

# NORTH AUGUSTA

## SOUTH CAROLINA'S RIVERFRONT

**Date:** January 30, 2019

**To:**

**CONFIDENTIAL**

Copy to:  
 Robert A. Pettit, Mayor  
 B. Todd Glover, City Administrator  
 Kelly F. Zier, City Attorney  
 Cammie Hayes, Director of Finance  
 & Support Services

**RE:** FREEDOM OF INFORMATION REQUEST

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 30 day of January 2019. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not

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Date: 1-30-19 2-18-19 (complete)

By: HL

Repository: CONA-Admin

Gen. FOIA 2019

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charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

**NOTICE:** SOUTH CAROLINA LAW PROVIDES THE "IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION."

*Sharon Lamar*

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Sharon Lamar, City Clerk

City of North Augusta, South Carolina

**Lamar, Sharon**

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**From:** [REDACTED]  
**Sent:** Wednesday, January 30, 2019 12:01 PM  
**To:** Lamar, Sharon  
**Cc:** Pettit, Robert; Glover, Todd; Kelly Zier (kzier@zierlawfirm.com); Hayes, Cammie  
**Subject:** Re: SC FOIA Request

Hey Sharon,

I have received your response to my FOIA request of Jan. 30, 2019.

Thank you.

[REDACTED]

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**From:** "Lamar, Sharon" <SLamar@northaugusta.net>  
**To:** [REDACTED]  
**Cc:** "Pettit, Robert" <RPettit@northaugusta.net>; "Glover, Todd" <TGlover@northaugusta.net>; "Kelly Zier (kzier@zierlawfirm.com)" <kzier@zierlawfirm.com>; "Hayes, Cammie" <CHayes@northaugusta.net>  
**Sent:** Wednesday, January 30, 2019 11:02 AM  
**Subject:** RE: SC FOIA Request

Attached you will find our response to your FOIA request received January 30, 2019. Please confirm receipt.

**From:** [REDACTED]  
**Sent:** Tuesday, January 29, 2019 9:06 PM  
**To:** Lamar, Sharon <SLamar@northaugusta.net>  
**Cc:** Pettit, Robert <RPettit@northaugusta.net>; Glover, Todd <TGlover@northaugusta.net>; Kelly Zier <kzier@zierlawfirm.com>  
**Subject:** SC FOIA Request

January 29, 2019

Sharon,

I send the following request for information from the city under the tenets of the SC Freedom of Information Act, specifically SC Code Section 30-4-30(A)(1), which states in its first sentence:

"A person has a right to inspect, copy, or receive an electronic transmission of any public record of a public body, except as otherwise provided by Section 30-4-40, or other state and federal laws, in accordance with reasonable rules concerning time and place of access."

"Public Record" is defined in Section 30-4-20(c) in its first sentence as:

"'Public record' includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body."

I request two pieces of financial information.

1. The total amount of expenditures by the city during FY2018 concerning any and all of those spent on developments connected to and within Project Jackson/Riverside Village. From that total expenditure, or listed otherwise, I further request two separate figures – the amount of the debt service on the Series 2017B bond issue the city paid from the city budget and the amount of the debt service paid by capitalized interest.
2. The total amount of revenue the city received from any and all sources within or connected with Project Jackson/Riverside Village during FY2018.

I wish to let the city know the data I'm requesting has not undergone formal approval by the city or an independent audit, and, as a result, the data provided me could change. However, the requested data is on the city's "books," to employ an old concept from many years ago. That data is "public record."

I hope you're getting settled into your new position and that the "learning experience" is going smoothly. Speaking as one, we citizens heartily welcome you as our City Clerk and wish you most well.

Sincerely

[REDACTED]

[REDACTED]

North Augusta, SC 29841-2173

[REDACTED]

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