



CHARTER TOWNSHIP OF INDEPENDENCE FREEDOM OF INFORMATION ACT (FOIA) POLICY

POLICY ESTABLISHING PROCEDURES, GUIDELINES AND FEES REGARDING FREEDOM OF INFORMATION ACT (FOIA) REQUESTS

A person may submit a written request to inspect, copy, or receive copies of public records from the Township and its departments pursuant to the Michigan Freedom of Information Act, being Public Act No. 442 of 1976, as amended (referred to in this policy as the "FOIA"). This policy is adopted under and pursuant to the FOIA; PA 563 of 2014.

PREAMBLE: Statement of Principles

In accordance with FOIA, it is the policy of the Charter Township of Independence (referred to in this policy as the "Township") that all persons, except those incarcerated, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The Township's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair and impartial manner regardless of who makes such a request.

The Township acknowledges that it has a legal obligation to disclose all non-exempt public records in its possession pursuant to a FOIA request. The Township acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

The Township shall protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The Township's policy is to disclose public records consistent with and in compliance with State law.

The Township Board has established the following policy with specific written procedures and guidelines for implementing the FOIA. The Township Board authorized the Township Clerk to create a summary of the FOIA policy for distribution to the public regarding how to submit requests for public records which also including but not limited to concise explanations about the Township's written responses, deposit requirements, fee calculations, and available options for appeals. The FOIA summary shall be written in a manner that can be easily understood by the public.

A. DESIGNATED FOIA COORDINATOR

Pursuant to the authority of MCL 15.236, the Township Clerk is the designated FOIA Coordinator. The FOIA Coordinator is authorized to designate other Township staff to act on his/her behalf to accept and process written requests for the Township's public records. **ALL DENIALS** shall be considered by the FOIA Coordinator based on relevant facts received from each department and upon consultation with the Township's General Counsel as necessary. The FOIA Coordinator shall approve denials subject to FOIA; PA 563 of 2014 and all administrative rules adopted by the Township Board.

B. GENERAL POLICIES

1. The FOIA Coordinator may implement administrative rules, consistent with State law to administer the acceptance and processing of FOIA requests.
2. The Township is not obligated to create a new public record or make a compilation or summary of information which does not already exist.

3. The FOIA Coordinator and/or Township staff are not obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.
 4. The FOIA Coordinator shall keep a log and a copy of all written requests for public records received by the Township on file for a period of at least one year.
 5. The Township shall make the **FOIA Freedom of Information Act Policy** and **FOIA Policy Summary** available to the public without charge.
 6. Pursuant to the FOIA, the Township's **FOIA Freedom of Information Act Policy** and **FOIA Policy Summary** is maintained on its website at: www.indtwp.com. The Township's website address (URL-Uniform Resource Locator) shall be provided on the Township's response in lieu of providing paper copies of the policy and summary with each request.
-

C. REQUEST FOR PUBLIC RECORDS UNDER THE FOIA

1. Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Township may be submitted as follows:
 - a. On the **FOIA Request for Public Records Form**; or
 - b. In any other form of writing (letter, fax, e-mail, etc.); or
 - c. By verbal request.
 2. A specific form to submit a request for a public record is not required.
 3. **FAX OR E-MAIL REQUESTS:**
 - a. Requests for public records may be submitted by fax or e-mail.
 - b. **All fax or e-mail requests** for public records shall be immediately forwarded to the FOIA Coordinator for processing upon their receipt.
 - c. The Township's FOIA e-mail inbox (FOIA@indtwp.com) shall be copied on **all requests and responses** transmitted via e-mail.
 - d. Fax or e-mail requests are considered to have been received on the following business day.
 - e. E-mail delivered to a Township spam or junk-mail folder is not considered received until one day after the FOIA Coordinator first becomes aware of the request and shall note in the FOIA log both the date the request was delivered to the spam/junk-mail folder and the date the FOIA Coordinator became aware of the request.
 - f. The FOIA Coordinator or his/her designee shall review Township spam or junk-mail folders **no less than once a month**.
 - g. The FOIA Coordinator or his/her shall assist the Township's Information Technology staff in developing administrative rules for handling spam and junk-mail to protect Township systems from computer attacks which may be imbedded in an electronic FOIA request.
 4. **VERBAL REQUESTS:**
 - a. **All verbal requests** shall be documented by Township staff on the **FOIA Request for Public Records Form**.
 - b. **All verbal requests** for public records shall be immediately forwarded to the FOIA Coordinator for processing upon their receipt.
 - c. **All verbal requests** shall be documented on the FOIA log.
 - d. **All verbal requests** made for information believed to be available on the Township's website, where practicable and to the best ability of the employee receiving the request, the Requestor shall be informed of the Township's website address.
-

