

# NORTH AUGUSTA

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## SOUTH CAROLINA'S RIVERFRONT

FOIA 2019-69

**Date:** September 19, 2019

**T0:** Benjamin R. Gooding  
bgooding@robinsongray.com

**RE:** FREEDOM OF INFORMATION REQUEST

Copy to:  
Kelly Zier - City Attorney  
Thomas Zeaser – Director of Engineering  
and Public Works  
Tanya Strickland – Stormwater Superintendent

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 19th day of September 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 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

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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 THAT "IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION."



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Sharon Lamar, City Clerk

City of North Augusta, South Carolina



ROBINSON  
GRAY

Litigation + Business

BENJAMIN R. GOODING

DIRECT 803 231.7821 DIRECT FAX 803 231.7871

[bgooding@robinsongray.com](mailto:bgooding@robinsongray.com)

September 18, 2019

City of North Augusta  
Attention: Sharon Lamar  
City Clerk  
PO Box 6400  
North Augusta, SC 29861  
VIA EMAIL at [slamar@northaugusta.net](mailto:slamar@northaugusta.net)

Re: FOIA request for stormwater management department records

Ms. Lamar:

Pursuant to the South Carolina Freedom of Information Act (hereinafter "FOIA"), §§ 30-4-10 et seq., we hereby request an opportunity to inspect or obtain copies of the following public records in the possession and/or control of the City of North Augusta:

Any and all documents in the possession of the Stormwater Management Department for the City of North Augusta related to the following properties: (1) the North Augusta Plaza shopping center currently owned by SUSO 3 Augusta LP located at TMS No. 007-11-05-045, 007-11-05-047, and a portion of 007-11-05-048; (2) the Plaza Place apartment complex currently owned by CIG Plaza Place, LLC located on TMS No. 007-11-05-081.

Sincerely,

Benjamin R. Gooding

BRG:sec

cc: Tanya Strickland (via email)