

Wakulla County Property Appraiser

Public Records Policy

Revised August 23, 2022

Application/Accountability: This policy applies to the Wakulla County Property Appraiser's Office and all employees.

Definition: Public Records is defined in Florida Statute 119.011(12) as: "Public Records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made, or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Statement: It is the policy of the Wakulla County Property Appraiser's Office to comply with Florida's public record's law and Florida's retention schedule for public records.

The Florida Constitution and Florida Statutes §119 and §286 safeguard every Floridian's right of access to government meetings and public records. In Florida, disclosure is the standard, unless the Legislature allows an exemption, or the records are otherwise confidential. Every citizen has the right to obtain public records that are not exempted or confidential. Citizens and the media can easily request public records from the Wakulla County Property Appraiser's Office. The requester is responsible for any cost of providing the documentation, which includes staff time, cost of copies and other costs that are associated with the request.

All documents and other written materials that are made or received pursuant to law or that are made or received in the transaction of official office business and are used to perpetuate, communicate, or formalize values or procedures are public records, which, regardless of form, are open for public inspection unless the Legislature has specifically exempted them from disclosure. Most documents, including email messages and text messages, created, or received by Wakulla County Property Appraiser's Office employees in connection with official business are public records. Unless a public record is exempt by statute from disclosure pursuant to the public records statute, it must be produced to any person upon request. Before documents are released pursuant to a public records request, any exempt documents or exempt information contained within documents must be removed.

Procedures:

I. Identification and Retention of Public Records

A public record can be in any format (including email, text message, letter, notes, spreadsheet, ledger, etc.), if:

1. it is made or received pursuant to law or ordinance or in connection with the transaction of official business and use,
2. it is used to perpetuate, communicate, or formalize values or procedures.

Additionally, ownership of the device, machine, or account in which a record is created is irrelevant to whether the record is a public record. For example, if an employee communicates regarding official business through a personal email account, those messages will be public records, assuming the messages otherwise meet the definition of public records. Certain documents, even when created while conducting official business, do not perpetuate or formalize knowledge and, therefore, are not public records. For example, transitory messages which generally include such things as voicemail or phone messages, self-sticking notes, and email messages with short-lived or no administrative value are not considered public records. Documents of this type need only be kept as long as their short-term value lasts. Also not considered a public record, even when created for work purposes, are notes or drafts created by an employee for their personal use so long as these personal notes or drafts are neither shared with anyone nor filed as a permanent record of events. However, if these non-circulated documents are placed in the file "to perpetuate knowledge," they become public records and are subject to disclosure.

Employees may not delete public records for which they are the custodian except in accordance with the record retention schedules applicable to the Wakulla County Property Appraiser's Office.

All public records must be retained for a period that varies depending on the nature of the documents as defined in the General Records Schedule GS12 for Property Appraisers in the Florida Administrative Code.

II. Format of a Public Records Request

A person (person includes corporations, individuals, and other governmental agencies) requesting to inspect and/or copy the public records:

1. Does **NOT** have to provide their name.
2. Does **NOT** have to provide a reason for inspecting and/or copying the public records.
3. Does **NOT** have to make the request in writing – the request can be in writing or verbal.
4. **May** designate another person to inspect or retrieve the copies.
5. Does **NOT** have to reveal a motive (motive is not relevant).
6. Is **NOT** required to be a Wakulla County resident.

A request cannot be refused because the requestor does not explain the reason for the request. Where a request is unclear, a department can ask for clarification; but if the requestor refuses to clarify, then the department should attempt to respond to the unclear request.

According to Florida Statute 119.01(f), the property appraiser's office must provide a copy of the record in the medium requested if the agency maintains the record in that medium. No matter, the WCPA will attempt to provide requested records in the medium requested.

All public records requests should be sent to the Custodian of Public Records (CPR) at Info@MyWakullaPA.com The CPR will start a time log to ensure an accurate accounting of total time expended by WCPA personnel for reimbursement.

III. Public Record Exemptions

Records must be reviewed for exempt material prior to being produced in response to a public records request. State and federal laws exempt certain types of public records, or portions thereof, from disclosure under the public records law. These exemptions are defined in Florida Statute 119.071.

Documents that are exempt from the public records law will not be produced to the public, even if requested. Documents that are public records but contain exempt information will be produced after removing the exempt information unless the exempt information in the document is so extensive that removal is not feasible. The determination of which documents or information are exempt from the public records law will be made by the CPR or the office's general counsel.

III. Office Review of Request

This office will respond to a public records request within a reasonable period after receiving the request. What constitutes a reasonable period depends upon the circumstances surrounding the request, including the nature of the request, the size of the request, the likely quantity of records to be produced, whether extensive use of information technology resources or clerical services is required, whether the requestor or the department or custodian has multiple requests pending, staffing levels, and the timing of the request (ie. whether holidays intervene)

VI. Payment for Public Records Request

If the person making the records request has requested copies of documents, the office may charge a reasonable fee as noted below.

In addition, if retrieving or copying the public records requires extensive use of information technology resources or clerical and/or supervisory assistance, the office may assess a reasonable service charge based on the office's actual incurred costs.

Any staff time **over 15 minutes** should be recovered using the hourly wage of the employee doing the work. This includes the time of the employee receiving the request, the time of the Custodian of Public Records, and the time of the person tasked with gathering and or sanitizing the requested information. The Custodian of Public Records is tasked with ensuring time is documented to ensure accurate recovery of wages.

- Single-sided copies, up to 8 ½" x 14" 15¢ each
- Double-sided copies, up to 8 ½" x 14" 20¢ each
- Property Record Card 15¢ each
- Reprints of maps/plats
 - 8.5x11 Black and White 15¢ per page
 - 8.5x11 Color 50¢ per page
 - 11" x 17" Black and White \$1.50 per page
 - 11" x 17" Color \$ 2.00 per page
 - 24" x 36" \$10.00 per page
 - 36" x 48" \$15.00 per page
- Labels \$15 setup/\$.15 per sheet
- Duplicate Electronic Tax Roll..... \$200
 - 2-D-8-Copy on CD: \$200

- FMAP File on CD: \$200
- ROLLP File on CD: \$200
- CAMA VIEW on CD: \$200
- Duplicate GIS Data
 - Parcel Shape File: \$125
 - Parcel Shape File w/ ownership data: \$400

GIS files require ArcPro, ArcExplorer, ArcView or ArcGIS programs to read them. The WCPA has no affiliation with ESRI.

An estimate of the charges will be given to the requestor prior to responding to the request. All charges in excess of \$10 must be collected **before** producing the requested documents. Payment can be made by check or cash. If paying by cash, please bring exact amount, as we do not keep cash on hand for making change.

VII. Procedures for Information Requests on Property Records

Information requested that will take minimum time should be provided immediately with no further actions needed. If a routine request for information is made for a non-confidential record, the non-exempt information can be provided via phone, email, or fax.

If a request for information is made for a confidential record, employees shall redact (black out) the following:

1. Owner's name
2. Owner's mailing address
3. Book & Page Numbers

Employees can only give non-redacted (original) records to the property owner. Employees will verify identification of the requestor before releasing information.

VIII. Delivery of Public Records Requested

All requests must be picked up from the office and signed for, sent by certified mail, or emailed with a read receipt to ensure and track delivery of the requested documents.

IX. Requests from News Media

All requests from news media must be answered by the Custodian of Public Records or the Property Appraiser.