

**RESOLUTION NO. 1667**

**AT A MEETING OF THE BOARD OF ADA COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 2ND DAY OF MARCH, 2010, THE FOLLOWING RESOLUTION WAS ADOPTED, TO WIT:**

**WHEREAS**, the Board of Ada County Commissioners is permitted, pursuant to § 9-338(8)(a), Idaho Code, to establish a copying fee schedule for the provision of public records in a paper format; not to exceed the actual copying cost to the agency supplying the public record; and

**WHEREAS**, the Board of Ada County Commissioners, has determined that the following Ada County Courthouse departments have actual copying costs of .05 per page: Department of Administration, Development Services, Indigent Services, Purchasing, Human Resources, Information Technology, and Public Defender; and

**WHEREAS**, § 9-338(11), Idaho Code provides for the delivery of public records in electronic form or by electronic mail; and

**WHEREAS**, § 9-338(8)(b), Idaho Code provides for the provision of public record information on compact computer disc or similar medium.

**BE IT THEREFORE RESOLVED** that the Board of Ada County Commissioners hereby establishes a copying fee rate of .05 per paper page for public records requested from Ada County departments under the Board's authority, pursuant to Idaho Code § 9-338(8)(a). When the records request is for ten (10) pages or less, there will be no charge for such copies. However, subsequent requests for copies from the same record(s) will be charged a copying fee of .05 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 Ada County departments under the authority of the Board of Commissioners (1) are for more than one hundred (100) pages, 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 locating, reviewing and copying said record(s) are recoverable, pursuant to Idaho Code § 9-338(8)(a)(i)(ii)or(iii). However, labor costs will not be charged if the time associated with locating, reviewing and copying any requested

records is two (2) person hours or less. 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 and in advance of receipt of the requested records.

**BE IT FURTHER RESOLVED** that when requested public records are available in an electronic form, the requesting party may, at their request, have the delivery of said request made by electronic mail at no charge, except to the extent that such request includes an actual labor cost, in which case all actual labor costs associated with producing the records are recoverable, as provided above.

**BE IT FURTHER RESOLVED** that when requested records may be provided on compact computer disc or similar medium, 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. If such request includes an actual labor cost, all actual labor costs associated with producing the records are recoverable, as provided above. If the requested electronic format is not compatible with custodian's computer system, the custodian may produce the records through a third party, in which case all actual labor costs associated with producing the record(s) are recoverable, as provided above.

**APPROVED AND ADOPTED** this 2nd day of March, 2010.

**Ada County Board of Commissioners**

By: \_\_\_\_\_  
Fred Tilman, Chairman

By: \_\_\_\_\_  
Sharon M. Ullman, Commissioner

By: \_\_\_\_\_  
Rick Yzaguirre, Commissioner

ATTEST:

\_\_\_\_\_  
J. David Navarro, Ada County Clerk