e. **All verbal requests** must sufficiently describe a public record to enable Township staff to identify and locate the requested public record.

5. WRITTEN REQUESTS:

a. **All written requests** may be submitted in person or by mail to any Township department.

b. **All written requests** for public records shall be immediately forwarded to the FOIA Coordinator for processing upon their receipt.

6. REQUESTS FOR NON-PAPER PHYSICAL MEDIA: The Township shall comply with requests for public records e-mailed or otherwise provided in digital form in lieu of paper copies only if it possesses the necessary technological capability to provide records in the requested format.

7. A person may subscribe to future issues of public records that are created, issued or disseminated by the Township on a regular basis for a period up to 6 months and may be renewed upon request by the subscriber.

8. The FOIA Coordinator shall deny all requests received from persons serving a sentence of imprisonment in a local, state or federal correctional facility pursuant to the FOIA.

D. PROCESSING A FOIA REQUEST

1. Unless otherwise agreed to in writing by the person making the request, the Township shall issue a response within **5 business days** of receipt of the request.

2. If the request is received by fax, e-mail or other electronic transmission, the request is considered to have been received on the following business day.

3. The Township shall respond to a request in **one of the following ways:**

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a written notice informing the Requestor that an extension of 10 business days for a total of no more than 15 business days is required due to the nature of the request; only one 10 business day extension is permitted.
- Issue a written notice indicating that the public record is available at no charge on the Township's website.

4. REQUEST GRANTED OR GRANTED IN PART:

a. Payment shall be made in full for the allowable fees associated with responding to the request before the public record is made available.

b. A detailed itemization of the allowable costs incurred to process the request shall be provided to the person making the request.

c. Pursuant to the FOIA, the Township's **FOIA Freedom of Information Act Policy** document and **FOIA Policy Summary** is maintained on the its website at: www.indtwp.com and a link to these documents shall be provided on the Township's response in lieu of providing paper copies of the policy and summary with each request.

d. If the cost of processing a FOIA request is **\$50.00 or less**, the Requestor shall be notified of the amount due and where the documents can be obtained.

e. Good Faith Deposit:

- Based on a good-faith calculation, a deposit is required pursuant to **Section E. FOIA FEES** of this policy if the cost of processing a FOIA request is expected to exceed \$50.00 prior to processing the request.

- A deposit is required if the Requestor has not paid in full for a previously granted request prior to processing the request.
- The FOIA Coordinator shall provide the Requestor with a **FOIA Itemized Cost Worksheet Form** of the allowable cost estimated to be incurred by the Township to process the request.
- The FOIA Coordinator shall provide a best efforts estimate of a time frame it will take the Township to provide the records to the Requestor which shall be nonbinding on the Township.
- The best efforts estimate shall be made in good faith and be reasonably accurate given the nature of the request to provide the requested records as indicated in **Section B. GENERAL POLICIES** of this policy.

