

POLICY NUMBER: 1.10

TITLE: FREEDOM OF INFORMATION ACT POLICY

I. PURPOSE OF POLICY

To establish procedures and guidelines to implement the Freedom of Information Act (FOIA).

II. GUIDELINES

All requests for information under the Freedom of Information Act must be channeled through the Manager, who is the Freedom of Information Act Coordinator for the Road Commission. Any employee who receives a written request for information under the Freedom of Information Act should forward it immediately to the Manager. No employee should release information pursuant to the Freedom of Information Act without authorization of the Manager.

- A. The Manager may designate personnel who will process requests.
- B. A FOIA request must be submitted in writing. Oral requests are not sufficient and will not be considered.
- C. The FOIA Coordinator shall formally respond to the FOIA requests in one of 4 ways:
 - 1. Grant the request
 - 2. Issue a written notice denying the request
 - 3. Grant the request in part, and issue a written notice denying the request in part, or
 - 4. In unusual circumstances, issue an extension to respond to the request in not more than 10 business days.
- D. If the request is denied or denied in part, the written notice shall include the right for the individual to submit a written appeal to the Chairperson of the Saginaw County Road Commission, which specifically includes the word "appeal" and which identifies the reason or reasons for the requested reversal of the disclosure request response. Also to be noted is the option to seek judicial review of the response pursuant to MCL Section 15.240.

- E. The cost of labor, where allowable for mailing, duplication, search, examination, separation, and deletion, will be charged at the hourly rate, plus fringe benefits, of the lowest paid Saginaw County Road Commission employee capable of retrieving the information necessary to comply with a request under the FOIA.
- F. The cost of duplication will be at a current rate, or if the nature of the duplication necessitates duplication by an outside source, then the actual cost of such duplication shall be paid.
- G. Actual mailing costs incurred by the Saginaw County Road Commission will be charged.
- H. If a fee is already established by law, then that amount will be charged prior to the release of the information.
- I. If the fee is estimated to exceed \$50, then a deposit of not greater than ½ the total will be required.

*****Approved by the Board of County Road Commissioners of Saginaw County
June 28, 2005*****

*****Revised and approved May 13, 2008*****