

KENTUCKY MUNICIPAL ENERGY AGENCY

Policy Relating to Inspection of Public Records

The Kentucky Municipal Energy Agency ("KYMEA"), is organized and existing under Section 65.210 to 65.300 of the Kentucky Revised Statutes ("KRS"), as amended, known as the "Interlocal Cooperation Act" (the "Act"), to act as a interlocal public agency for the mutual advantage of its members (the "Members"). It is the policy of KYMEA, pursuant to KRS 61.870 to 61.884 (the "Open Records Act"), to make accessible the public records of KYMEA by onsite inspection, U.S. Mail or electronic transmission to any "Resident of the Commonwealth" as defined in the Open Records Act on written application to KYMEA. Application requesting a public record of KYMEA may be made by completing the KYMEA Open Records Request Form, which may be requested from the designated custodian of records for KYMEA, or by written application, signed by the applicant, with the applicant's name printed legibly, describing the records requested. Written applications may be hand delivered, mailed, sent by facsimile transmission or sent by email transmission.

Inspection of public records of KYMEA may be made at KYMEA's principal office located at:

1700 Eastpoint Parkway, Suite 220
Louisville, Kentucky 40223

Regular business hours are from 9:00 a.m. to 4:30 p.m., Monday through Friday, each week, except holidays.

The designated custodian of records for KYMEA is its President and CEO. Assistance in completing the application form will be provided by a KYMEA employee on request. Email requests for records should be sent to contact@kymea.org and should include a mailing address. Please direct all open records requests on the KYMEA Open Records Request Form or a legally compliant written application containing the requestor's name printed legibly, the requestor's signature, and a description of the records to:

Kentucky Municipal Energy Agency
1700 Eastpoint Parkway, Suite 220
Louisville, Kentucky 40223
Attn: Director of Administrative Services and Communications
Phone: (502) 242-5635
Facsimile: (502) 242-5640
Email: contact@KYMEA.org

Applicants for public records shall be notified in writing no later than five (5) working days after receipt of an application of KYMEA's decision. If all or any portion of the application is denied, KYMEA will identify the specific exception to the open records law authorizing the denial and explain how the exception applies to the record or part of the record withheld.

An applicant who resides or has his/her principal place of business in Jefferson County, Kentucky, may be required by KYMEA to inspect the public records described in the written application within the offices of KYMEA during the regular business hours. An applicant who requests that copies of the records identified in his/her request be mailed, and who resides or has his/her principal place of business outside of Jefferson County, Kentucky, may be required by KYMEA to inspect the public records described in the written application within the offices of KYMEA if he/she cannot precisely describe the records and/or the records are not readily available within KYMEA. Suitable facilities will be made available for review of the records. At no time shall any applicant remove public records from the offices of KYMEA.

Copies of written material in the public records of this agency shall be furnished to any person requesting them for a non-commercial purpose as defined in open records law, on payment of a fee of ten (10) cents per page; copies of nonwritten records (photographs, maps, material stored in computer files or libraries, etc.) shall be furnished to any person requesting them for a non-commercial purpose as defined in open records law, on payment of a charge equal to the actual cost of producing copies of such records by the most economical process not likely to damage or alter the record. All costs are required to be paid in advance of receiving the copies. Any requestor requesting mailed copies shall also pay the cost of postage for mailing such copies in advance of the receipt of the copies.

Applicants requesting copies of public records for a commercial purpose (as defined in KRS 61.870(4)(a) and (b)) shall provide a certified statement to KYMEA stating the commercial purpose for which the records shall be used, and shall be required to enter into a contract with KYMEA. The contract shall state the fee required by KYMEA to produce copies to be used for a commercial purpose.

In order to carry out its purpose and the directives of its Members, KYMEA may be required to enter into non-disclosure agreements or may receive information which KYMEA has been requested to keep confidential. In addition KYMEA may need to preserve the confidentiality of information or proposals when entering into competitive negotiation with one or more persons for services or goods.

KYMEA has established a Policy relating to Confidential Information dated December 16, 2015 (the "Confidential Information Policy") to establish rules by which its Directors, its Members and the governing body, employees, officers and consultants of such Members and KYMEA's employees, officers and consultants will review and utilize any and all information, material or discussions which KYMEA has agreed, or is required, to keep confidential (the "Confidential Information"). If KYMEA, and/or any Representative or Member Representative (as defined in the Confidential Information Policy) receives an open records request or other demand for Confidential Information, then KYMEA or the Representative or Member Representative shall notify the Provider (as defined in the Confidential Information Policy) of such Confidential Information, as soon as possible, to allow the Provider the opportunity to protect any Confidential Information from disclosure. A copy of KYMEA's Confidential Information Policy may be obtained from KYMEA's Director of Administrative Services and Communication at the address set forth above.

This Policy is dated June 24, 2021, the date of its approval by the KYMEA Board of Directors.

KENTUCKY MUNICIPAL ENERGY AGENCY
Open Records Request Form

Name of Requestor: _____

Mailing Address: _____

Phone Number: _____ Email Address: _____

Description of Record(s) Requested *(Indicate whether you wish to receive copies of the requested records by mail or to inspect the requested records at KYMEA's principal office. If this is not indicated, it will be assumed you wish to inspect copies at KYMEA's principal office. If you reside within Jefferson County you may be required to review copies before copies will be made)*

Description of the Record(s): _____

Requested record date range if known: _____

I hereby certify that I am a "Resident of the Commonwealth" within the meaning of the Kentucky Open Records Act because I am (check the following which apply):

- ___ An individual residing in the Commonwealth
- ___ A domestic business entity with a location in the Commonwealth
- ___ A foreign business entity registered with the Secretary of State
- ___ An individual that is employed and works at a location or locations within the Commonwealth
- ___ An individual or business entity that owns real property within the Commonwealth
- ___ Any individual or business entity that has been authorized to act on behalf of an individual or business entity described above
- ___ A news-gathering organization as defined in KRS 189.635(8)(b)1.a. to e

Cost of copies and any postage must be paid in advance of receiving the copies. Standard hard copies will be made at the cost of .10 per page.

Select one: *(This must be completed.)* Request is for: noncommercial or commercial purpose.

I hereby certify the purpose indicated in this request is true and accurate.

Signature

Printed Name

A PERSON WHO VIOLATES KRS 61.874 (INDICATING WHETHER RECORDS ARE REQUESTED FOR COMMERCIAL OR NONCOMMERCIAL PURPOSE) SHALL BE LIABLE TO KYMEA FOR DAMAGES, COSTS, AND PENALTIES TO THE AMOUNT ESTABLISHED BY LAW.

Return completed form to:

Kentucky Municipal Energy Agency
1700 Eastpoint Parkway, Ste. 220, Louisville, KY 40223
Fax: (502) 242-5640 | contact@kymea.org

KYMEA USE ONLY

Date Received: _____

By: _____

Latest date to respond: _____

Date Responded: _____

Fees Charged: Copies: _____

Postage: _____

Staff: _____

TOTAL: _____