

STATE OF WISCONSIN
Town of Red Cedar
Dunn County

RESOLUTION 1005-2012

Resolution and Notice of Records Access, Records Request Policy and Schedule of Fees

This resolution, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, adopts the attached Notice of Records Access, Records Request Policy and Schedule of Fees, which, pursuant to s. 19.34(1) Wis. Stats., contains a description of the town's organization and the established times and places at which, the legal custodian from whom, and the methods whereby the public may obtain information from and access to records in the town's custody, make requests for town records, or obtain copies of town records, and the costs thereof, and the attached to this resolution is so adopted.

The town clerk shall prominently display and make available for inspection and copying at the town offices copies of the Notice of Records Access, Records Request Policy and Schedule of Fees, for the guidance of the public.

This resolution is effective on posting. The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

PASSED AND ADOPTED by a majority vote of the Town Board of the Town of Red Cedar, Dunn County, Wisconsin, this 17th day of August, 2012.

RED CEDAR TOWN BOARD:

[Signature]
Ron Robelia, Chairman

[Signature]
Debra Gotlibson, Supervisor #1

[Signature]
Andy Gansberg, Supervisor #2

[Signature]
Dave Leach, Supervisor #3

[Signature]
Doug Miller, Supervisor #4

ATTEST:

[Signature]
Cheryl Miller, Town Clerk

(Town Seal)

Posted on

Aug 22, 2012

STATE OF WISCONSIN
Town of Red Cedar
Dunn County

Notice of Records Access

The clerk of the Town of Red Cedar, Dunn County, Wisconsin, by this notice states that the clerk of the Town of Red Cedar has been designed under s. 19.33 Wis. Stats., as the legal custodian of records for the Town of Red Cedar, except that elected officials are the custodians of their own records of office.

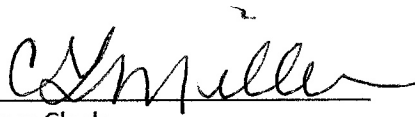
The public may obtain information and access to records in the custody of the clerk or other appropriate legal custodian, make requests for records, or obtain copies of records, and learn the costs of obtaining copies of records from the town clerk or other appropriate legal custodian as follows:

The town clerk does not maintain regular office hours at the location where records of the Town are kept. The town clerk will permit access to Town records in the custody of the clerk upon at least 48 hours' written or oral notice to the town clerk of the intent to inspect or copy a record. The location of the records in the custody of the clerk is at the town hall or the clerk's home address.

As required under s. 19.34(1), Wis. Stats., each Town Local Public Office is listed on the Town's website at www.townofredcedar.com. The public may obtain information and access to records in the custody of elected officials, make requests for records, or obtain copies of records, and learn the costs of records from the elected official.

The fees for satisfying record requests under s. 19.35 Wis. Stats. are listed on the attached Records Request Policy and Schedule of Fees.

Dated this 13th day of August, 2012.


Town Clerk

Records Request Policy and Schedule of Fees

All requests must be put in writing to establish complete clarification by completing Page 2 (Request Form for Access to or Copy of Public Record).

A fee will be imposed upon the requester for the actual, necessary and direct cost of complying with the request, as authorized by law, including:

1. Reproducing and transcription of the record, including any required costs to notify the person who is the subject of the record that is being requested;
2. Photographing and photographic processing if a photograph of the record is provided, the form of which does not permit copying;
3. Mailing or shipping of any record or photograph to the requester; and
4. Locating a record if the actual, necessary, and direct cost of locating the record exceeds \$50.00. Records not readily accessible which require research to locate the record shall be assessed a location fee. Location fees shall not be payable until a minimum of \$50.00 has accumulated. A charge of \$25.00 per hour or any portion of an hour thereafter will be charged.

If a fee schedule for specific records is established by Federal or State Statute, law or administrative rule, the Town shall comply with said fee schedule.

