

Resolution No. 17-18-02

Whereas, the Dundee Rural Fire Protection District is a Special District established under ORS 478 and,

Whereas the State of Oregon has added new requirements into the public records law and SB 481 sets times requirements that public bodies must meet when responding to requests for public records and specifies the process for responding and,

Whereas having a public records law policy in writing is prudent to the operation of the district,

BE IT RESOLVED that the Board of Directors of the Dundee Rural Fire Protection District is creating the following policy with regard to public records access.

Request for records must be made in writing to the district PO Box 491, or email request sent to DundeeRFPD@gmail.com or DRFPDMail@gmail.com

If records need to be mailed or paper copies created then a \$10 fee will be assessed. If the request can be completed electronically then the fee may be waived.

Policy and a list of available documents will be posted on the district website.

Documents will include agendas, minutes and annual budgets, as well as other documents created or held by the district.

Within 5 days of receiving a request, the district will either (a) acknowledge the request, or (b) complete the request.

After acknowledging the request and within an additional 10 business days (for a total of 15 business days after receiving the request) the the district will:

In acknowledging the request the district will

- Confirm that the public body is the custodian of the requested record, or
- Inform the requester that the public body is not the custodian, or
- Notify the requester that the public body is unsure whether it is the custodian of the record.

Complete means the district has:

- Provided access to or copies of all non-exempt requested records,
- Asserted any exemptions to disclosure,
- Complied with ORS 192.505 - separate exempt from non-exempt material and make non-exempt material available,
- Provided written statement that the public body is not the custodian of record,
- Provided a statement that federal or state law prohibits the public body from acknowledging whether any requested record exists, AND
- Told the requester appeals rights if exemptions were asserted.
- The shot clock pauses when: (1) the public body tells the requester a fee is due to process the request (once paid or waived, the clock resumes), or (2) the public body requests additional information or clarification for the purpose of expediting the public body's response (clock starts once requestor provides this information or affirmatively declines to provide it).
- The time limits do not apply if: (1) necessary staff to complete the request is unavailable, (2) processing the request would impede other necessary services, or (3) the volume of requests is too large. However, the public body must still acknowledge and complete the request as soon as practicable and without unreasonable delay in these situations.
- The public body shall close the request after 60 days if the requester fails to pay fees due or fails to respond to a request for information or clarification.

This resolution shall be effective upon signing.

Adopted this 5th day of February, 2018.

D Bechtold _____

M. Bechtold _____

L. DeHart _____

J Hoduffer _____