

RESOLUTION

Washington County Conservation District

WHEREAS, the Pennsylvania Right to Know Act, 65 P.S. 66.1et seq., (the "Act") requires public access to certain enumerated governmental documents, and,

WHEREAS, the Act permits a governmental body to promulgate rules and regulations for providing public access to said documents.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Conservation District Board of Directors as follows:

- 1) Request to review and inspect public documents subject to the Pennsylvania Right to Know Act shall be made in writing on a form available from the District Secretary and shall be addressed to the District Manager at 50 Old Hickory Ridge Road, Suite 1, Washington, PA 15301. All requests must be signed by the individual making the request, and must include a mailing address and phone number for replies. A sample copy of this form is also attached to this Resolution as "Attachment"; however, the form may be changed from time to time without subsequent Resolution.
- 2) The District shall make reasonable efforts to make the requested documents available for inspection within five (5) working days of the request. If the District is unable to meet this time requirement, the District shall so notify the requesting individual, in writing or by phone, before the expiration of the five (5) working day period.
- 3) Nothing herein shall be construed to require the District to make copies of any records as long as the District provides access to said records in a manner consistent with the Act. Nevertheless, the District may elect to make and to provide copies of requested documents. Fees for this service are itemized in Paragraph 8.
- 4) For the convenience of the public, duplication equipment is available for use by the requester at a nominal charge based upon prevailing fees for comparable duplication services provided by local business entities. District duplication fees are itemized in Paragraph 8. The District does not own or operate duplication equipment that is capable of providing color copies or copies larger than inches by 17 inches normal paper. District equipment can be used for duplication of requested documents under the following stipulations: the equipment can only be used by staff, the equipment is available, not under repair and is not being used by District staff for required duties.
- 5) A public record shall be provided to a requester in the medium requested if the public record exists in the medium; otherwise, it shall be provided in the medium in which it exists.

- 6) Nothing herein shall be construed to require the District to compile reports or summaries of any records requested pursuant to the Act, as long as the District permits public access to said records.
- 7) Generally, requests for records shall be addressed in the order received.
- 8) Fees charged for duplication of District documents are limited by the Act to amounts which are reasonable and consistent with prevailing fees for comparable duplication services provided by local business entities. Accordingly, the District will charge the following fees:
 - a. Postage: The actual cost of mailing
 - b. Photocopying: 25 cents per page copied. One "photocopy" is either a single-sided copy or one side of a double-sided copy.
 - c. Certification of record if certification has been requested for the purpose of legally verifying the public record: The cost for this service varies, depending upon the type of certification requested. Fee inquiries should be addressed to the District Manager.
 - d. Download to disc: If the requested record is maintained electronically and able to be downloaded to compact disc, requester may choose to accept the record in this medium. The cost for this service varies, depending upon the size and type of the file record being requested.
 - e. Waiver: The District may waive the fees for duplication of a public record in certain situations including, but not limited to, when
 - i. The requestor personally duplicates the public record; or
 - ii. The District deems it is in the public interest to do so.
 - f. Prepayment: Prior to granting a request for access in accordance with the Act, the District may require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100.
 - g. Complete and exact copy: In the event that a full and complete copy of a large document is requested the District will obtain an estimate from a local duplication business and provide this estimate to the requester. The requester must submit in writing acceptance of the estimated cost for reproduction and prepayment of this cost will be required prior to the District having the document reproduced. For the purpose of this criteria a large document will be defined as any document over fifty (50) pages of text or any document that contains maps and color pages that the District does not possess the equipment to provide duplication services.
- 9) The fee limitations listed above shall not apply to certain Department of Environmental Protection documents because: particular DEP records may not be subject to the Act; may be determined by other statutes; or may be excluded from the definition of "public record" by statute or caselaw.
- 10) Restricted Records: Under the law and court rulings, some types of records are not available to the public. Included in this category are notes, calendars, voice mail

recordings, draft documents, internal correspondence, internal logs and tracking, identity of complainants, attorney work product, litigation documents, legal advice, attorney correspondence, settlement discussions, trade secret information, material that might impair a person's safety, and investigation files. The District will assume that the requester is not asking for these types of records unless specifically requested. In most cases, these restricted records will not be provided.

- 11) District records that may be deemed to be restricted are related to programs that have been delegated to the District through the State Conservation Commission by the Department of Environmental Protection or the Department of Agriculture. If the District has been instructed by the DEP or PDA to deny access to specific documents or records related to these delegated programs all appeals must be directed to the appropriate DEP or PDA office. The District will provide the proper contact persons in these agencies for appeal purposes. Authorization to release specific records related to delegated programs can only be granted by the appropriate DEP or PDA official.
- 12) Reviewing Records: The requester will need to schedule an appointment with the appropriate office. The Law only requires records to be made available to Pennsylvania residents. **Records may not be removed from the District office.** The District's regular business hours are from 8:00 a.m. through 4:30 p.m. Monday through Friday.
- 13) This policy shall be conspicuously posted in the Conservation District offices.

RESOLVED by the Conservation District Board of Directors, Washington County, Pennsylvania this 9th day of October, 2007


District Chairman


District Board member

*Updated 8/30/2018 – Address change