

# Setting Fees for Public Records

**Scott Woodward**  
Selectboard Member

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# Why Should We Change?

- **The law only permits municipalities to charge up to the actual cost to produce records; what other towns charge is not relevant**
- **Basing fees on actual cost is both fair to the Town's taxpayers because actual costs are recouped and those who wish to have copies of public records pay what's reasonable**
- **Costs that are higher than the actual cost to the Town are not fair – the Town receives more than it should and the extra cost is a barrier to government transparency; not supposed to be a money maker**



# What are the Proposed Changes?

- **Four changes:**
  - **Reduction in copy costs from \$.25 to ≤\$.10**
  - **Addition of the cost of staff time**
  - **Elimination of fees for electronic records**
  - **Reduction in cost for producing CD's/DVD's**
- ***Alternatively*, we could keep it simple and adopt the Secretary of State's Uniform Schedule of Fees, or not set fees at all**
- **Other fees set in statute by the Town Clerk can stay the same, or can be changed separately by the Town Clerk (see addendum under "Other Statutory Fees")**

## List of Fees

Vault time: \$2.00 per hour

Land Records (Deeds, Discharges, Mortgages, etc.):

\$1.00 per page

\$1.00 per picture

Items highlighted  
in green can stay  
the same – set by  
Town Clerk

11" x 17" copies: \$0.50 per page

8 ½" x 11": \$0.25 per page

Lister Card: \$0.25 per page

Tax Bill: \$0.25 per page

Items highlighted  
in yellow could  
change – set by  
Selectboard

Tax Map: \$2.00 per page

Grand List: \$10.00 (emailed)

Audio recordings of Selectboard Meetings:

CD \$1.25 (if picked up at Town Office)

CD \$4.00 (if mailed, includes postage & packaging)

# Problems with Current Fees

- **No basis in actual cost for charging \$.25/\$.50 per copy**
- **Does not set a fee for Staff Time**
- **\$1.00 per photo of land records, but there's no cost to the Town for allowing someone to photograph**
- **Charges \$4.00 for a CD and mailing when the actual cost of the disc and mailing could be done for about \$1.00 (\$.20 for the envelope, \$.32 for the disc & \$.47 for postage)**
- **\$10.00 for an email copy of the Grand List, but there's no cost the Town to produce and email the file; \$14.00 if copied onto a CD and mailed**

# Problems with Current Fees

Received  
by VT  
Dept. of  
Taxes at  
no cost



All town grand lists  
throughout Vermont

VERMONT DEPARTMENT OF TAXES-PVR  
133 STATE ST  
MONTPELIER, VERMONT 05633-1401

Scott Woodward  
2354 Allen Hill Rd.  
South Royalton, VT 05068

2017  
VT Grand List

\$14 under  
Pomfret's  
current  
fee  
schedule

# Actual Printing Costs

- **Our actual cost ranges from \$.07-\$.09 per page -- \$.10 per page would be closest to actual and is an easily divisible number (by 5's) for cash accounting purposes:**
  - **Paper = \$.011**
  - **Maintenance and Toner = \$.010**
  - **Equipment Lease = \$.047**
  - **Estimated Utility costs = \$.002**
- **See addendum “Detailed Copy Calculations” for full explanation of costs**
- **Staff time is charged separately**



# Staff Time Calculations

- **Not established in current fee schedule**
- **Default is \$.33 per minute (\$19.80/hour)**
- **Our staff costs vary, but a blended rate would be about \$17-\$18 per hour (for time over 30 minutes):**
  - **Selectboard - \$.48 per hour (no fringe)**
  - **Selectboard Asst. - \$19 per hour (no fringe)**
  - **Clerk & Treasurer - \$32.53 per hour (w/ fringe)**
  - **Other Officials - \$17-\$20.00 per hour (no fringe)**



# Questions & Comments



# Detailed Copy Calculations

Black & White Printing	Unit Cost	Annual Cost	Per Page	Source of Information
Monthly service & toner (25,000 copies per year)	\$20.83	\$249.96	\$0.010	Ellen Desmeules; Magee Office Products
Monthly Lease Payment (25,000 copies per year)	\$97.95	\$1,175.40	\$0.047	Ellen Desmeules; Magee Office Products
Case of Paper, 5,000 sheets (Staples)	\$54.49	\$217.96	\$0.011	Staples.com
Monthly Electric Bill (estimated) (25,000 copies per year)	\$22.50	\$270.00	\$0.002	Annual Budget
	<b>Total Cost</b>	\$1,913.32	\$0.070	

**\*\*Color copies cost the Town \$.07 per page + \$.011 for the paper = \$.081 for a color copy; Black & White copying absorbs all the costs for the service, toner and lease since B/W makes up the vast majority of printing**

# Public Records Law

## (1 V.S.A. § 316(e))

- **To determine "actual cost" . . . "consider the following only:**
  - **the cost of the paper or the electronic media onto which a public record is copied,**
  - **a prorated amount for maintenance and replacement of the machine or equipment used to copy the record, and**
  - **any utility charges directly associated with copying a record."**



# Other Statutory Fees

## (32 V.S.A. § 1671)

- Vermont law requires the Town Clerk to charge specific fees for certain kinds of public records, which are separate from tonight's discussion
  - \$10 for recorded land records
  - May charge up to \$5 for examination of land records by Clerk
  - May charge up to \$2 for examination of land records by others
  - \$1 per page for uncertified records, minimum \$2
  - \$15 for survey plats
  - Otherwise, “copies of minutes of municipal meetings or meetings of local boards and commissions, copies of grand lists and checklists and copies of any public records that any agency of that political subdivision has deposited with the clerk shall be available to the public at actual cost.”