

**DORR TOWNSHIP LIBRARY
BOARD OF TRUSTEES
MEETING
Dorr Township Library
Time: April 18, 2022 @ 6:30 pm**

Call to Order:

Roll Call:

Changes to the Agenda:

Approval of the Agenda:

Approval of the Minutes: March 21

Treasurer's Report: Credit Card - \$4,917.04 for March

Public Comment:

Director's Report:

Committee Reports:

NEW BUSINESS:

OLD BUSINESS:

1. Update on Trustee candidate for open seat
2. Discussion of Board Training options
3. FOIA Policy
4. Policies from FosterSwift
 - a. Internet Use Policy
 - b. Meeting Room Policy
 - c. Patron Behavior Policy
5. Transferring \$100K from Checking to Savings

Township Board Meeting: April 28, 2022 7 pm.

Adjournment:

Next regular meeting: May 16, 2022 at 6:30 pm

**DORR TOWNSHIP LIBRARY
BOARD OF TRUSTEES
Dorr Township Library
Date: March 21, 2022
6:30 P.M.**

MINUTES

Meeting was called to order at 6:37 pm

Pledge of Allegiance: Was said.

Roll Call: Present-Derrick McLain, Brittany Hunter, Michael Rydman, Shana Dykhuis, Reilly Brower, Assistant Director

Absent: Carrie Brooks, Jeffrey Babbitt, Director

Additions to the Agenda: Hunter motioned to place Proposed Budget as number 5 under Old Business and was seconded by Dykhuis. All yes, motion carried

Approval of the Agenda: Dykhuis made a motion to accept the agenda with the aforementioned addition and was seconded by Hunter. All yes, motion carried.

Approval of the Minutes: Hunter made a motion to accept the minutes from February 21, 2022, and was seconded by Dykhuis. All yes, motion carried.

Treasurer's Report: Treasurer Dykhuis made a motion to pay the credit card bill in the amount of \$1,376.88, and was seconded by McLain. All yes, motion carried.

Public Comment: None

Director's Report:

Storytime attracted as many as 14 kids in recent weeks. New multimedia from grant was used during the Teen Movie, March 12. Shamrock Slime was well-attended. Second live Among Us scheduled for April 6. Stats were a bit down from January. Ancestry had no use due to "use from home" model being eliminated. Promoting will be forthcoming. Budget up to date. Director working on a grant to have teens photograph local historical sites with guidance from Then and Now. Invoice from Godwin. Director called to explain that the Township pays for building repairs. They will contact Vicki at the township and change records. Director attended various webinars and meetings. Volunteer did a wonderful job and fulfilled their required hours. No closings.

Committee Report:

Hunter reported that between meetings and correspondence with staff, things are going well overall. There was minor feedback to go over with the Director. Very satisfied with the performance of the Director and library as a whole.

NEW BUSINESS:

1. **Policies from Foster Smith** - As the Director was absent, McLain motioned with Dykhuis second to table the item. All yes, motion carried.
2. **Transferring \$100K from Checking to Savings** Dykhuis motioned, Hunter second. All yes, motion carried

OLD BUSINESS:

1. **Update on Trustee Candidate open seat** - No candidates applied. Position will be posted to sign and reposted to Facebook and the website.
2. **Discussion and approval of raises for library staff** - Recommendations of Assistant Director to \$16.75, other staff 6% and Director 8%. Dykhuis motioned, McLain seconded. All yes, motion carried. .
3. **Discussion of Board Training options** - Hunter Motioned to table until Director present. McLain seconded. All yes, motion carried.
4. **FOIA Policy** McLain motioned to table until Director present, seconded by Dykhuis. All yes, motion carried.
5. **Approval of Proposed Budget** Dykhuis motioned, McLain seconded to approve the proposed 2022/2023 budget.

Township Board Meeting: March 24, 2022 at 7 pm. Brower to go, with Dykhuis, if needed.

Adjournment: McLain motioned to adjourn at 7:25 pm, and was seconded by Dykhuis. All yes, motion carried.

Next regular meeting: April 18, 2022, at 6:30 p.m.

Submitted by Carrie Brooks

Director's Report, April 2022

Library Operation Updates

After being featured on FOX 17 morning news, the Bridgerton Tea Party was still small (3 participants) but thoroughly enjoyed. Karen Shaffer's Storytime theme this month is Around the World, and we have had double-digit numbers of children coming every week this month. Reilly's felting programs have been extremely popular, and Live Among Us on April 6 was just short of capacity at 12 participants. May's programs just opened for registration, and some of them have had to be expanded to accommodate all the interested patrons!

Statistics

Statistics were generally up from February. Circulation of books and DVDs was higher than it has been at any point in the last 15 months. Ancestry use spiked to 293 after being nearly unused in the past 3 months. See the charts and graphs below.

Budget Items

The budget is up to date. The Mango Languages contract has been renewed for the next 3 years with this year's price locked in for 3 annual payments.

Staff and Building Items

Ants were seen in the staff break area and later in the lobby. Both times, Randy was quickly notified and responded promptly the first time. The response to the most recent problem has taken a couple of extra days. Debbie Sewers has assured us that the Godwin Plumbing bill has been taken care of.

Meetings, Workshops, etc.

To support Reilly's plans toward applying for a sizeable grant, I attended the ALA COVID Relief Grant informational meeting on Zoom on March 24. It appears likely that we do not qualify for the grant, as our budget has not been reduced by at least 5% in the last 2 years.

Reilly attended the Dorr Township Board meeting March 24. The Township Board passed the FY2022-23 Budget with the \$50,000 appropriation for the Library intact, no increase.

On April 6, I met with archivist Andrew MacLaren from Ann Arbor District Library via Zoom and had a phone conference with Linda and Cathy from Then and Now Historical Society regarding the local history

project I am hoping to fund through the Improving Access to Information Grant. Then and Now is on board for providing an instructional program and consultation services in the fall, and Andrew had some helpful ideas for how we might store and provide access to images and other information online. On April 14, I met with Chelsea Denault from the Michigan Digital Preservation Network on Zoom regarding the same program. Preservation of the images collected in this project is one of the key objectives, along with hosting and access. MDPN provides secure, redundant storage to its institutional members (annual cost for DTL, \$550).

Volunteers

We were contacted by Elijah Kincaid, a student at Wayland Union High School, on April 12 about volunteer opportunities. Jen responded and invited him to come in. No response as yet.

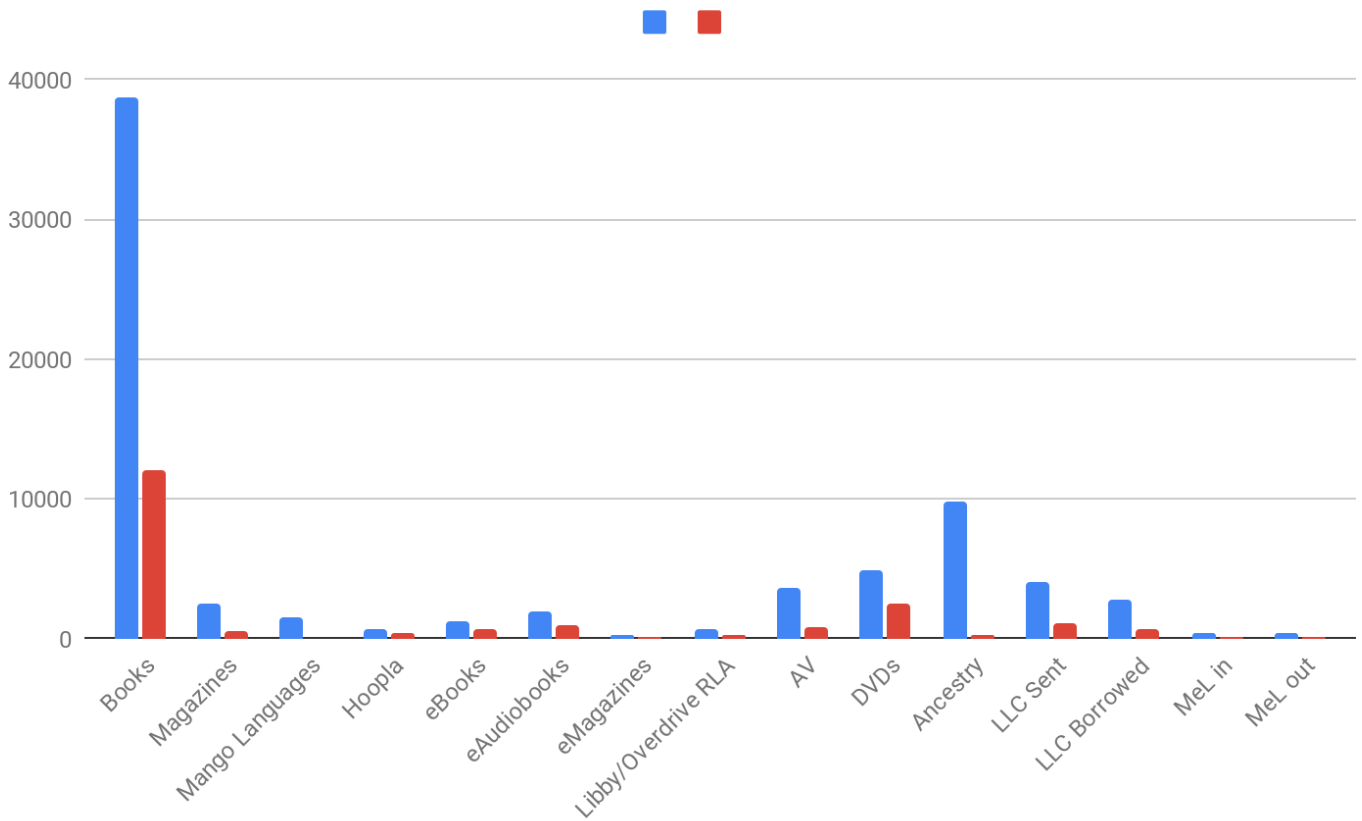
Library Closings

The library had no closings over the past month.

Completed April 14, 2022, 2:25PM

	2021											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Books	1982	2056	2267	2191	2951	4101	4274	4314	3886	3745	3802	3121
Magazines	130	214	119	115	260	222	203	301	244	232	280	173
e-Magazines/Audio/Hoopla	187	144	104	73	189	767						
Hoopla							102	122	99	94	159	83
eBooks							257	220	200	200	202	185
eAudiobooks							300	350	331	358	348	302
eMagazines							39	49	42	49	24	22
Libby/Overdrive RLA Loans							152	118	92	134	130	
AV	547	727	566	420	179	160	184	176	208	133	172	174
DVDs	102	115	128	79	518	282	657	627	583	700	626	491
Ancestry	710	1398	1063	335	1176	359	1048	375	762	1660	817	73
LLC Sent	438	405	368	234	302	362	297	314	361	315	342	259
LLC Borrowed	293	179	153	310	143	248	241	282	243	291	188	250
MeL in	33	53	33	36	28	36	38	49	39	35	39	37
MeL out	35	47	30	41	29	40	36	44	43	33	41	35

	2022											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Books	4006	3461	4590									
Magazines	188	172	242									
Mango Languages	0	13	3									
Hoopla	110	134	131									
eBooks	254	198	233									
eAudiobooks	336	257	335									
eMagazines	39	60	52									
Libby/Overdrive RLA Loans	148	123										
AV	278	235	293									
DVDs	826	705	963									
Ancestry	3	0	230									
LLC Sent	391	333	367									
LLC Borrowed	299	223	176									
MeL in	57	50	44									
MeL out	63	54	47									



Short Takes for Trustees

Welcome to Short Takes for Trustees, a series of 10 short videos (8-10 minutes each) that can be shown during Trustee meetings to stimulate discussion about the important role that Trustees play in the governance of their libraries. Topics in the series explain the basics, such as what it



Short Takes for Trustees

means to be a Trustee (discussing the broad fiduciary responsibilities of governing boards as well as the limits of an advisory board), as well as how to set policy, how to evaluate the library director (and why you should!), along with board self evaluation, and the ethical and parliamentary standards for boards — both governing and advisory.

