

**CHIPPEWA COUNTY
BOARD OF COMMISSIONERS**

Regular Session
August 6, 2021

The Chippewa County Board of Commissioners met in a regular session on Friday, August 6, 2021, in the 91st District Courtroom.

Chairman Jim Martin called the meeting to order at 2:00 p.m. with a quorum present. The meeting was also available via Zoom. Commissioner Postula led the Pledge of Allegiance.

PRESENT: Commissioners Erik Baron, Ted Postula, Robert Savoie, Scott Shackleton, and Chairman Jim Martin

ALSO, PRESENT: Kelly Church, Deputy Administrator, Don McLean, Joanne Gallagher and Cathy Maleport, Clerk. *Present via Zoom:* Lana Steinhaus

ADDITIONS AND DELETIONS TO THE AGENDA

It was moved by Commissioner Shackleton, seconded by Commissioner Savoie, to add to the agenda the Administrator and Administrative assistant positions, under New Business, item d, and approve the agenda as amended. On a voice vote, the motion carried.

APPROVAL OF COUNTY BOARD MINUTES

It was moved by Commissioner Savoie, seconded by Commissioner Postula, to approve the July 15, 2021, Regular Board Meeting minutes as presented. On a voice vote, the motion carried.

CORRESPONDENCE RECEIVED IN THE CLERK'S OFFICE

It was moved by Commissioner Shackleton, seconded by Commissioner Savoie, to acknowledge the correspondence received in the clerk's office and forward as appropriate. On a voice vote, the motion carried.

PUBLIC COMMENTS

Don McLean appeared before the Commission on behalf of the Chippewa County EDC and reported the following:

- *EUP Shavings are back in production.*
- *5.2 million dollars they received for reconstruction and expansion of the airport's terminal building to improve operations and efficiency for travelers.*

ADMINISTRATOR'S REPORT

For informational purposes only, there were no action items.

NEW BUSINESS

(A) Resolution 2021-14- Honoring and Recognizing the Hospice of the Eastern Upper Peninsula and its Volunteers for 40 years of Service.

It was moved by Commissioner Savoie, seconded by Commissioner Postula, to approve Resolution 2021-14 as presented.

Proclamation 2021-14

**Honoring and Recognizing the Hospice of the Eastern Upper Peninsula
and its Volunteers for 40 years of Service**

Whereas, that it is a genuine pleasure to commend and congratulate the Hospice of the Eastern Upper Peninsula in recognition of 40 years of dedicated service. The Hospice of the Eastern Upper Peninsula has worked diligently to help build a strong program that provides outstanding service and contributes to the entire community. Clearly, there can be no one more deserving of this coveted recognition than the Hospice of the Eastern Upper Peninsula.

Whereas, the mission statement of the Hospice of the Eastern Upper Peninsula is dedicated to providing community support to individuals and families touched by life-threatening illness, grief and loss. The hospice movement stresses human values, which include physical, social, emotional, and spiritual needs.

Whereas, aside from being one of the state's only voluntary hospice programs still in operation, the Hospice of the Eastern Upper Peninsula goes above and beyond, organizing outstanding fundraising opportunities, drawing dedicated volunteers from the neighboring communities. The success of the Ball Hospice House is extraordinary, since opening in August of 2012, 576 patients have been lovingly cared for at no cost for room and board. In 2020-2021, over 150 volunteers donated ??? volunteer hours in the areas of respite care, delivery of supplies and equipment, friendly visits, transportation, cooking, cleaning, reception, and general office work. These services are provided in the patient home as well as the Ball Hospice House.

Whereas, the Hospice of the Eastern Upper Peninsula has enriched the community through, not only their exemplary community service, but also their morals and strong values. The foundation is based in the belief that everyone should be able to live his or her final days in comfort, connected to the people they love, with a sense of completion and peace about their lives and the loved ones they leave behind.

Let it be Known, In Special Tribute, on behalf of the Chippewa County Board of Commissioners, this proclamation is signed and dedicated to congratulate and recognize the 40th Anniversary of the Hospice of the Eastern Upper Peninsula and its volunteers. We admire and appreciate their contributions, and accord our best wishes for their continues success.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

AYES: Commissioner Baron, Postula, Savoie, Shackleton and Chairman Martin

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

(B) Resolution 2021-15 Special Recognition of Jim German

It was moved by Commissioner Postula, seconded by Commissioner Baron, to adopt Resolution 2021-15

as follows:

**RESOLUTION 21-15
SPECIAL RECOGNITION**

JIM GERMAN

LET IT BE KNOWN that it is with great pride that the Chippewa County Board of Commissioners join together with the employees and residents of Chippewa County to express their wishes of good health and happiness to ***JIM GERMAN*** upon his retirement August 31, 2021, from the Chippewa County.

