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SARAH W. BROCK
CLERK TO COUNCIL

AGENDA
COMMUNICATIONS AND TRANSPARENCY COMMITTEE
Monday, October 21, 2019
1:00 p.m.
Council Chambers, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Committee Members:
Michael Covert, Chairman
Brian Flewelling
Chris Hervochon
Gerald Dawson
Mark Lawson
York Glover
Paul Sommerville

Staff Support:
Sarah Brock, Clerk to Council
Bill Lisbon, Records Management Division

1. **CALL TO ORDER – 1:00 p.m.**

2. **PLEDGE OF ALLEGIANCE**

3. **INTRODUCTIONS**

   [Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act]

4. **APPROVAL OF AGENDA**

5. **APPROVAL OF MINUTES**
   A. **September 16, 2019** (backup)

6. **CITIZEN COMMENTS** (*Comments regarding agenda items only*)

7. **PRESENTATIONS**
   A. **FOIA Brief -** *Bill Lisbon, Records Management Division* (backup)

8. **DISCUSSION ITEMS**
   A. **Transparency Items being brought to the Committee –** *Chairman Covert*

9. **ADJOURNMENT**

The County Channel

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Approval of Minutes

Council Committee:

Communications and Transparency

Meeting Date:

October 21, 2019

Committee Presenter (Name and Title):

Issues for Consideration:

Approval of the September 16, 2019 Mintues

Points to Consider:

Funding & Liability Factors:

None.

Council Options:

Approve, Modify or Reject

Recommendation:

Approve

MINUTES
COMMUNICATIONS AND TRANSPARENCY COMMITTEE

September 16, 2019

Executive Conference Room, Administration Building Beaufort County Government Robert Smalls Complex 100 Ribaut Road, Beaufort

The electronic and print media duly notified in accordance with the State Freedom of Information Act.

ATTENDANCE:

Present: Committee Chairman Michael Covert and members Chris Hervochon, Gerald Dawson, Mark Lawson, Brian Flewelling, Sarah Brock, and Bill Lisbon

Absent: York Glover, Paul Sommerville

Ex-officio: Joseph Passiment

Staff: Chris Inglese, Deputy County Administrator; Thomas Keaveny, County Attorney; Monica Spells, Assistant County Administrator

CALL TO ORDER

The time the meeting began 1:03 p.m.

APPROVAL OF AGENDA

Motion: It was moved by Councilman Dawson, seconded by Councilman Flewelling that the committee approve the agenda. The vote: YAYS - Councilman Covert, Councilman Flewelling, Councilman Lawson, Councilman Dawson and Mrs. Brock. The motion passed.

CITIZENS COMMENTS

Paul Beuter stated he believes that there should be a citizen on the committee since this about transparency with the community.

DRAFT

INFORMATION ITEMS

Item: Discussion / Purpose Statement

Discussion: Councilman Covert stated the purpose of the taskforce is to ensure transparency between the council and the public. Would like the community and the county to come together to support the County having transparency. To advise the administration and County Executive Committee about transparency. Would like to create behavioral expectations for the council members regarding transparency. The committee is made up of several council members but also has administration staff, Sarah Brock (Clerk to Council) and supporting staff Bill Lisbon.

Bill Lisbon stated that he is a FOIA (Freedom of Information Act) Specialist that was added as a committee member. Before he began working at Beaufort County, he worked in Public Relations during his military career.

Status: Informational purposes only.

Item: Discussion / Task Assignment

Councilman Covert stated this task force is in the building block stages of the committee. Would like the outcome of the taskforce might lead to revisions to County Council Policy's. Once the purpose statement is more clear and concise believes that the vision statement of the committee will be seen. Would like to see the improvement of a relationship between the media and the County Council. Would also like to assess the county PR and PIO process with Council. Would also like to see a chart with the state FIOA policies and also would like to study the compliance. Would like to see an alignment between the county, staff, and the public. Believes that there can be discussion about transparency and what can be done to make the council more transparent. Would also like to explain Executive session, the what, why and how.

