

**TOWNSHIP OF HEATH
ALLEGAN COUNTY, MICHIGAN**

ENHANCED ACCESS POLICY RESOLUTION

February ___, 1999

WHEREAS, the Enhanced Access to Public Records Act, 1996 P.A. 462, (hereinafter referred to as the "Enhanced Access Act"), allows public bodies to provide enhanced access for the inspection, copying or purchasing of a public record that is not confidential or otherwise exempt by law from disclosure; and

WHEREAS, the Enhanced Access Act requires that a public body who wishes to provide such enhanced access must produce a policy, approved by the governing body, guiding the access to information; and

WHEREAS, the Township of Heath wishes to provide enhanced access to certain public records.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Heath Township Board of Trustees hereby adopts the following Enhanced Access to Public Records Policy, in accordance with the Enhanced Access Act.
2. That this Resolution is effective immediately.
3. That all Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

Motion was made by _____, and supported by _____, to adopt the foregoing resolution. Upon roll call vote the following voted "Aye":

The following voted "Nay":

The Chairman declared the motion passed and the resolution duly adopted.

Sheila Meiste

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Heath Township Board held at the Township Hall on February ___, 1999; that said meeting was conducted and notice of said meeting was given pursuant to the Open Meetings Act, being 1976 PA 267; and that a quorum of the board was present and voted in favor of said Resolution.

Sheila Meiste, Clerk

ENHANCED ACCESS TO PUBLIC RECORDS POLICY

Township of Heath, Allegan County, Michigan, February _____, 1999. This policy is established pursuant to the authority of the Enhanced Access to Public Records Act, 1996 P.A. 462 (hereinafter referred to as the Enhanced Access Act). Any words contained in this policy that are defined in the Enhanced Access Act shall have the meaning as defined therein.

1. AUTHORIZATION

- A. Pursuant to the Enhanced Access Act, the Township of Heath (hereafter Township) establishes this policy in order to provide enhanced access for the inspection, copying, or purchasing of certain public records that are not confidential or otherwise exempt by law from disclosure.
- B. This policy does not require the Township to provide enhanced access to any specific public record other than those identified herein.
- C. The Township shall make the following public records available for enhanced access:
 - 1. Tax roll;
 - 2. Assessment roll;
 - 3. Voter registration list;
 - 4. Voter records.
- D. The enhanced access provided by the Township entails the placement of all or a portion of a public record listed in 1 C. above, on a computerized medium compatible with the Township's computer equipment.

2. FEES

- A. It is the policy of the Township to charge a reasonable fee for providing enhanced access to a public record.
- B. Reasonable fee means a charge calculated to enable the Township to recover over time only those operating expenses directly related to the public body's provision of enhanced access.
- C. Operating expenses includes, but is not limited to, a public body's direct cost of creating, compiling, storing, maintaining, processing, upgrading, or enhancing information or data in a form available for enhanced access, including the cost of computer hardware and software, systems development, employee time, and the actual cost of supplying the information or record in the form requested by the purchaser.
- D. Except as otherwise provided by law, the Township Clerk shall establish a proposed reasonable fee for each public record made available for enhanced access. The proposed fee(s) shall be presented to and approved by the Township Board of Trustees before they shall be effective.

- E. Except as otherwise provided by law or this policy, all persons shall be charged the reasonable fee approved by the Township Board of Trustees for enhanced access.
- F. A Township may furnish enhanced access without charge or at a reduced charge if the Township Clerk or Deputy Clerk determines that a waiver or reduction of fee is in the public interest because enhanced access can be considered as primarily benefitting the general public. Examples may include, but are not limited to, instances when:
 - 1. The information is critical to public health or safety.
 - 2. The information is required to meet legal or governmental objectives;
 - 3. The information explains the rights, entitlements and/or obligations of individuals;
 - 4. The cost of administering the fees would exceed the revenue to be collected;
 - 5. The reasonable fee established would have a serious detrimental impact on the financial position of particular groups or classes of users;
- G. The following fee schedule, as set forth in Exhibit AA@, attached hereto and made a part hereof, is adopted and established as the fee schedule for obtaining any information under this policy.

3. DISCLAIMER

- A. Recipients of enhanced access information receive all information AAS IS@, its officers, officials, employees, agents, volunteers, contractors, or its public bodies, make no warranties of any kind, including but not limited to warranties of accuracy, fitness for a particular purpose, or of a recipient=s right of use. Recipients are solely responsible for investigating, resisting, litigating and settling such complaints, including the payment of any damages or costs, unless the Township Board of Trustees, by resolution adopted by a majority of those elected and serving, elects to participate in the process at the Township=s expense.
- B. Except for the Township Board of Trustees, by resolution adopted by a majority of those elected and serving, no officer, official, employee, agent, volunteer, contractor or other person or public body may make any representation or warranty on behalf of the Township or one of its public bodies.