

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS
ATTORNEY GENERAL

July 31, 2017

Carlos Arias
317 Navajo Road
Clovis, NM 88101
Email: bback34@hotmail.com

Re: Inspection of Public Records Complaint

Dear Mr. Arias:

On January 3, 2017, the Office of the Attorney General Open Government Division ("OGD") received your complaint alleging that the City Manager/Airport Manager for the city of Clovis violated the Inspection of Public Records Act ("IPRA"), NMSA 1978, Sections 14-2-1 to -12 (2011). The OGD jurisdiction is limited to a review of the IPRA violations in your complaint.

The OGD received correspondence from the City of Clovis regarding the IPRA requests at issue in your complaint. We have enclosed the correspondence for your review. Based on the information provided by the City, the City initially failed to comply with the IPRA time limits of NMSA 1978, Section 14-2-8(D). Section 14-2-8(D) states:

A custodian receiving a written request shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request. If the inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request.

Though the City may have initially failed to provide you with timely inspection, they have ultimately produced or allowed for the inspection of all responsive records in their possession, and are therefore, in substantive compliance with the IPRA. *See, Derringer v. State*, 2003-NMCA-073, 133 N.M. 721. Accordingly, we consider this matter closed.

Thank you for affording our office this opportunity to be of assistance. If you would like to submit a subsequent IPRA or OMA complaint, we encourage you to submit an official complaint found on our website: <http://www.nmag.gov/oma-and-ipra-complaints.aspx>.

Sincerely,

A handwritten signature in black ink, appearing to read "John Grubestic".

John Grubestic
Assistant Attorney General

Cc: David F. Richards, City Attorney

Greig & Richards, P.A.

ATTORNEYS AT LAW

OTTO SMITH (1893-1961)
ESTHER SMITH VAN SOELEN (1928-2014)

Hal Greig
David F. Richards

409 Pile Street
PO Box 1080
Clovis, New Mexico 88102-1080

Telephone (575) 763-4428
Telefax (575) 762-1907
E-Mail grpallaw@plateautel.net

May 15, 2017

Dylan K. Lange
Patricia M. Salazar
Office of the New Mexico Attorney General
PO Drawer 1508
408 Galisteo Street
Santa Fe, New Mexico 87504-1508

RE: Response to Inspection of Public Records Act Inquiry

As Attorney for the City of Clovis, I am responding to an e-mail of April 26, 2017, letter of February 17, 2017, and Inspection of Public Records Act complaint against the City of Clovis by Mr. Carlos Arias, arising out of a December 12, 2016 request for public documents. I will begin by stating that the letter from Dylan Lange dated February 17, 2017, and addressed to Mr. Larry G. Fry, City Manager/Records Custodian, was not received, or was not delivered to Mr. Fry. The City's IT personnel have searched for the e-mail, but have been unable to identify receipt. Mr. Fry is no longer City Manager of the City of Clovis, but I have contacted him and confirmed that he did not receive the February 17, 2017 letter. The City would not have ignored an official inquiry and takes very seriously its obligations under IPRA.

I will respond to the questions set out in the letter and provide any relevant additional information. I believe that I am aware of the occurrences relating to Mr. Arias' request.

Mr. Arias' request was received by Mr. Fry on or about December 12, 2016. A copy was shown to me and thereafter I e-mailed Mr. Fry, on December 12, 2016, to ask if the FAA inspection report had been received by him. Mr. Fry responded to me that he would obtain the document from the Airport Manager, Mr. Kyle Berkshire. I was not contacted again about the inspection request, and assumed that Mr. Fry would respond to Mr. Arias when he received the requested documents from Mr. Berkshire. I have been able to find no record indicating that Mr. Fry thereafter contacted Mr. Arias or provided the documents.

Dylan K. Lange
Patricia M. Salazar
May 15, 2017
Page 2 of 2

In January 2017, Mr. Arias submitted additional requests for documents related to the Clovis Municipal Airport (January 5, 2017, January 6, 2017, and January 9, 2017). Those requests were addressed to Mr. Berkshire and not Mr. Fry. Those requests were referred to me for compilation of the documents in response to Mr. Arias. Those voluminous records, a total of 323 pages, were delivered to Mr. Arias on January 18, and supplemented on February 9. During that time, I had several e-mail communications, and at least one phone call with Mr. Arias, and he did not inquire regarding the status of the December 12, 2016 request. Had he done so, I would have been able to reconstruct the City's failure to respond and could have corrected the matter.

