

RESOLUTION NO.: R13-0504

INTRODUCED BY: COUNCIL MEMBER (S) Kreitzer

1 **A RESOLUTION AND ORDER OF THE JEFFERSON COUNTY,**
2 **MISSOURI, COUNCIL TO UPDATE AND FORMALLY PROMULGATE A**
3 **SUNSHINE LAW POLICY AS REQUIRED PURSUANT TO SECTION 610.028**
4 **OF THE REVISED STATUTES OF MISSOURI.**

5 **WHEREAS,** Section 610.028 of the Revised Statutes of Missouri requires that
6 each public governmental body shall provide a reasonable written policy consistent with
7 the Sunshine Law and open to the public regarding access to public records and meetings;
8 and,

9 **WHEREAS,** the County desires to have such a formal, updated and current
10 policy as the law requires; and,

11 **WHEREAS,** the Official Sunshine Law Policy of Jefferson County, Missouri, is
12 set forth in Exhibit A attached hereto; and,

13 **WHEREAS,** governmental bodies are to have a custodian of records pursuant to
14 Chapter 610 (“The Sunshine Law”), and so the County desires that each Department
15 should appoint a custodian of records within that Department for handling requests
16 pursuant to the Sunshine Law; and,

17 **WHEREAS,** all requests may be handled by the respective Department pursuant
18 to the County policy and state law and may be coordinated with the County Counselor for
19 content, form and adherence to the law.

FILED

MAY 17 2013

WES WAGNER
COUNTY CLERK OF JEFFERSON COUNTY, MO

1 **THE JEFFERSON COUNTY, MISSOURI, COUNCIL RESOLVES:**

2 Section 1. That the Official Jefferson County Sunshine Law Policy pursuant
3 to Chapter 610 of the Revised Statutes of Missouri is set forth and attached hereto as
4 Exhibit A.

5 Section 2. The Policy shall be posted on the Jefferson County, Missouri,
6 internet website.

7 Section 3. That along with the Policy a listing of each Departmental
8 Custodian of Records shall also be posted on the Jefferson County, Missouri, internet
9 website.

10 Section 4. Copies of this Resolution and Order, and Exhibit A, which is
11 attached hereto and made a part hereof, shall be kept on file at the County Clerk's Office.

12 Section 5. A copy of the Sunshine Law Policy shall be distributed to all
13 County Departments and shall be kept posted in a place of prominence within each
14 County Department.

15 Section 6. This Resolution and Order shall be in full force and in effect from
16 and after the date of its enactment.

17 Section 7. Nothing in the Jefferson County, Missouri, Sunshine Law policy
18 shall be construed as an exclusion or shall over-ride any provision contained in Chapter
19 610 of the Revised Statutes of Missouri. At all times Chapter 610 of the Revised Statutes
20 of Missouri shall take precedence over this policy.

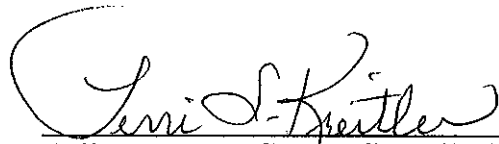
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1 Section 8. If any part of this Resolution and Order is invalid for any reason,
2 such invalidity shall not affect the remainder of this Resolution and Order.

**THIS RESOLUTION AND ORDER BEING DULY INTRODUCED, THE
MEMBERS OF THE JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS
FOLLOWS:**

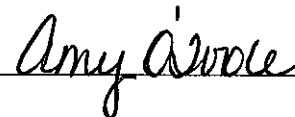
Council Member District 1, Don Bickowski	<u>Abstain</u>
Council Member District 2, Renee Reuter	<u>Yes</u>
Council Member District 3, Robert Boyer	<u>Yes</u>
Council Member District 4, George Engelbach	<u>Yes</u>
Council Member District 5, Terri Kreitler	<u>Yes</u>
Council Member District 6, Cliff Lane	<u>Yes</u>
Council Member District 7, Kelly Waymon	<u>Absent</u>

**THIS RESOLUTION AND ORDER IS PASSED AND ADOPTED THIS
13th DAY OF MAY, 2013.**


~~Kelly Waymon, County Council Chair~~
Terri S. Kreitler

ATTEST:


Wes Wagner, County Clerk

BY: 

First and Final Reading: 05-13-2013

Jefferson County, Missouri
Sunshine Law (Chapter 610 RSMo) Policy

It is the policy of Jefferson County, Missouri, to comply with the provisions of Chapter 610, RSMo. commonly referred to as the "Sunshine Law". In furtherance of this policy, it is noted:

Section 610.023.1, RSMo. provides that a public governmental body is to appoint a custodian who is to be responsible for the maintenance of that body's records and the identity and location of the custodian is to be made available upon request; and

Section 610.026, RSMo. provides that a public governmental body may prescribe reasonable fees for providing access to or furnishing copies of public records, and that those fees shall not exceed the actual cost of document search and duplication; and

Section 610.028.2, RSMo. provides that a public governmental body shall provide a reasonable written policy in compliance with Sections 610.010 to 610.030, RSMo commonly referred to as the "Sunshine Law", regarding the release of information on any meeting, record or vote.

In accordance with the provisions of the Sunshine Law, the following is adopted as the policy of Jefferson:

1. That each Department within Jefferson County Government shall have a Custodian of Records, that a list of Custodians along with this policy be posted on the County Website, and that the address for such custodian is: Jefferson County Administration Center, P.O. Box 100, 729 Maple St., Hillsboro, Missouri 63050-Attention (Respective Department Name).
2. That the Custodian shall make public records available for inspection and copying during regular business hours at the Jefferson County Administration Center, Maple Street Annex or Justice Center as provided by law. When another time or place is more convenient to the parties, the Custodian may designate other employees to make alternative arrangements for the production of public records for inspection and/or copying.
3. That the Custodian shall respond to all requests for access to or copies of a public record within the time period provided by statute, except in those circumstances authorized by statute.
4. That the fee which may be charged for access to or furnishing copies of public records shall be hereinafter provided and that said fees have been determined to comply with the provisions of Section 610.026 RSMo. While each Department

EXHIBIT A

may have specific fee requirements, it is anticipated and approximated that the fees be as follows:

- a. A fee of \$40.00 per hour for activities performed by attorneys.
 - b. A fee of \$20.00 per hour for activities performed by other staff including time required to locate, prepare and copy responsive documents.
 - c. A fee of \$.10 per page for copies of a document.
 - d. A fee which includes only the cost of copies, equipment use, programming and staff time required in the production of a public record maintained on computer, facilities, recording tapes or discs, videotapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices.
 - e. Documents may be furnished without charge or at a reduced charge when the Department upon and with consultation of the County Counselor determines that waiver or reduction of the fee is in a public interest because it is likely to contribute significantly to public understanding of the operations or activities of the respective Department is not primarily in the commercial interest of the requestor.
5. The above fees may be required to be paid in advance.
 6. All records retained by or of the respective Departments whether created internally or obtained from any source whatsoever, are closed to the extent allowed by law.

Nothing in this policy is meant to exclude or over-ride any provision contained in Chapter 610 RSMo. At all times Chapter 610 RSMo shall take precedence over this policy.