The courses are: What It Means to Be a Trustee; Board Meetings; Board Ethics; Library Advocacy; Library Policies; Strategic Planning; Working with Friends; Evaluating the Library Director; Board Self Evaluation, and Succession Planning and New Board Orientation.

If you have already registered for Short Takes for Trustees, please click here to access the videos (<https://united-for-libraries.teachable.com/p/short-takes>) (login required).

If you are accessing Short Takes for Trustees as part of statewide access paid for by your state library, please select the appropriate link to register: Alabama (<http://www.ala.org/united/login-request/alabama>), Illinois (<http://www.ala.org/united/login-request/rails>), Maryland (<http://www.ala.org/united/login-request/maryland>), Massachusetts (<http://www.ala.org/united/login/mass>), Michigan (<http://www.ala.org/united/login-request/michigan>), Montana (<http://www.ala.org/united/login-request/montana>), Nebraska (<http://www.ala.org/united/login-request/nebraska>), New Jersey (<http://www.ala.org/united/login-request/newjersey>), Oregon (<http://www.ala.org/united/login-request/oregon>), South Carolina (<http://www.ala.org/united/login-request/south-carolina>), South Dakota (<http://www.ala.org/united/login/south-dakota>), Texas (<http://www.ala.org/united/login-request/texas>), Virginia (<http://www.ala.org/united/login-request/virginia>), and Wisconsin (South Central Library System) (<http://www.ala.org/united/login-request/scls>).

Short Takes Pricing

- United for Libraries members - \$79
- Non-members - \$99

Free for MI libraries!

Format

Short Takes for Trustees courses are in video format through Adobe Connect. Access is available at any time day or night. Videos range between 8-10 minutes.

How to Register

Call United for Libraries at (800) 545-2433, ext. 2161 or email united@ala.org (<mailto:united@ala.org>).

DORR TOWNSHIP LIBRARY

FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES

I. PURPOSE.

The Dorr Township Library (“Library”) adopts the public policy set forth in the Michigan Freedom of Information Act, 1976 PA 442 (“FOIA”), that all persons, except those persons incarcerated in state, county or federal correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with the FOIA. Access to information is important so that people may fully participate in the democratic process. These Procedures and Guidelines are enacted in compliance with the requirements set forth in Section 4(4) of the FOIA.

II. FOIA COORDINATOR.

The Library Director shall be the FOIA Coordinator. The FOIA Coordinator will respond to requests in accordance with the FOIA. An employee of the Library who receives a request for a public record must promptly forward that request to the FOIA Coordinator. The FOIA Coordinator is responsible for accepting, processing and approving a denial of a request and signing the written notice of denial. The FOIA Coordinator may designate another individual to act on his or her behalf in accepting and processing requests for the Library’s public records, and in approving a denial.

III. REQUEST REQUIRED.

A. *Requestor; Public Record.* An individual, corporation, limited liability company, partnership, firm, organization, association, governmental entity, or other legal entity, except those persons incarcerated in state, county or federal correctional facilities, may request public records from the Library. “Public Record” has the meaning as defined in Section 2(e) of the FOIA.

B. *Verbal Requests.* The Library may, but is not required to, provide public records in response to a verbal request, unless such verbal request is for information that the Library believes is available on its website. In such case, an employee, where practicable and to the best of his or her knowledge, shall inform the requestor about the pertinent website where the information is available.

C. *Written Requests.* Except as provided in Section III.B above, a person desiring to inspect, copy or receive a copy of a public record shall make a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission.

1. Where to Send the Request. Whenever possible, requests for public records should be directed to the following recipients so that the information can reach the FOIA Coordinator:

a. By mail or in person:

Dorr Township Library
Attn: FOIA Coordinator
Address: Dorr Township Library
1804 Sunset Dr.
Dorr, MI 49323

b. By e-mail: dorrlibrary.mi@gmail.com

c. By fax: 616-681-5650

2. Sufficient Description. Requests in writing must identify the public record sufficiently to allow the Library to find the requested record. If not, the request may be denied on that basis.

3. Requestor Contact Information Required. A request from a person must include the following (unless the request is from an individual who qualifies as indigent under Section 4(2)(a) of the FOIA):

a. the requesting person's complete name, address, and contact information, and

b. if the request is made by a person other than an individual, the complete name, address, and contact information of the person's agent who is an individual.

An address must be written in compliance with United States Postal Service addressing standards. Contact information must include a valid telephone number or electronic mail address.


4. Electronic Transmissions. For requests sent by electronic transmission, the following shall apply:

a. Electronic Transmissions. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the Library's FOIA coordinator until 1 business day after the electronic transmission is made.

b. Spam or Junk Mail Folder. If a written request is sent by electronic mail and delivered to the Library's spam or junk mail folder, the request is not received until 1 day after the Library first becomes aware of

Summary of Comments on DORR TOWNSHIP LIBRARY FOIA

Page: 2

 Number: 1 Author: Director Subject: Highlight Date: 4/12/2022 11:44:19 AM

 Number: 2 Author: Director Subject: Comment on Text Date: 4/12/2022 11:57:09 AM

I do not see in the law where indigent people are exempt from providing contact information, but that is what this seems to say.

the written request. The Library shall note in its records both the time a written request is delivered to its spam or junk mail folder and the time the Library first becomes aware of that request. ¹The FOIA Coordinator shall be responsible for routinely monitoring the spam and junk mail folders in order to determine whether they contain any FOIA requests.

5. Specify Format. The requestor may specify whether he or she would like to inspect, receive paper copies, or receive the public records on nonpaper physical media. The Library is only required to comply with the request for specified nonpaper physical media if it has the technological capability necessary to provide the public records on the requested nonpaper physical media in the particular instance.

6. Subscription. A person has a right to subscribe to future issuances of public records that are created, issued, or disseminated on a regular basis. A subscription shall be valid for up to 6 months, at the request of the subscriber, and shall be renewable.


IV. PROCEDURES FOR RESPONDING TO WRITTEN FOIA REQUESTS.


A. *Response.* Unless otherwise agreed to in writing by the person making the request, the Library shall respond to a request within ²business days after it receives the request by:

1. Granting the request (which would include notifying the requestor that all or a portion of the public records requested are available on the website, if applicable);
2. Issuing a written notice to the requesting person denying the request;
3. Granting the request in part and issuing a written notice to the requesting person denying the request in part (which would include notifying the requestor that all or a portion of the public records requested are available on the website if applicable); or
4. Issuing a notice extending for not more than 10 business days the period during which the Library shall respond to the request.

The Library's written response shall be considered the final determination regarding the FOIA request.

B. *Understanding the Library's Response.* The Library has an obligation to respond as required under the FOIA. If the Library grants a written request in full, the requestor will receive a notice indicating that it has been granted. However, if the request is denied or denied in part, the Library shall provide the following information:

 Number: 1 Author: Director Subject: Comment on Text Date: 4/12/2022 11:58:52 AM
Specify frequency, once per month minimum

 Number: 2 Author: Director Subject: Highlight Date: 4/12/2022 11:56:35 AM

1 Pursuant to Section 13 of the FOIA, the Library may exempt certain documents from disclosure. The FOIA Coordinator will review the request to determine if any exemptions apply. The FOIA Coordinator may request assistance from the Library's Attorney regarding the application of exemptions. If exempt, the Library shall provide an explanation of the basis under this act or other statute for the determination that the public record, or portion of that public record, is exempt from disclosure, if that is the reason for denying all or a portion of the request.

2. A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library, if that is the reason for denying the request or a portion of the request. The denial letter may indicate that the letter serves as the certificate as required by the FOIA.

3. A description of a public record or information on a public record that is separated or deleted pursuant to Section 14 of the FOIA, if a separation or deletion is made.

4. A full explanation of the requesting person's right to do either of the following:

a. Submit to the Library Board a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the disclosure denial; or

b. Seek judicial review of the denial under Section 10 of the FOIA.

5. Notice of the right to receive attorneys' fees and damages as provided in Section 10 of the FOIA, MCL 15.240, if, after judicial review, the court determines that the Library has not complied and orders disclosure of all or a portion of a public record.

C. ¹*No Obligation to Create Records.* The FOIA does not require the Library to make a compilation, summary, or report of information. Further, the Library is not required to create a new public record in order to respond to a request.

D. *Documents Available on Website.* 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 Library shall notify the requestor in its written response. The written response, to the degree practicable in the specific instance, shall include a specific webpage address where the requested information is available.

If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format. On the detailed itemization, the Library shall

separate the requested public records that are available on its website from those that are not available on the website and shall inform the requestor of the additional charge to receive copies of the public records that are available on its website.

V. FEES.

The Library may charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record because it has established, made publicly available, and follows these Procedures and Guidelines and the FOIA. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor; the cost of search, examination and review; and the deletion and separation of exempt information from non-exempt information as set forth more fully in these Procedures and Guidelines. The FOIA Coordinator shall provide a detailed itemization of costs on a standard form, as required under Section 4(4) of the FOIA (“Detailed Itemization”). The total fee shall not exceed the sum of the following components:

A. *Labor Costs:*

1. Searching for, Locating and Examining.

a. The Library may charge for searching for, locating and examining public records in conjunction with receiving and fulfilling a granted written request.

b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in the particular instance regardless of whether that person is available or who actually performs the labor.

c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

2. Separating and Deleting Exempt from Non-Exempt:

a. For services performed by an employee of the Library, the Library shall not charge more than the hourly wage of its lowest-paid employee capable of separating and deleting exempt information from non-exempt information in the particular instance, regardless of whether that person is available or who actually performs the labor. All references in these Procedures and Guidelines to separating and deleting exempt information from non-exempt information shall refer to the separation and deletion requirements set forth in Section 14 of the FOIA, MCL 15.244.

b. If the Library does not employ a person capable of separating and deleting exempt information from non-exempt information in the

particular instance, it may treat necessary contracted labor costs used for the separating and deleting of exempt information from non-exempt information in the same manner as employee labor costs when calculating charges under this subdivision if all of the following occur:

1) The Library's FOIA Coordinator determines on a case-by-case basis that the Library does not employ a person capable of separating and deleting exempt information from non-exempt information.

2) The Library clearly notes the name of the contracted person or firm on the Detailed Itemization.

