

**Resolution 2014-92
Setting Fees for Responses to Public Records Requests
Per Idaho Code § 9-338**

WHEREAS, Idaho Code § 9-338 acknowledges the right of every person to examine and take copies of the public records of any public agency in the State of Idaho except as provided by law; and

WHEREAS, County staff often receive requests from the public for copies of public records within the County's custody and possession; and

WHEREAS, the County's response to these requests often requires a substantial amount of staff time in addition to the costs directly associated with the response; and

WHEREAS, the Kootenai County Board of Commissioners ("Board") desires to provide the most efficient customer service possible, and believe that establishing consistent guidelines for County departments increases the County's ability to provide this service; and

WHEREAS, the Board is authorized under Idaho Code § 9-338 to set fees related to locating, copying and disseminating public records in order to help defray associated costs; and

WHEREAS, the Board acknowledges that certain County offices and departments, such as the District Court, the Recorder's Office, and the Sheriff's Office, have fee structures which are set forth in, or authorized by, other provisions of Idaho statutes or court rules; and

WHEREAS, all other County offices and departments are governed by the provisions of Idaho Code § 9-338;

NOW, THEREFORE, BE IT HEREBY RESOLVED that, except as otherwise provided in Idaho statute or court rule, the following fees for responses to public records requests shall become effective as of the date of this Resolution:

Copying Charges				
Category	Total Quantity	Type	Quantity	Charge
Copies	1-100 pages	All		No charge
	101 pages or more	Black and White	First 100	No charge
			All after first 100	5¢ per page
		Color	All	10¢ per page
Reproduction	Any	Tape, CD, DVD, flash drive or similar media	Each	Actual cost
Postage or Delivery	Any	USPS, UPS, FedEx, etc.	Each	Actual cost

Labor Charges		
Category	Time	Charge
The records total 1-100 pages AND do not contain information which must be redacted or deleted	Any	No Charge
The records total 101 pages or more, OR the records contain information which must be redacted or deleted, OR the records must be reviewed to determine whether redaction or deletion is necessary	First 2 person-hours	No Charge
	More than 2 person-hours	As allowed in Idaho Code § 9-338(10)(e); includes wage or salary PLUS benefits

BE IT FURTHER RESOLVED that the fees set forth in this Resolution shall be paid at the time of the service provided unless otherwise approved by the appropriate elected official or department head.

BE IT FURTHER RESOLVED that the fees set forth in this Resolution shall be waived if the requesting party meets all of the criteria set forth in Idaho Code § 9-338(10)(f), and may be waived by the appropriate elected official or department head if he or she finds that such waiver would be in the public interest.

BE IT FURTHER RESOLVED that Resolution No. 2012-13, adopted on March 20, 2012, is hereby repealed and shall have no further force or effect.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Green, seconded by Commissioner Nelson, the following vote was recorded:

Commissioner Nelson: Aye
 Commissioner Green: Aye
 Chairman Tondee: Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of County Commissioners of Kootenai County, Idaho on the 9th day of December, 2014.

KOOTENAI COUNTY
 BOARD OF COMMISSIONERS

W. Todd Tondee
 W. Todd Tondee, Chairman

Daniel H. Green
 Daniel H. Green, Commissioner

Jai Nelson
 Jai Nelson, Commissioner

ATTEST:
 JIM BRANNON, CLERK
 By: Jai Nelson
 Deputy Clerk

C: All Elected Officials and Department Heads; Prosecuting Attorney (Civil Division); file