



2022/2023 Data Practices Policy for Members of the Public

Right to access public data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to make a data request

You can look at data, or request copies of data that this government entity keeps. Make your request for data to the appropriate individual listed in the Data Practices Contacts on page 4. You may submit your data request via email, postal mail, or in person using the data request form (or link) on page 6.

If you choose not to use the data request form, your request should include:

- You are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Whether you would like to inspect the data, have copies of the data, or both.
- A clear description of the data you would like to inspect or have copied.

Clay County cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How we respond to a data request

Upon receiving your request, we will work to process it.

- If it is not clear what data you are requesting, we will ask you for clarification.
- If we do not have the data you are requesting, we will notify you in writing within 10 business days.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - Arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or

- Provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.
- Clay County will provide notice to you about our requirement to prepay for copies.

Information about copy charges is on page 5.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require Clay County to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement (for example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request). If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, Clay County is not required under the Government Data Practices Act to respond to questions that are not specific requests for data.

Requests for summary data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data.

Clay County will prepare summary data if you make your request in writing and [pre-pay/pay] for the cost of creating the data

Upon receiving your written request – you may use the data request form on page 6 – we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

Data Practices Contacts

Responsible Authorities (RA)

Name	Position	Email Address @claycountymn.gov	Phone (218.299-XXXX)	Address
STEVE LARSON	COUNTY ADMINISTRATOR	stephen.larson	5002	3510 12 th Ave. S, Moorhead MN 56560
EMPTING, MARK	COUNTY SHERIFF	mark.empting	5155	911 11 th St. N, Moorhead MN 56560
MELTON, BRIAN	COUNTY ATTORNEY	brian.melton	7340	807 11th St. N, Moorhead MN 56560
PORTER, RHONDA	SOCIAL SERVICES DIRECTOR	rhonda.porter	7134	715 11th St. N, Moorhead MN 56560

Data Practices Compliance Official (DPCO)

Name	Department	Email Address @claycountymn.gov	Phone (218.299-XXXX)	Address
Brian Melton	ATTORNEY	Brian.melton	7340	807 11th St. N, Moorhead MN 56560

Data Practices Designee(s)

Name	Department	Email Address @claycountymn.gov	Phone (218.299-XXXX)	Address
GUNDERSON, NANCY	ASSESSOR	nancy.gunderson	7641	3510 12 th Ave. S, Moorhead MN 56560
BRIAN MELTON	ATTORNEY	Brian.melton	7340	807 11th St. N, Moorhead MN 56560
JOHNSON, LORI	AUDITOR-TREASURER	lori.johnson	5262	3510 12 th Ave. S, Moorhead MN 56560
FINCK, JACKIE	CENTRAL ADMIN	Jacqueline.Finck	5002	3510 12 th Ave. S, Moorhead MN 56560
TUTON, KARI	CORRECTIONS	Kari.tuton	7349	911 11 th St. N, Moorhead MN 56560
CHENEY, JANELLE	CORRECTIONS-STATE	Janelle.cheney@state.mn.us	218.304.3012	807 11th St. N, Moorhead MN 56560
MCKAY, KATHY	HEALTH ADMINISTRATION	kathy.mckay	7186	715 11th St. N, Moorhead MN 56560
BROOKE, DARREN	HR/CENTRAL ADMIN	darren.brooke	7336	3510 12 th Ave. S, Moorhead MN 56560
SLOAN, MARK	INFORMATION SERVICES	mark.sloan	7518	3510 12 th Ave. S, Moorhead MN 56560
ODONNELL, JAMES	JUVENILE DETENTION	James.odonnell	7826	729 11th St. N, Moorhead MN 56560
JACOBSON, MATT	PLANNING AND ZONING	matthew.jacobson	7330	3510 12 th Ave. S, Moorhead MN 56560
SAVAGEAU, KIMBERLY	RECORDER	kimberly.savageau	7636	3510 12 th Ave. S, Moorhead MN 56560
LANDSEM, STEVE	SHERIFF	Stephen.landsem	5160	911 11 th St. N, Moorhead MN 56560
WEGENAST, KIRSTIN	SOCIAL SERVICES	kirsten.wegenast	7136	715 11th St. N, Moorhead MN 56560
JAEGER, QUINN	SOCIAL SERVICES	quinn.jaeger	7114	715 11th St. N, Moorhead MN 56560
AMUNDSEN, AMY	SOCIAL SERVICES	amy.amundsen	7129	715 11th St. N, Moorhead MN 56560
THORNE, SANDY	SOCIAL SERVICES	sandy.thorne	7088	715 11th St. N, Moorhead MN 56560
WANNER, HOLLY	SOCIAL SERVICES	holly.wanner	7119	715 11th St. N, Moorhead MN 56560
STEWART, JAMIE	SOCIAL SERVICES	Jamie.stewart	7036	715 11th St. N, Moorhead MN 56560
BANG, COREY	SOLID WASTE MGT	Cory.bang	7332	807 11th St. N, Moorhead MN 56560
SCHMITZ, RORY	TECHNOLOGY SERVICES	Rory.schmitz	7289	807 11th St. N, Moorhead MN 56560
CANNON, CURTIS	VETERAN S AFFAIRS	curtis.cannon	7328	715 11th St. N, Moorhead MN 56560

Copy Costs – Members of the Public

This government entity charges for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c). You must pay for the copies before we will give them to you. We do not charge for copies if the cost is less than \$10.00.

For 100 or fewer paper copies – 25 cents per page

100 or fewer pages of black and white, letter or legal-size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Most other types of copies – actual cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

Materials, certificates and forms which fall under state statutes will be charged at the rate identified in statute.

Data Request Form – Members of the Public

Request date:

I am requesting access to data in the following way:

- Inspection
- Copies
- Both inspection and copies

Clay County will respond to your request as soon as reasonably possible. Inspection of the data is free. See page 5 for copy and reproduction costs if necessary. Clay County does not charge for any costs below \$10.00.

Contact information

Name:

Address/phone number/email address:

Note: You do not have to provide any contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

These are the data I am requesting:

Describe the data you are requesting as specifically as possible.

Notice of Adoption of Model Policies

[Minnesota Statutes, section 13.025, subdivisions 2 and 3](#), require government entities to prepare written policies that relate to public access to government data, and rights of subjects of data and [Minnesota Statutes, section 13.03, subdivision 2](#), requires entities to establish procedures so that data requests are complied with appropriately and promptly.

[Minnesota Statutes, section 13.073, subd. 6](#), requires the Commissioner of Administration to prepare [model policies and procedures](#) to help government entities comply with those requirements. Entities that choose to adopt the Commissioner's model policies must notify the Commissioner. Please use the following statement to notify the Commissioner if you choose to adopt the model policies and procedures.*

Notice to Commissioner of Administration: Adoption of Model Policies

Clay County has adopted the Commissioner's Model Policy for the Public and Model Policy for Data Subjects. This notice to the Commissioner satisfies Clay County's obligation under Minnesota Statutes, section 13.073, subdivision 6.

Steve Larson

County Administrator

January 1, 2023

**Government entities may submit this notification by mail or email:*

Commissioner of Administration
c/o Information Policy Analysis Division (IPAD)
201 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
info.ipad@state.mn.us