

RESOLUTION NO. 07 - 14

**RESOLUTION SETTING FEES TO BE COLLECTED FOR INFORMATION REQUESTS
PURSUANT TO THE PUBLIC INFORMATION ACT**

WHEREAS, the County Commissioners are subject to the provisions of Section 10-611 et. seq. of the State Government Article of the Annotated Code of Maryland, as from time to time amended, providing for access to public records; and

WHEREAS, the County Commissioners are happy to comply with any such request legally submitted as required or permitted to law; and

WHEREAS, the County incurs significant costs with respect to fulfilling its obligation to provide access to such records as well as searching for them, preparing them and copying them; and

WHEREAS, the Commissioners have decided that it is in the best interest of the County and in accordance with the provisions of the aforesaid Code Section that a standard fee be set by Resolution so that those requesting information may be apprised of the costs involved and that such costs and fees shall be collected by the County.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that:

1. The fees set forth in this resolution shall apply to all requests for inspection, production, preparation and reproduction of all County information requested pursuant to Section 10-611 of the State Government Article of the Annotated Code of Maryland, as from time to time amended, herein called the Freedom of Information Act.
2. The provisions of the Freedom of Information Act shall govern and be applicable to all requests.
3. Requests must be directed in writing to the property custodian.
4. Fees for requests pursuant to the Freedom of Information Act shall be as follows:
 - a. No fee shall be charged for the first two hours that are needed to search for a public record and prepare it for inspection. Multiple requests by the same applicant or the applicant's representatives for the same general subject matter, as determined by the County, shall be considered as a single request with respect to the two hour waiver of fees.
 - b. Commencing at the one hundred and twenty first minute, a fee shall be charged in accordance with the current schedule. The fee shall be reasonable and shall be charged in an amount to reimburse the County for the actual salary, plus benefits at the rate of 38%, for the time required of any County employee or contractor associated with providing the public record for inspection, including: search thereof, preparation thereof, monitoring, inspection of, and reproduction thereof. The custodian shall determine which County employee(s) shall manage the request and shall ascertain a rate to charge based on consultations with the Human Resources Department. The custodian may determine such employees as may be necessary and such time as may be assigned.
 - c. In addition to reimbursement for employee's time, a copier charge may be made where records are reproduced. That charge shall be \$.25 per sheet. Records will be copied on 8½" x 11" sheets. Larger copies, if available, shall be at an additional charge as determined by the custodian. Copies of records may be provided in digital format on various forms of electronic media, including compact discs (CD's) and digital video discs (DVD's). The charge per CD or DVD shall be \$5.00 per disc. Any other media shall be provided by the

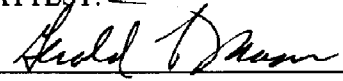
individual making the request and shall be used only when approved by the Worcester County Information Technology Office.

- d. If records are copied by third parties, the costs thereof shall be paid directly to the third party by the person requesting the record, unless the custodian determines that payment should be made to the custodian and then from the custodian to the third party.
- e. Every minute after the first one hundred twenty minutes shall be charged for including travel time, break time and any other time devoted to the request.
- f. All direct costs such as mileage, copy charges, materials shall be subject to reimbursement on a cost basis.
- g. Custodian shall require payment or deposit in advance.
- h. A County employee, or other County representative designated by the custodian, shall be present at all times while a record is being reviewed or copied.
- i. Incidental costs, such as telephone calls received by the applicant while reviewing the records which go through the County telephone system, or other time expended shall be charged for.
- j. Where compliance with the requirements of the Code with respect to reviewing records and providing copies thereof materially interferes with other efforts of County employees resulting or having the potential to result in payment of overtime, compensatory time, time off, leave or any other disruption of the normal work schedule, an additional percentage for overhead as determined by the custodian, but not to exceed 50% of the total amount collected may be charged.

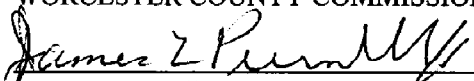
AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

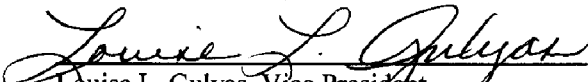
PASSED AND ADOPTED this 5th day of June 2007.

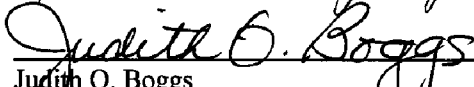
ATTEST: —



Gerald T. Mason
Chief Administrative Officer

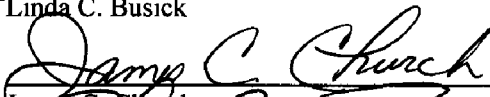
WORCESTER COUNTY COMMISSIONERS

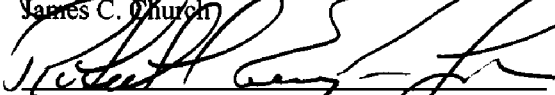

James L. Purnell, Jr., President

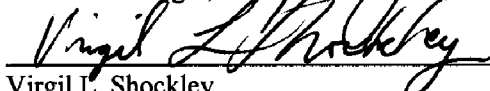

Louise L. Gulyas, Vice President


Judith O. Boggs


Linda C. Busick


James C. Church


Robert L. Cowger, Jr.


Virgil L. Shockley