

Exhibit: C

Note the "or registered voter"
indicated would be different from all
other printed items on the office
printer used during the time of the
election.

Robert Brott
or registered voter at
211 N Main St
Kent City, MI 49330

49330-211111



Steve Buckner

From: Paula Snoap <pfulle01@yahoo.com>
Sent: Monday, April 22, 2019 9:42 PM
To: sjbuckner@gmail.com
Subject: Election letter

To whom to my concern:

I received a letter couple days before election it was addressed to Fuller- Fuller/ Snoap Resident which is the name Fuller is my mother's last name but the tax role has my maiden name (Fuller)not married name so it had to be from someone that new that I had a different last name of Snoap.

Thank you

Paula Snoap
Kent City Village Resident

Sent from my iPhone

EXHIBIT: D

PAULA RECEIVED THE LETTER
WITH AN ADDRESS ONLY THE
VILLAGE HAS.

Exhibit E:
Text Message From
Bert Rose

B

Bert Village >

Meet me tomorrow
morning 7.30 at office if
you can or call this
number now

See U in the morn.

Ok

Thu, Mar 28, 7:55 AM

Found the letter I
handed

Can you take a pick and
send it to me?



Text Message





STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 1, 2019

Bert Rose
Mary Portell
85 S Second Street SW
Kent, Michigan 49330

Dear Mr. Rose and Ms. Portell:

The Department of State (Department) received a formal complaint filed by Steve Buckner against you alleging violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* A copy of the complaint and supporting documentation is enclosed with this letter.

In Michigan it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). The words "contribution" and "expenditure" are terms of art that are generally defined to include a payment or transfer of anything of ascertainable monetary value made for the purpose of influencing or made in assistance of the qualification, passage, or defeat of a ballot question. MCL 169.204(1), 169.206(1). A knowing violation of this provision is a misdemeanor offense. MCL 169.257(4).

Mr. Buckner alleges that you unlawfully used public resources to expressly advocate for the defeat of two candidates. Specifically, he alleges that you used village equipment, employees and office space to make and send certain mailers.

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 this 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 answer will be provided to Mr. Buckner, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials

Bert Rose
Mary Portell
May 1, 2019
Page 2

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 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 57(4) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 373-2540.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi", written in a cursive style.

Adam Fracassi
Bureau of Elections
Michigan Department of State

c: Steve Buckner

May 14, 2019

State of Michigan Bureau of Elections
Attn: Mr. Adam Fracessi
Richard Austin Building 1st Floor
430 W. Allegan
Lansing, MI 48918

RE: May 1, 2019 Letter
Michigan Campaign Finance Act

Dear Mr. Fracessi:

I am in receipt of the letter addressed to me and Mr. Bert Rose at 85 S. Second Street, Kent City MI. I want you to know that my letter was addressed to Mr. Rose's address and not my at 302 N. Main St., Kent City MI so there was a delay in delivery. I have enclosed a copy of the envelope. Now I will address the allegations made by Mr. Buckner.

Mr. Buckner came to my house on March 27, 2019. During our conversation I told Steve that I did not compose a letter, copy a letter nor mail a letter that had disparaging information regarding the election, therefore the allegation for my using village equipment to produce campaign material is completely false. Shortly after this confrontation, Mr. Buckner filed the paperwork with you.

Below are my responses to your letter:

1. I was not involved in the creation of any letter used in the campaign. I am also not aware of any letter being produced on village equipment.
2. Email from Paula Snoap (Fuller-Fuller/Snoap) - Election Letter April 22, 2019. The statement that the Sewer Bill list was used as a mailing list is untrue. I was and still am the Sewer Administrator for the Village of Kent City. When her house was built, the property owner moved it back 200 feet from the main sewer line so they would not have to pay a sewer connection fee. This house is not and never has been connected to the sewer system. Since there are no sewer fees for that address, it is not on the sewer software.
3. Replacement of computer equipment: Please find enclosed 4 pages for Proposed Budget Items for the past 8 years. It is the village's practice to replace computer equipment every 4 to 5 years. A new IT Committee was formed after the November, 2019 election of which I am not a member of. I had no involvement with any

recommendations to this committee. Please find enclosed a copy of the April 11, 2019 council meeting minutes. Item 2019-46 IT Committee. I made the recommendation to the council and the IT Committee at that meeting not to replace the Canon copier. Mr. Buckner is aware that I am not very computer savvy and would not know or have any knowledge of how to tamper with this hard drive. Due to this allegation, I requested Shorecom to backup any data stored on the copier just to make sure any stored data would be preserved. Enclosed is his reply stating there are no saved images, scans or files on the copier.

