



**Policy and Procedure Resolution No. 137 – Resolution Number 1905  
A POLICY FOR THE PROVISION OF PUBLIC RECORDS TO THE GENERAL PUBLIC**

**WHEREAS**, from time to time, IVGID receives requests for the provision of public records contained in its files; and

**WHEREAS**, NRS Chapter 239 of the Nevada Public Records Law and NRS Chapter 241 of the Nevada Open Meeting Law address the provision of public records to the public upon request; and

**WHEREAS**, NRS Chapter 239 further provides guidance on the manner and timing for a response to such requests and for the charge of costs therefor; and

**WHEREAS**, NRS Chapter 239 specifically provides that a governmental entity may charge actual costs, as defined, incurred in the provision of a public record; and

**WHEREAS**, on or about June 29, 2011, IVGID adopted a policy to establish procedures for handling requests for public records (“Policy”); and

**WHEREAS**, IVGID now wishes to revise its adopted Policy for the provision of records in order to maintain consistency with State law; and

**WHEREAS**, the IVGID fee schedule for public records contained herein shall be posted on the IVGID website and in all other locations required by NRS Chapter 239.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT**, that it hereby adopts the attached Policy for the provision of public records.

**BE IT FURTHER RESOLVED**, that the attached Policy and procedures will remain in effect until changed or rescinded by the Board of Trustees and supersedes Resolution No. 1905/Policy and Procedure Resolution No. 137.

\* \* \* \* \*

I hereby certify that the foregoing is a full, true and correct copy of Resolution No. 1905, Policy and Procedure Resolution No. 137, as amended and adopted by the Board of Trustees of the Incline Village General Improvement District on the 30th day of August, 2023, by the following vote:

AYES, and in favor thereof, Trustees Matthew Dent, David Noble, Sara Schmitz,  
Michaela Tonking, and Raymond Tulloch  
NOES, ABSENT, None

*/s/ Heidi H. White*  
Heidi H. White  
District Clerk



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**I. PUBLIC RECORDS**

**A. Purpose**

The following Policy and Procedure, which shall be known also as the District’s “Public Records Policy” (“Policy”) is intended to govern the issuance of public records contained in District files, and the inspection, copying, and provision thereof. It will apply to all such requests for public records by the general public.

**B. Policy Statement**

Public records in the possession of the District that are not otherwise declared to be confidential by State or federal law, and/or related governing interpretations of the law, will be made available to the general public for inspection and copying under Nevada law.

**C. Governing Law**

This Policy is made in conformance with the Nevada Open Meeting Law (NRS 241), the Nevada Public Records Law (NRS 239) and District Policy. This Policy will remain in effect until changed or rescinded by the District’s Board of Trustees.

**D. Policy Administrator**

The General Manager shall appoint a District “Public Records Officer” who shall oversee the execution and administration of this Policy. In the absence of such designation, the General Manager shall hold the title of “Public Records Officer” and shall directly administer this Policy.

The General Manager may name more than one “Public Records Officer” because District records may be maintained at multiple District locations or to ensure uninterrupted staff coverage during vacations and other absences.



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**E. General Provisions**

**1. Form**

The District will prepare and provide a “Public Records Request” form to be used by the general public for all requests for public records. This form will be available on the District’s website and in person at the District office (893 Southwood Boulevard, Incline Village).

**2. Submission**

All hard copy Public Records Request forms shall be mailed or hand-delivered to:

Attn: Public Records Officer  
IVGID Administration Building  
893 Southwood Boulevard  
Incline Village, Nevada, 89451

All electronic Public Records Request forms shall be e-mailed to:

PublicRecordsOfficer@ivgid.org.

Any verbal request for public records will be submitted by the receiving staff member through the form for tracking and processing.

**3. Responses to Public Records Requests**

The Public Records Officer will review all Public Records Request forms received and will determine whether the requested records exist. A response (with copies of the requested public records, indicating the anticipated date on which the public records will be provided, or informing the Requester that the District does not have the public records or will not be producing them for a lawful reason) will be made within five (5) business days from receipt of the form, not counting that day, and thereafter as



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appropriate, in compliance with the provisions of NRS 239.0107.

Specifically, by the conclusion of the fifth day after a request is received by the District, District staff will take one of the following actions:

- A. Provide copies of the requested documents, if they are readily available and can be provided within that timeframe.
- B. Provide the requester with confirmation of receipt of the request, and a date by which staff anticipates responsive documents will be provided.
- C. Inform the requester that the District does not have the records that are requested.
- D. Inform the requester that the requested documents will not be disclosed because one or more exemptions to the PRA's disclosure requirements apply (the specific exemption(s) will also be provided as part of this response).

Documents may be withheld pursuant to NRS 239.010 and all statutes cited therein; Nevada regulations; federal laws and regulations; state and federal case law; and the *Bradshaw* balancing test (the government's interest in withholding a record clearly outweighs the public interest in disclosure).

The Public Records Officer, based on the advice of the District's General Counsel, may assert confidentiality in redacting or withholding certain records. If a record is redacted or withheld, the legal basis for such redaction or withholding will be stated in the District's response to the Requester.

All decisions to redact or withhold a record will be reviewed by the Board of Trustees. All decisions by the Board of Trustees are final.

**4. Charges For Providing Public Records**

Pursuant to NRS 239.052, the District may charge a fee for providing a



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copy of a public record. The fee must not exceed the actual cost to the District to provide the copy of the public record unless a specific statute or regulation sets a fee that the District must charge for the copy. “Actual cost” means the direct cost incurred by a governmental entity in the provision of a public record, including, without limitation, the cost of ink, toner, paper, media and postage. The term does not include a cost that a governmental entity incurs regardless of whether or not a person requests a copy of a particular public record. Further, the District shall not charge a fee for providing a copy of a public record if a specific statute or regulation requires the District to provide the copy without charge.

In compliance with NRS 239.052, the following categories will govern the charges, if any, which will be assessed and the method in which the request will be provided:

**a) *Public Records Provided by E-Mail***

Public records which have been specifically identified as being able to be provided by e-mail will be provided to the Requester at no charge.

**b) *Public Records Not Provided by E-Mail***

Public records that cannot be provided by e-mail or that the Requester requests in some other form will be provided in accordance with the following fee schedule:

- I. \$.05 for each printed page.
- II. Actual cost for each storage device (DVD, CD, thumb drive, etc.).
- III. Actual cost for postage.

Fee payment is due prior to the release of the requested public records.



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**5. Publication of Public Records Requests and Responses**

The Public Records Officer shall publish on the District's website or other forum approved by the Board of Trustees the current and recent public records requests and the District's responses, including all supporting documents and information which were provided to the requester.