

MCEDD Public Records Request Procedure

Availability of Public Records

Public records are available for inspection at MCEDD between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday, excluding legal holidays. There is no obligation to allow inspection immediately upon a demand. A person seeking to inspect public records may be requested to schedule an appointment for inspection.

No member of the public may remove a document from a MCEDD viewing area or disassemble or alter any document. Original public records shall not be released to the public for any purpose.

Making a Public Records Request

Any person wishing to inspect or copy public records that are in the custody of MCEDD should make the request in writing and submit the request to:

Finance and Operations Manager
Mid-Columbia Economic Development District
802 Chenoweth Loop Road
The Dalles, OR 97058
Fax: 541-296-3283

The request may be submitted in writing by person, by mail, or by fax. The request must:

- Include name and address of the person requesting the public record;
- Include telephone number or other contact information for the person requesting the public record; and
- Include a sufficiently detailed description of the record(s) requested to allow MCEDD to search for and identify responsive records.

The request should:

- Be dated
- Be signed by the person requesting the public record.

A requestor must request an identifiable record or class of records that is in existence at the time of the request and that staff can reasonably locate. MCEDD is not required to create a public record in response to a request. A request for information in general is not considered a request for an identifiable record. If the requestor wishes to have copies of the records made instead of inspecting them, he or she should so indicate and make arrangements to pay for copies of the records.

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any other statute exempts or prohibits disclosure. MCEDD will acknowledge the request within five business days. A business day is defined as a day other than Saturday, Sunday or a legal holiday and on which at least one paid employee of MCEDD that received the public records request is scheduled to and does report to work.

Calculation of Fees

MCEDD calculates fees for responding to public records requests in the following manner:

- \$0.15 per page for photocopies
- The cost of records transmitted by fax is \$2.00 for the first page and \$1.00 for each additional page, limited to a 15-page maximum, not including the cover page.
- Actual cost for use of material and equipment for producing copies of non-standard records.
- Upon request, copies of public records may also be provided on a USB flash drive if the document(s) are stored in the MCEDD's computer system. USB flash drives will be provided at a cost of \$5.00 each and may contain as much information as the USB flash drive will hold. Due to the threat of computer viruses, the MCEDD will not permit requesters to provide USB flash drives for electronic reproduction of computer records.
- Labor charges that include researching, locating, compiling, editing or otherwise processing information and records:
 - o No charge for the first 10 minutes of staff time
 - o Beginning with the 11th minute, the charge per total request is \$60.00 per hour or \$15.00 per quarter hour. A prorated fee is not available for less than a quarter hour.
- The actual cost for delivery of records such as postage and courier fees.
- \$5.00 for each true copy certification
- Actual attorney fees charged to the MCEDD 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.
- MCEDD may require pre-payment of estimated fees before taking further action on request.

This policy and the associated fees are subject to periodic review by the public body to ensure reasonableness of stated fees.

Review of Denials of Public Records

1. Any person who objects to the initial denial or partial denial of a records request may petition in writing to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.
2. The public records officer shall promptly provide the petition and any other relevant information to the public records officer's supervisor or other agency official designated by the agency to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within two business days following receipt of the petition, or within such other time as MCEDD and the requestor mutually agree to.
3. Any person may file a petition for disclosure with the district attorney if denied an opportunity to inspect a public record. If the district attorney's finding is adverse, the individual may further give notice and file suit in the circuit court for the particular county.