



Village of Poplar Grove – Board Meeting Memo

Village of Poplar Grove Board Meeting Memorandum

Department: Clerk's Office

Date: January 22, 2026

Subject: FOIA Fee Guidance – PAC Opinion 25-013

1. Background

A recent opinion was issued by the Public Access Counselor (“PAC”) regarding the fees a public body is authorized to charge—and those that are not lawful—under the Freedom of Information Act (“FOIA”). This memorandum is intended to provide guidance to Village officials and staff regarding permissible FOIA fees to ensure continued compliance with state law.

2. Current Status

PAC Opinion 25-013 clarifies that municipalities may only charge fees reasonably calculated to reimburse the actual cost of reproducing and certifying public records unless otherwise authorized by statute. Personnel time for searching, reviewing, or redacting records may not be charged, except in limited circumstances involving Commercial purpose or Voluminous requests.

3. Fiscal Impact

FOIA fees are limited by statute and are intended only to reimburse actual reproduction costs. Improperly imposing unauthorized fees may be deemed a denial of access to public records.

4. Legal Review

Legal counsel has reviewed the applicable FOIA statutes and advised the Clerk's Office that any FOIA fee schedule adopted by the Village must be approved by the Village Board. Board action is therefore required prior to implementing or modifying any FOIA-related fees.

5. Recommendation

The Village Board must determine whether the Village wishes to assess FOIA fees when such fees are permitted by statute. Direction from the Board will allow staff to apply FOIA fee provisions consistently and in compliance with PAC Opinion 25-013 and the Freedom of Information Act.

6. Supporting Documents

Not Applicable

Karri Miller

Karri Miller, Village Clerk