

Sponsor(s) : County Council/Administration  
Adopted/Effective Date : October 20, 2011  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

**RESOLUTION NO. 09-2011/12**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(To Establish Retention Schedules For Freedom Of Information Act Records And Interim Audio Recordings of Council Meetings After Minutes Are Officially Adopted And To Formally Adopt A Freedom Of Information Act Procedure.)**

**WHEREAS:**

1. Florence County wishes to adopt retention schedules for maintaining Council meeting records, associated recordings, and FOIA responses; and
2. This resolution will formalize a South Carolina Freedom of Information Act (FOIA) request response procedure.

**NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

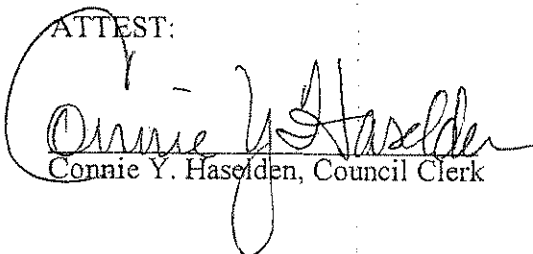
1. All FOIA requests must be in writing to include the date, specific information being requested, name, address, phone number and signature of the requester. The citizen may opt to use the County FOIA form. However, if a FOIA request is unclear regarding what specific document copies are being requested, further clarification and/or a FOIA form 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 Administrator's office the same day received, addressed to the attention of:

FOIA Request  
County Administrator Office  
City-County Complex, Room 802  
180 North Irby Street, MSC-G  
Florence, South Carolina 29501  
Fax: 843-665-3070

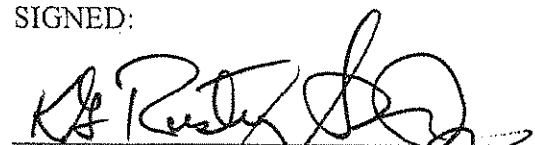
The County Administrator or his Designee (hereinafter termed FOIA Designee) will compile and maintain a computerized log of all FOIA requests, including response dates and fees collected.

4. The FOIA Designee will advise the respective department and/or requester once a determination is made whether the information requested is disclosable in accordance with this procedure. FOIA requests must be responded to within 15 business days after receipt of the written request. If an attorney's opinion or other work is needed on an issue related to availability or production of records, the FOIA Designee will notify the requestor that the FOIA request is being processed and the expected timeframe of completion. The FOIA Designee 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. Florence County shall charge appropriate fees, which may be established and modified by County Council. The FOIA Designee will obtain a written listing of any applicable costs, from the respective department(s), based on the applicable fees. The FOIA Designee 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 to minimize unnecessary costs.
  - b. Research costs shall not be charged if the entire process of making the information available takes less than one (1) hour.
  - c. 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.
10. There is hereby established a retention schedule of three (3) years for all audio recordings of Florence County Council meetings maintained by the Clerk to Council.
11. This Resolution is effective immediately upon adoption.

ATTEST:

  
Connie Y. Haselden, Council Clerk

SIGNED:

  
K. G. Rusty Smith, Jr., Chairman  
COUNCIL VOTE: approved  
OPPOSED: 0  
ABSENT: 0

Sponsor(s) : County Council/Administration  
Adopted/Effective Date : July 20, 2017  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

## RESOLUTION NO. 01 - 2017/18

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

#### A Resolution To Amend Resolution No. 09-2011/12 To Incorporate Requirements Pursuant To Act 67 Of 2017.

#### WHEREAS:

1. On October 20, 2011, Florence County Council adopted Resolution No. 09-2011/12 ‘... To Formally Adopt A Freedom Of Information Act Procedure;’ and
2. The South Carolina Legislature made significant changes to the Freedom of Information Act and the Governor of South Carolina signed into effect Act 67 of 2017 that became effective May 19, 2017; and
3. Pursuant to Act 67 of 2017 County Council deems it necessary to make revisions to the Procedure established by Resolution No. 09-2011/12.

#### NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

**Section 1:** Section 4 of Resolution No. 09-2011/12 is deleted in its entirety and the following is inserted in lieu thereof:

4. The FOIA Designee will advise the respective department and/or requester once a determination is made whether the information requested is disclosable in accordance with this procedure. FOIA requests must be responded to within 10 business days after receipt of the written request if the documents requested are two years old or less, and the documents have to be produced no later than thirty (30) calendar days after the response date. If the documents requested are more than two years old, the response time is 20 days, and the documents must be produced no later than thirty five (35) calendar days from the response date. The FOIA Designee will provide a copy of the notification, along with the request to the County Attorney where appropriate.

**Section 2:** Section 6 of Resolution No. 09-2011/12 is deleted in its entirety and the following is inserted in lieu thereof:

6. Florence County shall charge appropriate reimbursement fees, which may be established and modified by County Council and listed on the Florence County web site. The FOIA Designee will obtain a written listing of any applicable costs, from the respective department(s), based on the applicable fees. The FOIA Designee will advise the requestor once a determination is made relating to applicable costs. A deposit equal

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to 25% of the estimated cost may be required prior to provision of the information.

- a. Requesters are encouraged to make their requests as specific as possible to minimize unnecessary costs.
- b. Research costs shall not be charged if the entire process of making the information available takes less than one (1) hour.
- c. 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.

ATTEST:



Connie Y. Haselden, Council Clerk

SIGNED:



Kent C. Caudle, Chairman

COUNCIL VOTE: *approved*  
OPPOSED: *0*  
ABSENT: *1 - J. Springs*