

# Local Governing Boards in Calhoun County – Information on Policies

## Freedom of Information Act (FOIA) Requests and Public Comments at Board Meetings

### With Some FOIA-Related Links

#### County Board of Commissioners

**FOIA Policy:** The county's current FOIA policy (last approved/revised 1997/10/02) is a 9-page PDF file. Not found on line.

**FOIA Charges:** 1-page PDF file (undated, but provided 2009/01/27). Not found on line.

**Copies:** \$0.0511 black & white; \$0.104 color. (In practice, for simple requests, a flat fee of 25¢ per page has been charged.)

**Labor:** "Hourly wage of the lowest paid County employee capable of retrieving the information necessary to comply with the request."

**Mailing:** Actual mailing cost.

**Note:** At its 2009/12/17 meeting, the board passed a "general appropriations resolution" – including adjustment of some fees, listed in an exhibit attached to the resolution. The exhibit does mention raising the fee for "Copy Costs – FOIA request" (under the department heading of the Corporation Counsel) to \$1.00 per page for the first ten pages + 50¢ per page after the first ten. But the exhibit also explicitly excludes statute-based fees. The FOIA statute and caselaw are clear on how FOIA fees must be calculated, and that FOIA fees may not exceed actual incremental costs. "A public body is not at liberty to simply 'choose' how much it will charge for records." *Tallman v Cheboygan Area Schools*, 183 Mich App 123, 130; 454 NW2d 171 (1990).

**FOIA Contact:** **Richard C. Lindsey, Jr.** – Corporation Counsel and FOIA Co-ordinator <[RLindsey@CalhounCountyMI.gov](mailto:RLindsey@CalhounCountyMI.gov)>  
(269) 781-0917 / fax (269) 781-0140

**Public Comment:** Board rules on "Citizens' Time": 1-page PDF file (undated, but provided 2009/01/27). Not found on line. Highlights: 2x/meeting (agenda & non-agenda items); go to podium, announce name & home community, speak for up to 5 minutes.

#### City Commissions/Councils

##### Albion City Council

**FOIA Policy:** The city's current FOIA policy (last approved/revised 1997/08/05) is 7 pages long (including forms). Not found on line, or available in electronic format from the city. (However, [jalp](#) has scanned a hard copy of the 4-page body of the policy into a PDF file.)

**FOIA Charges:**

**Copies:** For simple requests, a flat fee of 25¢ per page may be charged.

**Labor:**

**Mailing:**

**FOIA Contact:** **Kerry Helmick** – Finance Director/City Clerk (& FOIA Co-ordinator) <[KHelmick@ci.Albion.MI.US](mailto:KHelmick@ci.Albion.MI.US)> (517) 629-5535

**Public Comment:** Included in Council Rules (last approved/revised 2004/02/17) – 11 pages long. Not found on line. Highlights: "Citizens' Comments" 2x/meeting (agenda & non-agenda items); give name, address, and who you're representing if not yourself. May speak for up to 5 minutes (each session). "Proper protocol and decorum is required."

##### Battle Creek City Commission

**FOIA Policy:** The city's current FOIA policy (adopted 2000/12/05) is 4 pages long. The policy is not posted on the city's Website, and the city proposed to charge \$4.35 to put that policy and the public-comment policy into electronic form and e-mail it to jalp.

However, the policy is on line at the Michigan Municipal League Website: <http://www.MML.org/pdf/policies/FOIA-BattleCreek.pdf>

**FOIA Charges:**

**Copies:**

**Labor:** The proposed \$4.35 charge mentioned above was explained as based on ¼ hour of labor. "Charges for FOIA labor costs are determined by using the wages of the lowest, paid, full-time staff employee in my office capable of retrieving the requested information. Although the FOIA Policy is in Word Format and can easily be searched in our data base and forwarded. The employee will have to search the Public Comment policy in our ordinance and create a PDF file for you." (DLaser, 2009/01/27)

**Mailing:**

**FOIA Contact:** **Deidre Laser** – Clerk (& FOIA Co-ordinator)/Battle Creek City <[DALaser@ci.Battle-Creek.MI.US](mailto:DALaser@ci.Battle-Creek.MI.US)> (269) 966-3348

**Public Comment:** Detailed rules in Subsection XVII, § 212.02 (Rules of Procedure of the Commission) of the city's Codified Ordinances: [http://www.amlegal.com/nxt/gateway.dll/Michigan/battlecreek/parttwo-administrationcode/titlefour-legislation/chapter212/citycommissionmayor?f=templates\\$fn=document-frame.htm\\$3.0#JD\\_212.02](http://www.amlegal.com/nxt/gateway.dll/Michigan/battlecreek/parttwo-administrationcode/titlefour-legislation/chapter212/citycommissionmayor?f=templates$fn=document-frame.htm$3.0#JD_212.02) [this is all one **long** Webpage address]

Up to 3 minutes per opportunity (consent agenda, public hearings, specific ordinances/etc. if recognized, general comment).

## Marshall City Council

**FOIA Policy:** The city's current FOIA policy (last approved/revised 2005/07/07) is 2 pages long. It is available at the City's Website:  
[http://www.CityofMarshall.com/reference/refdocs/609-FOIA\\_policy\\_statement.pdf](http://www.CityofMarshall.com/reference/refdocs/609-FOIA_policy_statement.pdf)

**NOTE:** The City Council is scheduled to review the City's FOIA policy at a worksession scheduled for 6pm on 2010/05/03.

