

# NORTH AUGUSTA

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## SOUTH CAROLINA'S RIVERFRONT

FOIA 2023-52

**Date:** May 11, 2023

**TO:** Lily Moore  
**lmoore@crownterprisesinc.com**

Copy to:  
Kelly Zier - City Attorney  
Tom Zeaser - Engineering & Public Works Director

**RE:** FREEDOM OF INFORMATION REQUEST

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 9th day of May 2023. 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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## SOUTH CAROLINA'S RIVERFRONT

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**

*Jamie Paul*

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Jamie Paul, City Clerk, CMC

City of North Augusta, South Carolina

Use this form to make an Electronic FOIA (E-FOIA) request. The use of this form is voluntary. FOIA requests can also be submitted to the City by personal delivery, mail, fax or email.

**\* Date and Time**

05/09/2023 5:00 PM

**\* Full Name**

Lily Moore

**\* Full Address**

P.O. 869  
Warren MI 48090

**\* Phone**

(586) 467-1711 ext. 2412

**Email**

lmoore@crownterprisesinc.com

Description of Request: Please state what public records you are requesting and include the following: company name, addresses, specific dates and times or date range, and any other information relevant to the request.

**\* I request the following information under the South Carolina Freedom of Information Act**

I am currently requesting to see if the violation for the address 120 Walnut Ave is still open.

**\* FOIA Document Type**

City General

**\* Select purpose of the request**

Commercial Use

**\* FOIA allows agencies to charge fees for processing FOIA requests. Are you willing to pay a fee?**

Yes

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100 Georgia Avenue  
North Augusta, SC  
29841

Post Office Box 6400  
North Augusta, SC  
29861-6400

**City of North Augusta**

## Notice of Illicit Discharge and Corrective Action Required

9/22/2021

Crown Enterprises Inc.  
12225 Stephens Rd.  
Warren, MI 48089

Re: 120 Walnut Lane, North Augusta SC Sediment in Roadway (Parcel #010-14-04-001)

Dear Mr. Shad, Mr. Fletcher, and Crown Enterprises Inc.,

On 4-8-2021, the City of North Augusta Stormwater conducted an inspection at 120 Walnut Lane, North Augusta SC in response to a complaint of sediment washing into the roadway. On 9-20-21, a follow-up inspection was conducted to find that no action has been taken to resolve this issue. With every rain event, there is a large amount of sediment/sand washing into the road from this location's driveway and into the roadway and the City's storm drainage system.

This is a violation of the City's Illicit Discharge Ordinance (Ord. No. 03-21, § I, 8-14-03). It is unlawful to discharge any pollutants (including sediments) into the City storm drainage system. Corrective action must be taken to eliminate the discharge from your property.

In order to stop this off-site impact, a permanent solution must be initiated and completed within 20 days of this notice. We have attached an inspection report and an invoice for the emergency removal of sediment from the roadway that has occurred thus far.

If you have any questions or would like to meet on the property to discuss our findings, please contact the Stormwater Management Department at 803-442-5711, email Michaela Day Canady at [mcanady@northaugusta.net](mailto:mcanady@northaugusta.net) (or at 803-441-4246 or email Tanya Strickland at [tstrickland@northaugusta.net](mailto:tstrickland@northaugusta.net)) to set up a convenient time. Thank you.

Sincerely

Michaela Day Canady  
Environmental Technician

Administration	Planning & Development	Engineering & Public Works	Building Standards	Finance	Parks, Recreation & Leisure Services	Human Resources	Public Utilities
Office 803.441.4202	Office 803.441.4221	Office 803.441.4223	Office 803.441.4227	Office 803.441.4215		Office 803.441.4206	Office 803.441.4240
Fax 803.441.4203	Fax 803.441.4232	Fax 803.441.4208	Fax 803.441.4122	Fax 803.441.4189	Office 803.441.4300	Fax 803.441.3921	Fax 803.441.4243

September 22, 2021

Crown Enterprises, Inc.  
12225 Stephens Road  
Warren, MI 48089

RE: *Emergency Removal of Sediment from Roadway coming from Tax Parcel #010-14-04-001*

**INVOICE**

**CITY SERVICE CHARGES FOR THE EMERGENCY REMOVAL OF SEDIMENT FROM WALNUT LANE THAT WAS BEING DISCHARGED FROM YOUR FACILITY PER CITY ORDINANCE (Ord. No. 02-02, § I, 3-4-02 Sec. 14-134, Ord. No. 03-21, § I, 8-14-03, Sec. 14-161b & Ord. No. 04-09, § I, 7-19-04 Sec. 14-170.9b)**

The city hourly charges for emergency removal:

- Used city equipment "RAVO 5s Sweeper" \$43.33/hour
- Fuel Cost @ 2.99 hour \$11.01 cost
- Maintenance Charge \$25.60/hour
- Labor Cost \$52.53/hour
- Total Cost per Billable Hour \$132.47**

On August 19, 2021 City staff member worked from 8:30 a.m. until 10:30 a.m. clearing the roadway.