5. REQUEST DENIED OR DENIED IN PART: A FOIA Notice of Denial of FOIA Request Form signed and issued by the FOIA Coordinator shall provide the following explanation(s) as applicable:

- An explanation as to why a requested public record is exempt from disclosure.
- An explanation that the requested record does not exist under the name or description provided by the Requestor or another name reasonably known by the Township.
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record.
- An explanation of the person's right to submit an appeal of the denial to the Township Clerk's Office or seek judicial review in the Oakland County Circuit Court.
- An explanation of the right to receive attorney's fees, costs, and disbursements including actual or compensatory damages and punitive damages of **\$1,000.00** should they prevail in Circuit Court.

6. DEFICIENT REQUEST:

- a. In lieu of issuing a **FOIA Notice of Denial of FOIA Request Form** for requests that do not sufficiently describe a public record, the FOIA Coordinator **may** indicate that the request is deficient, seek clarification or amendment of the request by the Requestor.
- b. Any clarification or amendment shall be considered a new request subject to the timelines described in **Section D. PROCESSING A FOIA REQUEST**.

7. REQUEST TO INSPECT PUBLIC RECORDS

- a. The Township shall provide reasonable facilities and opportunities for persons to examine public records.
- b. To protect Township records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal Township operations, inspection of public records is subject to the following:
 - Public records are prohibited from being removed from Township premises.
 - Public records shall be available for inspection only during normal business hours.
 - Public records shall be available for inspection only at the office or location where they are regularly and routinely maintained unless other arrangements have been made.
 - Public records shall be inspected in the presence of a Township employee.
 - The operational functions of the department shall not be suspended to permit inspection of records during periods in which such records are reasonably required by personnel in the performance of their duties.
 - If the request requires inspection of numerous public records, a mutually agreed upon time may be established for the inspection of the records.
 - Public records may be copied upon request subject to applicable fees as listed under: **E. FOIA FEES**.
 - Labor costs for copying or duplicating public records shall be waived for public records photographed by the Requestor.

- Labor costs for searching, locating and examining and/or for separating exempt from non-exempt public records shall be charged for public records photographed by the Requestor when applicable.
- The Requestor may not expand his/her request beyond what public records were requested in the original **FOIA Request for Public Records**; a new request for public records must be submitted under the procedures and guidelines of this policy.

8. REQUEST FOR CERTIFIED COPIES: The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record if the public record originated with the Township.

E. FOIA FEES

1. FEE DEPOSITS:

- a. If the fee estimate is expected to exceed **\$50.00** based on a good-faith calculation, the Requestor shall be asked to provide a deposit **not exceeding one-half** of the total estimated fee.
- b. If a request for public records is from a person who has not paid the Township in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator shall require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when **all of the following conditions exist**:
 - The final fee for the prior written request is not more than 105% of the estimated fee.
 - The public records made available contained the information sought in the prior written request and remain in the Township's possession.
 - The public records were made available to the Requestor, subject to payment, within the time frame estimated by the Township to provide the records.
 - **90 days** have passed since the FOIA Coordinator notified the Requestor in writing that the public records were available for pickup or mailing.
 - The Requestor is unable to show proof of prior payment to the Township.
 - The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.
- c. The FOIA Coordinator shall not require an increased estimated fee deposit if **any of the following apply**:
 - The person making the request is able to show proof of prior payment in full to the Township.
 - The Township is subsequently paid-in-full for the applicable prior written request.
 - **365 days** have passed since the person made the request for which full payment was not remitted to the Township.

2. CALCULATION OF FEES:

- a. A fee **may be charged** for the labor cost of copying/duplication.
- b. A fee **shall not be charged** for the labor cost of search, examination, review and the deletion and separation of exempt from non-exempt information **unless** failure to charge a fee would result in **unreasonably high costs** to the Township because of the nature of the request in the particular instance.
- c. The Township specifically identifies the nature of the **unreasonably high costs using the following factors**:
 - Volume of the public record requested.
 - Amount of time spent for searching, examining, reviewing and separating exempt from non-exempt information in the public record requested.

