



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

July 19, 2016

Brian Smeester
380 Cass Avenue
Kingsford, Michigan 49802

Dear Mr. Smeester:

The Department of State (Department) received a formal complaint filed by Stephen Casselman against you, alleging a violation of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.201 et seq. A copy of the complaint is provided as an enclosure with this letter.

The MCFA requires a committee to file a statement of organization within 10 days after a committee is formed. MCL 169.224(1). Late fees may be incurred if the statement of organization is filed late. Id. Failure to file a statement of organization for more than 30 days is a misdemeanor offense. Id. By statutory definition, a committee is formed when "a person receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of voters for or against . . . the qualification, passage, or defeat of a ballot question . . . if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year." MCL 169.203(4). A statement of organization must be filed within 10 days of reaching one of these \$500.00 thresholds.

Mr. Casselman alleges that you have formed a committee and have failed to meet the registration requirements of the Act. In support of his complaint, Mr. Casselman provided a printout of the www.cvcofdickinsoncounty.com website and a copy of a letter to the editor.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

If you wish to file a written response to the complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your reply will be provided to Mr. Casselman, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's

Brian Smeester
July 19, 2016
Page 2

enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 24(1) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Stephen Casselman

RECEIVED/FILED
MICHIGAN DEPT OF STATE

Campaign Finance Complaint Form
Michigan Department of State

2016 JUL 19 AM 9:34
This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*). All information on the form must be provided along with an original signature and evidence. **Please print or type all information.**

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name STEPHEN CASSELMAN		Daytime Telephone Number 313 355 0579
Mailing Address PO BOX 374		
City PINCKNEY	State MI	Zip 49203

Section 2. Alleged Violator		
Name BRIAN SMEESTER		
Mailing Address 380 CASS AVE		
City KINGSFORD	State MI	Zip 49802

Section 3. Alleged Violations (Use additional sheet if more space is needed.)

Section(s) of the MCFA violated:
169.224(1) AND 169.235(1) OF MCFA.

Explain how those sections were violated:

Mr. Smeester (the operator of www.cvcofdickinsoncounty.com, which describes itself as a "committee") has directly advocated for a no vote on ballot proposals and candidates online on its website (attachment 1), in print in letters to the editor (attachment 2) and in an audio recording (attachment 3). Mr. Smeester nor his committee have filed a statement of organization with the state or county of Dickinson.

Mr. Smeester, the operator of www.cvcofdickinsoncounty.com, has directly solicited contributions (attachment 4) for his "committee" but has not filed any campaign statements.

Evidence that supports those allegations (attach copies of pertinent documents and other information):

4 attachments included.

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X

Signature of Complainant

Date

July 18, 2016

Section 5. Certification without Evidence (Supplemental to Section 4)

Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint. However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

X

Signature of Complainant

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some or all of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building - 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

COMPLAINT PROCESS

Section 15 of the MCFA governs the filing and processing of complaints. If you believe someone has violated the MCFA, you may file a written complaint. The complaint **must** include all of the following:

- Your name, address and telephone number.
- The alleged violator's name and address.
- A description in reasonable detail of the alleged violation, including the section or sections of the MCFA you believe were violated, an explanation of how you believe the MCFA was violated, and any other pertinent information.
- Evidence which supports your allegations.
- A certification that:

To the best of your knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of the complaint is supported by evidence.

- If after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the complaint are supported by evidence, you may also certify that:

To the best of your knowledge, information, or belief, there are grounds to conclude that those specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry.

- Your signature immediately after the certification or certifications.

WARNING: Section 15(8) of the MCFA (MCL 169.215) provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. Under section 15(16) of the MCFA (MCL 169.215), the Secretary of State may require a person who files a complaint with a false certification to:

- Pay the Department some or all of the expenses incurred by the Department as a direct result of the filing of the complaint.
- Pay the alleged violator some or all of the expenses, including, but not limited to, reasonable attorney fees, incurred by that person as a direct result of the filing of the complaint.
- Pay a civil fine of up to \$1,000.00.

A complaint may be dismissed if any required information is not included, or if the complaint is determined to be frivolous, illegible, or indefinite. All parties are notified of dismissed complaints.

When a complaint meets the above requirements, the Department notifies the alleged violator that a complaint has been filed and provides a copy of the complaint. The alleged violator will have an opportunity to file a response. The complaint filer will have an opportunity to file a rebuttal to any response. All parties receive periodic reports concerning the actions taken by the Department on a complaint.

