

Other (indicate in message) Submitted: May 16, 2023 | Updated: May 24, 2023

# (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04/23.

Hello Town of Pacolet, SC Government (Records Officer),

I'd like to make a public records request for the following information under South Carolina's Public Records Law / Freedom of Information Act.

If such a record exists. Please provide ALL communications [Emails, and SMS texts] from April 27, 2023 through May 04, 2023 sent between any Town Council members, the Mayor, the Town Administrator, and any other Town of Pacolet employee(s) – specifically related to the Town Council Meeting scheduled for Thursday, May 04, 2023, that was postponed.

\*\* I'm simply requesting an electronic copy of an electronic record, if one exists. I'm NOT asking for the opportunity to come in person to "inspect", nor to obtain a printed copy of this electronic record. I'm requesting explicitly that any responsive info be provided to me via an electronic medium / format (in which the copy of this record should already exist).

I do not have any additional or further clarifying info I wish to provide to narrow this request. If it is unclear or if you are unable to fulfill any of all parts of this request, please specifically cite where a reason for denial is justified under public records laws, statutes, etc. \*\*

Please note that by submitting this request, I am NOT agreeing to pay any potential fees or associated costs related to my request. If it is not possible to process the request without incurring fees, then please let me know the itemized potential cost and explanations for those charges upfront, and DO NOT proceed until I can respond.

I don't believe that I'm required to provide a name or address to associate with a public records request, but in order to move things along I'd like to clarify that this request is being made by:

Sunshine Request  
PO Box 17391  
Asheville, NC 28816

The request has been sent solely from the email address "records@sunshinerequest.com". If anyone other than that email address contacts you to pursue a similar request, it did not come from me. Please do not commingle or treat that as an alteration or cancellation of my request – I intend to continue to pursue my request.

Thank you for your assistance!

**Editor's Note:** Sunshine Request makes no claim as to the veracity of any statements or information contained in any of the requests, or public records, we receive.

Status: Completed

Documents:

FOIA-Request.pdf

Activity:

May 24, 2023 2:59 pm  
5 months ago

**from:** Sunshine Request <records@sunshinerequest.com>  
**to:** Patrick Kay <pkay@townofpacolet.com>  
**cc:** Toni Kirby <tkirby@townofpacolet.com>, Ned Camby <ncamby@townofpacolet.com>  
**date:** May 24, 2023, 2:59 PM  
**subject:** Re: Records Request: (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04

Hi Patrick,

Thank you for providing that explanation re: fees.

As I noted at the time I submitted the request – I cannot agree to pay any potential fees or associated costs related to my request.

I have posted the information you've provided to our website, and I will encourage any future requestors to reach out to your office directly (should they wish to further pursue a similar request).

You can "close" my request now. I will mark it as "Completed" on our website.

Thank you for your help!

– The Sunshine Request Team

Status: Completed

May 24, 2023 2:49 pm  
5 months ago

**from:** Patrick Kay <pkay@townofpacolet.com>  
**to:** Sunshine Request <records@sunshinerequest.com>  
**cc:** Toni Kirby <tkirby@townofpacolet.com>, Ned Camby <ncamby@townofpacolet.com>  
**date:** May 24, 2023, 2:49 PM  
**subject:** RE: Records Request: (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04

Sunshine Request Team,

I received your email on the May 17th. I do not have access to emails other than my own, so our IT person will have to retrieve them all. It will take him approximately 2 hours to put together the emails that you have requested. His cost is \$110/hour. Also, I only have access to my cell phone messages. There are 4 other phones that are paid for by the Town. I will have to reach out to FirstNet to get those texts if they exist. Request for text messages from Councilmembers private cell phones would need to be sent to whomever carrier they use. We do not have access to them at Town Hall.

Patrick Kay  
Town Administrator  
Town of Pacolet, South Carolina

Status: Response Received from Government

May 24, 2023 2:33 pm  
5 months ago

**from:** Sunshine Request <records@sunshinerequest.com>  
**to:** Patrick Kay <pkay@townofpacolet.com> cc: Toni Kirby <tkirby@townofpacolet.com>, "nedcamby@yahoo.com" <nedcamby@yahoo.com>  
**date:** May 24, 2023, 2:33 PM  
**subject:** Re: Records Request: (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04

Hi again Patrick,

I'm following up on my previous email to you on **Wed, May 17, 11:20 AM (7 days ago)**, in regard to the following public records request:

[\(May 2023\) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee\(s\) – Related to the postponed Council Meeting on 05/04/23.](#)

I have not received a response.

