

**Subject:** RE: Padding

**From:** "Margaret A. McAvoy" <mmcavoy@isabellacounty.org>

**Date:** 3/9/2016 5:44 PM

**To:** "Frank Benn" <11-17@nsfd.net>, <ggreen@isabellacounty.org>, <taxladyesther@yahoo.com>, <jjaloszynski@isabellacounty.org>, <jimhortonrph@charter.net>, <j.moreno@frontier.com>, <ling1da@cmich.edu>, <mfisher@isabellacounty.org>

Dear Mr. Benn –

I have met with staff who assisted with the fulfillment of your FOIA requests and reviewed your questions regarding the documents you received. The FOIA requests you filed were wide ranging and required an extensive effort by staff to locate, review, determine if the documents fit the scope of your requests and provide copies of those documents.

The estimate was just that, an estimate. The final bill was adjusted to reflect the actual cost of fulfilling your requests, which was less than the estimate.

Regarding the 133 pages of blank pages you state were included in the over 1,500 pages of documents received; I apologize. Perhaps the copy machine picked up multiple sheets of paper in the duplication. The County will refund the cost charged for those 133 pages, at a rate of ten cents per sheet. We will also refund one hour of staff charge, at a rate of \$39.83 per hour. These are the rates supplied to you in your Detailed Cost Estimate dated 1/15/16.

In reference to your claims of “padding” by the County and providing you with 1400 pages of documents unrelated to your request, we deny those claims.

I will have a check for \$53.13 issued to you within two weeks.

Sincerely,

Margaret McAvoy

Margaret A. McAvoy  
Isabella County Administrator/Controller  
200 N. Main Street  
Mt. Pleasant, MI 48858  
989-317-4058  
[mmcavoy@isabellacounty.org](mailto:mmcavoy@isabellacounty.org)



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**From:** Frank Benn [mailto:11-17@nsfd.net]

**Sent:** Monday, March 07, 2016 3:15 PM

**To:** ggreen@isabellacounty.org; taxladyesther@yahoo.com; jjaloszynski@isabellacounty.org;

jimhortonrph@charter.net; j.moreno@frontier.com; ling1da@cmich.edu; mfisher@isabellacounty.org

**Cc:** M.McAvoy\_Isabella\_County\_Administrator <mmcavoy@isabellacounty.org>; 11-0 David Livermore

<nsgd110@yahoo.com>; 11-1 George Flaughner <nsgd111@yahoo.com>; 11-10 Dan Mills <danm@michco.com>;

11-11 Randy Hall <gearhall@netscape.net>; 11-12 Jamie Smith <jamiesmithbuilders@yahoo.com>; 11-14 Keith Mills

<kjmills2011@gmail.com>

**Subject:** Padding

Dear Commissioners:

Given that you continue to ignore the increased risk to our firefighters and the people they serve and all of my emails and questions, this is probably a futile effort.

However, the Michigan Freedom of Information Act requires that I first submit any complaints to the “head of the public body” before submitting the matter to the judgment of a court.

I respectfully request reimbursement at the rate of \$1.59 per page for 733 pages of what I have termed “padding”, as detailed below. That figure is based on total charges of \$2,826.29 for an alleged 1,776 copies of documents. I will accept a check for \$1165.47 as your first act of good ethics in this matter as long as it’s before I have to pay my counselors more than the initial retainer.

### **The “Padding”**

According to his time charts, Mr. Robert Jerman, spent about 60 hours searching/reviewing and about 6 hours duplicating the box of documents that were provided to me by Ms. McAvoy. The packages of documents contained the following:

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