- The information related to the public record as requested is located within various Township departments or locations and requires multiple responses.
 - The limited availability of staffing needed to respond to the request.
 - Any other similar factors identified by the FOIA Coordinator in responding to the particular request.
- d. Permissible costs pursuant to the Michigan FOIA statute associated with processing a FOIA request:
- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies or transferring digital public records to non-paper physical media or through the Internet.
 - Labor costs associated with searching, locating and examining a requested public record when failure to charge a fee will result in unreasonably high costs to the Township.
 - Labor costs associated with a review of a record to separate and delete information exempt from disclosure when failure to charge a fee will result in unreasonably high costs to the Township.
 - The cost of copying or duplication (excluding labor) of paper copies of public records. This **may include** the cost for copies of records already on the Township’s website if the Requestor asks the Township to provide copies.
 - The actual cost of computer discs, computer tapes or other digital or similar media when the Requestor asks for records in non-paper physical media. This may include the cost for copies of records already on the Township’s website if the Requestor asks the Township to provide copies.
 - The actual cost to mail or send a public record to a Requestor.
- e. Calculations for permissible **labor costs** pursuant to the Michigan FOIA statute:
- Labor costs shall be estimated and charged in 15 minute increments with all partial time increments rounded down.
 - Labor costs shall not be included for time less than 15 minutes.
 - Labor costs shall be charged at the hourly wage of the lowest paid Township employee capable of performing the work in the specific fee category regardless of who actually performs the work.
 - Labor costs shall include a charge to cover or to partially cover the cost of fringe benefits.
 - Fringe benefit costs in amount of up to 50% to the applicable labor charge amount may be added but the amount shall never exceed the actual cost of fringe benefits.
 - Labor costs shall not include overtime wages unless specified by the Requestor.
 - Fringe benefit costs shall not include overtime wages.
 - Contracted labor costs **shall not exceed 6 times** the State of Michigan’s minimum hourly wage according to the following effective date schedule:

EFFECTIVE DATE	State of Michigan’s Minimum Hourly Wage	FOIA Contracted Labor Costs Six (6) Times Hourly Wage
September 1, 2014	\$8.15	\$48.90
January 1, 2016	\$8.50	\$51.00
January 1, 2017	\$8.90	\$53.40
January 1, 2018	\$9.25	\$55.50

- f. **Non-paper physical media costs** pursuant to the Michigan FOIA statute:
- Computer disks, computer tapes or other digital or similar media shall be at the actual and the most reasonable economical cost for the non-paper media.
 - This cost shall only be assessed if the Township has the technological capability necessary to provide the public record in the requested non-paper physical media format.

- The Township shall procure any non-paper media and shall not accept media from the Requestor in order to ensure integrity of the Township's technology infrastructure.

g. Paper copy costs pursuant to the Michigan FOIA statute:

- Paper copies made on standard letter (8 ½ x 11") or legal (8 ½ x 14") sized paper **shall not exceed 10¢ per sheet of paper** and shall reflect the actual cost of reproduction.
- Paper copies shall be double-sided if available and provides a cost savings.

h. Mailing costs pursuant to the Michigan FOIA statute:

- The actual cost to mail public records using the most reasonable economical and justified means.
- The actual charge for the least expensive method used for postal delivery confirmation.
- The actual charge for expedited shipping or insurance as specified by the Requestor.

1. REDUCTION OF FEES DUE TO LATE RESPONSE:

a. Labor costs shall be reduced by 5% for each day the Township exceeds the time permitted under FOIA up to a 50% maximum reduction if any of the following applies:

- The late response was willful and intentional.
- The written request conveyed a request for information within the first 250 words of the body of a letter fax, e-mail or e-mail attachment.
- The written request included the words, characters, or abbreviations for "freedom of information", "information", "FOIA", "copy" or a recognizable misspelling of such, or legal code reference to MCL 15.231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an e-mail, letter or fax cover page.

b. The reduction of fees shall be fully noted under **Section 13: LATE RESPONSE: Labor Costs Reduction** on the **FOIA Itemized Cost Worksheet Form**.

