

MICHIGAN STRATEGIC FUND

RESOLUTION 2026-071

FREEDOM OF INFORMATION ACT POLICY

WHEREAS, Public Act 270 of 1984, MCL 125.2001 *et seq.*, established the Michigan Strategic Fund (the “MSF”);

WHEREAS, Public Act 442 of 1976, MCL 15.231 *et seq.*, established the Freedom of Information Act (the “FOIA”) to provide for access to records of public bodies;

WHEREAS, the Michigan Economic Development Corporation (“MEDC”) provides administrative services to the MSF;

WHEREAS, pursuant to Section 4, MCL 15.234, of the FOIA, the MSF is required to establish, make publicly available, and follow procedures and guidelines in order to charge fees for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record;

WHEREAS, pursuant to Section 6, MCL 15.236, of the FOIA, the MSF is required to designate a FOIA coordinator who is responsible for accepting and processing requests for the public body's public records under this act and shall be responsible for approving a denial under Section 5, MCL 15.235, of the FOIA;

WHEREAS, the MEDC recommends that the MSF adopt the FOIA Policy attached to this Resolution;

WHEREAS, the MEDC recommends that the MSF designate Janelle Campbell as the FOIA Coordinator for the MSF; and

WHEREAS, the MSF wishes to adopt the FOIA Policy attached to this Resolution and designate Janelle Campbell Bishop as the FOIA Coordinator for the MSF.

NOW, THEREFORE, BE IT RESOLVED, the MSF adopts the FOIA Policy attached to this Resolution and designates Janelle Campbell as the FOIA Coordinator for the MSF.

Ayes: Dr. Britany Affolter-Caine, Wesley Eklund, John Groen (on behalf of Director Corbin, designation attached), Dimitrius Hutcherson, Michael B. Kapp (on behalf of Director Wieferich, designation attached), Quentin L. Messer, Jr., Alissa Roath, Lynda Rossi, Lance Wilkinson (on behalf of Treasurer Eubanks, designation attached)

Nays: None

Recused: Susan Tellier, Randy Thelen

Lansing, Michigan

July 28, 2026

MICHIGAN STRATEGIC FUND FREEDOM OF INFORMATION ACT

POLICIES AND PROCEDURES

Preamble: Statement of Principles

It is the public policy of the State of Michigan and the Michigan Strategic Fund (MSF) that all persons, except those persons incarcerated in a state or local correctional facility, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with the Michigan Freedom of Information Act, MCL 15.231 *et seq* (FOIA). Citizens shall be informed so that they may fully participate in the democratic process.

The MSF's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The MSF acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The MSF acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA to ensure the effective operation of government and to protect the privacy of individuals.

The MSF will protect the public's interest in disclosure while balancing the occasional need to withhold or redact portions of certain records. The MSF's policy to disclose public records is consistent with and in compliance with State law.

Section 1: Definitions

- "Public record" is defined by the FOIA as "a writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created. Public record does not include computer software." The FOIA separates public records into two classes: Those that are exempt from public disclosure under section 13 of the FOIA; and those that are not exempt from public disclosure under section 13, and are subject to disclosure under the FOIA.
- "Writing" is defined by the FOIA as "handwriting, typewriting, printing, photostating, photographing, photocopying, and every other means of recording, and includes letters, words, pictures, sounds, or symbols, or combinations thereof, and papers, maps, magnetic or paper tapes, photographic films or prints, microfilm, microfiche, magnetic or punched cards, discs, drums, or other means of recording or retaining meaningful content." MSF regards e-mail to be a means of recording or retaining meaningful content.
- "Written request" is defined by the FOIA as "a writing that asks for information, and includes a writing transmitted by facsimile, electronic mail, or other electronic means."

- “FOIA coordinator” is defined by the FOIA as an individual designated by a public body to accept and process requests for MSF’s public records and issue written notices of denial, where applicable, in compliance with section the FOIA, MCL 15.235(4) and (5). The FOIA Coordinator may appoint Assistant FOIA Coordinators to perform these functions. The FOIA Coordinator may also implement administrative protocols consistent with State law and these Policies and Procedures to administer the acceptance and processing of FOIA requests.