3) Total labor costs calculated for contracted labor costs shall not exceed an amount equal to 6 times the state minimum hourly wage rate.

c. These labor costs shall be estimated and charged in increments of 15 minutes, with all partial time increments rounded down.

d. The Library shall not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the public record in question and the redacted version is still in the Library's possession.

e. If the Library 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 this labor charge.

3. Duplication or Publication Labor Charges.

a. The Library may charge labor costs for duplication and publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on nonpaper physical media or through the internet or other electronic means as stipulated by the requestor.

b. The Library shall not charge more than the hourly wage of its lowest-paid employee capable of necessary duplication or publication in the particular instance, regardless of whether that person is available or who actually performs the labor.

c. Labor costs shall be estimated and charged in increments of one (1) minute, with all partial time increments rounded down.

4. Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits in the Detailed Itemization. Subject to the 50% limitation, the Library shall not charge more than the actual cost of fringe benefits, and overtime wages shall not be used in calculating the cost of fringe benefits.

If all or a portion of the requested records are available on the website and the Library has included the website address in its written response but the requestor wants the public records in a paper format or other nonpaper physical media, the Library shall provide the public records in the specified format but may use a fringe benefit multiplier greater than the 50% limitation, not to exceed the actual costs of providing the information in the specified format.

5. Overtime Wages. 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 Itemization.

6. Itemization. All labor fee components shall be itemized using both the hourly wage and the number of hours charged on the Detailed Itemization.

7. Unreasonably High Costs. The labor fee shall not be charged for (1) searching for, locating and examining of public records, or (2) the cost of the deletion and separation of exempt information from non-exempt information, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs. The FOIA Coordinator has authority to determine when the costs are unreasonably high in a particular instance, including, but not limited to, instances when the costs would be excessive and beyond the normal or usual amounts for responding to a request. In doing so, the FOIA Coordinator may take into account considerations such as the volume and complexity of the FOIA request as well as the Library's particular fiscal condition at the time of the request or any other conditions authorized by law.

B. *Other Costs.*

1. Nonpaper Physical Media. Costs for providing records on nonpaper physical media.

a. The requestor may stipulate that the public records be provided on nonpaper physical media, electronically mailed, or otherwise electronically provided to him or her in lieu of paper copies. The Library is not required to provide the documents on nonpaper physical media if it lacks the technological capability necessary to provide records on the requested particular nonpaper physical media.

b. For public records provided to the requestor on nonpaper physical media, the Library may charge the actual and most reasonably economical cost of the computer discs, computer tapes, or other digital or similar media. The Library may use (but is not required to) a computer disc, thumb drive or other nonphysical media provided by the requestor but only if it is provided in its original packaging. Because the safety and security of the Library's computers and network is of important public interest, the Library may take that security interest into account when determining the means of providing the documents on nonpaper physical media.

2. Costs for Providing Paper Copies.

a. For paper copies of public records provided to the requestor, the Library may charge the actual total incremental cost of necessary duplication or publication, not including labor.

b. The cost of paper copies shall be calculated as a total cost per sheet of paper and shall be itemized and noted in a manner that expresses both the cost per sheet and the number of sheets provided.

c. ¹The fee shall not exceed 10 cents per sheet of paper for copies of public records made on 8½ by 11 inch paper or 8½ by 14 inch paper. For all other paper sizes, the Library may charge the actual total incremental cost of duplication or publication, not including labor.


d. The Library shall utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

3. Mailing Costs.


a. ²The Library shall charge the actual cost of mailing, if any, for sending the public records in a reasonably economical and justifiable manner.

b. The Library shall not charge more for expedited shipping or insurance unless specifically stipulated by the requestor, but may otherwise charge for the least expensive form of postal delivery confirmation when mailing public records.

C. *Statutory Fees.* The fees set forth in this Section V do not apply to public records prepared under an act or statute specifically authorizing the sale of those public records to the public, or if the amount of the fee for providing a copy of the public record is otherwise specifically provided by an act or statute.

 Number: 1 Author: Director Subject: Comment on Text Date: 4/12/2022 12:28:23 PM

Change "shall not exceed 10 cents per sheet of paper" to "shall be 8 cents per page per single-sided sheet of paper or 10 cents per double-sided sheet of paper"

 Number: 2 Author: Director Subject: Comment on Text Date: 4/12/2022 12:37:12 PM

Change to "In the case that the requestor requests that the public records be mailed, the Library shall charge 10 cents for a small, business-size envelope or 50 cents for a large manila envelope plus actual postage "


- D. *Fees Paid Before Providing Documents.* The Library shall require that all fees be paid in full before providing records in response to granted or granted in part written requests.

VI. DEPOSIT.

A. *Deposit.* In either the Library's initial response or subsequent response as described under Section 5(2)(d),¹¹ the Library may require a good-faith deposit before providing the public records to the requestor if the entire fee estimate or charge authorized the FOIA exceeds \$50.00, based on a good-faith calculation of the total. The deposit shall not exceed ½ of the total estimated fee, and the Library's request for a deposit shall be included in the Detailed Itemization. The response shall also contain a best efforts estimate by the Library regarding the time frame it will take the Library to comply with the law in providing the public records to the requestor. The time frame estimate is nonbinding upon the Library, but the Library shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this state's public policy under Section 1 and the nature of the request in the particular instance. If the Library does not respond in a timely manner as required by the FOIA, it is not relieved from its requirements to provide proper fee calculations and time frame estimates in any tardy responses. Providing an estimated time frame does not relieve the Library from any of the other requirements of this act.

B. *Increased Deposit For Prior Unpaid Requests.* After the Library has granted and fulfilled a written request from an individual under this act, if the Library has not been paid in full the total amount for the copies of public records that the Library made available to the individual as a result of that written request, the Library may require a deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual if all of the following apply:

1. The final fee for the prior written request was not more than 105% of the estimated fee.
2. The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
3. The public records were made available to the individual, subject to payment, within the time frame estimate described Section 4(7) of the FOIA.
4. Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
5. The individual is unable to show proof of prior payment to the Library.
6. The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

 Number: 1 Author: Director Subject: Comment on Text Date: 4/12/2022 12:06:08 PM
Change from "may require" to "requires"

The Library shall no longer require an increased estimated fee deposit from an individual described above if any of the following apply:

1. The individual is able to show proof of prior payment in full to the Library;
2. The Library is subsequently paid in full for the applicable prior written request; or
3. Three hundred sixty-five days have passed since the individual made the written request for which full payment was not remitted to the Library.

C. *Payment of Deposit; Abandonment of Request.* If a deposit that is required under Subsection 4(8) or 4(11) of the FOIA (as described in Subsections VI.A and B above) is not received by the Library within 45 days from receipt by the requesting person of the notice that a deposit is required, and if the requesting person has not filed an appeal of the deposit amount, the request shall be considered abandoned by the requesting person and the public body is no longer required to fulfill the request. This notice of a deposit requirement is considered received 3 days after it is sent, regardless of the means of transmission. Notice of a deposit requirement will include notice of the date by which the deposit must be received, which date is 48 days after the date the notice is sent.

VII. WAIVER OR REDUCTION OF FEES.

A. *Waiver of Fees of First \$20.00.* A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request by either of the following:

1. Indigency. An individual who is entitled to information under this act and who submits an affidavit stating that the individual is indigent and receiving specific public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigency.

- a. If the requestor is eligible for a requested discount, the Library shall fully note the discount on the Detailed Itemization.

- b. If a requestor is ineligible for the discount, the Library shall inform the requestor specifically of the reason for ineligibility in the Library's written response. An individual is ineligible for this fee reduction if any of the following apply:

- 1) The individual has previously received discounted copies of public records from the Library twice during that calendar year.

2) 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, as verified by an affidavit executed by the requestor.

2. Certain Non-Profit Organizations. A non-profit 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, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:

- a. Is made directly on behalf of the organization or its clients.
- b. 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.
- c. Is accompanied by documentation of its designation by the state, if requested by the Library.

B. *Public Interest Reduction or Waiver.* The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

C. *Reduction for Late Responses.* If the Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall do the following:

1. Reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if either of the following applies:
 - a. The late response was willful and intentional.
 - b. The written request:
 - (i) included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or
 - (ii) specifically included the words, characters, or abbreviations for “freedom of information”, “information”, “FOIA”, “copy”, or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.

2. If a charge reduction is required, the Library shall fully note the charge reduction on the Detailed Itemization.

VIII. INSPECTION.

Upon request, the Library must furnish a requesting person a reasonable opportunity for inspection and examination of its public records, and must furnish reasonable facilities for making memoranda or abstracts from its public records during the usual business hours. Pursuant to Section 4(1) of the FOIA, the Library may charge a fee for the public record search, for the necessary copying of a public record for inspection or for providing a copy of the public record after inspection.

The FOIA permits the Library to make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions. The Library must protect public records from loss, unauthorized alteration, mutilation, or destruction. As such, the Library authorizes the FOIA Coordinator to determine whether in a particular circumstance an employee or agent of the Library must be present at any inspection of documents to protect the public records, and in such cases may assess charges as appropriate under law.

IX. CERTIFIED COPIES.

The Library must, upon written request, furnish a requesting person a certified copy of the public record disclosed in whole or in part by the Library.

X. APPEALS.

A. Appeal of a Final Determination to Deny All or a Portion of the Request.

1. Submit an Appeal. If a requestor desires to appeal all or part of a final determination to deny a request, the requestor must submit to the Dorr Township Library Board (“Library Board”) a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial.
2. Receipt of Appeal. The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal.
3. Response to Appeal. Within 10 business days after receiving a written appeal, the Library Board 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 Library Board shall respond to the written appeal. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

B. *Appeals of Fees (Including Deposits).*

1. Submit an Appeal. If the Library requires a fee that exceeds the amount permitted under these Procedures and Guidelines or Section 4 of the FOIA, the requesting person may submit to the Library Board a written appeal for a fee reduction that specifically states the word “appeal” and identifies how the required fee exceeds the amount permitted under these Procedures and Guidelines or Section 4 of the FOIA.

2. Receipt of Appeal. The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting of the Library Board following submission of the written appeal.

3. Response of Appeal. Within 10 business days after receiving a written appeal, the Library Board 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 of the FOIA that supports the remaining fee. The determination shall include a certification from the Library Board 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 of the FOIA.

c. Uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee. The determination shall include a certification from the Library Board that the statements in the determination are accurate and that the fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA.

d. Issue a notice extending for not more than 10 business days the period during which the Library Board must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The Library Board shall not issue more than 1 notice of extension for a particular written appeal.

XI. CIVIL ACTION.

A. Civil Action for Non-Disclosure or Denial of Public Records.

1. Civil Action After Appeal: If the Library Board fails to respond to a written appeal or if the Library Board 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 within 180 days after the Library's final determination to deny a request.
2. Civil Action Directly After Denial. A requestor may also commence a civil action in the circuit court to compel the Library's disclosure of the public records within 180 days after the Library's final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.
3. Remedies; Fines. If the court determines a public record is not exempt from disclosure, it shall order the Library to cease withholding or to produce all or a portion of a public record wrongfully withheld. If the person prevails, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or Library prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. If the court determines that the Library 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 Library to pay a civil fine of \$1,000.00 and shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00.