2. WAIVER OF FEES:

a. The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the public.

b. The following records are available for no charge or at a reduced cost:

- Requested documents that are routine in nature (e.g. tax bills, minutes, ordinances, forms, applications, etc.), exist in a paper format that is easily obtainable and do not require any type of special handling (e.g. comprehensive review of document, separation and deletion of exempt from non-exempt information, public records requiring response from multiple departments, etc.).
- Requested documents that are routine in nature and in an electronic format that is easily obtainable and do not require any type of special handling (e.g. comprehensive review of document, separation and deletion of exempt from non-exempt information, public records requiring response from multiple departments, etc.).
- Requested documents that are determined to be easily obtainable by the FOIA Coordinator or by a department staff member assigned as its FOIA Designee.

3. DISCOUNTED FEES:

a. Indigence: The FOIA Coordinator shall discount the **first \$20.00 of the processing fee** for a request if the person requesting a public record submits an **affidavit*** stating that they are:

- Indigent and receiving specific public assistance.
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

b. Ineligible for Discounted Fees:

- If the Requestor has previously received discounted copies of public records twice during the calendar year.
- If the Requestor requests information in connection with other persons who are offering or providing payment to make the request.

***FOIA Fee Waiver / Affidavit of Indigence Form:** Sworn statement made available for use by the public.

c. Nonprofit Organization: The FOIA Coordinator shall discount the first \$20.00 of the processing fee for a request from nonprofit organizations advocating for developmentally disabled or mentally ill individuals:

- If a nonprofit organization is formally designated by the state to carry out activities under *Subtitle C of the Federal Developmental Disabilities Assistance and Bill of Rights Act of 200*, Public Law 106-402 and the *Protection and Advocacy for Individuals with Mental Illness Act*, Public Law 99-319, or their successors if the request meets all of the following requirements:
 - Is made directly on behalf of the organization or its clients.
 - Is made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.
 - Is accompanied by documentation of its designation by the state if requested by the Township Board.

F. APPEAL OF DENIAL OF A PUBLIC RECORD

1. When a Requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, the Requestor may appeal to the Township Board by filing an appeal in writing with the Township Clerk's Office.
2. The appeal must be in writing and specifically state the word "appeal".
3. A **FOIA Appeal of Denial of Records Form** may be used.
4. The written appeal must identify the reason or reasons the Requestor is seeking a reversal of the denial.
5. The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following the submission of the written appeal.
6. **Within 10 business days** of receiving the appeal the Township Board shall respond in writing by:
 - a. Reversing the disclosure denial.
 - b. Upholding the disclosure denial.
 - c. Reverse the disclosure denial in part and uphold the disclosure denial in part.
 - d. Under unusual circumstances, issue a notice extending for not more than **10 business days** the period during which the Township Board shall respond to the written appeal.
 - e. The Township Board shall not issue more than **1 notice of extension** for each individual written appeal.
7. **Failure to Respond to a Written Appeal or Uphold All or a Portion of the Denial:** The Requestor may seek judicial review of the nondisclosure by commencing a civil action in Oakland County Circuit Court as follows:
 - a. Whether or not a Requestor submitted an appeal of denial to the Township Board, a civil action may be filed in Oakland County Circuit Court **within 180 days** after the Township's final determination to deny the request.

- b. If the Oakland County Circuit Court determines a public record is not exempt, it shall order the Township to cease withholding or to produce all or a portion of a public record wrongfully withheld regardless of the location of the public record.
- c. Failure to comply with a court order may be punished as contempt of court.
- d. If a Requestor asserting the right to inspect, copy or receive a copy of all or a portion of a public record prevails in such an action, the court shall award reasonable attorneys' fees, costs and disbursements.
- e. If the Requestor or Township prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs and disbursements.
- f. If the court determines that the Township has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record the court shall:
 - Order the Township to pay a civil fine of \$1,000.00 which shall be deposited into the general fund of the state treasury.
 - Award, punitive damages in the amount of \$1,000.00 in addition to any actual or compensatory damages to the person seeking the right to inspect or receive a copy of a public record.
 - The damages shall not be assessed against an individual but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