JIM GERMAN has served the citizens of Chippewa County first as the Board of Health Member and then as the County Administrator/CFO in a manner above reproach, and for this, we extend our thanks. ***JIM GERMAN*** has provided outstanding service to hundreds of individuals over the past thirteen years.

JIM GERMAN has brought recognition to himself, the community, and the County of Chippewa. The Chippewa County Board of Commissioners, on behalf of the residents of Chippewa County, extends their appreciation to Administrator German, who was involved and dedicated, and who made a favorable impact on the betterment of life in Chippewa County.

IN SPECIAL TRIBUTE, therefore, upon his retirement from Chippewa County, this document is signed and dedicated to honoring ***JIM GERMAN*** for his contributions to Chippewa County and the individuals he served so well. For his efforts in improving the health and welfare of the citizens of this County, we join together to extend ***JIM GERMAN*** a gracious thank you for a job well done and wish him continued success in which he so richly deserves.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

AYES: Commissioner Baron, Postula, Savoie, Shackleton and Chairman Martin

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

(C)Resolution 2021-16 Updating Chippewa County Freedom of Information Act (FOIA) Guidelines, Procedures and Forms.

It was moved by Commissioner Savoie, seconded by Commissioner Baron, to adopt Resolution 2021-16 as presented.

RESOLUTION NO. 2021-16

**RESOLUTION UPDATING FREEDOM OF INFORMATION ACT (FOIA)
PROCEDURES AND GUIDELINES, PUBLIC SUMMARY OF PROCEDURES AND
GUIDELINES, AND FOIA OPERATIONAL PROCEDURES FOR CHIPPEWA COUNTY**

WHEREAS, the Michigan Legislature adopted 2014 Public Act 563 enactment numerous amendments to the Michigan Freedom of Information Act (FOIA), being MCL 15.231 *et seq*, that require revision of the current County FOIA Policy; and

WHEREAS, from time -to-time Chippewa County Departments will receive Freedom of Information Act (FOIA) requests; and

WHEREAS, it is necessary to adopt, and to post online, “FOIA Procedures and guidelines” and a “FOIA Policy Summary” to ensure that the FOIA requests are addressed in an efficient and consistent manner, and to comply with these FOIA statutory amendments; and

WHEREAS, it is necessary to adopt FOIA Operational Procedures to implement these County FOIA Procedures and Guidelines.

THEREFORE, BE IT RESOLVED, the Chippewa County Board of Commissioners hereby adopts and updates, effective from and after August 15, 2021, the attached.

1. “Chippewa County FOIA Procedures and Guidelines,” including the FOIA Forms attached to these Procedures and Guidelines; and
2. “Chippewa County FOIA Public Summary of Procedures and Guidelines”; and
3. “Chippewa County FOIA Request for Public Records.”

BE IT FURTHER RESOLVED, those copies of the updated “Chippewa County FOIA Procedures and Guideline,” including the attached FOIA forms, and the “Chippewa County FOIA Public Summary of Procedures and Guidelines” shall be posted on the County’s website.

BE IT FURTHER RESOLVED that the County Administrator is the County FOIA Coordinator for Chippewa County per the designation by the Board Chairperson.

BE IT FURTHER RESOLVED that the attached Chippewa County FOIA Procedures and Guidelines, including the attached FOIA forms, the Chippewa County FOIA Public Summary of Procedures and Guidelines, and the Chippewa County FOIA Operational Procedures will be effective August 15, 2021, and will supersede any previous resolutions, including Resolution 15-19 setting FOIA policies or establishing formulas for the cost of FOIA requests.

BE IT FURTHER RESOLVED, that the County Administrator’s Office will forward a copy of this resolution to each County Department.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

AYES: Commissioner Baron, Postula, Savoie, Shackleton and Chairman Martin

NAYS: None

THE RESOLUTION WAS DECLARED ADOPTED.

(D) Administrator and Administrative Positions – added to the agenda

It was moved by Commissioner Shackleton, seconded by Commissioner Savoie, that Ms. Kelly Church is named Chippewa County Administrator, Grade level 14, effective September 1, 2021, and Ms. Cady Bauers be named her Administrative Assistant at a Grade level 8, also effective September 1, 2021, with both positions following policy 211.

On a voice vote, the motion carried unanimously.

FINANCE, CLAIMS AND ACCOUNTS COMMITTEE MEETING MINUTES

August 5, 2021

Chairman – Commissioner Savoie

AGENDA ITEMS

Administration – MMRMA – Retention Fund Balance \$16,000

Administration was informed that Chippewa County is currently not meeting the minimum of 50% of our reported reserves for the self-insured retention. In order to be compliant with the Member Financial Responsibilities Policy we need to submit \$16,000.00 for our Retention Fund.

It was moved by Commissioner Savoie, seconded by Commissioner Postula, to approve and authorize an expenditure of \$16,000.00 to MMRMA for the County Retention Fund; as requested. On a voice vote, the motion carried.