B. Civil Action Regarding Fees.

1. Civil Action After Appeal. A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) made a determination on a written appeal. A requestor must submit an appeal to the Library Board for a fee reduction before commencing a civil action. If a civil action is commenced against the Library, the Library is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. This action must be filed within 45 days after receiving notice of the determination of an appeal to the Library Board.
2. Remedies; Fines. If the requesting person prevails 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. If the court determines the Library has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the Library 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.

XII. FOIA RECORD RETENTION.

The FOIA Coordinator must keep a copy of all written requests and documents sent in response to the request for public records on file for no less than 1 year, unless a longer retention time has been specified in a record retention policy applicable to the Library.

XIII. PUBLICATION AND NOTIFICATION OF PROCEDURE AND GUIDELINES.

Because the Library maintains a website, these Procedures and Guidelines and the summary shall be posted and maintained on the website. The Library shall make these Procedures and Guidelines and summary publicly available by providing free copies both in the response to a written request and upon request by visitors at the Library. However, the Library may include the website link instead of providing paper copies in its response to a written request.

XIV. SEVERABILITY; ENFORCEABILITY.

If any clause, provision or section of these Procedures and Guidelines shall be ruled invalid or unenforceable by any court of competent jurisdiction, the invalidity or unenforceability of such clause, provision or section shall not affect any of the remaining clauses, provisions or sections. If any of the Procedures and Guidelines is determined by the FOIA Coordinator to be in conflict with the FOIA or other law after adoption, the FOIA Coordinator has the authority to process FOIA requests in conformance with the FOIA and shall seek to amend these Procedures and Guidelines as soon as possible.

XV. EFFECTIVE DATE.

These Procedures and Guidelines shall become effective upon approval.

DORR TOWNSHIP LIBRARY

WRITTEN PUBLIC SUMMARY OF THE FREEDOM OF INFORMATION ACT PROCEDURES AND GUIDELINES

The Dorr Township Library (“Library”) adopts this written public summary pursuant to the requirements of Section 4(4) of the Michigan Freedom of Information Act, 1976 PA 442 (“FOIA”) so that the public will understand the Library’s Procedures and Guidelines for processing FOIA requests. This is a summary of the Procedures and Guidelines. A complete copy of the Procedures and Guidelines is available at the Library located at 1804 Sunset Dr., Dorr, MI 49323 or on the website at <https://www.dorrlibrary.michlibrary.org>,

A. How Can I Request a Public Record?

- A person (except those persons incarcerated in state, county or federal correctional facilities), may request public records.
- The requestor must send a written request for the public record to the Library. A request can be made through a letter, in person, or sent by electronic transmission. The requests should be directed to the FOIA Coordinator. The contact information is as follows:

a. By mail or in person:

Dorr Township Library
Attn: FOIA Coordinator
Address: Dorr Township Library
1804 Sunset Dr.
Dorr, MI 49323

b. By e-mail: dorrlibrary.mi@gmail.com

c. By fax: 616-681-5650


- A request from a person must include (unless the request is from an individual who qualifies as indigent) the person’s complete name, address (in compliance with United State Postal Service standards), and contact information, and if made by a person other than an individual, the complete name, address, and contact information of the person’s agent who is an individual. Contact information must include a valid telephone number or electronic mail address.
- The requestor will not be required to use a specific form or format, but requests must identify the public record sufficiently to allow the Library to find the requested record.
- The Library may, but is not required to, respond to a verbal request. However, if the Library believes the information is available on its website, the Library will inform the requestor of the website location where practicable and to the best of his or her knowledge.

B. When Can I Expect a Response?

Summary of Comments on Dorr Township Library

Page: 1

 Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 2:44:08 PM
Change to "at <https://www.dorrlibrary.michlibrary.org/library-policies>."

 Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 2:47:25 PM
Law does not seem to exempt indigent requestors from giving contact information, but that is what this seems to say.

- Unless otherwise agreed to in writing, the Library will respond or seek a deposit within 5 business days after it receives the request. However, the Library may extend that time period by 10 business days.
- Please keep in mind that a request sent by e-mail or other electronic means is not considered received until 1 business day after it is transmitted. If the request is sent to a spam or junk mail folder, it is not considered received until 1 day after it is discovered.

C. How Can I Understand the Response?

- If the Library grants a written request in full, the requestor will receive a notice indicating that it has been granted.
- However, if the request is denied or denied in part, the Library shall provide any or all of the following information, depending upon the reason for the denial:
 - An explanation of the basis that the public record, or portion of that public record, is exempt from disclosure, including a description of the information that is separated or deleted.
 - A certificate that the public record does not exist under the name given by the requestor or by another name reasonably known to the Library.
 - A full explanation of the requesting person's right to (1) submit to the Library Board a written appeal; or (2) seek judicial review of the denial under Section 10 of the FOIA. (See below for more details).
 - Notice of the right to receive attorneys' fees and damages if a court determines that the Library has not complied and orders disclosure of all or a portion of a public record.
- If a request is granted in part or granted in full, the Library will require payment before providing documents.

D. What if I Request Documents Available on the Website?

- If documents are available on the website, to the degree practicable, the response will include a specific webpage address where the requested information is available.
- The Library will inform the requestor of the additional charge to receive copies of the public records that are available on its website.

E. What Fees Will the Library Charge?

- The FOIA Coordinator will provide a detailed itemization of costs.
- For labor costs, the fee shall not exceed the sum of the following components:
 - Hourly Wage. ² The Library will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records; separating and deleting exempt information from non-exempt information; and for duplication and publication regardless of whether that person

 Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 2:49:10 PM
Change to "delivered".

 Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 2:49:53 PM

¹ is available or who actually performs the labor, except if the Library does not employ a person capable of separating and deleting exempt information from non-exempt information, it may treat necessary contracted labor costs for that purpose in the same manner as employee labor costs but may not exceed 6 times the State minimum hourly wage.

- Time Increments: The fee will be charged in fifteen (15) minute increments, with all partial time rounded down, except the labor fee for duplication and publication, which shall be charged in one (1) minute increments.
 - Determination of Unreasonably High Labor Costs. The fee for searching for, locating and examining public records and separating exempt information from non-exempt information (including redacting) will not be charged, unless failure to charge a fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance, and the Library specifically identifies the nature of these unreasonably high costs.
 - Overtime. Overtime wages shall not be included unless agreed to by the requestor.
 - Description of Charge. The detailed itemization will include both the hourly wage and the number of hours charged.
 - Fringe Benefit Costs. The Library may also add up to 50% to the applicable labor charge amount (but may not exceed actual costs) to cover or partially cover the cost of fringe benefits if it clearly notes the percentage multiplier used to account for benefits, unless a requestor wants records that are available on the website. In which case, the fringe benefit multiplier can be greater than the 50% limitation.
- For public records provided to the requestor on nonpaper physical media (discs, flash drives, e-mails), the Library may charge the actual and most reasonably economical cost of the media.
 - For paper copies, the Library ² may charge the actual total incremental cost of necessary duplication or publication not to exceed \$.10 per page (single or double sided) for 8½ by 11-inch paper or 8½ by 14 inch paper. The Library will charge the actual cost of copies made on paper of a different size. The Library will use double-sided printing, if cost saving and available.
 - The Library ³ may charge the actual cost of mailing and the least expensive form of postal delivery confirmation.

F. Will a Deposit be Required? When do I have to Pay the Deposit?

- The Library ⁴ may require a good-faith deposit of ½ of the estimated fee if the entire fee estimate or charge authorized under the FOIA exceeds \$50.00, based on a good-faith calculation of the total estimated fee.
- The Library will also provide a best efforts, nonbinding estimate of the time frame it will take the Library to provide the public records to the requestor.
- If the Library has granted a prior request but has not been paid in full, the Library may require a deposit of up to 100% of the estimated fee if all of the following apply:

Page: 3

T Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 2:50:28 PM
Need to clarify: Labor charge is dependent upon task (i.e., copying labor charge = wage of lowest paid staff who can copy, locating charge = wage of lowest paid who can locate, etc.)

T Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 2:51:42 PM
Change to "charges 8 cents per sheet of paper for single-sided copies or 10 cents per page for double sided copies for ".

T Number: 3 Author: Director Subject: Comment on Text Date: 4/14/2022 2:52:39 PM
Change to "charges 10 cents for a small, business- size envelope or 50 cents for a large, manila envelope plus the actual postage "

T Number: 4 Author: Director Subject: Comment on Text Date: 4/14/2022 2:53:14 PM
Change to "requires".

- The final fee for the prior written request was not more than 105% of the estimated fee.
- The public records made available contained the information being sought in the prior written request and are still in the Library's possession.
- The public records were made available to the individual, subject to payment, within the time frame estimate described Section 4(7) of the FOIA.
- Ninety days have passed since the Library notified the individual in writing that the public records were available for pick up or mailing.
- The individual is unable to show proof of prior payment to the Library.
- The Library calculates a Detailed Itemization that is the basis for the current written request's increased estimated fee deposit.

The Library shall no longer require an increased estimated fee deposit if **any** of the following apply:

- The individual is able to show proof of prior payment in full to the Library;
 - The Library is subsequently paid in full for the applicable prior written request; or
 - Three hundred sixty-five days have passed since the individual made the written request for which full payment was not remitted to the Library.
- If a deposit is not received within 45 days from receipt of the deposit notice letter (it is considered received 3 days after it is sent), and no appeal of the deposit amount is filed, the request is abandoned. The notice of a deposit will include the date by which the deposit must be received (48 days after notice is sent).

G. Am I Entitled to a Wavier or Reduction of Fees?

- A reduction of the fee by \$20.00 is available to certain individuals who submit an affidavit stating they are indigent and receiving public assistance, or if not receiving public assistance, stating facts showing inability to pay because of indigency. For this reduction to apply, the individual may not have received discounted fees twice during that calendar year and the person may not be requesting on behalf of parties who are paying to make the request.
- A reduction of the fee by \$20.00 is also available to certain non-profit organizations formally carrying 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, provided that the request is made on behalf of the organization or its clients, is made for a reason consistent with the laws under Section 931 of the mental health code and is accompanied by documentation of its designation by the state.
- The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.
- If the Library does not respond to a written request in a timely manner as required by the FOIA, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction, if the late response was

willful and intentional or the written request included specific language as set forth more fully in the Procedures and Guidelines.

H. How Can I Appeal a Decision to Deny All or Part of My Request?

- If a requestor desires to appeal all or part of a decision to deny a request, the requestor must submit to the Dorr Township Library Board (“Library Board”) a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial.
- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by reversing the disclosure denial, upholding the denial, revising in part and upholding in part the denial or issuing a 10-business day extension.

I. How Can I Appeal a Determination of the Fee or Deposit Amount?

- The requestor may submit to the Library Board 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 Procedures and Guidelines or Section 4 of the FOIA.
- The Library Board is not considered to have received a written appeal until the first regularly scheduled meeting after submission of the written appeal.
- The Library will respond within 10 business days by waiving the fee, reducing the fee and explaining the basis for the remaining fee, upholding the fee or issuing a 10-business day extension.

