



Agenda Item Number: 2-21-13.10

**SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS**

Date of Commission Meeting:

February 21, 2013

Division / Elected Office:

Public Information Office

Staff Contact:

Sidney Hill, Public Information Officer

Title of Item:

Resolution to Inspect Public Records

Action Requested:

Request for a Motion to Adopt Resolution No. 2-21-13.10 Designating Official Custodian of Public Records, Policy and Procedure for Inspecting Public Records, and Fee Schedule

Summary:

This resolution brings the county into full compliance with the New Mexico Inspection of Public Records Act, by establishing a formal process for citizens to access public records.

Attachments:

- Resolution No. 2-21-13.10
- Current IPRA Notice

FISCAL IMPACT

None

STAFF ANALYSIS SUMMARY

County Manager:

Recommend Board of County Commission approval. PPR 02/13/2013

Initiating Elected Official / Division Director:

Recommend approval. SH 2/12/13

Legal:

Approved as to form. PFT 2/12/2013

Finance:

N/A



SANDOVAL COUNTY
RESOLUTION NO. 2-21-13.10

**DESIGNATING OFFICIAL CUSTODIAN OF PUBLIC RECORDS, POLICY AND
PROCEDURE FOR INSPECTING PUBLIC RECORDS, AND FEE SCHEDULE**

WHEREAS, NMSA 1978, 14-2-1, et seq. grants citizens the right to inspect public records, with certain exceptions, and

WHEREAS, NMSA 1978, 14-2-7 says each public body must designate at least one custodian of public records who shall and respond to requests to inspect public records and post in a conspicuous location of the administrative office a notice describing citizens' right to inspect a public body's records, as well as the procedures for requesting to inspect and obtain copies of public records, along with a schedule of reasonable fees for obtaining such copies.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, that the Public Information Officer shall be the official Custodian of Public Records for Sandoval County, and shall respond to all public records requests in accordance with the policies and procedures adopted by the County Commission.

BE IT FURTHER RESOLVED, that Exhibit A shall be the notice describing citizens' right to inspect a public body's records, as well as the procedures for requesting to inspect and obtain copies of public records, along with a schedule of reasonable fees for obtaining such copies.

BE IT FURTHER RESOLVED, that the notice shall be posted in a conspicuous location in the Sandoval County Administration Building.

**DONE AT BERNALILLO, NEW MEXICO, COUNTY OF SANDOVAL, THIS 21ST DAY
OF FEBRUARY 2013.**

**BOARD OF COUNTY COMMISSIONERS
OF SANDOVAL COUNTY**

Darryl F. Madalena, Chair

ATTEST:

Nora Manierre Scherzinger, Vice Chair

Eileen Garbagni, County Clerk

Orlando J. Lucero, Member

APPROVED AS TO FORM:

Don Chapman, Member

Patrick F. Trujillo, County Attorney

Glenn Walters, Member

Sandoval County, New Mexico

YOUR RIGHT TO INSPECT PUBLIC RECORDS

Any person may submit a written request to inspect public records maintained by Sandoval County. Please make your request to the Public Information Officer, currently serving as Custodian of Public Records.

Requests may be submitted in any of the following manners:

- By regular mail to PO Box 40, Bernalillo, NM 87004
- By email to ipra@sandovalcountynm.gov
- Filling out an IPRA Request form on the Sandoval County website www.sandovalcountynm.gov
- By FAX to 505-867-7600.

A request should include the name, address and telephone number of the person seeking access to the records. Please identify the records sought with reasonable particularity. You will not be asked to state the reason for your request.

Requested public records containing information that is exempt from disclosure will be redacted, and only nonexempt information shall be made available for inspection.

NMSA 1978, 14-2-1, et seq. requires public bodies to permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a Written Request.

If a response to a written request for inspection is not possible within three business days, the County will explain in writing when the records will be available for inspection or when the County will respond to the request. The three-day period will not begin until the request is delivered to the designated custodian of public records.

Effective March 1, 2013, the following charges shall apply to all County departments for requested copies of public records, payable to Sandoval County by cash or check:

- a. \$1.00 per page, 8 x 11 to 8 x 14 inches, one sided.
- b. \$1.50 per page, 11 x 14 to 11 x 17 inches, and one sided.
- c. \$5.00 per sheet for copies of section maps and similar documents, 32 x 36.
- d. \$2.00 per sheet for copy of microfilm, 8 x 11 inches.
- e. \$10.00 for any files placed on CD/DVD or other digital storage device.

If an Inspection of Public Records Act request requires searching, retrieving, compiling or reviewing data from either an electronic information system or paper filing system, NMSA 1978, 14-3-18 permits the County to charge a reasonable fee for this service. The fee will equate to the hourly wage of the county employee or employees performing the service.

Sandoval County, New Mexico

YOUR RIGHT TO INSPECT PUBLIC RECORDS

Any person may submit a written request to inspect public records maintained by Sandoval County. Please make your request to the Office of the County Manager, currently serving as Custodian of Public Records (FAX:505-867-7600; P O Box 40 Bernalillo NM 87004, Bernalillo, NM 87004; or sdoke@sandovalcountynm.gov). A request should include the name, address and telephone number of the person seeking access to the records. Please identify the records sought with reasonable particularity. You will not be asked to state the reason for your request. Requested public records containing information that is exempt and nonexempt for disclosure will be redacted, and only nonexempt information shall be made available for inspection.

NMSA 1978, ARTICLE 14, CHAPTER 2 requires that we permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request.

If a written request for inspection is not permitted within three business days, the County will explain in writing when the records will be available for inspection or when the County will respond to the request. The three-day period will not begin until the request is delivered to the designated custodian of public records.

Effective January 1, 1009, the following charges shall apply to all County departments for requested copies of public records, payable to Sandoval County by cash or check:

- a. \$.25 per page, 8 ½ x 11 to 8 ½ x 14 inches, one sided.
- b. \$.50 per page, 11 x 14 to 11 x 17 inches, one sided.
- c. \$4.50 per sheet for copies of section maps and similar documents, 32 x 36.
- d. \$1.00 per sheet for copy of microfilm, 8 ½ x 11 inches.
- e. \$300.00 per year for copies of County Commission agenda packets.
- f. \$.75 for certification stamp plus any per copy charge.