Administration – CDBG – Home Improvement Program Subordinate Agreements

The Committee received the request to subordinate the County's position on two mortgages under the Community Home Improvement Program; for \$14,500.00 and \$3,252.00, respectively to further assist the homeowner with a USDA Rural Development loan.

It was moved by Commissioner Savoie, seconded by Commissioner Baron, to approve the Subordination Agreements, for two Community Home Improvement Program non-diminishing mortgage liens for property located at 10807 W. Irish line Road, Brimley, Michigan. (Liber 1071 Pages 783-784 and Liber 1064 Pages 1192-1193), as presented. On a voice vote, the motion carried.

Health Department – (7) Computer/(2) Laptop Purchases – COVID Funding - \$9,800.00

The Committee reviewed the low quote from Dell to purchase (7) seven OptiPlex 5090 SFF XCTO computers at the price of \$902.96 each and (2) Dell Latitude 5420 laptops at the price of \$1,371.34 each with COVID monies that need to be spent prior to September 30, 2021.

It was moved by Commissioner Savoie, seconded by Commissioner Shackleton, to approve the purchase of (7) OptiPlex 5090 at \$902.96 each and (2) Dell Latitude 5420 laptops at the price of \$1,371.34 each or a total not to exceed \$9,800.00, if quoted prices are no longer available from Dell. On a voice vote, the motion carried.

Health Department – UP MOM Community Health Services Worker contract

The Committee reviewed a new job posting for UP MOM (Upper Peninsula Maternal Opioid Misuse) position with the Health Department; this position will be 100% reimbursed by UP Health Care Solutions. Reimbursement will include the positions as well as, computer, phone and transportation costs for the employee.

It was moved by Commissioner Savoie, seconded by Commissioner Baron, to authorize a 3-year contract between the Health Department and UP Health Care Solutions, for the UP MOM position as presented, reimbursement to include all costs associated with the position. On a voice vote, the motion carried.

Circuit Court – Family Court – County Child Care Budget Summary (DHS – 2091)

The Committee reviewed the annual County Child Care Budget Summary for October 1, 2020 through September 30, 2022 totaling \$821,430.17.

It was moved by Commissioner Savoie, seconded by Commissioner Postula, to acknowledge and accept the Chippewa County Child Care Budget Summary for October 1, 2021 through September 30, 2022, as presented. On a voice vote, the motion carried.

MIDC/Public Defender contracts – Legal Services Agreement (Conflict Attorney)

- Michael Brown – July 27, 2021 through September 30, 2021
- Craig Elhart – July 7th through September 30, 2021

Upon review; the Committee approved the contracts as presented.

It was moved by Commissioner Savoie, seconded by Commissioner Baron, to approve and authorize the new Legal Services contracts through September 30, 2021 for Michael Brown and Craig Elhart, as presented. On a voice vote, the motion carried.

Office of Emergency Services – UHF/VHF Tower Upgrades – Title III Funds – waive policy
(McNearney, Rockview, OES and DeTour sites at \$10,162.00 each)

The Committee received an update from OES Director Michelle Robbins regarding the needed tower upgrades and the recent issues with the towers. The towers at McNearney, Rockview, DeTour and the OES Sites are a priority issue that needs to be addressed; Director Robbins can use Title III monies for the expenditure.

It was moved by Commissioner Savoie, seconded by Commissioner Baron, to waive the County purchasing policy and to approve the quote from El-Com Systems to upgrade the UHF/VHF at the McNearney, Rockview, DeTour and OES sites at the cost of \$10,162.00 per site and to utilize the Title III funding to pay for the upgrade. On a voice vote, the motion carried.

Sheriff's Department – Equipment Purchases – Johnson Controls Update & Quote Approval
\$1,872.00

The Committee was updated on a prior emergency approval for \$8,765.00 that ended up not being necessary. A new quote for troubleshooting from Johnson Controls is \$1,872.00.

It was moved by Commissioner Savoie, seconded by Commissioner Postula, to approve the Johnson Controls quote of \$1,872.00 to troubleshoot the FINS Gateway Drive. On a voice vote, the motion carried.

Finance – Claims and Accounts

- July Billing – County and Health Department
- Budget Amendments and new department
- Beginning Fund Balances to Audit

It was moved by Commissioner Savoie, seconded by Commissioner Baron, to recommend the approval of July County bills and payroll: general claims \$354,565.15 other fund claims of \$984,914.06, payroll of \$778,741.50, and Health Department claims of \$299,645.91 and payroll of \$197,861.16 total claims \$2,615,727.78; approve the budget amendments, establish a new Department “No Wake” and the

beginning fund balances from the Audit. On a voice vote, the motion carried.

