

Eagle Spring Lake Management District Open Records Policy & Fees

Custody and Delivery of Official Property and Records

Each and every Commissioner and employee of the Eagle Spring Lake Management District (Lake District) is the legal custodian of their own records and files and shall safely keep and preserve all property and things received from the Commissioner's predecessor or other persons and required by law to be filed, deposited, or kept in the officer's office, or which are in the lawful possession or control of the officer or the officer's deputies, or to the possession or control of which the officer or the officer's deputies may be lawfully entitled, as such officers. Each and every officer and employee is responsible for preserving, maintaining and properly handling the records in their possession in accordance with this policy and the approved general records schedule(s) of the Lake District. Unless all documents, paper, electronic, and other media are returned in usable, intact condition with a certification statement to the Lake District records custodian the responsibility of elected officials after the term in office has been completed to maintain records in accordance with the policies and procedures of the Lake District will continue until the disposition of the records under the approved general records schedule is enacted. Handling of certain protected records under the Critical Infrastructure Security Act of 2002 is an individual responsibility of all elected officials and employees as well as being subject to policies and procedures of the Lake District.

Policy Statement

The declared policy of the Open Records Law and the Eagle Spring Lake Management District is to entitle the public to the "greatest extent possible information regarding the affairs of government and the official acts of those officers and employees who represent them" in order to ensure an informed electorate. The Open Records Law further indicates that providing the public with such information is an "essential function of a representative government and an integral part of the routine duties of officers and employees whose responsibility it is to provide such information." The denial of public access generally is contrary to the public interest, and only in an exceptional case may access be denied.

The Lake Management District shall post its written policy on the Lake District Official web site for public viewing and reference in accordance with the law.

Concurrent Lawful Exemptions

Some documentation held by the Lake District may be protected from release under 6 CFR, Part 29, Protected Critical Infrastructure Information and therefore protected from release under Wisconsin §29.36(1). Special, review, access, training and storage procedures may apply.

Referenced Definitions

(1) "Authority" means any of the following having custody of a record: a state or local office, elective official, agency, board, commission, committee, council, department or public body corporate and politic created by the constitution or by any law, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley center sports and entertainment corporation; a special purpose district; any court of law; the assembly or senate; a nonprofit corporation which receives more than 50 percent of its funds from a county or a municipality, as defined in s. 59.001 (3), and which provides services related to public health or safety to the county or municipality; a university police department under s. 175.42; or a formally constituted subunit of any of the foregoing.

(1bd) "Elective official" means an individual who holds an office that is regularly filled by vote of the people.

(1bg) "Employee" means any individual who is employed by an authority, other than an individual holding local public office or a state public office, or any individual who is employed by an employer other than an authority.

(2) "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. "Record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library.

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(3m) "Special purpose district" means a district, other than a state governmental unit or a county, city, village, or town, that is created to perform a particular function and whose geographic jurisdiction is limited to some portion of this state.

Other Definitions

Location costs: Costs associated with locating records may be charged if they total \$50.00 or more. "Locating" a record means to find it by searching, examining, or experimenting. Subsequent review and redaction of the record are separate processes, not included in location of the record, for which a requester may not be charged.

Legal Custodian(s)

The Chairperson of the Eagle Spring Lake Management District is the General Legal Custodian of the Lake District Records. The Secretary of the Eagle Spring Lake Management District is the Deputy General Custodian of Lake District Records.

Requesting Procedures

Open records requests can be directed to the Chairperson or Secretary of the Lake District. Names and contact information of these individuals is posted on the Lake Management web page(s) at: www.eaglespringlake.us. The Chairperson and Secretary serve as the contact point for requests of any committees or groups.

Receipt Confirmation:

It is the policy of the District to the best of its ability to acknowledge the request to the requestor within 5 business days of the receipt of the request.

Request Processing:

For most requests, the District will work to fulfil the request within 10 business days of the acknowledgement of the request. Should delays be incurred in processing any requests the District will strive to keep the requestor informed as to the progress of the request.

In-Person Viewing

Requests to view records must be made 48-hours in advance by writing, electronic mail or voice telephone call to the Chairperson or the Secretary.

Time Computation

In §19.33 to 19.39, when a time period is provided for performing an act, whether the period is expressed in hours or days, the whole of Saturday, Sunday, and any legal holiday, from midnight to midnight, shall be excluded in computing the period

Format

Unless otherwise specified, documents will be provided in printed paper format, single sided, on 20 lb. standard paper.

Unless otherwise specified, documents requested in electronic format will be provided in Adobe Acrobat (Version 9 or later) .pdf format.