J. Can I File a Lawsuit Regarding the Denial of a FOIA Request?

- If the Library Board fails to respond to a written appeal or if the Library Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requestor may seek judicial review of the nondisclosure by commencing a civil action within 180 days after the Library’s final determination to deny a request. A requestor may also commence a civil action in the circuit court to compel the Library’s disclosure of the public records within 180 days after the Library’s final determination to deny a request. The requestor is not required to appeal the denial to the Library Board before commencing the civil action.
- If a person prevails in an action regarding the denial of a request, the court shall award reasonable attorneys fees, costs and disbursements. If the person prevails in part, the court may award all or a portion of the attorneys’ fees, costs and disbursements. If the court determines the FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$1,000.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

K. Can I File a Lawsuit Regarding the Fee Charged For a FOIA Request?

- A requestor may commence a civil action in the circuit court for a fee reduction if the Library (1) failed to respond to a written appeal or (2) issued a determination of a written appeal. This action must be filed within 45 days after receiving notice of the determination of an appeal to the Library Board. The requestor must file an appeal for a fee reduction before commencing a circuit court action.
- If a person prevails in an action by receiving a reduction of 50% or more of the total fee, the court may award all or a portion of the reasonable attorneys' fees. If the court determines FOIA was arbitrarily or capriciously violated, the court shall order a civil fine of \$500.00 to be paid to the state treasury. The court may also award actual, compensatory or punitive damages.

99999:ASEURYNC:4029519-1

DORR TOWNSHIP LIBRARY DETAILED ITEMIZATION

LABOR CHARGES	
<p>A. Cost for Searching for, Locating and Examining of Public Records</p> <p>1. <i>Determination of Hourly wage:</i> \$ _____ \$ _____ (Employee 2 ("E2"), if applicable) \$ _____ (Employee 3 ("E3"), if applicable)</p> <p><input type="checkbox"/> Hourly wage includes a fringe benefit percentage multiplier of _____%</p> <p>2. <i>Determination of total time using increments of 15 minutes with partial time rounded down:</i> _____ hours; E2 _____; E3 _____.</p> <p>The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons: _____ _____</p>	<p>Hourly wage: \$ _____ \$ _____ (E2) \$ _____ (E3)</p> <p>Total time: _____ hours _____ hours (E2) _____ hours (E3)</p> <p>A. Total Fee (hourly wage x total time): \$ _____</p>
<p>B. Cost for Separating Exempt Information, including Redaction of Documents.</p> <p>1. <i>For employees, determination of the Hourly wage:</i> \$ _____ \$ _____ (Employee 2 ("E2"), if applicable) \$ _____ (Employee 3 ("E3"), if applicable)</p> <p><input type="checkbox"/> Hourly wage includes a fringe benefit percentage multiplier of _____%</p> <p>2. <i>Determination of total time using increments of 15 minutes with partial time rounded down.</i> _____ hours; E2 _____; E3 _____.</p> <p>The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons: _____ _____</p> <p>2. <i>For Contracted Labor Costs:</i> <input type="checkbox"/> The FOIA Coordinator has determined that the Library does not employ a person capable of deleting exempt information from non-exempt information in the particular instance and the work is being performed by the following person or firm: _____</p>	<p>Hourly wage: \$ _____ \$ _____ (E2) \$ _____ (E3)</p> <p>Total time: _____ hours _____ hours (E2) _____ hours (E3)</p> <p>B1. Total Fee (hourly wage x total time): \$ _____</p>

<p>a. Determination of the Hourly wage:</p> <p>The hourly wage of the contracted labor (not to exceed 6 times the State of Michigan minimum hourly wage): \$ _____</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down. _____ hours.</p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons:</p> <p>_____</p> <p>_____</p>	<p>Contracted labor hourly wage: \$ _____</p> <p>Contracted labor hours: _____ hours</p> <p>B.2 Total Fee for contracted labor (hourly wage x hours): \$ _____</p>
<p>C. Cost for Duplication and Publication.</p> <p>1. Determination of the Hourly wage: \$ _____</p> <p><input type="checkbox"/> Hourly wage includes a fringe benefit percentage multiplier of _____%</p> <p>2. Determination of total time using increments of one (1) minute with partial time rounded down. _____ hours.</p>	<p>Hourly wage: \$ _____</p> <p>Total time: _____ hours</p> <p>C. Total Fee (hourly wage x hours) \$ _____</p>
<p>Other Actual Costs</p>	
<p>D. Costs for Paper Copies.</p> <p>The actual total incremental cost of necessary duplication and publication using the most economical means available:</p> <p>1. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper: \$ _____ per sheet x _____ number of sheets = \$ _____.</p> <p>2. Other paper sizes: \$ _____ per sheet x _____ number of sheets = \$ _____.</p>	<p>D. Total Fee (add totals for all sizes of paper): \$ _____</p>
<p>E. Costs for Nonpaper Physical Media.</p> <p>The actual and most reasonably economical cost of the computer disc, flash drives, computer tape or other similar media: \$ _____ per item x _____ number of items .</p>	<p>E. Total Fee: \$ _____</p>
<p>F. Cost of Mailing:</p> <p>1. The actual cost of mailing: \$ _____</p> <p>2. Fee for the least expensive postal delivery confirmation: \$ _____</p> <p>3. Costs for the envelope or box for mailing \$ _____.</p> <p><input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.</p>	<p>F. Total Fee: (add all 3 costs): \$ _____</p>
<p>Total Fee (If No Deposit) \$ _____</p> <p>Fee paid on: _____</p>	

Deposit Required													
<input type="checkbox"/> The Library requires a deposit of \$_____ (1/2 of the estimated fee) and this total estimated fee exceeds \$50.00. <input type="checkbox"/> The Library requires a deposit of \$_____ (100% of the estimated fee) because this request meets the statutory requirements for failing to pay for prior requests under Section 4(11) of the FOIA. The deposit must be received on or before _____. If the deposit is not received by this date, the request will be considered abandoned.	Deposit Amount: \$_____ Deposit Paid on _____												
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Total Fee</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: right;">\$ _____</td> <td style="width: 30%;"></td> </tr> <tr> <td>- Deposit Amount</td> <td></td> <td style="text-align: right;">\$ _____</td> <td></td> </tr> <tr> <td>= Remaining Fee Due of</td> <td></td> <td style="text-align: right;">\$ _____</td> <td></td> </tr> </table> Fee Paid on _____	Total Fee		\$ _____		- Deposit Amount		\$ _____		= Remaining Fee Due of		\$ _____		Total Fee Due: \$_____
Total Fee		\$ _____											
- Deposit Amount		\$ _____											
= Remaining Fee Due of		\$ _____											

Costs for Providing Documents Available on the Website	
The Library has notified the requestor in its written response that all or a portion of the requested information is available on its website. The Library has determined that the detailed itemization of the cost of the information that is available on the website is \$_____.	Total Fee: _____

Reductions for Late Response	
<p>Reduction for Late Response: If the Library does not respond to a written request in a timely manner, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction.</p> <p>_____ days x 5% of labor costs = \$_____</p>	Subtract \$_____ of labor charges (up to 50% of labor costs).

DORR TOWNSHIP LIBRARY DETAILED ITEMIZATION

LABOR CHARGES	
<p>A. Cost for Searching for, Locating and Examining of Public Records in Conjunction with Receiving and Fulfilling a <u>Granted Written Request</u>.</p> <p>1. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier=\$ _____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>2. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours; for 45 minutes use .75 hours). _____ hours.</p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to Library because of the nature of the request in the particular instance because of the following reasons:</p> <p>_____</p> <p>_____</p>	<p>Hourly wage: \$ _____</p> <p>Total time: _____ hours</p> <p>A. Total Fee (hourly wage x total time): \$ _____</p>
<p>B. Cost for Separating Exempt Information from Non-Exempt, including Redaction of Documents.</p> <p>1. For <u>Employee Labor Costs</u>:</p> <p>a. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$ _____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier = \$ _____)</p> <p><input type="checkbox"/> This fee is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$ _____ per hour.</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours). _____ hours.</p>	<p>1.a Hourly wage for employees: \$ _____</p> <p>1.b Total time for employees: _____ hours</p> <p>1.c Total Employee labor charge (hourly wage x hours): \$ _____</p>

<p>2. <i>For Contracted Labor Costs:</i></p> <p><input type="checkbox"/> The FOIA Coordinator has determined that the Library does not employ a person capable of deleting exempt information from non-exempt information in the particular instance and the work is being performed by the following person or firm:</p> <p>_____</p> <p>a. Determination of the Hourly wage:</p> <p>The hourly wage of the contracted labor (not to exceed 6 times the State of Michigan minimum hourly wage): \$_____</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$_____ per hour.</p> <p>b. Determination of total time using increments of 15 minutes with partial time rounded down. (So, for 15 minutes, use .25 hours; 30 minutes, use .5 hours; 45 minutes use .75 hours). _____ hours.</p> <p><input type="checkbox"/> The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Library because of the nature of the request in the particular instance because of the following reasons:</p> <p>_____</p> <p>_____</p>	<p>2.a Contracted labor hourly wage: \$_____</p> <p>2.b Contracted labor hours: _____ hours</p> <p>2.c Total Fee for contracted labor (hourly wage x hours): \$_____</p>
<p>C. Cost for Duplication and Publication.</p> <p>1. Determination of the Hourly wage:</p> <p>The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$_____</p> <p><input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a percentage multiplier of _____% (hourly wage x percentage multiplier = \$_____)</p> <p><input type="checkbox"/> This hourly wage is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$_____ per hour.</p> <p>2. Determination of total time using increments of one (1) minute with partial time rounded down. _____ hours.</p>	<p>Hourly wage: \$_____</p> <p>Total time: _____ hours</p> <p>C. Total Fee (hourly wage x hours) \$_____</p>

Other Actual Costs	
<p>D. Costs for Paper Copies. The actual total incremental cost of necessary duplication and publication using the most economical means available:</p> <ol style="list-style-type: none"> Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper: \$_____ per sheet x _____ number of sheets = \$_____. Other paper sizes: \$_____ per sheet x _____ number of sheets = \$_____. 	<p>D. Total Fee (add totals for all sizes of paper): \$_____</p>
<p>E. Costs for Nonpaper Physical Media. The actual and most reasonably economical cost of the computer disc, flash drives, computer tape or other similar media: \$_____ per item x _____ number of items .</p>	<p>E. Total Fee: \$_____</p>
<p>F. Cost of Mailing:</p> <ol style="list-style-type: none"> The actual cost of mailing: \$_____ Fee for the least expensive postal delivery confirmation: \$_____ Costs for the envelope or box for mailing \$_____. <p><input type="checkbox"/> The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.</p>	<p>F. Total Fee: (add all 3 costs): \$_____</p>
Costs for Providing Documents Available on the Website	
<p>G.<input type="checkbox"/> The Library has notified the requestor in its written response that all or a portion of the requested information is available on its website. The following is a detailed itemization of cost of the information that is available on the website:</p> <ol style="list-style-type: none"> Labor Costs – Searching for, locating and examining: <ol style="list-style-type: none"> Determination of Hourly wage: The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor. \$_____ <ul style="list-style-type: none"> <input type="checkbox"/> This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a multiplier of _____% (hourly wage x percentage multiplier = \$_____) <input type="checkbox"/> This fee is an overtime rate that <u>was agreed to by the requestor</u> in the amount of \$_____ per hour. Determination of total time using increments of 15 minutes with partial time rounded down _____ hours. 	<p>1. Total fee (hourly wage x hours): \$_____</p>

2. *Labor Costs: Copying or Duplication:*

a. Determination of Hourly wage:

The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor.

