

Patricia Pergament

From: Ernie Silver Night Properties <silvernighpropertiesllc@hotmail.com>
Sent: Friday, July 31, 2026 10:22 PM
To: Township FOIA
Cc: Patricia Pergament; Anthony Noble
Subject: APPEAL — \$1,134.40 Township FOIA Fee Estimate Dated July 31, 2026

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Dear Ms. Pergament, Clerk Noble, and Members of the White Lake Charter Township Board:

This email is my written APPEAL under MCL 15.240a concerning the general Township FOIA fee estimate issued on July 31, 2026 for my July 10, 2026 request.

I request that the fee and deposit be reversed or substantially reduced because the estimate contains material mathematical inconsistencies and does not adequately explain or support the hours charged.

The reasons for this appeal are:

1. The cover letter states that the total estimated fee is \$1,134.00, while the Detailed Itemization states that the total is \$1,134.40. The Township must identify the correct amount.
2. The demanded deposit is \$567.00. That is one-half of \$1,134.00, but one-half of the itemized total of \$1,134.40 would be \$567.20. The deposit therefore does not correspond consistently with the itemized estimate.
3. The Detailed Itemization states that the applicable hourly wage charge is \$69.40. However, it also states that the base wage is \$47.27 and the fringe-benefit amount is \$23.63. Those figures equal \$70.90, not \$69.40.
4. The Township then uses \$70.90, rather than the stated \$69.40 rate, to calculate both the 13 hours of search labor and the three hours of duplication or publication labor.
5. The estimate charges 13 hours and \$921.70 for searching, locating, and examining records without identifying the estimated time associated with each record category, department, custodian, database, camera system, accounting system, or other source.
6. The estimate charges three hours and \$212.70 for duplication or publication even though the request seeks electronic production, the itemization lists no paper copies, no physical media, no postage, and no specific duplication or publication work.
7. The estimate applies the same \$70.90 rate to both search labor and duplication or publication labor without separately identifying the lowest-paid employee capable of performing each category of work.

8. The statement that Township resources must be used to search, gather, and examine records is generic and does not specifically identify the nature of the allegedly unreasonably high costs created by this particular request.

I respectfully request:

1. Reversal or substantial reduction of the fee and deposit;
2. A corrected itemization containing one consistent total, hourly rate, and deposit amount;
3. A breakdown of the estimated hours by record category, department, custodian, system, and type of work;
4. Identification of the position and base hourly wage of the lowest-paid employee capable of performing each charged labor category;
5. A clear explanation of the fringe-benefit calculation;
6. A specific explanation of the three hours charged for duplication or publication;
7. The factual basis for the determination that fulfilling this particular request would cause unreasonably high costs; and
8. A written determination of this appeal as required by MCL 15.240a.

Please forward this appeal to the head of the public body and the Township Board as necessary for a formal determination.

Please keep the July 10, 2026 FOIA request active while this fee appeal is pending and confirm that the deposit deadline will not cause the request to be treated as abandoned before the appeal is decided.

This appeal does not withdraw, resubmit, or narrow the underlying FOIA request.

Please communicate with me in writing by email.

Respectfully,

Ernest G. Parker
9620 Cooley Lake Road
White Lake, Michigan 48386
silvernightpropertiesllc@hotmail.com

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Steve Anderson
Andrea C. Voorheis
Liz Fessler Smith

WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

August 18, 2026

Mr. Ernest Parker
9620 Cooley Lake Road
White Lake, MI 48386
E-mail: silvernightpropertiesllc@hotmail.com

**RE: Appeal Response to Email Dated July 31, 2026, RE: Appeal of \$1,134.40 Township
FOIA Fee Deposit Estimate Email Dated July 31, 2025**

Dear Mr. Parker:

White Lake Township received your Freedom of Information Act ("FOIA") appeal request dated **July 31, 2026**. The White Lake Township Board has reviewed your written fee appeal received by this office on July 31, 2026. Under Section 10a of the Michigan Freedom of Information Act (FOIA), MCL 15.240a, the Township is issuing this formal written determination.

