

CHEBOYGAN COUNTY
RESOLUTION ESTABLISHING
FREEDOM OF INFORMATION ACT
FEE SCHEDULE

Resolution No. 15-09

WHEREAS, the Michigan Freedom of Information Act (FOIA), being Act 442 of the Public Acts of 1976 as amended, authorizes the County to charge fees for processing requests under the Act;

WHEREAS, the Cheboygan Board of Commissioners has adopted a Resolution establishing a Policy for Freedom of Information Act Requests;

WHEREAS, the Resolution establishing a Policy for Freedom of Information Act Requests requires the Board of Commissioners to adopt by a separate resolution a schedule of fees for processing FOIA requests; and

WHEREAS, the Board of Commissioners desires to establish a schedule of fees for processing FOIA requests in compliance with the Act and the Policy by the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Cheboygan Board of Commissioners hereby establishes the following FOIA fee schedule:

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The following fees shall be charged by Cheboygan County when processing a FOIA request:

1. Photocopy fees: \$0.05 per letter sized page, \$0.06 per legal sized page, and the actual cost of reproduction for nonstandard paper copies when using the County's photocopier machine. There shall be a limit of one (1) copy for each public record requested.
2. Use of commercial copying service: However, when the most economical means for making copies of the requested public records is utilizing a commercial copying service, then the County shall charge the actual costs paid by the

County to the commercial copying service for making those copies. When using a commercial copying service the County shall also charge labor fees equal to the hourly wage of the lowest paid County employee capable of taking and retrieving the public records to and from the commercial copying service.

3. Non-paper Physical Media: The County shall charge the actual and most reasonably economical cost for the non-paper media, such as computer disks, computer tapes or other digital or similar media.
4. Mailing fees: The County shall charge the actual costs paid by the County for mailing the requested public records. The County may charge for the least expensive form of postal delivery confirmation. However, the County shall not charge for expedited shipping or insurance unless specified by the requestor.
5. Fees for Labor Costs: The County shall charge a fee for labor costs as specified in the County's FOIA policy.
6. Fees for FOIA subscriptions: The County shall charge a fee equal to the County's actual costs for providing the requested public records, including the cost of paper copies, non-paper physical media, mailing, and labor costs.
7. Reduced fee: As provided in the County's Policy for Freedom of Information Act Requests, a public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request to an individual who is entitled to information under the FOIA and who submits an affidavit stating that the individual is then receiving public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigence. For purposes of this paragraph, the criteria for indigence shall be the federal poverty income guidelines, which are updated annually by the federal government. In addition, the FOIA Coordinator shall discount the first \$20.00 of the processing fee for a request from a nonprofit organization that meets the requirements specified in the County's FOIA policy.
8. Good faith deposit: As provided in the County's Policy for Freedom of Information Act Requests, if the fee will exceed \$50.00, the FOIA Coordinator may require the person requesting the public records or series of public records

to pay at the time the request is made a good faith deposit in an amount not to exceed ½ the total fee. In addition, a good faith deposit may be required when the requestor has not paid for prior public records as specified in the County's FOIA policy.

9. Payment requirement: All required fees shall be paid before the public records are mailed or otherwise provided.
10. Publication of notice: A written notice informing the public of the availability of this FOIA fee schedule shall be posted in a conspicuous location at the County FOIA Coordinator's office.
11. Effective date: This fee schedule shall become effective the day following its adoption by the Board of Commissioners.

CHEBOYGAN COUNTY

By: Peter Redmond, Board Chair

By: Mary Ellen Tryban,
Clerk