

NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

Date: March 18, 2019

T0: Brad Austin
FOIA@unclaimedrecoveries.com

RE: FREEDOM OF INFORMATION REQUEST

Copy to:
Kelly F. Zier, City Attorney
Cammie Hayes, Director of Finance &
Support Services

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 18th day of March 2019. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a

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regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

NOTICE: SOUTH CAROLINA LAW PROVIDES THAT "IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION."



Sharon Lamar, City Clerk

City of North Augusta, South Carolina

March 13, 2019

From: Brad Austin
Subject: Public Records/OPRA/FOIA Request

To Whom It May Concern:

Pursuant to the laws and regulations regarding public information in your state, I hereby request:

1. A copy of any existing records showing such details as the depositor names, deposit amounts, and deposit dates, for every unrefunded cash escrow, cash deposits, cash performance bonds which have been deposited with your municipality and have not been returned or refunded to the developer and/or depositor.
2. A copy of any records showing the (i) payee names and vendor numbers, (ii) check issue dates, (iii) check identification numbers, and ~~(iv) dollar amounts of every vendor~~ **check/uncashed check/stale-dated check** which have been refundable for more than (6) months from the date of this letter in an amount equal to or greater than one thousand dollars (\$1,000.00) that remains uncashed as of today.
3. Financial spreadsheet, ledger, or any other accounting record of **property tax** ~~overpayments, or unclaimed/unredeemed tax lien certificates~~ which have been refundable for more than (6) months from the date of this letter showing the (i) payee names (ii) check issue dates, (iii) check identification numbers, and (iv) dollar amounts. Please also provide the last known address of the payee if possible. If a dollar amount threshold is necessary I ask that you provide amounts of \$1,000 or more. Please only include items that are still eligible for release as of today and have not been escheated to the state.

In regards to #1, Responsive documents to this request may include but not be limited to: Bond History Log, Performance Bond Deposit Report/List, Construction Cash Bond Report, Active/Open Cash Bond Report, Deposit List, Active/Open Cash Deposit List, Reimbursable Bond Report, and/or Outstanding/Active/Open Balances Report.

Some examples of the cash deposits that are being sought after may include, but not be limited to: tap fees, temporary trailer, right of way, landscaping, traffic/street lights, demolition, sidewalk/curb, trees, impact fees, winter handling, signs/temporary signs, seeding, street opening, monuments, driveway, grading/paving, earth moving, hydrant, maintenance, conservation, subdivision, wetlands conservation, erosion, and storm sewer.

In regards to #2, Responsive documents to this request may include but not be limited to: Stale Dated/Uncashed Checks Report, Stale Dated Vendor/Payroll Checks, A/P Check/Warrant Reconciliation Report, Check/Warrant Reconciliation Report/Register Outstanding Check Warrants Report, Unclaimed Checks Report, and/or Outstanding Warrants Report.

Please **E-MAIL** any correspondences in regards to my request as I deal with several municipalities and it is much easier for record keeping. If the requested records are available in an electronic format (*e.g.*, Excel) that can be delivered to me as an email attachment, then that is the format in which I would prefer to receive the records. If there is any cost to me for providing the requested records, then please give me an estimate of that cost by return email prior to incurring it on my behalf so that I can determine whether I can afford to prepay it. If this request should be addressed to some other public official, then I would appreciate your so advising and providing me with contact information for that official.

Thanks,

Brad Austin

3330 Bourbon St. #125

Fredericksburg, VA 22408

Ph: (866) 575-7774 x 216

Fax: (866) 523-9166

FOIA@unclaimedrecoveries.com