08/19/2021	\$ 264.94
<hr/>	
<b>Total Due Immediately – Payable to City of North Augusta</b>	<b>\$ 264.94</b>

If you have any questions, I can be reached at (803) 441-4246 or via email [tstrickland@northaugusta.net](mailto:tstrickland@northaugusta.net).

Sincerely,



Tanya Strickland  
Stormwater Manager

INSPECTION RATING: Unsatisfactory

**Stormwater Management & Illicit Discharge Inspection Checklist**

PROJECT NAME: Central Transport PERMIT NUMBER: \_\_\_\_\_  
 LOCATION: 120 Walnut Lane PRIMARY   
 SECONDARY   
 DATE: 9/20/21 TIME: 12:30 FOLLOW-UP?  Y  N Today's weather: clear  
 Past 7 Days: ~ 7 in

1) PAPERWORK	On-Site?	On-Site?	On-Site?
CITY PERMIT LETTER		SWP3 (SITE PLAN)	RAIN LOG
DHEC PERMIT LETTER		GFNFRAI PFRMIT	INSPECTION LOG
PRIMARY or CO-PERMITTEE DOCS		INSPECTION REPORTS	STABILIZATION LOG
SECONDARY PERMITTEE DOCS.		CERTIFIED INSPECTOR #:	CONTRACTOR CERT. LOG
NOTICE OF INTENT?		CONTRACTOR CERTIFS.	PRE-CONST. CONF LOG

Other:

**2) SITE INSPECTION (UNS = UNSATISFACTORY)**

Best Management Practice (BMP)	UNS	Notes
Silt Fence		<p>Nothing has changed since last inspection, on 7/29/21 for pond and since 4/8/21 for illicit discharge.</p> <p>Pond needs cleaning + clearing along with storm system. Roadways are impacted by sediment from parking area.</p>
Sediment Traps		
Check Dams		
Inlet Protection		
Outlet Protection		
Construction Exit		
Grassing		
Slope drains		
Stockpiling Debris		
Ponds Discharging? <input checked="" type="radio"/> Y <input type="radio"/> N		
Baffles		
Skimmer		
Forebay		
OTHER		

**3) HAS THERE BEEN ANY OFFSITE IMPACT?**

YES  NO  Description of impact:  
Impact to roadways with sediment frequently.  
Parking area needs an immediate solution.

**4) DIAGRAM OF PROBLEM LOCATIONS**

**5) CORRECTIVE ACTIONS**

Correct deficiencies listed above within ASAP days of this notice. (Oct 4th 2021)

\_\_\_\_ CEASE & DESIST all site work except implementing or correcting BMPs as directed by the site design engineer or this Office. (SEC14-170.9)

\_\_\_\_ ISSUED SUMMONS (As per: City Codes SEC14-170.9; SEC14-158(b)(c); SEC14-154(a); SEC14-161(a))

\_\_\_\_ SPECIAL INSTRUCTIONS:

INSPECTOR: M. Day Canady PHONE: 803 442 5711  
 COPY TO: Matthew Shost Faxed to: (Number) \_\_\_\_\_

**From:** [Lily Moore](#)  
**To:** [Paul, Jamie](#)  
**Subject:** Violation  
**Date:** Thursday, May 11, 2023 4:07:36 PM  
**Attachments:** [120 Walnut Lane North Augusta, SC 10.11.2021.pdf](#)

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Good afternoon,

I was looking into see if this violation was still open.

Thank you,

Lily Moore

This email cannot be used to create a binding contract. This message is confidential. It may also be privileged or otherwise protected by work product or other legal rules. If you have received it by mistake, please let us know by e-mail reply and delete it from your system; you may not copy this message or disclose its contents to anyone. The integrity and security of this message cannot be guaranteed on the Internet.