

HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY

RESOLUTION NUMBER FY05-03

**[Resolution Adopting Rules and Regulations Concerning
Requests for Inspection of Public Records]**

WHEREAS, the Huntsville-Madison County Airport Authority ("the Airport Authority") is receiving an increasing number of requests to inspect and copy public records from the public and from various interest groups; and

WHEREAS, requests to inspect and copy public records require substantial staff time and can unduly interfere with the record-keeping system and efficient operation of the Port of Huntsville; and

WHEREAS, requests to inspect and copy public records at the Port of Huntsville may involve sensitive issues of security, law enforcement and personnel records; and

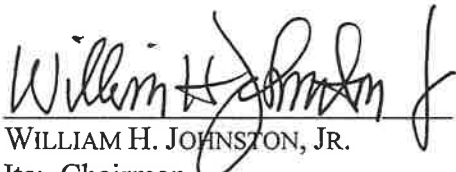
WHEREAS, such requests may be exempt from the Alabama Open Records Act, restricted by operation of federal law, or otherwise not subject to being inspected; and

WHEREAS, it is deemed to be in the best interest of the Port of Huntsville, its employees and the flying public that the Airport Authority adopt certain rules and regulations concerning the inspection and copying of public records.

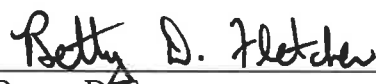
NOW THEREFORE, be it resolved by the Board of Directors of the Airport Authority that the Rules and Regulations pertaining to Inspection of Public Records be, and hereby are adopted for use by the Airport Authority, in substantially the form attached hereto as Exhibit "A," with such updates and revisions as the Executive Director shall deem necessary and appropriate, together with such application and permit forms as shall be deemed necessary to implement these Rules and Regulations.

ADOPTED on this the 14th day of September, 2004.

HUNTSVILLE-MADISON COUNTY
AIRPORT AUTHORITY

By: 
WILLIAM H. JOHNSTON, JR.
Its: Chairman

ATTEST:

By: 
BETTY D. FLETCHER
Its: Secretary

HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY

RULES AND REGULATIONS

INSPECTION OF PUBLIC RECORDS

Policy Statement

Airports across the nation are receiving an increasing number of requests for public records both from the public and from various interest groups. The Huntsville-Madison County Airport Authority ("the Airport Authority") is no exception.

The policy of the Airport Authority is to comply with applicable law in responding to legitimate requests for public records. However, requests for documents require substantial staff time and can unduly interfere with the efficient operation of the Port of Huntsville. The Airport Authority has determined that a policy is needed in order to ensure that documents are being requested for a legitimate purpose, that documents are not being requested for a purely speculative reason or out of idle curiosity, and that the documents requested are not legally protected from disclosure.

As a result, in order to promote the efficient operation of the Port of Huntsville and the integrity of the record keeping system, the Board of Directors of the Airport Authority has adopted certain Rules and Regulations governing requests for inspecting and copying public records.

Procedure for Inspecting and Copying Public Records

All requests for inspecting and copying documents of the Airport Authority shall be made on the Airport Authority's Request for Inspection of Public Records Form, in substantially the form of Exhibit "1" attached hereto, with such changes and modifications as shall be deemed necessary and appropriate by the Executive Director. In order to be considered the Request for Inspection of Public Records Form must be fully and accurately completed and addressed to the attention of the Deputy Director. All such Request for Inspection of Public Records Forms must comply with the following requirements:

1. The Form must be fully completed.
2. The Form must not contain any false, inaccurate or misleading information.
3. The Form must be signed by an individual with authority to bind the company or entity requesting the inspection of public records.

4. The Form must specifically identify the records being requested. Any request for public records pertaining to a specific subject must contain a beginning and ending date.

5. The Form must state the purpose for requesting documents.

The Airport Authority will maintain a register of requests for the inspection of public records made pursuant to this policy, in substantially the form of Exhibit "2" attached hereto, with such changes and revisions as shall be deemed necessary and appropriate by the Executive Director.

Recouping Staff Time and Copying Costs

Staff time spent in processing requests for inspections of public records, copying costs and mailing expenses required to respond to a request for inspection of documents will be recouped by the Airport Authority. Staff time shall be charged at the then current rate contained in the Personnel Policy Manual for the category of personnel required to respond to the Request for Inspection of Public Records. Photocopies shall be charged at the rate in effect at the time the Request for Inspection of Public Records is processed. Expenses incurred in mailing documents will be billed at cost. The Airport Authority reserves the right, in its sole discretion, to copy documents at the Airport or to send the documents to a commercial copier. Copies made by a commercial copier will be billed at cost. Charges for staff time, copying costs and mailing fees are to be paid before copies of any documents are released. In the event charges for staff time, copying costs or mailing fees are not paid when due, the Airport Authority reserves the right, without notice, to refuse to process further Requests for Inspection of Public Records received from the individual or company, or any affiliate of the individual or company, making the request.

Time and Location

Only the individuals named on the Request for Inspection of Public Records Form will be permitted to inspect documents of the Airport Authority. Inspections will be permitted only by prior appointment, between the hours of 8:30 a.m. and 4:30 p.m., central standard time, at the offices of the Airport Authority in Huntsville, Alabama, where the documents are kept. The Airport Authority reserves the right, in its sole discretion, to have its staff copy the documents or to send the documents to a commercial print shop.

