

RESOLUTION NO. 1054

**A RESOLUTION TO ADOPT STANDARDIZED RULES AND PROCEDURES FOR PROCESSING PUBLIC INFORMATION ACT REQUESTS.**

WHEREAS, Maryland law requires local jurisdictions to adopt policies and procedures for responding to requests for inspection and copying of public records under the Maryland Public Information Act, State Government Article §10-611, *et.seq.*, Maryland Annotated Code; and

WHEREAS, the County may incur significant costs with respect to fulfilling its obligation to provide access to such records, including the research, preparation and duplication of the requested documents; and

WHEREAS, in accordance with the provisions set in the aforesaid Code Section, the Board of County Commissioners has established a policy and fee schedule to address such requests for information under the Maryland Public Information Act, and may be amended at any time it is deemed necessary by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR SOMERSET COUNTY, MARYLAND: that the following policy and fee schedule be adopted and effective this 29 day of January, 2013 to govern requests for inspection and copying of public records pursuant to the Maryland Public Information Act, State Government Article §10-611, *et.seq.*, Maryland Annotated Code.

**POLICY AND FEE SCHEDULE FOR PUBLIC INFORMATION ACT REQUESTS**

1. All requests for public information must be submitted in writing to the attention of the County Administrator-Clerk or the Board of County Commissioners. The County Administrator-Clerk, which serves as the custodian of records, will direct the request to the Executive Aide, whom will be responsible for responding to such requests and ensuring Public Information Act compliance. In the event that the Executive Aide is absent or cannot respond to the request, the County Administrator-Clerk, shall designate an alternate employee to perform the task. The Executive Aide may, if necessary, enlist the assistance of any County Employee to manage the request. The request will be processed in a timely manner in accordance with the Maryland Public Information Act. In the event that a request cannot be granted, the person making the request will be notified in writing the reason for denial.
2. Collection of Fees:
  - 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 for the same general subject matter, as determined by the County,

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shall be considered as a single request with respect to the two hour waiver of fees.

- b. A fee will be charged in accordance with the current fee schedule for search and review time that extends beyond the two hour time period. The fee shall be reasonable and shall be charged in an amount to reimburse the County for the actual salary plus benefits for the time required of any County Employee or designee associated with providing the public record for inspection, including: search, preparation, monitoring, inspection and reproduction thereof. The following formula shall be utilized to ascertain a rate:

<u>Salary Grade</u>	<u>Hourly Rate</u>
Grade 7 and lower	\$14
Grades 8 – 13	\$21
Grades on E-Scale	\$27

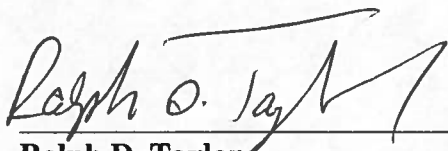
- c. In addition to reimbursement for employee's time, a copier charge may be made where records are reproduced. That charge shall be \$ .25 per sheet. Records will be copied on 8 ½ x 11" sheets. Larger copies, if available, shall be at an additional charge as determined by the Executive Aide. Copies of records may be provided in digital format on various forms of electronic media (CD, DVD) at a cost of \$5.00 per disc.
- d. If records are copied by third parties, the costs thereof shall be paid by the County and those costs shall be reimbursed by the individual making the request.
- e. All direct costs such as postage, mileage, copy charges, and any other materials used in the research and reproduction process shall be subject to reimbursement on a cost basis.
- f. The County may require payment or deposit in advance.
- g. The Executive Aide or designee shall be present at all times while a record is being reviewed.
- h. 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 Executive Aide may be charged, but not to exceed 50% of the total amount collected.

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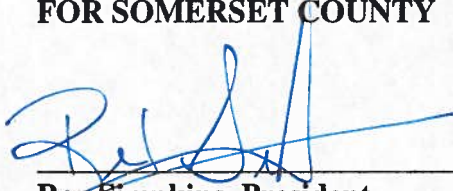
Adopted this 29<sup>th</sup> day of January 2013.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
FOR SOMERSET COUNTY



Ralph D. Taylor  
County Administrator-Clerk



Rex Simpkins, President



Charles F. Fisher, Vice-President



Craig N. Mathies Sr., Commissioner



Jerry S. Boston, Commissioner



Randy Laird, Commissioner

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BY THEODORE PROEBUS, CLERK, C.T.

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