

Date: September 23, 2026

To: Kavonte Jones Sr.

From: Michael G. Turner, Town Attorney and FOIA officer

Subject: Freedom of Information Requests

This written notice acknowledges that the Town of Gretna has received seven separate requests by email from Kavonte Jones, Sr., on Wednesday, September 16, 2026 at 3:36 in the afternoon.

In those seven requests you have requested that the Town give you certain information and also answer certain questions as described in your email to the Town.

Pursuant to the FOIA policies of the Town of Gretna and the laws of the Virginia Freedom of Information Act (FOIA), local governments are only required to provide access to existing public records or documents, and are **not** required to answer general or specific questions.

Existing Records Only: The FOIA governs the right to inspect or copy documents already in existence. It does not apply to answering a list of questions, explaining Town operations, or conducting research for a requester.

No Obligation to Create Records: A locality is explicitly not required to create a new record, compile data, or answer an interrogatory-style inquiry if a responsive document does not already exist

Reasonable Specificity: When you make a request, you must identify the records you seek with "reasonable specificity" so the locality can find them. Asking a question ("Why did the Town do X?") is not a valid record request, whereas asking for documents related to topic X is. Any questions about Town FOIA policies can be found on the Town's website.

Voluntary Cooperation: While not legally required under FOIA, the Town may choose to answer a question or summarize/abstract information as a matter of customer service or by mutual agreement, but it cannot be compelled to do so under the statute.

You previously initially notified the Town on Thursday, September 10, 2026 via two separate emails received by the Town on September 10, that you were directing two broad FOIA inquiries to the Town of Gretna with one request being focused on potential information that the Town allegedly has in its possession with respect the Gretna Village Apartment Complex located in the Town and with the other request being focused on potential information that the Town allegedly has in its possession with respect the Town water plant project.

As indicated, those broad requests were subdivided into 15 more specific requests for information.

A written response from the Town to the initial first two broad inquiries which was subdivided into 15 separate requests was hand-delivered to you on September 15, 2026.

The Town has previously been unsuccessful in contacting you by telephone and as of September 22, 2026 at 12 noon the Town has not been provided with a telephone number from you. In addition, there has heretofore been uncertainty about the actual physical location of your residence. Also, it should be noted that heretofore the Town has attempted to reach out to you by email for purposes of delivering messages to you from the Town and for purposes of FOIA compliance. The Town has never been able to determine with certainty whether those messages were actually being received by you because there has not been a single response from you as a result of one or more emails that we have sent to him. Email can go into spam boxes, email can be unread for significant lengths of time, and emails can be manufactured and/or inaccurately and fraudulently produced by AI. Emails can also be the subject to contentious disputes about whether actual delivery ever occurred.

For, those reasons, I asked the Chief of Police and another Town Police Officer to try to make contact with you to ascertain your whereabouts and to keep you informed on the progress of the Town's response to your initial FOIA request and to actually provide you with a written document setting forth the Town's official response to that request.

However, having stated the concerns of the Town with respect to the foregoing challenges in being able to connect with you, the Town of Gretna as an accommodation to you will attempt to notify you henceforth by email **and by a personal telephone call** to inform you of when the Town's official responses to your FOIA requests might be available to you in the Town Office.

Then, if you so desire, you can then come into the Town office at a prearranged time and pick up the Town's official written response and sign a letter of acknowledgement of receipt in front of two Town employees.

In the Town's written response to your September 10, 2026 requests which were delivered to you on Wednesday September 16, 2026, you were instructed that in order for the Town to proceed further to fulfill the terms of your requests, you needed to pay a deposit up front of \$200.00 to the Town and you were also informed the cost in staff time along with the cost of copies was expected to be a grand total of approximately \$1,900.00.

Furthermore, in its September 10, 2026 response to you, the Town indicated that it would comply with your FOIA request and supply you with the information which you requested which was in the possession of the Town, but only if you paid the deposit and once that was paid you would also need to pay in advance the balance due to the Town which would be, \$1,700.00, to-wit, (\$1,900.00 less a \$200.00 credit for your deposit.

