



GUIDE To Requesting Information From Cass County



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GUIDE To Requesting Information From Cass County

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INTRODUCTION

Requests for data from Cass County are regulated by the Minnesota Government Data Practices Act (MGDPA, or the “act”) and sometimes other state and federal laws. The policies and procedures found here have been written to comply with the MGDPA, but more importantly, to serve as a guide to conveniently obtaining accurate information in a reasonable amount of time from Cass County.

The act treats government data as public unless another state or federal law specifies that it is private or confidential. Some types of private data are available only to the person about whom the data was collected. The term “government data” means all recorded information a government entity has, including records in electronic formats, paper records, email, photographs, as examples.

Data can be inspected at no charge, or copies may be purchased. Cass County will provide easy, convenient access to data consistent with the format of the data, which is a guarantee to the public under the MGDPA.

While every effort is made to avoid government jargon when data is provided, if you don't understand the data, any technical terms, abbreviations or acronyms, contact one of the county staff on the [contact list](#) for an explanation.

To read more about the MGDPA, see [Minnesota Statutes, Chapter 13](#), and [Minnesota Rules, Chapter 1205](#).

Copy charges and other fees for data

The MGDPA allows charges for copies of government data. For 100 or fewer paper copies, the charge is 25 cents per copy.

For other types or amounts of copies, the charge varies. It depends on whether a charge is set by rule or law, or other factors such as the actual cost of searching for, retrieving, copying, transmitting the data, employee time, independent contractors hired for special requests, materials, and mailing or other delivery costs. A cost estimate will be provided upon request. Prepayment of the estimated cost may be required before work begins to fill the request. See the Cass County website for a [fee schedule](#) with a complete list of all fees that may apply.

PUBLIC DATA

How to request public data

Please submit data requests in writing by completing the [form](#) provided, or by letter, to the department that has the information from the [contact list](#) provided. Requests will be accepted by mail, email or fax. [contacts](#)

If writing a letter instead of using the request form, be sure to...

1. Mention that the data is being requested under the Minnesota Government Data Practices Act.
2. Tell us if you want to look at the data, get copies, or both.
3. Provide a clear, detailed description of the data you are requesting.

No one will be required to identify themselves or explain why they are asking for public data. However, depending on how you want to receive the data, some sort of contact information will be needed and prepayment may be required. You may specify that you will contact Cass County to check the status of your request.

What to expect once your request is received

If the county doesn't have the data, or the data is not public, county staff will notify you with a written explanation as soon as reasonably possible.

Data will be provided in the usual form or arrangement used by Cass County if the data exists. Cass County reserves the right under the MGDPA to decline requests to create or collect new data in response to a data request that is not already kept, or to provide data in a specific form or arrangement not usually kept.

Available public data

- To inspect public data at no cost, county staff will arrange an appointment with the requester within a reasonable amount of time.
- You may inspect public data before deciding if you want to purchase copies.
- If copies are requested, they will be provided within a reasonable amount of time by mail, email, fax or picked up upon payment of copy charges and any other applicable [fees](#).
- Requests for public data in standard electronic format will be fulfilled pursuant to applicable copy charges and delivery fees for existing data. [Fees](#) for non-standard data formats provided under specific negotiated data agreements are dependent on the details of the request.

See "[Copy charges and other fees for data](#)" above for more information about charges for data.

PRIVATE, CONFIDENTIAL AND OTHER DATA ABOUT INDIVIDUALS

The MGDPA insures certain rights for individuals, referred to "data subjects", related to the collection, creation, and retention of government data about them. You are the subject of data when you can be identified from the data. Only data collection needed for administering and managing lawful programs is permitted under the act.

Supplying data about you

Individuals asked to supply data about themselves that is not public to Cass County will be informed of the intended purpose, use and distribution of the data. They will also be advised if they are legally required to supply the data or may refuse to provide it, and any known consequences of that decision. Notice to the individual of their rights when private data will be collected is often referred to as a "[Tennessee warning](#)".

Written permission is needed from you to use or release private data about you in a different way or if you ask that the data about you be released to another person. This process is often referred to as "informed consent", for which a form "[Consent to release private data](#)" is provided.

Specific requirements of the MGDPA apply in regard to the classification of data including building plans submitted by individuals with land use or other related environmental permit applications. See exhibit on page 10 "[Environmental Services permit data advisory](#)" for more information.

Requesting data about you or others

Requests for public or private data about individuals may be made by eligible persons on the [form](#) provided or by letter (meeting the same requirements as letters of requests for public data outlined in that section above) to the appropriate department [contact listed](#). To be eligible to obtain the requested data, either you, your minor children, or an individual for whom you have been appointed legal guardian, must be the subject of the data. Eligible persons making the request may inspect the data at no cost by appointment or purchase copies as needed.