G. APPEAL OF AN EXCESSIVE FOIA PROCESSING FEE

- 1. **FOIA Processing Fee** means the total fee or any component of the total fee calculated under **E. FOIA FEES** of the FOIA Policy, including any deposit.
- 2. If a Requestor believes that the fee charged by the Township to process a FOIA request exceeds the amount permitted by State law or under this policy, the Requestor must first appeal to the Township Board by filing a written appeal for a fee reduction with the Township Clerk's Office.
- 3. The appeal must be in writing and specifically state the word "appeal".
- 4. A **FOIA Appeal of Excess Processing Fee Form** may be used.
- 5. The written appeal must identify how the required fee exceeds the amount.
- 8. The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following the submission of the written appeal.
- 6. **Within 10 business days** of receiving the appeal the Township Board shall respond in writing by:
 - a. Waiving the fee.
 - b. Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee.
 - c. Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee.
 - d. Issuing a notice detailing the reason or reasons for extending for not more than **10 business days** the period during which the Township Board shall respond to the written appeal.
 - e. The Township Board shall not issue more than **1 notice** of extension for each individual written appeal.
- 7. Where the Township Board reduces or upholds the fee, the determination must include a certification from the Township Board that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines under **E. FOIA FEES**.

8. Within **45 days** after receiving notice of the Township Board's determination of an appeal, the requesting person may commence a civil action in Oakland County Circuit Court for a fee reduction.
9. If a civil action is commenced against the Township for an excess fee, the Township is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.
10. An action shall not be filed in circuit court unless **one of the following applies**:
 - a. The Township does not provide for appeals of fees;
 - b. The Township Board failed to respond to a written appeal as required; or
 - c. The Township Board issued a determination to a written appeal.
11. If the Oakland County Circuit Court determines that the Township required a fee that exceeds the amount permitted under **E. FOIA FEES** of its publicly available policy or the FOIA, the court shall reduce the fee to a permissible amount.
12. Failure to comply with an order of the court may be punished as contempt of court.
13. If the Requestor prevails in court by receiving a reduction of 50% or more of the total fee, the court may in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages.
14. If the court determines that the Township has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the Township to pay a civil fine of **\$500.00**, which shall be deposited in the general fund of the state treasury.
15. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of **\$500.00** to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained public record as part of its public function.

H. CONFLICTS WITH PRIOR FOIA POLICIES AND PROCEDURES; AMENDMENTS

1. To the extent that this Policy conflicts with previous FOIA policies promulgated by the Township Board, this Policy is controlling.
2. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this Policy is found to be in conflict with any previous policy promulgated by the Township Board, the administrative rule promulgated by the FOIA Coordinator is controlling.
3. To the extent that any provision of this Policy or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control.
4. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the Township Board and adopt such administrative rules he/she may deem necessary to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute provided that such modifications and rules are consistent with State law.
5. The FOIA Coordinator shall bring all amendments made to this Policy before the Township Board for adoption.

I. APPENDIX: FOIA FORMS

1. FOIA Form: Departmental Routing Form with Instructions
 2. FOIA Form: Itemized Cost Worksheet
 3. FOIA Form: Notice of Denial
 4. FOIA Form: Notice to Extend Response Time
 5. FOIA PUBLIC Form: Appeal of Denial of Records
 6. FOIA PUBLIC Form: Appeal of Excess Processing Fee
 7. FOIA PUBLIC Form: Fee Waiver/Affidavit of Indigence
 8. FOIA PUBLIC Form: Request for Public Records
-

J. ADOPTION / AMENDMENTS / EFFECTIVE DATE

1. **ADOPTED:** February 5, 2013; Motion #2013-02-040
2. **AMENDED:** June 23, 2015; Motion #2015-06-120
3. **EFFECTIVE:** July 1, 2015; PA 563 of 2014