



**STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
OFFICE OF OPEN RECORDS  
COUNSEL**

**MORGAN COUNTY EMERGENCY COMMUNICATIONS DISTRICT  
PUBLIC RECORDS POLICY**

**PURPOSE:**

Pursuant to Tenn. Code Ann. § 10-7-503(g), every governmental entity subject to the Tennessee Public Records Act ("TPRA") (Tenn. Code Ann. § 10-7-501 et seq.), must establish a written public records policy properly adopted by the appropriate governing authority by July 1, 2017. The policy adopted shall not impose requirements on those requesting records that are more burdensome than state law and shall include:

- The process for requesting access to public records and any required form(s);
- The process for responding to requests, including redaction practices;
- A statement of any fees charged for copies of public records and the procedures for billing and payment; and
- The name or title and contact information of the individual or individuals designated as the Public Records Request Coordinator(s).

Pursuant to Tenn. Code Ann. § 8-4-604(a)(1)(4), the Office of Open Records Counsel ("OORC") is required to establish a model best practices and public records policy for use by a records custodian in compliance with Tenn. Code Ann. § 10-7-503. The following Model Public Records Policy serves as guidance for records custodians and their respective governmental entities in developing a public records policy and fulfilling their duties under the TPRA. The OORC encourages and will provide assistance for governmental associations and groups to develop model public records policies tailored to their specific governmental entity subgroup.

PUBLIC RECORDS POLICY  
FOR  
MORGAN COUNTY EMERGENCY COMMUNICATIONS DISTRICT

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for Morgan County Emergency Communications District is hereby adopted by the Morgan County Emergency Communications District Board of Directors 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 hospitals 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 otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of the Morgan County Emergency Communications District are presumed to be open for inspection unless otherwise provided by law.

Personnel of the Morgan County Emergency Communications District 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 the Morgan County Emergency Communications District, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for the Morgan County Emergency Communications District or to the Tennessee Office of Open Records Counsel (“OORC”).

This Policy is available for inspection and duplication in the office of the Office Manager/ Addressing Clerk. This Policy shall be reviewed every two years. The Morgan County Emergency Communications District may amend this policy, from time to time, to fulfill the spirit of the law, and to better serve the residents of Morgan County.

**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 record 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 record requests are routed to the appropriate records custodian and fulfilled in a timely manner.

B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing or email 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 at 274 Ralph Hamby Ln., Wartburg, TN 37887, or by phone at (423) 346-0911. Requests can also be submitted via email with the completed form. Requests can be emailed to [morganco911@highland.net](mailto:morganco911@highland.net) or [addressingmc911@highland.net](mailto:addressingmc911@highland.net), please use Public Records Request as the subject of the email.

D. Requests for copies, or requests for inspection and copies, shall be made in writing using the attached form in person at 274 Ralph Hamby Ln., Wartburg, TN 37887, mailed to PO Box 69, Wartburg, TN 37887. Request can be emailed to [morganco911@highland.net](mailto:morganco911@highland.net) or [addressingmc911@highland.net](mailto:addressingmc911@highland.net), please use Public Records Request as the subject of the email.

E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license (or alternative acceptable form of ID) **IS REQUIRED** as a condition to inspect or receive copies of public records, this includes but is not limited to emailed requests.

## III. Responding to Public Records Requests

### A. Public Record Request Coordinator

1. The PRRC shall review public record requests and make an initial determination of the following:

- a. If the requestor provided evidence of Tennessee citizenship;
- b. If 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); and
    - 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 (*if proof of citizenship is required*).
    - ii. The request lacks specificity. (Offer to assist in clarification)
    - 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. 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(s) are:

Matthew Brown, Director  
274 Ralph Hamby Ln.  
PO Box 69  
Wartburg, TN 37887  
Phone: 423-346-0911 opt. 2  
Fax: 423-346-7445  
Email: morganco911@highland.net

Denise Seiber, Office Manager  
274 Ralph Hamby Ln.  
PO Box 69  
Wartburg, TN 37887  
Phone: 423-346-0911 opt. 1  
Fax: 423-346-7444  
Email: addressingmc911@highland.net

4. The PRRC(s) 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, 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, based on the form developed by the OORC.
3. If a records custodian denies a public record 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 (*if the Governmental Entity is a state agency*) or with the Office of Attorney General and Reporter.
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 inspection of open public records.
- B. The location for inspection of records within the offices of the Morgan County Emergency Communications District should be determined by either the PRRC or the records custodian.
- 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. Appointments can be made Monday through Thursday, 8:00am to 3:30 pm.

#### **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 or at the desecration of the PRRC(s)
- B. A requestor will not be allowed to make copies of records with personal equipment.

#### **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. No charges will be assessed for copies unless time for production exceeds one hour. One printed or recorded copy will be provided at no cost. Duplication of the records will be the requestors responsibility.
- B. Labor fees will be assessed when time for production of materials exceeds one (1) hour, at a rate of \$20.00 an hour.
- C. If an outside vendor is used, the actual cost assessed by the vendor will be charged.
- D. Payment is to be made by personal check or money order, payable to Morgan County Emergency Communications District.
- E. Payment in advance will be required when costs are estimated to exceed \$50.00.
- F. Morgan County Emergency Communications District will not duplicate documents or recorded media.

#### **VII. Aggregation of Frequent and Multiple Requests**

- A. Morgan County Emergency Communications District will not aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).