

CONEJOS COUNTY POLICY REGARDING OPEN RECORDS REQUESTS

Adopted June 15, 2017

The Board of Commissioners for Conejos County are committed to comply with and respond to open records requests submitted pursuant to the Colorado Open Records Act (CORA), C.R.S. 24-72-201 *et seq.* To facilitate obtaining documents and other information from Conejos County, all requestors must use the following procedures established below.

The following procedures are intended to facilitate requests for public records responsibly and efficiently, to maintain the integrity of the County's records, and to ensure the effective functioning of County Departments. This policy is subject to interpretation by the Conejos County Attorney's Office.

This policy applies to Conejos County Departments and to the following elected Conejos County offices: Assessor, Clerk and Recorder, Coroner, Public Trustee, Surveyor, Treasurer and the Board of County Commissioners. Records requests to these offices must be sent according to this policy.

This policy does not apply to the Conejos County Sheriff's Office or the District Attorney. Records requests for these offices must be sent directly to them and according to their policies.

The following procedures govern making and responding to requests for information submitted to Conejos County under CORA.

Requests for Public Records

These procedures apply to all requests submitted pursuant to C.R.S. 24-72-201 *et seq* to inspect and/or copy public records in the custody or control of Conejos County or the above described officials.

All requests to inspect public records must be submitted in writing on the official **Conejos County Public Records Request Form** (the "Form"). The time to respond to the request will not commence until the Form is completed and submitted.

The Form must be submitted to the official custodian, *See* C.R.S. § 24-72-202(1.1), (1.9) as indicated below. The official custodian is the Elected Official(s) for their respective offices or, for the records for all county departments, the County Administrator. If the Form is sent to any person other than the proper custodian, it will not be accepted.

CONEJOS COUNTY POLICY REGARDING OPEN RECORDS REQUESTS

Adopted June 15, 2017

General emails to the County or inquiries on the County's website or social media sites will not be treated as open records requests pursuant to CORA.

The Form may be mailed, sent via facsimile, or emailed. In order to ensure that the Form is received by the legal custodian, the requests must conform to the following:

<u>Manner Requested</u>	<u>Special Instructions</u>
Email	Send the form to the following email address: <u>CORA@co.conejos.co.us</u>
Fax	Send the form to the following Fax number: 719-376-5661 ATTN: CORA REQUEST (Insert Name of Official Custodian)
Mail	Send the form to the following mailing address: P.O. Box 157, Conejos, CO 81129 ATTN: CORA REQUEST (Insert Name of Official Custodian)
Phone Call	Will not be accepted as a request. You will be directed to submit the form in writing as directed above.

If a request is sent via e-mail to any email address, it will not be considered as received by the County and the statutory time for response to the requests will not begin until a confirmation has been sent by the custodian.

Note: The reason for this rule is, due to spam filters and inactive or incorrect e-mail accounts, the County cannot guarantee that the custodian has received an electronic mail request.

All requests for records **must** be specific as to the records sought and the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the custodian may require the requestor to provide a more specific request.

CONEJOS COUNTY POLICY REGARDING OPEN RECORDS REQUESTS

Adopted June 15, 2017

If a requestor is unable to identify the specific documents sought, the requestor is encouraged to contact the County at 719-376-5772 in advance of submitting a request for assistance in providing the requisite specificity. The requestor may also contact the Conejos County Attorney for assistance in this regard.

The custodian is not required by the Open Records Act to construct or create a record that does not exist.

Responses to Requests

The records custodian for each department is responsible for responding to the requesting party in a timely manner. The requesting party will be notified if the requested documents are not available or if the records are not covered by CORA.

If review of original documents is requested, the records custodian may impose certain procedures to protect the integrity of the public record, including supervision by a County employee within the area where the records are stored and/or maintained. The records custodian may also establish a designated area or schedule for a particular time of day so as to not unduly disrupt the day-to-day activities of that specific office or department.

Requests received after the close of business will be considered to be received on the next business day.