**FOIA Charges:** For "documents readily available to copy and/or twenty (20) pages or less": 25¢ per page + any actual mailing costs.

"For documents requiring research, compilation and copy time and/or greater than 20 pages":

Copies: 6¢ per page, single-sided; 8¢ per page, double-sided. (CDs, diskettes, videorecordings, etc. shall be charged at cost.)

Labor: Charged "at the rate of the [City's] lowest paid employee capable of performing the research, compilation and/or copying."

Mailing: Actual mailing costs.

**FOIA Contact:** **Trisha Nelson** – Deputy Clerk <[TNelson@CityofMarshall.com](mailto:TNelson@CityofMarshall.com)> City Hall: (269) 781-5183

or **Sandra Bird** – Clerk-Treasurer/Marshall City <[SBird@CityofMarshall.com](mailto:SBird@CityofMarshall.com)>

**Public Comment:** Up to 5 minutes on agenda items (before business), 5 minutes on non-agenda items (after business).

Longer presentations can sometimes be arranged. Council may ask persons involved in an agenda item to speak or ask questions.

For details, see Rules 6.2 (Public Participation) & 6.3 (Meeting Decorum), City Council Rules of Procedure (revised 2006/09/18):

[http://www.CityofMarshall.com/reference/refdocs/1267-Council\\_rules\\_of\\_procedure.pdf](http://www.CityofMarshall.com/reference/refdocs/1267-Council_rules_of_procedure.pdf) (8 pages, PDF format)

City Website has a **FOIA "front page"** linking to City's policy statement and FOIA request form, and a copy of the FOIA statute – but the links seem not to be working recently.

## Springfield City Council

**FOIA Policy:** No formal policy at present – but city may be considering establishing one. [per FPeterson, 2009/01/29]

**FOIA Charges:** "As a policy, we simply follow the provisions outlined in the act (i.e. wages of lowest paid person capable of

Copies: doing the work, copy costs per our fee schedule, and any actual costs involved in mailing or otherwise delivering

Labor: the document to the requested party). All FOIA requests are forwarded to the FOIA Administrator (me), and

Mailing: I respond w/in five business days. Remember that our business days are M-Th." [per FPeterson, 2009/01/29]

**FOIA Contact:** **Frank Peterson** – City Manager (& FOIA Co-ordinator) <[FPeterson@SpringfieldMich.com](mailto:FPeterson@SpringfieldMich.com)> (269) 965-2354

**Public Comment:** "Citizens Comments" period is after Council business & "Council Comments" on agenda, and just before adjournment.

## Township Boards

**Albion Township** [no response yet to request for policies]

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly **Thomas Frank** – Supervisor/Albion Township <[ThomasFrank3792@yahoo.com](mailto:ThomasFrank3792@yahoo.com)> (517) 629-2289

**Public Comment:** 2 opportunities (before & after main business); [up to] 2 minutes each time. [per latest mtg agenda, 2009/03/17]

**Athens Township** [no response yet to request for policies]

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly **Debera Denney** – Clerk/Athens Township <[ATFD278@aol.com](mailto:ATFD278@aol.com)> (269) 729-5305

**Public Comment:** "Citizens Time" before and after departmental reports, new & old business. [per latest mtg agenda, 2009/04/07]

**Bedford Charter Township** [no response yet to request for policies . . . e-mail problems may have delayed recognition of request]

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly **Alberta Duck** – Clerk/Bedford Charter Township <[Alberta@BedfordCharterTwp.com](mailto:Alberta@BedfordCharterTwp.com)> (269) 968-6917

**Public Comment:**

## Burlington Township

**FOIA Policy:** "Burlington Township follows the guidelines set in Section 4, MCL 15.234." [per DMack, 2009/02/03]

**FOIA Charges:**

Copies: "Our fee calculations are as follows: 10 cents per copy to cover paper and copying costs;

Labor: our lowest paid clerical staff is paid \$12.00 per hour which would be applied to any time used for FOIA."

Mailing: [per DMack, 2009/02/03]

**FOIA Contact:** possibly **Darlene Mack** – Clerk/Burlington Township <[DMack@UnionCitySchools.org](mailto:DMack@UnionCitySchools.org)>

or **Thomas Case** – Supervisor/Burlington Township <[ThomasCase@rocketmail.com](mailto:ThomasCase@rocketmail.com)> Township office: (517) 765-2323

**Public Comment:** "Comments from the Audience" after consent agenda, then "Comments from the Audience on Discussion Items".

"This meeting is a meeting of the Township Board in public for the purpose of conducting the townships business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda items (5) and (7)." [per latest mtg agenda, 2009/03/12]

**Clarence Township** [no response yet to request for policies . . . but agendas are reportedly prepared on a typewriter, so  
**FOIA Policy:** it seems not very likely that the policies are available in an electronic form]  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Sheryl Proteau** – Clerk <[SProteau@springcom.com](mailto:SProteau@springcom.com)> OR <[Clarence\\_Twp@springcom.com](mailto:Clarence_Twp@springcom.com)> (517) 857-2288  
**Public Comment:**

**Clarendon Township** [no response yet to request for policies . . . possible change in personnel?]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Sharla Vincent** – Clerk <[ClarendonClerk@yahoo.com](mailto:ClarendonClerk@yahoo.com)> Township office (517) 767-4772  
or **Pat Burgett** <[angelgrams5@yahoo.com](mailto:angelgrams5@yahoo.com)>  
**Public Comment:**

