

**CURRY COUNTY PUBLIC RECORDS FEE SCHEDULE  
EFFECTIVE JANUARY 4, 2012**

- The cost of photocopies is \$.25 for each page, plus \$3.75 for locating the requested record. Time spent locating records in excess of 15 minutes will be charged at the \$39.50 per hour rate.
- The cost of records transmitted by fax is \$2.00 for the first page, \$1.00 for each additional page, and \$3.75 for locating the requested record. Time spent locating records in excess of 15 minutes will be charged at the \$39.50 per hour rate.
- The cost of records transmitted by e-mail will be \$.10 per page, plus \$3.75 for locating the requested record. Time spent locating records in excess of 15 minutes will be charged at the \$39.50 per hour rate.
- The charge for staff labor, including researching, locating, compiling, editing, overseeing records inspection and otherwise processing information and records, is:
  - \$3.75 for the first 15 minutes of staff time.
  - Beginning with the 16th minute, the charge per total request is \$39.50 per hour and \$9.88 per quarter-hour. A prorated fee is not available for less than a quarter-hour.
- The charge for County Counsel time spent reviewing the public records, redacting material from the public records or segregating the public records into exempt and nonexempt records is \$57.00 per hour.
- Actual cost for use of material and equipment for producing copies of nonstandard records.
- Upon request, copies of public records may also be provided on a compact disk (CD) if the document(s) are stored in the County's computer system. Disks will be provided at a cost of \$5.00 per disk, plus staff labor charge for locating the requested record and each disk may contain as much information as the disk will hold. Due to the threat of computer viruses, the County will not permit requesters to provide disks for electronic reproduction of computer records.
- The actual cost for delivery of records such as postage and courier fees.
- \$3.75 for each true copy certification.

The fees listed above apply to all public records requests, unless governed by a specific departmental fee or otherwise provided for by law. Current department-specific fees can be found at [County website link with latest fees].

For large requests, the County reserves the right to obtain an estimate from a commercial information management firm and charge the County's cost.

**PERSONS WITH DISABILITIES MAY BE ENTITLED TO HAVE RECORDS TRANSFERRED TO AN ACCESSIBLE FORMAT AT NO EXTRA CHARGE.**

**CURRY COUNTY PUBLIC RECORDS REQUEST ACKNOWLEDGMENT  
FORM**

COUNTY LETTERHEAD

\_\_\_\_\_ (Date)

To: [Requester]

In accordance with ORS 192.440(2), this is to acknowledge our receipt on [date] of your request for the following record[s]:

[Describe records requested.]

Having reviewed your request, we are able to inform you that:

Copies of all requested public records for which the County does not claim an exemption from disclosure under ORS 192.410 to 192.505 are enclosed.

The County [does not possess/is not the custodian of] the requested record[s].

The County is uncertain whether we possess the requested record[s]. We will search for the record and make an appropriate response as soon as practicable.

The records requested are confidential or exempt from disclosure under [cite to relevant state/federal law].

The County is the custodian of at least some of the requested public records. We estimate that it will require [estimated time] before the public records may be inspected or copies of the records will be provided. We estimate that the fee for making the records available is \$\_\_\_\_\_, which you must pay as a condition of receiving or inspecting the records.

The County is the custodian of at least some of the requested public records. We will provide an estimate of the time and fees for disclosure of the public records within a reasonable time.

[State/federal] law prohibits the County from acknowledging whether the requested record[s] exist[s]. [Cite to relevant state/federal law.]

The County is unable to acknowledge whether the requested record[s] exist[s] because that acknowledgement would result in [the loss of federal benefits/other sanction]. [Cite to relevant state/federal law.]

\_\_\_\_\_  
(Public Records Custodian or Designee's Signature)

**CURRY COUNTY PUBLIC RECORDS REQUEST FORM**

\_\_\_\_\_ (Date)  
\_\_\_\_\_ (Requester's Name)  
\_\_\_\_\_ (Requester's Mailing Address)  
\_\_\_\_\_ (City, State & Zip Code)  
\_\_\_\_\_ (Telephone no.)  
\_\_\_\_\_ (E-mail address/ fax no.)

Curry County  
94235 Moore Street, Suite 122  
Gold Beach, Oregon 97444

Attn: \_\_\_\_\_ (Public Records Custodian/Department responsible for requested records)

Please make available for inspection or provide a copy or copies of the following records:  
(Please provide a sufficiently detailed description of the record(s) requested to allow the County to search for and identify responsive records.)

I wish to arrange an opportunity to personally inspect the requested records.

I wish to receive copies of the requested records.