Section 2: General Policies

- All MSF employees must work through the assigned FOIA Coordinator, or the FOIA Coordinator’s designee, in responding to such requests to ensure that consistent and correct responses are provided to the public.
- Any request for information that satisfies section 3 of FOIA will be considered a valid FOIA request.
- If a request for public record is received electronically, or by mail, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator became aware of the request.
- Under the FOIA, the MSF is not obligated to create a new public record or make a compilation or summary of information which does not already exist.
- Neither the FOIA Coordinator nor other MSF staff is obligated under FOIA to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

Section 3: Requesting a Public Record

All FOIA requests must be received in writing and shall be submitted to the [MEDC FOIA Center](#), or medcfoia@michigan.org, or to the attention of the FOIA Coordinator by mail at 300 North Washington Square, Lansing, MI 48913.

- A request for public records must be in writing.
- A request must describe the record sufficiently to enable the FOIA Coordinator to find the public record.
- Except for individuals who qualify as indigent under MCL 15.234(2)(a) of the FOIA, all requests for records must include the following information, no matter what format is used to submit the request:
 - Complete name of the person making the request
 - Address of the person making the request

- Valid telephone number or email address of the person making the request.

Subscriptions

A requestor has the right to subscribe to future issuance of public records which are created, issued or disseminated on a regular basis, i.e., monthly meeting minutes, news periodicals and regularly produced documents that provide status updates. A subscription is valid for up to six (6) months, and at the request of the subscriber, is renewable.

- The FOIA Coordinator will process a subscription request following normal procedures for processing FOIA requests.
- The FOIA Coordinator will place the requestor on a mailing list to receive dissemination of nonexempt materials relative to the respective FOIA request as it becomes available on a regular basis.

Section 4: Processing a Request

- A request for a public record received by any MSF employee must be immediately delivered to the FOIA Coordinator.
- MSF may treat multiple FOIA requests on the same topic(s) from the same requestor submitted on the same day as one FOIA request for purposes of determining fees as outlined below in Section [5].
- Upon receipt of a FOIA request, the FOIA Coordinator shall contact the business unit(s) that are reasonably likely to possess records responsive to the request and provide instructions and timelines for identifying and compiling and submitting responsive records. To ensure timely processing of FOIA requests, the MSF employee(s) shall provide the FOIA Coordinator with all responsive records within the timeline set by the FOIA Coordinator. Records in MSF files from other agencies, public or private, generally constitute public records of the MSF subject to the FOIA. Likewise, MSF records possessed by other public agencies might be subject to disclosure pursuant to FOIA requests made to those agencies
- The FOIA Coordinator must accept a request for processing or approve a denial of a request, in part or in full, and issue a written notice in response to the FOIA request within five (5) business days after receiving the request unless otherwise agreed to in writing. The FOIA Coordinator must respond to the request in one of the following ways:
 - Grant the request;
 - Partially grant and partially deny the request;
 - Deny the request; or

- Extend the period for response, up to ten (10) business days or such other time as agreed upon in writing by the person making the request.
- Where a written request is received which does not sufficiently describe the public records requested so as to enable the FOIA Coordinator to identify and find the public record, the FOIA coordinator may seek clarification from the requestor prior to the response deadline.
 - If the requestor does not provide clarification prior to the statutory deadline for response, the FOIA Coordinator must provide a written denial of the request, or part of the request, as the requestor has not described a public record sufficiently to enable the FOIA Coordinator to find the public record.
 - If the requestor provides sufficient clarification prior to the statutory deadline for response, the clarification supplements the initial request and the request will be processed according to the receipt date of the clarification.
- If the request is granted subject to receipt of a good-faith fee deposit, the FOIA Coordinator must include a detailed fee itemization along with the notice requiring a good-faith fee deposit prior to further processing and identify statutory remedial rights.
- If the request is denied, in full or in part, the FOIA Coordinator must, if applicable, identify the statutory basis for any exemptions taken under the FOIA, certify that the record does not exist, provide a description of the separated or deleted information, provide any statutory remedial rights, and sign the written notice of denial.
- When a requestor elects to inspect public records, the FOIA Coordinator will determine what constitutes a reasonable opportunity for inspection and examination of existing, nonexempt public records and will furnish reasonable facilities for inspection during usual business hours. The FOIA Coordinator will protect public records from loss, unauthorized alteration, mutilation, or destruction. Where original public records are involved in the inspection, the employee shall supervise the inspection of the original public records. Requestors who inspect public records onsite shall: (1) be provided designated space including a table and chair; (2) review the documents in the presence of an employee; (3) not be allowed to remove documents from files or from the premises unless those documents are copied specifically for the requestor by the FOIA Coordinator; and (4) the MSF may charge a reasonable fee for an employee assisting and overseeing the process of the requestor's record search, necessary copying and examination of the public records.