**Convis Township** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Julia Schafer** – Supervisor/Convis Township <[TopBossLaw@yahoo.com](mailto:TopBossLaw@yahoo.com)> (269) 789-0654  
**Public Comment:** Up to 3 minutes before main business; up to 5 minutes after business. [per latest mtg agenda, 2009/01/13]

**Eckford Township:** No formal policy at present – but “in the process of adopting a new/current FOIA policy”. [per KHinkley, 2009/01/30]  
**FOIA Policy:** “[A]t this time there is no charge policy. . . . As soon as one is adopted I would be glad to let you know.” [2009/01/30]  
**FOIA Charges:** FOIA policy/fee schedule proposed for 2009/03/16 agenda; adopted with one change (20¢ per page for faxes).  
Copies: 20¢ per letter-size page, 25¢ per legal-size page (on township’s copier); \$2 per computer disk.  
Labor: \$10 per hour (with the limitations mentioned in Section 14 of the Michigan Freedom of Information Act, MCL 15.244).  
Mailing:  
**FOIA Contact:** possibly **Kimberly Hinkley** – Clerk/Eckford Township <[EckfordTwpClerk@aol.com](mailto:EckfordTwpClerk@aol.com)> (269) 781-9222  
**Public Comment:** “As far as our Citizens Comment we have followed the guidelines of our MTA handbooks. We limit the amount of time to speak if we have many constituents in our audience.” [per KHinkley, 2009/01/30]

**Emmett Charter Township** [request for policies acknowledged by GMaichele via e-mail 2009/01/26, but no other response yet]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Gloria Maichele** – Clerk/Emmett Charter Township <[GMaichele@emmett.org](mailto:GMaichele@emmett.org)> (269) 968-0241  
**Public Comment:** Comment periods before and after main business – but “[c]omments regarding issues on the agenda must be reserved until the issue is being addressed. Persons who wish to make comments must be recognized by the meeting chairperson and are asked to speak from the podium. Comments are not limited to a single subject, but are limited to three (3) minutes total. The meeting chairperson can further limit time if comments become redundant.” [per latest mtg agenda, 2009/01/06]

**Fredonia Township** [no response yet to request for policies; however, 1-page PDF FOIA request form is available online at  
**FOIA Policy:** [http://www.FredoniaTownship.com/FOIA\\_Request\\_Form.pdf](http://www.FredoniaTownship.com/FOIA_Request_Form.pdf)  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Ruth Albaugh** – Clerk/Fredonia Township <[Clerk@FredoniaTownship.com](mailto:Clerk@FredoniaTownship.com)> (269) 781-8115  
**Public Comment:**

**Homer Township**  
**FOIA Policy:** No policy statement as such – but township adopted fee-structure resolution in 1999. (All these 1999 documents  
Other forms also date to 1999: fee worksheet, denial form, and notice to expand response time. are in MS Word .DOC files.)  
**FOIA Charges:** Per fee-structure resolution adopted in 1999 [per JJohnson, 2009/01/25]  
Copies: 20¢ per page; \$2 per computer disk.  
Labor: \$10 per hour.  
Mailing: “Cost of current postal rates & mailing materials.”  
**FOIA Contact:** possibly **Jennifer Johnson** – Clerk/Homer Township <[HomerTwnshp@broadstripe.net](mailto:HomerTwnshp@broadstripe.net)> (517) 568-5730  
**Public Comment:** 3 minutes on non-agenda items near start of meeting (“Public Voice” time); Board may add time at end of meeting.  
Citizens can also speak one time for 3 minutes on each agenda item after Board discussion and before the Board votes.  
[per “Public voice policy statement” adopted 1999/12/14 – 1 page, MS Word .DOC file]

**Lee Township** [no response yet to request for policies . . . but agendas are reportedly not preserved in electronic  
**FOIA Policy:** form, so it seems not very likely that the policies are available in an electronic form]

**FOIA Charges:** Copies / Labor / Mailing [Note: The township initially quoted a price of \$13.42 for mailing a copy of a 1-page agenda (including \$10 for a minimum charge of 1 hour's worth of labor).]

**FOIA Contact:** Clayton Boesen – Clerk & FOIA Administrator/Lee Township <[LeeTwp@sbcglobal.net](mailto:LeeTwp@sbcglobal.net)> (269) 749-9292

**Public Comment:** Opportunities provided before and after main block of business. [per latest agenda taken at meeting, 2009/02/04]

**Leroy Township** 2004 FOIA, public-comment policies combined in a 2-page file (MS Word .DOC format from township, PDF from jalp).

**FOIA Policy:**

**FOIA Charges:** other details: Twp Bd will review paper/copying costs annually; labor cost to Twp unreasonably high if est. >60 minutes

Copies: from the FOIA policy adopted in 2004: "The fee schedule is 5[ ]cents a page for copies and

Labor: an hourly fee based on the lowest paid person in our office which is currently \$ 9.25[ ]/hr." [per SGasser, 2009/02/03]

Mailing: "[T]he fee charged shall also recognize postage, mailing, facsimile and floppy disc costs[.]"

**FOIA Contact:** possibly Sharon Gasser – Clerk/Leroy Township <[Clerk@LeroyTownship.org](mailto:Clerk@LeroyTownship.org)> (269) 979-9421

**Public Comment:** Up to 2 minutes "Citizens Time" to address the board on any item that is not on the agenda. Members of the public may also address a specific agenda item at the time that the item is taken up by the board for up to 2 minutes. "When all persons who wish to address that agenda item have been heard, the supervisor shall announce that public comment on the agenda item is concluded. Board members shall then discuss the agenda item, and no further public comment shall be entertained."

