

RESOLUTION NO. 2011-005

A RESOLUTION ESTABLISHING FEES TO BE CHARGED TO PERSONS FOR ACCESSING AND/OR COPYING OPEN PUBLIC RECORDS.

Be it Resolved by the Governing Body of the County of Jefferson, Kansas:

Section 1. Statement of Purpose, Review. It is the purpose of this resolution to establish reasonable fees and charges for the provision of access to, or copies of open public records in the possession of the County, to avoid the necessity of using general public funds of the County to subsidize special services and benefits to a record requester. The official records custodian shall periodically recommend to the Governing Body such changes in this Resolution as may be necessary to secure this purpose.

Section 2. Inspection Fee. (a) Where a request has been made for inspection of any open public record which is readily available to the records custodian, there shall be no inspection fee charged to the requester.

(b) In all cases not covered by subsection (a) of this section, a record inspection fee shall be charged at the rate of \$20.00 per hour per employee engaged in the recovery, research, compilation and copying of records when the time to do so exceeds one hour. A minimum charge of \$10.00 shall be charged for each such request when the employee's time involved is more than fifteen (15) minutes but less than one (1) hour. Any employee time spent less than fifteen (15) minutes will not be charged.

Section 3. Copying Fee. (a) A fee of .25 cents per page shall be charged for photocopying public records, such fee to cover the cost of labor, materials and equipment.

(b) For copying any public records which cannot be reproduced by the County's photocopying equipment, the requester shall be charged the actual cost to the County, including staff time as stated in Section 2 (b), in reproducing such records.

Section 4. Other Fees. Records custodians may establish fees to be charged for services other than those listed in this resolution. Such charges may not be in contradiction to the resolution, but can be in addition to those fees listed in this resolution.

Section 5. Prepayment of Fees. (a) A records custodian may demand prepayment of the fees established by this Resolution when it is in the best interest of the County. The prepayment amount shall be an estimate of the inspection and/or copying charges accrued in fulfilling the record request. Notification of the process for return of any prepayment overage shall be provided to the requestor at the time of record request. Any overage or underage in the prepayment shall be settled prior to the inspection of the requested record or delivery of the requested copies. Overage will be returned to the requestor through the Accounts Payable process.

(b) Prepayment of inspection and/or copying fees shall be required whenever, in the best estimate of the records custodian, such fees are estimated to exceed \$25.00.

(c) Where prepayment has been demanded by the records custodian, no record shall be made available to the requester until such prepayment has been made.

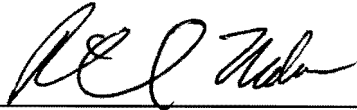
Section 6. Payment. All fees charged under this Resolution shall be paid to the custodian of the records inspected and/or copied unless the requester has established an account, for purposes of billing and payment, with the County. Such account may be established only upon written agreement with the department head of the office holding the record. New records requests (by the same requestor, or

corporation and/or partnership said requestor is a member or representative of, spouse, relative of or a legal representative of any of the reference relationships) will not be filled until all previous requests are paid in full. All fees received (under this resolution) shall be paid to the County Treasurer on the 1st and 15th as are other revenues received by the office.


Section 7: The following resolutions are hereby rescinded and replaced with this resolution: Resolution 1991-31, 1992-29, 2002-20, 2003-22, 2004-13, 2004-22, 2005-48, 2007-36, 2008-04, 2008-05, 2008-19, 2009-06, 2009-07, 2010-04, 2010-05.

Section 8: Effective Date. This Resolution shall take effect and be in force from and after its adoption.

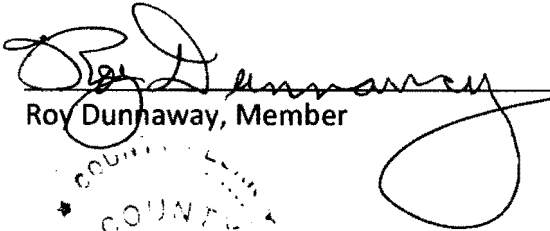
Adopted by the Governing Body of the County of Jefferson, Kansas, this 21st day of March, 2011.



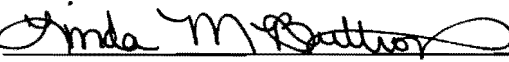
Richard Malm, Chairman



Lynn Luck, Vice Chair



Roy Dunnaway, Member

Attest: 

Linda M. Buttron, Jefferson County Clerk