\$ _____

This labor charge includes fringe benefit costs (up to 50% of the applicable labor charge but not more than the actual costs of fringe benefits) using the hourly wage identified above and a multiplier of _____% (hourly wage x percentage multiplier = \$ _____)

This hourly wage is an overtime rate that was agreed to by the requestor in the amount of \$ _____ per hour.

b. Determination of total time using increments of ____ minutes with partial time rounded down. _____ hours.

3. The actual total incremental cost of necessary duplication and publication:

a. Not to exceed \$.10 per sheet for 8 ½ by 11 or 8 ½ by 14 in paper:
\$ _____ per sheet x _____ number of sheets = \$ _____.

b. Other paper sizes:
\$ _____ per sheet x _____ number of sheets = _____.

4. Costs for Nonpaper Physical Media

\$ _____ per item x _____ number of items.

5. Cost of Mailing:

a. The actual cost of mailing in a reasonably commercial and justifiable manner: \$ _____

b. The charge for the least expensive postal delivery confirmation:
\$ _____

c. Costs for the envelope or box for mailing. \$ _____

The requestor has stipulated to expedited shipping and/or insurance and those costs are listed above as the actual costs of mailing.

2. Total fee (hourly wage x hours):

\$ _____

3. Total cost for paper copies:

\$ _____

4. Total cost for nonpaper physical media:

\$ _____

5. Total cost of Mailing:

\$ _____

G. Total Cost for Providing Documents:

\$ _____

1. Subtotal Charges: Add Items A – F Above:

2. Subtotal with Website Document Charges from G above if applicable

Total Fee:

\$ _____

Total Fee with website records included if applicable

\$ _____.

Waivers or Reductions		
Public Interest Reduction or Waiver. The FOIA Coordinator may reduce or waive the imposition of fees if the FOIA Coordinator determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. <input type="checkbox"/> Fee waiver granted or granted in part for a reduction of \$_____		Subtract \$_____
Waiver of Fees of First \$20.00. A public record search shall be made and a copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request by either of the following: 1. Indigency: Certain individuals who submit an affidavit stating that the individual is indigent or receiving public assistance as stated more fully in the FOIA and the Library's Procedures and Guidelines. <input type="checkbox"/> FOIA Coordinator Approves the Waiver. 2. Certain Non-Profit Organizations. A non-profit 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 as stated more fully in FOIA and the Library's Procedures and Guidelines. <input type="checkbox"/> FOIA Coordinator Approves the Waiver.		Subtract Waiver of Fee: \$_____
Reduction for Late Response: If the Library does not respond to a written request in a timely manner, the Library shall reduce the charges for labor costs by 5% for each day the Library exceeds the time permitted, with a maximum 50% reduction. However, this reduction only applies (1) if the late response was willful and intentional or (2) or the request contained the language required by the FOIA for such reduction (See Procedures and Guidelines). _____ number of days x 5% of labor costs = \$_____		Subtract \$_____ of labor charges (up to 50% of labor costs).
Final Total After Any Applicable Reductions or Waivers:		\$_____
Deposit: <input type="checkbox"/> The Library requires a deposit of \$_____ (1/2 of the estimated fee) and this total estimated fee exceeds \$50.00. <input type="checkbox"/> The Library requires a deposit of \$_____ (100% of the estimated fee) because this request meets the statutory requirements for failing to pay for prior requests under Section 4(11) of the FOIA. The deposit must be received on or before _____. If the deposit is not received by this date, the request will be considered abandoned.		Deposit Amount: \$_____ <input type="checkbox"/> Deposit Paid on _____
Total Fee \$ _____ - Deposit Amount \$ _____ = Remaining Fee Due of \$ _____ <input type="checkbox"/> Fee Paid on _____		Total Fee Due: \$_____

DORR TOWNSHIP LIBRARY

**RESOLUTION TO APPROVE FOIA PROCEDURES AND GUIDELINES,
A WRITTEN PUBLIC SUMMARY AND DETAILED ITEMIZATION**

At a regular meeting of the Library Board of the Dorr Township Library (“Library”), Allegan County, Michigan, held at the Library on the ___ day of _____, 2022 at _____ p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and seconded by _____.

WHEREAS, the Library is a public body as defined by the Michigan Freedom of Information Act, 1976 PA 442, as amended (“FOIA”);

WHEREAS, in the performance of its function as trustees for the Library, it is necessary and appropriate for the Library Board to establish and adopt policies for the operation of the Library;

WHEREAS, pursuant to Section 4(4) of the FOIA, the Library shall establish procedures and guidelines to implement the FOIA and shall create a written public summary regarding how to submit written requests to the Library and explaining how to understand the Library’s written responses, deposit requirements, fee calculations, and avenues for challenge and appeal;

NOW THEREFORE, the Library Board of the Dorr Township Library, Allegan County, resolves as follows:

1. The Library hereby adopts and approves the amended Library Procedures and Guidelines (attached as Exhibit A to this Resolution) in compliance with the FOIA.
2. The Library also adopts and approves the amended Written Public Summary (attached as Exhibit B to this Resolution).
3. The Library also adopts and approves the amended Detailed Itemization Sheet (attached as Exhibit C to this Resolution). The Library also authorizes the FOIA Coordinator to modify the Detailed Itemization if such modifications are in the best interest of the Library and do not conflict with the FOIA.

4. The Library shall make the Procedures and Guidelines publicly available by providing free copies of the Procedures and Guidelines and its Written Public Summary both in the Library's response to a written request (or may include the website link to the documents in lieu of providing paper copies in its response to a written request) and upon request by visitors at the Library.

5. The Library shall post and maintain the Procedures and Guidelines and Written Public Summary on its website.

6. All resolutions, motions, policies, including any Freedom of Information Act policies, or any parts thereof that are in conflict with this Resolution are hereby repealed to the extent of such conflict.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss.
COUNTY OF ALLEGAN)

I, the undersigned, the duly qualified and acting Secretary of the Dorr Township Library, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Library Board of said Library at a meeting held on the _____ day of _____, 2022 , and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required under the Open Meetings Act.

Library Board Secretary

Dorr Township Library Freedom of Information Act Policy

o The Freedom of Information Act (FOIA) request under Public Act 442 of 1976, states: "It is the public policy of this state that all persons, except those persons incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with this act. The people should be informed so that they may fully participate in the democratic process."

o Pursuant with this Act, the Dorr Township Library accepts the following policy for responding to such requests.

- FOIA Requests

o Individuals desiring to inspect or receive of copy of a public record of the Dorr Township Library shall make a written request for the public record to the FOIA Coordinator. Individual Board members should refer all requests for public documents to the FOIA Coordinator. A written request made by facsimile, electronic mail, or other electronic transmission is not received by the Dorr Township Library FOIA Coordinator until 1 business day after the electronic transmission is made. The email address for emailed FOIA requests shall be lor@llcoop.org. If a verbal request is made for information to a library employee that that library employee believes is available on its website, the employee must, where practicable and to the best of the employee's knowledge, inform the requesting party about the library's website address.

- FOIA Coordinator


o The FOIA Coordinator is an individual designated by a public body to accept and process requests for public records under this act. The FOIA Coordinator for the Dorr Township Library will typically be the Director of the Library. All requests should be made through the FOIA Coordinator and a record will be kept by the Coordinator of all requests. In the event that the Coordinator is unavailable, the President of the Library Board of Trustees will serve as the Acting FOIA Coordinator.


- FOIA Procedure


- Upon receiving a FOIA request, the Coordinator will respond to such request within 3 days, and grant the individual(s) the right to inspect, copy, or receive copies of the requested public record of the Dorr Township Library. Any employee of the Dorr Township Library who receives a request for a public record shall promptly forward that request to the Coordinator. Individual(s) have the right to subscribe to future issuances of Library public record for a period of 6 months, after which another FOIA request may be made to renew said subscription.
- If a written request is sent via email and delivered to the Library's spam folder or junk mail folder, the request is not received until 1 day after the public body first becomes aware of the request.
- If the FOIA Coordinator knows that all or a portion of the requested material is available on the Library's website, the written response must include a specific webpage address where the requested information is available. In addition on the detailed fee itemization, the Library must separate the records available on its website from those not available on the

Summary of Comments on Dorr Township Library Freedom of Information Act Policy 2022.pdf

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 Number: 1 Author: Director Subject: Highlight Date: 4/12/2022 2:02:39 PM

 Number: 2 Author: Director Subject: Highlight Date: 4/12/2022 2:02:53 PM

 Number: 3 Author: Director Subject: Highlight Date: 4/12/2022 2:02:57 PM

Library's website and inform the requesting party of the additional charge to receive copies of the public records that are available on the Library's website.

- The Dorr Township Library shall furnish the requesting individual(s) a reasonable opportunity for inspection and examination of its public records and shall provide a reasonable facility for inspection during normal business hours.
- Unless otherwise agreed to in writing by the person making the request, the Dorr Township Library shall respond to a request for a public record within 5 business days after the public body receives the request by doing 1 of the following:
 - Granting the request.
 - Issuing a written notice to the requesting person denying the request.
 - Granting the request in part and issuing a written notice to the requesting individual(s) denying the request in part.
 - Issuing a notice extending for not more than 10 business days the period during which the Dorr Township Library shall respond to the request. Dorr Township Library shall not issue more than 1 notice of extension for a particular request. If an extension is necessary, the notice shall specify the reasons for the extension and the date by which the public body will respond.
 - Requestors may appeal denials to the head of the public body (Library Board). Appeals are received at the next regularly schedule Library Board meeting. The Library Board has 10 business days after the receipt of the appeal to take action on the appeal.

- FOIA Fee Structure

o Pursuant with FOIA, the Dorr Township Library will charge a fee for public record search, the necessary copying of a public record for inspection, or for providing a copy of the public record. Labor costs must be charged in 15 minute increment (with all partial increments rounded down). The library will adopt the same fee structure as the Dorr Township, which specifies:

1. Duplication

a. Copies (not including labor)

i. ¹10 cents per page – (only single sided copies will be created) for copies up to 8 ½ by 14 inches

ii. Greater than 8 ½ by 14 – fees will not exceed the cost of incremental copying.

iii. ²10 cost for copies onto computer disks or flash drives

2. Mailing

a. ³Envelopes (small size) 10 cents each plus postage

b. Envelopes (large size) 50 cents each plus postage

3. Hourly rate of the FOIA Coordinator


a. ⁴Hourly wage of the lowest paid employee capable of the task.

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 Number: 1 Author: Director Subject: Comment on Text Date: 4/12/2022 2:03:33 PM
Adopt for final version

 Number: 2 Author: Director Subject: Comment on Text Date: 4/12/2022 2:04:12 PM
Excessive. "Actual cost" language is better.

