

# NORTH AUGUSTA

## SOUTH CAROLINA'S RIVERFRONT

FOIA 2021-89

**Date:** November 4, 2021

**TO:** 

Copy to:  
Kelly Zier - City Attorney  
Cammie Hayes - Chief Financial Officer

**RE:** FREEDOM OF INFORMATION REQUEST

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 4th day of November 2021. 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.

The response as required by the Act as referred to in the above paragraph is NOT the delivery of the documents. It is a response advising the person making the FOIA request of the City's determination as to the public availability, of the requested public records. The ACT further provides that if the request is granted, the document must be furnished or made available for inspection or copying no later than thirty (30) calendar days from the date on which the final determination as to the availability of the documents is made, unless the record are more than twenty-four (24) months old, in which case the Public Body is to provide such records no late than thirty-five (35) calendar days from the date on which the final determination was provided. In the event that a deposit for the costs of providing the documentation is required, the providing of the

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documents would be based upon the date on which the deposit is received. In such case, the time remains thirty (30) or thirty-five (35) calendar days based upon the age of the documents requested.

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 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." Section 30-2-50**

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Sharon Lamar, City Clerk  
City of North Augusta, South Carolina

Mrs. Sharon Lamar  
City of North Augusta  
100 Georgia Avenue  
North Augusta, SC 29841

Dear Mrs. Lamar:

Under the South Carolina Freedom of Information Act (FOIA), 30-4-10, I am requesting to have sent to me information and an explanation of information from the attached documents:

**City of North Augusta  
Comprehensive Annual Financial Report**

**Year Ended December 31, 2020**

**Produced by Malkins and Jenkins- Auditor**

On Page 27 of the 2021 of Malkins and Jenkins "Independent Auditor's Report Budget there is line item called:

**Continued Design on Public Safety Station 1 and Public Safety Headquarters Totaling \$453,554.00**

I have located the following invoices that were paid to Johnson, Laschober and Associates( **JLA**) during 2020 from the Accounts Payable Ledger Reports supplied on the City web site :

<u>Check #</u>	<u>Date</u>	<u>Amount</u>
154522	02/14/2020	\$5,670.00
155040	03/23/2020	18,615.00
156924	07/31/2020	13,920.75
157537	09/21/2020	122,984.01
158551	12/18/2020	66,084.00
158382	12/04/2020	6,351.00
154169	01/17/2020	38,010.31
155518	04/24/2020	1,140.00
156017	05/29/2020	31,426.50
157783	10/09/2020	25,491.35
154837	03/06/2020	9,935.13
155665	05/08/2020	6,615.00

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\$346,243.05

**Questions:**

1. Please identify if these invoices I listed were included and paid in this line item and included in the \$453,554.00 total?
2. Please identify other invoices and / or other suppliers paid to make up the difference?
3. Please supply copies of these invoices and all others you locate that will tell the citizens what was accomplished for the dollars spent?
4. Please identify if there were any other architectural / development firms paid to **Design Public Safety Station 1 and Public Safety Headquarters** and identify how much they were paid?

Please submit to me the information requested in the time frame established by the FOIA. If you cannot supply any of the requested information, please cite the exemption from my request and notify me of the appeal procedure available to me under the law.

Sincerely,