The \$200.00 deposit was required because of the staff time and the dollar cost of that staff time which was actually expended to estimate the scope of the Town's staff time and efforts that would be committed in the future to totally fulfill all of your initial requests as set forth in your September 10, 2026 email.

To date, you have not paid the \$200.00 deposit which you were asked to pay, nor have you indicated a willingness to pay any addition funds, (\$1,700.00) for expended staff time in fulfilling your request for the production of documents.

How the Process Breaks Down

The Advance Deposit (\$200+ Rule): Under Va. Code § 2.2-3704(H), if a locality estimates that a FOIA request will cost **more than \$200** to fulfill, the locality can legally halt work and demand a deposit before continuing. The statutory 5-day clock for the locality to respond is completely tolled (paused) while waiting for the deposit.

Key rules regarding this advance payment include:

Deposit Amount: The required upfront deposit can be up to, but cannot exceed, the total amount of the advance cost estimate (meaning the locality can ask for the full \$1,900.00 upfront).

Impact on Timeline: Once the locality requests the deposit, the statutory 5-business-day response clock is tolled (paused).

The timeline does not resume until you pay the deposit.

Inspection vs. Copying: Even if you only wish to inspect the records rather than receive copies, the Town is legally allowed to charge you for the actual staff time spent searching for, retrieving, and reviewing/redacting those records to make them available for your inspection.

For those reasons, the **Town will not proceed any further** to fulfill your September 10, 2026 FOIA requests in which you requested an opportunity to review your requested FOIA documents in the Town office.

The Town notes however that you have sent the Town by email on September 16, 2026 a revised and scaled down request for documents which you refer to in your email as being a narrower and more prioritized request.

With respect to your narrower and more prioritized request as set forth in your September 16, 2026 email, if you on Wednesday September 23, 2026 pay \$558.55, we will make available to you the documents that you have requested pursuant to your 2nd FOIA email request dated September 16, 20026 and those documents will be made available for viewing by you at 2:00 p.m. on Wednesday, September 23, 2026.

Under the Freedom of Information Act, **the Town shall promptly, but in all cases within five working days following the actual date of receiving such requests provide the requested records to the individual initiating a request, or**

Alternatively the Town shall within the above referenced time period provide a written response to you explaining why the Town is unable to comply with the request within five business days following the date of the request.

Since the current state statute provides for five (5) working days, after the receipt of the request, in which to respond to the request excluding weekends, the response deadline date is **Wednesday, September 23, 2026.**

With respect to your revised and narrowed September 16, 2026 requests, there are seven (7) pending separate and discreet requests, which are as follows:

1. Water Treatment / Procurement - Narrowed
2. Gretna Village - Narrowed
3. Electronic Production / Inspection

4. \$1,900 Estimate / "Sheer Volume"
5. Who Prepared the September 16 Response?
6. Designated FOIA Officer
7. September 16 Personal Delivery Procedure.

With regard to Request No. 1 and Request No. 2, referenced in your September 16, 2026 email, the Town has its possession the information requested by you and will gladly supply to you that information if you pay the necessary fees.

With regard to Request No. 3, the records which you are requesting under pursuant to your revised "narrowed and prioritized" requests as set forth in Request 1 and Request 2 referenced hereinabove, are in fact available currently, but they are not at this time held in an electronically transmissible format.

As, a result, you are of course, free to physically inspect the records which Town has in its possession by making an appointment with the Clerk-Treasurer of the Town of Gretna.

The total amount of requested records which you may inspect is now estimated to be 1,380 separate records based on the assumption that each sheet of paper is itself a separate record.

If you wish to have copies of those records made, you will be charged 20 cents per copy.

Suffice it to say, the Town earnestly desires to go the "second mile" to be as accommodating as possible to you in meeting your specific needs and requests on **Wednesday, September 23, 2026 at the earliest or up until Friday, October 2, 2026** if an extension is needed by the Town

Based on the foregoing, the copying costs alone for the records would be estimated to be \$276.00.