Councilman Flewelling stated he believes social media category should be more expanded. Thinks that the committee should only give guidance not make it a requirement. Stated another difficulty of the county is county channel is limited as where the Beaufort County channel is being viewed.

Councilman Covert stated we want to be able to make sure those who have no interest or cable to be able to get access to information.

Councilman Flewelling stated there are many individuals who do not have the capability of receiving the information that we have available.

Councilman Dawson stated there are a lot of remote areas of the county that still does not have cable but need to have satellite. Believes satellite will be a requirement to reach those because with the county channel it is only available on cable and the website.

Councilman Covert stated the county has a lack of broadband and lack of connectivity and because of this we cannot be as transparent as we want to be.

Councilman Hervochon stated how many people are impacted by this.

Councilman Dawson stated over 10,000 individuals.

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Councilman Flewelling stated there was a county program that was done through the library. This program helped those students and parents who did not have access to internet at home free of charge.

Councilman Dawson stated there is also hotspots that were done to assist with this program as well.

Councilman Covert stated would more hotspots being available help with the lack of connectivity.

Councilman Flewelling stated hotspots only have a limited range. Believes the county could fill in some of the areas that does not have internet available but not all.

Councilman Passiment stated the future may be with the telephone. Believes there needs to an information resolution that Beaufort County should be on the forefront of by getting together with the phone companies. He believes fiber optics should be evaluated and talked with the phone places.

Monica Spells stated that the Smart spot library program is still in use however is decreasing in participation. This may be because the hotspots was restricted to educational sites only. Does believe the county should look into expanding of our public WIFI such as library, senior centers and recreational centers.

Councilman Covert stated there is an app called "TEST IT" to test your broadband activity and speed. The data is being complied for NACO (National Association of Counties) to find out if connectivity is available in that area.

Councilman Lawson stated he believes the county connect app should be looked into to expand the availability to receive information.

Councilman Covert stated he would like to see Bill Lisbon, put a process together to explain FOIA to the citizens and the county council about the rights within FOIA

Councilman Flewelling stated social media should be used to inform the younger generation to be able to reach out.

Councilman Covert stated he would like everyone that is on the committee to bring something to the table to discuss.

Status: Informational purposes only. Item: Review of Meeting Schedule

Item: <u>Discussion / Review of Meeting Schedule</u>

Councilman Covert stated the new meeting will be held

- September 30, 2019 @ 4 p.m.
- October 7, 2019 @ 1 p.m.

Councilman Covert asked if there was anyone citizens who wanted to speak.

Valley Blueback stated she is impressed with the committee however urges county to consider the cost of the FOIA prices. The county website is very information however difficult to navigate might want to make the app easier to manage.

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Councilman Flewelling stated the information most people want is on the internet and urges her to relook into the website.

Bill Lisbon stated that if the information is available online they will inform the public however if they want it printed out then there would be a cost.

ADJOURNMENT

The meeting adjournment at 1:50 p.m.

Motion: It was moved by Councilman Hervochon, seconded by Councilman Flewelling that the committee adjourn. The vote: YAYS - Councilman Covert, Councilman Flewelling, Councilman Lawson, Councilman Passiment, Councilman Dawson, Mrs. Brock and Mr. Lisbon. The motion passed

Ratified by Committee:

DRAFT

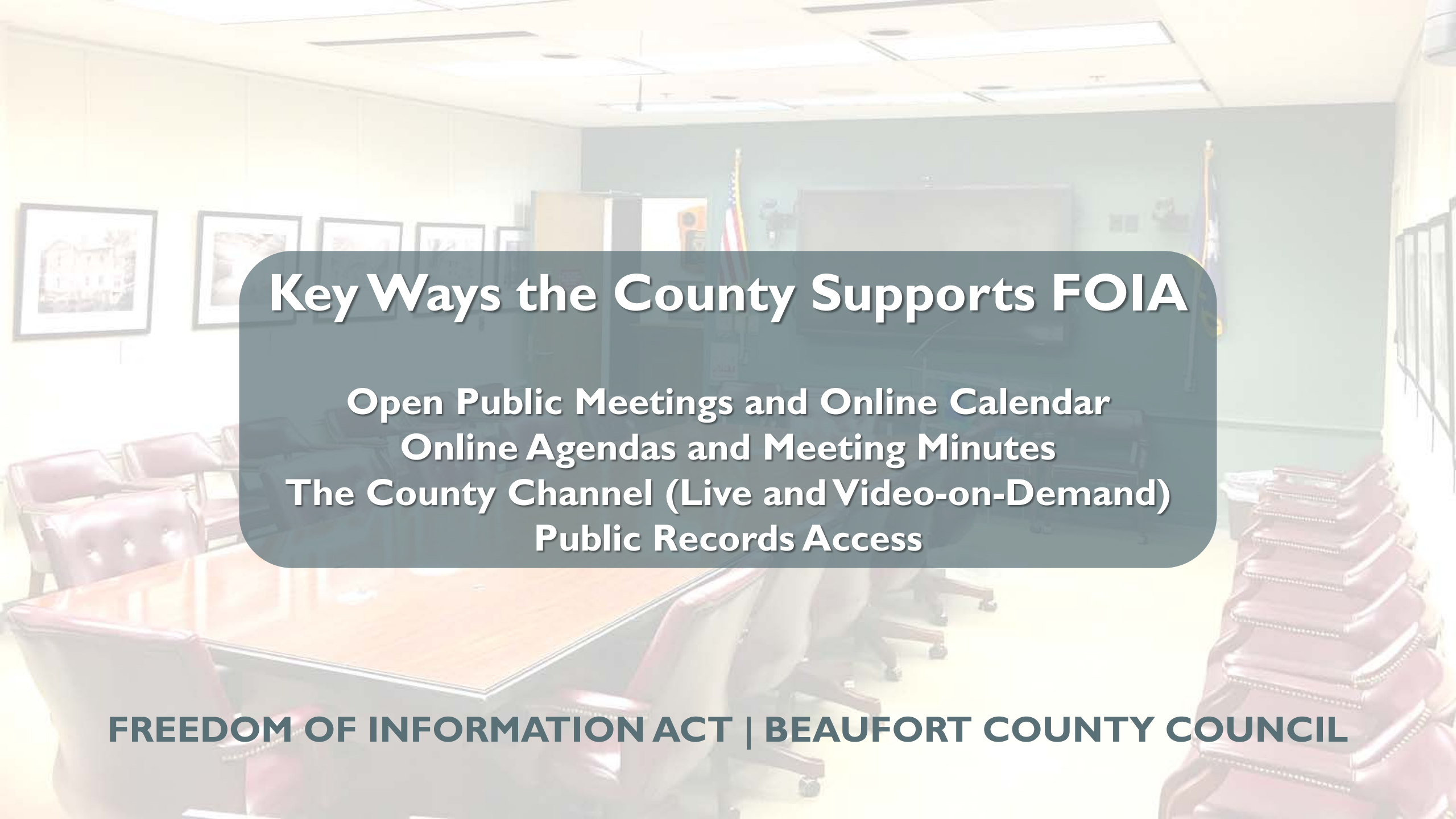
FREEDOM OF INFORMATION ACT

Communications & Transparency Committee
Beaufort County Council | October 21, 2019

Presented by Bill Lisbon, FOIA Specialist
Records Management Department

What is FOIA?

- State Law (South Carolina Code of Laws, Title 30, Chapter 4)
- Transparency - public access to government records and meetings
- "… it is vital in a democratic society that public business be performed in an open and public manner … provisions in this chapter must be construed so as to make it possible for citizens, or their representatives, to learn and report fully the activities of their public officials at a minimum cost or delay to the persons seeking access to public documents or meetings."



