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Subject: County should charge Cory Vaillancourt a fee for his Request for Public Information - § 132.

Haywood County is justified in charging **Cory Vaillancourt** a fee for his requesting “Public Information” from Terry Ramey’s private cell phone, per **NCGS § 132-6.2 (b)**, which states:

§ 132-6.2. Provisions for copies of public records; fees.

- (b) Persons requesting copies of public records may request that the copies be certified or uncertified. The fees for certifying copies of public records shall be as provided by law. Except as otherwise provided by law, no public agency shall charge a fee for an uncertified copy of a public record that exceeds the actual cost to the public agency of making the copy. For purposes of this subsection, "actual cost" is limited to direct, chargeable costs related to the reproduction of a public record as determined by generally accepted accounting principles and does not include costs that would have been incurred by the public agency if a request to reproduce a public record had not been made. **Notwithstanding the provisions of this subsection, if the request is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or if producing the record in the medium requested results in a greater use of information technology resources than that established by the agency for reproduction of the volume of information requested, then the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the actual cost incurred for such extensive use of information technology resources or the labor costs of the personnel providing the services, or for a greater use of information technology resources that is actually incurred by the agency or attributable to the agency.** If anyone requesting public information from any public agency is charged a fee that the requester believes to be unfair or unreasonable, the requester may ask the State Chief Information Officer¹ or his designee to mediate the dispute.

See on www.haywoodcounty.net

[UPDATE! Email Dialog with Joey Webb, CGCIO. Request for Public Information - Ramey Cell Phone data sent to Cory Vaillancourt. 5/16/2023...](#)

<https://www.haywoodtp.net/pubII/230516UpdateJoeyWebbDialog.pdf>

Haywood County Attorney **Frank Queen** should never have ordered Terry Ramey to turn over his private cell phone to **Joey Webb, CGCIO** for him to do a dumpster dive to satisfy **Cory Vaillancourt’s** request. The only information Haywood County should have rightly provided to **Cory Vaillancourt** were emails sent or received by Terry Ramey’s county assigned email address, and contained on the county server, not his private cell phone.

¹ <https://it.nc.gov/about/leadership/james-weaver>, James Weaver

The county did not have any information prior confidential information contained on Terry Ramey's cell phone, and therefore, had to make a special effort to access his cell phone, capture the information, redact county and personal confidential information using extensive clerical or supervisory assistance by Haywood County personnel, which the county should have rightly charged **Cory Vaillancourt**.

Let's see if **Joey Webb, CGCIO / Frank Queen** -

- Decide to charge **Cory Vaillancourt**, or
- ever go down this road again.

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Haywood County Taxpayer