If the Department finds no reason to believe that the allegations are true, the complaint will be dismissed.

If the Department finds that there may be reason to believe your allegations are true, the Department must attempt to correct the violation or prevent further violations by informal methods such as a conference, conciliation, or persuasion, and may enter into a conciliation agreement with the alleged violator.

If the Department is unable to correct the violation or prevent further violations informally, an administrative hearing may be held to determine whether a civil violation of the MCFA has occurred, or the matter may be referred to the Attorney General for the enforcement of criminal penalties. An administrative hearing could result in the assessment of a civil penalty. Such a hearing would be conducted in accordance with the Michigan Administrative Procedures Act. An order issued as a result of such a hearing may be appealed to the appropriate circuit court.

Accepted complaints and all supporting documentation including responses and rebuttal statements are made available on the Department's website as required by the MCFA at the conclusion of the process.

Questions? Contact us at:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918
Phone: 517-373-2540
Email: Disclosure@Michigan.gov

Attachment 1

C V C of Dickinson County

C V C

Citizens Voice Committee
of
Dickinson County

Drug testing of Law Enforcement page

Chat Page

HOME

Corruption Kingsford legal

I.M.K Sewage Board page

Candidates for 108th page

Darryl Shann LIED page

Contact

Pensions legal page

Blog

Vote N Aug 2, on all
Millage Proposals

YES

NO

Millions of \$\$\$ for doing

Activate windows
Go to PC settings

THAT

Attachment 1

and it will be... otherwise. To make sure

ded, he... to

taxes... on the

people. Hey, Darryl, if you actually vote against funding your pension? Your credibility is in

Below is his real pension and video of him

group of taxpaying patriots at an ACT

Iron Mountain. Do not

Primary



Darryll Shann Pension. Click Here.

Activate Windows
Go to Settings to activate Windows.

Attachment 2



BREAKING NEWS» Gunman 'was seeking out,' ambushed 6 Baton Rouge officers

Letters to the Editor

- Editorials
- Columns
- **Letters to the Editor**
- Blogs
- Polls
- SUBMIT Letters to the Editor

Opinion / Letters to the Editor /

« Privatizing VA not a good idea...

Clarifying what happened wit...»

Vote no Aug. 2 on millage proposals

July 13, 2016
Daily News

Save |

EDITOR:

I hear that the Dickinson County Commissioners are talking about adding another millage proposal to the ballot, probably for the November election, to fund the veterans program in the county. That's fine and good but instead of piecemealing money out of the taxpayers for good things or misleading the taxpayers like they did with the 911 millage, maybe it's time for the county commissioners to be honest.

Why not propose a "Pension and Retirees Healthcare" millage, make it high enough to fund it properly so then the county can be run as it should? To fund the county retirees' pensions and health care, Dickinson County residents will have to pay taxes to people that, on average, can retire in their 50s and will receive an income for doing nothing. Isn't that welfare? No-my bad-it's called a "pension."

When a "noble" known as a county retiree reaches the age of retirement, like every one else they get their Social Security in addition to "your local tax dollar" subsidized pension or "welfare." Just about any millage increase on the Aug. 2 ballot, anywhere in Dickinson County, is a millage for bloated pensions, aka middle-class welfare.

Vote no on all millage proposals Aug 2, including the Conservation District proposal. That is what the Department of Natural Resources and Department of Environmental Quality are for. County pensions amounts, payroll, state pension, statistics and audit links can be found at www.cvcofdickinsoncounty.com.

Brian K. Smeester
Kingsford

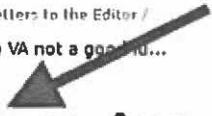
News, Blogs & Events

I am looking for:

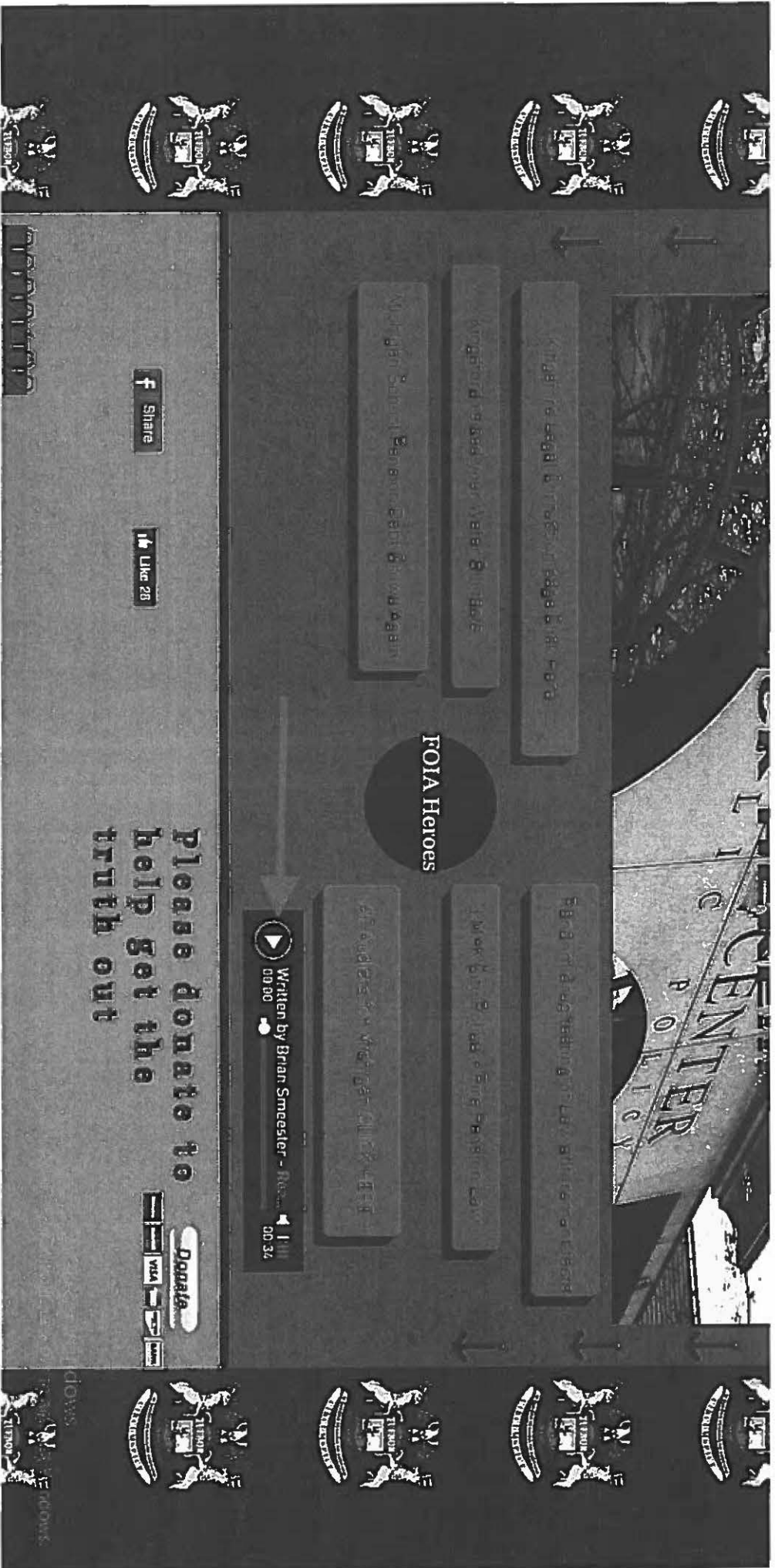
SEARCH

in:

News, Blogs & Events Web



Attachment 3



Please donate to help get the truth out

Donate



Attachment 4

OPEN TO PUBLIC

that means public comment
and cameras and recording
devices are allowed under
Michigan's Open Meeting Act.