If no Federal or State Statute, law or administrative rule dictates the fee, the below fee schedule shall apply.

Prepayment may be required for requests if the total exceeds \$5.00

If the anticipated cost for items 1-3 exceeds \$5.00, the requester shall be notified of the estimated cost of complying with the request before the costs are incurred.

If the anticipated cost of locating a record exceeds \$50.00, the requester shall be notified of the estimated cost of complying with the request before the costs are incurred.

PHOTOCOPIES: The Town shall collect from the requester costs for standard size copies at 25¢ per photocopy (one-sided) and 35¢ per photocopy (two-sided), plus mailing and locations costs, if applicable.

Copies other than 8 ½ x 11 are their actual cost, plus mailing and location costs, if applicable.

For very large volume copy work, requester will pay the actual and direct cost directly to an authorized Copy Service Provider designated by Town to provide photocopying and/or reproduction work.

TAPES AND CDs: Reproduction of recorded tape = \$5.00 per tape, plus actual mailing and location costs, if applicable. *Requester must supply tape(s).*

The cost for copying documents onto a computer disk = \$5.00 per CD, plus actual mailing and location costs, if applicable. *Requester must supply CD(s).*

FAX FEE: \$1.00 for sending/receiving fax, plus 25¢ per page.

POSTAGE AND SHIPPING COSTS: Actual and direct cost of postage and/or shipping supplies.

Request Form for Access to or Copy of Public Record

In an effort to fill your request in the shortest amount of time, please be as specific as possible in your request. Also, please fill in all information requested. You will be contacted when your request is ready for review or pick up in compliance with Wisconsin Statute 19.35(4). If no phone number is provided, the response will be left at the town hall for pick up for a period of three days.

I. TO BE COMPLETED BY PERSON REQUESTING ACCESS TO OR COPY OF RECORD

Date of Request: _____

Description of specific records to be inspected and/or copied: _____

Date and time requested to inspect record in person: _____

Date and time requested for copy of record: _____

Requestor's name: _____

Street address: _____

City, state, zip code: _____

Phone number: _____

Is the record or part of the record requested a personnel record of a town employee? Yes _____ No _____

If so, name and title of employee: _____

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Please note: A request "is deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the records does not constitute a sufficient request." [s. 19.35 (1) (h), Wis. stats.] The request may be made orally, but a request must be in writing before an action to enforce the request is commenced under s. 19.37, Wis. stats.

Please note: A request may not be refused "because the person making the request is unwilling to be identified or to state the purpose of the request." (s. 19.35 (1) (i), Wis. stats.) *You are being asked to provide the information on a voluntary basis and as a means to facilitate your request.*

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II. TO BE COMPLETED BY CUSTODIAN OR DEPUTY CUSTODIAN OF RECORD

Municipal department or office receiving request: _____

Date and time request received: _____

Date and time request completed: _____

Was request acted upon within 10 days of receipt? Yes _____ No _____

Action taken on request: () Approved () Approved in part and denied in part () Denied

For a denial, attach a copy of any statement of the reasons for denial or state reason(s) below:

Amount of pre-payment requested: _____ Date paid: _____

Amount due: _____ Due date: _____ Reason(s) for Fee: _____

Name and title of legal custodian acting on request: _____

If requested record was a personnel record, was the town employee notified of the request? Yes _ No _ *

If a personal record request, the date and name and address of the town employee notified in writing as to the request and response, if any, received from the employee: _____

Signature: _____

Date: _____

Please note: For a denial, attach a copy of any statement of the reasons denying access to, a copy of, or other information contained in any public record covered by this request. If the request for the record was in writing, the denial determination is subject to review by mandamus under s. 19.37 (1), Wis. Stats., or upon application to the attorney general or a district attorney. (s. 19.37 (4), Wis. stats.)

* Note: See s. 19.356, Wis. stats.

Original of this request remitted to Clerk for filing on: _____

Copy of this request provided to the requester on: _____