December 4, 2014

Mr. Paul Joseph Harcz, Jr.

E-mail: joeharcz@comcast.net

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

Re: FOIA Response to Request for Information on Elliott Food Equipment Payments in FY2015

Dear Mr. Harcz, Jr.:

This email is in response to your November 26, 2014, email request for information, received by this office on November 27, 2014. Please be advised that the Bureau of Services for Blind Persons (BSBP) is processing this request under the state’s Freedom of Information Act (FOIA), MCL 15.231 *et seq*.

You have requested information as described in your email (which is also below) as:

“Payments to ELLIOTT FOOD EQUIPMENT LLC BY by LICENSING AND REGULATORY AFFAIRS for fiscal year 2015”.

The purpose of the FOIA is to provide the public with access to existing, nonexempt public records of public bodies. It is not the purpose of the FOIA to permit persons to secure, from a public body, answers to questions that incidentally may be reduced to writing as the term is defined under section 2(h) of the FOIA, although if the public body possesses records containing the information or part of the information, the public body is obligated to provide the records.

Your request is granted as to existing, nonexempt documents pertaining to your request. We estimate that the time to process this request is 5 hours. Section 4(1) of the FOIA, MCL 15.234(1), provides that a public body may charge a fee for public record search, including the mailing costs, the cost of duplication or publication including labor, the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information.

FOIA Response – P.J. Harcz, Jr.

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December 4, 2014

Please note that nothing within the federal American with Disabilities Act (ADA ), Section 504 of the Rehabilitation Act of 1973 (RA), as amended, or the state’s FOIA (MCL 15.231 et seq.) requires a public body to process FOIA requests free of charge. Further, while the ADA and Section 504 of the RA may mandate that, upon request, material be produced in an accessible format without charge, neither the ADA or Section 504 of the RA preclude a public body from charging costs under the state’s FOIA. Thusly, please note that no labor fee charges have been, or will be, assessed to convert existing, nonexempt public records responsive to your requests into an accessible format to forward to you.

In order to complete the processing of your request, and based on the hourly wages and benefits of the lowest paid Department employee capable of performing the necessary tasks to process your request, we are requesting a deposit of $83.70 in order to begin the processing of this request. An invoice is attached that outlines the costs.

Once payment is received for the deposit, we will start the processing of your request. Once the process is complete, we will request payment for the additional amount of the actual cost of the request. When we receive this payment, we will send the information either to you via email or to you in the U.S. Mail on a USB flash drive (depending on the amount of material responsive to your request).

Sincerely,

Carla Miller Haynes, FOIA Coordinator

Bureau of Services for Blind Persons

Attachments - 2: Invoice & Email Request for Information

cc: Edward F. Rodgers II

Sue Luzenski

 Mike Pemble

Katie Belknap

Constance Zanger

Rob Essenberg

 James Hull

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF SERVICES FOR BLIND PERSONS

FREEDOM OF INFORMATION ACT INVOICE

NAME AND ADDRESS OF REQUESTER:

Mr. Paul Joseph Harcz, Jr.

E-mail: joeharcz@comcast.net

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

REQUEST RECEIVED: November 27, 2014

TYPE OF REQUEST: Email

REQUEST PARTIALLY DENIED: No

EXEMPT INFORMATION WITHHELD/REDACTED: To be determined

EXTENDED RESPONSE NOTICE ISSUED: No

REQUESTED INFORMATION WILL BE: Emailed/Invoiced For Payment

ACCOUNT CODE: Index: 36200 PCA: 11343

DLARA CONTACT: Melvin Farmer, Central FOIA Coordinator

(517) 373-0194, Ottawa Building, 4th Floor, 611 W. Ottawa, Lansing, MI 48909

The FOIA provides that the department may charge a fee to comply with requests for public records. The processing fee is composed of hourly wages and benefit costs of the lowest paid employee(s) capable of processing the request; the duplication of records at assessed costs per page; mailing costs; and other related special costs. Prior to searching and copying requested records, the department may request full payment or 50% of the estimated costs exceeding $50.00 with the balance required before mailing the records. Assessed costs are related to your request for:

“Payments to ELLIOTT FOOD EQUIPMENT LLC by LICENSING AND REGULATORY AFFAIRS for fiscal year 2015”.

INVOICE CALCULATIONS

LABOR

 Locating and Duplicating Cost:

Number of Hours: 4 hrs. x Hourly Rate: $33.48 = Amount: $133.92

 Examining and Extracting Cost:

Number of Hours: 1 hr. x Hourly Rate: $33.48 = Amount: $33.48

TOTAL LABOR: $167.40

POSTAGE (estimate): To be determined based on the amount of information

DUPLICATING: Number of Pages (0) times Copying Rate of $0

OTHER (overtime, audio tapes, discs, photos, security, etc.): $0

SUBTOTAL: $167.40

Less waived indigency fee under FOIA Act MCL 15.234 Section 4(1)

INVOICE TOTAL: $167.40

DEPOSIT\* $83.70

BALANCE YET TO BE PAID\*: $83.70

Make check or money order payable to: STATE OF MICHIGAN

Remit to: Department of Licensing and Regulatory Affairs

Office Services Mailroom

7150 Harris Drive, PO Box 30015

Lansing, MI 48909

RETURN ORIGINAL COPY OF THIS INVOICE WITH YOUR PAYMENT

\*Please note that if a deposit is requested, the indicated amount is an estimate of the cost of complying with your request. The actual cost may vary somewhat from this amount.

From: joe harcz Comcast

Sent: Wednesday, November 26, 2014 9:25:26 AM (UTC-05:00) Eastern Time (US & Canada)

To: Rodgers, Edward (LARA)

Cc: Mike Pemble BSBP Dep. Dir.; Belknap, Katie (LARA); Luzenski, Sue (LARA); Christyne.Cavataio@ed.gov; michigan-governmental-affairs@nfbnet.org; BSBPcommissioners; Gary Gaynor; commissioner-hudson@outlook.com

Subject: more elliott questions

November 26 2014 Elliott Questions

Paul Joseph Harcz, Jr.

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

joeharcz@comcast.net

810-516-5262

To:

Edward F. Rodgers

Mike Pemble

(Michigan Bureau Services to Blind Persons)

(Via e-mail)

Dear Sirs,

Could you simply tell me what the expenses for equipment were for in the DTMB notations after my signature line?

Thanks,

Paul Joseph Harcz, Jr.

Cc: RSA

Cc: NFB

Cc: BSBP Commissioners

Cc: kb, sl bsbp

Attachment:

Payments to a Vendor by Agency and Category

Payments to ELLIOTT FOOD EQUIPMENT LLC by LICENSING AND REGULATORY AFFAIRS for fiscal year 2015

Table with 4 columns and 3 rows

Agency Name

Category Description

Warrant Date

Payments Total

LICENSING AND REGULATORY AFFAIRS

Contractual Services Supplies and Materials

11/17/2014

$13,550.00

LICENSING AND REGULATORY AFFAIRS

Contractual Services Supplies and Materials

10/30/2014

$2,205.00