Exempt Documents

The Airport Authority will not comply with requests to inspect documents unless there is reasonable assurance that the requested information is needed for a legitimate and proper purpose, that the integrity of the Airport Authority's record keeping system is maintained and that the purpose behind the request to inspect documents is not purely speculative or does not result from idle curiosity.

Certain documents are deemed to be exceptions to the Open Records Act of Alabama and may not be inspected or copied without a court order. The type of documents which are not subject to being inspected and copied include, but are not limited to, the following:

1. Recorded information received by a public officer in confidence.
2. Sensitive personnel records.
3. Law enforcement investigative reports and related materials.
4. Documents relating to pending criminal investigations.
5. Records whose disclosure would be detrimental to the best interest of the public or would result in undue harm or embarrassment to an individual.
6. Documents otherwise treated as protected, privileged or confidential.
7. Documents which reveal the thought processes of public officers.
8. Documents which are "under seal" of a court.
9. Copyrighted information.
10. Documents which are exempt from disclosure by operation of federal law, such as records deemed Sensitive Security Information under 49 CFR Part 1520 and 49 CFR Part 15, and information which is classified by the Department of Homeland Security.

Amendments


The Board of Directors of the Airport Authority reserves the right for the Executive Director to make such changes, revisions, amendments and deletions to the Rules and Regulations regarding the inspection and copying of public records as shall be deemed necessary and appropriate to respond to changing circumstances at the Port of Huntsville.

ADOPTED on this the 14th day of September, 2004.

HUNTSVILLE-MADISON COUNTY
AIRPORT AUTHORITY


WILLIAM H. JOHNSTON, JR.
Its: Chairman

ATTEST:


BETTY D. FLETCHER
Its: Secretary

HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY

REQUEST FOR INSPECTION OF PUBLIC RECORDS FORM

All requests to inspect or copy public records of the Huntsville-Madison County Airport Authority ("the Airport Authority") shall be made by fully completing a Request for Inspection of Public Records Form. All such completed Request for Inspection of Public Records Forms shall be submitted to the following address:

HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY
ATTN: DEPUTY DIRECTOR
BOX 20008
1000 GLENN HEARN BLVD.
HUNTSVILLE, ALABAMA 35824

All Request for Inspection of Public Records Forms shall be fully and accurately completed. The Airport Authority will not comply with any Request for Inspection of Public Records (a) which is not submitted on the correct form, (b) which is partially completed, (c) which contains false, inaccurate or misleading answers, or (d) which is not signed or is not signed by an individual with authority to bind the company or entity requesting inspection of public records.

1. Company, Individual or Organization Requesting Inspection of Records:

Company:
Designated Representative:
Position of Representative:
Address:
Phone Number:

2. Individuals to be Present During Inspection:

Name:
Position:
Phone Number:
Name:
Position:
Phone Number:

3. Documents Requested: (Response must be specific. Any request for documents pertaining to a specific topic must contain a beginning date and ending date. Attach separate sheet if required.)

4. Purpose for Requesting Documents: (Response must be specific. Attach separate sheet if necessary.)

5. Acknowledgment:

The undersigned acknowledges and agrees to comply with the policy of the Airport Authority to charge for staff time, copying costs and mailing charges required to respond to a Request for Inspection of Public Records. Staff time shall be charged at the then current rate contained in the Personnel Policy Manual for the category of personnel required to respond to the Request for Inspection of Public Records. Photocopies shall be charged at the rate of _____ cents per copy. The Airport Authority reserves the right to increase the cost of photocopies at any time, but will advise those requesting copies of any increase before charges are incurred. Expenses incurred in mailing will be billed at cost. The Airport Authority reserves the right, in its sole discretion, to copy the documents produced at the Airport or to send the documents to a commercial copier. Copies made by a commercial copier will be billed at cost. Charges for staff time, copying costs and mailing charges are to be paid before any document copies are released. In the event charges for staff time, copying costs or mailing expenses are not paid when due, the Airport Authority reserves the right, without further notice, to deny any further Request for Inspection of Public Records received from the individual or company, or any affiliated person or entity.

The undersigned represents and affirms that:

A. He/she has the authority to legally bind the organization or entity requesting inspection of public records and that he/she signs this Request for Inspection of Public Records form on behalf of the stated organization or entity.

B. He/she has received a copy of the Airport Authority Rules and Regulations governing Inspection of Public Records, has read and understands the Rules and Regulations, and agrees to abide by all conditions contained in the Rules and Regulations and in this Request for Inspection of Public Records Form.

C. By permitting the inspection of public records the Airport Authority assumes no responsibility or liability for the safety of individuals inspecting such public records.

SIGNED on this the _____ day of _____, 20_____.

(SIGNATURE)

(PRINT NAME)

For Airport Authority Use Only:

Date Request Received:	Actual Inspection Date:
Response to Request:	Receipt of Payment for Copies:
Date of Response:	Receipt of Payment for Staff Time:
Scheduled Inspection Date:	Receipt of Payment for Mailing:
Request Reviewed By:	Employee Monitoring Inspection:

