

Bear Lake Township

Public Summary of FOIA Policy

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, the following is the Written Public Summary of the Township's FOIA Policy relevant to the general public. This is only a summary of the Township's FOIA Policy. For more details and information, copies of the Township's FOIA Policy are available at no charge at the office of the Township's FOIA Coordinator and on the Township's website: [www. bearlaketownship.org](http://www.bearlaketownship.org).

1. How do I submit a FOIA request to the Township?

A request must sufficiently describe a public record so as to enable the Township to find it.

A request must include the requesting person's complete name, address, and contact information. The address must be written in compliance with United States Postal Service addressing standards. The contact information must also include a valid telephone number or electronic mail address.

Please include the words "FOIA" or "FOIA Request" in the request to assist the Township in providing a prompt response.

Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Township may be submitted on the Township'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 Township's website at [www. bearlaketownship.org](http://www.bearlaketownship.org), and at the Township Clerk's office.

Written requests may be delivered to the Township Hall in person or by mail to the following address: FOIA Coordinator, Bear Lake Twp., 198 East Bear Lake Rd. Kalkaska, Mi. 49646.

Requests may be faxed to: (231-258-0860) _____ . To ensure a prompt response, faxed requests should contain the term "FOIA" or "FOIA Request" on the first/cover page.

Finally, requests may be emailed to: bltclerkddavid@yahoo.com
. 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 after receiving a FOIA request the Township will issue a response. If a request is received by fax or email, the request is deemed to have been received on the following business day. The Township will respond to your request in one of the following ways:

- § Granting the request.
- § Issue a written notice denying the request.
- § Granting the request in part and issue a written notice denying in part the request.
- § Issuing a notice indicating that due to the nature of the request the Township needs an additional 10 business days to respond.
- § Issuing a written notice indicating that the public record requested is available at no charge on the Township's website.

If the request is granted, or granted in part, the Township 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 Township will require a deposit before processing the request.

3. What are the Township's deposit requirements?

If the Township has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the Township will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Township requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.

If a required deposit is not received by the Township within 45 days from when you receive the notice of the deposit (3 days after the notice requiring the deposit is sent), and if you have not filed an appeal of the deposit amount, your FOIA request shall be considered abandoned, and the Township will no longer be required to fulfill your request. The notice of a deposit requirement will include the date that the deposit must be received (48 days after the date the notice is sent).

If the Township receives a request from a person who has not paid the Township for copies of public records made in fulfillment of a previously granted written request, the Township 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 Township's possession.
- \$ The public records were made available to the individual, subject to payment, within the best effort time frame estimated by the Township to provide the records.
- \$ Ninety (90) days have passed since the Township 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 Township.
- \$ The Township has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.

However, the Township 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 Township.
- \$ The Township is subsequently paid in full for all applicable prior written requests.
- \$ Three hundred sixty five (365) days have passed since the person made the request for which full payment was not made to the Township.

4. How does the Township calculate FOIA processing fees?

A. General Fees

The Michigan FOIA statute permits the Township 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 Township.
- \$ 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 Township.