8/5/2021 Chippewa County Budget Amendments						
Revenue			Orig. Budget	Amended Budget	Change	Description
101-000-508.100	General Fund	2% Gaming - Bay Mills	100,000.00	10,000.00	(\$90,000.00)	Reduction
101-000-543.300	General Fund	No Wake Grant	0.00	22,000.00	22,000.00	Establish New Grant
101-000-508.172	General Fund	MEDC-CDBG Cares	0.00	33,381.30	33,381.30	MEDC Grant
101-000-676.981	General Fund	Reimbursement Vehicles	0.00	10,600.00	10,600.00	Ins. Check from MMRMA
					(\$24,018.70)	
Expenditures						
101-131-979.000	General Fund	Circuit Court Equipment	0.00	500.00	500.00	Display case to meet SCOA requirements
101-172-801.508	General Fund	Administrator - MEDC-CDBG Grant	0.00	33,381.30	33,381.30	MEDC expenses to City and Rd Commission
101-300-704.000	General Fund	No Wake - Salaries	0.00	16,118.00	16,118.00	New Grant - SOM No Wake 100%
101-300-706.000	General Fund	No Wake - Overtime	0.00	720.00	720.00	New Grant - SOM No Wake 100%
101-300-715.000	General Fund	No Wake - Fringes	0.00	4,094.00	4,094.00	New Grant - SOM No Wake 100%
101-300-742.000	General Fund	No Wake - gas/oil/maintenance	0.00	1,068.00	1,068.00	New Grant - SOM No Wake 100%
101-301-742.000	General Fund	Sheriff - gas/oil/maintenance	71,000.00	72,692.20	1,692.20	Insurance Claim Reimbursement
101-865-701.000	General Fund	Liability Insurance	275,000.00	358,000.00	83,000.00	Insurance Increases due to Retention
						Replace totaled vehicle & equipment and
101-981-701.000	General Fund	Vehicles	77,000.00	137,579.00	60,579.00	vehicles from FY2020
					\$ 201,152.50	

It was moved by Commissioner Savoie, seconded by Commissioner Postula to approve the August 5, 2021, Finance Claims and Accounts meeting minutes as presented. On a voice vote, the motion carried.

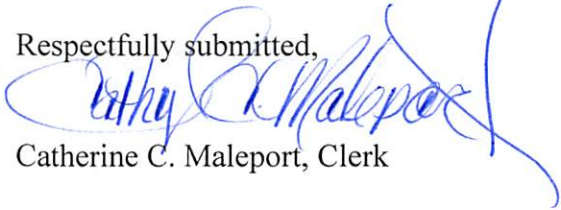
**COMMISSIONER REPORT ON MEETNGS AS BOARD
REPRESENTATIVE AND GENERAL COMMENTS**

Among some of the comments were the following:

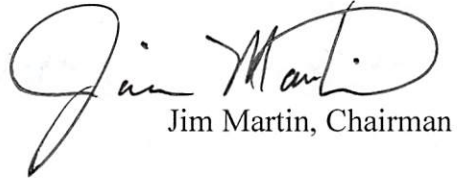
- *Chairman Martin* thanked Northern Transitions and the Recycling as their hours are much better.

Having completed the agenda items, it was moved by Commissioner Shackleton, seconded by Commissioner Baron, to adjourn. on a voice vote, the Board adjourned at 2:27 p.m.

Respectfully submitted,



Catherine C. Maleport, Clerk



Jim Martin, Chairman



Freedom of Information Act Policy

Chippewa County FREEDOM OF INFORMATION ACT PROCEDURES & GUIDELINES

Statement of Principles

It is the policy of Chippewa County (the County) that all persons, except those who are serving a sentence of imprisonment, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

Section 1: General Policies

The Chippewa County Board of Commissioners acting pursuant to the authority at MCL15.236 designates the County Administrator as the Chippewa County FOIA Coordinator. He or she is authorized to designate other County staff to act on his or her behalf to accept and process written requests for the County's and its Departments' public records and approve denials. The following County Officials are designated to act on his or her behalf to accept and process written requests for the public records from their respective departments and approve denials:

Central Dispatch – E911 Operations Manager	All public records maintained by the Central Dispatch – E911
County Clerk	All public records maintained by the Clerk's office, except those records maintained solely in the Clerk's role as Clerk to the Chippewa County Circuit
County Treasurer	All public records maintained by the Treasurer's office
County Register of Deeds	All public records maintained by the Register of Deeds office
Prosecuting Attorney	All non-judicial public records maintained by the Prosecuting Attorney's office
Sheriff	All public records maintained by the Sheriff's Department

If a request for a public record is received by facsimile or e-mail, the request is deemed to have been received on the following business day. If a request is sent by e-mail and delivered to a spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator shall review County spam and junk-mail folders on a regular basis, which shall be no less than once a month. The FOIA Coordinator shall work with County Information Technology staff to develop administrative rules for handling spam and junk mail so as to protect County systems from computer attacks which may be imbedded in an electronic FOIA request.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The County is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other County staff are obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by the County on file for a period of at least one year.