I have concluded that the City did fail to respond to Mr. Arias' request. The cause for this failure was based on inadvertence and mistake in coordinating the collection of the records and communication with Mr. Arias. I am sure that Mr. Fry intended to delegate the responsibility to respond to either me or Mr. Berkshire, and thought that he had done so. Since the request was directed to Mr. Fry, Mr. Berkshire and I assumed that he would respond. This is the first time any IPRA request to the City has been mishandled. We are reviewing the procedures for logging, tracking and responding so that this does not occur in the future. The City sincerely apologizes to Mr. Arias for this oversight and is committed to preventing any recurrence in the future. A copy of the requested documents, attached, are being delivered to Mr. Arias today, together with an apology. Please advise if other measures are required by the City.

Very truly yours,



David F. Richards

cc. Mayor
City Commission

COUNTY OF CURRY)
CITY OF CLOVIS) ss.

The Civil Aviation Board met on November 1, 2016 in the Clovis Municipal Airport Terminal, 459 County Rd 11.5, Texico, New Mexico, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Chairman Tom Phelps
Vice Chair Donnie Lewellen
Commissioner Chris Bryant
Member Russ Backoff
Member Dr. James Jennings
Member Donald Sharer
Member Karl Spence

ABSENT:

N/A

ALSO PRESENT:

Mr. Kyle Berkshire, Airport Director
Ms. Cynthia Baca, Administrative Assistant
Mr. Larry Fry, City Manager
Mr. Dan Neelley, KSA Engineers
Mr. David Richards, City Attorney
Mr. Gary L. Jones, Retired
Mr. Robert Thorn, Clovis Pilots Association
Mr. Mark Myers, Pilot
Mrs. Amanda Arias, Blue Sky Aviation
Mr. Kevin Wilson, CNJ

Chairman Tom Phelps called the meeting to order at 5:30 p.m. and established the presence of a quorum.

II. INTRODUCTION OF GUESTS AND VISITORS

Chairman Tom Phelps welcomed all guests to the meeting.

III. APPROVAL OF MINUTES

Member Donald Sharer made a motion to approve the minutes of September 6, 2016, as presented. Member Russ Backoff seconded the motion, which passed by acclamation. Vice Chair Donnie Lewellen abstained from voting due to the fact that he was not present at the September meeting.

IV. OLD BUSINESS

A. Movement Area Map

Mr. Berkshire asked Cynthia to hand out a Movement Area Map to everyone present and stated that whenever a gate card is handed out, they gate card holder will receive a Map. Everything in blue is the Movement Area and everything in green is accessible by gate card holders. If someone doesn't have a gate card they have to be escorted by the FBO, officials at the Airport or someone that has access to the green areas. Once the ramp is completed, the commercial areas will be marked and more defined. Member Spence asked if this was an FAA requirement. Mr. Berkshire stated that it is an FAA requirement but that he just wanted it more defined. Chairman Phelps stated that it may be appropriate to

have the Board ratify the Movement Area Map. Vice Chair Lewellen made a motion to approve the Movement Area Map. Member Spence seconded the motion, which passed by acclamation.

B. Ramp Project

Mr. Berkshire handed out an outlined picture of the Ramp Project stating that all of the areas outlined in blue (on the Apron and Taxiway) are what is going to be re-done, hopefully in concrete, worst case scenario, Asphalt. Mr. Dan Neelley stated that taxiway A, south of the intersection will be a complete reconstruction. The stub taxiway from the Apron to 4/22 will be completely demolished and removed since it's against FAA regulations because of the direct access, it will not be replaced. Runway 12/30 will be re-topped, this justifies the other projects. The new PCI map shows that 12/30 is our weakest area. It will run about eight million dollars for the total cost of this project. The PER has started, the design phase will start in the next physical year and hopefully at the end of the next physical year they will start the construction phase. Funds are being appropriated. Vice Chairman Lewellen asked why the stub taxiway is against regulation. Mr. Berkshire stated that it is because it goes directly into the ramp. Vice Chairman Lewellen stated that he does not agree with this taxiway being disabled because for high performance airplanes landing on 22, it's the perfect exit off the runway for them. Is there a possibility of taking the ramp access off to meet the FAA regulations but allowing this to get off the runway? Mr. Neelley stated that there are different ways that you can go about it. We will certainly keep your interest in mind while evaluating everything. Vice Chairman Lewellen stated that it's not just his interest and suggested that they keep an eye on traffic to see how much use this taxiway gets off the main runway because he thinks it's a highly used taxiway. Mr. Berkshire stated that he know that Boutique uses it quite a bit and mentioned it to FAA, but believes that it has to do with cost. Member Sharer asked if there is a plan to keep access to the hangars during construction. Mr. Berkshire stated that construction will be done in phases and in sections. Chairman Phelps asked when they thought the project would be done. Mr. Berkshire stated that he anticipated the project to be complete by the beginning of physical year 2019. Chairman Phelps asked how much is paid by the State and by Federal. Mr. Berkshire stated that Federal pays 90, State pays 5, and we pay 5. Commissioner Bryant asked what kind of time it takes once construction begins. Mr. Neelley stated that it's at least a 9 month project, depending on how it's phased and other factors such as the weather, possibly a year.