Key Ways the County Supports FOIA

Open Public Meetings and Online Calendar
Online Agendas and Meeting Minutes
The County Channel (Live and Video-on-Demand)
Public Records Access

FREEDOM OF INFORMATION ACT | BEAUFORT COUNTY COUNCIL

FOIA Team

- The Records Management Department has led program administration via FOIA Specialists since September 2016 and in collaboration with liaisons in all County departments; previously, the Legal Department took the lead.
- Key departments include IT and Legal, e.g. emails and exemptions.
- Electronic tracking system with assigned case numbers.
- The Sheriff's Office maintains its own FOIA process.

BEAUFORT COUNTY

Beaufort County government exists to serve the people of Beaufort County in a cost-effective manner, so all our citizens may enjoy and appreciate a protected quality of life, natural and developed resources in a coastal environment, a diverse heritage, and economic well-being.

TRANSPARENCY

- Freedom of Information
- Financial Transparency
- Archives
- Bidding Opportunities

PUBLIC MEETINGS

- County Council
- Boards and Commissions
- All Meetings
- Watch Online

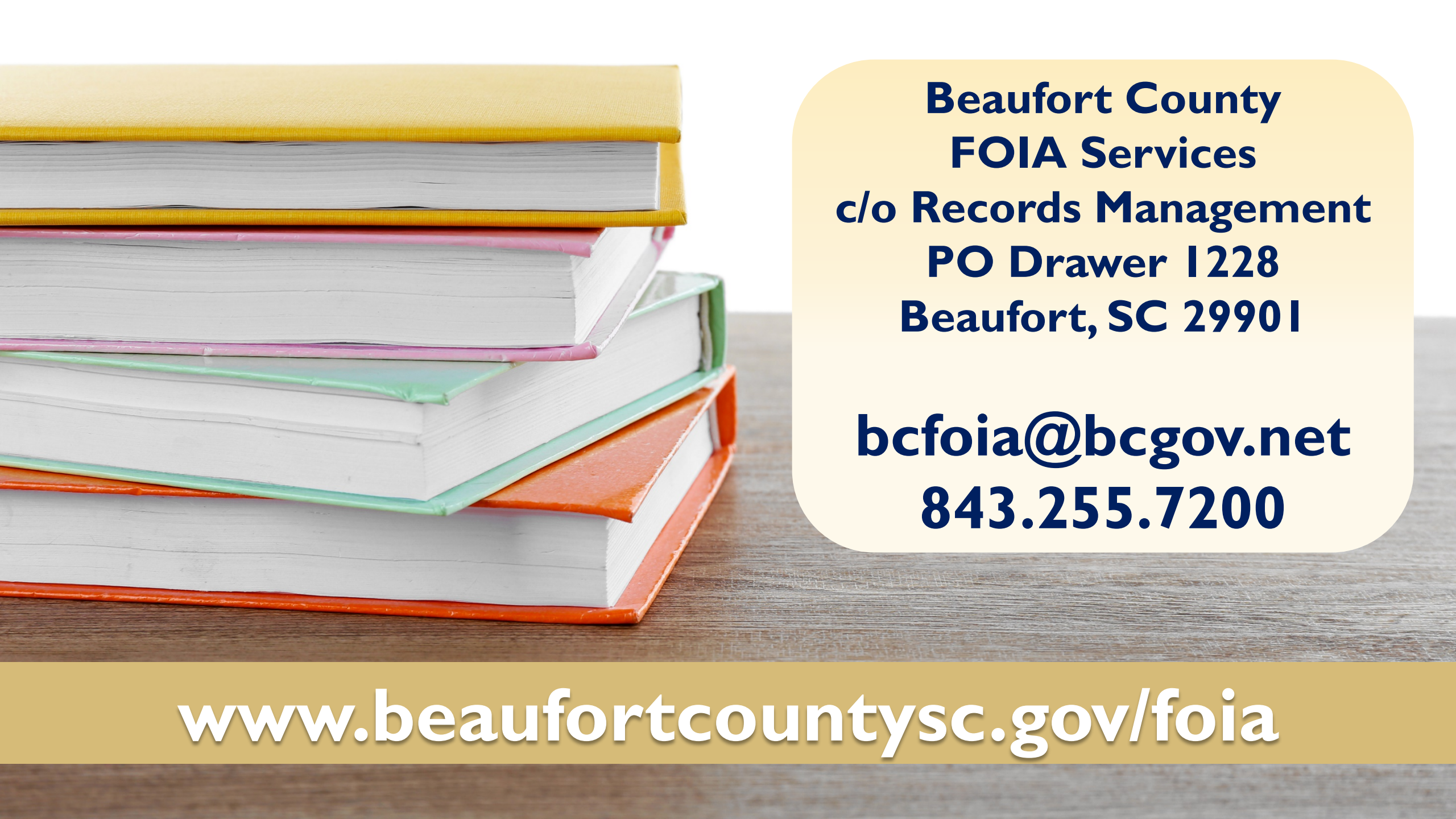
CONTACT

- 100 Ribaut Rd Beaufort, SC 29902
- Citizengram
- Call Beaufort County
- Phone Directory

Sign up for News and Public Meeting Announcements

SIGN UP!

www.beaufortcountysc.gov



Beaufort County
FOIA Services
c/o Records Management
PO Drawer 1228
Beaufort, SC 29901

bcfoia@bcgov.net
843.255.7200

www.beaufortcountysc.gov/foia

FOIA Requests and Deadlines

- Be as specific and clear as possible.
- Ask for existing records; document creation falls outside of FOIA.
- 10 Business Days after initial receipt by the County to notify the requester of the availability of the records .
- 20 Business Days if requested records are more than 24 months old
- 30 Calendar Days after initial response or payment of deposit (whichever is later) to search/compile records.
- 35 Calendar Days if requested records are more than 24 months old
- Immediately (after receipt of balance of payment) – to provide records to requester
- Average turnaround time for most requests = 2-3 days

FOIA Process

- County receives request, 10-day deadline begins
- FOIA Specialists review request, seek clarification, research (building department records), assign case number, log into tracking system, determine departments/outside agencies