Section 5: Deposits & Fees

- The MSF is permitted to charge a fee for public record(s) search, retrieval,

examination, review and separation and deletion of exempt from nonexempt material, copying of public record(s) for inspection, or for providing a copy of the public record(s). Fees will be uniform and not dependent upon the identity of the requestor. Fees will be itemized using a detailed itemization form. The fee schedule may be updated [by the MSF] from time to time.

- Subject to Section 4 of the FOIA, the FOIA Coordinator will determine the fees for search, examination, review and the deletion and separation of exempt from nonexempt information; and the costs of copying and mailing. The FOIA Coordinator will work with staff to determine the fees that may be charged.

Deposits

- At the time that a FOIA request is made, the FOIA Coordinator may request a good faith deposit not to exceed one half of the total fees and costs from the person requesting the public record(s), if the total fees exceed \$50.00. Upon payment of the good faith deposit by check or credit card, the FOIA Coordinator will e-mail employees with instructions for compiling the responsive records. Employees must provide the public records to the FOIA Coordinator on or before the timeline set by the FOIA Coordinator.
- Notice of a deposit requirement is considered received 3 days after it is sent, regardless of the means of transmission. If the requestor has not filed an appeal or paid the deposit 48 days after the notice is sent, the request shall be considered abandoned by the requestor and the MSF is no longer required to fulfill the request.
- The MSF will also provide a non-binding, best efforts estimate regarding the time frame that it will take the MSF to provide responsive, non-exempt public records to the requestor. The MSF will provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this State's public policy under the FOIA, MCL 15.231(2), and the nature of the request in the particular instance.
- Requestors who have not paid the full balance of the fee for an earlier request that was processed must pay 100% of the estimated fee for any subsequent request before MSF will process the subsequent request.
 - This does not apply if any of the following conditions are met:
 - The requestor is able to provide proof of payment in full of the prior written request to the MSF,
 - The MSF is subsequently paid in full for the applicable prior written request, or
 - 365 days have passed since the requestor made the written request for which full payment was not remitted to the MSF.

Labor Fees

- Labor costs for the search, location, and examination of public records will be

calculated using the hourly wage of the lowest paid* employee capable of conducting the search, location, and examination, whether or not they are available or actually perform the labor. Such labor costs shall be estimated and charged in increments of 15 minutes with all partial increments rounded down. The hourly wage will be based on payroll records for the applicable fiscal year. Labor costs shall also include up to 50% of the hourly wage to partially cover the cost of fringe benefits, not to exceed the actual cost of fringe benefits. In the event the MSF performs an email search, the search will be calculated using the lowest paid employee capable of conducting the search.

- Labor costs for the review of public records and separation and deletion of exempt from nonexempt material will be calculated using the hourly wage of the Fund's lowest paid* employee capable of conducting the review and separation and deletion of exempt from nonexempt material, whether or not they are available or actually perform the labor. Such labor costs shall be estimated and charged in increments of 15 minutes with all partial increments rounded down. The hourly wage will be based on payroll records for the applicable fiscal year. Labor costs shall also include up to 50% of the hourly wage to partially cover the cost of fringe benefits, not to exceed the actual cost of fringe benefits.
- Labor costs for the duplication or publication of public records, including making paper copies, making digital copies, or transferring digital public records to be produced on nonpaper physical media or through electronic means, will be calculated using the hourly wage of the lowest paid* employee capable of duplicating or publishing the public records, whether or not they are available or actually perform the labor. Such labor costs shall be estimated and charged in increments of 15 minutes with all partial increments rounded down. The hourly wage will be based on records for the applicable fiscal year. Labor costs shall also include up to 50% of the hourly wage to partially cover the cost of fringe benefits, not to exceed the actual cost of fringe benefits.
- Labor costs for monitoring an inspection of original records will be calculated using the hourly wage of the lowest paid* employee capable of monitoring the inspection. Labor costs for monitoring an inspection will not be charged for the first hour. The hourly wage will be based on payroll records for the applicable fiscal year.
- A fee shall not be charged for the cost of search, examination, review and the deletion and separation of exempt from non-exempt information as provided in Section 4(1), unless failure to charge a fee would result in unreasonably high costs to the MSF, because of the nature of the request in this particular instance, and the MSF identifies the nature of the unreasonably high costs.
- The cost of labor and other labor-related costs will be charged for the search,

examination, review, deletion and the separation of exempt from non-exempt information when a request requires more than a total of one (1) hour of an employee's time in filling such a request.

