

NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

FOIA 2024-06

Date: January 24, 2024

TO: Francisco Onate-Vargas

RE: FREEDOM OF INFORMATION REQUEST

Copy to:
Kelly Zier - City Attorney
Tommy Paradise – Planning & Development Director
Tom Zeaser – Engineering & Public Works Director
Lynda Williamson – Finance Director

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 24th day of January 2024. 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

Jamie Paul

Jamie Paul, City Clerk, CMC

City of North Augusta, South Carolina

From:
To: [Paul, Jamie](#)
Subject: Fwd: Tax Sale Parcel RE: Parcel # 010-14-03-001
Date: Tuesday, January 23, 2024 6:21:10 PM

Dear. Ms. Jamie,

Mrs. Strickland said you have a good bit of information on the parcel development (010-14-03-001), stormwater system, and other miscellaneous documents.

I'd like to get the file information/docs through FOIA and please guide through that process.

I really appreciate all the help with this matter.

Have a great evening.

Francisco Onate-Vargas

Begin forwarded message:

From: Padre Francisco Oñate-Vargas
Date: January 23, 2024 at 5:56:46 PM EST
To: "Strickland, Tanya" <TStrickland@northaugustasc.gov>
Cc: "Canady, Michaela" <MCanady@northaugustasc.gov>, "Paul, Jamie" <jpaul@northaugustasc.gov>
Subject: Re: Tax Sale Parcel RE: Parcel # 010-14-03-001

Thank you very much for this helpful information.
I will contact Ms. Jamie about obtaining the FOIA docs.

On Jan 23, 2024, at 2:27 PM, Strickland, Tanya <TStrickland@northaugustasc.gov> wrote:

Good afternoon Mr. Onate-Vargas:

The parcel you purchased has not sold at tax sale before. Other similar parcels have and I think Michaela had confused this one with another similar pond site. As Michaela explained, the parcel is a stormwater detention pond that receives storm water from the Circle

K, a portion of Stephens Farm Lane, and the Checkers property through drains on the properties. The description of the property, the detention pond and utility easements are described within the recorded records for the parcel and are available on line for free public to access (Aiken County website www.aikencountysc.gov (Online search - RMC records). Search for "Cutwater, Inc." or "Sweetwater Junction"

The pond has not been maintained or serviced by the previous owners for many years. The city has contacted them on numerous occasions to address the issues, they ignored all requests. After many years of failing to pay the taxes, Aiken County put the land on the tax sale lists. This was an Aiken County tax sale, and any questions about the sale itself could be answered by Aiken County.

The pond discharge pipe is currently connected to the new storm piping system that was recently installed behind the hotel located next to the pond. Historically, the pond had a series of pumps that were to come on once water reached a certain level. The pumps would pump the water from the pond to the ground behind it. The new configuration, is that if the pond fills to a certain level, water that leaves the pond will no longer discharge to the ground behind the pond, but into a storm system and taken to the existing Sweetwater Walmart pond system. The system still will need pumps to work properly. The pumps currently do not function and electricity to them is no longer provided by the power company.

We have a good bit of information on the parcel development, stormwater system, and other miscellaneous documents. I have attached pond detail documents. To get the file information, it would be best to send an email request for a Freedom of Information (FOIA) request for the documents. You may send the email to Ms. Jamie Paul (Jpaul@northaugustasc.gov) to request the documents through FOIA. She will guide you through that process.

On a positive note, there are several engineering firms that are familiar with the property and that may be able to assist you as you make decisions on the property. Once you receive the documents through the FOIA process, you will have the information needed to contact each of the firms that worked on the project in the past and you could possibly meet with them to discuss.

Thank you,
Tanya Strickland

Tanya Strickland
Stormwater Superintendent
City of North Augusta
100 Georgia Avenue
North Augusta, SC 29861
Phone: 803 441-4246
Cell: 803 474-2910
Fax: 803 441-4208

NOTICE: We have NEW email addresses: tstrickland@northaugustasc.gov
please update your contact.

<image001.jpg>

Please excuse typos as they are not intentional.

From: Padre Francisco Oñate-Vargas

Sent: Monday, January 22, 2024 10:48 PM

To: Canady, Michaela <MCanady@northaugustasc.gov>

Cc: Strickland, Tanya <TStrickland@northaugustasc.gov>

Subject: Parcel # 010-14-03-001

Dear Michaela,

It was nice to meet you today at the N. Augusta municipal building.

I had contacted Aiken county about this twice, but they told me to go to the city of North Augusta so I did.

You told me to email you so that you or someone else would provide more information about this property.

Parcel # 010-14-03-001

This property was obtained at the 2021 tax sale.

I paid **\$50,254.00 to Aiken county and \$3,887.16 to the city of North Augusta.**

The property shows is a retention pond and you told me that is an active pond which nearby businesses are using (a hotel, Zaxby's). I paid a lot of money for this and I don't think is fair to keep paying

taxes on a property that is useless for me and at the same time is being used by someone else.

You told me that the property has been auctioned several times before. Why does the city/county keep auctioning it up for sale if it's a retention pond? Who's responsible for maintaining it? You mentioned you'd email me more info about the property line and pipe lines. You also mentioned that a sump pump is being used to transfer water to another pond. Correct?

Again, any information regarding this property is greatly appreciated.

Please email me or feel free to call me.

Francisco Onate-Vargas

<Sweetwater Junction PH 1 Plat.jpg>

<Sweetwater Junction Ph I Pond Detail Drawing Parcel 010-14-03-001.pdf>

<010-14-03-001.pdf>