Written by Brian Smelser - Mar 01 31

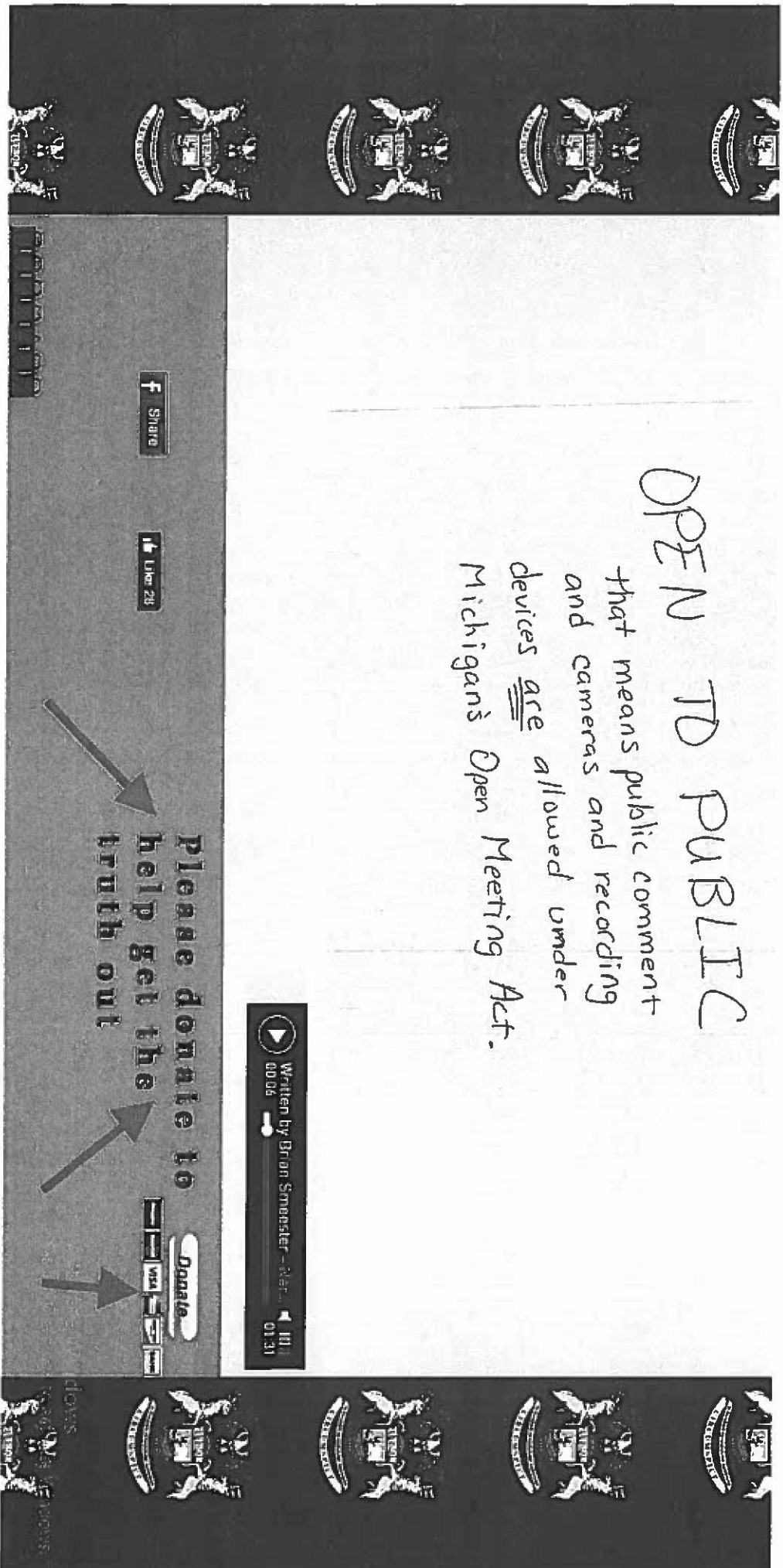
Please donate to help get the truth out

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Like 28

Donate

VISA



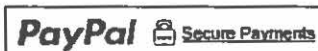
Attachment 4

cvcofdickinsoncounty@yahoo.com

Please enter your donation amount.

Purpose	Donation amount	Make This Recurring (Monthly)	Total
C V C of Dickinson County	\$ <input type="text"/>	<input type="checkbox"/>	\$0.00
Total:			\$0.00 USD

Donate quickly with PayPal



PayPal securely processes donations for cvcofdickinsoncounty@yahoo.com. You can complete your payment with just a few clicks.

Why use PayPal?

- It's easy to send money and shop online
- You can donate without sharing your financial information
- Over 50,000 online merchants accept PayPal

LOG IN TO PAYPAL



Don't have a PayPal account?