To verify eligibility as outlined, you must provide proof of your identify before your request will be processed. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of the guardianship. A complete list of "[Standards for verifying identity](#)" can be found in the exhibits.

What to expect once your request is received

If the county doesn't have the data, or you are not eligible to obtain the private or confidential data requested, county staff will notify you with a written explanation within ten (10) business days.

Upon verification of proof of identity for eligibility to obtain the data:

- To inspect public or private data about you or others that you are eligible to request at no cost, within ten (10) business days of receiving the request, county staff will arrange an appointment during regular business hours for the inspection of the data.
- You may inspect the data before deciding if you want to purchase copies.
- If copies are requested, they will be provided within ten (10) business days by mail, email, fax or picked up upon payment of copy charges and any other applicable [fees](#).
- Requests for the data in electronic format will be fulfilled within ten (10) business days upon payment of applicable copy charges and delivery fees if the data is kept in the electronic format requested.

Individuals that are subjects of data (or parents or guardians of the data subjects) may contest the accuracy or completeness of public or private data by following the procedures outlined in the MGDPA, [Minnesota Statutes 13.04, Subdivision 4](#). For a copy of these procedures, contact one of the county staff on the [contact list](#) provided.

Minors

Minors have the right to request that data about them not be released to a parent(s) or guardian. A [form](#) is provided in the exhibits to make this request in writing by explaining the reasons that access to the data should be denied.

Data on decedents

Information about individuals who are deceased will be treated the same as data about living persons except that private and confidential data on decedents becomes public data ten (10) years after date of death, and thirty (30) years after creation of the data pursuant to the MGDPA. An individual is presumed dead under the act if ninety (90) years have elapsed since the creation of the data or the individual's birth, whichever is earlier, unless the responsible authority of the governmental entity knows the individual is still living. Private information about a decedent may be released only to specific persons eligible under the MGDPA. For more information, contact one of the county staff on the [contact list](#) provided.

Please note: Under the MGDPA, some of the data requests about data on individuals in this section are subject to limitation of one (1) request every six (6) months unless there is a dispute or new data is collected or created about the subject of the data.

Protecting your data

Cass County has established appropriate safeguards to protect data that is not public, including:

- Paper files containing non-public data are not readily accessible to individuals without authorized access, and are secured in restricted, documented access multiple lock systems after normal business hours.
- Computer systems and databases have appropriate levels of documented up to date authorized security access, regular periodic security audits and data encryption standards.
- Access to private or confidential data is restricted to those employees whose job duties reasonably require access to the data. Those employees identified by each county department head within their respective departments receive regular training to avoid disclosure of private or confidential data to unauthorized persons, avoid leaving non-public data inadvertently displayed where non-authorized persons might view the data, the record retention schedule for non-public data, and approved methods for the destruction and disposition of non-public data after the expiration of the retention period.
- When a contract between Cass County and an independent contractor requires access to private or confidential information, the contracting party will be required in the written contract agreement to use, disseminate and safeguard the information consistent with the MGDPA. The contracting party agreement will hold the contracting party liable in full in all respects for any data breeches that may result and arise out of the agreement.

Summary data

Summary data is data that in detail may be private but is summarized in a manner that does not disclose or provide access to any private or confidential information about individuals. To make a request for summary data, complete and submit the [form](#) provided. A cost estimate, timeline and proposed data format will be provided to the requester for approval within ten (10) business days of the request before works begins to fill the request.

APPEAL PROCESS

If you disagree with the determination of a Cass County staff member made under this policy, you may appeal the decision first by contacting the appropriate designated department head, compliance official or responsible authority. See the [contact list](#) provided in the exhibits in this policy, or contact the appointed responsible authority for assistance.

If your disagreement remains unresolved after review by the responsible authority, you may appeal to the Minnesota State Commissioner of Administration, Information Policy and Analysis Division, 305A Centennial Building, 658 Cedar Street, St. Paul, MN 55155. Opinions may be requested and appeals filed on any question regarding access to data, rights of a data subject, or classification of data.

Data Requests - Contacts for Cass County

Offices located: Cass County Courthouse, 303 Minnesota Avenue West, Walker, Minnesota
Mailing address: P.O. Box 3000, Walker, MN 56484
(unless otherwise noted)

Responsible Authority and Compliance Officer - Appointed
Joshua Stevenson, County Administrator
Phone: 218-547-7204
Email: josh.stevenson@co.cass.mn.us

Responsible Authority for Agency (M.S. 13.46)
Michele Piprude
Health, Human and Veterans Services Director
HHVS Building – 400 Michigan Avenue
P.O. Box 519
Walker, MN 56484
Phone: 218-547-1340
Email: michele.piprude@co.cass.mn.us

Department Responsible Authority – Elected
Ben Lindstrom, County Attorney
Phone: 218-547-7255
Email: ben.lindstrom@co.cass.mn.us

