



RIGHT TO KNOW POLICY AND PROCEDURES

PREAMBLE AND LEGAL AUTHORITY. The following rules are adopted to implement the directives and goals of the Right to Know Act, New Hampshire RSA 91-A, for the Emerald Lake Village District, and to provide simple and direct procedures for the benefit of its members, as well as for the public at large, for accessing public records. All previous District Right To Know Policy and Procedures are hereby canceled and superseded. Any conflict with general laws, opinions, or interpretations which have the force of law shall cause these internal policies and procedures to be preempted by such state law.

SECTION 1. GENERAL STATEMENT

1.1 The District maintains a website which, in addition to providing current information, is intended to increase the availability of historical public records as archives, as they become or are available in electronic form, so long as they would otherwise be considered public documents under RSA 91-A.

1.2 Pursuant to RSA 91-A:2 a notice of time and place of each meeting, including nonpublic session, shall be posted in two appropriate places one of which may be the public body's Internet website or town circulation at least 24 hours, excluding Sundays and legal holidays prior to the meeting. Minutes of such meeting, including names of members, persons appearing before the public bodies shall be posted as Draft to public inspection not more than 5 business days after the meeting in concluded; until adoption at the next regularly noticed meeting. When the minutes are adopted as final, any draft materials used to prepare minutes are no longer retained as a public record. The definition of draft materials shall not include personal notes or prior drafts, unless they have been provided to a majority of the Board or circulated as public as set forth in RSA 91-A: 5, VIII and IX. Public Meeting Minutes may also be maintained in printed out form in the District Office.

SECTION 2. EXEMPTIONS

2.1 Exemptions currently consistent with state law as listed in RSA 91-A:5 or as stated in final state court opinions, include records pertaining to internal personnel practices, bidding documents until a bid is awarded as set forth in RSA 21-I:13-a, II, any records which involve or include disclosure of information about private citizens in government files which does not reveal anything about the District's conduct as a public body, especially where such information may constitute a violation of privacy rights even if available from other public sources, written legal advice from the District's counsel or from the New Hampshire Municipal Association or

other special counsel responding to a District request for legal advice, or consultation with legal counsel during a meeting under RSA 91-A:2: I (b), documents and information received in a nonpublic session, notes or materials made for personal use which are not intended to have an official purpose, and preliminary drafts, notes and memoranda which are not disclosed, circulated or available to a quorum of the Board, including circulation of draft documents which when finalized are intended only to formalize decisions previously made in a meeting under RSA 91-A:2:I (d).

2.2 Exemptions are governed by state statute and final state court opinions and are not limited to the above, if enacted or set forth as part of the prevailing state statute and/or interpretative final state court opinions.

SECTION 3. PROCEDURES FOR RIGHT TO KNOW REQUESTS

3.1 Public inspection of government records under RSA 91-A: 4 shall be provided as set forth therein supplemented by these procedures.

3.2 All inspections shall be made in the District's place of business during regular business hours. However, insofar as the District does not staff its office every day, the District may invite the Requestor to set up an appointment for a specific time agreeable to both parties, in the District's initial response.

3.3 The Requestor shall be asked to place any request in writing so as to create a record of the scope of any such request; if refused, the District shall create a written record of their understanding of the scope of request in confirmation for its records.

3.4 The District should maintain a written record of what records were provided for inspection and/or which were copied.

3.5 The District may respond that such records are not immediately available for review due to necessity for any retrieval or compilation or redaction, and/or for legal advice to be obtained, with a reasonable estimate as to when such records would be available.

3.6 The District will not compile data in the format requested if not otherwise maintained as such for District purposes, or create a new document, to satisfy the parameters of a specific Request.

3.7 The District shall charge the Requestor the actual cost by reasonable estimate for making any copies the Requestor desires, which shall be done only in the District Office and only on District equipment by a District representative, to maintain integrity of original documents.

3.8 A District representative shall be present to supervise and monitor any review of original documents of the District; if such materials are located only on a computer, the District will require specific identification of the document or information requested, and shall print out

SCHEDULE OF FEES FOR RIGHT TO KNOW REQUESTS

Photocopies of Records as Requested 25 cents per copy

Printing of Documents from Computer 2 cents per page

Physical Media if provided (e.g. disk, thumb drive) Estimated Actual Cost ELVD