Use your credit card or bank account (where available) [Continue](#)



Return to [donations coordinator](#)

Activate Windows
Go to PC settings to activate Windows



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

July 28, 2016

Stephen Casselman
P.O. Box 574
Pinckney, Michigan 49203

Dear Mr. Casselman:

The Department of State received a response to the complaint you filed against Brian Smeester, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Brian Smeester

CVC

of

Dickinson County

MILLIONS of \$\$\$ are going for nothing.

www.cvcofdickinsoncounty.com

RECEIVED BY THE CLERK OF STATE
2016 JUL 27 PM 3:55
ELECTIONS/GREAT SEAL

Lori A Bourbonais
Bureau of Elections
Richard H Austin Building
1st Floor
430 W Allegan
Lansing MI 48918

July 25, 2016

The Citizens Voice Committee of Dickinson County has not met the threshold under MCL 169.203 (4). We will comply with all laws.

Sincerely,



Brian K Smeester
CVC of Dickinson County
380 Cass Ave
Kingsford MI 49802



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

August 9, 2016

Brian K. Smeester
380 Cass Avenue
Kingsford, Michigan 49802

Dear Mr. Smeester:

This letter concerns the complaint that was recently filed against you by Stephen Casselman, which relates to a purported violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 45 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. Mr. Casselman's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Stephen Casselman

Lori A Bourbonais
Bureau of Elections
Richard H Austin Building
1st Floor 430 W Allegan
Lansing, MI 48918

August 9th, 2016

2016 AUG -9 AM 9:23
ELECTIONS/GENERAL ADMIN

The Citizens Voice Committee of Dickinson County's website has operated, according to its own domain registration information (attachment 1), since 4/29/16. The website contains at least 9 pages available to the general public (attachment 2) along with a blog that host 4 lengthy entries (attachment 3). The site contains custom made graphics (attachment 4) and at least 5 original audio commercials (attachment 5, example of one others can be found throughout the site near the bottom of pages). The site host pdf copies of documents which the committee has obtain through use of the Freedom of Information Act. Lastly, at the bottom of nearly every webpage the Committee makes a direct appeal for donations to a PayPal account which they appear to own and operate.

The Committee's website and audio commercials contain direct advocacy instructing voters to "vote no" on candidates and ballot proposals.

The entire above advocacy was not possible without considerable website development, custom graphic designs, custom audio commercial production, extensive research, financial planning to accept donations and freedom of information request processing. I have sought quotes from a number of individuals who do this type of work and none of them indicated it could be done for under \$500.

If the Committee directly paid an individual to do this work I believe it would exceed \$500 and thus trigger the requirement to form committee with the State and submit campaign finance statements. If the Committee did not pay an individual to do this work and it was done pro-bono by a supporter it should have triggered in-kind contributions which I believe should have exceed \$500.

I would request the Bureau of Elections to investigate the Committees in-kind records and documents showing exactly how much time and work have been devoted to this direct advocacy effort and to apply

a fair market rate to the type of work done. I believe the bureau would agree that the vast amount of work and time that appears it would take to complete such an effort would exceed \$500.

I would also like to note, that the quality of work is not always an indicator of the cost of the work. The Committee's effort may not look and feel like a slick high produced production but, none the less it is clear a considerable amount of time, research and money has been put into their attempt to directly advocate to voters.

Respectably submitted,

A handwritten signature in black ink, appearing to read "Stephen Casselman", with a long, sweeping horizontal line extending to the right.

Stephen Casselman
PO BOX 574
Pinckney, MI 48169

/ Domain Name Lookup :.

- Who Is
- Trace Route
- RBL Check
- What's My IP?
- Web Search

in Name or IP Address:

soncounty.com

Whois

CVCOFDICKINSONCOUNTY.COM - Domain Information ^{new}

Domain	CVCOFDICKINSONCOUNTY.COM [Site Info Traceroute RBL/DNSBL lookup]
Registrar	NETWORK SOLUTIONS, LLC. NETWORK SOLUTIONS, LLC.
Registrar URL	http://networksolutions.com
Whois server	whois.networksolutions.com
Created	29-Apr-2016
Updated	29-Apr-2016
Expires	29-Apr-2017
Time Left	262 days 11 hours 55 minutes
Status	clientTransferProhibited https://icann.org/epp#clientTransferProhibited clientTransferProhibited http://icann.org/epp#clientTransferProhibited
DNS servers	NS8.WIXDNS.NET 104.155.4.17 NS9.WIXDNS.NET 146.148.84.171 ns8.wixdns.net 104.155.4.17 ns9.wixdns.net 146.148.84.171

