

NELSON: Recorder wears many hats at City Hall

Continued from page 1

of) Sisters.”

That’s an opinion City Manager Andrew Gorayeb won’t dispute.

“Kathy works very long hours,” he said. “Meetings that go late; meetings that start early. She’s always the last to leave the building or the first to arrive.”

Nelson took the City recorder position on July 17, 2006. She had not worked in municipal government, but she had relevant experience as an office manager for two attorneys and serving as the recording secretary for a service organization.

“I had no idea what I didn’t know when I started the job,” she recalled. And the job has evolved.

“The City has gotten so much busier and so much more professional in how we handle our business,” she said.

An increasingly demanding part of Nelson’s job is fielding requests for public records. This in part reflects an unusually intense political climate in Sisters, but it also reflects a national trend. Municipalities and public agencies across the country report difficulties keeping up

with public-records requests.

From January 1 through March 10, 2015, there have been 59 total public-records requests to the City of Sisters. All of them go to Nelson. Twenty-five of those requests came from Ed Protas; 17 from Mike Morgan, both of whom have lately been very active in City politics. Four requests came from *The Nugget* and the other 13 from nine different people. Senior-living-facility developer Mark Adolf made three requests for documents regarding the McKenzie Meadows development, and Tom Pryor also made three requests regarding McKenzie Meadows.

According to Nelson, the requests are mostly small — the kind that, at least theoretically, take less than 15 minutes to complete. But the small increments add up when serial requests are made.

Nelson estimates that “lately, in the last six months, I would say four to eight hours a week” are spent fielding public records requests.

Sometimes the requirement to assemble documents is huge. Nelson recently completed 80 hours of gathering documents for a Land Use Board of Appeals (LUBA) action Celia Hung and Richard Esterman brought against the City around a dispute over a temporary-use permit for events on a private lot on the

corner of Cascade Avenue and Oak Street.

“It includes every record from four separate meetings along with all the exhibits, attachments emails — you name it and it’s included,” Nelson said. “It will have approximately 2,200 pages, and we need four copies in total.”

The City recorder takes her duty to respond to requests seriously.

“People have a right to records,” she said. “That’s the number-one thing and that’s my job.”

The volume is taxing her, however.

“I’m really busy and behind on my regular duties,” she said. “I’ve been working a lot, working weekends. I don’t like to be as behind as I am ... I don’t like that feeling.”

“I’ve always been very generous with my time. Part of it is I need to do a better job of being more realistic about how long it takes to find a public-records request,” she said.

Sometimes requesters aren’t sure exactly what it is they need. While Nelson can’t ask what a requester wants a document for, she can help them narrow down their request, which can save the requester money. That, of course, requires some time and effort on Nelson’s part.

Nelson is responsible for

document retention and organizing the often-disheveled files from years back, when Nelson says, “they were pretty lax about things.” Every document has to be looked at. And Nelson would like to get to a municipal code update, but she’s so busy that “it doesn’t even rise to the middle of the pile.”

The city council is contemplating how to address the issue of increasing volume in public-records requests. Nelson has inquired about policies from other cities, but that has provided only limited guidance.

“I didn’t hear back from any cities our size,” she said. “They were mostly larger cities. They have deputy city recorders.”

A deputy would be helpful. “I can assure you, I need administrative assistance,” Nelson said. “But I’m not the only one. The City in general could.”

The City of Sisters has relatively low fees for public records access (*see story below*). Municipalities and agencies often hike fees in response to increased volume of requests — but that can provoke backlash from media and citizens who do not want to see barriers erected to the accessibility of records.

Hiking fees, one pundit in Tennessee noted, effectively creates a kind of “poll tax” for

public-records access. If you have the means to pay, you get to see the records; if you don’t, you don’t.

For Nelson, the biggest challenge of her position is “keeping it all in balance ... wearing all those hats and prioritizing. Trying to have a personal life.”

When she’s home, she tries to avoid any “City talk” and enjoy time with family or out in nature — or just relaxing and recharging.

For all that she has a complicated and challenging job, she likes being the person in the background who makes everything run.

“I’m not a front-desk person,” she said. “I like being behind the scenes, getting things done, organizing things, being able to answer questions and being able to put my hands on a document.”

And as the City of Sisters gets busier, she’ll have more and more opportunities to do just that.



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The cost of public records in Sisters

By Sue Stafford
 Correspondent

Any citizen can request any City of Sisters public record, such as plot maps, recordings of public meetings, and development documents.

If the staff time required to fill the request is less than 15 minutes, there is no charge. If it will cost more than \$25 to fill the request, a written cost estimate is provided to the requester, who then must provide confirmation that he or she wants staff to proceed.

In addition, there is a \$10 charge for CDs and 25 cents per copy for printed material.

The City may require payment of estimated charges before taking further action on a request. Actual costs can end up being much more than the amount collected, staff reports. They can include the cost of the time spent by staff to locate the requested records, reviewing the records in order to delete exempt material, copying records, certifying documents as true copies, or sending records by special

methods such as express mail.

There is also the non-recoverable cost of time spent by the City attorney reviewing, redacting and segregating records at the City’s request.

The City of Sisters charges much less than a number of other Oregon cities, at \$32.33 an hour. That figure is based on the average pay per hour plus benefits of certain City employees. The \$32.33 represents numbers from five years ago. At 2015 rates, the figure would calculate to \$41.53 an hour.

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