- In instances where two or more requestors seek the same records, the MSF may choose to process the requests concurrently. Each requestor may be required to submit a good faith deposit consistent with this FOIA Policy. Upon completion of the request, the total processing costs, including labor, materials and any applicable fees, may be divided equally among the requestors, with each requestor responsible for their respective portion of the remaining balance after deposits have been applied.

**The hourly wage of the lowest-paid employee capable of performing the labor-related costs will be evaluated on an annual basis.*

Additional Fees

1. Photocopying performed by an employee – shall be at a per page (The MSF will utilize the most economical means available for making copies including double-sided printing, if cost saving is available) rate, plus labor costs for employee's time at copier.	\$.10 per page
2. Facsimile performed by an employee – shall be at a per page rate, plus labor costs for employee's time at the fax machine.	\$2.00 per page
3. Photocopying and/or Facsimile performed by an outside copy service including large documents.	\$ Actual Costs
4. Electronic Copies – Actual retrieval and printing time based upon the labor rates established above plus the per electronic rate for CD-ROM or any other electronic medium used to provide the information. Machine time may only be charged if the costs of the services of a particular computer are paid by the MSF based on an incremental charge to the MSF for additional computer usage.	\$10.00 per electronic medium plus actual staff time to reproduce records
5. Mailing or Shipping – Actual costs, insurance or other charges related to the mailing and shipping of responsive records to the requestor. Costs will be based on current U.S. Postal rates for the actual size and weight of the materials sent.	\$Actual Costs

Discount or Waiver of Fees

- Individuals who submit an affidavit stating that they are receiving public assistance or showing inability to pay costs because of indigency shall not be charged for the first \$20.00 of the fee for each request.
- The cost of the search for and copying of a public record may be waived or reduced if, in the sole judgment of the FOIA Coordinator, a waiver or reduced fee is in the public interest because it can be considered as primarily benefiting the general public..
- The MSF may maintain a publicly accessible archive of responsive documents released under the FOIA for one year. This archive is intended to reduce duplication of requests and minimize costs to the public. The MSF retains sole discretion to determine which records are included, and inclusion of certain documents does not create an obligation to publish all responses.

Section 6: Appeals

Appeal of Denial

- If the FOIA Coordinator makes a final determination to deny all or a portion of a request, the requestor has the option to submit a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial; or, within 180 days after the FOIA Coordinator’s final determination to deny a request, commence an action in the Court of Claims to compel the MSF’s disclosure of the public records.
- The MSF President is responsible for responding to written appeals of the FOIA Coordinator’s determinations to deny requests for disclosure under FOIA. Within ten (10) business days after receiving a written appeal, the MSF President must do one of the following:
 - Reverse the denial;
 - Issue a written notice to the requestor upholding the denial;
 - Reverse the denial in part and issue a written notice to the requestor upholding the denial in part; or
 - Under unusual circumstances, issue a written notice extending the period in which the MSF President must respond to the written appeal by up to ten (10) additional business days.

Appeal of Fee

- Pursuant to Section 10a of the FOIA, the requestor who has a good faith belief that a fee for public records is unreasonable may submit a written appeal to the MSF President that specifically states the word “appeal” and identifies how the fee exceeds the amount permitted by these Policies and Procedures or Section 4 of the FOIA.
- The MSF President is responsible for responding to written fee appeals. Within ten (10) business days after receiving a written appeal for a fee reduction the MSF President must do one of the following:
 - Waive the fee;
 - Reduce the fee and issue a written determination to the requestor indicating the specific basis under Section 4 of the FOIA that supports the remaining fee;
 - Uphold the fee and issue a written determination to the requestor indicating the specific basis under Section 4 of the FOIA that supports the request fee; or
 - Issue a written notice extending the period in which the MSF President must respond to the written appeal by up to ten (10) additional business days.
- Pursuant to MCL 15.240a, the requestor may also bring a court action within 45 days after receiving the notice of the required fee or a determination of an appeal by the MSF President. If a civil action is commenced against the MSF, the MSF is not obligated to complete the processing of a written request for the public record at issue until the court resolves the fee dispute.

