

## **WILCOX COUNTY WATER & SEWER DISTRICT**

### **(WCWSD)**

#### **Public Records Request Policy**

The Wilcox County Water & Sewer District (WCWSD) acknowledges and supports the public's right to inspect and make copies of public records as allowed by Alabama law. This Policy was adopted and implemented in accordance with The Open Records Law of the State of Alabama, the Alabama case law governing and interpreting the public's right to inspect public records.

#### **Intent**

This Policy is intended to (a) ensure that the inspection of public records held by WCWSD is performed by those with a legitimate interest in the requested records, (b) to maintain the integrity of the public records, (c) to provide an orderly process to facilitate the citizenry's right to inspect public records, and (d) to promote the public's interest in having the business of government carried on efficiently and without undue interference.

#### **Records Available for Public Inspection**

Many records of the Utility are available to the public for inspection, including the following commonly requested records:

- Resolutions and minutes of meetings;
- Certain documents related to awarding public contracts; and
- Summaries and documents approved by the Board

However, as prescribed by the Code of Alabama and interpretive court decisions, some records are not available for public inspection. Records typically not subject to public inspection include those where privacy or security issues are of overriding importance, or where documents are not necessary to record the status and condition of business carried out by the Board. Such exceptions from disclosure may include, but not be limited to:

- Information received by a public officer in confidence;
- Sensitive personnel records;
- Law enforcement investigative reports;
- Banking records;
- Tax returns and financial statements;
- Records which would be detrimental to the best interests of the public if disclosed, such as those related to security plans, procedures, assessments, measures, or systems, and any other records relating to, or having an impact upon, the security or safety of persons, structures, facilities, or other infrastructures, including without limitation information concerning critical infrastructure and its physical location;

- Documents regarding pending, threatened or anticipated litigation or arbitration, and other documents created by or at the direction of the Board's attorney(s) or communications by and between the Board and its attorney(s) where legal advice is sought, discussed and/or received.

### **Procedure for Requesting Public Records**

To request public records, a requesting party must complete a Public Records Request Form (PRRF), available at the reception desk at the utility office located at 12 Water Street, Camden, Alabama 36726. PRRFs are available during normal business hours, Monday through Friday. If submitting the completed PRRF in person, please return it to the receptionist on duty at the time of your visit to the office location. If returning the PRRF by mail, please address it as follows:

Mrs. Mattie Dennis  
WCWSD, Chairperson  
P.O. Box 190  
Camden, AL 36726

**The submission of a fully completed PRRF is the exclusive procedure for requesting public records from WCWSD, including its employees, agents and representatives.** The Board will not respond to any request for public records submitted through any other process other than that set forth herein. Furthermore, the Board will not respond to any incomplete PRRF. A party who submits an incomplete PRRF may resubmit a fully completed PRRF, which the Board will treat as a separate and distinct request to inspect public records.

### **Cost for Inspection and Copying of Public Records**

It is necessary for the Board to assess a reasonable charge to all requesting parties for certain costs associated with a public records request.

- Once the completed form is received, the District's Board Chair and legal counsel will analyze and determine whether the requested information is subject to disclosure. Once this preliminary determination has been made and a request for documents is granted, a **\$25 research fee will be charged plus \$1.00 for each page of document copied.**
- Time. If a request is deemed, or becomes, time-intensive, defined as requiring more than one hour of Board employee or Operations and Management employee time to complete, a fee of **\$25 per hour will be charged beginning with the second hour. Partial hours will be billed in quarter hour increments (example: \$6.25 per 15-minute increment).** If it is estimated charges will reach or exceed \$50, a cash deposit of half the estimated amount will be required before personnel within the Utility office will undertake a search for the requested records.
- Copying Expenses. Photocopies of letter or legal-size records subject to public inspection may be obtained at a cost of \$1.00 per page. The cost of specialized documents, such as maps or large documents are subject to a higher fee as determined on a case-by-case basis based upon the size of the document requested and whether the document can be reproduced in-house or must be sent to an outside vendor for replication. The Board will provide requesting parties the cost of such reproduction prior to copying and the Board may require full or partial payment in advance.

