

Lincoln County

Public Data Requests

Approved May 17, 2022

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Introduction: Right to Access Public Data

The Minnesota Government Data Practices Act (MGDPA), Minn. Stat. Chap. 13 and Minn. Rules 1205 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, electronic, DVDs, photographs, etc.

The MGDPA also provides that Lincoln County 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, public data that we keep. Lincoln County is required to respond to requests for public data within a reasonable time, but may need to review whether data contains information classified as not public. You also have the right to get copies of public data. The MGDPA allows Lincoln County 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

To look at data or request copies of data that Lincoln County keeps, Lincoln County requires that you make a written request. You may make your request for data by sending an email to DVierhuf@co.lincoln.mn.us or by mail to the County Data Practices Compliance Official (DPCO) listed on page 5, or you may send your request to a specific County department or division according to their procedures. You may also make your request for data by using the data request form on page 7. If you choose not to use the data request form, your written request should include:

- that you, as a member of the public, are making a request for data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13;
- whether you would like to look at the data, get copies of the data, or both; and
- a clear description of the data you would like to inspect or have copied -be as specific as possible including subject matter, dates, etc.

Lincoln 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 Lincoln County to process your public data request (for example, if you want us to mail you copies of data), Lincoln County may need some information about you. In addition, please keep in mind that if Lincoln County does not understand your request and has no way to contact you, Lincoln County will not be able to begin processing your request.

NOTE: Names of persons making a public data request and the nature of the request are public.

How Lincoln County Responds to a Data Request

Upon receiving your request, Lincoln County will work to process it.

- If Lincoln County does not have the data, we will notify you in writing as soon as reasonably possible.
- If Lincoln County has the data, but the data are not public, we will notify you as soon as reasonably possible and, upon your request, state in writing which specific law says the data are not public.
- If Lincoln County has the data, and the data are public, we will respond to your request within a reasonable amount of time by doing one of the following:

- arrange a date, time, and place for you to inspect the data free of charge if your request is to look at the data (inspection must occur during normal business hours and at a time when staff are available);
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 them to you. If you want us to send you the copies, you will need to provide us with an address. We will provide electronic copies (such as email, CD, or thumb drive) upon request if we already have the data in electronic format.

Information about copy charges is on page 6. Lincoln County will arrange for you to pre-pay for the copies.

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 MGDPA does not require Lincoln 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, Lincoln County is not required to create electronic documents to respond to your request.) If Lincoln County agrees to create data in response to your request, we will work with you on the details of your request, including cost and response time.

Lincoln County may respond to your request for data by asking questions or requesting additional information from you in order to better process your request. If you do not respond to a question, request for clarification or other communication about your request, we may consider your request abandoned and therefore close your request after two weeks pass without a response.

The MGDPA does not require Lincoln County to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports derived from data on individuals, but in which individuals are not identified, and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. The preparation of summary data is not a means to gain access to private or confidential data. Lincoln County will provide summary data if you make your request in writing and pre-pay for the cost of the data. Lincoln County is not required to create summary data, but may do so at your request and upon prepayment of the cost if it is able to. Upon receiving your written request for summary data - you may use the data request form on page 7 - Lincoln County will respond with general details within ten (10) business days.¹

¹ See, Minn.Rules 1205.0700.

Lincoln County Minnesota Government Data Practices Contacts

Responsible Authority- County Auditor-Treasurer

Deb Vierhuf
County Courthouse
319 North Rebecca Street
PO Box 29
Ivanhoe, MN 56142

Responsible Authority - County Attorney

Glen A. Petersen
225 North Tyler
Street, PO Box 671
Tyler, MN 56178

Responsible Authority- County Sheriff

Chad Meester
Lincoln County Sheriff's Department
322 North Wallace Street
PO Box 166
Ivanhoe, MN 56142

Data Practices Compliance Official

Deb Vierhuf or designee
County Courthouse
319 North Rebecca Street
PO Box 29
Ivanhoe, MN 56142
Phone number: 507-694-1664
Email; DVierhuf@co.lincoln.mn.us

Copy Costs - Members of the Public

Lincoln County charges members of the public for copies of government data. These charges are authorized under Minn. Stat. § 13.03, Subd. 3(c).

You must pre-pay for the copies before we will give them to you.

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 25C for a one-sided copy, or 50C 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 are permitted to factor in employee time, the cost of the materials onto which we are copying the data (e.g., paper, CD, DVD, etc.), and mailing costs, if any. If your request is for copies of data that we cannot reproduce ourselves, Lincoln County will charge you the actual cost we must pay an outside vendor for this service.

Data Request Form - Members of the Public

Date of request: _____

I am requesting access to data in the following way:

Inspection* Copies** Both inspection and copies

*Inspection is free and may be done during normal business hours.

**There may be a cost for copies of data. Lincoln County will require you to pre-pay for copies.

These are the data I am requesting:

Describe the data you are requesting. Be as specific as possible (i.e., dates, types, names, projects, etc.).

Contact Information

Name: _____

Mailing Address: _____

Phone number: _____ Email address: _____

You are not legally required to provide any of the above contact information; however, if you want us to mail/email you copies of data, we will need your contact information. In addition, providing contact information may help us process your request. If we do not understand your request and need to get clarification from you, we will not be able to begin processing your request until you contact us.