 Number: 3 Author: Director Subject: Comment on Text Date: 4/12/2022 2:04:43 PM
Adopt for final version

 Number: 4 Author: Director Subject: Highlight Date: 4/12/2022 2:04:57 PM

4. Deposit

a. ¹ If the anticipated charges for a requested record will exceed \$50.00, a Good Faith deposit of one half of the total anticipated charges shall be required.

b. If an individual has failed to pay for a prior FOIA request, the Library may request a deposit of up to 100% of the estimated fee for responding to new FOIA request before it begins a full public record search.

5. Waiver

a. If an individual submits an affidavit stating that he/she is receiving public assistance or is able to state facts showing inability to pay fees because of indigency, a copy of the public record will be furnished without charge for the first \$20 of a fee for each request.

o The FOIA Coordinator may charge a fee for the cost involved with searching for, examining, or reviewing a public record, and the deletion and separation of exempt from nonexempt information, when it results in an unreasonably high cost to the Dorr Township Library. The fee may include the cost of labor for searching for, examining, or reviewing a public record, and the deletion and separation of exempt from nonexempt information, in response to a request for the inspection of a public record or a request for copies of a public record as permitted by FOIA plus the cost of any fringe benefits up to 50% of the hourly wage. In determining what is an unreasonably high cost to the Dorr Township Library, the FOIA Coordinator shall consider the following factors on a case-by-case basis:

a) Volume of public record requested;

b) The time frame for the records requested;

c) Complexity of searching for, examining, reviewing a public record, and the deletion and separation of exempt from non-exempt information;

d) The need to search for, examine, and review public records from different departments, commissions, boards, or committees for the Dorr Township Library;

e) The anticipated hours of labor;

f) The available staffing for responding to the request;

g) Any other similar factors designated by the FOIA Coordinator; and

- o If the Dorr Township Library does not employ a person or firm capable of separation and deleting exempt from non-exempt information, the library may treat necessary contract labor the same as employee labor costs if the library clearly notes the name of the contracted person or firm on file of its detailed fee itemization, provided that the total contracted labor costs will not exceed six (6) times the state minimum hourly wage. Contracted persons or firms may include attorneys who are required to separate and delete exempt from non-exempt information, subject to the limitations on contract labor costs for such work.
- o ² Complying with any FOIA request is more difficult and costly to the Dorr Township Library than might appear at first glance for a variety of different reasons. First, the Dorr Township Library is

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Adopt for final version

 Number: 2 Author: Director Subject: Comment on Text Date: 4/12/2022 2:05:56 PM

1 semi-rural and does not have a significant staff. Furthermore, all Dorr Township Library employees are part-time. Second, historically, the Dorr Township Library has not received a significant number of FOIA requests per year. Accordingly, there is usually some potential inefficiency involved in complying with such requests. Third, the costs in complying with FOIA and the requests thereunder are almost never fully covered by the fee that can be charged to the requesting party. For example, in many FOIA situations, Dorr Township Library officials must consult with legal counsel regarding how to fully comply with the FOIA. At times, FOIA can be a complex statute and contains a number of ambiguities. Such attorney fees generally cannot be passed on to the requesting party.

- Must also update the FOIA fee sheet to reflect changes. Must include
 - Labor cost for searching
 - Labor cost for separation and deleting
 - Costs for computer disks, flash drive, etc.
 - Copying costs for all paper copies
 - Labor costs for copying
 - Cost of mailing

2(j). Internet Usage Policy

- The Dorr Township Library provides access to the Internet as an information and recreation resource. The Library provides this access via computers located in the Library as well as a wireless network for patrons to use with their own computer equipment that they bring into the Library. This policy applies to all Internet activity in the Library, regardless of the method of access. Internet resources change rapidly and unpredictably. Not all sources on the Internet provide information that is accurate, complete, current or legal. The Library is unable to monitor or control the content of Internet resources. The Library and its Trustees shall not be liable for any damages (direct or consequential) from any information obtained or provided on the Internet. Users are hereby notified that they are responsible for the choice of sites that they visit.
 - Acceptable Use: The Library network and/or workstations are intended primarily for research, communication and personal data management activities and may be used only for legal and ethical purposes. The following activities are strictly prohibited:
 - o Accessing obscene matter or sexually explicit material that is harmful to minors [J1] [JB2] Displaying images which other library users may find offensive [J3]. Harassing other users. Destroying of or damaging equipment, software, or data belonging to the Library or other users. Unauthorized monitoring or disruption of electronic communications. Violating U.S. copyright laws and all other applicable laws. Commercial activity or distributing advertisements
 - Library staff has the authority to interpret and enforce this policy. Staff shall actively monitor all patrons' network use during and after sessions. Patrons who violate the guidelines once will be warned by Library staff. Continued failure to follow the guidelines may result in the loss of the right to use the network and/or workstations.
 - Michigan Public Act 212 Compliance: Michigan Public Act 212 requires that libraries offering public access to computer network resources "utilize a system or method that is designed to prevent a minor from viewing obscene matter or sexually explicit matter that is harmful to minors". The Library complies with this requirement through the active monitoring of network use and strict enforcement of acceptable use standards [J4]. General Procedures:
 - o Persons wishing to use the workstations shall sign in at the circulation desk as a guest if needed. Use of the workstations will be limited to one hour if others are waiting. Library staff has the authority to extend or decrease time limits as necessary, depending on demand
-

[J1]As judged by whom using what criteria? If we don't cite some objective standard or something approaching that, someone is going to open that can of worms.

[JB2]Add some reference to relevant Supreme Court caselaw?

[J3]This is a minefield and should be removed. I have seen patrons take offense at works of art such as Michaelangelo's David. Where do we draw a reasonable line? This sentence leaves it entirely up to the patrons, some of whom are decidedly unreasonable.

[J4]Is this a legal alternative to a filter? Does it constrain the language we can use to form our policy?

6(e) Use of Public Meeting Areas Policy

- This Policy excludes the Community Room. Please see ‘Community Room Rental Policy’.
- The Library as a community center encourages community use of its meeting areas. The Library does not charge for the use of this meeting areas in the Library. If any group fails to abide by this policy, they may forfeit their right to use the Library meeting areas again. The Library reserves the right to refuse the use of meeting rooms at any time.
- Eligible groups: The meeting room may be reserved for use by educational, civic, cultural, community, professional, or government groups.
 - o In accordance with the Michigan Public Accommodations Act, these tax-supported facilities may be used only by those groups whose membership is open to all without restriction based on race, sex, religion, etc.[J1]
 - § Religious Groups may use the meeting areas for non-sectarian or interdenominational meetings or programs. No religious ceremonies may be conducted in the Library.
 - § Political Groups may use the areas for non-partisan or bi-partisan programs of an educational nature.
 - § Commercial or profit making organizations may *not* use the meeting areas except when sponsoring educational programs of a non-profit nature which are open and free to the general public. Reservations for such groups will be referred to the Library Director for approval.
- Reservations: Meeting areas are only available during regular library hours. No more than fifteen (15) people may use the meeting area at one time. Library functions have priority over all outside groups. Reservations are on a first-come, first-served basis. Reservations may be made in person, by phone, or via e-mail. Rooms may be reserved for continued regular meetings at the discretion of the Director.
- Use of the meeting areas: Those who reserve the room promise to provide adequate supervision of the group and any attendee’s children. · Groups must converse quietly, so to not disturb others in the Library. Children who disrupt others in the Library proper must remain with their parents in the meeting room. Rooms and any library equipment must be left clean and the furniture and chairs returned to their original placement. Material on the shelves is for display only and should not be handled. The cost for replacement or repair of Library property will be the responsibility of the using group. Light refreshments are permitted. Smoking or use of alcoholic beverages is not allowed. No fund raising or admittance fees are allowed unless

pre-approved by the Library Board. (Such as sponsored activities of the Library, City or Townships).

6(f) Community Room Rental Policy

[Blank]

[J1]Great policy. Why "etc" instead of spelling everything out? Are we hoping they assume something is in the list that is not?

PATRON BEHAVIOR POLICY

I. Introduction.

¹The Dorr Township Library (the “Library”) is open for specific and designated civic, educational and cultural uses, including reading, studying, writing, participating in scheduled Library programs, and using Library materials. In order to provide resources and services to all people who visit the Library facilities in an atmosphere of courtesy, respect, and excellent service, the Library Board has adopted this Patron Behavior Policy. The purpose of the Patron Behavior Policy (“Policy”) is to assist the Library in fulfilling its mission as a community resource enriching life, stimulating intellectual curiosity, fostering literacy, and encouraging an informed citizenry.

The following rules of conduct shall apply to all buildings and all branches – interior and exterior – and all grounds controlled and operated by the Library (“Library facilities”) and to all persons entering in or on the premises, unless otherwise specified.

II. Rules for a Safe Environment.

- A. Violations of Law. Committing or attempting to commit an activity in violation of federal, state, or local law, ordinance or regulation (including but not limited to assault, indecent exposure, larceny, removing Library material from the property without authorization through the approved lending procedures, vandalism or copyright infringement) is prohibited.
- B. ²Weapons. Carrying guns, pistols or other weapons, except as specifically permitted and exempt from local regulation by law, is prohibited.
- C. Alcohol; Drugs. Possessing, selling, distributing, or consuming any alcoholic or intoxicating beverage, illegal drug, or drug paraphernalia is prohibited; ³provided that alcohol may be permitted at certain Library-sponsored events if specifically approved by the Library. Persons noticeably under the influence of any controlled substance or alcoholic or intoxicating liquor are not allowed on Library property.
- E. Recreational Equipment and Personal Transport Devices. Use of skateboards, rollerblades, roller skates, or other wheeled form of recreational equipment is not allowed in the Library or on Library property. Library patrons must park bicycles or other recreational vehicles only in authorized areas. Wheelchairs, scooters, and other power-driven mobility devices are permitted by those individuals with disabilities in accordance with Library rules, unless a particular type of device cannot be accommodated because of legitimate safety requirements.
- F. No Blocking of Doors, Aisles or Entrances. All doors, aisles and entrances must remain obstacle-free. This includes a prohibition of running power cords across aisles or other areas that are used for walking.

Summary of Comments on Patron Behavior Policy - Dorr Township Library 2022.DOCX

Page: 1

- T** Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 3:22:12 PM
Must we define the purposes so narrowly? Enjoying the space should be legal without specific activities. Please see marked passages in Brewster 2014 The public library as therapeutic landscape. I want to honor this idea.
- T** Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 3:24:31 PM
What are the legal exemptions? Concealed carry? Open carry?
- T** Number: 3 Author: Director Subject: Comment on Text Date: 4/14/2022 3:25:20 PM
Wondering about marijuana edibles, as I know smoking is covered elsewhere. But if provisions are made for one legal drug (alcohol) to be consumed at library events, why not another?

- G. Animals. Animals are not permitted in the Library other than service animals (as defined by law) for those individuals with disabilities, those used in law enforcement or for Library programming.
- H. Incendiary devices. The use of incendiary devices, such as candles, matches, and lighters, is prohibited inside the Library.
- I. Staff Only Areas. Patrons shall not be permitted in any areas designated as “staff only” unless otherwise permitted by the Library Director.
- J. School Groups. School groups using the Library must have approval of the Library Director and must have a teacher and other appropriate staff present to ensure that the students use the Library in conformance with these rules.