With regard to Request No. 4, there are an estimated 1380 separate and distinct records. The Town staff will be more than happy to hand count each and every record, to provide you a precise number for the actual number of records.

But, of course, if the Town hand counts each record in order to precisely and with the utmost accuracy to respond to your request to know exactly how many copies and

official records the Town was citing when it referred to the “sheer volume” of the written records previously requested, then unfortunately you will have to be charged for the staff time required to finish the hand count of the Town’s records.

With regard to a revised estimate, for your “narrowed and prioritized” requests, the staff time for fulfilling those narrowed and prioritized requests is as follows:

Staff Member:	Staff time:	Hourly Rate of the Staff member	Total amount due
Bill Gillespie	3.5 hours	\$100.00 per hour	\$350.00
Crystal Grubbs	2.75 hours	\$29.71 per hour	\$74.27
John Hewitt	4.0 hours	\$33.57 per hour	\$134.28
Total:			\$558.55
Plus copying costs:			\$276.00
Grand Total:			\$834.55

As to the employee classification inquiry you, that information is already well known through the community and probably by you as well. **But, to be more specific, those classifications are as follows:**

Bill Gillespie – Town Manager

John Hewitt – Chief of Police

Crystal Grubbs – Town Clerk

The tasks associated with staff time for compliance with your FOIA requests are as follows: searching for records, reviewing and reading some of the records when necessary to determine actual relevance of your requests and of course there was some time that was spent in just thinking about how to best to respond to your FOIA requests in a way that best meets all of your needs.

With regard to the time spent in compiling an initial estimate for the scope of the work, which would be required to fulfill your initial, the costs were as follow:

Staff Member: Staff time: Hourly Rate of the Staff member Total amount due

Bill Gillespie	1.50 hours	\$100.00 per hour	\$150.00
Crystal Grubbs	0.75 hour	\$29.71 per hour	\$22.28
John Hewitt	1.00 hour	\$33.57 per hour	\$33.57

Total: \$205.82

With respect to Request No. 6

The FOIA Officer of the Town of Gretna is Michael G. Turner, Esq., whose physical address is 110 Henry Street, Gretna, Virginia and whose mailing address is P. O. Box 150, Gretna, Virginia and whose email address is:
and whose name is referenced on the Town website as the FOIA officer.

Mr. Turner was appointed verbally by the Town Manager of Gretna who has sole authority and discretion to procure individuals to assist the Town in the delivery of essential services such as FOIA services. In addition, the appointment by Mr. Gillespie of Mr. Turner as the FOIA officer for the Town of Gretna was confirmed by an adopted Motion by the Gretna Town Council of September 23, 2026.

The FOIA officer has received training through numerous continuing legal education classes and seminars hosted by the Virginia State Bar and also by the Virginia Municipal League for officials, officers and attorneys who provide services and work for localities.

As the FOIA officer, Mr. Turner determines the procedure for compliance with FOIA requests in his sole discretion and his directives concerning responses to FOIA requests are transmitted verbally and directly by him to the employees of the Town inasmuch as he holds all of those employees,) except the Town Manager to whom he reports), accountable for the level and quality of their performance in responding to his FOIA Officer Directives.

The Town of Gretna's fee policies concerning FOIA are posted on the Town's website and the policy of the Town of Gretna regarding compliance with the Virginia Freedom of Information Act is also posted on the Town's website.

So, the bottom lines is that you were advised earlier this morning by Crystal Grubbs that you can come by the office of the Town of Gretna today between the hours of 2:00 pm and 4:30 pm and have the opportunity to review all of the documents which you

have requested from the Town, but only if you first pay to the Town the sum of \$558.55 as allowed to the Town by state law and I reaffirm that the documents which you requested are available to you for inspection if you pay the fee.

Received in person by Mr. Kavonte Jones Sr. this ____ day of September, 2026.

Signature

Date

Witnesses:

Signature

Date

Signature

Date