FOIA Process

- Assign/route request to applicable departments (via department FOIA rep), who responds:
  - Produces records
  - No records found
  - Has records, but need to time to search/compile; provides time/cost estimate
  - Has records, but exempt from disclosure per law

FOIA Process

- **FOIA Specialists provide initial (or final) response to requester.**
- **FOIA Specialists provide estimated costs to requestor and bill; 25% cost of the estimate required and upon receipt 30-day deadline begins.**
- **Departments tasked to help search/compile records for submission to FOIA Specialists who assemble final product.**
- **FOIA Specialists provide bill for balance of actual costs issue records to requester upon receipt and close case.**

FOIA Processing Costs

- SC Code of Laws allows the County to charge for actual costs (e.g. search, retrieval, scanning, redaction, materials; postage).
- Labor is an allowable cost -- time at hourly rate of lowest paid employee capable of doing the work (varies by department).
- 25% deposit of estimate; balance of actual total; refunds.
- Typically no charge for requests taking 30 minutes or less to complete or if no documents found.
- About 90% of requests are fulfilled with no charge.
- Costs typically due to large file sizes and significant processing time.
- Only 10% require fee; half of those are $25 or less; 80% are $100 or less
- Check/money order accepted and deposited with Treasurer's Office.

Beaufort County's FOIA Statistics

Year	As of Oct. 8	Annual Total	Media
2019	1,707	TBD	32
2018	1,640	2,067	26
2017	1,225	1,591	13
2016*	80	291	7

* 9/6/16 - 12/31/16

Beaufort County's FOIA Statistics

- Top requesters: real estate and insurance
- 90% of requests are for building/property records; majority of those for flood elevation certificates
- Average turnaround time for most requests is 2-3 days; elevation certificates is 1-2 days

RECORDS MANAGEMENT

Why managing the past is important work for the present



- **Beaufort County has robust, expeditious and responsive system to comply with FOIA requirements, assist our citizens and ensure transparency.**
- **Constantly evolving/improving processes.**
- **Anticipate FOIA requests to continue increasing.**