C. Hangar Construction

Mr. Berkshire gave an update on the construction of Dan Lindsey and AeroCare hangars. Mr. Lindsey's hangar should be done in about a month and a half. AeroCare is still waiting on fire suppression, etc. to be approved and after that approximately 45 days until completion.

NEW BUSINESS

A. Implementation of "No Alcohol Policy"

Mr. Richards stated that according to the current policy (City Code/1984) it's hard to say what the intent was because it was so poorly written, it infers that there are areas where alcohol would be appropriate and also that if the Airport were big enough to have a lounge and restaurant that that would be a permitted place to sell alcohol. By negative inference, you can argue that alcohol is allowed in some areas of the Airport. I was asked to draft an ordinance that would prohibit the possession or consumption of alcohol on the Airport to simplify the policy and make it more direct and from the City's perspective there is no other City property that allows alcohol, except the Golf Course and the Civic Center and at both of those locations, the City owns the liquor license and control of the sale, distribution and consumption of alcohol. The City doesn't allow alcohol at the softball parks or any of the other parks. This prohibition would be consistent with the overall policy concerning City property. Another safety consideration is the

consumption of alcohol on the Airport, because you're 6 miles from the City on a road, especially at night, is not the best for navigating in an impaired condition, and has been prompted by recent experiences involving large amounts of alcohol being consumed at the Airport. The City doesn't feel that that's consistent with the use of City property or Aviation practices. It's being submitted to the Board for the City Commission. It has not been placed on an Agenda for the City Commission as of today, but it is expected to be presented at the following meeting and proposed for introduction so everyone will have the opportunity to weigh in on a recommendation at the City Commission. Member Jennings stated that they've always been allowed to have alcohol in the hangar and doesn't see why they have to be against it now. He also stated that when you're out here working on your plane on a hot summer day, it's nice to have one. Member Sharer stated that he would be concerned about possession, the aspect of it. If someone was to buy a bottle of wine in Napa Valley and landing at the Airport and placing it in their car, they could be charged. Member Spence asked if it could be consumption instead of possession. Mr. Richards stated that recently there have been refrigerators with large amounts of alcohol (both beer and hard liquor) in hangars/storage units. This is written to be a deterrent to remove alcohol from the Airport. If the recommendation of the Board is to define it as consumption in order to avoid those issues of possession of someone that's flying in. This just seemed to be more direct and clear and there's not much room for interpretation. Commissioner Bryant stated that he's in favor of not having alcohol at the Airport because if we just leave it to consumption, then there's no reason to have it at possession if they can't drink it. If we had a restaurant or a lounge, something to serve food along with it Commissioner Bryant would probably be in favor of it. Mr. Berkshire stated that his concern is that with corporate jets coming in you can't deter what they're going to have and what they're going to bring in here. It's kind of hard to completely ban it. Commissioner Bryant stated that if it's a corporate jet, you tell them to leave it on the plane and that they can't get off with it. Vice Chair Lewellen stated that the enforcer is going to have a hard time enforcing possession with a corporate jet, but at the same time he has the perfect opportunity to enforce consumption. Vice Chair Lewellen stated that his personal opinion is to leave possession out and leave consumption in because then the people coming in and the people on the Airport that use this type of product are protected. That aspect is limited as to what the Airport is being used for. Member Spence was in agreement with leaving consumption in and taking out possession. Mr. Myers stated that as a hangar lessee he doesn't recall anything written stating that alcohol was not allowed and doesn't know of any other Airport that has this rule. Mr. Richards stated that the lease does state that lessees must comply with all of the Rules & Regulations and with City Code, it doesn't say that the City can't change the Rules and Regulations. Mr. Berkshire stated that he has talked with other Airports that their policy follows the same rules on consumption in a City owned t-hangar. Chairman Phelps stated that he is in favor of not allowing the consumption of alcohol on the Airport because he doesn't think that it serves any good purpose but he is not in agreement that possession needs to be included as well.

