

GEVENA LAKE ENVIORNMENTAL AGENCY OPEN RECORDS POLICY

It is the policy of Geneva Lake Environmental Agency that all persons are entitled to the greatest possible information regarding the affairs of the department and the official acts of its office and employees – consistent with the Public Records Law, Wis. Stats. §§ 19.31-19.39.

I. Access to agency records

Record - means any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. "Record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library. – See Wis. Stat. 19.32(2)

Identifying records - A request must reasonably describe the records sought (e.g., specific documents concerning a specific subject, project, etc.) to understand what records are requested and to avoid any delays caused by misunderstanding and miscommunication.

Time for responding - The department will respond to requests as soon as practicable and without delay.

Information not on record - The department is not required to create a new record by extracting and compiling information from existing records into a new format or record.

Withheld records - Certain records are not available for inspection or copying because access may be prohibited by state or federal law or controlling court decisions. If a record is withheld, in whole or in part, the requestor will be provided with a written explanation of the reasons for doing so.

Costs - Section 19.35(3), Wis. Stats. authorizes the Geneva Lake Environmental Agency to impose fees in responding to open records requests. Geneva Lake Environmental Agency may charge the actual, necessary and direct cost of record location, shipping and reproduction.

- (1) If the record search cost exceeds \$50, Geneva Lake Environmental Agency may charge the actual, necessary and direct cost of locating the records at the hourly rate of the lowest-paid employee capable of performing the task. The hourly rate, however, may not exceed \$30 per hour. Prepayment may be required if search fees exceed \$50.
- (2) Geneva Lake Environmental Agency's cost for photocopies is \$0.15 per printed page and at \$0.07 per page for converting paper records to electronic format, except where otherwise set by law.
- (3) An additional fee of no more than \$0.14 per CD or DVD may be charged, and a fee of \$2.60 will apply for USB drives on which electronic records are provided.

(4) A mailing or shipping fee may also be charged reflecting the actual, necessary and direct cost of shipping or mailing a record.

(5) Geneva Lake Environmental Agency may require prepayment if the total copying fees exceed \$5.

Electronic records - When requested and whenever practicable, Geneva Lake Environmental Agency will provide electronic copies of records that already exist in an electronic format. Reproduction costs will not be charged if Geneva Lake Environmental Agency provides electronic copies of records that already exist in electronic format. But costs for computer disks or tapes, central processing unit and staff time needed to run the computer to produce the record may be assessed.

Records Custodian - The Records Custodian for Geneva Lake Environmental Agency is the Director. The Director shall have the authority to designate an alternate custodian at his discretion.

Redacted information - *Fees will not be charged for the time taken by department staff to separate, suppress or redact confidential or non-disclosable information from materials provided in response to open records requests.*

II. Geneva Lake Environmental Agency records request process

1. Geneva Lake Environmental Agency will acknowledge record requests submitted to the email address listed below within one business day of receipt. The request will be reviewed and routed to the responsible employee for the records requested.

2. Once contacted, the Records Custodian will review your request to determine if the record or records exist. Any request for a record must reasonably describe the record or information sought.
3. Once your request has been reviewed, and the Records Custodian determines existence of the record and accessibility, the Records Custodian may inform you of any applicable fees and provide you with a copy, upon payment, of the record requested or allow you to inspect the record information and provide a place for that review.
4. A check for payment of records fees must be made payable for the exact amount to:

Geneva Lake Environmental Agency
PO Box 914
Williams Bay WI 53191

5. The Records Custodian or their designee, shall contact the requestor with a date and time to pick up, or send the record.