	<b>OPEN RECORDS POLICY</b>	<b>DOCUMENT TYPE:</b> POLICY
		<b>DOCUMENT NO:</b> POC-04
		<b>BOARD COMMITTEE:</b> CUSTOMER SERVICE
		<b>ORIGINATION DATE:</b> 09/25/2000
		<b>LAST UPDATED:</b> 08/28/2023

## 1.0 PURPOSE

- 1.1 To comply with KRS 61.876 (1) of the Kentucky Open Records Act which mandates that public agencies adopt rules and regulations to provide full access to public records.
- 1.2 To comply with KRS 61.872 (1) of the Kentucky Open Records Act which mandates that public agencies recognize and respond to requests from residents of the Commonwealth, as defined in KRS 61.870 (10).
- 1.3 This Policy establishes the rules and regulations for providing public examination of and access to public records at the Louisville and Jefferson County Metropolitan Sewer District (MSD).

## 2.0 SCOPE

- 2.1 The scope of this Policy applies to all MSD non-exempt public records, regardless of format or media. The records requestor is entitled to access public records not exempted from disclosure, otherwise known as public records or open records. Any exception to this policy, such as the release of exempted records will be determined on a case-by-case basis.

## 3.0 DEFINITIONS

- 3.1 **Electronic Portal**-workflow tool to facilitate the process of open records requests submitted electronically.
- 3.2 Resident is defined as (1) People living or working in Kentucky; or (2) Businesses registered or located in Kentucky; or (3) People and businesses that own property in Kentucky; or (4) Authorized representatives of residents; or (5) News-gathering organizations as defined in KRS 189.635 (8)(b) 1a-e.

## 4.0 POLICY RULES AND REGULATIONS

### 4.1 Principal Office and Regular Business Hours

The principal office of MSD is located at 700 West Liberty Street, Louisville, KY 40203. The regular office hours are Monday through Friday, 8:15 a.m. to 5:00 p.m. EST.

### 4.2 Official Custodian of Public Records

The Director of Records and IGP is designated as the official custodian of MSD's public records and shall have custody and/or control over all public records at MSD to accomplish the intent and purpose of this Policy. The official custodian's address is that of the principal office of MSD.

### 4.3 Written Application for Inspection or Copy of Public Records

A request to review and/or copy records shall be made by written application and shall contain a statement of the manner in which the applicant is a resident of the Commonwealth as defined in KRS 61.870 (10). At a minimum, the application shall also contain the applicant's legibly printed name, the applicant's signature, description of the records to be inspected, applicant's contact information and whether the records will be used for a commercial or non-commercial purpose. The applicant may obtain a copy of MSD's Open Records Request form upon request or at MSD's official website: [www.louisvillemسد.org](http://www.louisvillemسد.org). Open records requests may be delivered by any of the following:

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- (1) U.S Mail or hand-delivery to the principal office of MSD
- (2) Faxed to: (502) 540-6109 (MSD Records) or (502) 540-6499 (LOJIC Records)
- (3) [Electronic Portal via www.louisvillemsd.org](http://www.louisvillemsd.org)

Request for records and data from geographic information systems should be directed to the LOJIC Solutions Analyst . All other requests for public records shall be directed to the Director of Records and IGP.

#### **4.4** Commercial Purpose Use of Public Records

For all public records requested for use as a commercial purpose, MSD shall require a certified statement from the applicant stating the commercial purpose for which the open records shall be used. Further, MSD shall require the applicant to enter into a contract with MSD stating that the applicant is permitted to use the copies of open records for the stated commercial purpose for a specified fee according to the provisions of KRS 61.874(4).

#### **4.5** Inspection of Public Records

The inspection of public records shall occur during MSD's regular office hours. During inspection, the applicant is permitted to make abstracts of the public records and memoranda thereof.

To ensure that the original paper records are not damaged or altered, the MSD staff shall be responsible for making a copy or arrange for the copying of one (1) copy of all requested open records.

MSD shall not permit the removal of original public records from its offices.

#### **4.6** Fees for Copying (Electronic or Paper)

##### a. Non-Commercial Use

For standardized and non-standardized format, MSD may charge a reasonable fee based on the cost or reproduction, including cost of media (CD, DVD, etc.) and any mechanical processing charges for copies made of open records requested for non-commercial purposes.

For non-standardized format, MSD may recover staff costs for non-standard copies made of open records requested for non-commercial purposes.

Cost and charges shall apply in accordance with MSD's Open Records Product and Services Fee Schedule: Non-Commercial Fee Schedule for GIS and Database Products Services and Other Open Records Requests.

##### b. Commercial Use

For open records used for commercial purposes, MSD may charge the cost of reproduction, creation, purchase or acquisition of the open public records requested including cost of media and any mechanical processing charges, plus staff costs required to produce copies of the public records.

Cost and charges shall apply in accordance with MSD's Open Records Product and Services Fee Schedule: Commercial Fee Schedule for GIS and Database Products Services.

MSD may require advanced payment for fees, including cost of mailing.

