Township: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Green Lake Township, Grand Traverse County P.O. Box 157 Interlochen, Michigan 49643-0157

Request Form Note: Requestors are not required to use this form. The township may complete one for recordkeeping if not used.

Phone: 231-276-9329 Fax: 231-276-9388

FOIA Request for Public Records

Request No.: Date Received:		via: Email F unk/spam folder:	ax Other Electronic Method	
Name		Phone		
Firm/Organization		Fax		
Street		Email		
City	State	Zip		
(Please Print or Type)	Date <u>discovered</u> in junk/spam folder:			
Request for: Copy Certified copy	Record inspection	Subscription to re	ecord issued on regular basis	
Delivery Method: Will pick up Will make Deliver on digital media provided by the township		ail to address above		
Note: The township is not required to provide record technological capability to do so.	ds in a digital format or on digit	tal media if the towns	ship does not already have the	
Describe the public record(s) as specifically as p	oossible. You may use this for	m or attach addition	al sheets:	
Consent to Non-Statutory Extension of Township's Response Time I have requested a copy of records or a subscription to records or the opportunity to inspect records, pursuant to the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq. I understand that the township must respond to this request within five (5) business days after receiving it, and that response may include taking a 10-business day extension. However, I hereby agree and stipulate to extend the township's response time for this request until: (month, day, year).				
Requestor's Signature			Date	

Records Located on Website

If the township directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from any labor charges to redact (*separate exempt information from non-exempt information*).

If the FOIA coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the township must notify the requestor in its written response that all or a portion of the requested information is available on its website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed cost itemization form, the township must separate the requested public records that are available on its website from those that are not available on the website and must inform the requestor of the additional charge to receive copies of the public records that are available on its website.

If the township has included the website address for a record in its written response to the requestor and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, including digital media, the township must provide the public records in the specified format (if the township has the technological capability) but may use a fringe benefit multiplier greater than the 50%, not to exceed the actual costs of providing the information in the specified format.

Request for Copies/Duplication of Records on Township Website

I hereby stipulate that, even if some or all of the records are located on a township website, I am requesting that the township make copies of those records on the website and deliver them to me in the format I have requested above. I understand that some FOIA fees may apply.

Requestor's Signature Date

Overtime Labor Costs

Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed cost itemization form.

Consent to Overtime Labor Costs

I hereby agree and stipulate to the township using overtime wages in calculating the following labor costs as itemized in the following categories:

1. Labor to copy/duplicate

2. Labor to locate

3a. Labor to redact

3b. Contract labor to redact

6b. Labor to copy/duplicate records already on township's website

Requestor's Signature Date

Request for Discount: Indigence

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who:

- 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR
- 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if **ANY** of the following apply:

- (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year,
- (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

Office Use: Affidavit Received Eligible for Discount Ineligible for Discount
I am submitting an affidavit and requesting that I receive the discount for indigence for this FOIA request:

Requestor's Signature:

Request for Discount: Nonprofit Organization

A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first \$20.00 of the fee** for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act, if the request meets **ALL** of the following requirements:

- (i) Is made directly on behalf of the organization or its clients.
- (ii) 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.
- (iii) Is accompanied by documentation of its designation by the state, if requested by the township.

Office Use: Documentation of State Designation Received Eligible for Discount Ineligible for Discount

I stipulate that I am a designated agent for the nonprofit organization making this FOIA request and that this request is made directly on behalf of the organization or its clients and 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:

Requestor's Signature:

Township: Keep original and provide copy, along with Public Summary, to requestor at no charge.

