



## Sherburne County

# Guide for Members of the Public Requesting Information

### **Right to Access Public Data**

The Government 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, DVDs, photographs, etc.

You have the right to look at (inspect) all public data that we keep at no charge. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. We may need to review the data first to make sure you do not get access to private data about someone else or confidential information.

### **How to Make a Data Request**

To look at data or request copies of data that Sherburne County keeps, you will need to make a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts section below. You may make your written request for data by mail or email using the County's data request form.

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

- 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.

Sherburne County generally cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. If you are requesting private data about yourself, however, Sherburne County requires proof of your identity before we can respond to your data request. In addition, even if you are requesting public data, we may need some information about you depending on how you want us to process your request (if, for example, you want us to mail you copies of data). 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. Please also 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 as soon as reasonably possible and state which specific law says the data are not public.
- If you are requesting private data about yourself, you must verify your identity before we may provide you with the data. The following constitute proof of identity (please note that Sherburne County may require that individuals provide proof of identity in person):
  - An individual must provide a valid photo ID, such as:
    - a state driver's license
    - a U.S. military ID
    - a valid passport
    - a Minnesota state ID
    - a Minnesota tribal ID
    - a college or school ID
  - A parent or guardian of a minor must present a valid photo ID and either a certified copy of the minor's birth certificate or a certified copy of documents that establish the parent or guardian's relationship to the child, such as a court order or an affidavit of parentage.
- If we have the data, and the data are public, we will respond to your request appropriately and 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 them to you. If you want us to send you the copies, you will need to provide us with an address and pre-payment of copying and mailing charges. We will provide electronic copies (such as email or CDROM) upon request if we keep the data in that electronic format. You will also need to make payment before copies of electronic data will be provided.

Information about copy charges is provided below. You must pre-pay for copies before they are made.

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 Government 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 Government 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. Sherburne 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) 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.

### **Copy Costs**

Sherburne County charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). You must pay for the copies before we will give them to you.

#### **For 100 or Fewer Paper Copies – 25 Cents per Page**

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

#### **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 paper or electronic 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.

The cost of employee time to search for data, retrieve data, and make copies is based on staff time to comply with the request. Generally, the cost for employee time will be based on the wages/salary (which may include benefits) of the lowest paid department employee who may complete the task. 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.

### **Copy Charges for Data with Commercial Value**

We calculate copy charges on a case-by-case basis for providing copies of data that have commercial value.

**Please refer to the Sherburne County Fee Schedule for a detailed listing of all copy fees. The fee schedule can be found at:**

<http://www.co.sherburne.mn.us/county/feeschedule.php>

**Sherburne County  
Data Practices Designee**

<p><u>Administration</u></p> <p>Bruce Messelt County Administrator 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Admin@co.sherburne.mn.us">Admin@co.sherburne.mn.us</a></p> <p><u>Auditor/Treasurer</u></p> <p>Diane Arnold Sherburne County Auditor/Treasurer 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Diane.Arnold@co.sherburne.mn.us">Diane.Arnold@co.sherburne.mn.us</a></p> <p><u>Assessor</u></p> <p>Michelle Moen Sherburne County Assessor 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Michelle.Moen@co.sherburne.mn.us">Michelle.Moen@co.sherburne.mn.us</a></p> <p><u>Attorney</u></p> <p>Tim Sime Assistant County Attorney 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Attorney@co.sherburne.mn.us">Attorney@co.sherburne.mn.us</a></p> <p><u>Recorder</u></p> <p>Michelle Ashe Sherburne County Recorder 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Recorder@co.sherburne.mn.us">Recorder@co.sherburne.mn.us</a></p>	<p><u>Sheriff</u></p> <p>Heather Haller Records Supervisor 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Records@co.sherburne.mn.us">Records@co.sherburne.mn.us</a></p> <p><u>Health &amp; Human Services</u></p> <p>Jordan Gullickson Administrative Assistant 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:HHS@co.sherburne.mn.us">HHS@co.sherburne.mn.us</a></p> <p><u>Public Works</u></p> <p>Andrew Witter Public Works Director 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:PublicWorks@co.sherburne.mn.us">PublicWorks@co.sherburne.mn.us</a></p> <p><u>Zoning</u></p> <p>Judy Weber Office Supervisor 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Zoning@co.sherburne.mn.us">Zoning@co.sherburne.mn.us</a></p> <p><u>Community Corrections</u></p> <p>Nicole Brummer Office Supervisor 13880 Business Center Drive Elk River, MN 55330 <a href="mailto:Nicole.Brummer@co.sherburne.mn.us">Nicole.Brummer@co.sherburne.mn.us</a></p>
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