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## 5.0 PROCEDURES AND RELATED DOCUMENTS

- 5.1** The Policy Review Committee shall have the authority to grant final approval of internal standard operating procedures affiliated with this policy.
- 5.2** Procedures and work instructions must be developed in compliance with the Policy Development Policy, Procedures and Related Documents.
- 5.3** Related Documents include:
- 5.3.1 Public/Open Records Internal Procedures
  - 5.3.2 MSD Open Records Request Form
  - 5.3.3 Records and Information Governance Policy
  - 5.3.4 KRS 61.870-61.884.

## 6.0 LOCATION

- 6.1** The original signed policy is on file with the MSD Secretary.
- 6.2** This Policy shall be posted for accessibility to the public on MSD's website.

## 7.0 TRAINING

- 7.1** The Director of Records and IGP, will, in conjunction with the Training and Organizational Development Department of Human Resources and the Legal Department, ensure the appropriate communications, interpretation, implementation and training of this policy. This will include an initial overview training for all MSD employees, and an initial, though more comprehensive, training for all employees who are, and who become, custodians of records (all management and program administrators).
- 7.2** All employees will be informed sixty (60) days prior to the effective date of any significant changes to Kentucky's public records statute.

## 8.0 REVIEW CYCLE

- 8.1** This policy shall be reviewed annually unless prior to the annual review, there are changes to KRS 61.870-61.884 that would require modification of this Policy.

## 9.0 AUDIT


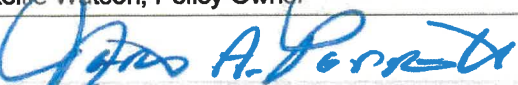

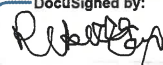

- 9.1** The provisions of this Policy, Procedures and Related Documents are subject to audit by MSD's Internal Audit Department, as well as external, regulatory, and contract auditors.

## 10.0 HISTORY

ORIGINATION DATE	
09/25/2000	Original Policy
01/24/2018	Open Records Policy
REVIEW / REVISION DATE	SUMMARY OF REVISIONS
03/25/2020	Revised adding Training Section and updated titles
2/26/2021	Definition of Electronic Portal in 3.0. Added Electronic Portal in section 4.3. Updated Section 7.1 and 7.2
9/8/2021	Revised to include legislative changes to KRS 61.872 (1) regarding residency requirements.
07/18/2022	Reviewed by owner without any updates.

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		<b>LAST UPDATED: 08/28/2023</b>

**11.0 APPROVAL**

 Kellie Watson, Policy Owner	8-28-23 Date
 James A. Parrott, Chair, Policy Review Committee	8-28-23 Date
 James A. Parrott, Executive Director	8-28-23 Date
DocuSigned by:  Rebecca Cox, Chair, MSD Board Customer Service Committee	8/30/2023 Date
 Marita Willis, Chair, MSD Board	8-28-23 Date

**DISCLAIMER:** MSD reserves the right to review and update this policy as deemed necessary, at any time, with or without notice.

**LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT**  
**Open Records Product and Services Fee Schedule**  
Commercial Fee Schedule for GIS and Database Products and Services  
January 11, 2021

As authorized and adopted by MSD's Board, this Open Records Product and Services Fee Schedule is applicable to all Open Records Requests made to MSD. All fees are due and payable at the time of the record request.

- Standard LOJIC Planimetric/Topographic Map Sheets (24" x 36" sheet in hardcopy form containing all map layers; price per map sheet)

	<u>2,000' x 3,000' (1"=100')</u>	<u>4,000' x 6,000' (1"=200')</u>
Photocopy or Printout:	\$ 50.00	\$100.00

- Custom Plots, fee charged will be the sum of the fees below plus fees from Item 6.

	<u>Non-Reproducible</u>	<u>Reproducible</u>
Jefferson Planimetric/Topographic Data (price per acre)	\$ 0.66	\$ 2.73
Oldham Planimetric/Topographic Data (price per acre)	0.27	1.13
Property Data (price per acre)	0.33	1.36
Orthoimagery Data (price per 100 acres):		
1-Foot Resolution	2.84	11.64
5-Foot Resolution	0.57	2.33
15-Foot Resolution	0.19	0.78
Sewer and Drainage Data (price per 100 linear feet)	0.66	2.70
Flood Insurance Rate Map (FIRM) Data	No Charge	No Charge

Note: The fee charged is reduced by a "scale factor" to account for the usefulness of the level of detail being provided at different plot scales. Scale Factor = Compilation Scale (1" = 100') / Plot Scale Desired

- Planimetric & Topographic Data, Property Data, Imagery Data, Sewer/Drainage Data, or LiDAR data in digital form, fee charged will be the sum of the fees below plus fees from Item 6.

Planimetric & Topographic, Property Data, and Sewer/Drainage Data: ASCII, AUTOCAD (DWG), and other standard ESRI provided formats.