4. Labels – Debra Forth, Village Treasurer, has addressed this allegation directly and I have enclosed a copy of her response.
5. I have no idea how Mr. Greg Goss would know what, if anything, was ever printed on the copier. Please find enclosed a letter of response.

In conclusion, I did not use village equipment in any part of my campaign or for anyone else. I have been the Village Clerk since 1983 and am well aware of election rules. I would never risk my position. Mr. Buckner shared information with me concerning his job regarding Letter B. and his boss wanting to sue the village and/or me personally. My opinion is this is another attempt to discredit me.

Thank you for your time and I will be glad to provide any further explanation.

Sincerely,


Mrs. Mary Portell
302 N. Main St.
Kent City MI 49330

Enclosures:

1. Proposed Budget Items ~ 4 pages
2. Approved April 11, 2019 Council Meeting Minutes
3. Emails from Shorecom
4. Letter from Village Treasurer – Debra Forth [address labels]
5. Letter from Dennis Kaminski – Zoning Admin. [Exhibit A letter]
6. Letter from Greg Goss, Village Trustee & IT Committee Chair [May 13, 2019]

Secretary of State
Jocelyn Benson
www.Michigan.gov/sos

39/12)

GRAND RAPIDS MI 494

01 MAY 2019 PM 3 L



Mary Portell
85 S Second Street SW
Kent, Michigan 49330

49330-970285



GENERAL FUND

Computers – Replacing Mary & Tom's
 Purchase Playground Equipment
 Sign for Ball Creek Park

101-441-775 - Repair & Maintenance

\$ 1,000 Back blade for John Deere tractor (2-way) (used)
 (3/1/10)

\$ 800 Service door w/ smaller over-head – do in-house (3/1/10)

\$ 500 Building #1 - Paint metal roof on the south side (old back building) - do in-house
 (3/1/10)

\$ 700 Truck #717 – 2 reversing cylinders (current ones are leaking)

101-441-802 – Outside Labor

\$ 2,500 F450 Truck – hydraulics to operate the auger & spreader (3/1/10)

\$ 2,500 N. Kent Street - Repair sidewalk at school entrance – storm issue (3/1/10)

\$ 1,500 Truck #717 - paint (purchased in 2007) (1991) (3/1/10)

\$ 700 Truck #717 – new brakes (drums & shoes) – removed 1-20-11

\$ 1,000 F450 Dump Truck - Paint dump box

\$ 1,500 Tree removal / trimming

MAJOR / LOCAL STREET**NOTHING BUDGETED FOR STREET REPAIR YET****202-463-775 - Repair & Maintenance**

\$ 500 Gravel along Ball Creek Road

202-478-775 & 203-478-775

\$ 600 Sand to mix w/ salt

202-473-800 – Contracted Services

\$ 3,300 Ball Creek / N. Main / S. Main south of Ball Creek - Striping (3/1/10)

Budget for computer 6/9/11 from Mary

General Fund	<u>Current Budget</u>	<u>Expenses thru 6/9/11</u>
	\$6,000	\$3,589
	<u>Last Year's Budget</u>	<u>Expenses</u>
	\$6,500	\$2,152

Sewer Fund	<u>Current Budget</u>	<u>Expenses thru 6/9/11</u>
	\$,2500	\$ 594
	<u>Last Year's Budget</u>	<u>Expenses</u>
	\$2,500	\$2,493

The 2 new computers purchased this year were paid out of the General Fund. If you choose to replace Darrell's computer, I recommend that it be paid out of the Sewer.

Normal expenses are \$4645 for a year (G.F. and Sewer)

\$8,500	\$1,452 (quote to replace Darrell's computer)
<u>\$4,645</u>	<u>720</u>
\$3,855	\$ 732 may be over budget this year
<u>\$3,135</u>	
\$ 720	\$4,355 under budget last year

