

CITY OF MAYER  
POLICY CONCERNING THE  
DISSEMINATION OF INFORMATION  
AND COMPLIANCE WITH THE MINNESOTA  
GOVERNMENT DATA PRACTICES ACT

I. PURPOSE

The purpose of this policy is to establish and maintain uniform procedures for the provision and/or prohibition of access to Public Data, Private or Nonpublic Data, and Confidential or Protected Nonpublic Data, as defined under the Minnesota Government Data Practices Act.

II. POLICY

It is the Policy of the City of Mayer, hereinafter called City, that it will provide and/or prohibit access to government data in accordance with the Minnesota Government Data Practices Act, such Act to be considered a part of this policy as if reproduced in its entirety herein. In adopting this policy, the City recognizes both its responsibility to its constituents and the interested public and to the subject of the data it collects.

III. PROCEDURES FOR ACCESS TO GOVERNMENT DATA

A. General

All requests to examine or for copies of private or nonpublic data, must be in writing and signed by the requesting party. Requests for government data shall be made to the responsible authority or designee. All requests to inspect data will be limited to normal business hours of the City. Every attempt will be made to comply with requests in an appropriate and prompt manner as specified by these procedures and by the Minnesota Government Data Practices Act.

Employees and the requesting public should be aware that government records are maintained by certain functional classifications depending upon the purpose and use of the data. Therefore, a request for a certain type of information may not correspond with the City's alphabetic, numeric or functional method of keeping such records. When this is the case, staff will make an effort to facilitate the identification of the appropriate records, but their collection for review may go beyond their normal scope of work.

If a request for public information is of such a nature or volume as to go beyond the reasonable scope of work, the Responsible Authority may determine the earliest possible date for production and direct same.

B. Examination of the Data

All government data falls into one of three categories: Public Data, Private or Nonpublic Data, the Confidential or Protected Nonpublic Data. Before responding to any request, the Responsible Authority must determine the classification in which the requested data falls by consulting the Act or the appropriate statute. Requests for data determined not to be public, must be approved by the Responsible Authority.

1. Public Data: Any person upon request to the responsible authority may examine public government data without charge. Any person requesting an opportunity to inspect public information shall be allowed to do so in a conference room or work station under the direct supervision of the responsible authority or her designee.
2. Private or Nonpublic Data: Examination of private or nonpublic government data is available without charge only to: a) the subject of the data; b) persons within the City whose work assignment reasonably requires access; c) agencies authorized by state or federal law; and d) agencies or individuals who have the express written consent of the subject of the data. Any such person or agency seeking examination must identify themselves by presenting a Minnesota driver's license or other picture identification card acceptable to the responsible employee.
3. Confidential or Protected Nonpublic Data: Examination of confidential or protected nonpublic data is limited to: a) persons within the City whose work assignments reasonably require access; and b) agencies or individuals authorized by state or federal law to gain access. Any such person or agency seeking examination must identify themselves by appropriate identification acceptable to the responsible employee. The responsible authority cannot disclose the actual confidential data to the subject of the data but, upon request, shall inform the subject whether confidential data is maintained on him/her. The subject of the data may gain access to this knowledge only upon: a) appearance at the City office with Minnesota driver's license or other picture identification acceptable to the City; or b) appearance by the subject's personal representative identified by a Minnesota driver's license or other picture identification acceptable to the City and with a written and notarized authorization by the subject of the data.

C. Explanation of the Data

Any person may request of the Responsible Authority or designee explanation of the factual content and meaning of the data which has been received or inspected. Employees are not able to interpret policy decisions of legislative bodies. They may only provide minutes, resolutions and other factual documentation of such decisions.

D. Copies of Data

Any person, upon request to the Responsible Authority or designee may receive copies of any data which he/she is entitled to inspect. The Responsible Authority will provide copies within a reasonable time after receipt of the request and charge the requesting party the actual costs of the material and any special costs necessary to produce the copies. Copies of requested information shall be provided at rates specified by the Mayer City Council. A City employee shall prepare all copies.

When a request involves data that has commercial value and is entire formula, pattern, compilation, program, device, method, technique, process, data base, or system developed with a significant expenditure of public funds, the Responsible Authority may charge a reasonable fee for the data in addition to charges of producing the copies.

E. No original documents may be loaned or checked out.

IV. DATA PRACTICES COMPLIANCE OFFICIAL

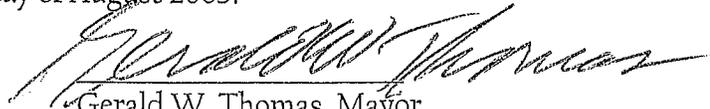
Pursuant to Minnesota Statute 13.05, Subdivision 13, by December 1, 2000, each responsible authority or other appropriate authority in government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practice problems. The responsible authority may be the data practices compliance official.

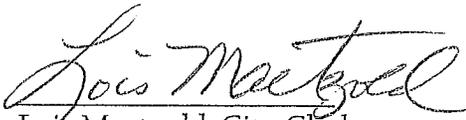
V. RESPONSIBILITY

The Responsible Authority, or designee, shall have primary responsibility for the implementation and coordination of this policy and the Minnesota Government Data Practices Act. All department heads shall act as the Responsible Authority's designee and be responsible for enforcement within their departments.

VI. AUTHORITY

The policy Concerning Dissemination of Public Information was Adopted by the City Council of the City of Mayer, Minnesota this 8<sup>th</sup> day of August 2005.

  
Gerald W. Thomas, Mayor

ATTEST:   
Lois Maetzold, City Clerk