The County will make this Procedures and Guidelines document and the Written Public Summary publicly available without charge. If it does not, the County cannot require deposits or charge fees otherwise permitted under the FOIA until it is in compliance. A copy of this Procedures and Guidelines document and the County's Written Public Summary must be publicly available by providing free copies both in the County's response to a written request and upon request by visitors at any County office.

This Procedures and Guidelines document and the County's Written Public Summary will be maintained on the County's website at: <http://www.Chippewacountymi.gov> and a link to those documents will be provided in lieu of providing paper copies of those documents in the County's response to a written request.

Section 2: Requesting a Public Record

A person requesting to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the County must do so in writing. The request must sufficiently describe a public record so as to enable County personnel to identify and find the requested public record.

No specific form to submit a request for a public record is required. However, the FOIA Coordinator may make available a FOIA Request Form for use by the public.

Written requests for public records may be submitted in person or by mail to any County office. Requests may also be submitted electronically by facsimile or e-mailed to <mailto:foia@chippewacountymi.com>. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, electronically mailed or otherwise provided to him or her in lieu of paper copies. The County will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by the County on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, within 5 business days of receipt of a FOIA request the County will issue a response. If a request is received by facsimile, e-mail or other electronic transmission, the request is deemed to have been received on the following business day.

The County will respond to the request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the County needs an additional 10 business days to respond. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the County's website.

When a request is granted or granted in part:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available. The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request. A copy of these Procedures and Guidelines shall be provided to the requestor with the response to a written request for public records, provided however, that if these Procedures and Guidelines, and its Written Public Summary are maintained on the County's website, then a website link to those documents may be provided in lieu of providing paper copies.

If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If based on a good faith calculation by the County, the cost of processing a FOIA request is expected to exceed \$50, or if the requester has not fully paid for a previously granted request, the County will require a good-faith deposit before processing the request. In making the request for a good-faith deposit the FOIA Coordinator shall provide the requester with a detailed itemization of the allowable costs estimated to be incurred by the County to process the request and also provide a best efforts estimate of a time frame it will take the County to provide the records to the requester. The best efforts estimate shall be nonbinding on the County, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requester, or another name reasonably known by the County; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the office of the Chippewa County Board of Commissioners or seek judicial review in the Chippewa County Circuit Court; and
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

Requests to inspect public records:

The County shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect County records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal County operations.

Requests for certified copies:

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation by the County, the requestor could be asked to provide a deposit not exceeding on-half of the total estimated fee.

If a request for public records is from a person who has not fully paid the County for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- the final fee for the prior written request is not more than 105% of the estimated fee;
- the public records made available contained the information sought in the prior written request and remain in the County's possession;
- the public records were made available to the individual, subject to payment, within the time frame estimated by the County to provide the records;
- 90 days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- the individual is unable to show proof of prior payment to the County; and
- the FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- the person making the request is able to show proof of prior payment in full to the County;
- the County is subsequently paid in full for the applicable prior written request; or
- 365 days have passed since the person made the request for which full payment was not remitted to the County.

Section 5: Calculation of Fees

A fee will not be charged for the cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the County because of the nature of the request in the particular instance, and the County specifically identifies the nature of the unreasonably high costs.

The following factors shall be used to determine an unreasonably high cost to the County:

- Volume of the public record requested.
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether public records from more than one County department or various County offices is necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The County may charge for the following costs associated with processing a FOIA request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the County.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the County.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the County's website if you ask for the County to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the County's website if you ask for the County to make copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
- Labor costs will be charged at the hourly wage of the lowest-paid County employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. The County may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Contracted labor costs incurred in the separation and deletion of exempt from non-exempt material will be charged at 6 times the state minimum wage, as adjusted. The current rate at the time of adoption of these Policies and Guidelines is \$57.90/hour.
- Overtime wages will not be included in labor costs until agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the County has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- In order to ensure the integrity and security of the County's technological infrastructure, the County will procure any requested non-paper media and will not accept non-paper media from the requestor

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for nonstandard sized sheets of paper will reflect the actual cost of reproduction.
- The County may provide records using double-sided printing, if cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using reasonably economical and justified means.
- The County may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless requested.

If the FOIA Coordinator does not respond to a written request in a timely manner, the County must:

- Reduce the labor costs by 5% for each day the County exceeds the time permitted under FOIA up to a 50% maximum reduction, if *any* of the following applies:
 - The late response was willful and intentional.
 - The written request, within the first 250 words of the body of a letter facsimile, e-mail or e-mail attachment conveyed a request for information
 - The written request included the words, characters, or abbreviations for "freedom of information", "information", "FOIA", "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231 et seq or 1976 Public Act 442 on the front of an envelope or in the subject line of an e-mail, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form

Section 6: Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because such can be considered as primarily benefitting the general public. The Chippewa County Board of Commissioner may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

Section 7: Discounted Fees

Indigence

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- indigent and receiving specific public assistance; or
- if not receiving public assistance stating facts demonstrating an inability to pay because of indigency.

