

Data Practices Policy for Members of the Public Martin County, MN

This document is required by Minnesota Statutes, section 13.03, subdivision 2(b)

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, CD-ROM, DVD's, photographs, etc.

The Government Data Practices Act also provides that Martin County must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You also have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

To look at data or request copies of data that Martin County keeps, a written request must be made to the appropriate Data Practices contact (on pages 4-5). You may make your written request for data by mail, email or fax by completing Section A of the Information Disclosure Request form on page 8. Requests for a small amount of public data may not require a written request, and is at the sole discretion of the Responsible Authority or Designee for the department which maintains the data.

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.

Martin County cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. 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. In addition, please 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 in a timely manner.

- 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 in writing as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, 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 or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CDROM) upon request if we keep the data in electronic format.
 - Information about copy charges is on pages 5-6.
 - We also will arrange for you to pre-pay for the copies. Pre-payment of copies is required unless other arrangements are approved by the Department Head or Data Practices Compliance Official for the responding department.

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. Martin 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 Information Disclosure Request form on page 7 – 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.

Data Practices Contacts Martin County, MN

Office	Responsible Authority	Data Practices Compliance Official	Designees
County Auditor/ Treasurer	Michael Forstner 201 Lake Avenue Fairmont, MN, 56031 507-238-3272 michael.forstner@co.martin.mn.us	Michael Forstner 201 Lake Avenue Fairmont, MN, 56031 507-238-3272 michael.forstner@co.martin.mn.us	
County Attorney	Taylor McGowan 123 Downtown Plaza Fairmont, MN 56031 507-238-4377	Taylor McGowan 123 Downtown Plaza Fairmont, MN 56031 507-238-4377	
County Recorder	Michelle Duncan 201 Lake Avenue Fairmont, MN 56031 507-238-3255 michelle.duncan@co.martin.mn.us	Michelle Duncan 201 Lake Avenue Fairmont, MN 56031 507-238-3255 michelle.duncan@co.martin.mn.us	
Sheriff	Jeff Markquart Security Building 201 Lake Avenue Fairmont, MN 56031 507-238-4481 jeff.markquart@co.martin.mn.us	Jeff Markquart Security Building 201 Lake Avenue Fairmont, MN 56031 507-238-4481 jeff.markquart@co.martin.mn.us	
All Other Offices	Scott Higgins County Coordinator 201 Lake Avenue, Fairmont, MN 56031 507-238-3126; Fax 507-238-3136 scott.higgins@co.martin.mn.us	Scott Higgins County Coordinator 201 Lake Avenue, Fairmont, MN 56031 507-238-3126; Fax 507-238-3136 scott.higgins@co.martin.mn.us	<p>HR Director Leigha Johnson 507-238-5222 leigha.johnson@co.martin.mn.us</p> <p>County Assessor Mike Sheplee 507-238-3278 mike.sheplee@co.martin.mn.us</p> <p>U of M Extension Hannah Neil 507-238-3116 hneil@umn.edu</p> <p>Library Jenny Trushenski 507-238-4207 jtrushenski@tds.lib.mn.us</p> <p>MIS Steve McDonald 507-238-3133 steven.mcdonald@co.martin.mn.us</p>

			<p>Planning & Zoning Pam Flitter 507-238-3242 pam.flitter@co.martin.mn.us</p> <p>Probation Department Nancy Johnson 507-238-3221 nancy.johnson@state.mn.us</p> <p>Highway Kevin Peyman 507-235-3347 kevin.peyman@co.martin.mn.us</p> <p>Veteran Services Doug Landsteiner 507-238-3257 doug.landsteiner@co.martin.mn.us</p> <p>Victim Services Rebecca Bentele 507-238-3209 rebecca.bentele@co.martin.mn.us</p>
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Copy Costs – Members of the Public Martin County, MN

Martin County charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). However, when a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the government entity, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged per Minnesota Statutes, section 13.03, subdivision 3(d). You must pay for the copies before we will give them to you.

Pre-payment of copies is required unless other arrangements are approved by the Department Head or Data Practices Compliance Official for the responding department.

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 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.

If, because of the subject matter of your request, we find it necessary for an employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the lowest salary/wage employee in the Department/Office.