III. Rules for Personal Behavior.

- A. Personal Property. Personal property brought into the Library is subject to the following:
 - 1. The Library staff may limit the number of parcels carried into the Library. The Library may also limit the size of items, for example, the Library prohibits large items such as suitcases, duffle bags or large plastic garbage bags. Items must be small enough to fit under a chair at the Library.
 - 2. The Library is not responsible for personal belongings left unattended and Library staff is not permitted to guard or watch personal belongings.
 - 3. The Library does not guarantee storage for personal property.
 - 4. Personal possessions must not be left unattended or take up seating or space if needed by others.
- B. Food and Beverages. Food and beverages are only permitted in designated areas.
- C. Unauthorized Use. Patrons must leave the Library promptly at closing time and may not be in the Library when it is not open to the public. The Library does not permit overnight parking in the Library’s parking lot. Further, any patron whose privileges to use the Library have been denied may not enter the Library. Any patron whose privileges have been limited may not use the Library in any manner that conflicts with those limits placed on the patron by the Library Director, his or her designee, or the Library Board.
- D. Engaging in Proper Library Activities. Patrons shall be engaged in activities associated with the use of the Library while in the building or on Library property. Patrons not engaged in reading, studying, writing, participating in scheduled Library programs, or using Library materials shall be required to leave the

 Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 3:28:32 PM
Anne Seurnyck: The Library may have more rules about this.

Director: Our policy would actually be more along the lines of no food unless as part of a library program, no beverages without a secure lid (but no place restrictions that I know of--will check).

 Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 3:28:53 PM

¹uilding and shall not remain on Library property. This includes sleeping on Library furniture or floor.

- E. Considerate Use. The following behavior is prohibited in the Library or on Library property:
1. Spitting;
 2. Running, pushing, shoving, fighting, throwing items, provoking a fight or other unsafe physical behavior;
 3. Climbing on furniture;
 4. Using obscene or threatening language or gestures;
 5. Engaging in sexual behavior (1) that is a violation of the law, (2) which can reasonably be expected to disturb Library users or staff while such staff or patrons are in the Library or on Library property; or (3) that interferes with the Library patrons' use of the Library or the ability of the staff person to do his or her job.
- F. Panhandling or Soliciting. Panhandling or soliciting Library staff or patrons for money, products, or services inside the Library or on Library property is prohibited. Sales of products or services that are incidental to Library programming may be permitted if approved in advance by the Library Director.
- G. Interference with Staff. Patrons may not interfere with the staff's performance of duties in the Library or on Library property. This includes engaging in conversation or behavior that monopolizes or forces the attention of staff for an inappropriate period of time, inappropriate personal comments, sexual advances, or physical and/or verbal harassment.
- H. Campaigning, Petitioning, ²Interviewing and Similar Activities. As a limited public forum, the Library reserves the right to regulate the time, place, and manner for campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing and soliciting on Library grounds as follows:
1. Campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing, and soliciting are prohibited inside the Library building.
 2. Campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing, and soliciting outside the Library building but on Library property are subject to the following requirements:
 - a. Persons or groups are requested to sign in at the Checkout Desk in advance.
 - b. Use of the Library property does not indicate the Library's opposition or endorsement of the candidate or issue that is the subject of the petition, interview, campaign or discussion.

 Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 3:29:16 PM

I agree people shouldn't sleep in the library, but I'm not kicking someone out for loitering if they are deriving comfort from being in the library and not interfering with others. How do we reword this?

 Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 3:29:50 PM

I don't understand the context of this word. Like employment interviews? It seems like the library might be ideal for oral history and similar interviews. Can we tweak this?

- c. Permitted areas for campaigning, petitioning, interviewing, survey-taking, pamphleteering, canvassing and soliciting outside of the Library building shall be limited to areas 25 feet from all entrances.
 - d. No person shall block ingress or egress from the Library building.
 - e. Permitted times will be limited to the operating hours of the Library.
 - f. Campaign material, literature or petitions may not be brought into the Library, posted at the Library or left on Library property.
- I. Sales. Selling merchandise on Library property without prior permission from the Library Director is prohibited.
- J. Distributions; Postings. Distributing or posting printed materials/literature on Library property not in accordance with Library policy is prohibited.
- K. Restrooms. Misuse of restrooms, including laundering, sleeping, shaving, hair cutting or trimming, bathing, and sexual activity is prohibited. Unless a parent or guardian is assisting a child or a patron is assisting a person with a disability, there shall only be one person to a stall. Library materials may not be taken into restrooms.
- L. Harassment. Staring, ²photographing, video recording, audio recording, following, stalking, harassing, arguing with, threatening, talking or behaving in a manner (1) which can reasonably be expected to disturb Library users or staff while such staff or patrons are in the Library or on Library property; (2) that interferes with the Library patrons' use of the Library or the ability of the staff person to do his or her job is prohibited; (3) would create or may result in a hostile work environment for Library staff; and/or (4) that violates Michigan law.
- M. Loud Noise. ³Producing or allowing any loud, unreasonable, or disturbing noises that interfere with other patrons' use of the Library or which can be reasonably expected to disturb other persons or have the intent of annoying other persons, including yelling, cheering, talking (with others or in monologues) or noises from electronic, entertainment, and communication devices, such as cell phones, tablets, headphones, and radio, is prohibited. Patrons may use headphones or earbuds but at a volume that cannot be heard by other Library patrons or staff.
- Adults may read aloud to children in the Youth Area, provided that they are reading in a voice that would not reasonably disturb others.
- N. Odor. Offensive odor, including but not limited to body odor due to poor personal hygiene, overpowering perfume or cologne, or odors from for items brought into the Library, that causes a nuisance is prohibited. (For example, if the patron's

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T Number: 1 Author: Director Subject: Comment on Text Date: 4/14/2022 3:30:41 PM
Anne Seurnck: This will need to be addressed for your particular library or particular branch

T Number: 2 Author: Director Subject: Comment on Text Date: 4/14/2022 3:31:16 PM
I was under the impression that recording staff in the performance of their duties was legal. Does this sufficiently inform people of their rights?

T Number: 3 Author: Director Subject: Comment on Text Date: 4/14/2022 3:50:40 PM
We need to make allowances for possible noisy teen programming, video games, etc. We don't insist we're a quiet library answer and don't want to imply otherwise here. Perhaps add "except as part of a planned library program."

odor interferes with staff or other patrons' use of the Library, the patron violates this Policy).

- O. Phones. Phone calls are prohibited in the Library, except in the lobby. Those patrons desiring to use phones to place or receive calls must use the phones outside of the Library building or in the Library's lobby. Phones shall be placed on silent or vibrate mode upon entering the Library.
- P. Library Policies. Patrons must adhere to all Library Policies.
- Q. Identification. Patrons must provide identification to Library staff when requested.
- R. Tables or Structures on Library Property. No person may use or set up a table, stand, sign or similar structure on Library property. This does not apply to Library-sponsored or co-sponsored events.
- S. Smoking; Tobacco or Marijuana Use. Smoking, using e-cigarettes, vaping, electronic nicotine delivery systems or chewing tobacco is prohibited on Library property. Using, smoking or possessing marijuana on Library property is also prohibited.
- T. Shirts and Shoes. Shirts and shoes are required for health reasons and must be always worn inside the Library and on Library property.
- U. Photography. All patrons must seek permission from the Library Director or designee before taking photos or filming at the Library, unless attending a meeting that is open to the public under the Open Meetings Act Official identification must be shown. Unattended children may not have their pictures taken.

IV. Rules for the Use and Preservation of Library Materials and Property.


- A. Care of Library Property. Patrons must not deface, vandalize, damage or improperly use or improperly remove Library materials, equipment, furniture, or buildings. Patron shall not load or install any programs or software on Library computers. Patrons shall be responsible to reimburse the Library for costs incurred by the Library for violating this provision. Patrons shall not cause damage by returning books containing bedbugs or bringing bedbugs into the Library.
- B. Internet Use. Patrons must abide by established time limitations and all other provisions of the Library Internet Use Policy.
- C. Equipment. Library staff computers are for staff use only.

- D. Authorized Lending. Library materials may only be removed from the premises with authorization through established lending procedures.
- E. Use of Tables and Computers. Only four (4) people may be seated at a table and no additional people may stand around one (1) table.

V. **Violation and Appeal Section**

The Library Director or the Director's designee may restrict access to Library facilities with immediate dismissal of the patron from the premises, by suspending the patron's access to Library facilities for a set period of time, or by denying access to specific services and/or programs pursuant to this Policy. When necessary, the local police may be called to intervene.

- A. Incident Reports. Library staff shall record in writing in the form of an Incident Report any violation of this Policy that resulted in a verbal warning or a suspension of Library privileges. By the end of the day on which the incident occurred, an Incident Report shall be written and forwarded to the Library Director for logging and review. The report should include physical descriptions in addition to the name of the patron. A copy of the suspension of privileges letter should be attached, if applicable.
- B. Violation of the Policy – Suspension of Privileges. Unless otherwise provided in this Policy, (see Section C below), the Library shall handle violations as follows:
 - 1. *Initial Violation*: Library patrons observed violating this Policy will be asked to cease the violation with a verbal request. If the patron does not comply with the request, he or she will be asked to leave the building for the day. If he or she refuses, the police may be called.
 - 2. *Subsequent Violations*: The Library Director or the Library Director's authorized designee may further limit or suspend the patron's Library privileges if infractions continue. Such limitation or revocation shall be in writing specifying the nature of the violation. Subsequent violations of the same rule shall result in additional suspensions of increasing length.
- C. Violations that Affect Safety and Security. Violations involving verbal abuse, violence, threatening behaviors, sexual harassment, vandalism, drug sale or use or attempted drug sale or use, intoxication, theft or attempted theft, physical harassment, sexual misconduct or any behavior that threatens the safety and security of staff and/or patrons shall be handled as follows:
 - 1. *Initial Violation*: The police will be called immediately. If the conduct constitutes a violation of local, state, or federal law, arrest or criminal prosecution may ensue. Violations of this nature will result in an immediate minimum two-week suspension of Library privileges in order to give the Library sufficient time to investigate the incident. After the

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Anne M. Seurnyck: This should be tailored to the Library's current practice.

investigation is completed, the Library Director or his/her designee may add additional time to the initial limitation or suspension period.

2. *Subsequent Violations:* The police will be called immediately. If the conduct constitutes a violation of local, state, or federal law, arrest or criminal prosecution may ensue. The Library Director or the Library Director's authorized designee may further limit or suspend the patron's Library privileges in escalating responses, which will be documented in writing. Subsequent violations of the same rule will result in additional suspensions of increasing length.

- D. Reinstatement. The patron whose privileges have been limited or suspended shall attend a meeting with the Library Director or the Library Director's designee to review the Library Patron Behavior Policy before their privileges may be reinstated. The Library Director may impose conditions for the reinstatement.

VII. Right of Appeal.

Patrons may appeal (1) a decision to limit or suspend privileges or (2) the conditions placed on reinstatement by sending a written appeal to the Library Board within ten (10) business days of the date of the decision. The appeal should be sent to the President of the Library Board. The decision of the Library Board is final.