

Freedom of Information Act (FOIA) Policy

For

Village of Fairgrove

Legal Guidance: All Village of Fairgrove employees will adhere to the Michigan FOIA policy as defined by the FREEDOM OF INFORMATION ACT 442 of 1976 and subsequent modifications and amendments as recognized by the State of Michigan. Only requests made that specify the Federal FOIA Act U.S.C. § 552 and are made by individuals not otherwise governed by the Michigan legislation will receive consideration under the federal act.

Coverage: This policy applies to all publicly accessible village documents as required by the above legislation.

Process: The Village clerk will serve as the FOIA coordinator for Village of Fairgrove. The FOIA coordinator will receive, file and record all FOIA requests received by the township. Official FOIA requests must be made in writing and must include:

- Individual requester's data including: the requester's name/business or organization. Phone number. Fax number. E-mail address. Mailing address (including city, state and zip code)
- Detailed description of requested records.
- Signature of requester.

E-mail requests are acceptable provided all required information is included and the e-mail is received at a Village business e-mail address. Failure to provide the requested information may delay or result in the denial of the request. A FOIA request form is available upon request.

Documentation answering or fulfilling a FOIA request will be mailed via appropriate mail carriers (preferred method) or e-mailed (secondary method) as maintained and approved by the State of Michigan.

Fees: FOIA Fees will be assessed as outlined by the above act and subsequent amendments. Fees may be charged for the copying/digitizing of public records, packaging and delivery of requested items, and additional expenses occurred in the fulfillment of the request. Fees may also be assessed for search, examination and review and the separation of exempt information. Current fee schedule can be found in the fee attachment. The Village may require a good faith deposit for any request account expected to exceed \$50.00. Should a requester be delinquent in his payment of previous requests, future requests will be held until payment is received and requester will be required to submit a 50% good faith payment.

Village employees will attempt to fulfill requests in a timely manner in the best interest of the requester and at a reasonable fee without incurring undue cost to the village.

*Policy approved By The Village of Fairgrove Council April 6, 2015

Village of Fairgrove FOIA Fee Attachment (2016)

FOIA request fees will be charge based on the following rates. These rates are in accordance with PA 563 of 2014 Amendment to the **FREEDOM OF INFORMATION ACT 442 of 1976.**

Duplication

- Paper copy or digital scan \$.10 pp
- Digital Media (digital recording material) Current cost of item
- Duplication requiring non-Village maintained equipment* Calculated cost**

Packaging.

- #10 envelope \$.10 ea
- 9X12 envelope \$.18 ea
- 10X13 envelope \$.21 ea
- Other Current cost of item

Delivery

- Will be assessed based on current rates for materials and shipping from local shipping specialists. USPS, UPS Etc..
- Electronic requests may incur a transmittal fee based upon availably of internet service and/or contracted transmittal contract.

Labor costs: all labor costs will be calculated to the nearest ¼ hr and assessed on the following scale:

- Specialized labor clerk, supervisor, assessor, treasurer, DPW Min Wage X 2
- Members of specifics committees, assistances, trustees Min Wage X 1.5
- General Labor Minimum Wage

General labor costs will apply to manual tasks such as scanning, copying, and packaging unless the nature of the material requires specialized control or attention.

A good faith 50% down payment may be required if associated costs are estimated to exceed \$50.00

Delinquent accounts. Future requests will be held until payment is received.

*The village maintains limited copy, scan and transmittal capability. Requests that exceed the village’s capability will incur additional costs and require generation of an estimated fee sheet. Such items would include large scale maps, blueprints, oversize and specialty scanning, etc

**Requests that require specialized equipment not maintained by the village will also generate travel/mileage costs, additional labor costs, rental/use of the required equipment, contracted fees, and other costs associated with the request.

Freedom of Information Request Form

Please Type or Print.

Name/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip _____

Phone: _____ Fax: _____ Email: _____

Pursuant to the Michigan Freedom of Information Act, being Act 442, Public Acts of 1976, as amended, I hereby request that the following records be made available to me to:

Review

Receive Copies

Name of Requested Public Record(s): _____

Brief type of information requested: _____

Describe the public record(s) requested as specifically as possible (license/file numbers, dates/addresses/locations, social security numbers, etc.) If necessary, attach/include additional pages, letters, etc.:

I understand that the FOIA Coordinator may request a good faith deposit from me, but the fee shall not exceed one-half (1/2) of the total fee authorized. I further understand that fees for copying documents are \$0.10 per sheet; with additional fee per oversized/special document and possible labor fees based on the amount and time needed to product the requested information..

Signature: _____

Date: _____

Received By: _____

Date _____

Received By: FOIA Coordinator

Date _____