

**PUBLIC RECORDS POLICY
FOR
COFFEE COUNTY TRUSTEE, TENNESSEE**

Pursuant to Tenn. Code Ann. §10-7-503(g), the following Public Records Policy for the Office of the Coffee County Trustee, Tennessee is hereby adopted by the Coffee County Government to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code Ann. §10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall, at all times during business hours, which for public inspection shall be during the business hours of their administrative offices, be open for personal inspection by any citizen of this State, and those in charge of the records shall not refuse such right of inspection to any citizen, unless provided by state law. See Tenn. Code Ann. §10-7-503(a)(2)(A). Accordingly, the public records of Coffee County Trustee, Tennessee are presumed to be open for inspection unless otherwise provided by law.

Personnel of the Coffee County Trustee, Tennessee shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of Coffee County Trustee, Tennessee, shall be protected as provided by current law. Concerns about this policy should be addressed to the Public Records Request Coordinator for Coffee County Trustee, Tennessee or to the Tennessee Office of Open Records Counsel ("OORC").

This policy is available for inspection and duplication in the office of the Coffee County Trustee, Tennessee. This policy is posted online at: www.coffeecountytn.org. This policy shall be reviewed every two (2) years.

I. Definitions:

- A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. §10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.
- B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. §10-7-503(a)(1)(A).
- C. Public Records Request Coordinator: The individual, or individuals, designated in section III, A.3 of this policy who has, or have, the responsibility to ensure public records requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. §10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records:

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee in order to ensure public records requests are routed to the appropriate records custodian and fulfilled in a timely manner.
- B. Records for inspection only cannot be required to be made in writing. The PRRC should request a mailing address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally or in writing using the attached Form "1". Requests for inspection may be made in person or by mail at 1341 McArthur Street, Suite 1, Manchester, TN, 37355. Requests for inspection may be made by phone at (931)723-5128 or by fax at (931)723-2483. Requests for inspection may also be submitted by email at: jmarchesoni@coffeecountytn.org.
- D. Requests for copies, or requests for inspection and copies, shall be made in writing utilizing the form attached as Form "1". Requests for copies may be made in person or by mail at 1341 McArthur Street, Suite 1, Manchester, TN, 37355. The form attached shall be required for any request seeking copies as permitted by Tenn. Code Ann. §10-7-503(g).
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license (or alternative acceptable form of ID validating Tennessee citizenship) is required as a condition to inspect or receive copies of public records.
- F. Some documents of Coffee County government are posted in various locations on its website located at www.coffeecountytn.org.

III. Responding to Public Records Requests:

- A. Public Records Request Coordinator (PRRC).
 - 1. The PRRC shall review public records request and make an initial determination of the following:
 - a. If the requestor provided evidence of Tennessee citizenship;
 - b. That the records requested are described with sufficient specificity to identify them; and
 - c. If the governmental entity is the custodian of the records.
 - 2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
 - a. Advise the requestor of this policy and the elections made regarding:
 - (i) proof of Tennessee citizenship;
 - (ii) form(s) required for copies;

- (iii) fees (and labor threshold and waivers, if applicable);
 - (iv) aggregation of multiple or frequent requests.
- b. If appropriate, deny the request in writing, providing the appropriate ground, such as one of the following:
- (i) the requestor is not, or has not presented evidence of being, a Tennessee citizen.
 - (ii) the request lacks specificity. (Example: Type and Year not specified)
 - (iii) an exemption makes the record not subject to disclosure under the TPRA (provide the exemption in written denial).
 - (iv) the governmental entity is not the custodian of the requested records.
 - (v) the records do not exist.
- c. If appropriate, contact the requestor to see if the request can be narrowed.
- d. Forward the records request to the appropriate records custodian in the appropriate governmental department.
- e. If requested records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, advise the requestor of the correct governmental entity and PRRC for that entity if known.

3. The designated PRRC is:

- a. John Marchesoni
Coffee County Trustee
1341 McArthur Street, Suite 1, Manchester, TN 37355
931-723-5128 phone
931-723-2483 fax
jmarchesoni@coffeecountyttn.org

4. The PRRC shall report to the governing authority on an annual basis about the governmental entity's compliance with the TPRA pursuant to this policy and shall make recommendations, if any, for improvement or changes to this policy.

B. Records Custodian.

1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. §10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.
2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, or retrieve,

or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed public records request response form which is attached as Form "2", based on the form developed by the OORC.

3. If a records custodian denies a public records request, he or she shall deny the request in writing as provided in section III.A.2.b. using the public records request response form.
4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the public records request response form to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

C. Redaction:

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

IV. Inspection of Records.

- A. There shall be no charge for the inspection (without copies) of open public records on site.
- B. The location for inspection of records within the office of Coffee County Trustee, Tennessee is: 1341 McArthur Street, Suite 1, Manchester, TN, 37355. Records are available for inspection during business hours which are Monday through Friday 8am to 4:30pm. Exceptions would be for all holidays on the Coffee County annual holiday schedule available on the county website and with prior notice of office closure.
- C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location. If an appointment is needed, it must be during regular business hours.

