

STATE OF SOUTH CAROLINA)
)
COUNTY OF ABBEVILLE)

RESOLUTION NO.: 2012-15

**TO FORMALLY ADOPT A FREEDOM OF INFORMATION ACT PROCEDURE AND
TO ESTABLISH A RETENTION SCHEDULE FOR FREEDOM OF INFORMATION
ACT RECORDS**

WHEREAS, this resolution will formalize a South Carolina Freedom of Information Act (FOIA) request and response procedure; and,

WHEREAS, Abbeville County wishes to adopt a retention schedule for maintaining FOIA records.


NOW THEREFORE BE IT RESOLVED by the Abbeville County Council duly assembled that:

1. All FOIA requests must be in writing to include the date, specific information being requested, name, address, phone number and signature of the requester. If a FOIA request is unclear regarding what specific document copies are being requested, further clarification may be required.
2. The department receiving the request must date and time stamp the FOIA immediately upon receipt and retain a copy on file in the respective office in accordance with departmental retention schedules.
3. All requests under the South Carolina Freedom of Information Act must be faxed or hand delivered by the receiving department to the County Director's office the same day received. The Clerk to Council will compile and maintain a log of all FOIA requests, including response dates and fees collected.
4. The Clerk to Council will advise the respective department and/or requestor once a determination is made whether the information requested is disclosable in accordance with this procedure. FOIA requests must be responded to within fifteen (15) business days after receipt of the written request. If any attorney's opinion or other work is needed on an issue related to availability or production of records, the Clerk to Council will notify the requestor that the FOIA request is being processed and the expected timeframe of completion. The Clerk to Council will provide a copy of the notification along with the request to the County Attorney where appropriate.
5. Pursuant to the Code of Laws of South Carolina, 1976 as amended, Section 30-4-30 (a), some public records and documents may be open for inspection and/or reproduction by appointment and can be permitted to be reviewed. All such inspections shall be appropriately supervised and the integrity of records preserved.

6. Abbeville County shall charge appropriate fees, which have been established with Ordinance Number 06-23 and may be modified by County Council. The Clerk to Council will obtain a written listing of any applicable costs, from the respective department(s), based on the applicable fees. The Clerk to Council will advise the requestor once a determination is made relating to applicable costs. If the requestor decides to proceed with the FOIA request, prepayment of the estimated costs will be required.
 - a. Requesters are encouraged to make their requests as specific as possible.
 - b. The FOIA does not require compilation or production of reports, written or computerized in any format other than that already produced and maintained by the department.
7. FOIA responses must also respect the confidentiality of records exempted in the FOIA and appropriately protect personal information.
8. Elected/appointed officials are generally directly responsible for addressing FOIA requests for information maintained in a department under their supervisory authority.
9. There is hereby established a records retention schedule of three (3) years for all FOIA requests, responses and associated information.

DONE AND PASSED this 13th day of August, 2012

Abbeville County Council


Robert B. McClain, Chairman

Attest:


Lynn Sopolosky, Clerk to Council