I've copied that email below:

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Thank you for your message.

Before submitting my request, I thoroughly reviewed the Town of Pacolet's website to find all available information about how to submit a "records request" to your organization. I have seen the fees schedule you've attached, and all the instructions about making requests, via the following webpage on your site: <https://www.townofpacolet.com/foia-requests>.

In particular, I'll point out the first sentence:

*"There is **no required form** but your FOIA request should be in writing. To ensure the most accurate and prompt response, requests should be as detailed, specific, and descriptive as possible."*

It is not necessary for me to print, fill out, scan, and resend you via email the PDF form that you've attached above. If you have a different process than what is stated on your website, then I'd highly recommend that you update your website to indicate that you're requiring requestors to take an additional step to fill out a form. I wouldn't have spent any time sending an initial email, if you had a policy that says an additional form had to be filled out.

I have provided the required information via my written email above (May 16, 2023 6:58 PM), and I acknowledge your response that there may be fees associated with the request, as prescribed by law.

Please provide an itemized cost breakdown for this request (number of records, amount of hours, hourly rate, etc.) and any calculations used to determine this cost. I'll consider my response from there.

Thank you!

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I will follow up with you again in 1 week, if I do not hear back before then.

– The Sunshine Request Team

Status: Follow up

May 17, 2023 11:20 am  
5 months ago

**from:** Sunshine Request <records@sunshinerequest.com>  
**to:** Patrick Kay <pkay@townofpacolet.com>  
**cc:** Toni Kirby <tkirby@townofpacolet.com>, "nedcamby@yahoo.com" <nedcamby@yahoo.com>  
**date:** May 17, 2023, 11:20 AM  
**subject:** Re: Records Request: (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04

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Please provide an itemized cost breakdown for this request (number of records, amount of hours, hourly rate, etc.) and any calculations used to determine this cost. I'll consider my response from there.

Thank you!

– The Sunshine Request Team

Status: Clarification Requested

May 17, 2023 11:00 am  
5 months ago

**from:** Patrick Kay <pkay@townofpacolet.com>  
**to:** Sunshine Request <records@sunshinerequest.com>, Toni Kirby <tkirby@townofpacolet.com>  
**cc:** "nedcamby@yahoo.com" <nedcamby@yahoo.com>  
**date:** May 17, 2023, 11:00 AM  
**subject:** RE: Records Request: (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04

Sunshine Request:

Attached please find our FOIA Request form that will need to be filled out. Due to the extensive time that it will take to compile this information there will be costs associated with this. It will be easier for us to compile the emails/texts that originate or were sent to town of Pacolet employees, however emails between councilmembers may be more difficult to obtain. We will provide a cost estimate for the time associated with this request. 25% will be required prior to us beginning the process and full payment will need to be made before we send the documents.

Patrick Kay  
Town Administrator  
Town of Pacolet, South Carolina

**From:** Sunshine Request <records@sunshinerequest.com>  
**Sent:** Tuesday, May 16, 2023 6:58 PM  
**To:** Toni Kirby <tkirby@townofpacolet.com>; nedcamby@yahoo.com  
**Cc:** Patrick Kay <pkay@townofpacolet.com>; nedcamby@yahoo.com  
**Subject:** Records Request: (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04/23.

**\*\*Editor's Note:** Please see the 1 referenced file ("FOIA-Request.pdf") at top left in our Documents section.

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**to:** tkirby@townofpacolet.com  
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Hello Town of Pacolet, SC Government (Records Officer),

I'd like to make a public records request for information that may be available in your office.

If you're not the appropriate party to contact about the request, please provide the correct name and email address of whom I should send it to.

Please confirm receipt to let me know the request will begin processing, and if possible, please provide a rough estimate of when the request may be completed. I will plan on following up again before the end of the month if I have not heard back before then.

Here are the details of the request:

**Subject:** (May 2023) Request for Town of Pacolet, SC Government: All emails and texts 04/27/23 – 05/04/23 sent between Town Council members, Mayor, Town Administrator, and any Town employee(s) – Related to the postponed Council Meeting on 05/04/23.

**Message:** "Hello Town of Pacolet, SC Government (Records Officer),

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Asheville, NC 28816

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Thank you for your assistance!

Thank you!  
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Status: Sent to Government

May 16, 2023 2:32 pm  
5 months ago

Submitted to Sunshine Request

Status: Pending