V. Copies of Records.

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at a location specified by the records custodian.
- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment. A requestor will not be allowed to make photographs of records with a cellphone or other camera or photo taking device.

VI. Fees and Charges and Procedures for Billing and Payment.

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. Records custodians shall provide requestors with an itemized estimate of the charges using Form "3" prior to producing copies of records and may require prepayment of such charges before producing requested records.
- C. When fees for copies and labor do not exceed \$1.50, the fees may be waived.
- D. Fees and charges for copies are as follows:
 - 1. \$0.15 per page for letter – and legal-size black and white copies.
 - 2. No charge for two copies sent by email.
 - 3. \$1.00 per page for certified copy of letter-and legal-size b/w copies.
 - 4. "Labor" when time exceeds one (1) hour. "Labor" is the time (in hours) reasonably necessary to produce requested records, including the time spent locating, retrieving, reviewing, redacting, and reproducing records.
 - 5. Faxed copies -\$0.15 letter or legal or if the record has to be taken out of a book manually the fee will be \$1.00 per page letter or legal.
- E. No duplication costs will be charged for requests for less than 10 black and white pages.
- F. Payment is to be made in cash or check payable to Coffee County, Trustee, presented to the records custodian or PRRC, as appropriate.
- G. Payment in advance will be required.
- H. The records custodian may charge its actual out-of-pocket costs for flash drives or similar style devices on which electronic copies are provided.
- I. Aggregation of frequent and multiple requests.

1. Coffee County, Tennessee will aggregate record requests in accordance with the frequent and multiple request policy promulgated by the OORC when more than four (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).

2. If aggregating:

- a. The level at which records requests will be aggregated is four (4) requests within a calendar month (whether by agency, entity, department, office or otherwise).
- b. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.
- c. Some routinely released and readily accessible records may be excluded from aggregation.

PUBLIC RECORDS REQUEST FORM

The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.

To: Coffee County Trustee, 1341 McArthur Street, Suite 1, Manchester, TN 37355

From: Requestor's Name and Contact Information:

(include an address for any TPRA required written response)

Is the requestor a Tennessee citizen? Yes No

Request: Inspection (The TPRA does not permit fees or require a written request for inspection only.)

i Note, Tenn. Code Ann. § 10-7-504(a)(20)(C) permits charging for redaction of private records of a utility.

Copy/Duplicate

If costs for copies are assessed, the requestor has a right to receive an estimate. Do you wish to waive your right to an estimate and agree to pay copying and duplication costs in an amount not to exceed \$ _____? If so, initial here: _____.

Delivery preference: On-Site Pick-Up USPS First-Class Mail Electronic Other:

Records Requested:

Provide a detailed description of the record(s) requested, including: (1) type of record; (2) timeframe or dates for the records sought; and (3) subject matter or key words related to the records. Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.

Signature of Requestor and Date Submitted
Received

Signature of Public Records Request Coordinator and Date

i Note, Tenn. Code Ann. § 10-7-504(a)(20)(C) permits charging for redaction of private records of a utility.

PUBLIC RECORD REQUEST RESPONSE FORM

Coffee County Trustee, 1314 McArthur Street, Suite 1, Manchester, TN 37355

Requestor's Name and Contact Information: _____

In response to your records request received on _____, our office is taking the
Date Request Received

action(s) indicated below:

If all requested records do not have the same response, so indicate.

The public record(s) responsive to your request will be made available for inspection:

Location: _____

Date & Time: _____

Copies of public record(s) responsive to your request are:

Attached;

Available for pickup at the following location:

_____ ; or
 Being delivered via: USPS First-Class Mail Electronically Other:

Your request is denied on the following grounds:

Your request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information to identify the requested record(s).

No such record(s) exists or this office does not maintain record(s) responsive to your request.

You have not paid the estimated copying/production fees.

The following state, federal, or other applicable law prohibits disclosure of the requested records:

It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:

It has not yet been determined that records responsive to your request exist; or

The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is:

If you have any additional questions regarding your record request, please contact John Marchesoni, Trustee

Sincerely,

John H. Marchesoni, Coffee County Trustee
1341 McArthur Street, Manchester, TN 37355
931-723-5128

**PUBLIC RECORD REQUEST ESTIMATED FEES FORM
COFFEE COUNTY TRUSTEE
1341 MCARTHUR STREET, SUITE 1
931-723-5128**

Requestor's name and contact information

_____ date

Dear _____

In response to your records request received _____ (mm/dd/year),

The Coffee County Trustee is estimating a prepayment of

\$ _____ is required.

Detailed explanation of fees listed below:

Please make check payable to: Coffee County Trustee and return to:
Coffee County Trustee
1341 McArthur Street, Suite 1
Manchester, TN 37355