

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF TILLAMOOK IN THE STATE OF OREGON**

**In the Matter of Setting New Fees,)
Confirming Certain Existing Fees and)
Increasing Other Fees Collected by)
Tillamook County**

ORDER

#09 - 064

FILED
Tom
AUG - 3 2009
1:55pm
TASSI O'NEIL
COUNTY CLERK

This matter came before the Tillamook County Board of Commissioners this 3rd day of August, 2009, at the request of Paul Levesque, Director of Facilities, Fleet and Contracts.

The Board being fully advised of the representations of the above named person and the records and files herein, finds as follows:

1. Currently there are no fees collected to reimburse the County's costs and expenses for summarizing, compiling, tailoring or otherwise responding to public records requests or for County Counsel costs for redacting material from public records into exempt or non-exempt records.
2. The fees presently collected by the County for providing copies of documents adequately cover the County's costs and expenses for such copies and should be affirmed.
3. The fees presently collected by the County for personal use of County Fax machines adequately cover the County's costs for such uses and should be affirmed.
4. The service fee currently collected by the County on checks returned for non-sufficient funds (NSF) is not presently adequate to cover the County's costs and expenses for handling such NSF checks and should be increased.

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS

5. For public records requests pursuant to ORS 192.440 (3)(a), after first providing written notification to the requestor of the estimated amount of the fee and confirmation of that fee estimate amount by the requestor, the custodian of the records may charge a fee of :
 - (a) Thirty-five (\$35.00) Dollars per hour for making the records available, including the costs for summarizing, compiling or tailoring the public records, either in organization or media, to meet the person's request, and

(b) Eighty-eight (\$88.00) Dollars per hour for County Counsel's review of the public records, redacting material from the public records or segregating the public records into exempt and non-exempt records. The fee for County Counsel's time shall not include the time spent by County Counsel in determining the application of the provisions of ORS 192.410 to 192.505.

(c) The custodian of any public record may furnish the records without charge or at a substantially reduced fee if the custodian determines that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public.

6. For providing copies of documents to the public:

(a) A fee of twenty-five (25¢) cents per page shall be collected;

(b) Unless otherwise prohibited by law, department heads may use discretion to waive the copy charges for requests of six (6) or fewer copies.

7. For the personal use of a County Fax machine, the Department Head shall collect:

(a) One (\$1.00) Dollar for the first page and twenty-five (25¢) cents for each additional page for receiving Fax messages; and

(b) Three (\$3.00) Dollars for the first page and One (\$1.00) Dollar for each additional page when sending Fax messages.

8. Orders #92-124, #02-31 and #00-13 be and are hereby repealed.

DATED THIS 3rd DAY OF August 2009.

**BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON**

Tim Josi
Tim Josi, Chairperson

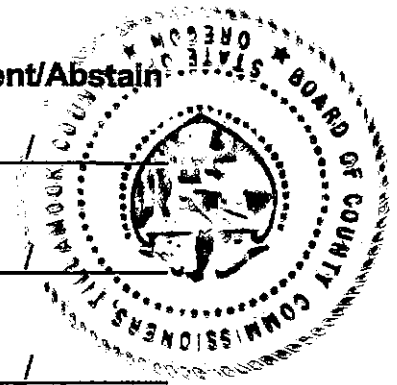
Aye

Nay

Absent/Abstain

Mark Labhart
Mark Labhart, Vice-Chairperson

Charles J. Hurlman
Charles J. Hurlman, Commissioner



ATTEST: Tassi O'Neil
County Clerk

APPROVED AS TO FORM:

BY: [Signature]
Special Deputy

[Signature]
William K. Sargent, County Counsel