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FOIA 25-197 — Fax Record and Notices

Delivery notifications, response-time computation, appeal form, policy page and statutory excerpt

1. Fax platform delivery notifications

Generated by the TelNet Worldwide fax service and delivered to the county's FOIA fax mailbox. Reproduced twice in the office's response packet (pages 9–12 and 15–18 of the original).

FIELD	NOTICE 1	NOTICE 2
Recipient line	+1 906-789-5197	+1 906-789-5197
Message date shown	Wed, Aug 13, 2025, 12:01 PM	Wed, Aug 13, 2025, 12:02 PM
Receive time	8/13/2025 12:00:48 PM −04:00	8/13/2025 12:02:29 PM −04:00
Pages received	2	2
Attachment	PDF, 57 KB	PDF, 57 KB
Sender fax number / CSID	REDACTED	REDACTED
County header stamp on received pages	08-13-2025, about 8:59 AM (first copy) and 9:01 AM (second copy), from a REDACTED station	

The platform's clock and the county machine's stamp are different devices, and the packet does not explain the roughly three-hour difference. Under MCL 15.235(1) a request delivered by fax “is not received by a public body's FOIA coordinator until 1 business day after the electronic transmission is made.” August 13, 2025 was a Wednesday, so the deemed receipt date is Thursday, August 14, 2025, the date the office used in its letter.

2. Response time computation

EVENT	DATE	BUSINESS DAYS FROM RECEIPT
Request faxed	Wednesday, August 13, 2025	—
Deemed received, MCL 15.235(1)	Thursday, August 14, 2025	0
Extension notice signed	Tuesday, August 19, 2025	3
Fifth business day, MCL 15.235(2)	Thursday, August 21, 2025	5
Response issued	Wednesday, September 3, 2025	13 (Labor Day, September 1, excluded)
Last day the single extension could run	**Friday, September 5, 2025**	**15**

The extension notice was issued before the fifth business day, and the response came within the ten-business-day extension limit of MCL 15.235(2)(d).

3. Appeal form supplied with the response

The packet includes a blank “FOIA Appeal Form — To Appeal a Denial of Records,” pre-filled only with Request No. 25-197. The requester fields are blank in the blank form and are not reproduced here.

FOIA Appeal Form — Request No. 25-197

Name of requester: REDACTED

Reason(s) for appeal: *the form states that the appeal must identify the reason(s) for reversing the denial.*

County response block: the County must respond within 10 business days after receiving the appeal, including a determination or one 10-business-day extension.

4. County FOIA policy page

The packet includes a page titled “Freedom of Information Act (FOIA) Written Policies, Guidelines, and Forms,” which directs requesters to the county website (deltacountymi.gov/foia), and offers a mailed copy on request

through the Delta County Administration Office, 310 Ludington Street, Suite 222, Escanaba, Michigan 49829, telephone 906-789-5100.

5. Statutory excerpt included in the packet

The packet reproduces the text of MCL 15.240 (Section 10 of the Act) on two separate pages in identical form (pages 5 and 7 of the original). The excerpt describes the written appeal to the head of the public body, the 180-day civil action, de novo review, and recovery of attorney fees, costs, disbursements and damages.

The letter's own appeal paragraph recites “punitive damages of $1,000.00.” MCL 15.240(7) provides for a civil fine of $1,000 in addition to punitive damages of $1,000. The letter does not mention the civil fine.

Transcription note. This document consolidates the fax delivery notifications, the response-time computation, the appeal form, the county policy page, and the statutory excerpt from the 18-page response packet. The requester's identifying details, fax identifiers and station numbers are redacted. The office's litigation documents are published separately as produced.