County Attorney's Office Compliance Officials
Gina Burch and Heidi Kruger-Smith
Phone: 218-547-7255
Email: gina.burch@co.cass.mn.us
heidi.k.smith@co.cass.mn.us

Department Responsible Authority and Compliance Official – Elected
Kathryn “Katie” Norby, County Recorder
Phone: 218-547-7381
Email: cass.recorders@co.cass.mn.us

Department Responsible Authority – Elected
Tom Burch, Sheriff
Phone: 218-547-1424
Email: tom.burch@co.cass.mn.us

Sheriff's Office Compliance Official
Charlene Erickson
Phone: 218-547-7303
Email: charlene.erickson@co.cass.mn.us

The following department heads are designated to receive and respond to data requests for their own departments:

Tim Richardson, Central Services Director
Phone: 218-547-7265
Email: tim.richardson@co.cass.mn.us

Sandra Norikane, Chief Financial Officer
Phone: 218-547-7266
Email: sandra.norikane@co.cass.mn.us

Mark Peterson, County Assessor
Phone: 218-547-7298
Email: mark.peterson@co.cass.mn.us

John Ringle, Environmental Services Director
Phone: 218-547-7241
Email: john.ringle@co.cass.mn.us

James Schneider, Probation Director
Phone: 218-547-7212
Email: james.l.schneider@co.cass.mn.us

Darrick Anderson, Highway Engineer
Cass County Highway Department
8045 County 12 NW
P.O. Box 579
Walker, MN 56484
Phone: 218-547-1211
Email: darrick.anderson@co.cass.mn.us

Kirk Titus, Land Commissioner
Cass County Land Department
218 Washburn Ave E
P.O. Box 25
Backus, MN 56435
Phone: 218-947-3338
Email: kirk.titus@co.cass.mn.us



Data request form for public data

This request is submitted under the Minnesota Government Data Practices Act.

(See [contact list](#) in the Guide to Requesting Information from Cass County for contact information.)

Date of request _____

I am requesting access to the requested data in the following way:

Inspection Copies Both inspection and copies

I prefer:

Paper copies/reports Electronic format

Deliver my request by:

Mail Email Fax to: _____ FAX NUMBER

The data I am requesting from Cass County is:

Please describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form, or attach additional pages.

_____The data I am requesting from Cass County is summary data of other data that may contain non-public data but will not be identifiable in summary form.

Contact Information:

Name _____

Address _____

Phone number _____ Email address _____

I do not wish to provide my name and/or contact information. I will contact Cass County on _____ (date) to check on the status of my data request. I understand that by not providing my contact information, my request for data may be delayed.



Sample Tennessean warning

Data Practices Advisory (Tennessean warning)

Some or all of the information that you are asked to provide on the attached form is classified by state law as either private or confidential. Private data is information that generally cannot be given to the public but can be released to the subject of the data. Confidential data is information that generally cannot be given to either the public or the subject of the data.

Our purpose and intended use of this information is: _____

You _____ are / _____ are not legally required to provide this information.

If you refuse to supply the information, the following may happen: _____

Other persons or entities authorized by law to receive this information are:



Sample Tennesen warning

Cass County Tennesen Warning Form for Job Applicants

Cass County must inform potential employees of their privacy rights. Please read the advisory provided below carefully. Sign and date the form and return it with your application. Your signature indicates that you received information regarding your rights under the Minnesota Government Data Practices Act.

Cass County is required to inform you of your rights under the Minnesota Government Data Practices Act regarding private personnel information collected from you. Some of the information we collect from job applicants is private but some of it is public, as follows:

1. veteran status
2. relevant test scores
3. job history
4. education and training
5. work availability

The names of job applicants are private until and unless they are selected as a finalist for the position. At the time, names of finalists become public information.

The data supplied by you may be used for purposes necessary for the administration of Cass County personnel rules and policies. Furnishing your social security number is optional for job applicants, but refusal to supply other requested information may disqualify you from consideration for the position sought.

Private data about you is available only to you, to appropriate county employees, and others as provided by state and federal laws who have a bona fide need for the data. The public data described herein in your job application is available to anyone requesting it.

The information you provide about yourself is needed to identify you and assist Cass County in determining your qualifications for the position you seek.

Should you become a finalist for the position you are seeking, by signing below you are granting permission to Cass County to check with the references you provide on the job application and through the interview process.

I've read and understand the foregoing information provided about the Minnesota Government Data Practices Act, and if I become a finalist for the position I am seeking, I hereby authorize Cass County to check with the references I've provided, and understand that my references may release private data related to my qualifications about me to Cass County.

Applicant Signature

Date



Consent to release private data

Consent to Release Private Data

I authorize Cass County to release the following private data about me:

to the following person(s) or entity (ies):

The person(s) or entity (ies) receiving the private data may use it only for the following purpose(s):

This authorization is dated _____ and expires on _____.