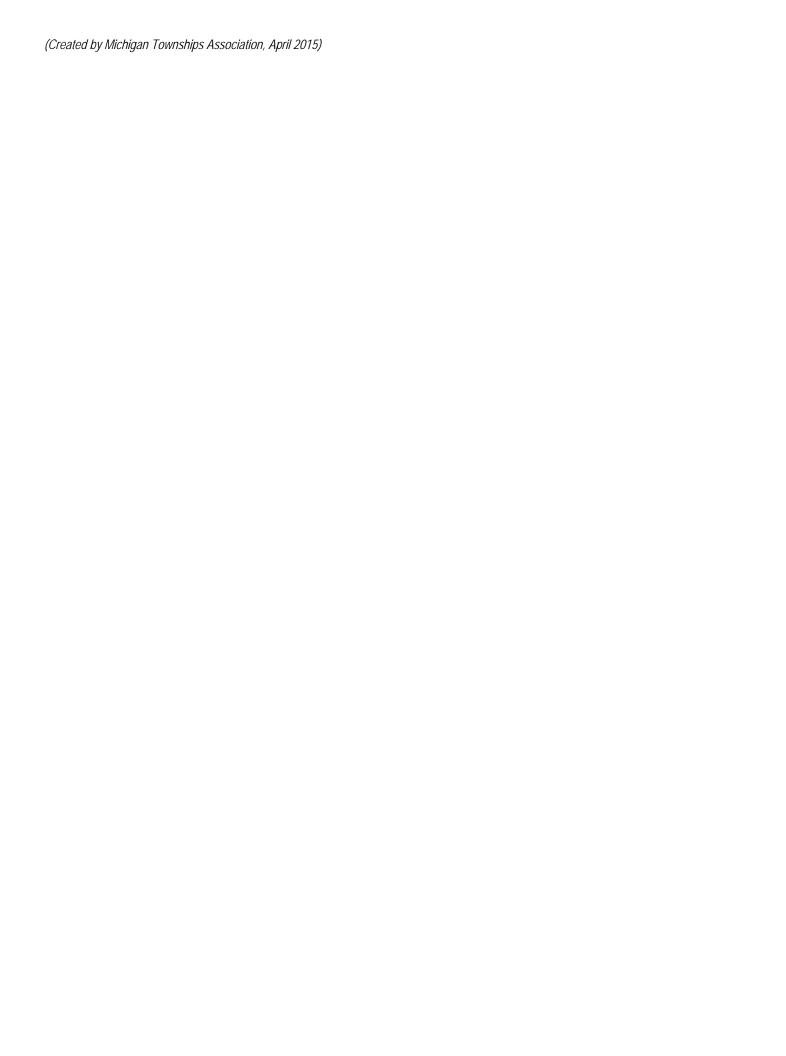
Green Lake Township, Grand Traverse County P.O. Box 157 Interlochen, Michigan 49643-0157