[per policy 2.4(e) "Public Participation (Board of Trustee Meetings)", adopted 2004 and forwarded to jalp by SGasser 2009/02/03]

**Marengo Township** In response to *jalp*'s initial agenda-subscription request, township initially offered only a hard-copy subscription, which it claimed would cost it \$30 for 6 months. At last report (roughly a year ago), the township was "looking into what it can legitimately do" (noting that it does not have a Website, but some Board members have e-mail).

**FOIA Policy:**

**FOIA Charges:**

Copies:

Labor:

Mailing:

**FOIA Contact:** Robert Brownell – Supervisor (& FOIA Chair, according to a hard-copy message 2009/01/09) (269) 781-8422

can be reached by e-mail c/o Doreen VanSickle – Clerk/Marengo Township <[DSickle\\_2000@yahoo.com](mailto:DSickle_2000@yahoo.com)>

**Public Comment:** 1 opportunity – after Board Comments, before Adjournment; "individuals will be limited to 5 minutes of comments." [per latest mtg agenda seen, picked up by hand at the meeting 2009/01/27]

**Marshall Township** [request for policies was denied; documents "do not exist under this name or a reasonable similar name"]

**FOIA Policy:**

**FOIA Charges:**

Copies:

Labor:

Mailing:

**FOIA Contact:** possibly Cynthia Sink -- Clerk/Marshall Township <[Marshall\\_Twp@sbcglobal.net](mailto:Marshall_Twp@sbcglobal.net)> (269) 781-7976

**Public Comment:** "As for the citizens comment policy the board has always allowed folks to speak their mind. If Gene sees there are a lot of people at the meeting he will ask why they are there and may, with the agreement of the board, set a time limit for people to speak. The only time it happened I believe he set five minutes. I do believe we will put this into a written policy so in the future so all will know." [per CSink, 2009/02/03]

**Newton Township** "At this time we do not have a written policy on FOIA requests. We handle any requests we get as the State of Michigan requires. We are in the process of updating our Policies and Procedures."

**FOIA Policy:**

**FOIA Charges:**

Copies / Labor / Mailing

[per MAldrich, 2009/03/31]

**FOIA Contact:** possibly Mary Aldrich -- Clerk/Newton Township <[NewtonClerk@comcast.net](mailto:NewtonClerk@comcast.net)> (269) 979-3212

**Public Comment:** 1 opportunity, before reports and old/new business; time limit unknown. [per latest mtg agenda, 2009/03/10]

**Pennfield Charter Township**

**FOIA Policy:** A 3-page copy of Resolution 00-45 (adopted 2000/04/11), which set a fee schedule for FOIA requests, is now available in electronic format. (KCase faxed it to jalp 2009/02/03; he put the images of the pages into a PDF file and sent the file back to KCase.)

**FOIA Charges:** These are the most common charges (the resolution also adopted some special prices for specialized items).

Copies: 50¢ per standard-size page (letter- or legal-size, one- or two-sided).

Labor: "Hourly wages of lowest paid Township employee capable of retrieving the information necessary to comply with a request."

Mailing: "Actual cost of postage will be charged for anything that is requested to be mailed."

**FOIA Contact:** Rob Behnke – Township Supervisor (& FOIA Co-ordinator) <[Rob@PennfieldTwp.com](mailto:Rob@PennfieldTwp.com)> (269) 968-8549

alternate: Kathleen R. Case – Clerk/Pennfield Charter Township <[clerk@PennfieldTwp.com](mailto:clerk@PennfieldTwp.com)>

**Public Comment:** A 2-page "Public Participation" policy document is now available in electronic format.

(KCase faxed it to jalp 2009/02/03; he put the images of the pages into a PDF file and sent the file back to KCase.) Highlights: Participation allowed at start & end of meeting, and during an agenda item with OK of person presiding. 5-minute limit per statement. Speaker must give name (and group affiliation if applicable), must be recognized by presiding person & direct all remarks to her/him.

**Sheridan Township** The township uses Michigan Township Association FOIA costing guidelines – “with the pricing of all materials depending on who has to compile the materials[ ] (If I have time then I do it at no cost[;] if my secretary has to do it, then there is a cost) and of course a cost for printing and paper.” [per BHeisler, 2009/01/24]  
**FOIA Policy:**  
**FOIA Charges:** Copies: [MTA guidelines (revised January 2008) are available at <http://www.MichiganTownships.org/FOIA.asp>;  
Labor: or directly at [http://www.MichiganTownships.org/downloads/2008\\_FOIA\\_policy\\_with\\_forms.doc](http://www.MichiganTownships.org/downloads/2008_FOIA_policy_with_forms.doc);  
Mailing: it's a 32-page MS Word .DOC file, but it doesn't include a "policy statement" as such]  
**FOIA Contact:** possibly **Brenda Heisler** – Clerk/Sheridan Township <[BBHeisler@yahoo.com](mailto:BBHeisler@yahoo.com)> (517) 629-2604  
**Public Comment:** A 3-minute rule[limit?] for comments, with identification and address of those speaking. [per BHeisler, 2009/01/24]

**Tekonsha Township** [request for policies was denied; documents “do not exist under this name or a reasonable similar name”]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** **Sharon Drumhiller** – Supervisor (& FOIA Co-ordinator) <[TekTwpSup@charterinternet.com](mailto:TekTwpSup@charterinternet.com)> (517) 767-3366 or -4234  
**Public Comment:** 1 opportunity, before approval of agenda or other business. [per latest mtg agenda, 2009/03/02]