Section 7: Record Retention

All written FOIA requests and responses for public records shall be kept on file no less than one (1) year.

Section 8: Transparency Liaison

A Transparency Liaison is available to assist members of the public seeking a public record from the MSF in navigating the requirements of the FOIA or other law applicable to public records.

Section 9: Reference

P.A. 442 of 1976, MCL 15.231 *et seq.*

Executive Directive 2019-11

Section 10: Contact Information

Any questions or concerns regarding this policy should be directed to the FOIA Coordinator at medcfoia@michigan.org

Effective: July 28, 2026

July 22, 2026

MSF Fund Manager
MEDC
300 N. Washington Square
Lansing, Michigan

Dear Fund Manager,

This is to advise that I am recusing myself from voting and excuse myself during the discussion of the following item on the Michigan Strategic Fund Board Meeting Agenda of July 28, 2026.

- Small Business No-Cost Contract Extensions

The reason for my recusal is to avoid the appearance of a conflict with this item.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Thelen", with a stylized flourish at the end.

Randy Thelen



July 24, 2026

MSF Fund Manager
Michigan Economic Development Corporation
300 N. Washington Square
Lansing, MI 48913

Dear Fund Manager,

This letter advises that I am recusing myself from discussion and voting of the Small Business No-Cost Contract Extensions item on the agenda at the July 28, 2026 Michigan Strategic Fund Board Meeting.

The reason for my recusal is to avoid the appearance of a conflict on this item.

Sincerely,

Sue Schweim Tellier



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

June 2, 2026

Natalie Davenport
Michigan Strategic Fund Administrator
Michigan Economic Development Corporation
300 N. Washington Square
Lansing, MI 48913

Re: Michigan Strategic Fund Board Meeting and Michigan Strategic Fund Finance
and Investment Subcommittee Designees for Treasurer Eubanks

Dear Ms. Davenport:

I hereby designate Lance Wilkinson, Andrew Lockwood, and Amber Westendorp to attend all Michigan Strategic Fund Board Meetings and Michigan Strategic Fund Finance and Investment Subcommittee meetings that I am unable to attend in 2026.

If you need anything additional, please contact Kara Kabia at (517) 275-0646.

Sincerely,

A handwritten signature in cursive script that reads "Rachael Eubanks".

Rachael Eubanks
State Treasurer

Cc: Lance Wilkinson
Eric Bussis
Andrew Lockwood
Amber Westendorp



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

BRADLEY C. WIEFERICH, P.E.
ACTING DIRECTOR

January 3, 2023

Ms. Rhonda Bishop
Board Relations Liaison
Michigan Strategic Fund Office
300 N. Washington Square
Lansing, Michigan 48913

Dear Ms. Bishop:

I hereby confirm and ratify my designation of Michael B. Kapp, Administrator, Michigan Department of Transportation, as the person authorized and empowered to act in my stead for Michigan Strategic Fund meetings that I am unable to attend.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Wieferich", written over the printed name.

Bradley C. Wieferich, P.E.
Acting Director

cc: M. Kapp
Executive File



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
LANSING

SUSAN CORBIN
DIRECTOR

March 14, 2025

Ms. Natalie Davenport
Michigan Strategic Fund Administrator
300 North Washington Square
Lansing, Michigan 48913

Re: Michigan Strategic Fund Board Meeting Designee

Dear Ms. Davenport,

Pursuant to MCLA 16.51, I hereby confirm my designation of John Groen as the person authorized and empowered to act in my stead as a member of the Michigan Strategic Fund Board for scheduled meetings or portions thereof that I am unable to attend.

If you need anything additional, please contact Amaya Durkee at 616-522-7772 or DurkeeA4@michigan.gov.

If you need

Sincerely,

A handwritten signature in blue ink that reads "Susan R. Corbin".

Susan R. Corbin
Director