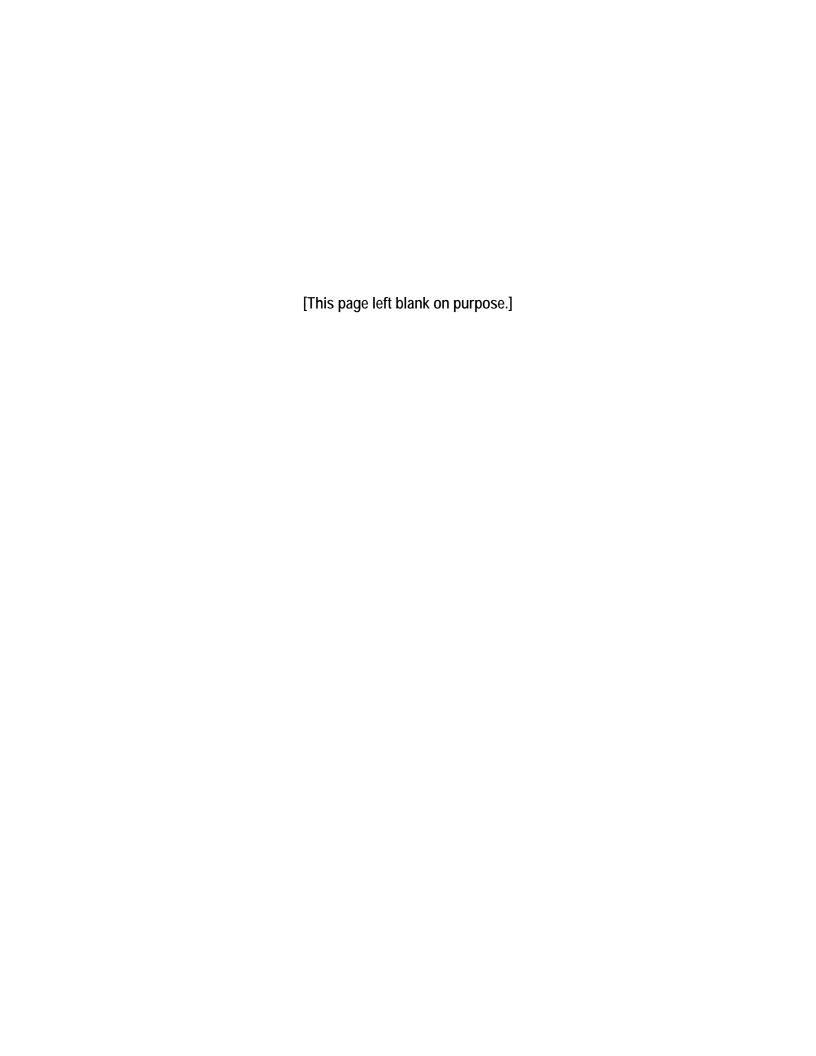
Extension Form

Phone: 231-276-9329 Fax: 231-276-9388

Notice to Extend Response Time for FOIA Request

Request No.: Date Received: Date of This Notice:	Check if received via Date <u>delivered</u> to jur		Fax Other Electronic Method
Name		Phone	
Firm/Organization		Fax	
Street		Email	
City	State	Zip	
(Please Print or Type)	Date <u>discovered</u> in j	unk/spam folde	or:
Request for: Copy Certified copy Reco Delivery Method: Will pick up Will make own cop Deliver on digital media provided by the township:	ies onsite Mail	to address abo	o record issued on regular basis ove Email to address above
Record(s) You Requested: (Listed here or see attached copy	of original request)		
We are extending the date to respond to your FOIA request for Only one extension may be taken per FOIA request. If you have atat	e any questions regar (days) The township is providing the other requirement of for Extension: y examine or review a	ding this extens for date) ng the estimate nts of this act.	e in good faith. Providing an
2. The township needs to collect the requested public recordare located apart from the township office. Specifically, the township office.			
3. Other (describe):			
Signature of FOIA Coordinator:			Date:





Township: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Green Lake Township, Grand Traverse County P.O. Box 157 Interlochen, Michigan 49643-0157

Denial Form

Phone: 231-276-9329 Fax: 231-276-9388

Notice of Denial of FOIA Request

Request No.: Date of This Notice:	Date Received:	Check if receive Date <u>delivered</u>			Other Electronic Method
Name			F	Phone	
Firm/Organization			F	ax	
Street			E	Email	
City		State	e Z	<u> Zip</u>	
(Please Print or Type)	O	Date <u>discovere</u>			
Request for: Copy	Certified copy Recor	rd inspection	Subscri	ption to recora	issued on regular basis
	pick up Will make own copi rovided by the township:			ess above	Email to address above
Record(s) You Requested:	(Listed here or see attached copy	of original reques	st)		
	r request for records has been den ial, contact	at			
	Reaso	on for Denial:			
•	ure: This item is exempt from discl				
known to the township. A cer	st: This item does not exist under tificate that the public record does tion that will enable us to locate the	not exist under th	he name give	n is attached. I	f you believe this record
	of the requested record had to be so the number), because:				
A brief description of the info	rmation that had to be separated o	r deleted:			
commence an action in the Circ If, after judicial review, the cour	Notice of Requestor's 10 of the Michigan Freedom of Info uit Court to compel disclosure of the re t determines that the township has no you have the right to receive attorney ights.)	rmation Act, MCL equested records i t complied with M	15.240, to ap If you believe th CL 15.235 in m	peal this denial ney were wrongf naking this denia	ully withheld from disclosure. Il and orders disclosure of all
Signature of FOIA Coordinate	or:			ĺ	Date:

