



# Municipality of Skagway

GATEWAY TO THE KLONDIKE

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## MEMO

TO: Mayor & Assembly

FROM: Borough Clerk

DATE: October 19, 2022

RE: Correspondence

**Citizen correspondence will no longer be placed on the Borough website**, for several reasons:

- The correspondence is typically addressed to the Mayor and Assembly and is not necessarily intended to be provided to the internet populace.
- Some correspondence this last year has not been deemed fit for inclusion on the Borough website and required attorney review.
- Neither I, nor the attorney have been able to identify other local governments who post citizen correspondence on to their website, as if it were part of the meeting packet, publicly.
- Some citizen correspondence that had been included online, later had to be removed because the citizen did not intend it for online publication.
- There are possible first amendment issues if the Borough posts some public correspondence but not others; not posting any to the Borough website reduces these potential issues.

Thoughts to consider:

- Citizen correspondence are public documents under the Alaska Public Records Act and municipal code.
  - This does not mean they are available without a formal request.
  - If the MOS receives a public records request that applies, citizen correspondence will be disclosed in accordance with the public records act.
- All citizen correspondence received by the Clerk's Office will be emailed to the addressed party and correspondence for the whole Assembly will be additionally added to the Assembly Dropbox as would be expected.
  - Be aware that direct correspondence to Assembly members is still a public record, including communications regarding public issues conveyed via private email addresses.
  - The attorney recommends Assembly members use their public Municipal email addresses for MOS business.
- If a citizen would like their comments to be made public, they may read them at an Assembly meeting during citizen's present, send them to the local newspaper, or post them on social media.