

- a limited budget set by the town electors at the annual town meeting;
- only one regular town board meeting a month;
- Town does not maintain full time office hours;
- The Board is not bound by the requirements of the Minnesota Data Practices Act and nothing herein is intended to adopt, or shall be interpreted as adopting, the restrictions or requirements of the data practices act. Without limiting the forgoing, to the extent the Board is aware it has information that would be classified by the data practices act as something other than public data, it will take reasonable steps to limit its release.

**Access to Information.** It is the intent of the Board to provide reasonable means of access to public information held by the Town. Information in the possession of the Town shall be considered public unless it is determined to be non-public. Access to information determined by the Board to be non-public shall be limited to Town officers and those who have a right to access the information by law.

**Amending the Policy.** The Board may amend this policy by resolution.

**Designated Responsible Authority.** Becker Township's Designated Responsible Authority (RA) is the Town Clerk. All data requests are to be made to the RA.

**POLICY**

**Access to Information.** Anyone may request, either verbally or in writing, to inspect or to receive photocopies of public information held by the Town. Those wishing to inspect public records should contact the RA to make arrangements to view the information either during posted office hours or by appointment. Those wishing to obtain photocopies of public documents shall complete an Information Request Form (Appendix B) detailing the information requested. This action will also establish knowledge of anticipated fees in advance.

- **Audio or Video Taping.** Those attending meetings may use sound or video recording devices provided their use does not interfere or disrupt the meeting and does not violate the constitutional rights of others.
- **Written Materials.** Citizens may submit written comments or materials to the Board before or at a meeting and may ask that they be added to the record. The Board shall determine if the information shall be entered into the record.

**Fees for Data Requests.** The following fees shall be charged persons requesting public information from the Town. All amounts in excess of \$15.00 must be paid in full before receiving the information:

- (1) **Labor:** The time spent by those acting on behalf of the Town to satisfy the request for photocopies, including the time to search for, compile, and photocopy the information, shall be charged at the current rate published in the Town fee schedule for every period of time exceeding  $\frac{1}{4}$  of an hour (15 minutes).
- (2) **Photocopying:** The fee for photocopying shall be charged at the rate published in the current Town fee schedule.
- (3) **Mailing:** The fee for mailing photocopies shall be the postal rates in effect at the time together with the actual cost of envelopes or other packaging materials.
- (4) **Other Costs:** Any other actual costs the Town incurs to provide the photocopies shall be charged to the person making the request including, but not limited to, mileage, office supplies or other items that need to be used to satisfy the request.
- (5) **Other mediums:** Other data transfer media, such as flash drives, cassette tape recording, cd-r, dvd, or other media types not specifically mentioned here may also be available. These alternative data media types will be at the cost of the data media at that time. The Township does not allow individuals to bring in their own electronic media for transfer unless specifically listed below. Media types individuals may bring in for use include:
  - a. Cassette tapes with their own player
  - b. Cameras to take photographs, not to be attached to any Township property
  - c. Paper to write down data viewed
  - d. Video recording equipment, not to be attached to any Township property
  - e. Other equipment such as ipad or tablet that can be used for audio/video recording. Such equipment use shall not be used in such a manner as to impede the sight lines or ability to hear of any meeting attendees
- (6) **Electronic Copies:** Routine information such as minutes and policies can often be provided with no additional fees. If there will be fees incurred with your request, you will be notified of them prior to filling your request.

(7) **Prepayment of Fees.** If the total estimated amount of the fees to satisfy a request exceeds \$15, the person requesting the data must pay the total estimated amount of the fees to the Town before the RA will undertake to provide the data. If the actual fees incurred to provide the data is less than the estimated fee amount, the Town shall reimburse the difference at the time of providing the data. If the actual fees incurred to provide the data is more than the estimated fee amount, the person making the request must pay the Town the difference before receiving the data. Currently, the Township only accepts cash or checks.

**Severability.** If any part or portion of this policy is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the policy.

## **TIMING**

Official Becker Township Board meeting minutes are available on this website **after approval**. Minutes are approved at the meeting following when they were taken and then uploaded to our website at [www.beckertownship.org](http://www.beckertownship.org). Sometimes there is a lag between meeting approval and upload. Feel free to email the clerk to obtain a copy of approved minutes if this is the case.

## **FINANCIAL DATA REQUEST**

If you wish to obtain financial data, please contact the RA. Current period financial documents are available at the monthly Town Board meeting. Other than the Annual Meeting Packet, financial data is not published online. Copies of the most recent audit report are also available upon request.

## **METHODS OF DATA REQUEST:**

Public information not currently available on the website is available by request. Methods of data request:

**Email:** If emailed data is adequate, please email requests to [clerk@beckertownship.org](mailto:clerk@beckertownship.org). Information requested in email format needs to be requested **by the same** email address where the data is to be sent. This step is an important verification so we know the email we use is correct. Phoned or mailed in requests for emailed information will be directed to email the clerk in order to be fulfilled.

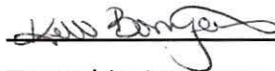
**On-site:** Come to the township hall during office hours to request data. All public information is available for viewing during township hours, however, it is preferred that you provide prior notice for any data that is more than one year old to allow the clerk time to obtain the data. You will be told prior to research if there will be fees involved.

**Phone:**

Single page requests are sometimes available with this method. It is not the preferred method for data requests and will not be allowed for data requests that involve fees or more than a single sheet of paper that will be picked up on site. Individuals can call to ask about data available and arrange for copies. Town Hall hours can be obtained by contacting the Town Clerk or viewing the Office Hours Page of the Township website located at [www.beckertownship.org](http://www.beckertownship.org).

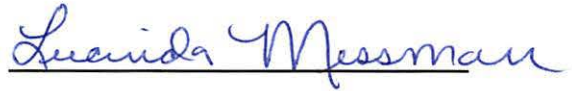
Prepared by: Lucinda Messman

Reviewed by:



Township Attorney

Kelli Bourgeois, Esq.



Becker Township Clerk


Lucinda Messman

Approved this 19<sup>th</sup> day of April, 2021.

**Becker Town Board**



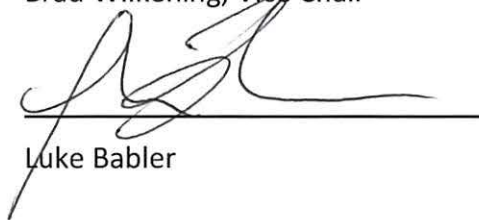
Brian Kolbinger, Chair




Brad Wilkening, Vice Chair



Joe Danielson

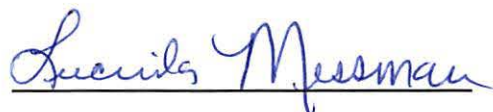


Luke Babler



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**ATTEST**



Lucinda Messman, Clerk