FREEDOM OF INFORMATION ACT (EXCERPT) Act 442 of 1976

15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10

- (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:
 - (a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.
 - (b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.
- (2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:
 - (a) Reverse the disclosure denial.
 - (b) Issue a written notice to the requesting person upholding the disclosure denial.
 - (c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding 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 head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.
- (3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).
- (4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.
- (5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.
- (6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, 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 under subsection (7).
- (7) If the court determines in an action commenced under this section that the public body 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 public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 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.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015

Township: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Green Lake Township, Grand Traverse County P.O. Box 157

Interlochen, Michigan 49643-0157

Phone: 231-276-9329 Fax: 231-276-9388

FOIA Appeal Form—To Appeal a Denial of Records

Request No.: Date Received:	
Date of This Notice:	Date <u>delivered</u> to junk/spam folder:
(Please Print or Type)	Date <u>discovered</u> in junk/spam folder:
Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip
Request for: Copy Certified copy Delivery Method: Will pick up Will make own Deliver on digital media provided by the township:	n copies onsite Mail to address above Email to address above
Record(s) You Requested: (Listed here or see attached copy	of original request)
The appeal must identify the reason(s) for the denial. You may	Reason(s) for Appeal: use this form or attach additional sheets:
Requestor's Signature:	Date:
	Township Response: after receiving this appeal, including a determination or taking one 10-day extension.
(month, day, year). Only one extension may be taken per FOIA	
If you have any questions regarding this extension, contact:	
	ownship Determination: rsed in Part and Upheld in Part
You are entitled under Section 10 of the Michigan Freedom commence an action in the Circuit Court to compel disclosure of the figure of the figure of the court determines that the township to a portion of a public record, you have the right to receive a additional information on your rights.)	tor's Right to Seek Judicial Review of Information Act, MCL 15.240, to appeal this denial to the township board or to if the requested records if you believe they were wrongfully withheld from disclosure. has not complied with MCL 15.235 in making this denial and orders disclosure of all ttorneys' fees and damages as provided in MCL 15.240. (See back of this form for
Signature of FOIA Coordinator:	Date:

FREEDOM OF INFORMATION ACT (EXCERPT) Act 442 of 1976

15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10

- (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:
 - (a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.
 - (b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.
- (2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:
 - (a) Reverse the disclosure denial.
 - (b) Issue a written notice to the requesting person upholding the disclosure denial.
 - (c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding 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 head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.
- (3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).
- (4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.
- (5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.
- (6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, 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 under subsection (7).
- (7) If the court determines in an action commenced under this section that the public body 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 public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 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.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015.

Fee Appeal Form

Date:

Township: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Signature of FOIA Coordinator:

Green Lake Township, Grand, Traverse County P. O. Box 157 Interlochen, Michigan 49643-0157

