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May 9, 2018

VIA CERTIFIED MAIL
7015 0640 0001 5517 6257

Mr. Andrew J. Welch, III
Smith, Welch, Webb & White
2200 Keys Ferry Court
P.O. Box 10
McDonough, GA 30253

RE: Open Records Act Request Dated October May 4, 2018

Dear Mr. Welch:

Candler County received your Open Records Act request, a copy of which is enclosed, on May 4, 2018. In accord with O.C.G.A. § 50-18-71, *et seq.*, Candler County hereby responds to your request within three (3) business days of receipt.

As a preliminary matter, we note your request is extremely broad, as it seeks no fewer than 103 individually requested items. While Candler County is committed to providing a lawful response under the Open Records Act and fully intends to make the requested records available, please be mindful that responding to this expansive request will be a significant undertaking for the County. Although certain of the individual requests are straightforward, the sheer volume of request(s) will necessitate a significant expenditure of County resources to respond.

With that in mind, and in a good faith effort to provide responsive records, we have already completed the search and retrieval of items 1 through 11. Accompanying this correspondence are records responsive to those portions of your request. Some records are responsive to both items 2 and 4 of your request. To efficiently respond, we have provided only one copy of these responsive records. Please note we have provided only the consolidated summaries in response to your requests for the County Tax Digests. However, if you want copies of the complete tax digests, please advise and we will be happy to provide them. Additionally, please note that there are no records [for 2018] responsive to items 1, 2, and 3 of your request. Responding to items 1-11 of your request resulted in the generation of 264 pages at \$.10 per page, thereby resulting in actual copying

charges of \$26.40. Also, after the first 15 minutes, it took an employee earning an hourly rate of \$21.03 per hour eleven (11) hours and thirty (30) minutes to compile the requested documents, resulting in an administrative cost of \$241.84. Therefore, the total amount due to Candler County for these records is **\$268.24**. Please remit payment to the County in this amount and mail your payment to the address below.

Responding further. Candler County is not the custodian of records responsive to items 76 and 79, as Bulloch County is the PSAP provider for Candler County. Further, Candler County is in possession no documents responsive to items 75 and 78. Additionally, as the County is not the custodian of records responsive to items 97-100, there are no records responsive to those portions of your request. Finally, there are no records responsive to item 103 of your request, as the County does not analyze or breakdown administrative costs by department.

Having responded to the first eleven items of your request, as well as the nine requests referenced above for which there are no responsive records, 83 additional requests require a response. Given the breadth of the request, providing a precise (studied) cost estimate for each enumerated request was not possible or otherwise feasible within the mandated 3-day response period. As such, the County utilized a formal methodology for estimating the cost for retrieving and producing records responsive to each paragraph of your request. At the present time, and for purposes of providing an *estimate*, only, we believe that producing documentation responsive to each paragraph of your request will result in the generation of 250 pages. Additionally, we are conservatively estimating that it will take an employee approximately two hours per requested item for the search, retrieval, redaction, and production of responsive records. Again, this is an estimate only, and while some items may result in fewer pages or take less administrative time to fulfill, it is likely that other items will generate more paper and require additional administrative time.¹ With this methodology in mind, please see the pre-retrieval estimate below.

As you know, pursuant to the Open Records Act, the County is authorized to charge for the search, retrieval, redaction, and production or copying costs involved in responding to your request at the hourly rate of the lowest paid, full-time employee who possesses the necessary skill to so respond. The County may also charge ten (10) cents for each letter or legal-sized page that you request to have copied and an additional fee for certified copies or other copies for which a fee is specifically authorized or otherwise provided for by law.

