

Records Request Policy

Last Updated: June 24, 2021

Purpose: This policy defines a framework for ensuring the District is legally compliant with formal record requests made by members of the public. It ensures full compliance with local, state, and federal laws.

Scope: This policy applies to the District at large.

Policy: The following records are readily available to the public:

- Approved meeting minutes and recordings
- Public meeting agendas
- Board Packet
- District Ordinances
- District Resolutions
- District Bylaws
- District Strategic Plan
- District Policies
- Employee Handbook
- Community Vision and Strategy Plan

Public Disclosure

In accordance with MCA 2-6-10 and the Montana constitution, every person in Montana has a right to examine documents of all public bodies or agencies of State government. This broad examination right is, however, restricted by the right to privacy; documents will not be provided to members of the public when “the demand [s] of individual privacy clearly exceed the merits of public disclosure.” When documents that contain information about individuals are requested, the following factors must be taken into consideration:

The format in which the requestor has asked for the information to be provided:

In accordance with MCA 2-6-1006, the District is required to provide a timely response. However, the District is never required to do research for a member of the public requesting information and is not required to compile or summarize any information in any way that may be requested. The District is only to provide access to documents as they already exist, as maintained by the District in the ordinary course of business. If the request is to examine documents as they are normally kept, the District must then determine whether the requested documents or portions of the documents must remain confidential in whole or in part before the District can make them available for examination by the requestor.

Prohibition on Dissemination for use of Distribution Lists:

In accordance with MCA 2-6-1017, if a requestor asks for information to be compiled as a mailing or distribution list details like mailing addresses and email addresses should be redacted before the requestor is permitted to examine the requested documents. All requests for information from the District should include citation of MCA 2-6-1017 when examination is granted to the requestor.

Fees:

In accordance with MCA 2-6-1006, the District can charge a reasonable fee that will not exceed the actual costs directly related at the time of fulfilling the request. The fee must be documented, and the District must tell the requestor of any fees that may be charged for information. The fee may include the time to gather public information and to redact it.

Requesting Records:

District records requests can be made either in person or online. Routine records including ordinances, resolutions, minutes, and agendas are all available on the District website. Non-routine records (material prepared in the regular course of District business but not prepared for mass distribution) may be made available through a formal record request. The requestor must provide first and last name, organization/company name, street address, mailing address, city, state, zip code, email address, phone number(s), and detail of the records being requested.

The requestor must acknowledge they are making application for inspection and/or copying public records of the District and acknowledge to agree to pay any fees associated with the request. Requestor will indicate preferred receipt of request by mail, by email, or pick up.

Notice:

Notice will be provided to the requestor that no new documents will be created to respond to a records request per MCA 2-6-1006 (4). Applicable information may be available for the requestor to compile his/her own data subject to law, including the legal constrictions regarding mailing and distribution lists from public records per MCA 2-6-1017.



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Document & Record Request Form

NOTICE: No new document will be created to respond to an information request. See Sect. 2-6-1006(4), MCA.
Applicable information may be made available for requestor to compile his/her own data subject to law, including the legal restrictions regarding creation of mailing lists from public records. See Sect. 2-6-1017, MCA.

First & Last Name:		
Organization/Company Name:		
Street Address:		
Mailing Address:		
City:	State:	ZIP Code:
Email Address:		Phone:
Detail of records being requested:		

Preferred Receipt of Request

Mail to: _____

Email to: _____

Pick-Up from District office (11 Lone Peak Dr. #204)

By submitting this request, I hereby make application for inspection and/or copying of the following public records of the Big Sky Resort Area District, Big Sky Montana, and acknowledge that I have read and agree to the District's 'Records Request Policy' and approve and agree to pay the fees associated with this request and comply with all local, state, and federal laws.

I Agree

I Do NOT Agree