Phone: 231-276-9329 Fax: 231-276-9388

FOIA Appeal Form—To Appeal an Excess Fee

Request No.: Date of This Notice:		Check if received via: Date <u>delivered</u> to junk/s			Other Electronic Method
Name			Phone		
Firm/Organization			Fax		
Street			Email		
City		State	Zip		
(Please Print or Type) Request for: Copy Delivery Method: Will pi Deliver on digital media pro	Certified copy I ick up Will make own co ovided by the township:	Date <u>discovered</u> in junk Record inspection Subscrip opies onsite Mail to address a	tion to record above	issued o Email to	n regular basis address above
Record(s) You Requested: (L	Listed here or see attached cop	by of original request)			
The appeal must specifically id	dentify how the required fee(s)	Reason(s) for Appeal: exceed the amount permitted. You n	nay use this fo	orm or at	tach additional sheets:
					Date:
Requestor's Signature:					
		Township Response: nys after receiving this appeal, includ			
The township must provide a re Township Extension: We are (month, day, year). Only one ex	response within 10 business da e extending the date to respon extension may be taken per FO	Township Response: lys after receiving this appeal, includ d to your FOIA fee appeal for no mod IA appeal.	ling a determin	nation or siness da	taking one 10-day extension. ays, until
The township must provide a re Township Extension: We are (month, day, year). Only one e. Unusual circumstances warran	response within 10 business da e extending the date to respon- extension may be taken per FO nting extension:	Township Response: By after receiving this appeal, included to your FOIA fee appeal for no moi A appeal.	ling a determing that the determine than 10 bus	nation or siness da	taking one 10-day extension. ays, until
The township must provide a re Township Extension: We are (month, day, year). Only one e. Unusual circumstances warran	response within 10 business da e extending the date to respon- extension may be taken per FO nting extension: arding this extension, contact: _	Township Response: By after receiving this appeal, included to your FOIA fee appeal for no mone appeal.	ling a determing that the determine than 10 bus	nation or siness da	taking one 10-day extension. ays, until
The township must provide a recommendation: We are (month, day, year). Only one extra Unusual circumstances warrant If you have any questions regard Township Determination:	response within 10 business date extending the date to respond extension may be taken per FO nting extension: arding this extension, contact: Fee Waived Fee I	Township Response: By after receiving this appeal, included to your FOIA fee appeal for no mone appeal.	ling a determing than 10 bus	nation or siness da	taking one 10-day extension. ays, until
The township must provide a recommendation: We are (month, day, year). Only one extra Unusual circumstances warrant If you have any questions regard Township Determination:	response within 10 business date extending the date to respond extension may be taken per FO nting extension: arding this extension, contact: Fee Waived Fee I	Township Response: Townsh	ling a determing than 10 bus	nation or siness da	taking one 10-day extension. ays, until

FREEDOM OF INFORMATION ACT (EXCERPT) Act 442 of 1976

15.240a.added Fee in excess of amount permitted under procedures and guidelines or MCL 15.234. Sec. 10a.

- (1) If a public body requires a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4, the requesting person may do any of the following:
- (a) If the public body provides for fee appeals to the head of the public body in its publicly available procedures and guidelines, submit to the head of the public body a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the public body's available procedures and guidelines or section 4.
- (b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, in the court of claims, for a fee reduction. The action must be filed within 45 days after receiving the notice of the required fee or a determination of an appeal to the head of a public body. If a civil action is commenced against the public body under this subdivision, the public body is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed under this subdivision unless 1 of the following applies:
- (i) The public body does not provide for appeals under subdivision (a).
- (ii) The head of the public body failed to respond to a written appeal as required under subsection (2).
- (iii) The head of the public body issued a determination to a written appeal as required under subsection (2).
- (2) Within 10 business days after receiving a written appeal under subsection (1)(a), the head of a public body shall do 1 of the following:
- (a) Waive the fee.
- (b) Reduce the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the remaining fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and section 4.
- (c) Uphold the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the required fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the fee amount complies with the public body's publicly available procedures and guidelines and section 4.
- (d) Issue a notice extending for not more than 10 business days the period during which the head of the public body must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.
- (3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a).
- (4) In an action commenced under subsection (1)(b), a court that determines the public body required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4 shall reduce the fee to a permissible amount. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located. The court shall determine the matter de novo, and the burden is on the public body to establish that the required fee complies with its publicly available procedures and guidelines and section 4. Failure to comply with an order of the court may be punished as contempt of court.
- (5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.
- (6) If the requesting person prevails in an action commenced under this section 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 under subsection (7).
- (7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the public body to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. 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 the public record as part of its public function.
- (8) As used in this section, "fee" means the total fee or any component of the total fee calculated under section 4, including any deposit.

History: Add. 2014, Act 563, Eff. July 1, 2015