## Village Boards

**Athens Village** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Bonnie Conant** – Clerk/Athens Village <[BonnieJC44@aol.com](mailto:BonnieJC44@aol.com)> (269) 729-5515  
**Public Comment:**

**Burlington Village** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Darlene Mack** – Clerk/Burlington Village <[DMack@UnionCitySchools.org](mailto:DMack@UnionCitySchools.org)> (517) 765-2787  
**Public Comment:**

**Homer Village** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Teresa Hayes** – Clerk/Homer Village <[clerk@HomerMich.org](mailto:clerk@HomerMich.org)> (517) 568-4321  
**Public Comment:**

**Tekonsha Village** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Sara Miller** – Clerk <[TekVillMI@cbpu.com](mailto:TekVillMI@cbpu.com)> (517) 767-3725 or Village office (517) 767-4204  
**Public Comment:**

## School Boards

### Calhoun Intermediate School District

**FOIA Policy:** Policy AG 8310A “Public Records” (undated, 2 pages, PDF) was forwarded by ReNae Anderson 2009/02/03.

**FOIA Charges:**

Copies: “no more than the actual cost for the duplication plus

Labor: any applicable clerical costs which will be charged at an hourly rate equal to the lowest paid full-time staff member

Mailing: capable of retrieving the information being sought by the requestor.” [sic]

**FOIA Contact:** **Rebecca Rocho** – Assistant Superintendent (& FOIA Co-ordinator) <[RochoB@CalhounISD.org](mailto:RochoB@CalhounISD.org)> (269) 789-2450

**Public Comment:** Policy 0167.3 “Public Participation at Board Meetings” was last revised 2004/06/28.

It and a few other meeting-related policies (3 pages, PDF) were forwarded by ReNae Anderson 2009/02/03. Highlights:

3-minute limit per speaker; 15 minutes total time for public participation unless presiding officer extends that time at her/his discretion.

Speakers must be acknowledged by presiding officer; address the chair; and give name, address, and group affiliation if relevant.

Anyone may offer an item for the CISD agenda; must offer at least 10 days before meeting, get OK from Supt. & Board President.

### Kellogg Community College

**FOIA Policy:** Adopted by Board of Directors 2/17/2009; forwarded by Jamie Kline, Executive Assistant to the President, 3/12/2010.

**Copies:** "Copy fees will be charged at the rate of \$.25 per sheet." (If copying must be done off-site, actual costs.)

**Labor:** "The College may charge the cost of labor as permitted by the Act and determined by the FOIA Coordinator based on Section 15.234 of the Act, using the wages of the lowest paid, full-time public body employee capable of retrieving the records requested."

**Mailing:** "The College may charge the exact cost of postage, envelopes, or other containers used for mailing copies of the requested public records."

**FOIA Contact:** The FOIA Co-ordinator is the president, now Dr. G Edward Haring <[HaringE@Kellogg.edu](mailto:HaringE@Kellogg.edu)> (269) 965-3931 x2203.

**Public Comment:** The first agenda received lists periods for public comment before and after the "Action Items" section – but does not say in so many words how long anyone may speak at either session, or for what.

### **Albion Public Schools**

**FOIA Policy:** Policy statement 8310 last revised 2006/12/12. Text of statement & fee information forwarded by SArmistead 2009/01/27.

#### **FOIA Charges:**

**Copies:** "no more than the actual cost for the duplication plus

**Labor:** any applicable clerical costs which will be charged at an hourly rate equal to the lowest paid full-time staff member

**Mailing:** capable of retrieving the information being sought by the requester."

**FOIA Contact:** possibly **Susan Armistead** -- Administrative Assistant to Superintendent <[SArmiste@Albion.K12.MI.US](mailto:SArmiste@Albion.K12.MI.US)> (517) 629-9166

**Public Comment:** After "Agenda for Discussion and Action", before board/staff announcements. [per latest mtg agenda, 2009/03/10]  
"Citizen statements and comments: Speakers should identify themselves and keep remarks succinct."

### **Athens Area Schools**

[no response yet to request for policies]

#### **FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly **Diana Casselman** – Executive Secretary <[CasselD@Athens.K12.MI.US](mailto:CasselD@Athens.K12.MI.US)> (269) 729-5427

#### **Public Comment:**

### **Battle Creek Public Schools**

[no response yet to request for policies]

#### **FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly **Nichole Greene** – Administrative Secretary <[NGreene@Battle-Creek.K12.MI.US](mailto:NGreene@Battle-Creek.K12.MI.US)> (269) 965-9466

#### **Public Comment:**

### **Bellevue Community Schools**

[no response yet to request for policies]

#### **FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly **Diane Bass** – Administrative Assistant <[DBass@Bellevue-Schools.com](mailto:DBass@Bellevue-Schools.com)> (269) 763-9432

#### **Public Comment:**

### **Harper Creek Community Schools**

FOIA, public-comment policies combined in one 3-page MS Word .DOC file.

Policies undated; document forwarded by Executive Secretary to the Superintendent Gail Braman 2009/01/30.

**FOIA Policy:** "The Superintendent shall charge a fee to cover actual costs of providing

**FOIA Charges:** Copies / Labor / Mailing access to and/or copies of public records in accord with law."

**FOIA Contact:** **John Severson** – Superintendent (& FOIA Co-ordinator) <[SeversonJ@HarperCreek.net](mailto:SeversonJ@HarperCreek.net)> (269) 441-6555

**Public Comment:** 1 opportunity for "Citizens' Input"; comes before consent agenda, action items. [per latest mtg agenda, 2009/03/09]

Each speaker may give name & address. Speakers representing a group should say whether comments are group's official position.