An individual is not eligible to receive the waiver if:

- the requestor has previously received discounted copies of public records from the County twice during the calendar year; or
- the requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disable or mentally ill individuals

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

A nonprofit organization designated to by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 200 and the Protection and Advocacy for Individuals with Mental Illness Act, or their successors, if the request meets all of the following requirements:

- is made directly on behalf of the organization or its clients;
- is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, MCL 330.1931;
- is accompanied by documentation of its designation by the State, if requested by the County or FOIA Coordinator.

Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may file an appeal of the denial with the Office of the Chippewa County Board of Commissioners. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. The County may create a FOIA Appeal Form that may be used.

The Board of Commissioners is not considered to have received a written appeal until the first regularly scheduled Board of Commissioners meeting immediately following submission of the written appeal.

Within 10 business days of receiving the appeal the Board of Commissioners, acting through its designee, will respond in writing by:

- reversing the disclosure denial;
- upholding the disclosure denial; or
- reverse the disclosure denial in part and uphold the disclosure denial in part.
- Under unusual circumstances, such as the need to examine or review a voluminous amount of separate and distinct public records or the need to collect the requested records from numerous facilities located apart from the office receiving or processing the request, the Board of Commissioners may issue not more than 1 notice of extension for not more than 10 business days to respond to the appeal

If the Board of Commissioners fails to timely respond to a written appeal, or if the Board of Commissioners upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in the Chippewa County Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the Board of Commissioners, he or she may file a civil action in the Chippewa County Circuit Court within 180 days after the County's final determination to deny the request.

If the court determines that the public record is not exempt from disclosure, the court will award the appellant reasonable attorneys' fees, cost and disbursements. If the court determines that the appellant prevails only in part, the court in its discretion may award all or an appropriate portion of reasonable attorneys' fees, costs and disbursements.

If the court determines that the County arbitrarily and capriciously violated the FOIA by refusing or delaying the disclosure of copies of a public record, it shall award the appellant punitive damages in the \$1,000. Court shall also order that the public body pay a civil fine of \$1000 to the general fund of the State treasury.

Section 9: Appeal of an Excessive FOIA Processing Fee

"Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA, including any deposit.

If a requestor believes that the fee charged by the County to process a FOIA request exceeds the amount permitted by state law, he or she must first submit a written appeal for a fee reduction to the Office of the Board of Commissioners. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The County may create a FOIA Fee Appeal Form that may be used.

Within 10 business days after receiving the appeal, the Board of Commissioners, through its designee, will respond in writing by:

- waiving the fee;
- reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Board of Commissioners will respond to the written appeal.

Within 45 days after receiving notice of the Board of Commissioner's determination of a fee appeal, a requestor may commence a civil action in Chippewa County Circuit Court for a fee reduction. If a civil action is filed appealing the fee, the County is not obligated to process the request for the public record until the Court resolves the fee dispute.

If a court determines that the County required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a permissible amount. Failure to comply with an order of the court may be punished as contempt of court.

If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the County.

If the court determines that the County has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the Township to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by the County, these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the County, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the County and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law.

The FOIA Coordinator shall inform the Board of Commissioners of any change to these Policies and Guidelines. These FOIA Policies and Guidelines become effective July 1, 2015.

Section 11: Appendix of Chippewa County FOIA Forms

- Request for Public Records Form
- Notice to Extend Response Time Form
- Notice of Denial Form
- Detailed Cost Itemization Form
- Appeal of Denial of Records Form
- Appeal of Excess Fee Form

Updated: July 9, 2021



CHIPPEWA COUNTY'S WRITTEN PUBLIC SUMMARY OF FOIA PROCEDURES AND GUIDELINES

It is the public policy of this state that all persons, except those persons incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees.

Consistent with the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, as amended, the following is the Written Public Summary of Chippewa County's FOIA Procedures and Guidelines relevant to the general public. This is only a summary of the FOIA Procedures and Guidelines. For more details and information, copies of the FOIA Procedures Guidelines and are available at no charge at any County office and on the County's website at <http://www.chippewacountymi.gov>.

1. How do I submit a FOIA request to Chippewa County?

- A request must sufficiently describe a public record so as to enable the County to find it.
- Please include the words "FOIA" or "FOIA Request" in the request to assist the County in providing a prompt response.
- Requests to the County may be submitted on the County's FOIA Request Form, in any other form of writing (letter, fax, email, etc.).
 - No specific form to submit a written request is required. However, a FOIA Request Form and other FOIA-related forms are available for your use and convenience on the County's website at <http://www.chippewacountymi.gov> and at the County Administration Office, 319 Court Street, Sault Ste. Marie, MI 49783.
- Written requests may be delivered to the County in person or by mail:

FOIA Coordinator
County Administrator's Office
Chippewa County Building
319 Court Street
Sault Ste. Marie, MI 49783

- Requests may be faxed to: (906) 635-6325. To ensure a prompt response, faxed requests should contain the term "FOIA" or "FOIA Request" on the first/cover page.

