

**MINNESOTA GOVERNMENT DATA PRACTICES ACT
2013 INVENTORY OF NOT PUBLIC DATA ON INDIVIDUALS**

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|---|--|----------------|--|---------------------------|
| Cottonwood County | Responsible Authority-Kelly Thongvivong Cottonwood County Coordinator | | Department/Division Highway Department | |
| Name of form, Record, File, System, or Process | Description (Purpose, what it collects, in terms Understandable by general public) | Classification | Citation for Classification (Statute, Law, or Rule) | Designee (Name, Title) |

Minn. Statute 13.393 provides: Notwithstanding the provisions of this chapter and section 15.17m the use, collection, storage, and dissemination of data by an attorney acting in a professional capacity for a government entity shall be governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility; provided that this section shall not be construed to affect the applicability of any statute, other than this chapter and section 15.17, which specifically requires or prohibits disclosure of specific information by the attorney, nor shall this section be construed to relieve any responsible authority, other than the attorney, from duties and responsibilities pursuant to this chapter in Section 15.17.

Consistent with that statute, **McDeld v. Minnesota Department of Human Services**, 2007 WL 4303102 (Minn. App. 2007) and Department of Administration Opinions 95-045, 95-048, and 95-049 while some data in the Office of the Cottonwood County Attorney is subject to the data practices, other elements are not. This table reflects the fact that in addition to the listed statutory authority some data may be made not public due to standards of professional conduct including, but not limited to, attorney-client privilege and attorney work product.

Data is often classified as confidential data on individuals if criminal, civil, or administrative investigation or litigation is pending. Upon completion, the data classification will then change to public or private, unless it retains its confidential classification under provisions of law.

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| Performance evaluations and other related personnel data | The performance evaluation system is based on job descriptions and results-oriented performance standards- it is designed to assist the employee to reach maximum potential and enhance services provided by the county | Private Access granted only to individuals within the office whose work assignments require access. | M.S. 13.43, subd. 4 | JinYeene Neumann, County Engineer |
| Acquisition Data | Appraisals used in land acquisition process | Private Access granted only to individuals within the office whose work assignments require access. | M.S. 13.44, subd. 1 | JinYeene Neumann, County Engineer |
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