

Microfilm No. **538188**  
Day **Apr** 20 **12**  
At **4:55** O Clock **PM**  
ABBE MACE  
FREMONT CO RECORDER  
Fee \$ **10** Deputy  
Recorded Request of **Abbe Mace**

RESOLUTION NO. 2012- 1 3

A RESOLUTION OF FREMONT COUNTY, IDAHO, ADOPTING A PUBLIC RECORDS FEE SCHEDULE; FINDING THE FEE SCHEDULE IS CONSISTENT WITH IDAHO CODE § 9-338; DECLARING THAT CONFLICTING RESOLUTIONS ARE HEREBY SUPERSEDED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Fremont County receives Open Records Requests from members of the public; and

WHEREAS, § 9-338, Idaho Code allows the public the right to copy public records; and

WHEREAS, the Board of Fremont County Commissioners is permitted, pursuant to Idaho Code § 9-338(10)(b) and (c), to establish a copying fee schedule for the provision of public records not to exceed the actual copying cost to the agency supplying the public record; and

WHEREAS, § 9-338(15), Idaho Code provides for the delivery of public records in electronic form or by electronic mail; and

WHEREAS, § 9-338(10)(d), Idaho Code provides for the provision of public record information on compact computer disc or similar medium;

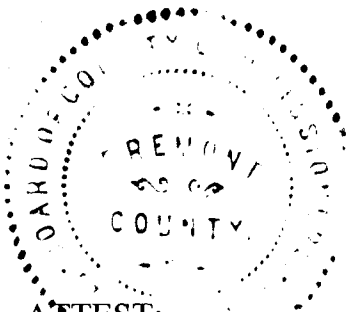
NOW THEREFORE, BE IT RESOLVED that the Board of Fremont County Commissioners hereby establishes a copying fee rate of 5¢ per paper page for public records requested from Fremont County departments under the Board's authority, pursuant to Idaho Code § 9-338(10)(c). When the records request is for one hundred (100) pages or less, there will be no charge for such copies. However, subsequent requests for copies from the same record(s) made in the same twelve (12) month period will be charged a copying fee of 5¢ per page, regardless of the number of pages requested in the subsequent request.

BE IT FURTHER RESOLVED that when requests for public records, either in paper or electronic form, from Fremont County departments under the authority of the Board of Commissioners, (1) are more than one hundred pages (100), or (2) include records from which nonpublic information must be deleted, or (3) the actual labor associated with locating, reviewing, and copying the record(s) exceeds two (2) person hours, all actual labor costs associated with responding to said records requests are recoverable, pursuant to Idaho Code § 9-338(10)(b) and (c). If the custodian anticipates that a copying/retrieval fee will be charged, the estimated cost of producing the record(s), including labor charges and/or paper costs, must be paid in full to the custodian of the records in advance of receipt of the requested records, pursuant to Idaho Code § 9-338(12).

BE IT FURTHER RESOLVED that when requested records may be provided on the compact computer disc or similar medium, pursuant to Idaho Code § 9-338(10)(d) the requesting party shall be charged a fee that does not exceed the sum of the following: (1) the cost of the medium, and (2) the cost of transferring the existing electronic record to compact computer disc or similar medium unless another fee is specified by law. If such requests include an actual labor cost, all actual labor costs associated with producing the records are recoverable by the County, as provided above. If the requested electronic format is not compatible with the custodian's computer system, the custodian may produce the records through a third party, in which case all labor costs associated with producing the record(s) are recoverable by the County, as provided by law.

BE IT FURTHER RESOLVED that fees listed herein do not include fees for maps provided by the GIS Department or other fees allowed by Idaho Code.

APPROVED and ADOPTED this 9<sup>th</sup> day of April, 2012.



ATTEST:

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

A handwritten signature in black ink, appearing to read "Skip Hurt", written over a horizontal line.

RONALD "SKIP" HURT, CHAIRMAN

A handwritten signature in black ink, appearing to read "Abbie Mace", written over a horizontal line.

ABBIE MACE, COUNTY CLERK