Chairman Phelps asked for a motion. Member Sharer made a motion to approve what is written minus the word possession. Member Spence seconded the motion, which passed by acclamation.

V. OTHER BUSINESS FOR DISCUSSION

A. FBO Update

Mr. Richards stated that the City will assume control of all fueling operations and Unicom, would purchase the adjacent hangar from Moby/Blue Sky and would enter in to a new ground lease agreement with Moby for the Hoffman hangar on the Agenda this Thursday night asking for approval from the City Commission. Member Backoff asked if it would be the same lease agreement. Mr. Richards stated that it would be the same form contract with two exceptions. One is that it will be a shorter period of time, a 30 year with renewals and it does have a provision for dealing with the Blue Sky fuel trucks. Other than that, it's the standard form lease. The concession part of that will allow Moby to hangar airplanes. Member

Backoff asked about the 30 years and stated that they could shut it off in 20 or 30 years. Mr. Richards stated that Member Backoff's lease has a specific term as do all leases with renewals. The total period of time with all renewals on what was negotiated with them is 30 years. And at that point it will revert to the City of Clovis. Mr. Richardson stated that it reads identically to Member Backoff's. Member Backoff stated that it does not read identically to his. Mr. Richardson stated that there are three options. You can either remove the improvements, they will transfer to the City of Clovis or there's a negotiation of a new agreement.

Chairman Phelps asked if there are any plans for self-service. Mr. Berkshire stated that part of the deal included the self-serve pump and the credit card reader. The pump itself and the pipe line is out of compliance. All of the piping will have to be redone and possibly relocated. If it's going to be redone, it might as well be done the right way and moved away from the building. It's going to take a little bit of time.

VIII. ADJOURNMENT

There being no further business to come before the board the meeting adjourned at 6:15 p.m.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
Airports Division, Southwest Region Safety and
Standards Branch

10101 Hillwood Parkway
Fort Worth, Texas 76177

December 19, 2016

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Kyle Berkshire
Airport Manager
Clovis Municipal Airport
459 CR 11.5
Texico, NM 88101

Dear Mr. Berkshire:

Subject: Letter of Correction, EIR No. 2017SW800019

A periodic certification safety inspection of Clovis Municipal Airport (CVN) was conducted on December 6-8, 2016. The inspection revealed that the airport was not being operated and maintained in compliance with all of the requirements of Federal Aviation Regulation 14 CFR Part 139, the Airport Certification Manual, and the Airport Operations Certificate.

In addition to the discrepancy coordinated via Letter of Investigation dated December 19, 2016, the following discrepancies were found and, as assigned at the post inspection briefing, are to be corrected by the dates indicated:

1. **Paved Areas, 139.305(a)(3):** The certificate holder failed to properly maintain and repair the pavement of Runway 12/30. Specifically:
 - a) Excessive vegetation growing through cracks on Runway 12/30.
 - b) Excessive cracks and surface deterioration has resulted in irregular surfaces.

Correction Date: February 8, 2017

2. **Handling and Storing of Hazardous Substances and Materials, 139.321(b)(5):** The certificate holder failed to establish and maintain standards for protection against fire and explosions in mobile fuelers. During a review of the inspection process, the inspector pointed out that the LL mobile fueler was outfitted with two ABC fire extinguishers. The mobile fueler was placed in service on November 30, 2016. During the inspection this item was corrected as airport staff replaced the ABC fire extinguishers with authorized fire extinguishers.

Correction Date: Corrected during inspection

3. Self-inspection Program, 139.327(b)(4): The certificate holder failed to adequately report conditions of Runway 12/30. The runway had rapidly deteriorated over the past year from a condition rated as Good to a condition rated as Poor. During the inspection the Runway was downgraded to Poor and appropriate actions taken by the inspector to update the Airport Master Record. This item was closed during the inspection.

Correction Date: Corrected during inspection.

4. Identifying, marking, and lighting construction and other unserviceable, 139.341(a)(1)(i): The certificate holder marked an unserviceable area with a barricade that could pose a hazard to the safe movement of aircraft to the turf Runway 8/26. Instead of low barricades, the airport barricades were 36" high.