\_\_\_\_\_  
(Requester's Signature) (Date)

*\* Curry County will not process records requests without requester's name, mailing address, signature, date of request and a sufficiently detailed description of the requested records.*

**Curry County  
Public Records Request  
Policy and Procedure**

**I. Summary and Purpose**

Oregon Public Records Law (ORS 192.410-192.505) grants the public the right to inspect and copy most public records maintained by Curry County (the “County”). A public record includes any writing that is prepared, owned, used or retained by the County and contains information relating to the conduct of the County’s business. Certain records maintained by the County are not public records or may be exempt from public disclosure. Additionally, federal and state laws require the County to keep certain records confidential. This policy establishes an orderly and consistent process for responding to public records requests and calculating the fees for responding to such requests.

It is important to note that there is a distinction under the law between public records and public information requests. Oregon Public Records Law does not impose a duty on the County to create public records in response to an information request, or to extract data in a manner requested by the public. Likewise, the County is not required to create a record to disclose the “reasoning” behind County actions, or other “knowledge” its staff might have. The Oregon Public Records Law does not require the County to explain, answer questions or provide legal research or analysis about its public records.

**II. Policy**

It is the policy of the County to ensure that all requests for public records are handled consistently with applicable public records laws. The County shall make all public records, except those that are confidential or exempt from disclosure, available on request for inspection or copying during usual business hours without unreasonable delay.

This policy shall be implemented in a manner that emphasizes public disclosure while minimizing the impact on County workload and resources. Questions about this policy should be directed to County Counsel. This policy applies to all County departments and employees.

**III. Public Records Custodian**

Each department shall have its own “Public Records Custodian” who is responsible for maintaining the public records in that department and for coordinating and assisting staff implementation of this policy. The contact information for the Public Records Custodian for each County department is listed on Exhibit C.

**IV. Written Requests**

Except when in the judgment of the County it is more efficient to make available or provide copies of requested records without requiring a written request, all requests to

inspect or copy public records shall be in writing sufficient to identify the specific document(s) or document category(s) requested. The written request must include:

- (1) Name and mailing address of the person requesting the public record (the “requester”);
- (2) Telephone number or other contact information for the requester;
- (3) Sufficiently detailed description of the record(s) requested to allow the County to search for and identify responsive records;
- (4) Requester’s signature; and
- (5) Date of request.

Requesters should be encouraged, but not required, to use the County Public Records Request Form (Exhibit A). Written requests are important for not only properly identifying records, but also for creating a record of the request and the reasoning for the decision regarding disclosure.

## **V. Processing the Request**

Absent unusual circumstances, the Public Records Custodian or his or her designee shall process the request as follows:

**Initial Assessment.** The staff person receiving the request shall learn as much as necessary about what records are being requested. Staff should try to obtain information about the type of document sought, specific subject matter, specific date or date ranges and names. The County reserves the right to seek clarification of any public records request before responding to the request. The County reserves the right to deny any public records request if the request is sufficiently vague or unclear that the County cannot reasonably determine what records have been requested.

**Routine Requests.** The Public Records Custodian may take care of simple routine requests immediately. The Public Records Custodian should collect the applicable fee from the requester before providing the documents. If applicable, the Public Records Custodian should inform the requester that the documents are available on the County website free of charge. Board of Commissioners’ transactions are available on the County Clerk’s website free of charge.

**Preliminary Records Search.** Except for routine requests that have been addressed immediately, the Public Records Custodian shall require the requester to submit a written request, preferably on the County Public Records Request Form. After receiving the written request with the required information, the Public Records Custodian shall make a preliminary determination as to whether the records exist, and whether all or a portion of the contents may be subject to exemption or are confidential. The Public Records Custodian shall contact other departments that may have relevant records.

**County Counsel.** The Public Records Custodian shall contact County Counsel before responding to a request if the records relate to pending claims or litigation, or the Public

Records Custodian believes the records may be confidential or exempt from disclosure. In addition, the Public Records Custodian shall consult County Counsel whenever the request raises unusual or special concerns, including copyright issues, records held by County contractors and requests made directly to elected officials.

**Preliminary Response.** The Public Records Custodian shall communicate the results of the preliminary records search to the requester as soon as possible and without unreasonable delay, using the Public Records Request Acknowledgement Form (Exhibit B). The primary goal of this initial response is to inform the requester that the process of responding is underway. The choices on the Public Records Request Acknowledgement Form allow the Public Records Custodian to promptly respond to the request even if it is still uncertain whether the County has responsive records.