Documents requested in their native formats can be provided upon request, but any software or systems required to open, or manipulate the files, including legacy systems, will not be provided as part of the request.

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Shipping and Handling

The Lake District requires prepayment of any fee imposed if the total amount exceeds \$5.00. Costs for mailing documents will include all postal service or shipping and packaging fees, mileage (if incurred to any shipping location), and staff time, if applicable. Unless otherwise specified, all items will be mailed via U.S. Postal Service Priority Mail Service or if expedited delivery is required via U.S. Postal Service Express Mail. Unless otherwise specified by the requestor, shipments may require a signature release upon receipt. Requesters may pick up completed requests at a specified location within the Town of Eagle by appointment with 48-hours written prior notice M-F during normal working hours.

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Fees													
Hard Copies	<p>Includes any paper records provided by:</p> <ul style="list-style-type: none"> • Copying a paper record • Printing from an electronic record 	<ul style="list-style-type: none"> • \$0.15 per page (black and white) letter and legal paper for first side per page. Second side copy \$0.10 per page. Pre-punched three-hole paper add \$0.05 per page. • \$0.25 per page (color) letter and legal paper for first side per page. Second side copy \$0.20 per page. Pre-punched three-hole paper add \$0.05 per page. • Fee calculation includes: printer or copier costs (supplies, etc.), paper, and staff costs • 3 ring binders if requested: <ul style="list-style-type: none"> • 1" \$4.50 each (225 sheets) • 2" \$8.25 each (465 sheets) • 3" \$10.00 each (625 sheets) • 4" \$17.50 each (880 sheets) • 5" \$26.00 each (1050 sheets) • 6" \$61.00 each (1,300 sheets) <p style="text-align: center; font-style: italic;">In rare instances, specialized skills, equipment, or technology, may result in additional copy costs.</p>											
Electronic Copies	<p>Includes any electronic records provided by:</p> <p style="text-align: center;"> •Email •PDF • DVD •Flash drive </p>	<p>Fees</p> <p>Requests are charged at location fee rate. Items larger than legal size will be outsourced for conversion and will be charged at cost plus staff and travel time.</p>											
	<p>Paper to Digital</p> <p>Includes scanning physical documents and saving them into a digital format for electronic distribution. Conversion to SD Media must be outsourced.</p>	<p>Cost of physical medium:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>DVD (each): \$0.35 (4.7 GB)</td></tr> <tr><td>Flash drive (each): \$5.02 (8 GB)</td></tr> <tr><td style="text-align: center;">Portable Hard Drive(s) Each</td></tr> <tr><td>\$6.53 (16 GB)</td></tr> <tr><td>\$10.08 (32 GB)</td></tr> <tr><td>\$18.52 (64 GB)</td></tr> <tr><td>\$32.21 (128 GB)</td></tr> <tr><td>\$53.81 (500 GB)</td></tr> <tr><td>\$60.14 (1 TB)</td></tr> <tr><td>\$74.83 (2 TB)</td></tr> <tr><td>Fee calculation: Cost of physical medium used</td></tr> </table>	DVD (each): \$0.35 (4.7 GB)	Flash drive (each): \$5.02 (8 GB)	Portable Hard Drive(s) Each	\$6.53 (16 GB)	\$10.08 (32 GB)	\$18.52 (64 GB)	\$32.21 (128 GB)	\$53.81 (500 GB)	\$60.14 (1 TB)	\$74.83 (2 TB)	Fee calculation: Cost of physical medium used
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<p>Digital to Electronic Physical Media</p> <p>Includes copying records already in digital format onto physical medium for distribution in addition to staff and other applicable costs.</p>	<p>Fee calculation: Cost of physical medium used</p>												
	<p>Digital to Digital</p> <p>Includes copying records from one digital format to another for distribution (e.g., email to physical media).</p>	<p>Fees charged for staff time and may include cloud storage fees if applicable.</p> <p>In rare instances, specialized skills, equipment, or technology, may result in copy costs.</p>											
Location Fees	<p>May only be imposed if the cost of location alone is \$50 or more. Includes searching for and identifying responsive records but does not include redaction.</p> <p>Location fees do not include cost of mailing, packaging, shipping or related costs.</p>	<p>\$26.00 per hour staff time (lowest possible hourly rate)</p> <p style="font-style: italic;">In rare instances, an employee or contractor with special skills may be necessary to conduct a search and a higher hourly rate may be assessed.</p> <p>Records Retrieval Fee: Includes mileage, retrieval fees and packaging if necessary. Fee calculation: staff time; cost from the remote storage location(s).</p>											