LAGUARDO UTILITY DISTRICT

OPEN RECORDS POLICY

Pursuant to Tenn. Code Ann. § 10-7-503(9), and to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA"), Tenn. Code Ann.§ 10-7-501, et seq., the Board of Commissioners of the LaGuardo Utility District of Wilson County, Tennessee (LaGuardo) adopts the following Public Records Policy.

The TPRA provides that all state, county and municipal records shall, at all times during business hours, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of LaGuardo are presumed to be open for inspection unless otherwise provided by law.

Personnel of LaGuardo shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of LaGuardo, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for LaGuardo or to the Tennessee Office of Open Records Counsel ("OORC").

This Policy is available for inspection and duplication in the office of The LaGuardo Utility District, 7880 Coles Ferry Pike, Lebanon, TN 37087. This Policy is posted online at http://laguardoutility.com.

I. Definitions

A. *Records Custodian:* The official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.

B. *Public Records;* All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann.§ 10-7-503(a)(1)(A).

C. *Public Records Request Coordinator.* The individual designated in Section III , A.3 of this Policy who has the responsibility to ensure that public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann.§ 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.

D. *Requestor.* A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records

A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee [or via online submission] in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.

B. Requests for inspection only are not required to be made in writing. The PRRC will request a mailing [or email] address from the requester for providing any written communication required under the TPRA.

C. Requests for inspection may be made orally or in writing. Requests for inspection may be made in person or by mail at LaGuardo Utility District, 7880 Coles Ferry Pike, Lebanon, TN 37087. Requests for inspection may be made by phone at (615) 444- 3378 or by fax at (615) 444-3342. Requests for inspection may also be submitted by email to jhardin@laguardoutility.com with copy to cmontgomery@laguardoutility.com.

D. Requests for copies, or requests for inspection and copies, shall be made in writing using the attached form. Requests for copies may be made in person or by mail at 7880 Coles Ferry Pike, Lebanon, TN 37087.

E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license (or alternative acceptable form of ID) is required as a condition to inspect or receive copies of public records.

III. Responding to Public Records Requests

A. Public Record Request Coordinator

1. The PRRC will review public record requests and make an initial determination of the following:

    a. If the requester provided evidence of Tennessee citizenship;

    b. If the records requested are described with sufficient specificity to identify them; and

    c. If LaGuardo is the custodian of the records.

2. The PRRC will acknowledge receipt of the request and take any of the following appropriate action(s).

    a. Advise the requester of this Policy and the elections made regarding:

        i. Proof of Tennessee citizenship;

        ii. Form(s) required for copies;

        iii. Fees (and labor threshold and waivers, if applicable); and

iv. Aggregation of multiple or frequent requests.

b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:

i. The requester is not, or has not presented evidence of being, a Tennessee citizen.

ii. The request lacks specificity.

iii. An exemption makes the record not subject to disclosure under the TPRA.

iv. LaGuardo is not the custodian of the requested records.

v. The records do not exist.

3. The designated PRRC is:

a. Joey Hardin, General Manager

b. 7880 Coles Ferry Pike, Lebanon, TN 37087;

(615) 444-3378; fax (615) 444-3342;

jhardin@laguardoutility.com

B. Records Custodian

1. Upon receiving a public records request, the records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.

2. If it is not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to the requested records; to determine whether the records are open; to redact records; or for other similar reasons, the records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requester a completed Public Records Request Response Form which is attached as Form 2, and is based on the form developed by the OORC.

3. If the records custodian denies a public record request, he or she shall deny the request in writing as provided in Section 111.A.2.b using the Public Records Request Response Form.

4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of

records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Form to notify the requester that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian may contact the requester to see if the request can be narrowed.

5. If a records custodian discovers records responsive to a records request were omitted, the records custodian will contact the requester concerning the omission and produce the records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian may coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.

2. Whenever a redacted record is provided, a records custodian will provide the requester with the basis for redaction.

IV. Inspection of Records

A. There shall be no charge for inspection of open public records.

B. The location for inspection of records within the offices of LaGuardo will be determined by either the PRRC or the records custodian.

C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location.

V. Copies of Records

A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.

B. Copies will be available for pickup at a location specified by the records custodian.

C. Upon payment for postage, copies will be delivered to the requester's home address by the United States Postal Service. Copies may also be delivered by email if they requester so requests and provides a valid email address.

D. A requester will not be allowed to make copies of records with personal equipment.

VI. Fees and Charges and Procedures for Billing and Payment

A. LaGuardo representatives shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.

B. When fees for copies and labor do not exceed $5.00 the fees may be waived. Requests for waivers for fees above $5.00 must be presented to the Board of Commissioners, which is authorized to determine if such waiver is in the best interest of LaGuardo and for the public good. Fees associated with aggregated records requests will not be waived.

C. Fees and charges for copies are as follows:

1. $0.15 per page for letter and legal size black and white copies.

2. $0.50 per page for letter and legal size color copies.

3. Labor when time exceeds 1 hour.

4. If an outside vendor is used, the actual costs assessed by the vendor.

D. Payment is to be made in cash, by credit card, or by personal check payable to LaGuardo Utility District and presented to LaGuardo's Office Manager.

E. Payment in advance will be required when costs are estimated to exceed $10.00.

PUBLIC RECORDS REQUEST FORM

The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.

To: LaGuardo Utility District, care of Joey Hardin, General Manager

From: _____

Is the requestor a Tennessee citizen? □ Yes □ No

Request: □ Inspection

□ Copy/Duplicate

If costs for copies are assessed, the requestor has a right to receive an estimate. Do you wish to waive your right to an estimate and agree to pay copying and duplication costs in an amount not to exceed $10.00. If so, initial below:

_____

Delivery preference: □ On-Site Pick-Up □ USPS First-Class Mail
□ Electronic □ Other: -----

Records Requested:

Provide a detailed description of the record(s) requested, including: (1) type of record; (2) timeframe or dates for the records sought; and (3) subject matter or key words related to the records. Under the TPRA, record requests must be sufficiently detailed to enable LaGuardo to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.

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_____

_____ _____
Signature of Requestor/Date Submitted Signature of Public Records Request Coordinator/Date Received

PUBLIC RECORD REQUEST RESPONSE FORM

LaGuardo Utility District, 7880 Coles Ferry Pike, Lebanon, TN 37087

Requestor's Name: _____

Address:_____

In response to your records request received on _____,our office is taking the action(s) indicated below:

□ The public record(s) responsive to your request will be made available for inspection:
Location: _____
Date & Time: _____

□ Copies of public record(s) responsive to your request are:
- □ Attached;
- □ Available for pickup at the following location:
_____;or
- □ Being delivered via: □ USPS First-Class Mail □Electronically □ Other:_____.

□ Your request is denied on the following grounds:
- □ Your request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information to identify the requested record(s).
- □ No such record(s) exists or this office does not maintain record(s) responsive to your request.
- □ No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification.
- □ You are not a Tennessee citizen.
- □ You have not paid the estimated copying/production fees.
- □ The following state, federal, or other applicable law prohibits disclosure of the requested records:_____

□ It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:
- □ It has not yet been determined that records responsive to your request exist; or
- □ The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is: _____

If you have any additional questions regarding your record request, please contact Joey Hardin.

Sincerely,

Joey Hardin
General Manager and Public Records Request Coordinator
LaGuardo Utility District
7880 Coles Ferry Pike
Lebanon, TN 37087
(615-444-3378)

Approved August 14, 2025:

CLARK SAMPSON – PRESIDENT

WILL OFENHEUSLE – VICE-PRESIDENT

TERRY GRAY – SECRETARY