### **Responding to Requests for Inspection of Public Records**

The Board endeavors to provide timely responses to requests received in accordance with this Policy. The length of time it takes the Board to respond to a request is dependent upon a number of factors, including, but not limited to:

- The age, location and availability of the records sought;
- Whether the records sought are kept in electronic or paper form;
- Resolution of any legal issues that may exempt or prohibit particular records from disclosure;
- The availability of Utility staff or Operation and Management staff to undertake the search for and/or copying of the requested records;
- If any search and/or copying of requested documents cannot be completed by the Board within 15 business days, the individual requesting the records will be notified.

The Board will make a reasonably diligent search for the records requested. The Board will not assemble reports or compile data that is not already being assembled or compiled in the normal course of business. When appropriate, information resources will be provided to enable the requestor to assemble or compile their own reports or data. If providing this information requires staff time and other resources, these costs will be borne by the requesting party.

Unless otherwise requested, and subject to any corresponding payment obligations, the Board will make available for inspection the records it discovers pursuant to a request and that it determines are subject to inspection. The Board will not unilaterally reproduce records. When records are available for inspection, the Board will respond to set a mutually convenient date and time, and reasonable timeframe for the inspection. Absent extraordinary circumstances, an inspection shall only be allowed on regular business days, Monday through Friday, between 9:00 a.m. and 3:00 p.m. When copies of records are provided, they may be obtained during the same hours.

#### **Revisions to Policy**

This policy is subject to revision as permitted or required by changes to Alabama law governing the disclosure public records.

This Policy was approved by the Board of Directors of the Wilcox County Water and Sewer District on March 23, 2021.

**WILCOX COUNTY WATER & SEWER DISTRICT  
(WCWSD)  
Public Records Request Form**

Please type or print all requested information in the fields provided and submit completed form in-person or via mail to:

If in person: WCWSD office 12 Water St., Camden AL  
By email: mdennis51@yahoo.com

**WHO IS MAKING REQUEST:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**I Request to:**

- Inspect the following public records of the Board. I agree that I will not cause harm or damage to any public record and further agree that these records will not be removed from Board premises at any time. I understand I will be required to pay fees as described in the Public Records Request Policy.
- Receive Copies of the following public records of the Board. I understand that I will be required to pay fees as described in the Public Records Request Policy.
- Electronic Copies - If available, please provide electronic copies of documents. I understand that electronic documents will likely be provided in PDF format.

The Board reserves the right to require inspection before copies are provided.

**Description of Document(s) and Purpose of Request:**

**Description of Document(s)**

**Requested:** \_\_\_\_\_

\_\_\_\_\_

**Purpose of**

**Request:** \_\_\_\_\_

\_\_\_\_\_

The Alabama Open Records Act and related case law allows certain boards to require a reason be provided to show a direct, legitimate interest in the specific document(s) requested. Statements should communicate a direct interest in the specific materials requested (i.e., "I am a student doing a paper on...") and should not be general statements of entitlement (i.e., "I am a taxpayer" or "It is a public document.").

**The Requesting Party will be notified:**

1) Of the estimated costs associated with completing the request\*;

- 2) If their request is expected to take longer than 15 business days; and
- 3) Upon completion of the search and/or copying of the public records request.

*\*Estimates exceeding \$50 will require a deposit of half the estimated amount. Please see the Public Records Request Policy for details.*

\_\_\_\_\_  
**Signature of Requesting Party**

\_\_\_\_\_  
**Date**

**FOR STAFF USE ONLY**

Date received and reviewed: \_\_\_\_\_ Initials: \_\_\_\_\_

Reviewed by Board Attorney Y/N: \_\_\_\_\_ Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Action Taken (check one):      Approved      Denied

Responding Department(s): \_\_\_\_\_

Estimated Time to Complete: \_\_\_\_\_ Actual Time to Complete: \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_ Actual Completion Date: \_\_\_\_\_

Is this a time-intensive request Y/N: \_\_\_\_\_ Deposit Required Y/N: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Notes:

\_\_\_\_\_  
\_\_\_\_\_

Signature of Person(s) Fulfilling Request: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**Complete Upon Fulfillment of Request**

Total Page Count: \_\_\_\_\_ Copies Provide on Electronic Media Y/N: \_\_\_\_\_

Amount Paid by Requesting Party: \$ \_\_\_\_\_ Receipt Provided Y/N: \_\_\_\_\_

Description or List of All Documents Provided to Requesting Party for Inspection and/or Copying:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Signature of Custodian of Records**

\_\_\_\_\_  
**Date**

**COMPLETED FORM MUST BE RETURNED TO: \_\_\_\_\_ WCWSD Office \_\_\_\_\_**