

**RESOLUTION NO. 2023 - 31**  
(Rescinding Moffat County Resolutions 2007-70 & 2018-106)

**REGULATIONS RELATING TO MOFFAT COUNTY, COLORADO  
OPEN RECORDS ACT (“CORA”) REQUESTS**

WHEREAS, Moffat County is a governmental entity which is required to comply with the Colorado Open Records Act (“CORA”), § 24-72-201 *et seq.*;

WHEREAS, § 24-72-203(1)(a), C.R.S., authorizes the adoption of rules that are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office; and

WHEREAS, Moffat County receives a significant number of requests pursuant to CORA, leading to hours of time spent by Moffat County employees who research and retrieve public documents; and

WHEREAS, , § 24-72-205(6)(b), C.R.S. provides that the maximum hourly fee for the research and retrieval of public records may be adjusted for inflation. Effective on July 1, 2019, the maximum hourly rate was increased to \$33.58 per hour after the first hour expended in connection with the research and retrieval of public records; and

WHEREAS, it is appropriate and necessary for Moffat County Resolution No. 2007-70 and Moffat County Resolution No. 2018-106 to be rescinded with the adoption of this Resolution; and

WHEREAS, the Board of County Commissioners has determined it is appropriate to adopt a written policy that specifies the applicable conditions concerning the research and retrieval of public records and sets forth rules for the uniformity and protection of Open Records requests as shown on **Exhibit “A”** attached hereto.

NOW, THEREFORE, BE IT RESOLVED:

Moffat County Resolution No. 2007-70 and Moffat County Resolution 2018-106 are hereby rescinded. The Moffat County Open Records Rules are adopted as set forth on **Exhibit “A”** attached hereto and incorporated herein by this reference. Nothing contained in such rules shall be deemed to modify or otherwise impose additional requirements upon the custodian of records than is required by C.R.S. § 24-72-201, *et seq.* (Colorado Open Records Act).

If any rule in **Exhibit “A”** is interpreted to require any additional efforts by the custodian or additional rights to a requesting party, such rule is stricken.

Adopted and effective this 28<sup>th</sup> day of February, 2023.


MOFFAT COUNTY BOARD OF COUNTY COMMISSIONERS

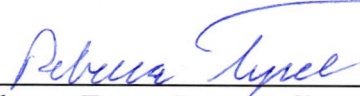
By:   
Tony Bohrer, Chair

STATE OF COLORADO    )  
                                          ) ss.  
COUNTY OF MOFFAT    )

I, Erin Miller, the Deputy County Clerk and Ex-Officio to the Board of County Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted by the Moffat County Board of County Commissioners on the date stated.

(SEAL)

By:   
Erin Miller, Deputy Clerk and Ex-Officio to the  
Moffat County Board of County Commissioners,  
Moffat County, State of Colorado

Approved as to form:   
Rebecca Tyree, Esq., Moffat County Attorney

Date: Feb. 28, 2023

