

**BOARD OF TRUSTEES**  
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**Shelly Schloss**  
FOIA Coordinator

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May 5, 2021

Honorable Waterford Township Board of Trustees  
5200 Civic Center Dr.  
Waterford, MI 48329

Honorable Board of Trustees,

Attached please find information regarding the decision before you regarding the written appeal of denial of records requested under the Freedom of Information Act made by requestor Matthew Lemieux to the Waterford Township Police Department.

Attachments include:

- The original request received by Waterford Township Police Department Records staff
- The denial letter from Ms. Evans, a Waterford Township Police Records employee
- The written appeal sent to Shelly Schloss as the Waterford Township FOIA Coordinator
- Waterford Township's FOIA Procedures and Guidelines adopted by the Waterford Township Board of Trustees on June 22, 2015 and published on the Township website

The reason for denial was "this report is still open and under investigation". The Freedom of Information Act 442 of 1976 15.243 Sec. 13 (1)(b)(i) provides that a public body may exempt from disclosure as a public record under this act investigating records compiled for law enforcement purposes to the extent that disclosure as a public record would interfere with law enforcement proceedings.

The Township Board is not considered to have received a written appeal until its first regularly scheduled meeting following submission of the written appeal to the Township Clerk, which is today, Monday, May 10, 2021.

Within 10 business days of receiving an appeal – in this case, no later than Monday, May 24, 2021 - the Township Board shall do one (1) of following, with the upholding in full or in part of the disclosure denial to be issued in writing:

**With us there are no boundaries**

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a written notice extending for not more than 10 business days the period during which the Township Board shall respond to the written appeal. The Township Board shall not issue more than one notice of extension for a particular written appeal.

The appropriate motion would be to proceed with one of the four options listed above, or to table the decision to your May 24, 2020 meeting.

Thank you,  
Shelly Schloss, Waterford Township FOIA Coordinator