RESOLUTION 2022-03
LAKES HIGHWAY DISTRICT
PUBLIC RECORDS REQUEST FEE SCHEDULE

WHEREAS, Idaho Code § 9-338 grants 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, Lakes Highway District staff often receive requests from the public for copies of public records within the County's custody and possession; and

WHEREAS, Lakes Highway District'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 Board is authorized under Idaho Code § 74-102(10) to set fees related to locating, copying and disseminating public records in order to help defray associated costs; and

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 are hereby adopted by the Board and replaced any prior fee schedule:

PRODUCTION CHARGES				
Category	**Total Quantity**	**Type**	**Quantity**	**Charge**
Copies	1-100 pages	Any Type	100 or less	No charge
	Pages over 100	Black and White	Each page	5¢
	Pages over 100	Color	Each page	10¢
Media Reproduction	Any	Tape, CD, DVD, flash drive or similar media	Each	Actual Cost
Postage Delivery	Any	USPS, UPS, FedEx, etc.	Each	Actual Cost
LABOR CHARGES				
Category	**Time**		**Charge**	
Clerk's Fee	Actual Time		Actual Hourly Rate	
Attorney Redactions	Actual Time		Actual Hourly Rate	

BE IT FURTHER RESOLVED that the clerk may require advance payment of fees authorized by this section. Any money received by Lakes Highway District shall be credited to the account for which the expense being reimbursed was or will be charged, and such funds may be expended by the agency as part of its appropriation from that fund. Any

portion of advance payment in excess of the actual costs of labor and copying incurred by the agency in responding to the request shall be returned to the requester.

BE IT FURTHER RESOLVED that the fees set forth in this fee schedule shall be waived if the requesting party meets all of the criteria set forth in Idaho Code § 74-102(10)(f).

BE IT FURTHER RESOLVED that a requester may not file multiple requests for public records solely to avoid payment of fees. When Lakes Highway District reasonably believes that one (1) or more requesters are segregating a request into a series of requests to avoid payment of fees authorized pursuant to this resolution, Lakes Highway District may aggregate such requests and charge the appropriate fees. The time period applicable to this provision shall be thirty (30) days.

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

Commissioner Twete: Aye/Nay
Commissioner Montgomery: Aye/Nay
Commissioner Fountain: Aye/Nay

Upon said roll call, the text of the foregoing was duly enacted a Resolution of the Board of Commissioners of Lakes Highway District on the 18th day of July, 2022.

THE BOARD OF LAKES HIGHWAY DISTRICT COMMISSIONERS'

Rodney A. Twete, Chairman

Weston E. Montgomery, Commissioner

Diane J. Fountain, Commissioner

ATTEST:

Bonny A. Flagg
Bonny A. Flagg, District Clerk/Board Secretary

PUBLIC RECORDS RESPONSE FEE SCHEDULE

Pursuant to I.C. § 74-102(10), Lakes Highway District adopts the following public records fee schedule:

PRODUCTION CHARGES				
Category	**Total Quantity**	**Type**	**Quantity**	**Charge**
Copies	1-100 pages	Any Type	100 or less	No charge
	Pages over 100	Black and White	Each page	5¢
	Pages over 100	Color	Each page	10¢
Media Reproduction	Any	Tape, CD, DVD, flash drive or similar media	Each	Actual Cost
Postage Delivery	Any	USPS, UPS, FedEx, etc.	Each	Actual Cost
LABOR CHARGES				
Category	**Time**		**Charge**	
Clerk's Fee	Hour pay rate		$32.96 per hour	
Attorney Redactions	Actual Time		$185 per hour	

The clerk may require advance payment of fees authorized by this section. Any money received by Lakes Highway District shall be credited to the account for which the expense being reimbursed was or will be charged, and such funds may be expended by the agency as part of its appropriation from that fund. Any portion of advance payment in excess of the actual costs of labor and copying incurred by the agency in responding to the request shall be returned to the requester.

The fees set forth in this fee schedule shall be waived if the requesting party meets all of the criteria set forth in Idaho Code § 74-102(10)(f).

Dated this 6th day of July, 2022.

LAKES HIGHWAY DISTRICT

By: _____
Eric Shanley, Director of Highways