I understand that my records are protected under state privacy regulations and cannot be disclosed without my written consent unless otherwise provided for by law. I also understand that I may cancel this consent at any time prior to the information being released and that in any event this consent expires automatically ninety (90) days after signing. By signing this document, I give my full and voluntary consent to Cass County to release the above listed data to the persons or entities identified in this release, and I waive any and all claims against Cass County for the disclosure of private data about me in accordance with permission granted in this document.

Signature

Signature of parent or guardian
(if data subject is under 18 years of age or under a guardianship)

OFFICE USE:

IDENTITY VERIFIED BY: _____

- Witness:** x _____
- Identification:** Driver's License, State ID, Passport, Other: _____
- Comparison with signature on file**
- Other:** _____



Environmental Services permit data advisory

Cass County Environmental Services Department Data Advisory – Permit Applications

You may be required to submit certain plans with your permit application so that Cass County can determine if your application should be approved. Required plans may include site evaluations, site designs, building plans, as examples. The Minnesota Government Data Practices Act classifies all government data as public data open to public access unless another law or temporary classification of the data classifies the data as non-public. Government data is defined as all data collected, created, received, maintained, or disseminated by the government entity.

Plans and personal information that you submit with your permit application are classified as public data including your home address and phone number. A few exceptions are made under Minnesota law. Please check one of the following if you believe any data you submit with your permit application qualifies as non-public data, and provide documentation as to why. Cass County will make a determination within ten (10) business days of receiving your request.

If you do not agree with the determination, you may file an application for temporary classification of nonpublic data with the Minnesota State Commissioner of Administration, Information Policy and Analysis Division, 305A Centennial Building, 658 Cedar Street, St. Paul, MN 55155, who will make a determination within forty five (45) days of filing.

_____ Plans or other data I have submitted are copyrighted under and protected by the Federal Copyright Act and I do not give permission for them to be copied for release to the public. However, I understand the plans are considered public information under Minnesota law and may be viewed by the public.

_____ Plans or other data I have submitted contain trade secret information as defined by Minnesota Statutes 13.37, Subdivision 1 (a), and are to be treated as protected non-public data. I understand that I must provide an explanation (attached) to support my claim that the information I've provided constitutes trade secret information under law.

_____ Plans or other data I have submitted contain security information as defined by Minnesota Statutes 13.37, Subdivision 1 (a), and are to be treated as protected non-public data. I understand that I must provide an explanation (attached) to support my claim that the information I've provided constitutes security information under law.

_____ I have filed notice with a responsible authority of Cass County under the Minnesota Government Data Practices Act of participation in the Safe At Home address confidentiality program, which protects any personal information related to me that may reveal my location or other protected non-public data about me.

Printed Name of Applicant

Date

Signature of Applicant

Property Address

Contact Address

Contact Phone

Email Address



Standards for verifying identity

Standards for Verifying Identity

The following constitute proof of identity.

- An **adult individual** must provide a valid photo ID, such as
 - a state driver's license
 - a military ID
 - a passport
 - a Minnesota ID
 - a Minnesota tribal ID

- A **minor individual** must provide a valid photo ID, such as
 - a state driver's license
 - a military ID
 - a passport
 - a Minnesota ID
 - a Minnesota tribal ID
 - a Minnesota school ID

- The **parent or guardian of a minor** must provide a valid photo ID *and either*
 - a certified copy of the minor's birth certificate *or*
 - a certified copy of documents that establish the parent or guardian's relationship to the child, such as
 - ❖ a court order relating to divorce, separation, custody, foster care
 - ❖ a foster care contract
 - ❖ an affidavit of parentage

- The **legal guardian for an individual** must provide a valid photo ID *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
 - court order(s)
 - valid power of attorney

Note: Individuals who do not exercise their data practices rights in person must provide *either* notarized or certified copies of the documents that are required *or* an affidavit of ID.



Notice to minors

Notice to Minors (Persons under Age 18)

Some of the information you are asked to provide is classified as private under state law. You have the right to request that some or all of the information not be given to one or both of your parents or legal guardians. Please complete the form below if you wish to have information withheld.

Cass County is required to determine if withholding the private information about you is in your best interests. The following factors are to be considered in making the determination:

- if you are old enough and mature enough to explain your reasons and understand the consequences,
- if denying access may protect you from physical or emotional harm,
- if there are reasonable grounds to support your reasons, and
- if the data includes medical, dental, or other health services provided under Minnesota Statutes 144.341 to 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize your health.

Notice given to: _____ Date: _____

By: _____
(name, title)

Request to withhold information

I request that the following private information about me:

Be withheld from: _____

For these reasons:

Printed name _____ Date: _____

Signature _____