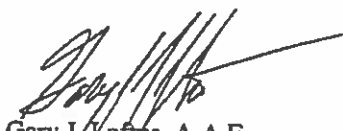
Correction Date: January 8, 2017

We have given consideration to all available facts and concluded that this matter does not warrant legal action at this time. In lieu of such action, we are issuing this letter of correction which will be made a matter of record.

The correction dates for the discrepancies are regulatory and enforceable. The certificate holder is required to provide notice when a discrepancy item has been corrected. Progressive correction notices can be provided via e-mail. However, the certificate holder is required to provide notice in writing when all discrepancies have been corrected.

If it is determined that due to circumstances beyond your control you are not able to meet a discrepancy correction date, you are required to provide notification to your assigned airport certification inspector. Initial notification of the potential delay to meet a compliance date can be verbal or via e-mail followed by the written justification for not meeting the correction date and justification for requesting an extension of the correction date. The notification of not being able to meet the compliance date and the request for an extension should be made far enough in advance of the original correction date to permit our review and determination of approval or rejection.

Sincerely,


Gary J. Loftis, A.A.E.
Airport Certification/Safety Inspector

cc: ASW-640



U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
Airports Division Southwest Region Safety and
Standards Branch

2601 Meacham Boulevard
Fort Worth, Texas 76137

December 21, 2015

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Kyle Berkshire
Airport Manager
Clovis Municipal Airport
P.O. Box 760
Clovis, NM 88101

Dear Mr. Berkshire:

Subject: Letter of Correction, EIR No. 2016SW840012

A periodic certification safety inspection of Clovis Municipal Airport (CVN) was conducted on November 23-25, 2015. The inspection revealed that the airport was not being operated and maintained in compliance with all of the requirements of Federal Aviation Regulation 14 CFR Part 139, the Airport Certification Manual, and the Airport Operations Certificate.

The following discrepancies were found and, as assigned at the post-inspection briefing, are to be corrected by the dates indicated.

1. **Airport Certification Manual, 139.201(b)(1):** The Airport Certification Manual was not kept current. A copy of the FAA approved Pavement Marking Plan was not available. The newly assigned Director of Aviation located the approved copy, and it was inserted as an Exhibit of the ACM during the inspection.

Correction Date: Corrected during inspection

2. **Handling and Storing of Hazardous Substances and Materials, 139.321(e)(1):** The supervisor of fixed base operator Blue Sky Aviation (known here as FOB) exceeded the 24 consecutive calendar month (CCM) recurrent training requirement. Training expired January 14, 2015 and was not completed at the time of the inspection.

Correction Date: December 4, 2015

Handling and Storing of Hazardous Substances and Materials, 139.321(e)(1): The FBO supervisor could not produce a record of receiving fire extinguisher training as required to complete supervisor training requirements.

Correction Date: December 4, 2015

3. **Handling and Storing of Hazardous Substances and Materials, 139.321(e)(2):** Recurrent on-the-job training had not been completed for the FBO lineman on staff. Initial training was completed in February 2010 – no additional record of training could be provided.

Correction Date: December 4, 2015

4. **Handling and Storing of Hazardous Substances and Materials, 139.321(e)(2):** The FBO had not developed a training curriculum or program to provide initial or recurrent training to employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel.

Correction Date: December 4, 2015

5. **ARFF Operational Requirements, 139.319(i)(2):** ARFF personnel exceeded the 12 CCM recurrent training requirement. Six personnel exceeded the requirement by one month – training was due July 2015 and was not completed until August 2015

Correction Date: Corrected during inspection.

6. **ARFF Operational Requirements, 139.319(i)(3):** ARFF personnel exceeded the 12 CCM live-burn training requirement. Six personnel exceeded the requirement by one month – training was due July 2015 and was not completed until August 2015.

Correction Date: Corrected during inspection.

7. **ARFF Operational Requirements, 139.319(g)(1):** The ARFF vehicle and its systems were not being maintained so as to be operationally capable of performing the functions during all air carrier operations. Biannual AFFF conductivity testing was not being performed on the ARFF vehicle to ensure proportioning systems are functioning correctly.

Correction Date: December 24, 2015

We have given consideration to all available facts and concluded that this matter does not warrant legal action at this time. In lieu of such action, we are issuing this Letter of Correction which will be made a matter of record.

The correction dates for the discrepancies are regulatory and enforceable. The certificate holder is required to provide notice when a discrepancy item has been corrected. Progressive correction notices can be provided via e-mail. However, the certificate holder is required to provide notice in writing when all discrepancies have been corrected.