After a comprehensive review of your appeal, the original public records request, and the Detailed Cost Itemization Form, the Township has determined to **deny your appeal and uphold the original fee estimate of \$1,134.40**. The Township's specific response and statutory justification addressing each point raised in your appeal are detailed below:

Complaint 1 & 2 (Totals and Deposit Math):

Regarding the forty-cent discrepancy (\$1,134.00 vs. \$1,134.40), this is a minor clerical rounding error that does not invalidate the underlying calculation. The cost estimate contains the correct total which is \$1,134.40 and therefore, the corrected 50% deposit amount is \$567.20.

Complaint 3 & 4 (Hourly Rate Discrepancy): The base wage of \$47.27 plus the allowable fringe-benefit addition of \$23.63 correctly equals \$70.90 per hour. The listing of \$69.40 was a minor clerical typographical error in the summary text. The correct amount is \$70.90, and this rate was properly applied to the calculations and does not change the final amount.

Complaint 5 (Specificity of Search Hours): The Township maintains that 13 hours is a reasonable estimate for searching multiple digital databases and records. The Township does not have to identify all the databases and locations it will search for a cost estimate to be valid. As noted in the deposit letter, the amount noted is a good faith estimate which may be lower or higher once the work is completed. If the time to complete this work is less than thirteen (13) hours, the Township will correct the amount charged when requesting the final payment.

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



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Complaint 6 (Duplication/Publication Charges): The three hours allocated for duplication/publication cover the necessary time to format and compile electronic files for secure digital production, even though no physical paper copies are being printed. As noted in the deposit letter, the amount noted is a good faith estimate which may be lower or higher once the work is completed. If the time to complete this work is less than three (3) hours, the Township will correct the amount charged when requesting the final payment.

Complaint 7 (Lowest-Paid Employee Identification): The hourly rate used belongs to the lowest-paid permanent employee possessing the necessary skill, training, and database access permissions to perform the complex search and digital compilation safely without compromising data integrity. In this case, it is the same person in both instances. This is why the labor rate is the same.

Complaint 8 (Unreasonably High Costs Justification): The sheer volume of hours (16 total hours) and the specialized staff time required to process this expansive request generate an extraordinary financial and operational burden on Township resources, satisfying the statutory threshold.

Certification of Compliance

Pursuant to MCL 15.240a(2), the Township hereby certifies that the labor charges and fees outlined in the original Detailed Cost Itemization Form comply with the statutory requirements of MCL 15.234, do not exceed the amount permitted under the Act, and accurately reflect the actual hourly rate of the lowest-paid employee capable of performing the tasks.

Notice to Seek Judicial Review

Pursuant to Section 10a of the FOIA, MCL 15.240a, you have the right to commence a civil action in the circuit court to appeal the Township's decision regarding this matter.

The Township has corrected the typographical errors in the original deposit request letter and the cost estimate and those documents are attached.

The Township will resume processing your public records request immediately upon receipt of the requested deposit of \$567.20, which is half of the total fee as previously indicated.

Sincerely,

Rik Kowall,
Township Supervisor

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



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August 18, 2026

Mr. Ernest Parker
9620 Cooley Lake Road
White Lake, MI 48386

E-mail: silvernightpropertiesllc@hotmail.com

RE: Freedom of Information Act ("FOIA") Deposit Request—July 10, 2026, FOIA Request ***Typographical Error Correction**

Dear Mr. Parker:

White Lake Township received your attached Freedom of Information Act ("FOIA") request dated **July 10, 2026**, which is considered received one business day later when received via email. The Township needed additional time to review and respond to your request. As a result, pursuant to Section 5 of the FOIA, the Township extended the time to respond by ten (10) business days. The Township has met the requirement to respond to your request on or before July 31, 2026.

