

HENDERSONVILLE UTILITY DISTRICT

Utility Records Policy

Policy Statement

Hendersonville Utility District (HUD) records shall at all times, during business hours, be open for public inspection by any citizen of Tennessee, and those in charge of such records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. (TCA 10-7-503)

Public records mean all documents, papers, letters, maps, books, photographs, electronic data, sound recordings or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. (TCA 10-7-301 (6))

In accordance with state law, the following is an example of utility records subject to public inspection:

Records Open to Public Inspection

Customer Records:

- a) Customer bills and usage records
- b) Customer mailing lists
- c) Customer payment delinquencies, cut-offs and payment histories

Employee Records:

- a) Payroll records
- b) Documents and minutes relating to employee hiring, job performance, discipline and dismissal

General Utility Records:

- a) Minutes of meetings of the Board of Commissioners
- b) Real and personal property records of HUD
- c) Purchases
- d) Accounting and bookkeeping records
- e) Plans, maps and engineering records
- f) Operations and safety records and reports

Records Not Open to Public Inspection

Records which are not subject to public inspection include the following:

- a) Certain records related to employee medical treatment or medical testing.
- b) Records related to alcohol and drug testing programs under the Tennessee Drug-Free Workplace Program.
- c) Records related to federally mandated drug and alcohol testing programs of the United States Department of Transportation.
- d) Records of treatment or referrals for treatment maintained by an employer assistance program.
- e) Information about a person who has provided a valid protection document to HUD, such as an order of protection from a court or affidavit from the director of a rape crisis center or domestic violence shelter indicating a victim needs protection.
- f) Records with the identity of the owner of any public obligation issues (bonds).
- g) The following information on employees: unpublished telephone numbers, bank account information, social security numbers, driver's license information except when the employee's job duties requires that he or she operate a motor vehicle; and this same information on family members.
- h) The following customer records considered to be "Private Records": credit card numbers, social security numbers, tax identification numbers, financial institution account numbers, burglar alarm codes, security codes and access codes.
- i) Certain records related to the *vulnerability of a utility's operations and contingency plans* or records related to responding to violent incidents or terrorist incidents. These records are: records which would allow a person to identify areas of structural or operational vulnerability of a utility, records that would permit unlawful disruption to, or interference, with a utility's services and contingency plans of a utility to respond to or prevent violent incidents or terrorist incidents.

Medical Records

Prior to divulging any employee medical records, HUD's Board, or its designee, shall consult with the utility's attorney.

Any customer or other state citizen requesting HUD records will be provided them at the convenience of HUD office staff, or at least within three working days, for all reasonable requests.

Original records are not to be taken from HUD office except by court authority.

Photocopies of records will be made available by HUD at the rate of \$.50 per one-sided 8" x 11" or 11" x 17" page or as otherwise priced from time to time by the HUD Board.

Certain information that is stored on computers may be made available by HUD on

computer disc for a charge of \$1.50 per one-sided 8" x 11" or 11x 17" or as otherwise priced from time to time by the HUD Board.

Plan Sheets (24" x 36") may be made for a charge of \$15.00 per sheet for black and white copies and \$25.00 per sheet for color.

HUD shall notify the customer(s) when copies of their records have been requested, by furnishing the customer with a copy of the "Record Request Form" submitted by the requester and what records were furnished.

Records; Paper Records; Converted Computer Records:

The HUD Board may adopt a resolution to authorize the disposal of any permanent paper records when the record may be maintained on a computer or removable computer storage media, including CD ROM disks, instead of bound books or paper records if the following standards are met:

- a) such information is available for public inspection, unless it is a confidential record according to law
- b) due care is taken to maintain any information that is a public record during the time required by law for retention
- c) all daily data generated and stored within the computer system shall be copied to computer storage media daily, and the newly created computer storage media more than one (1) week old shall be stored at a location other than at the building where the original is maintained; and
- d) the official can provide a paper copy of the information when needed or when requested by a member of the public

Request for Hendersonville Utility District Records (HUD)

Any citizen of the State of Tennessee may inspect HUD records during normal business hours, as allowed by TCA 10-7-503. To assist HUD in verifying one's right to inspect its records and to locate the records desired to be inspected, please complete the following: (A copy of this form will be sent to the customer(s) whose records have been requested.)

Your Name: _____

Mailing Address: _____

Street Address (if different): _____

Tennessee Drivers License No.: _____

Or Voter Registration Card: _____

Specific Description of Records Requested:

I certify that I am a citizen of the State of Tennessee and this form is **NOT** requested for resale or any commercial or illegal purpose.

Signature: _____

Date and Time: _____

By: _____

Signature of HUD staff person overseeing request