For all other related fees, refer to the Martin County Fee Schedule for a detailed listing of all copy fees. If not otherwise specified in the Martin County Fee Schedule, please contact the Department with whom you made the request.

Martin County will accept cash, money order, checks or collected funds. It is at the discretion of the Department Head on what types of funds they will accept.

Data Request Form – Members of the Public

Date of request: _____

I am requesting access to data in the following way:

Inspection

Copies

Both inspection and copies

Note: inspection is free, but there may be charges applied as listed in this policy.

These are the data I am requesting:

Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information

Name: _____

Address: _____

Phone number: _____ Email address: _____

You do not have to provide any of the above contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

We will respond to your request as soon as reasonably possible.

MARTIN COUNTY DATA/INFORMATION DISCLOSURE REQUEST

A. Requester Complete, at a minimum, the highlighted sections.

Note: Request Frequency – Private Data on individuals. After you have been shown the data and informed of its meaning, the data need not be disclosed to you until six months thereafter unless a dispute or action is pending or additional data on you has been collected.

1. Requester Name (Last, First, Middle)	2. Company Name (if applicable)	3. Date of Request
4. Parent/Guardian (if applicable-for request for data about minor)	5. Description of Requested Information	
6. Mailing Address		
7. City, State, Zip Code		
8. Phone (if required to advise when data is ready)		
9. E-mail Address (if required for electronic delivery of data)	10. I am requesting access to the data in the following way: <input type="checkbox"/> Inspection <input type="checkbox"/> Copies <input type="checkbox"/> Both Inspection and Copies Note: Inspection is free, but there is a charge for copies.	
11. Requestor Signature (if required to prove identity- for private data)		
B. County Department Complete		
12. Department:	13. Request Handled by:	
14. Request Type: <input type="checkbox"/> In-Person <input type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> E-mail	15. Request By: <input type="checkbox"/> Subject of Data <input type="checkbox"/> Not the Subject of Data	
16. The Information Requested is Classified <input type="checkbox"/> Public <input type="checkbox"/> Non-Public <input type="checkbox"/> Private <input type="checkbox"/> Protected Non-Public <input type="checkbox"/> Confidential	17. Request <input type="checkbox"/> Approved <input type="checkbox"/> Denied (explain in #20) <input type="checkbox"/> Approved in Part (explain in #20)	
18. Identification provided (if request for private data ONLY-see Page 2 for Standard for Verifying Identity)		
19. Authorized Signature		
20. Remarks/Comments (If requested data is classified so as to deny access to the requestor, cite the authority or reason. Also enter any other remarks or comments that are appropriate.)		
21. Date Completed	22. Date Notified and by Whom:	

C. Department Complete When Fees are Assessed

(A receipt copy of the form is to be provided to the requestor each time money is received.)

23. <input type="checkbox"/> Fees: Flat Rate	24. Fees: Special Rate $\frac{\text{_____}}{\text{(# of items)}} \times \text{_____} = \text{_____}$ (Rate Amt.)		
I have received from the above named, the amount (s) indicated below opposite my signature(s) for providing the information requested.			
25. Total Amount Due	\$ _____	Received By:	Today's Date:
25a. Total Amount Due (50% of est. totals over \$50.00)	\$ _____	Received By:	Today's Date:
25b. Balance Due: (Upon Completion of Copying)	\$ _____	Received By:	Today's Date:

D. Requester, Please Note Items Checked

- Make check/money order payable to:
 Martin County Auditor/Treasurer

If mailed, return entire form and any fees to:

Standards for Verifying Identity Martin County, MN

The following constitute proof of identity.

- An **adult individual** must provide a valid photo ID, such as
 - a state driver's license
 - a military ID
 - a passport
 - a Minnesota ID
 - a Minnesota tribal ID

- A **minor individual** must provide a valid photo ID, such as
 - a state driver's license
 - a military ID
 - a passport
 - a Minnesota ID
 - a Minnesota Tribal ID
 - a Minnesota school ID

- The **parent or guardian of a minor** must provide 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 relating to divorce, separation, custody, foster care
 - ❖ a foster care contract
 - ❖ an affidavit of parentage

- The **legal guardian for an individual** must provide a valid photo ID *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
 - court order(s)
 - valid power of attorney

Note: Individuals who do not exercise their data practices rights in person must provide *either* notarized or certified copies of the documents that are required *or* an affidavit of ID.