



Wheat Belt Public Power District Board of Directors Policy

Policy: **C-29**

Title: **Request for District Information**

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Original Issue: **10-26-2018**

Last Review: **04-23-2021**

Last Revised: **10-26-2018**

OBJECTIVE:

To describe the policy and the procedure whereby customers may obtain information about the District, and to describe such information that may not be released because of its special or confidential nature.

POLICY:

Nebraska Revised Statutes § 84-712 provides that all persons interested in the examination of public records are fully empowered and authorized to examine and make copies of public records. Such inspection and copying shall be completed during normal business hours. In furtherance of this state statute, the District will make available to interested persons public information requested that is not otherwise protected from public access by federal or state law or other reasons including but not limited to those items enumerated in NEB. REV. STAT. § 84-712.05. Such information shall be available at the District headquarters in Sidney, Nebraska.

- a. Interested persons will be provided copies of routine information, including rate schedules, services rules and regulations, articles of incorporation, by-laws, Board policies, operating and other financial reports that are regularly presented to the Board, customer publications, agendas, minutes of Board meetings, and their personal billing history.
- b. Other information will be provided, excluding information that is protected under federal or state law, or which is confidential or private concerning individuals employed by the District, such as:
 1. Wages or salaries and benefits of specific employees.
 2. Any employee's (including the General Manager's/CEO's) personnel file or records, or any other person's file or record if and to the extent such would entail, or run significant possibility of entailing, an invasion of such employee's or other person's privacy.
- c. Information which is of a confidential corporate nature will not be provided to customers or other persons, such as:

1. The names, addresses or telephone numbers of customers, past and/or current.
 2. Any information that constitutes a trade secret, process, program, trademark, or other legally protectable confidential information or thing owned or protected in confidentiality by contract, by the District.
 3. Any information protected by law.
- d. Any request for information (other than information included within Paragraph a. above shall be made in writing on an Information Request Form, which is attached and made a part of this policy.
- e. The Information Request Form, as executed, will be reviewed by the General Manager/CEO who, before acting thereon, may consult with the District's Legal Counsel. If determined that the request is for information which is allowed by law and not otherwise confidential, the District will provide for the time and manner for making such information available during normal business hours. If there is internal disagreement as to whether to provide the requested information, the matter will be referred to the Board of Directors for determination. In no case may non-routine information be released, except as provided by this policy.
- f. The following principles will be followed when considering a request for information:
1. Board meeting and staff meeting minutes will not be furnished as a whole; rather, the District will research and furnish copies of excerpts that contain or substantially relate to the information specifically requested.
 2. Information concerning Director compensation and expenses will be made available, as well as the record of their attendance at meetings, if the request cites a valid purpose for such information.
 3. Information made available may be, but is not required to be, in a new or different form or format modified from the original public record.
- g. Without regard to the action that is or may be taken in response thereto, the General Manager/CEO will report to each meeting of the Board with respect to any member information requests received since the last such report.
- h. Copies will be made upon written request.

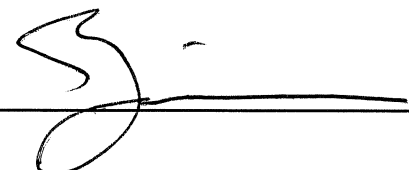
- i. A reasonable fee may be charged for labor and materials involved with the inspection and copying of records.
- j. The District will make every effort to keep customers fully informed.

RESPONSIBILITIES:

- a. The General Manager/CEO will be responsible for the administration of this policy and shall seek the advice and counsel of the Board as necessary.
- b. It will be the responsibility of the General Manager/CEO and his or her staff to implement this policy, in coordination with the District's Legal Counsel.
- c. It shall be the responsibility of the Board to implement this policy when member information requests are submitted to it for consideration and decision as herein provided for.



President



Date

4-23-2021