

**Pulaski County Notice of
Rights and Responsibilities Under
Virginia Freedom of Information Act (FOIA)**

As a citizen in the Commonwealth of Virginia, you have the right to certain public records. A public record is any writing or recording regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. FOIA does not require a public body to create records that do not already exist. The County of Pulaski performs business in an open and public manner as required by Virginia's Freedom of Information Act. FOIA is found in the *Code of Virginia* beginning at Section 2.2—3700. The County believes citizens should have reasonable access to the inspection and copying of public records to further the accountability of local government. Listed below is the procedure the County adheres to for responding to public records requests made pursuant to FOIA.

1. You have the right to:
 - Request to inspect or receive copies of public records, or both;
 - Request that any charges for the requested records be estimated in advance;
 - File a petition in general district or circuit court seeking compliance with FOIA, if you believe your rights have been violated, or to contact the FOIA Council for a nonbinding advisory opinion.

2. The Freedom of Information Act allows the County five business days from the date of receipt of the request to make one of the following responses in writing:
 - Providing all of the records to you.
 - Advising you that all of the records are being withheld and why the records requested are exempted or excluded (not required to be provided) by FOIA guidelines.
 - Provide some of the records you requested but withhold others. If some portion of a record is exempt from production, we may redact (mark through or cover) that portion and produce the rest of the record to you. If we provide you a portion of the record or records requested, we must tell you the specific sections of FOIA that we are relying on to withhold portions of the records.
 - Inform you that we have no records responsive to your request (we do not have the records you want) but if we know another public body (such as a Town or School Board) have the requested records, we must give you the contact information for that other public body.
 - Advise you as to if and why the County would need additional time.

3. The County has designated Ashley Edmonds as FOIA Officer, in addition to the County Attorney, to assist in and respond to FOIA requests. Ashley Edmonds may be reached:
 - In person or in writing at 143 Third Street, N.W., Suite 1, Pulaski, VA 24301
 - By telephone at (540) 980 – 7705

- By fax at 540-980-7717
- By email at aedmonds@pulaskicounty.org

Requests may be made by U.S. Mail, email, fax, in person or over the phone, but it is helpful to put your request in writing.

4. The types of public records the County of Pulaski maintains include:
 - Meeting agendas and minutes
 - Records of Public contracts
 - Ordinances and resolutions
 - Personnel records concerning employees and officials of the County
 - Records relating to Economic Development project of the County
5. The County of Pulaski routinely withholds certain records from release as permitted or required by the Freedom of Information Act or other laws. Exemptions or exclusions that require public records to be withheld from release are set forth in the Code of Virginia, §2.2 – 3705.1 - §2.2 – 3706 and include such items as:
 - Personnel records.
 - Written advice of legal counsel to state, regional or local public bodies or the officers or employees of such bodies and any other records protected by attorney – client privilege.
 - Records relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such records would adversely affect the bargaining position or negotiating strategy of the public body.
 - Vendor proprietary information.
6. A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records. No public body shall impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen, as set forth in Subsection (F), Section 2.2-3704 of the *Code of Virginia*.
7. Before processing a request for records, a public body may require the requester to pay any amounts owed to the public body for previous requests for records that remain unpaid 30 days or more after billing. (§2.2 – 3704, Subsection (I) of the Code of Virginia)
8. The above notice is pursuant to Virginia Code § 2.2-3704.1 and does not limit or alter a citizen's or the County of Pulaski's rights or responsibilities under FOIA (currently, Virginia Code §§ 2.2-3700 – 2.2-3714). In the event of any conflict with this notice, the provisions of FOIA or other applicable law shall control.