

# FOIA: Beaufort County Balances Government Transparency and Public Information with New Policy

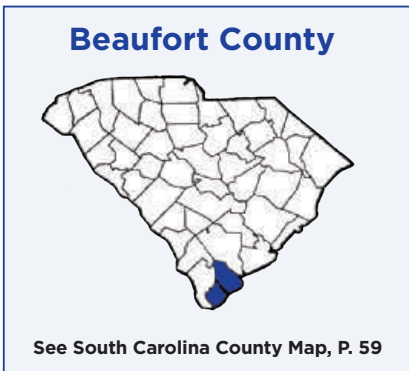
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Beaufort County Records Management

One of the main concerns for every government—local, state and federal—is determining how much information is actually “public information” and how much must remain confidential. Beaufort County Council recently passed a resolution outlining a very detailed Freedom of Information Act (FOIA) policy, making it one of several counties in the state of South Carolina to do so.

The FOIA policy is designed to adhere to the Freedom of Information Act and its interpretations through the Attorney General’s opinions and case law in the state courts. The Beaufort County FOIA

is unique. In the past, Beaufort County was faced with a backlog of open requests dating back to 2017. To provide answers to questions that may appear vague, Beaufort County focused on two important areas—timely closures of inactive requests and a clear and fair fee schedule.

A. Beaufort County’s policy allows the closing of inactive requests that have been pending for a period of time, without a response from the requestor(s). The FOIA did not indicate how long an inactive request could remain open or whether the request could be closed. Though reminders are generally sent to requestors after the initial request is submitted, many do not respond to the



Policy does not encompass all aspects of FOIA law, nor should it be construed to address every potential scenario that may arise for the specific procedures used by the county’s FOIA specialists. Additionally, the policy does not supersede any applicable state or federal law, and may be amended periodically in order to adhere to any new or amended applicable law.

Beaufort County’s top goal is to provide documents to the public in an efficient and effective manner, while being committed to transparency and openness. Beaufort County’s new FOIA policy has some provisions that we believe make

**Table 1**

Service	Cost
Search and Retrieval by Department for Records (excluding IT Department)	Department Staff: \$14.00/hour Department Director: \$24.00/hour Assistant Administrator: \$50.00/hour Deputy/County Administrator: \$50.00/hour
Retrieval of Electronic Records by the IT Department	IT Department: \$33.00/hour
*Redactions	FOIA Specialist: \$14.00/hour Legal Department: \$30.00/hour

\*Cost of redactions are based on one (1) minute per page requiring redaction

**Table 2**

Service	Cost
Printed Copies of Records (excluding GIS Maps)	\$0.20 per page (up to 11x17 only)
GIS Maps	\$10.00 up to 11x17 \$20.00 larger than 11x17
USB Drive	\$7.00 each
Certified Copy from Clerk of Court	\$3.00 per copy
Certified Copy from Family Court	\$5.00 per copy (All documents will be certified)
Certified Copy from Magistrate	\$0.50 per page
Postage expense	Actual cost as determined by size, weight and zip code

reminders. This step not only allowed staff to close the request, but it also provided the requestor an option of reactivating a request. The majority of the requests were inactive due to unpaid deposits or failure to provide clarification of the request. This process helped staff save time on sending reminders that go unanswered and remain focused on the active requests, not to mention increased storage space.

B. In 2017, Beaufort County faced litigation that involved a requestor stating there was an overcharge for a request. Due to that litigation, Beaufort County staff worked with the Human Resource Department and compiled a reasonable fee schedule based on the fixed rate of the hourly salary of the lowest paid skilled employees pursuant to S.C. Code Ann. §30-4-30(B). As we operate in a transparent and open environment, it is important to provide the requestor(s) with a streamlined fee schedule that is not geared toward increased revenue by disclosing and providing public information to the public.


Labor costs will be calculated according to the guidelines. (See **Tables**, P. 20)

The county may charge for the actual cost of the medium used to provide the records including, but not limited to, thumb drive, CD, or DVD; and for the actual cost of postage and packaging associated with mailing the responsive records. (See **Tables**, P. 20)

All these policy points help build a fair, open, and consistent process of what is available for public consumption, yet also provides a legal shield for the county when dealing with sensitive information requests from the public.

Read the resolution passed by Beaufort County Council at [beaufort-county-sc.s3.amazonaws.com/FOIA-Resolution.pdf](https://www.beaufort-county-sc.s3.amazonaws.com/FOIA-Resolution.pdf).

Read Beaufort County's newly enacted Freedom of Information Act policy at [beaufort-county-sc.s3.amazonaws.com/FOIA-Policy-3-24-21.pdf](https://www.beaufort-county-sc.s3.amazonaws.com/FOIA-Policy-3-24-21.pdf).

For more information about Beaufort County, visit [beaufortcountysc.gov](https://www.beaufortcountysc.gov). 

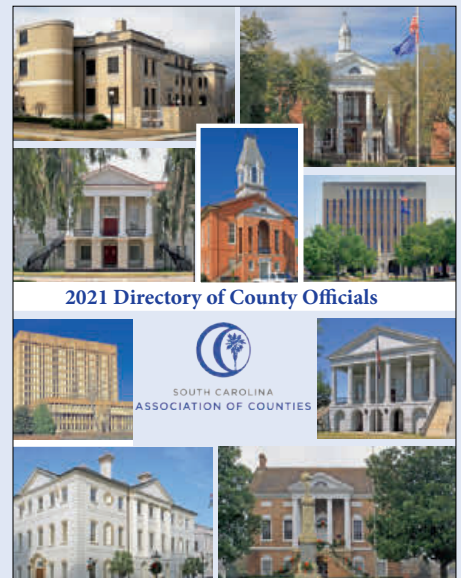
# SCAC's 2021 Directory of County Officials

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