The Township has determined that the total good faith estimate of the cost to process your request will be *\$1,134.40**.** (Please see attached Detailed Itemization Sheet). This estimate may end up being higher or lower once the work is completed as this is only a good faith estimate based on an assumption of the time it will take to complete this request. **The Township will process your request after you have paid a deposit of ***\$567.20**** (which is ½ the total estimated costs), as provided in Section 4(8) of the Michigan Freedom of Information Act. MCL 15.234(8). The deposit must be received by **September 21, 2026**, or the request may be considered abandoned by law.

The Township estimates that it will be able to provide the documents to you within **15 business days** of receiving the deposit and will release the information upon receipt of the balance due. Please be advised that this date is a good faith estimate of the timeframe required to provide the documents as set forth more fully in Section 4(8) of the FOIA.

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



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The Township accepts cash or check. Please make checks payable to the Charter Township of White Lake and remit to:

Mike Roman, Treasurer
Charter Township of White Lake
7525 Highland Road
White Lake, MI 48383

The Township's FOIA Procedures and Guidelines and the written FOIA summary can be found at:

<https://www.whitelaketwp.com/supervisor/page/freedom-information-act-foia>

In the event you are not satisfied with this response you have the right to submit a written appeal under MCL 15.240a to the Township's FOIA Coordinator that specifically states the word "appeal" and identifies the reason or reasons for reversal of this denial.

Should you have any questions please feel free to contact me.

Sincerely,

Trish Pergament
Deputy Supervisor and FOIA Coordinator
Phn: (248) 698-3300 X-150

White Lake Township

Freedom of Information Detailed Itemization



Date: 7/31/2026 *Corrected 8-18-26

Subject: 9620 Cooley Lk - RE: July 10th FOIA Request

Requestor: Ernest Parker

Approved Records Available for Release: Within 15 business days of receiving the deposit and will release the FOIA upon receipt of the balance due.

Determination of the Hourly Wage:

The hourly wage of the lowest paid public employee capable of searching for, locating and examining the public records in this particular instance regardless of who actually performs the labor is \$47.27.

The charged hourly wage may include fringe benefit costs (up 50% of the applicable labor charge but not more than the actual costs of fringe benefits). The hourly wage w/out fringe benefits used for this FOIA is \$47.27; the actual fringe benefit is \$47.18. Applying the 50% multiplier, the fringe benefit **used in this case* is \$23.63. This results in an hourly wage charge of **\$70.90* ($\$47.27 + 23.63 = \70.90).

A. Cost of Searching for, Locating and Examining of Public Records:

Total Time: 13 Hours X Hourly Wage of \$70.90 = \$921.70

B. Cost for Separating Exempt information from Non-Exempt Including Redaction of Documents:

Total Time: 0 Hours X Hourly Wage of \$70.90 = \$0.00

C. Cost for Duplication and Publication:

Total Time: 3 Hours X Hourly Wage of \$70.90 = \$212.70

D. Costs for Paper Copies: (The actual total incremental cost of necessary duplication)

\$0.10 Per Sheet X sheets = \$0.00

E. Costs for Non-paper Physical Media: (The actual and most reasonably economical cost)

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=
=

F. Cost of Mailing: (The actual cost for sending records in an economical and justifiable manner)

Envelope or Packaging & Address Labels: = \$0.00

Estimated Postage: = \$0.00

Determination of total time using increments of 15 minutes with partial time rounded down.

(For example: 15 minutes = .25 hours; 30 minutes = .50 hours; 45 minutes = .75 hours).

Your 50% deposit must be received on or before **September 21, 2026**. If deposit is not received by this date, the request will be considered abandoned.

The FOIA Coordinator has determined that failure to charge this fee would result in unreasonably high costs to the Township because of the nature of the request. In this particular instance, the Township is required to use resources to search, gather and examine the requested records.

Charges A - F Subtotal	=	\$1,134.40
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FOIA Coordinator: Trish Pergament