

RESOLUTION 2014-2
A RESOLUTION ADOPTING A POLICY FOR COMPLIANCE WITH
THE COLORADO OPEN RECORDS ACT

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE PLUM CREEK WATER RECLAMATION AUTHORITY ("Authority") as follows:

1. The Authority is a public entity, and its records shall be matters of public information subject to such restrictions as are set by statute or regulation, or by pertinent court rulings. The Authority shall make reasonable efforts as required by law to disseminate its public records, as defined under the Colorado Public Records Act. The Authority's Plant Superintendent shall be the official custodian of Authority records.
2. Authority records are subject to public inspection in accordance with the Colorado Open Records Act ("CORA"), CRS 24-72-201, *et seq.* However, no records shall be released for inspection by the public if such disclosure would be contrary to the public interest as described in state law or if, in the opinion of the official custodian, disclosure of the contents would do substantial injury to the public interest.
3. Records shall be open for inspection at reasonable times. The custodian of records has three working days to respond to the person making the request to set a date and time when the records will be available for inspection.
4. Pursuant to CORA, the custodian of public records may deny the right of inspection of certain records on the grounds that disclosure would be contrary to the public interest as set forth in CRS 24-72-204(2). In addition, the custodian of public records shall deny the right of inspection of certain records, as set forth in CRS 24-72-204(3), except as otherwise provided by law.
5. The Authority shall charge fees for furnishing copies of such public records as follows:
 - a. For any request that requires more than one hour of time spent in research or retrieval of the requested records, there shall be no charge for the first hour spent, but for each hour thereafter the Authority shall charge a research/retrieval fee of \$30.00 per hour, which hourly rate shall be increased from time to time as provided in CRS 24-72-205(6)(b).
 - b. A person who has the right to inspect a public record also has the right to be furnished a copy of the record upon request. The fee for copying public records will not exceed \$0.25 per standard page. For non-standard pages, the copying fee shall not exceed the Authority's actual cost in making the copies. For purposes of this policy, "copying" includes photocopying and scanning to produce a document that can be emailed in portable document format, or copying and pasting a document into the body of an email, or to create a new Word document that can be emailed as an attachment, or any other method that creates a duplicate copy from an original source.
 - c. In response to a specific request for records, the Authority is not obligated to reformat data to generate a record in a form not used by the Authority. If the Authority agrees to fulfill such a request, it may charge a reasonable fee not to exceed the actual cost of producing the record.

- d. If a request for records requires computer output other than word processing, the Authority may charge a reasonable fee based on the actual costs of providing the electronic service and product, together with a reasonable portion of the costs associated with building and maintaining the information system.

Each fee or charge listed above shall be separate from and in addition to the other fees and charges listed above, as applicable.

6. Upon receipt of payment of any applicable research/retrieval fees, copy costs and/or other fees or upon making payment arrangements with the person requesting the record, the custodian of records will transmit a copy of the record by United States mail, other delivery service, facsimile or electronic mail. Transmission will occur as soon as practicable.
7. Inspection of any public record shall take place in an area designated by the Authority's custodian of records and shall occur in a manner that will not be disruptive to district operations. Authority employees may be assigned to monitor any inspection of public records.
8. If the Authority does not have facilities for making a copy of a record that a person has the right to inspect, the person shall be granted access to the record for the purpose of making a copy. Access shall be granted and the copy shall be made under the continuous supervision of the custodian of records or designee. When practical, the copy shall be made in the place where the record is kept but if it is impractical to do so, the custodian may allow arrangements for the copy to be made at another facility.
9. In addition to the procedures contained in this regulation, the Authority may develop further procedures governing the inspection, copying and transmission of its records as it deems necessary to protect its records and prevent unnecessary interference with Authority staff responsibilities and Authority operations.

ADOPTED AND APPROVED this 17th day of June, 2014.

The undersigned certify that each is a duly elected officer of the Plum Creek Water Reclamation Authority, and that the above and foregoing Resolution was duly adopted and approved by the Authority's Board of Directors this 17th day of June, 2014.

PLUM CREEK WATER RECLAMATION AUTHORITY

By _____
Mark Marlowe, President

ATTEST:

Jim Nikkel, Secretary/Treasurer