

County says 160 pages will end collusion claims

Wants \$882 for zoning materials

THE JOURNAL STAFF

WALHALLA — Oconee County has said it will make public 160-pages of e-mails related to a zoning dispute but is asking for \$882.45 in advance and four weeks to prepare the materials.

Members of the Oconee County Council, past and present, as well as two county officials received Freedom of Information Act requests on April 5 for electronic documents on their personal computers related to North Cane Creek and North Fairview zoning petitions.

The FOIA request was signed by both Michelle McMahan, a party in the controversy that erupted

over the two competing zoning requests on Lake Keowee, and Brett McLaughlin as editor of The Journal, which agreed to become a party to the request when approached by McMahan, who contended that the action was in the public's interest and intended to promote "open, honest and fair government."

In his response on behalf of the county, Oconee Administrator Scott Moulder said the county would provide public records sent to and from the listed individuals that are contained on computers controlled by the county.

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CLAIMS: County wants 4 weeks

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"Oconee County does not control personal computers and the Act only applies to records prepared, owned, used, in the possession of or retained by a public body," Moulder wrote, adding that the county has no right to access private computers.

McMahan told The Journal Tuesday that Councilman Reg Dexter had assured her that he had no relevant e-mails on his personal computer. Former Councilman Mario Suarez told McMahan that all the e-mail he received and sent while on council went through Clerk Beth Hulse. Hulse was among the FOIA recipients.

McMahan said she had left messages with councilmen Joel Thrift and Paul Corbell. She said Councilman Archie Barron, like Suarez, receives and sends e-mails through the clerk.

The Journal also agreed to join McMahan's request when it was suggested that the costs of fulfilling the request might be beyond the means of the average citizen. On Tuesday, McLaughlin said he e-mailed Moulder to suggest that the county's estimated cost was "outrageous," considering that the

county has already determined there to be 160 documents. He asked Moulder to reconsider the amount to be billed, which is based on 35 hours of research at \$24.07 per hour and 25 cents per page for the 160 pages of documents.

"These are electronic files," McLaughlin said. "We would be happy to provide a CD and the files could be downloaded in a matter of minutes."

Requested are all e-mails between current and past elected members of County Council, Planning Commission, officials of the planning office and all parties holding interest in these two zoning matters, including members of McMahan and Jennings families, representatives of the Advocates for Quality Development, the SC Mountain Lakes Community Group, Friends of Lake Keowee Society and any and all other parties to whom correspondence regarding these two zoning requests was made."

In his response, Moulder said, "... Oconee County wishes to provide full disclosure of this matter to the public so that any unfounded accusations of collusion or behind-the-scenes dealing with regard to this matter may be put to rest."