- Requests may be emailed to: kchurch@chippewacountymi.gov To ensure a prompt response, email requests should contain the term "FOIA" or "FOIA Request" in the subject line.

2. What kind of response can I expect to my request?

- Within 5 business days of receipt of a FOIA request the County will issue a response. If a request is received by facsimile or e-mail the request is deemed to have been received on the following business day. The County will respond to your request in one of the following ways:
 - Grant the request.
 - Issue a written notice denying the request.
 - Grant the request in part and issue a written notice denying in part the request.
 - Issue a notice indicating that due to the nature of the request the County needs an additional 10 business days to respond.
 - Issue a written notice indicating that the public record requested is available at no charge on the County's website.
- If the request is granted, or granted in part, the County will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.
- If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the County will require a deposit before processing the request.

3. What are the County's fee deposit requirements?

- If the County has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the County will require that you provide a deposit in the amount of 50% of the total estimated fee. When the County requests the deposit it will provide you a non-binding best efforts estimate of how long it will take to process the request following receipt by the County of your deposit.
- If the County receives a request from a person who has not paid the County for copies of public records made in fulfillment of a previously granted written request, the County will require a deposit of 100% of the estimated processing fee before it begins to search for the public record for any subsequent written request when all of the following conditions exist:
 - the final fee for the prior written request is not more than 105% of the estimated fee;
 - the public records made available contained the information sought in the prior written request and remain in the County's possession;
 - the public records were made available to the individual, subject to payment, within the time frame estimated by the County to provide the records;
 - 90 days have passed since the County notified the individual in writing that the public records were available for pickup or mailing;
 - the individual is unable to show proof of prior payment to the County; and

- the County has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.
- The County will not require the 100% estimated fee deposit if any of the following apply:
 - the person making the request is able to show proof of prior payment in full to the County;
 - the County is subsequently paid in full for all applicable prior written requests; or
 - 365 days have passed since the person made the request for which full payment was not remitted to the County.

4. How does the County calculate FOIA processing fees?

The Michigan FOIA statute permits the County to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the County.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the County.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the County's website if you ask for the County to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the County's website if you ask for the County to make copies.
- The cost to mail or send a public record to a requestor.

Labor Costs

- All labor costs will be estimated and charged in 15-minute increments with all partial time increments rounded down.
- Labor costs will be charged at the hourly wage of the lowest-paid County employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- Contracted labor costs will be charged at the hourly rate of 6 times the state minimum wage, as adjusted. This rate is currently \$48.90/hour.

A labor cost will not be charged for the search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the County. Costs are unreasonably high when they are excessive and beyond the normal or usual amount for those services compared to the

County's usual FOIA requests, because of the nature of the request in the particular instance. The County must specifically identify the nature of the unreasonably high costs in writing.

Copying, Duplication and Mailing Costs

The County must use the most economical method for making copies of public records, including using double-sided printing, if cost-saving and available.

- **Non-paper Physical Media**

- The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the County has the technological capability necessary to provide the public record in the requested non-paper physical media format.

- **Paper Copies**

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper.
- Copies for non-standard sized sheets will reflect the actual cost of reproduction.

- **Mailing Costs**

- The cost to mail public records will use a reasonably economical and justified means.
- The County may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless requested.

5. How do I qualify for a waiver or discount on the fee?

Waiver or reduction

- The cost of the search for and copying of a public record may be waived or reduced if in the sole discretion of the FOIA Coordinator a waiver or reduction of the fee is in the public interest because it can be considered as primarily benefiting the public. The County Board of Commissioners may identify specific records or types of records it deems should be made available for not charge or at a reduced cost.

Indigence discount

- The County will waive the first \$20.00 of fees for a request if you submit an affidavit stating that you are:
 - indigent and receiving specific public assistance; or
 - if not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.
- You are not eligible to receive the \$20.00 waiver if you:

- have previously received discounted copies of public records from the County twice during the calendar year; or

- are requesting information on behalf of other persons who are offering or providing payment to you to make the request.
- An affidavit is sworn statement. For your convenience, the County has provided an Affidavit of Indigence for the waiver of FOIA fees, which is available on the County's website.

Nonprofit discount

- The County will waive the fee for a nonprofit organization which meets all of the following conditions:
 - the organization is designated by the State under federal law to carry out activities under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act;
 - the request is made directly on behalf of the organization or its clients;
 - the request is made for a reason wholly consistent with the provisions of federal law under Section 931 of the Mental Health Code; and
 - the request is accompanied by documentation of the organization's designation by the State

6. How may I challenge the denial of a public record or an excessive fee?

Appeal of a Denial of a Public Record

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may file an appeal of the denial with the Chippewa County Board of Commissioners. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons you are seeking a reversal of the denial. The County may create a FOIA Appeal Form, which, if created, will be available on the County's website.