If it is determined that due to circumstances beyond your control you are not able to meet a discrepancy correction date, you are required to provide notification to your assigned airport certification inspector. Initial notification of the potential delay to meet a compliance date can be verbal or via e-mail followed by the written justification for not meeting the

correction date and justification for requesting an extension of the correction date. The notification of not being able to meet the compliance date and the request for an extension should be made far enough in advance of the original correction date to permit our review and determination of approval or rejection.

Sincerely,



Janny L. Siddens
Airport Certification/Safety Inspector

Enclosure

cc: ASW-640



New Mexico Office of the Attorney General

HECTOR H. BALDERAS
Attorney General

ELIZABETH A. GLENN
Deputy Attorney General

INSPECTION OF PUBLIC RECORDS ACT COMPLAINT FORM

Under the Inspection of Public Records Act (“IPRA”), the Office of the Attorney General (“OAG”) has the discretion and authority to enforce the IPRA’s provisions. NMSA 1978, § 14-2-12. Generally, the OAG investigates and issues determinations regarding whether public agencies have violated the IPRA. All IPRA complaints submitted to the OAG, including any attached materials and any correspondence regarding those complaints, are public records subject to public inspection. Additionally, IPRA complaints and determinations from the OAG may be posted on our website.

All complaints submitted to the OAG will be reviewed for potential IPRA violations. The OAG may dismiss those complaints that fall outside IPRA’s purview and those for which there is no remedy available under IPRA, or forward IPRA complaints to another appropriate agency for resolution. Please note that the OAG does not represent complainants in suits against public bodies.

INSPECTION OF PUBLIC RECORDS ACT ("IPRA") COMPLAINT FORM

New Mexico Office of the Attorney General

Open Government Division

YOUR CONTACT INFORMATION:

First Name: Carlos Last Name: Arias

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Phone Number: [REDACTED]

Email: [REDACTED]

IPRA REQUEST TO THE PUBLIC BODY:

Name of the Public Body that is the subject of this complaint (including city/town, county or region, if applicable): City Manager/Airport Manager, Clovis NM 88101

Format of IPRA Request: Written Oral

Date IPRA Request was Submitted to the Public Body: December 12, 2016

Date of all Responses Received from the Public Body: I've received no response.

ALLEGED VIOLATIONS OF IPRA BY THE PUBLIC BODY: Please select from the following list the violations you allege the public body committed. Check all that apply.

RECORDS:

- No records were provided.
- The agency provided some but not all of the records responsive to the request.
- Records were provided, but they were not responsive to the request.
- The public body does not have custody or responsibility for the records, and the records custodian did not forward the request to the proper custodian.
- The request was for records in electronic format and although the records are available in electronic format, the copies of the public records were not provided in an electronic format.

DENIED REQUESTS TO INSPECT PUBLIC RECORDS

Although some records were provided, the custodian did not include a written explanation for denying the production of exempt records or for redacting confidential information from records.

No records were provided and the records custodian did not deliver or mail a written explanation to the requester within fifteen (15) calendar days after receiving the request that included a description of the records sought, the names and titles of each person responsible for denying the request, and a description of the reasons for the denial.

NOTICE

Public body did not post in a conspicuous location at its administrative office or on the public body's website a notice setting forth: the rights of any person to inspect the public body's public records, the public body's responsibility to make public records available for inspection, the procedures for requesting inspection of public records, the procedures for requesting copies of public records, and/or reasonable fees for copying public records

DEADLINES (For purposes of deadlines imposed by the IPRA, the date the request is received is not counted)

Inspection was not allowed within three (3) business days and the public body did not timely send a written "three-day letter" to the requester explaining when the records would be available or when the public body would respond to the request.

The public body did not allow inspection or otherwise respond to the request within fifteen (15) calendar days from the date the custodian received the request.

FEES

The public body charged fees in excess of \$1.00 per printed page for documents 11"X17" or smaller, or charged fees that exceeded the actual costs to copy the records.

The public body did not provide a receipt upon request.

DETAILED EXPLANATION OF ALLEGED IPRA VIOLATIONS (Required): Please provide a description of the actions taken by the public body that violated the IPRA, including specific dates and why you believe the IPRA has been violated.

I submitted a request to Mr. Fry and i have not still received any type of response. I have not been allowed to inspect any of the requested records. This request was made over 20 days ago.
