

From: Davidson, Gary [mailto:GDavidson@vcso.us]

Sent: Thursday, June 07, 2012 11:26 AM

To: BTavernier@cfl.rr.com

Subject: RE: public records request to view

Mr. Tavernier,

Pursuant to Florida statutes, aviation flight logs are subject to public records disclosure and therefore are available for your inspection. However, due to medical privacy laws, we are required to review the flight logs prior to making them available for your inspection in order to prevent the disclosure of any exempt information contained in the logs. Below I will outline the process that would be involved in preparing the flight logs for your inspection, the labor and associated costs that would be incurred by you and the justification for those charges.

First off, please be advised that Florida Statute 119.07(4)(d) authorizes the imposition of a reasonable special service charge for the processing of public records requests that, due to their scope, require extensive use of information technology resources or extensive clerical or supervisory assistance, or both. Pursuant to the statute, the charge must be reasonable and reflect the actual costs incurred by the agency. Case law and opinions from the Florida Attorney General's Office have established that any public records request that requires in excess of 15 minutes worth of labor to process meets the statutory definition of extensive for purposes of imposing a special service charge. As it relates to your request, it is impossible to project with absolute precision the labor involved in preparing the flight logs for your inspection without actually performing the labor. However, the scope of your request and the amount of labor involved clearly meet the statutory criteria for the imposition of a special service charge. Given that fact, we are then tasked with developing a good-faith and reasonable cost estimate for the performance of the labor involved in processing your request. That cost estimate is based on the following factors:

-It is estimated that there are approximately 65 pages of flight logs filed by our Aviation crew every

month. That amounts to an estimated 1,365 pages for the 21 months covered by your request that would need to be manually inspected.

-For purposes of calculating the special service charge, it is estimated that it will take an average of 2 minutes to inspect each page and excise any exempt information.

Based on the above factors, I estimate that it will take 45½ hours of labor to review all of the approximately 1,365 pages contained in the flight logs in order to make them available for your inspection. As the requester, that labor would be chargeable to you at the standard rate of \$15/hour. Accordingly, the estimated cost to fulfill your public records request and prepare the flight logs for your inspection is \$682.50. In addition to this amount, there will be a 5-cents per-page fee should you desire copies of any of the logs.

Please be advised that Florida case law has established that an agency may require advance payment before processing an extensive public records request. Accordingly, we will be happy to begin processing your public records request and preparing the flight logs for your inspection upon receipt of a check in the amount of \$682.50, made payable to the Volusia County Sheriff's Office. As previously indicated, the nature of this request is such that it's virtually impossible to determine with precision how long it would take to perform the labor without actually doing it. Therefore, should you decide to proceed with your request, all labor costs associated with processing your request will be tracked to determine at the conclusion whether any additional money is owed or whether you are owed a partial refund of the advance fee.

Please let me know if you have any questions regarding this response and advise how you would like to proceed.

Regards,

Gary

From: Bill Tavernier [<mailto:BTavernier@cfl.rr.com>]

Sent: Wednesday, June 06, 2012 11:08 AM

To: Davidson, Gary

Subject: RE: public records request to view

Thank you.

From: Davidson, Gary [<mailto:GDavidson@vcsso.us>]
Sent: Wednesday, June 06, 2012 9:51 AM
To: Bill Tavernier
Subject: RE: public records request to view

Mr. Tavernier,

This is a courtesy reply to acknowledge receipt of your e-mail. I am presently researching the matter to determine what it would entail to facilitate your request. I will re-contact you shortly with a more substantive response to your request.

Regards,

Gary Davidson

Public Information Officer

Volusia County Sheriff's Office

Office: (386) 736-5989

Office: (386) 254-4602

Cell: (386) 804-3973

Fax: (386) 736-5986

www.volusia.org/sheriff

From: Bill Tavernier [<mailto:BTavernier@cfl.rr.com>]
Sent: Tuesday, June 05, 2012 6:32 PM
To: Davidson, Gary
Subject: public records request to view

Mr. Davidson,

I would appreciate the opportunity to inspect all official (FAA) logs of all helicopters operated by Volusia County Sheriff's Office. The logs will include: time and purpose of operation, persons transported, hours etc. The dates of inclusion in this request begin September 1, 2010 and end on June 5, 2012 or as close there to. I will inspect them at the point of registration of the equipment.

Thanks for your co-operation

Bill Tavernier

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