Up to 5 minutes per speaker, unless there are enough speakers to exceed the total 30-minute time limit for all public comments.

In that case, Board President can limit speakers to 3 minutes each or Board can extend the total time limit.

If a delegation wants to present comments, up to 5 members can speak for a total of 15 minutes.

### **Homer Community Schools**

FOIA, public-comment policies combined in one 12-page PDF file.

Policies adopted 2002/03/18; document forwarded by Executive Secretary to the Superintendent Sharron Edler 2009/02/06.

#### **FOIA Policy:**

**FOIA Charges:** Copies: 7¢ per page (unless the job must be done using outside copying equipment; in that case, actual cost).

**Labor:** "Labor costs incurred in duplication and mailing assessed at the hourly wage of the lowest paid employee of the District capable of retrieving, copying, and mailing the information necessary to comply with the request." (+ research/etc cost if over \$20)

**Mailing:** "Actual mailing costs."

**FOIA Contact:** **Rob Ridgeway** – Superintendent (& FOIA Co-ordinator) <[RidgRo@HomerSchools.net](mailto:RidgRo@HomerSchools.net)> (517) 724-9331

alternate: **Kathy Mills** – Finance//Homer Community Schools <[MillKa@HomerSchools.net](mailto:MillKa@HomerSchools.net)> (517) 724-9332

**Public Comment:** 1 opportunity for "Public Participation"; comes before any reports or action items. [per latest mtg agenda, 2009/03/16]

Each speaker may give name & address. Speakers representing a group should say whether comments are group's official position.

Up to 5 minutes per speaker, or up to 5 members of a delegation speaking for 15 minutes total. But if there are enough speakers to exceed 30 minutes for all public comments, Board President can limit speakers to 3 minutes each or Board can extend total time limit.

### **Lakeview School District**

**FOIA Policy:** 1-page administrative guideline (AG) 8310A on "Public Records" & FOIA forwarded in PDF format by CRuble 2009/01/27.

**FOIA Charges:** 1-page explanation of fees forwarded in PDF format by CRuble 2009/01/27. (Latest revision June 2008, per policy: "The per copy and hourly wage costs shall be reviewed and published so that they reflect the current actual costs.")

**Copies:** "Actual incremental cost of duplication or publication @ \$.05 per page".

**Labor:** "[Costs for duplication, mailing, search, examination, review, deletion and separation of exempt from non-exempt information at the current hourly wage of the School District's lowest paid employee who is capable of retrieving the information necessary to comply with a request under the Freedom of Information Act." Except for duplication, labor is not charged unless over \$20.

**Mailing:** "Actual mailing cost billed [at] the U.S. postage rate".

**FOIA Contact:** Karen Dysinger – Admin. Exec. Sec'y to Sup't (& FOIA Co-ordinator) <[KDysinger@LakeviewSpartans.org](mailto:KDysinger@LakeviewSpartans.org)> (269) 565-2411

**Public Comment:** 2 times on the agenda for public comments, one toward the beginning of the agenda and the other toward the end. 3-5 minutes/person (or 15 minutes/1 person for group), 30 minutes total; President can cut time per person, Board can add total time. Speaker must give name, address; if representative of group, must say if her/his comments are the group's official position.

### **Mar-Lee Schools**

**FOIA Policy:**

**FOIA Charges:** "For the Mar Lee School I have no specific policies, o[u]r intent is to simply comply with the law

and your request. There will probably be no billing unless you make a request that requires

Labor: a significant amount of work at my end." [per WLeTarte, 2009/01/26]

Mailing:

**FOIA Contact:** possibly William LeTarte – Superintendent/Mar-Lee Schools <[LeTarteW@Mar-Lee.org](mailto:LeTarteW@Mar-Lee.org)> (269) 781-5412

**Public Comment:** "Items from the Public" ("Prior" and then "New") after main business, before comments from board and administration.

### **Marshall Public Schools**

**FOIA Policy:** Should be on line at <http://www.neola.com/MarshallPublic-MI/search/policies/po8310.htm> – but wrong page is posted.

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly Kimberly VanWormer – Sec'y to the Sup't <[KVanWormer@Marshall.K12.MI.US](mailto:KVanWormer@Marshall.K12.MI.US)> (269) 781-1250, ext. 1105

**Public Comment:** MPS by-laws section 0160 on "Meetings" in general, including 0167.3 on "Public Participation at Board Meetings", is on line at <http://www.neola.com/MarshallPublic-MI/search/policies/po0160.htm> (0167.3 is on pages 6-8 of 12). Highlights:

Speaker must give name, address; if representative of group, must say if her/his comments are the group's official position.

60 minutes total, 3 minutes per person (Board can vote to extend the overall time).

Anyone may offer an item for the agenda; must offer at least 14 days before meeting, get OK from Supt. & Board President.

2 opportunities to speak: on agenda items only before business, and general "Public Comment" after all business is done.

### **Olivet Community Schools**

**FOIA Policy:** 2009/01/26 e-mail from TMontague suggests "Board Policy #2810 Public Review and Inspection of Records that outlines our district's fee structure" – and other policy documents – are available in hard copy only.

