

**EUREKA TOWNSHIP
DAKOTA COUNTY, MINNESOTA**

**POLICY ON PROVIDING ACCESS TO
THE TOWN'S PUBLIC INFORMATION**

1. **Findings.** The Town Board of Eureka Township ("Town") finds and determines as follows:
 - (a) The Town maintains a variety of public information that is created or received as part of the Town conducting its business.
 - (b) The Town attempts to post those items of public information most regularly of interest to the public on its website, but occasionally someone will be interested in a copy of information they cannot easily locate on the Town's website or that happens to not be posted to the website.
 - (c) The Town Board determines it is the best interests of the Town to establish a policy for providing access to the public information held by the Town. The goal in adopting this policy is to provide reasonable access to public information and to explain how the Town will intake and process requests for public information.
 - (d) The Town Board is not subject to the Minnesota Government Data Practices Act (Minn. Stat., chap. 13) ("Act") and is not required to comply with the requirements of the Act. Because the Town has not adopted powers under Minn. Stat., chap 368, it is not "political subdivision" as defined in Minn. Stat. § 13.02, subd. 11 and, therefore, is not among the government entities subject to the Act under Minn. Stat. § 13.01, subd. 1. Nothing in this policy is intended to adopt, nor shall it be deemed as having adopted, any of the requirements under Act.

2. **Public Information.**
 - (a) Generally. The government records held by the Town will generally be considered public information and made available to the public upon reasonable request, unless the Town Board determines the information is not public as a matter of policy or, if not so designated, that the specific nature of the information being requested makes it nonpublic. An example of information deemed not public as a matter of policy is certain personnel information. An example of specific information deemed not public is written legal advice received from the Town Attorney. Only government records directly relating to conducting of the Town's business are accessible to the public.
 - (b) Determination. The Town Clerk-Treasurer is authorized to determine whether information is nonpublic under this policy, but the Clerk-Treasurer may forward a request for information to the Town Board for a determination of whether the requested information is public information. The Town Board will determine whether any portion of the requested information will not be released as constituting nonpublic information.

The Clerk-Treasurer may also seek assistance from the Town Attorney as may be needed in processing and acting on requests for information.

3. **Nonpublic Information.** Access to nonpublic information shall be limited to town officers who reasonably have need to access the information and to those who have a right to access the information by law.
4. **Requests for Public Information.** Requests for access to, or copies of, public information shall be made in accordance with the following.
 - (a) Copies. A person interested in obtaining public information that is not readily available on the Town's website shall make the request by filling out the Town's information request form and submitting it to the Town Clerk-Treasurer. The request will not be processed unless it contains sufficient information to allow the Town to reasonably identify the specific public information being requested. The person shall indicate on the form whether they would like hardcopies of the information or if they prefer the information to be emailed to them. The Town is not required to convert information into a particular format to satisfy a request. The Town will not comply with standing requests for information or for information it does not possess at the time of the request. The Town will process and act on the request in accordance with this policy.
 - (b) Inspection. Town meeting minutes are available on the website and are open to the public for inspection during the Town's regular office hours as required by Minn. Stat. § 13D.01, subd. 5. A person may request to personally inspect any other public information during regular office hours by contacting the Town to arrange an appointment. Because the Town has a very limited staff, and a staff member must be present during an inspection of the Town's information, the Town may place reasonable limits on the number and length of personal inspections. A person inspecting public information may make copies using their own equipment, if the copying process does not damage the document. No person will be allowed to connect any drive or other device to the Town's computers. A request to have the Town make copies of information will be charged the actual costs for the time involved and copy costs as provided in this policy.
 - (c) Costs. Anyone requesting copies of public information is required to pay the applicable fees established below before receiving the requested information.
 - (1) Actual Costs. The Town will charge its actual costs to search for, compile, copy (if requested), and convey the requested public information. Actual costs are based on the hourly rate adopted by the Town Board as part of the Town's fee schedule, which applies to all time involved in responding to a request. The Town may waive costs when it takes it less than 15 minutes to fully respond to the request.
 - (2) Photocopies. Any photocopies requested will be charged at \$0.25 per page for standard black and white copies and \$1.00 per page for color copies. Photocopies that cannot reasonably be made using the Town's photocopier will be charged at the actual copy costs the Town incurs to make the copy, together with the time required to

make the copies. If the person requests the copies be mailed, the Town will charge the postal rates in effect at the time together with the actual cost of envelopes or other packaging materials.

(3) Electronic Copies. Requests to have public information emailed to the person will be charged at the actual costs to identify, collect, and convey the information. The person making the request must provide a single valid email address to which to send the information. The Town is not responsible for sending the information to multiple recipients based on a single request.


(d) **Prepayment of Costs**. If the Town determines the total cost to respond to a request for public information will exceed \$30.00, the person requesting the information shall pay the total estimated amount of the costs to the Town before it will undertake the process to respond to the request. If the actual costs incurred to provide the photocopies are less than the amount received, the Town will reimburse the difference. If the actual costs incurred to provide the information exceeds the amount received, the person making the request must pay the Town the difference before receiving the information.

5. **Compliance**. The intent of this policy is for the Town to comply with all applicable laws related access to the Town's information and the Town shall interpret and apply this policy in accordance with all such laws.
6. **Amendments**. The Town Board may amend this policy at a Town Board meeting as it determines appropriate.
7. **Prior Policies**. This policy supersedes and replaces all prior policies related to accessing Town information adopted by the Town Board, which are hereby repealed.

Adopted this 10 day of February 2026.

BY THE TOWN BOARD


Mark Ceminsky, Chairperson

Attest: 
Liz Atwater, Clerk-Treasurer