

OPEN RECORDS PROCEDURES - BORDEN COUNTY APPRAISAL DISTRICT

The CAD will comply with the Texas Public Information Act codified in the Texas Government Code Chapter 552. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies shall promptly release requested information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought.

Procedures to Obtain Information

1. Submit a request by mail, fax, email or in person according to a governmental body's reasonable procedures. The district shall strive to comply in a timely manner with all requests for copies of district records which are not an exception to the Public Information Act.

Address: PO Box 298
120 E Wilbourn
Gail, TX 79738

Website: www.bordencad.org

Email tcooley@bordencad.org or bcad@bordencad.org

2. Include enough description and detail about the information requested to enable the governmental body to accurately identify and locate the information requested.

EXAMPLES: Parcel or owner number, block and section or owner name.
Identify the specific documents: appraisal cards, tax certificates, etc.
Identify the specific year(s) for which you would like the documents.

3. Cooperate with the governmental body's reasonable efforts to clarify the type or amount of information requested.
4. The request must be in writing. Only written request triggers a governmental body's obligations under the Public Information Act
5. The request should be for documents or other information that is already in existence.
6. Governmental bodies are not required to answer questions, perform legal research or comply with a continuing request to supply information on a periodic basis as such information is prepared in the future.
7. A written request should include a mailing address, phone number or other means to contact you regarding your request.

Information to be Released

You may review it promptly, and if it cannot be produced within ten working days the public information officer will notify you in writing of the reasonable date and time when it will be available. Keep all appointments to inspect records and to pick up copies. Failure to keep appointments may result in losing the opportunity to inspect the information.

Information that may be withheld due to an Exception

By the tenth business day after a governmental body receives your written request, they must:

1. Request an Attorney General opinion and state which exceptions apply.
2. Notify the requestor of the referral to the Attorney General; and
3. Notify third parties if the request involves their proprietary information.

Failure to request an Attorney General opinion and notify the requestor within 10 business days will result in a presumption that the information is open unless there is a compelling reason to withhold it. The Attorney General must issue a decision no later than the 45th working day from the day after the Attorney General received the request for a decision. The Attorney General may request an additional 10 working day extension. Governmental bodies may not ask the Attorney General to “reconsider” an opinion.

Not required by Appraisal District

- Prepare new information in response to a request.
- Inform the requestor if the requested information comes into existence after the request is made.
- Comply with a continuing request for information.
- Prepare answers to questions or conduct legal research.
- Compile or calculate statistics.
- Copy information onto material provided by the requestor.

Internal Procedures

1. RECEIPT OF PUBLIC INFORMATION REQUEST

- a. A request may be hand delivered to the Borden CAD office.
- b. A request may be received through US Postal delivery/other delivery service: A request received through a mail delivery service is date stamped with the current date received.
- c. A request may be received through email address or fax: When a request is received through an email account it is printed and processed.

2. PROCESSING

- a. Each request is stamped with the date it is received.
- b. The tenth day the request is due to be returned to the requestor is calculated and written on the request. If a holiday falls within this time frame, the holiday is accounted for in calculating the tenth day and the holiday(s) are written outside the label “Holiday.”
- c. Payment will be calculated if no payment accompanies the request. The information will be released upon payment made.

3. CLARIFICATION OF REQUESTS

- a. If a request is received that is unclear as to the nature of the documents requested and/or scope of the request. Clarification stops the district’s duty to respond until the clarification is received for the specific request.

Cost of Records

Payments must be made in advance before any request is processed. All completed requests are final and non-refundable. It is the purchaser to understand the data files being purchased. The Borden County Appraisal District provides all products/data “as is” without a warranty of any kind and is not responsible for recreating data files free of charge due to disordering of data.

General ability of the Appraisal District to Charge for Documents

The Open Records Section of the Office of the Attorney General Cost Rules Administration administers the rules promulgated by the Attorney General to determine charges and methods for charging for copies of public information. These rules allow for the recovery of the cost of materials, labor and overhead.

The CAD will use the Public Information Cost Estimate Model on the Attorney General’s website.

Additional Charges:

- Appraisal Card will have no charge to the owner.
- A Real or Mineral Appraisal CD will be \$25.
- Postage will be actual charges.