



CHEROKEE METROPOLITAN DISTRICT

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This policy applies to all requests, submitted pursuant to C.R.S. § 24-72-201 *et seq.*, to inspect public records in the custody or control of the Cherokee Metropolitan District. Requirements for requesting to inspect public records are as follows:

1. All requests to inspect public records must be submitted in writing to the District's custodian of records, which is its General Manager. In the absence of the General Manager, the Administrative Executive will accept and process the submittal. **Requests made to any person other than the proper custodian will not be accepted.**
2. Requests may be submitted in person, via electronic mail (e-mail), regular U.S. mail, or via facsimile.
3. The date the request is received by the custodian will constitute the "date of receipt". For requests submitted via e-mail, the date of receipt shall be the date that the official record custodian confirms receipt in writing to the requestor. The statutory time for response will begin when the custodian provides confirmation to the requestor. If a request is sent via e-mail to anyone other than the official record custodian, it will not be considered received until routed or resubmitted to the proper custodian.
4. All requests for records **must** be specific as to the records sought, including the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the custodian may require the requestor to provide a more specific request.
5. There are several categories of information that are protected by State and Federal law. See Colorado Revised Statute 24-72-204 for specific information.
6. The District is not required by the Act to construct or create a record that does not exist. Nor is the District required to manipulate or analyze information in a new way in order to respond to a request.
7. Time for response to records requests shall be as follows:
 - a. The normal time for production shall be three (3) working days; beginning on the first business day after the request is received.
 - b. Such period may be extended upon determination by the custodian that extenuating circumstances exist. Such period of extension shall not normally exceed seven (7) working days. The requestor shall be notified of the extension within the three-day period.
8. Requests to inspect records will not take priority over the regular work activities of District employees.
9. Charges for copies of requested records shall be as follows:
 - a. The normal cost for requested documents shall be \$.25 per page or, for documents in non-standard formats, the actual duplication costs. If electronic copies of responsive records can be made available without printing or scanning, there shall be no per page charge for such records.

- b. The custodian may charge a research and retrieval fee based on the actual time spent and the actual cost of responding to the request; provided, however, that the hourly rate for employee time shall be set in accordance with C.R.S. 24-72-205, *et seq.* and there shall be no charge for the first hour of employee time. Effective July 1, 2019 the hourly rate is \$41.37.
 - c. Payment must be received by the custodian before any records are produced to the requestor.
- 10. If the employee time for responding to a request, including, but not limited to, research and retrieval, is expected to exceed the initial complimentary hour, the custodian will provide the requestor with an estimate of the cost of responding. If the requestor wishes to proceed once receiving an estimate, he or she must respond in writing. By responding in writing, the requestor agrees to pay all fees associated with responding to the request before any records are produced. The time between the date of the custodian's estimate and the receipt by the custodian of a written response to proceed will not be counted against the time period set forth in this policy.
- 11. If a requestor wishes to inspect available records in advance of receiving copies, such inspection shall be by appointment only during normal working hours. Such inspection must be supervised by a District representative and the requestor may be charged for employee time associated with such inspection.

The District is committed to the guiding principles of openness, transparency, accountability and responsiveness.