**Fee Estimate.** If applicable, the Public Records Request Acknowledgement Form shall include a fee estimate for providing the records. Fee estimates must be provided if the total cost is in excess of \$25.00. The Public Records Custodian shall estimate the cost in staff time, including County Counsel review and other expenses required to locate the documents, perform redactions, ensure security during inspection, and otherwise respond to the request. The fee estimate shall be based upon the applicable rates found in the current County Public Records Fee Schedule available at [County website link with latest fees], unless governed by a specific departmental fee or otherwise provided for by law. Current department-specific fees can be found at [County website link with latest fees]. The fee estimate may include the following:

- Cost per page for photocopies.
- Cost per page for records transmitted by fax.
- Cost per page for records transmitted by e-mail.
- Actual cost for use of material and equipment for producing copies of nonstandard records.
- Cost per compact disk (CD) for electronic reproduction of computer records.
- Labor charges that include researching, locating, compiling, editing, overseeing document inspections and otherwise processing information and records.
- The actual cost for delivery of records such as postage and courier fees.
- Cost for each true copy certification.
- Cost per hour for County Counsel time spent reviewing the public records, redacting material from the public records or segregating the public records into exempt and nonexempt records.

**Requester Confirmation & Payment.** Absent unusual circumstances, the County shall not perform further work until the requester responds to the acknowledgment and pays

the appropriate fee or deposit. After receipt of the appropriate fee or deposit, the Public Records Custodian shall perform a final records search, implement necessary redactions and make requested copies.

**Provide Documents or Space to Review Records.** The Public Records Custodian shall provide nonexempt records as promptly as the County can reasonably make them available. The requester shall pay any actual expenses incurred over the deposit amount before the County makes the records available. In the case of overpayment, the County shall reimburse the requester promptly.

The requester may decide to inspect original files or records during usual business hours rather than obtain copies. In all cases, the Public Records Custodian must take reasonable steps to ensure that the records are protected from being altered, taken or destroyed. The County shall charge the actual labor costs for overseeing the document inspection, unless the inspection is free under applicable law.

## **VI. Miscellaneous**

### *A. Disclosure format:*

The County may make available or provide requested records in hard copy or in electronic format. Electronic documents sent by email will be provided in either PDF or TIF format. Reasonable steps must be taken to accommodate persons with disabilities and no fee may be charged for such an accommodation. The Public Records Custodian should consult with County Counsel regarding the County's obligations to accommodate a request under the Americans with Disabilities Act.

### *B. Waiver or Reduction of Fees:*

The County Board of Commissioners or a Public Records Custodian may waive the public records request fee if the cost of charging the fee would exceed the revenue obtained or if making the record available primarily benefits the general public. A fee waiver in the public interest might include public records requests made by news media, other government agencies and County job applicants. The County may require requests for fee waivers or reductions to be made in writing. The law prohibits waiving fees if the records were created through use of certain constitutionally dedicated funds, such as fuel taxes or motor vehicle fees, unless the cost of charging the fee would exceed the cost of providing the record. Fee reduction or waiver decisions are at the sole discretion of the County Board of Commissioners or the Public Records Custodian.

### *C. Destruction of Records:*

No County employee shall alter or destroy a record that the employee reasonably thinks is subject to a current or reasonably anticipated public records request or is relevant to current or reasonably anticipated litigation. This includes records otherwise eligible for destruction.

*D. Request Log:*

The Public Records Custodian shall document all public records requests that are not handled immediately in a records request log, regardless whether documents are ultimately disclosed to the requester. The request log and all associated records shall be retained in accordance with the Oregon State Archives schedule. Each Department shall confirm the applicable record retention schedule with the Oregon State Archivist. Records required to be retained may include, but are not limited to, requests for disclosure, types of records requested, request logs, approvals, denials, correspondence and related documentation.

*E. Resources:*

Attorney General's Public Records and Meetings Manual (January 2008):  
[http://www.doj.state.or.us/public\\_records/manual.shtml](http://www.doj.state.or.us/public_records/manual.shtml)

**Exhibit A**  
**CURRY COUNTY PUBLIC RECORDS REQUEST FORM**

\_\_\_\_\_

*(Date)*

\_\_\_\_\_

*(Requester's Name)*

\_\_\_\_\_

*(Requester's Mailing Address)*

\_\_\_\_\_

*(City, State & Zip Code)*

\_\_\_\_\_

*(Telephone no.)*

\_\_\_\_\_

*(E-mail address/ fax no.)*

Curry County  
PO Box 746  
Gold Beach, Oregon 97444

Attn: \_\_\_\_\_

*(Public Records Custodian/Department  
responsible for requested records)*

Please make available for inspection or provide a copy or copies of the following records:  
*(Please provide a sufficiently detailed description of the record(s) requested to allow the  
County to search for and identify responsive records.)*

I wish to arrange an opportunity to personally inspect the requested records.

I wish to receive copies of the requested records.

