

BELTRAMI COUNTY
GUIDELINES AND PROCEDURES
FOR THE

MINNESOTA
GOVERNMENT DATA
PRACTICES ACT

Right to Access Public Data

The 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 data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.

The Data Practices Act also provides that Beltrami 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, all public data that we keep. You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies.

Data about You

The Data Practices Act says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data.

Classification of Data about You

The Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

Public data: We must give public data to anyone who asks; it does not matter who is asking for the data or why. The following is an example of public data about you: if you are an employee of a government entity, the fact that you work for the entity, your job title and bargaining unit is public.

Private data: We cannot give private data to the general public, but you have access when the data are about you. The following is an example of private data about you: your Social Security number. We can share your private data with you, with someone who has your permission, with County staff who need the data to do their work, and as permitted by law or court order.

Confidential data: Confidential data have the most protection. Neither the public nor you can obtain access even when the confidential data are about you. The following is an example of confidential data about you: investigative data created by a law enforcement agency in order to prepare a case against a person, whether known or unknown, for the commission of a crime or other offense for which the agency has primary investigative responsibility are confidential or protected nonpublic while the investigation is active. We can share confidential data about you with County staff who need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

Your Rights under the Data Practices Act

Beltrami County must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

Your Access to Your Data: You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The 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. Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

When We Collect Data from You: When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennesen warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you may use the consent form we provide. However, if you do not use the consent form we provide, we request that the form be reviewed by our County Attorney's office.

Protecting your Data: The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

When your Data are Inaccurate and/or Incomplete: You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

To obtain copies or inspect government data, or request copies or inspection of data that Beltrami County keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a request. Make your request for data to the appropriate individual listed in the Data Practices Contacts document. You may make your request in person, by mail, email, telephone or fax, by completing Section A of the Information Disclosure Request form.

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

- that you are making a request, under the Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
- 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; and
- identifying information that proves you are the data subject, or data subject's parent/guardian.

If the data is private, Beltrami County requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship.

How We Respond to a Data Request

Once you make your request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request 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. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies upon request if we keep the data in electronic format. We also will arrange for you to prepay for the copies. Pre-payment of copies is required unless other arrangements are approved by the Department Head or Data Practices Compliance Official for the responding department.

After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

The Data Practices Act does not require us 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, we are not required under the Data Practices Act to respond to questions that are not requests for data.

Adopted by Beltrami County Board of Commissioners: 11/1/11

Updated: July 21, 2015

Updated: July 19, 2016

Updated: July 18, 2017

Updated: May 15, 2018

Updated: May 21, 2019

Updated: June 16, 2020

Updated: June 6, 2023

**Data Practices Contacts
Beltrami County**

| Office | Responsible Authority | Data Practices Compliance Official | Designees |
|---------------------------|---|---|-----------|
| County Auditor-Treasurer | JoDee Treat, Auditor-Treasurer 701 Minnesota Avenue, Suite 220 Bemidji, MN 56601 218-333-4175; Fax 218-333-4246 Jodee.treat@co.beltrami.mn.us | JoDee Treat, Auditor-Treasurer 701 Minnesota Avenue, Suite 220 Bemidji, MN 56601 218-333-4175; Fax 218-333-4246 Jodee.treat@co.beltrami.mn.us | |
| County Attorney | David Hanson County Attorney 600 Minnesota Avenue, Suite 400 Bemidji, MN 56601 218-333-4219; Fax 218-333-4273 david.hanson@co.beltrami.mn.us | David Hanson County Attorney 600 Minnesota Avenue, Suite 400 Bemidji, MN 56601 218-333-4219; Fax 218-333-4273 david.hanson@co.beltrami.mn.us | |
| County Recorder | Charlene Sturk, County Recorder 701 Minnesota Avenue, Suite 120 Bemidji, MN 56601 218-333-8345; Fax 218-333-8427 charlene.sturk@co.beltrami.mn.us | Charlene Sturk, County Recorder 701 Minnesota Avenue, Suite 120 Bemidji, MN 56601 218-333-8345; Fax 218-333-8427 charlene.sturk@co.beltrami.mn.us | |
| Sheriff | Jason Riggs, County Sheriff 613 Minnesota Avenue Bemidji, MN 56601 218-333-4136; Fax 218-333-4271 | Jason Riggs, County Sheriff 613 Minnesota Avenue Bemidji, MN 56601 218-333-4136; Fax 218-333-4271 jason.riggs@co.beltrami.mn.us | |
| Health and Human Services | Anne Lindseth, Director 616 America Avenue NW Bemidji, MN 56601 218-333-8119; Fax 218-333-4150 | Anne Lindseth, Director 616 America Avenue NW Bemidji, MN 56601 218-333-8119; Fax 218-333-4150 anne.lindseth@co.beltrami.mn.us | |
| Human Resources | Linda Tran, Director 701 Minnesota Avenue Suite 220 Bemidji, MN 56601 218-333-4155 linda.tran@co.beltrami.mn.us | Linda Tran, Director 701 Minnesota Avenue Suite 220 Bemidji, MN 56601 218-333-4155 linda.tran@co.beltrami.mn.us | |