Jefferson Planimetric/Topographic Data (price per acre)		\$ 10.84
Oldham Planimetric/Topographic Data (price per acre)		4.52
Property Data (price per acre)		5.42
Orthoimagery (price per 100 acres): TIF or SID Formats		
1-Foot Resolution		46.22
5-Foot Resolution		9.24
15-Foot Resolution		3.08
Sewer and Drainage Data (price per 100 linear feet)		10.73
LiDAR Data: LAS (tiles only) or ASCII as XYZ (tiles or acres) formats		
First 200 tiles or 50,000 acres	\$50.00 per tile/\$0.20 per acre *	
Over 200 tiles or 50,000 acres	\$10.00 per tile/\$0.05 per acre *	
	(* Whichever is less)	
Other data formats		Quote

- Miscellaneous Services and Special Orders. Price to be quoted by LOJIC as part of a special contract using the fees below plus a prorated share of Items 2 and 3 based on the equivalent tile size being supplied:

System Resource Units (per CPU minute) over 2 hours:		\$0.04
Minimum Fee: \$5.00		
Pages Printed (laser printer, stock paper)		0.10
Plot Media: Paper (price per linear foot)		1.00
File Media: (price per unit used) Compact Disc (650mb), DVD (4.7gb)		1.00

Staff Costs, per hour, Classification Rates:

Project management	\$101.00
System/network design, testing, support	\$55.00
Software installation, testing, support	\$55.00
Applications Project Management	\$83.00
Application design, programming, testing, support	\$76.00
Database design, conversion, support	\$63.00
Training, technical support	\$64.00
Cartography, data products creation	\$64.00
Outside Contractor	Quote

Mailing Fee Actual Cost

5. Thematic Maps Series – Paper maps in color featuring a variety of theme layers.

36" x 48"	\$ 25.00
8.5" x 11"	5.00

**LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT**  
**Open Records Product and Services Fee Schedule**  
 Non-Commercial Fee Schedule for GIS, Database Products and Services and Other Open Records Requests  
 January 11, 2021

As authorized and adopted by MSD's Board, this Open Records Product and Services Fee Schedule is applicable to all Open Records Requests made to MSD. All fees are due and payable at the time of the record request.

**A. OPEN RECORDS FOR GIS OR DATABASE PRODUCTS AND SERVICES**

1. Planimetric & Topographic Data Map Sheets (2,000' x 3,000', 24" x 36" sheet in hardcopy form containing all map layers; price per map sheet).

1" = 100' Scale (2,000' x 3,000') and 1" = 200' Scale (4,000' x 6,000')	
Photocopy or Printout	\$2.00

2. Planimetric & Topographic Data, Property Data, Imagery Data, Sewer/Drainage Data, or LIDAR data in digital form, fee charged will be the sum of fee below plus appropriate fees in Item 4.

Planimetric & Topographic Data, Property Data, Sewer/Drainage Data, or LIDAR data Flat file ASCII format (minimum format)	No Charge
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Orthoimagery Data TIF format (minimum format)	No Charge
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3. Miscellaneous Services and Special Orders. Price to be quoted by LOJIC as part of a special contract using the rate below: (There is no charge for data on non-commercial requests.)

System Resource Units (price per CPU minute) over 2 hours: Minimum Fee: \$5.00	\$0.04
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Pages Printed (laser printer, stock paper)	0.10
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Plot Media: Paper (price per linear foot)	1.00
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File Media: (price per unit used) Compact Disc (650mb), DVD (4.7gb)	1.00
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Staff Costs, per hour, Classification Rates:	
Project management	\$101.00
System/network design, testing, support	\$55.00
Software installation, testing, support	\$55.00
Applications project management	\$83.00
Application design, programming, testing, support	\$76.00
Database design, conversion, support	\$63.00
Training, technical support	\$64.00
Cartography, data products creation	\$64.00
Outside Contractor	Quote

Mailing Fee	Actual Cost
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|---|------------------|
| 4. Prints from Public Access Terminal (when available)<br>(price per page printed)                            | \$ 0.50          |
|   |                  |
| 5. Thematic Maps Series – Paper maps in color featuring a variety of theme layers.<br>36" x 48"<br>8.5" x 11" | \$ 25.00<br>5.00 |

**B. OTHER OPEN RECORDS REQUESTS**

- |   |                                  |
|---|----------------------------------|
| 1. Photocopies made by MSD (fee per copy):<br>8 1/2" x 11"; 8 1/2" x 14" (If more than 5 copies)<br>11" x 17"<br>Other sizes  | \$ 0.10<br>1.00<br>Quote         |
| 2. Document Management System produced drawings made by MSD (fee per copy):<br>Sewer Atlas 1" = 400' scale (11" X 17")<br>8 1/2" x 11"; 8 1/2" x 14"; 11" x 17"<br>18" x 24"; 24" x 36"; 33" x 43"<br>Other sizes | \$ 1.00<br>1.00<br>3.00<br>Quote |
| 3. Prints of MSD Sewer Atlas, 1" = 400' scale (11" X 17") (fee per page):   | \$5.00                           |
| 4. Photocopies made by outside reproduction shops:<br>Actual Cost of Reproductions  | Quote                            |