\_\_\_\_\_  
(Requester's Signature)

\_\_\_\_\_  
(Date)

***\* Curry County will not process records requests without requester's name, mailing address, signature,  
date of request and a sufficiently detailed description of the requested records.***

**Exhibit B**  
**CURRY COUNTY PUBLIC RECORDS REQUEST ACKNOWLEDGMENT**  
**FORM**

COUNTY LETTERHEAD

\_\_\_\_\_ (Date)

To: [Requester]

In accordance with ORS 192.440(2), this is to acknowledge our receipt on [date] of your request for the following record[s]:

[Describe records requested.]

Having reviewed your request, we are able to inform you that:

Copies of all requested public records for which the County does not claim an exemption from disclosure under ORS 192.410 to 192.505 are enclosed.

The County [does not possess/is not the custodian of] the requested record[s].

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The records requested are confidential or exempt from disclosure under [cite to relevant state/federal law].

The County is the custodian of at least some of the requested public records. We estimate that it will require [estimated time] before the public records may be inspected or copies of the records will be provided. We estimate that the fee for making the records available is \$\_\_\_\_\_, which you must pay as a condition of receiving or inspecting the records.

The County is the custodian of at least some of the requested public records. We will provide an estimate of the time and fees for disclosure of the public records within a reasonable time.

[State/federal] law prohibits the County from acknowledging whether the requested record[s] exist[s]. [Cite to relevant state/federal law.]

The County is unable to acknowledge whether the requested record[s] exist[s] because that acknowledgement would result in [the loss of federal benefits/other sanction]. [Cite to relevant state/federal law.]

\_\_\_\_\_  
(Public Records Custodian or Designee's Signature)

**Exhibit C**  
**CURRY COUNTY PUBLIC RECORDS CUSTODIANS**

Public record requests may be sent by email to [publicrecordsrequest@co.curry.or.us](mailto:publicrecordsrequest@co.curry.or.us), by mail to Curry County Public Records Request, PO Box 746, Gold Beach, Oregon 97444, or directed to a County department as described below:

<p><b><u>ASSESSOR &amp; TAX</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3294 800-242-7601 <i>Fax 541-247-6440</i></p>	<p><b><u>FINANCE</u></b> c/o County Clerk PO Box 746 Gold Beach, Oregon 97444 541-247-3295 <i>Fax 541-247-9361</i></p>	<p><b><u>PUBLIC SERVICES</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3304 888-811-1520 <i>Fax 541-247-4579</i></p>
<p><b><u>COMMISSION ON CHILDREN &amp; FAMILIES</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3307 800-242-9478 <i>Fax 541-247-2603</i></p>	<p><b><u>HUMAN RESOURCES &amp; PERSONNEL</u></b> c/o County Clerk PO Box 746 Gold Beach, Oregon 97444 541-247-3295 <i>Fax 541-247-9361</i></p>	<p><b><u>ROAD</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-7097 <i>Fax 541-247-7804</i></p>
<p><b><u>BOARD OF COMMISSIONERS OFFICE</u></b> c/o County Clerk PO Box 746 Gold Beach, Oregon 97444 541-247-3295 <i>Fax 541-247-9361</i></p>	<p><b><u>HUMAN SERVICES &amp; PUBLIC HEALTH</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-6100/541-247-3300 877-739-4245/888-811-1513 <i>Fax 541-247-5601</i></p>	<p><b><u>RETIRED SENIOR VOLUNTEER PROGRAM</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3280 888-811-1521 <i>Fax 541-247-2705</i></p>
<p><b><u>COUNTY CLERK</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3295 <i>Fax 541-247-9361</i></p>	<p><b><u>INFORMATION TECHNOLOGY</u></b> c/o County Clerk PO Box 746 Gold Beach, Oregon 97444 541-247-3295 <i>Fax 541-247-9361</i></p>	<p><b><u>SHERIFF</u></b> PO Box 681 Gold Beach, Oregon 97444 541-247-3242 800-543-8471 <i>Fax 541-247-6352</i></p>
<p><b><u>COUNTY COUNSEL</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3291 800-730-4906 <i>Fax 541-247-2718</i></p>	<p><b><u>JUVENILE</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3302 877-739-4254 <i>Fax 541-247-5000</i></p>	<p><b><u>SURVEYOR</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3225 866-298-0301 <i>Fax 541-247-4579</i></p>
<p><b><u>DISTRICT ATTORNEY</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3298 800-730-4947 <i>Fax 541-247-6680</i></p>	<p><b><u>MAINTENANCE</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3384</p>	<p><b><u>TREASURER</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3299 866-298-0307 <i>Fax 541-247-3436</i></p>
<p><b><u>FAIREVENT CENTER</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-4541 877-739-4228 <i>Fax 541-247-4542</i></p>	<p><b><u>PARKS</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3285</p>	<p><b><u>VETERANS SERVICES</u></b> PO Box 746 Gold Beach, Oregon 97444 541-247-3205 866-298-0404 <i>Fax 541-247-2705</i></p>