The County will comply with the reasonable response timelines set forth in CORA. Every attempt will be made to fulfill open records requests within three (3) working days. If the request cannot be filled within three working days, the requestor will receive notice from the records custodian that additional time, up to seven (7) working days, will be necessary.

Fees Charged

Conejos County seeks to meet public information requests in the most economical fashion possible. The fees charged by Conejos County departments will be consistent with the provisions of CORA.

Standard fees for records requests include copy charges, research and retrieval time, and actual costs associated with fulfilling the request. Research and retrieval time may include, but is not limited to: actual costs involved in the gathering of documents, costs associated with specialized IT support, and staff time required to perform research,

CONEJOS COUNTY POLICY REGARDING OPEN RECORDS REQUESTS

Adopted June 15, 2017

locate, retrieve, and review records, and create or run records in electronic or digital format. The nature of the request dictates the potential fees and costs incurred.

Pursuant to C.R.S. §24-72-205(6), there is no charge for the first hour of time for research and retrieval of records.

Deposits

If the fulfillment of a request is likely to incur fees in excess of \$30.00, the records custodian will attempt to provide the requesting party with an estimate of the likely fees to be generated in fulfilling the request. The County may require payment of the estimated fees prior to any staff time being expended on responding to the request. Requesting parties will be responsible for any actual costs incurred in excess of the deposit and will be reimbursed for any estimated costs that are not actually incurred. Requests that require IT staff to search email or other electronic records will require a minimum deposit of \$100 when IT estimates that the search will take longer than five hours of staff time.

CONEJOS COUNTY POLICY REGARDING OPEN RECORDS REQUESTS

Adopted June 15, 2017

Fees Charged (Schedule)

Copies

8.5" x 11"	25¢ per page
11" x 17"	25¢ per page
Greater than 11" x 17"	Actual cost of reproduction + Research and retrieval time

Electronic Copies on CD or Flash Drive

If the record exists in electronic format	Actual cost of CD or Flash Drive+ Research and retrieval time
If the record has to be scanned	Actual cost of CD or Flash Drive + Research and retrieval time
If the record has to be printed and scanned	Actual cost of CD or Flash Drive + Research and retrieval time + paper copy fee\
BOCC Study Sessions or other audio recordings	Actual cost of CD or Flash Drive + Research and retrieval time

Research and retrieval time

One hour or less	\$0
More than one hour	\$30 per hour

Mailing Expenses

Mailing Expenses	Actual Cost
------------------	-------------

CONEJOS COUNTY POLICY REGARDING OPEN RECORDS REQUESTS

Adopted June 15, 2017

Conejos County Public Records Request Form

The following request is made under the Colorado Open Records Act.

Date: _____
Time: _____ a.m or p.m.

Name: _____
Company Represented (if any): _____

Address: _____ City: _____
State _____ Zip: _____
Phone Number: _____ Fax Number: _____ Cellphone Number: _____
Email address: _____

Name of document(s) requested: _____

If the document name is unknown, provide brief, but specific description of document or information requested (note of issuance and location of document, if known).

If the records are available pursuant to C.R.S. §24-72-201 et seq., or C.R.S. §24-72-301 et. seq., the records shall be made available for viewing within three working days. The date of receipt is not included in calculating the response date. If extenuating circumstances exist so that the Custodian cannot reasonably gather the records within the three-day period, the Custodian may extend the period by up to seven working days. The requestor shall be notified of the extension within the three-day period. Public records may be viewed at the Custodian's office located in, Conejos, Colorado 81120, on regular business days at prearranged times. After viewing the document(s), photocopies may be requested for **\$.25 per standard page, the requestor may be charged a retrieval fee (up to \$30.00/hour) based on the actual cost of responding to the request.** Charges must be paid for at the time the request for photocopies are made, and must be picked up in person. By signing below the requestor affirms that the information requested shall not be used for pecuniary gain.

Signature

Date

For Official Use Only

Time spent by staff in assembling the records request. _____

Estimated cost of assembly. \$ _____

Records requests received by: _____

Date: _____

Extenuating Letter Sent by: _____

Date: _____