

Guide for Members of the Public Requesting Information

FILLMORE COUNTY

This document is required by Minnesota Statutes, section 13.03, subdivision 2(b).

Right to Access Public Data

The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, CD-ROMs, photographs, etc.

The Data Practices Act also provides that Fillmore County must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

To look at data or request copies of data that Fillmore County keeps, make a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts document on page 4. You may make your written request for data by mail, fax or email using the data request form on page 6.

If you choose not to use the data request form, your written request should include:

- a statement that you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
- whether you would like to look at the data, get copies of the data, or both; and
- a clear description of the data you would like to inspect or have copied.

Fillmore County cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How We Respond to a Data Request

Upon receiving your written request, we will work to process it.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you in writing as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page 5. We also will arrange for you to pre-pay for the copies.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, the Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. Fillmore County will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page 6. We will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Data Practices Contacts

Fillmore County

Responsible Authority

Karen Brown
101 Fillmore Street
Fillmore County Courthouse
Preston, MN 55965
Phone: 507-765-4566
Fax: 507-765-2803
kbrown@co.fillmore.mn.us

Data Practices Designee(s)

Karen Brown
101 Fillmore Street
Fillmore County Courthouse
Preston, MN 55965
Phone: 507-765-4566
Fax: 507-765-2803
kbrown@co.fillmore.mn.us

Data Practices Compliance Official

Brett Corson, County Attorney
101 Fillmore Street
Fillmore County Courthouse
Preston, MN 55965
Phone: 507-765-2530
Fax: 507-765-4543
bcorson@co.fillmore.mn.us

Copy Costs – Members of the Public

Fillmore County

Fillmore County charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). The fee schedule in the Fillmore County Recorder’s office is subject to Minnesota Statutes 357.182 and subsequent amendments or renumbering and may differ from other Fillmore County fees..

You must pay for the copies before we will give them to you.

Most Other Types of Copies – Actual Cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

FEE SCHEDULE – SUBJECT TO CHANGE

5/13/2010

To calculate charges enter data in red/white boxes below:

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Copies: Fee Calculation Method I

COPIES

Must be: black & white, letter or legal size and less than 100 copies

		CALCULATION		
	Fee	Per	#	Cost
\$0.25	single sided			\$0.00
\$0.50	double sided			\$0.00

Copies: Fee Calculation Method II

100+ SHEETS, COLOR COPIES, ETC...; or if Data requester is also the data subject:

	Fee	Per	#	Cost
Lowest yearly salary in dept =				
Staff time required (in minutes) =	0	minute(s)		\$0.00
Number of sheets of paper =	0.02	sheet		\$0.00
Number of <u>sides</u> black & white =	0.01	sheet		\$0.00
Number of <u>sides</u> colored =	0.08	sheet		\$0.00
Number of copies stapled =	0.01	staple		\$0.00
Sending Fax - local	0.001	minute(s)		\$0.00

Sending Fax - long distance	<i>Cost per min.</i>	0.01	minute(s)	<input type="text"/>	\$0.00
Postage =	<i>Actual Cost</i>	0.44	stamp	<input type="text"/>	\$0.00
Envelope =	<i>Actual Cost</i>	<input type="text"/>	envelope	<input type="text"/>	\$0.00
TOTAL:					\$0.00
Other Fees		Fee	Per		#
FAX - only if we provide the paper		\$0.25	page	<input type="text"/>	\$0.00
LAMINATION		\$0.50	page	<input type="text"/>	\$0.00

Data Request Form – Members of the Public

Fillmore County

Date of request: _____

I am requesting access to data in the following way:

Note: inspection is free but Fillmore County will charge members of the public in accordance with copy costs – members of public (previous page). These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

Inspection

Copies

Both inspection and copies

These are the data I am requesting:

Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Name: _____

Address: _____

Phone number: _____ Email address: _____

You do not have to provide any of the above contact information. However, if you want us to mail you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

Fillmore County will respond to your request as soon as reasonably possible.