

**TOWN OF RUSSELL
Bayfield County, Wisconsin**

Resolution 07 - 2009

ORDINANCE ADOPTING NOTICE OF RECORDS ACCESS

The Town Board of the Town of Russell, Bayfield County, Wisconsin, has the specific authority under s. 19.34, Wisconsin statutes, to adopt this ordinance.

This ordinance, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, adopts the attached Notice of Records Access, which, pursuant to s. 19.34 (1), Wisconsin statutes, contains a description of the town's organization and the established times and places at which, the legal custodian from whom, and the methods whereby the public may obtain information from and access to records in the Town's custody, make requests for Town records, or obtain copies of Town records, and the costs thereof, and the attached to this ordinance is so adopted.

19.34 * NOTICE OF RECORDS ACCESS

The Town Clerk shall prominently display and make available for inspection and copying at the Town office copies of the Notice of Records Access, for the guidance of the public.

NOTICE OF RECORDS ACCESS FORM

STATE OF WISCONSIN

Town of Russell

Bayfield County

The clerk of the Town of Russell, Bayfield County, Wisconsin, by this notice states that the clerk of the Town of Russell has been designated under s. 19.33, Wis. stats., as the legal custodian of records for the Town of Russell, except that elected officials are the custodians of their own records of office and chairpersons of committees and committee members are the custodian of their own records.

The public may obtain information and access to records in the custody of the Clerk or other appropriate legal custodian(s), make requests for records, or obtain copies of records, and learn the costs of obtaining copies of records from the Town Clerk or other appropriate legal custodian as follows:

The Town Clerk maintains regular office hours of 8 a.m. to 4 p.m. on Mondays, except legal holidays, at 35900 State Highway 13.

The following are the fees for satisfying record requests under s. 19.35, Wis. stats.:

Revised fees April 13, 2010 - Proposed public records request charges – Good presented a document of charges used by Bayfield County. The following changes were recommended; 11x17 B&W copies \$0.50 and color \$2.00. Staff research time \$25.00 per hour and tape reproduction charge \$30.00 per hour. A motion was made by Goodwin and seconded by Basina to approve the changes. The motion carried.

- a. Actual cost of reproduction - 8.5x11 \$0.25 per page B&W.
\$1.00 per page Color
- b. Actual cost of scanning and color printing (photos, etc.) - \$1.50 per page.
- c. Actual cost of locating a record(s) if the cost is more than \$50 - \$25.00 per hr.
- d. Duplicating recordings etc. CD's & Cassette Tapes \$30.00 per hr plus
\$10.00 per Tape or
\$3.00 CD & Case
- e. Actual cost of shipping and mailing of any copy or photograph - USPS Rates

19.35 * Request form for access to or copy of public record.

I. TO BE COMPLETED BY PERSON REQUESTING ACCESS TO OR COPY OF RECORD IN POSSESSION OF THE TOWN OF RUSSELL, BAYFIELD COUNTY, WISCONSIN

Description of the record(s) to be inspected and/or copied:

Please note: A request "is deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the records does not constitute a sufficient request." (s. 19.35 (1) (h), Wis. stats.) The request may be made orally, but a request must be in writing before an action to enforce the request is commenced under s. 19.37, Wis. stats.

Date and time requested to inspect record: _____

Name of requester: _____

Date and time requested for copy of record: _____

Mailing address of requester: _____

Telephone number (Optional): _____

Is the record or part of the record requested a personnel record of a town employee?

Yes _____ No _____

If "yes," which employee? _____

Please note: A request may not be refused "because the person making the request is unwilling to be identified or to state the purpose of the request." (s. 19.35 (1) (i), Wis. stats.)

Amount of any prepayment paid to legal custodian (s. 19.35 (3) (f), Wis. stats.): \$_____

II. TO BE COMPLETED BY CUSTODIAN OR DEPUTY CUSTODIAN OF RECORD.

Name of official, Date and time request received: _____

Date and time request completed: _____

Was the request acted upon within 10 days of the request? Yes _____ No _____
Action taken on request: () Approved () Approved in part and denied in part () Denied
If the requested record was a personnel record, was the town employee notified of the request?
Yes _____ No _____*

Please note: For a denial, attach a copy of any statement of the reasons denying access to, a copy of, or other information contained in any public record covered by this request. If the request for the record was in writing, the denial determination is subject to review by mandamus under s. 19.37 (1), Wis. stats., or upon application to the attorney general or a district attorney. (s. 19.34 (4) (b), Wis. stats.)

Amount of any prepayment requested: \$_____

Amount of any fee to be paid by requester: \$_____

Reason for fee:

Name and title of legal custodian or deputy acting on request: _____

If a personal record request, the date and name and address of the town employee notified in writing as to the request and response, if any, received from the employee:

This ordinance and form is effective on posting on November 11, 2009.

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wisconsin statutes.

Adopted this 10th day of November in the year 2009 by roll call vote as follows: Basina – yes; Goodwin – yes; Meierotto – yes; Sullivan – yes; and Tribovich – yes.

Paul “Rocky” Tribovich, Chair

Donald Sullivan, Supervisor

Leon Basina, Supervisor

Larry Meierotto, Supervisor

Brian Goodwin, Supervisor

Attested by: _____
David L. Good, Clerk/Treasurer