

- (C) In all cases not addressed above or by other state or local laws dictating a specific fee or cost for a particular service or record, the County Departments or Agency involved will collect fees not to exceed the actual costs of searching for and making copies of the records requested. These fees, payable to the County, are to be rendered to the Clerk to County Council or collected by the department to whom the request is made, a receipt given and all funds remitted for deposit on the day of receipt.
- (D) The fees charged must be uniform for copies of the same record or document. In every instance, the fees charged must be the lowest possible that will actually cover actual costs involved. Because the costs of providing copies must include not only the direct reproduction costs, such as paper, supplies and electricity, but must include indirect costs such as depreciation of equipment, it will normally be presumed that fifty cents (\$0.50) per copy will be the minimum amount charged for reproduction of County records. If the records require more expensive reproduction, such as in the case of oversized documents or special reproduction, then the actual full cost of reproduction will be charged plus time involved by staff to do so.
- (E) Further, with regard to labor costs, all personnel costs of searching for and making copies of records of County employees will be quantified, calculated and charged to the requesting party. In every instance in which costs are charged, an estimate of the charges may be provided to the requesting party showing the cost for copies and the personnel costs. Upon payment as indicated above, the work shall be performed. Actual records of time and materials are to be kept and an adjustment positive or negative made to the requesting party. Upon payment by the requestor, the documents are to be provided to them.

III. Receipt of Request and Timeliness of Responses

- (A) Upon receipt of a request for access to public records or to inspect or copy public records the receiving person or entity shall within two working days transmit a complete copy of the request to the Clerk of Council by electronic means. The Clerk of Council shall facilitate responses to requests and shall seek the assistance of the County Administrator or County Attorney when necessary. FOI requests must be in writing and mailed via U.S. mail or hand delivered.
- (B) The first and primary purpose of every County Department and Agency is to provide the public service for which that department or agency was established; therefore, other services such as providing copies of public records, must be accommodated within the overall goal of meeting the department's or agency's main mission objective. In this regard, however, all Departments and Agencies are governed by the Freedom of Information Act requirements that written requests for records must be responded to within fifteen (15) days (excepting Saturdays, Sundays and legal public holidays) of the receipt of any such request. If the requested documents contain information exempt from disclosure as otherwise provided by law, the agency should delete the protected information from the documents.
- (C) The following public records must be made available for inspection and/or copying during normal hours of operation. A written request is not required when the person requesting such information appears in person:
 - 1.) Minutes of meetings of the public body for the preceding six (6) months;

- 2.) All records identified in §30-4-50 (A)(8) of the act (crime or alleged crime reports) for at least the fourteen (14) day period preceding the day of the request;
- 3.) Documents identifying persons confined in any jail, detention center or prison for the preceding three (3) months.

Caution must be exercised in the release of the items described in III (B) 2 and 3. If the report contains information exempt from disclosure as otherwise provided by law, the agency should delete the protected information from the report.

IV. Form of Records: Examination of Public Records

In every instance, records must be provided in a form that is both convenient and practical for use by the person requesting copies of the records concerned, if it is equally convenient to provide the records in such form. There shall be no cost charged to any individual for examination (not copying) of public records, unless any such request requires actual expenditure of labor to search for the requested records. In the latter case, charges will be imposed and collected in accordance with the provision of this policy.

V. Exempt Information

- (A) Certain information contained in public documents but exempt from disclosure may be redacted, as applicable, prior to the release of documents containing such information. If a court ruling or a statute or law outside of FOIA states that a particular type of record is confidential or subject to disclosure only under specified circumstances, then the record should not be provided pursuant to a FOIA request without the approval of the County Attorney.
- (B) The exemptions from disclosure allowed by the Freedom of Information Act (FOIA) are hereby adopted by County Council for records under its dominion and control. County records which are not privileged, or exempt from disclosure under the FOIA, or exempt as private, personnel or medical information, shall be available for inspection and copying pursuant to the South Carolina Freedom of Information Act. Except for incidental copies which may be provided for no cost, all copying shall be at the expense of the person requesting the copies, and will be charged at the rate set by the county from time to time. If any person refuses to pay any charges for copies after having requested the same, no further copies will be made on county equipment for that person until the account is settled. If any request is likely to involve numerous copies, or if a lengthy search is likely to be required, a good-faith deposit may be required before copying or researching is commenced. County employees will not interrupt their normal duties to attend to copying or records-searching requests pursuant to the FOIA, and the full amount of time allowed by the FOIA may be taken in responding to such a request. All FOIA requests for copies must be in writing. Information is limited to the information at hand, that is, analysis of data or compilation of data by county employees is not required to be furnished, but the raw data may be made available for the requesting party to analyze as he or she sees fit.

VI. Public Bodies to Comply with Freedom of Information Act

- (A) Notice of special or called meetings shall be given sufficiently in advance for posting notice on a public bulletin board and for notice to news media at least twenty-four (24) hours before the meeting. This provision shall not apply to emergency meetings of County Council.
- (B) All public bodies, agencies or Departments of Kershaw County that are subject to the provisions of the Freedom of Information Act, shall designate a person or staff member to coordinate all transmittals of requests under the Freedom of Information Act to the Clerk to Council. This person shall serve as the primary contact for the person making a request and notification to the Clerk to Council of the request.
- (C) All public bodies, agencies or Departments shall fully and completely document all activity on requests and responses made pursuant to the Freedom of Information Act.

AND IT IS SO RESOLVED BY Kershaw County Council in meeting duly assembled this 14th day of August, 2012.

KERSHAW COUNTY COUNCIL

ATTESTED TO:

MERRI M. SEIGLER
KERSHAW COUNTY CLERK TO COUNCIL