

Note added by Michigan Plate Readers. Our appeal of the fees and deposits on requests CTP-2026-10-06-A (documents) and CTP-2026-10-06-B (system exports), sent October 9, 2026 at 10:05 am by email to the Township Board through the office of the Township Clerk, copying the Township Supervisor, the Police Department's Records Office and the Township's FOIA address; a paper copy went by mail to the Clerk's office the same day. Four attachments are not reproduced here: the Township's two fee notices of October 7, 2026 with their cost sheets, and two emails of the Records Office of the same day with the messages they quote, all published separately. Text as sent; the contact lines under the signature are left out. End of note.

October 9, 2026

To the Township Board of the Charter Township of Clinton, through the office of the Township Clerk
Copies: Supervisor Paul Gielegthem; Clinton Township Police Department, Records Office;
FOIA@clintontownship-mi.gov

Appeal of the fees and deposits on two FOIA requests received October 7, 2026: Flock Safety / license plate reader records (documents; system exports)

This is an appeal under MCL 15.240a(1)(a) and the Township's FOIA Procedures and Guidelines (effective July 1, 2015, page 8). I appeal the fee and the deposit on each of two requests I sent on October 6, 2026, which the Police Department's Records Office received on October 7 and answered the same day with fee notices:

1. Documents request: \$464.50, of which \$448.00 is labor (64 quarter hours at \$7.00), with a \$7.50 media storage device and \$9.00 mailing; deposit \$232.00.
2. System exports request: \$184.50, of which \$168.00 is labor (24 quarter hours at \$7.00), with the same device and mailing charges; deposit \$92.00. (The notice letter said \$113.00; the Records Office wrote on October 7 that the \$92 sheet is the correct one.)

First, my thanks to the Records Office. It answered both requests on the day it received them, sent its estimates that afternoon, answered my questions within minutes and corrected the exports estimate when I asked which sheet governed. This appeal concerns the itemization alone: what it must show before I pay for twenty-two hours of search time. A revised estimate would settle it (see "A revised estimate" below).

The fees exceed what the Act and the Township's own guidelines permit in three ways:

1. No finding supports charging search labor. All of the labor on both sheets is on the line for "searching for, locating and examining public records". The Act allows that labor to be charged only if "failure to charge a fee would result in unreasonably high costs to the public body because of the nature of the request in the particular instance, and the public body specifically identifies the nature of these unreasonably high costs" (MCL 15.234(3)). The Township's guidelines define the test: costs are unreasonably high "when they are excessive and beyond the normal or usual amount for those services (Attorney General Opinion 7083 of 2001) compared to the costs of the township's usual FOIA requests" (page 5). Neither notice identifies any such cost. The Records Office's email of 1:17 pm says the work is "a very time-consuming process and so far costing about two days of time"; two days is the amount charged, and nothing says it is excessive compared with the Township's usual requests. Without the finding, the \$448.00 and \$168.00 cannot be charged.
2. The media and mailing charges contradict the requests. Both requests stipulated electronic delivery

and asked for no physical media (MCL 15.234(1)(c)). The Records Office wrote that its email cannot carry the files. I prefer electronic delivery: on October 7 I offered a folder that accepts uploads without an account, and the offer stands, as would any file-sharing service the Township already uses. If the Township must use a device, I ask for the smallest drive that holds the files (the sheet's own 8GB line at \$5.00, unless they exceed it), one drive for both requests if they are released together, and I will collect it at the Records Office, which removes the \$9.00 mailing charge on each request.

3. The hours exceed the labor the records require (MCL 15.234(1)(a): labor "directly associated with the necessary searching for, locating, and examining of public records"). The exports request asks for files the Flock Safety system produces with its export function: the search audit, the network audit, the sharing settings, the event logs, the alert summary and the user list. Six hours is far from what that work has taken elsewhere: Bloomfield Township released its search audit, network audit and sharing exports, with contract and approval records, for two hours of staff time in all; Sumpter Township released its search audit, sharing exports and event log at no charge; Auburn Hills charged \$56.00 for a request of the same six items. On the documents request, the Records Office wrote that the sixteen hours are the Captain's estimate of two days. The request itself named the offices likely to hold each item: items 1 and 2 and the Board-approved agreements under item 4 are the Township's own contracts, invoices, purchase orders and Board approvals, likely held by the Clerk, Finance or Purchasing as well as the Department; the rest are a policy, a device list, a retention setting and the Department's audit memos. Troy answered a documents request covering the same seven subjects at no charge, and Auburn Hills charged \$35.00 for one. I ask the Board to look at the twenty-two hours against the records the Township holds.

What I ask. That the Board waive the fees or reduce them, and that any labor it keeps be supported by a determination that identifies the unreasonably high cost in the terms the guidelines set, shows the hourly wage, the hours and any multiplier, removes the media and mailing charges in favor of electronic delivery or pickup, and carries the certification that MCL 15.240a(2) requires. I also renew the request for a public-interest waiver or reduction (MCL 15.234(2)); the guidelines say the Board "may identify specific records or types of records it deems should be made available for no charge or at a reduced cost" (page 7). The records concern the operation and oversight of a public automated license plate reader program, a matter of public interest, and everything they show will be published for the general public at no charge at michiganplatereaders.org.

A revised estimate could resolve this. If, before the Board acts, the Records Office issues revised estimates that state in writing why these requests cost more than the Township's usual requests, show the wage, the hours and any multiplier, remove the media and mailing charges, and review the hours against the records described in ground 3, I will say within three business days whether they end this appeal; if they do, I will withdraw it in writing and pay the fees as revised.

The deposits. So that work on the exports request can begin, I am paying its \$92.00 deposit now, by check to the Records Office, under reservation: payment is not agreement that the fee or any part of it is permitted; this appeal covers the fee and the deposit on that request as well (MCL 15.240a(8) includes any deposit in the fee appealed); and I ask that any part of the deposit above the fee as finally determined be refunded. I am not paying the \$232.00 deposit on the documents request while the appeal is pending; under MCL 15.234(14) an unpaid deposit abandons a request only if the requester "has not filed an appeal of the deposit amount pursuant to section 10a", and this is that appeal.

For your information, the requests, your responses and our correspondence are published at michiganplatereaders.org, with personal contact details left out.

Enclosed: the two fee notices with their cost sheets; the Records Office's emails of October 7 (8:11 am, 1:17 pm, 1:27 pm and 2:07 pm) and my messages of 9:58 am and 2:00 pm; the two requests as sent.

Thank you,

Chance Ackley-Smith
Michigan Plate Readers
[contact details omitted]