Within 10 business days of receiving the appeal the Chippewa County Board of Commissioners will respond in writing by:

- reversing the disclosure denial;
- upholding the disclosure denial; or
- reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the Board of Commissioners, you may file a civil action in the Chippewa County Circuit Court within 180 days after the County's final determination to deny your request. Should you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the County acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1000.00

Appeal of an Excessive FOIA Processing Fee

If you believe that the fee charged by the County to process your FOIA request exceeds the amount permitted by state law, you must first submit a written appeal for a

fee reduction to the Chippewa County Board of Commissioners. The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The County may create a FOIA Fee Appeal Form, which, if created, will be available on the County's website.

Within 10 business days after receiving the appeal, the Chippewa County Board of Commissioners will respond by:

- waiving the fee;
- reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which Chippewa County Board of Commissioners will respond to the written appeal.

Within 45 days after receiving notice of the Board of Commissioner's determination of the processing fee appeal, you may commence a civil action in Chippewa County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the County acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.00.

Need more details or information?

This is only a summary of Chippewa County's FOIA Procedures and Guidelines. For more details and information, copies of the Chippewa County's FOIA Procedures and Guidelines are available at no charge at any County office and on the County's website, www.chippewacountymi.gov.

County: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Chippewa County
319 Court Street
Sault Sainte Marie, MI 49783
Phone: (906) 635-6330 Fax: (906) 635-6325

Request Form
Note: Requestors are not required to use this form. The county may complete one for recordkeeping if not used.

FOIA Request for Public Records
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ Date Received: _____ Check if received via: Email Fax Other Electronic Method
Date delivered to junk/spam folder: _____
(Please Print or Type) Date discovered in junk/spam folder: _____

Name	Phone	
Firm/Organization	Fax	
Street	Email	
City	State	Zip

Request for: Copy Certified copy Record inspection Subscription to record issued on regular basis

Delivery Method: Will pick up Will make own copies onsite Mail to address above Email to address above
 Deliver on digital media provided by the county: _____

Note: The county is not required to provide records in a digital format or on digital media if the county does not already have the technological capability to do so.

Describe the public record(s) as specifically as possible. You may use this form or attach additional sheets:

Consent to Non-Statutory Extension of County's Response Time

I have requested a copy of records or a subscription to records or the opportunity to inspect records, pursuant to the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq. I understand that the county must respond to this request within five (5) business days after receiving it, and that response may include taking a 10-business day extension. However, I hereby agree and stipulate to extend the county's response time for this request until: _____ (month, day, year).

Requestor's Signature	Date
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(Complete both sides)

Records Located on Website

If the county directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from any labor charges to redact (*separate exempt information from non-exempt information*).

If the FOIA coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the county must notify the requestor in its written response that all or a portion of the requested information is available on its website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed cost itemization form, the county must separate the requested public records that are available on its website from those that are not available on the website and must inform the requestor of the additional charge to receive copies of the public records that are available on its website.

If the county has included the website address for a record in its written response to the requestor and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, including digital media, the county must provide the public records in the specified format (if the county has the technological capability) but may use a fringe benefit multiplier greater than the 50%, not to exceed the actual costs of providing the information in the specified format.

Request for Copies/Duplication of Records on County Website

I hereby stipulate that, even if some or all of the records are located on a county website, I am requesting that the county make copies of those records on the website and deliver them to me in the format I have requested above. I understand that some FOIA fees may apply.

Requestor's Signature _____ Date _____

Overtime Labor Costs

Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed cost itemization form.

Consent to Overtime Labor Costs

I hereby agree and stipulate to the county using overtime wages in calculating the following labor costs as itemized in the following categories:

- 1. Labor to copy/duplicate
- 2. Labor to locate
- 3a. Labor to redact
- 3b. Contract labor to redact
- 6b. Labor to copy/duplicate records already on county's website

Requestor's Signature _____ Date _____

Request for Discount: Indigence

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under the FOIA and who:

- 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR
- 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if ANY of the following apply:

- (i) The individual has previously received discounted copies of public records from the County twice during that calendar year,
- (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

Office Use: Affidavit Received Eligible for Discount Ineligible for Discount

I am submitting an affidavit and requesting that I receive the discount for indigence for this FOIA request: _____ Date: _____

Requestor's Signature: _____

Request for Discount: Nonprofit Organization

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act, if the request meets ALL of the following requirements:

- (i) Is made directly on behalf of the organization or its clients.
- (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.
- (iii) Is accompanied by documentation of its designation by the state, if requested by the county.

Office Use: Documentation of State Designation Received Eligible for Discount Ineligible for Discount

I stipulate that I am a designated agent for the nonprofit organization making this FOIA request and that this request is made directly on behalf of the organization or its clients and is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931: _____ Date: _____

Requestor's Signature: _____