| Office | Responsible Authority | Data Practices Compliance Official | Designees |
|--------------------------|---|---|---|
| All other County Offices | Tom Barry, County Administrator 701 Minnesota Avenue, Suite 200 Bemidji, MN 56601 218-333-4109; Fax 218-333-4246 | Tom Barry, County Administrator 701 Minnesota Avenue, Suite 200 Bemidji, MN 56601 218-333-4109; Fax 218-333-4246 tom.barry@co.beltrami.mn.us | <p>County Assessor: 218-333-4114 joe.skerik@co.beltrami.mn.us</p> <p>Information Technology (MIS): 218-333-4151 kevin.warne@co.beltrami.mn.us</p> <p>Highway: 218-333-8180 bruce.hasbargen@co.beltrami.mn.us</p> <p>Environmental Services: 218-333-4157 brent.rud@co.beltrami.mn.us</p> <p>Veteran's Services: 218-333-4177 shane.gustafson@co.beltrami.mn.us</p> <p>Driver's License/Vital Statistics: 218-333-4104 leala.roth@co.beltrami.mn.us</p> <p>Natural Resource Management: 218-333-4163 richard.moore@co.beltrami.mn.us</p> <p>Geographic Information Services (GIS): 218-333-8457 kevin.trappe@co.beltrami.mn.us</p> <p>Facilities Management: 218-333-8475 steve.shadrick@co.beltrami.mn.us</p> |

Copy Costs – Data Subjects

Beltrami County

Beltrami County charges data subjects for copies of government data. Beltrami County requires the requesting person to pay the actual costs of making and certifying the copies. These charges are authorized under section 13.04, subdivision 3.

You must pay for the copies before we will give them to you. Pre-payment of copies is required unless other arrangements are approved by the Department Head or Data Practices Compliance Official for the responding department. Please refer to the Beltrami County Fee Schedule for a detailed listing of administrative fees and charges.

Copy Costs – Members of the Public

Beltrami County

Beltrami County charges members of the public for copies of government data. Beltrami County requires the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data. These charges are authorized under section 13.03, subdivision 3(c).

You must pay for the copies before we will give them to you. Pre-payment of copies is required unless other arrangements are approved by the Department Head or Data Practices Compliance Official for the responding department. Please refer to the Beltrami County Fee Schedule for a detailed listing of administrative fees and charges.

BELTRAMI COUNTY DATA/INFORMATION DISCLOSURE REQUEST

A. Requester Complete

Note: Request Frequency – Private Data on individuals. After you have been shown the data and informed of its meaning, the data need not be disclosed to you until six months thereafter unless a dispute or action is pending or additional data on you has been collected.

| | | |
|---|--|---------------------------|
| 1. Requester Name (Last, First, MI) | 2. Company Name (if applicable) | 3. Date of Request |
| 4. Parent/Guardian Name (if applicable – for request for data about minor) | 5. Description of Requested Information | |
| 6. Mailing Address | | |
| 7. City, State, ZIP code | | |
| 8. Phone (if required to advise when data is ready) | | |
| 9. e-mail address (if required for electronic delivery of data) | | |
| 10. I am requesting access to the data in the following way: <input type="checkbox"/> Inspection <input type="checkbox"/> Copies <input type="checkbox"/> Both Inspection and Copies Note: Inspection is free, but there is a charge for copies | | |
| 11. Requester Signature (If required to prove identity – for requests for private data) | | |

Note: You are not required to complete the name & contact information requested. However, if we do not understand your request & need clarification, we may not be able to begin processing it until you contact us. Also, we will need contact information if you want us to mail or email data to you.

B. County Department/Division Complete

| | |
|--|---|
| 12. Department: | 13. Request Handled By: |
| 14. Request Type: <input type="checkbox"/> In-Person <input type="checkbox"/> Mail <input type="checkbox"/> Fax <input type="checkbox"/> E-mail | 15. Requested by: <input type="checkbox"/> Subject of Data <input type="checkbox"/> Not the Subject of Data |
| 16. The Information Requested is Classified: <input type="checkbox"/> Public <input type="checkbox"/> Non-Public <input type="checkbox"/> Private <input type="checkbox"/> Protected Non-Public <input type="checkbox"/> Confidential | 17. Request: <input type="checkbox"/> Approved <input type="checkbox"/> Denied (explain in #20) <input type="checkbox"/> Approved in Part (explain in #20) |
| 18. Identification provided (if request for private data ONLY – see Page 2 for Standard for Verifying Identity) Indicate form of identification provided: | |
| 19. Authorized Signature: | |
| 20. Remarks/Comments: (If requested data is classified so as to deny access to the requester, cite authority or reason. Also enter any other remarks or comments that are appropriate: | |
| 21. Date Completed: | 22. Date Notified & by Whom: |

C. Department/Division Complete when Fees are assessed

(A receipted copy of this form is to be provided to the requester each time money is received.)

| | |
|--|--|
| 23. <input type="checkbox"/> Fees: Flat Rate | 24. <input type="checkbox"/> Fees: Special Rate $\frac{\text{_____}}{\text{of items}} \times \frac{\text{_____}}{\text{(Rate Amt.)}} = \text{_____} (\#)$ |
|--|--|

I have received from the above named, the amount(s) indicated below opposite my signature(s) for providing the information requested.

| | | | |
|----------------------|----|--------------|---------------|
| 25. Total Amount Due | \$ | Received By: | Today's Date: |
|----------------------|----|--------------|---------------|

D. Requester, Please Note Items Checked

- | | |
|---|---|
| <input type="checkbox"/> Make check/money order payable to: Beltrami County Auditor/Treasurer | <input type="checkbox"/> If mailed, return entire form and any fees to: |
|---|---|