In accord with O.C.G.A. § 50-18-71, *et seq.*, we are providing you with a pre-retrieval estimate. Based the methodology identified above, we conservatively estimate that your request will result in approximately 20,750 pages (83 x 250) at \$0.10 per page, thereby resulting in an estimate of \$2,075.00 for copying charges. It will take an employee earning an hourly rate of \$21.03 per hour approximately two (2) hours per numbered request to compile the documents requested in items 12-21, 23-25, 40-52, 54-74, 77, 81-87, 90-91, 94-96, and 101. Additionally, we estimate it will take an employee earning an hourly rate of \$11.36 per hour approximately two (2) hours to respond to item 22 of your request, and another employee earning an hourly rate of \$13.49 per hour approximately two (2) hours per numbered request to compile records requested in items 88, 89, 92, and 93. For item 53 of your request, we estimate it will take an employee of the County's IT contractor earning an hourly rate of \$125.00 per hour two (2) hours to compile records responsive to that item. Some of your requests will require the administrative time of two employees earning different hourly rates. Accordingly, we estimate that it will take an employee earning an hourly rate of \$21.03 approximately one (1) hour to compile records responsive to items 26-39, 80, and 102. It will take another employee earning an hourly rate of \$13.49 approximately one (1) hour per request to compile records responsive to items 26-39, and another employee earning an hourly rate of \$21.39 per hour approximately one (1) hour per request to respond to item 80, and another employee earning an hourly rate of \$10.06 per hour approximately one (1) hour to respond to item 102. Combined, the total administrative cost is \$3,503.09. Therefore, the total pre-retrieval estimate for the requested records is approximately **\$5,578.09**.

¹ For instance, the County estimates the response to item 12 will result in the generation of approximately 2,000 pieces of paper.

Pursuant to O.C.G.A. § 50-18-71(d), as the estimated costs for production of the records exceed \$500.00, the County may insist on prepayment prior to beginning search, retrieval, review or production of the records. Please remit a check in this amount made payable to Candler County and mail your payment to:

Candler County Finance Department
ATTN: Open Records Payment
1075 E. Hiawatha Street,
Suite A
Metter, GA 30439

If you approve the pre-retrieval estimate above by tendering pre-payment, the County will begin compiling the remaining documents responsive to your request. Candler County believes, upon prepayment, that it will be in a position to compile and make available the requested documents within three weeks of receipt of prepayment. For your reference, attached as Exhibit A is a tiered timeline for production for the specific items of your request, though actual production time may vary. However, upon retrieval, should actual administrative or copying costs exceed the amount estimated above, the County will supplement this pre-retrieval estimate and seek your approval before incurring any additional charges. Additionally, should actual retrieval costs result in an amount less than the required pre-payment, the County will certainly provide you with a refund of any overpayment. If you are not agreeable to the cost estimate above and would prefer to narrow the search, please advise and we will be happy to work with you.

Should you approve the pre-retrieval estimate by tendering pre-payment, the County respectfully requests that you provide clarification regarding the records sought in response to items 85 and 87. Specifically, no date range is specified in your request for these records. Please clarify the dates for which you are seeking state grants and state financing issued to Candler County so the County is in a better position to identify and retrieve responsive records.

Please know that the amount set forth in this correspondence is an estimate, and Candler County reserves the right to adjust upward or downward depending upon the number of copies and the amount of time it takes to respond. Candler County also reserves the right to review and redact the documents responsive to your request and further reserves the right to assert additional, specific objections under the Act if warranted following receipt of responsive documentation.

Please note, while we have identified the applicable hourly rates appropriate under the Open Records Act for responding to each of your requests, we respectfully decline to provide the name and title of each employee we expect to work on this request. Additionally, while your letter states that the County must indicate which pages of a record responds to a particular individual request, complying with this instruction would place an undue burden on the County in responding, as no such requirement is contained within the Open Records Act. Accordingly, and with respect, the County must decline this instruction.

Kindest regards.

Sincerely,



Kellie Lank
Candler County Clerk

Encl.

1075 EAST HIAWATHA STREET, SUITE A, METTER, GEORGIA 30439
(912) 685-2835 FAX (912) 685-4823

Exhibit A

TIER 1 Week 1	TIER 2 Week 2	TIER3 Week 3	Not the Custodian	Need Clarification on
12	15	29	75	85 Date Range
13	16	47	76	87 Date Range
14	18	48	79	
17	21	49	97	
19	26	50	98	
20	27	51	99	
22	28	52	100	
23	30	53		
24	31	54		
25	32	55		
33	40	56		
34	41	88		
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