Citizens Voice Committee
of
Dickinson County



- Drug testing of Law Enforcement page
- Chat Page
- HOME
- Corruption Kingsford legal
- I.M.K Sewage Board page
- Candidates for 108th page
- Contact
- Pensions legal page
- Blog

CVC

The mission of the CVC of Dickinson County is to give voice to the citizens that have no voice because of self interest groups that benefit directly from tax revenue from the tax payers of Dickinson County

Millions of \$\$\$ for doing



they are part of the pension... CVC of Dickinson

County

July 10, 2016


YES


NO

Read More

I hear that the Dickinson County Commissioner's are talking about adding another millage proposal to the ballot, to fund the vets program in the county. That's fine and good but let's, instead of piecemeal money out of the tax payers for good things or mislead the tax payers like they did with the 911 millage, maybe it's time for the County Commissioners to be honest. Why not propose a "Pension and Retirees Healthcare" millage, make it high enough to fund it properly so then the County can be run as it should? But please, also inform the voters that most of them will have to work almost 10 years longer, on average, than a

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millag
the Di
are fo
July 10

2:  I hear
Dickir
Comn
talkin
anoth
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ballot
vets p
coun
July 9,

3. Corruption in Local
Government Page

Michigan Pens
are...
July 7, 2016

4:  The n
CVC o
Count

nothing oing



Dickinson County Pensions

Iron Mountain Pensions

Kingsford Pensions

Dickinson County Payroll

2015 County Audit

Norway Pensions



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The Deadliest Jobs in America

Minutes Public Notice

Michigan Pension facts

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Kingsford raised your Water Bill facts

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Random drug testing at Laverne fire

FM-K City Police + Fire Pension Lay

All Audits for Michigan Click HERE



Unknown Track - Unknown Artist
00:07

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STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

January 25, 2017

Stephen Casselman
P.O. Box 574
Pinckney, Michigan 49203

Dear Mr. Casselman:

The Department of State (Department) has concluded its investigation of the complaint you filed against Brian Smeester, which concerned an alleged violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of your complaint.

You filed your complaint on July 19, 2016. Mr. Smeester filed a response to the complaint on July 27, 2016, and you filed a rebuttal statement on August 9, 2016.

The MCFA requires a committee to file a statement of organization within 10 days after a committee is formed. MCL 169.224(1). Late fees may be incurred if the statement of organization is filed late. *Id.* Failure to file a statement of organization for more than 30 days is a misdemeanor offense. *Id.* By statutory definition, a committee is formed when "a person receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of voters for or against . . . the qualification, passage, or defeat of a ballot question . . . if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year." MCL 169.203(4). A statement of organization must be filed within 10 days of reaching one of these \$500.00 thresholds.

You alleged that Mr. Smeester and the Citizens Voice Committee of Dickenson County (CVC) received contributions or made expenditures at or above the \$500.00 thresholds and failed to file a Statement of Organization. As evidence you provided a printout of the www.cvcofdickinsoncounty.com website and a copy of a letter to the editor.

In response to your complaint Mr. Smeester asserted that CVC had not received contributions or made expenditures totaling \$500.00 dollars or more in a calendar year.

In your rebuttal statement, you asserted that that CVC has operated a website since April 29, 2016 that contains "custom made graphics" and "original audio commercials," hosts pdf copies of documents which CVC has obtained through the Freedom of Information Act, and makes an appeal for donations to a PayPal account. You stated that the work on the website had to cost more than \$500.00 based on quotes you requested from "individuals who do this type of work."

However, the Department cannot make a determination on conjecture, and a review of the CVC website and audio files on the website is not sufficient to support a conclusion that CVC has

Stephen Casselman
January 25, 2017
Page 2

expended \$500.00 or more in a calendar year on the website. You have not provided any evidence as to the cost of the CVC website, such as an affidavit or invoice, nor has any evidence been offered that contradicts Mr. Smeester's assertion that CVC has not expended or received \$500.00 or more in a calendar year.

Because the evidence is insufficient to support a reason to believe CVC has reached one of the \$500.00 thresholds triggering the registration requirement of the Act, your complaint is dismissed.

Sincerely,

A handwritten signature in black ink that reads "Lori A Bourbonais". The signature is written in a cursive style with a large initial "L".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Brian Smeester