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly Teresa Montague – Secretary to the Superintendent <[MontagT@OlivetSchools.org](mailto:MontagT@OlivetSchools.org)> (269) 749-9129

**Public Comment:** 2 chances for "Public Input" – before and after business items. [per latest mtg agenda, 2009/03/09]

### **Pennfield Schools**

[no response yet to request for policies]

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly Kathy Swartz – Receptionist/Technology <[SwartzK@Pennfield.net](mailto:SwartzK@Pennfield.net)> (269) 441-5531

**Public Comment:**

### **Tekonsha Community Schools**

**FOIA Policy:** "[W]e do not have the 'procedures and guidelines' or the 'policy on comments by citizens' on electronic file."

**FOIA Charges:** Copies / Labor / Mailing [per MUpston, 2009/01/29]

**FOIA Contact:** possibly Madilyn Upston – Admin. Sec'y to the Sup't <[MUpston@Tekonsha.K12.MI.US](mailto:MUpston@Tekonsha.K12.MI.US)> (517) 767-4121, ext 300

**Public Comment:** "Teacher/Citizens Time" after business, before administrative reports. [per latest mtg agenda, 2009/01/29]

### **Union City Community Schools**

<dblchk <http://www.UnionCitySchools.org/>>

**FOIA Policy:** UCCS "Public Records" policy #8310 (1 page, PDF, revised 2006/04/17) forwarded by administrative assistant Kelly AcMoody 2009/02/05 – along with UCCS administrative guideline (AG) #8310A specifically on FOIA procedure (2 pages, PDF, undated).

#8310 is on line in HTML format, at <http://www.neola.com/UnionCity-MI/search/policies/po8310.htm>; #8310A not found on line.

**FOIA Charges:** "Upon written request, copies of said records shall be provided for a fee which will be

**Copies:** no more than the actual cost for the duplication plus

**Labor:** any applicable clerical costs which will be charged at an hourly rate equal to the lowest paid fulltime staff member

**Mailing:** capable of retrieving the information being sought by the requester."

**FOIA Contact:** Patrick Kreger – Superintendent (& FOIA Co-ordinator) <[PKreger@UnionCitySchools.org](mailto:PKreger@UnionCitySchools.org)> (517) 741-3300

**Public Comment:** UCCS by-laws section 0160 on "Meetings" (revised 2004/05/17), including 0167.3 on "Public Participation at Board Meetings", is on line at <http://www.neola.com/UnionCity-MI/search/policies/po0160.htm> (0167.3 on pages 6-8 of 12). Highlights:

Speaker must give name, address; if representative of group, must say if her/his comments are the group's official position.

30 minutes total, 5 minutes/person (presiding officer can extend total time at her/his discretion or Board can suspend rules).

Anyone may offer an item for the agenda; must offer at least 7 days before meeting, get OK from Supt. & Board President.

2 opportunities for "Comments from the Audience": before action items and after discussion items.

*The next three listings are for charter schools (public school academies), which are publicly funded and thus are subject to FOIA.*

**Arbor Academy/Battle Creek** [no response yet to request for policies]

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly via general e-mail for Arbor Academy/Battle Creek <[information@Arbor-Academy.org](mailto:information@Arbor-Academy.org)> (269) 963-5851

**Public Comment:**

### **Endeavor Charter Academy**

**FOIA Policy:** "In response to your recent request related to the Freedom of Information Act and MCL 15.234, we follow procedures and guidelines as outlined in this legislation." [per AAnderson, 2009/01/28]

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly Amy Anderson – Board Relations Co-ordinator/National Heritage Academies (sponsor) <[AAnderson@HeritageAcademies.com](mailto:AAnderson@HeritageAcademies.com)> (877) 223-6402, extension 2836 to NHA; (269) 962-9300 to Endeavor

**Public Comment:** No specific rules adopted, but the time period for comments is typically at the end of a meeting (as shown on the agenda). Citizens are expected to address the board in a respectful manner. [per AAnderson, 2009/01/28]

### **Marshall Academy**

**FOIA Policy:** "I have sent a note to our board liaison to ask about the policies that you mentioned." [per BSwan, 2009/02/04]

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly Brent Swan – Headmaster/Marshall Academy <[BSwan@MarshallAcademy.org](mailto:BSwan@MarshallAcademy.org)> (269) 781-6330

**Public Comment:** "I have sent a note to our board liaison to ask about the policies that you mentioned." [per BSwan, 2009/02/04]

*The next three listings are for religious schools, not publicly funded and thus not subject to FOIA; jalp asked if they had similar policies.*

**Battle Creek Area Catholic Schools** [no response yet to request for policies]

**Records Policy:**

**Charges for Records:** Copies / Labor / Mailing

**Records Contact:** Father John Fleckenstein – Pastor Administrator/BCACS <[FatherJohn@BCACS.org](mailto:FatherJohn@BCACS.org)> (269) 963-1131

**Public Comment:**

**Battle Creek Christian School** [no response yet to request for policies]

**Records Policy:**

**Charges for Records:** Copies / Labor / Mailing

**Records Contact:** Battle Creek Christian Schools <[info@BCChristian.org](mailto:info@BCChristian.org)> (269) 963-0649 or (269) 963-7936

**Public Comment:**

### **Calhoun Christian School**

**Records Policy:** [no response yet to request for records policy]

**Charges for Records:** Copies / Labor / Mailing

**Records Contact:** Rick Weesner – President/Board of Directors <[RWeesner@CalhounChristian.org](mailto:RWeesner@CalhounChristian.org)> (269) 965-5560

**Public Comment:** Ask board president in writing (e-mail OK) 1 week in advance, for approval to address board; outline purpose/content of remarks. Addresses usually scheduled near start of meeting; generally, there is a 5-minute time limit. [per RWeesner, 2009/01/24]

## **Library Boards**

**Albion District Library** [no response yet to request for policies]

**FOIA Policy:**

**FOIA Charges:** Copies / Labor / Mailing

**FOIA Contact:** possibly Kathleen Seidl – Administrative Assistant <[KSeidl@AlbionLibrary.org](mailto:KSeidl@AlbionLibrary.org)> (517) 629-3993

**Public Comment:**

**Athens Community Library** < **no request made yet** . . . because no electronic contact information is known >  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Diane K. Garlets** – Director [no electronic contact information known] (269) 729-4479  
**Public Comment:**

**Burlington Township Library** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Rosemary Mottinger** – Director <[BurlingtonLibrary@CharterInternet.com](mailto:BurlingtonLibrary@CharterInternet.com)> (517) 765-2702  
**Public Comment:**

**Homer Public Library** [no response yet to request for policies]  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Sandi Van Wert** – Director/Homer Public Library <[HPL@cablespeed.com](mailto:HPL@cablespeed.com)> (517) 568-3450  
**Public Comment:** No specific time allotted to public comments on latest meeting agenda [2009/03/23].

**Marshall District Library**  
**FOIA Policy:** “FOIA requests are promptly responded to in writing and/or electronically. Any costs to the requestor are spelled out  
**FOIA Charges:** in the initial response and payment of those costs must be received prior to the delivery of the requested information.  
Copies: Response to any FOIA request that takes less than 15 minutes to complete is considered free of cost to the requestor. Re-  
Labor: sponses requiring more than 15 minutes of staff time to process, printing, photocopying, and/or mailing charges, are billed at  
Mailing: the actual rate of cost. Employee pay rates are used to calculate the cost of [ ]staff time. . . .” [per LSt.Laurent, 2009/01/26]  
**FOIA Contact:** **Laurie St. Laurent** – Director (& FOIA Co-ordinator) <[StLaurentL@MarshallDistrictLibrary.org](mailto:StLaurentL@MarshallDistrictLibrary.org)> (269) 781-7821 ext 11  
**Public Comment:** “Comments from the Public” near end of agenda, just before adjournment. [per latest mtg agenda, 2009/03/10]

**Tekonsha Township Public Library** < **no request made yet** . . . because no electronic contact information is known >  
**FOIA Policy:**  
**FOIA Charges:** Copies / Labor / Mailing  
**FOIA Contact:** possibly **Leslie B. Waltz** – Director [no electronic contact information known] (517) 767-4769  
**Public Comment:**

**Willard Public Library** 7 pages of PDF scans from policy manual (revised January 2006) e-mailed by Amanda Paffhausen 2009/01/27.  
**FOIA Policy:** Policies are posted on line at library’s Website, but the information does not appear to be accessible to the public.  
**FOIA Charges:** “. . . the expense shall not exceed the actual cost of making copies, mailing the response, and the actual costs  
Copies: of an employee’s time in examining, reviewing, and duplicating the public records requested. The fee to be charged  
Labor: shall be based on the lowest paid employee’s salary who is capable of retrieving the information necessary to  
Mailing: comply with the request.”  
**FOIA Contact:** **Rick Hulsey** – Library Director (& FOIA Co-ordinator) <[RHulsey@Willard.Lib.MI.US](mailto:RHulsey@Willard.Lib.MI.US)> (269) 968-8166  
**Public Comment:** Item II (of VIII) on the basic order of business for regular meetings. President sets guidelines at each meeting to:  
1) give attendees equal chance to be heard; 2) maximize value of information provided; 3) avoid/reduce repetition or redundancy.

**FOIA-Related Links**

Michigan FOIA (& bills affecting it) <http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=mcl-Act-442-of-1976>

This Webpage has links to individual sections of the statute – but the features toward the top of the page may be of use to you, too.  
You can get full “renderings” of the text (including the latest updates done) in HTML or PDF file format . . . and you can link to the rest of the Michigan Legislature’s Website for information on bills proposed that would change the Freedom of Information Act.

Attorney General’s list of key FOIA cases (up to 1998) [http://www.Michigan.gov/AG/0,1607,7-164-17337\\_18160-51245--,00.html](http://www.Michigan.gov/AG/0,1607,7-164-17337_18160-51245--,00.html)  
Attorney General’s opinions related to FOIA (up to 1998) [http://www.Michigan.gov/AG/0,1607,7-164-17337\\_18160-51244--,00.html](http://www.Michigan.gov/AG/0,1607,7-164-17337_18160-51244--,00.html)  
Unfortunately, these have not been updated recently.

Michigan Freedom of Information Committee <http://www.MFOIA.org> [but note: Website suspended as of 2009/03/20]  
This group has collected information from more recent court opinions on Michigan’s FOIA statute. Unfortunately, the site is suspended. The site formerly had Webpages with information on cases from 1997-1999, 2000-2002, 2003-2005, and 2006. *jalp* has contacted both this committee and its national umbrella committee for an update of the state group’s status, and gotten permission to post

this material [on this Website](#). Another inquiry (about possible new cases since 2006 to post, and other updates) is now pending.

If you have more ideas or suggestions – or if you see something here that needs to be corrected – *please contact* **John Anthony La Pietra** via:

e-mail: [<jalp@triton.net>](mailto:jalp@triton.net)

phone: (269) 781-9478

mail: 386 Boyer Court / Marshall, MI 49068

last updated: 4pm March 19, 2010

back to [jalp's home page](#)