PROPOSED BUDGET 2015-16**GENERAL FUND**

	101-265-727-00	\$ 4,100 (spent \$3576)
\$ 4,100	Replace 2 computers. Zoning Admin laptop will replace the 2009 computer at the Clerk's desk. (Amount to be adjusted b4 Feb meeting ~ web information)	
	101-265-775-00	\$ 4,425
\$ 1,625	Price for carpet / labor (need price from Chris Carson)	
\$ 400	Paint for Clerk/Treasurer Office (nothing for labor – who is painting)	
\$ 2,400	Replace windows	
	101-441-775-00 Repair & Maintenance	\$ 6,750
\$ 850	2 – 20' Flag poles for Leaver Park	(spent \$710)
\$ 800	John Deere – 2 Front Tires (budgeted 2014-15)	
\$ 1,600	F450 – tires – received the tires, did not receive invoice	
\$ 2,000	Quick Claw –	Not purchasing this year
\$ 1,500	Tank for Chloride (most of this expensed in 2014. Spent \$340 in 2015)	
	101-441-800-00 Professional Services	\$ 1,000
\$ 1,000	Engineering to investigate disconnecting the storm line in the west lot of Kent City Ford and utilize the old sanitary sewer in North Street. (need to transit for the depth and fall.) (budgeted 2013-14)	
	101-441-802-00 Outside labor	\$ 12,570
\$ 3,500	Sidewalk Repair (Street Admin - locations TBD)	
\$ 2,000	Tree Trimming (70 S. Kent Street – dead ash tree) (spent \$900)	
\$ 1,500	Clean storm drains (Steve E - locations TBD)	
\$ 1,525	Advanced Landscapes - (Increase \$70, fees were the same since 2004).	
\$ 2,195	Electrical improvements (receptacles for Christmas Decorations 2014-15)	
\$ 1,850	Electrical Improvements (receptacles in pavilions at Leaver Park)	
	101-900-970-00 Capital Outlay	\$ 31,875
\$ 5,500	Clean Sweep Pickup Broom, Attachment	
\$ 200	Signs – Leaver Park	
\$ 26,175	Village Parking Lot Improvements	(in progress \$27,162+ \$2,989)

PROPOSED BUDGET MAJOR ITEMS 2019-20

GENERAL FUND

	101-265-752-00 Office Supplies	
\$30,000	Replace computers	
\$?	Computer support	
	101-265-934-00 Repairs & Maint	
\$ 2,000	Includes wiring for computers	
	101-441-801-00 Profess / Contract	\$ 8,065
\$ 3,500	Sidewalk Repair (Street Admin - locations TBD)	
\$ 3,000	Tree Trimming	
\$ 1,565	Advanced Landscapes – 2 applications	
	101-441-932 Vehicle R&M	\$
\$	#507 Plow Truck ~ paint box and frame (need estimates)	
	101-441-934-00 Repair & Maint	\$ 2,652
\$ 2,652	Leaver & Ball Creek Park – 2 infant / adult swings	
	101-441-946-00 Engineering	\$28,882
\$33,000	Saw Grant Match for storm sewer	
	Billed \$4118 for storm – adjusted budget	
	101-900-970-00 Capital Outlay	\$ 3,600
\$ 3,600	10-foot box pusher ~ tractor attachment for pushing snow	

STREETS

Major Street

	Preventative Maintenance	
\$ 500	Tri-Us Services	20246377500
\$??	Street Repair TBD in the Spring	
\$ 1,200	Paint Main Street – 8,318 feet	20247380000
\$ 1,900	Road Salt - 50 Ton	20247877500

**VILLAGE OF KENT CITY
REGULAR COUNCIL MEETING
April 11, 2019
83 Spring Street, Kent City MI**

2019-41 CALLED TO ORDER AND ROLL CALL

The meeting was called to order at 6:00 p.m. by President Rose.

Council present: Merry Barron, Erik Bitely, Greg Goss, Jill Krikke, Curtis Rice, Sue Smalley and Bert Rose.

Council absent: None.

Officers present: Mary Portell, Clerk and Debbie Forth, Treasurer.

Others present: Calvin Meeusen[CPA] Bob Sarachman [Township Supervisor] Landon Bolich [Communication Badge] Rick Holman [Shorecom] and David Kibbe [IT Committee].

2019-42 Motion by Bitely, 2nd by Goss to approve the March 14th meeting minutes as presented.

Vote: 7 Ayes; 0 Nays.

Motion CARRIED

2019-43 PUBLIC TIME OTHER THAN AGENDA ITEMS – None.

2019-44 CORRESPONDENCE ~ None.

2019-45 APPROVAL OF AGENDA

Motion by Bitely, 2nd by Krikke to approve the agenda with questions on the zoning administrator's report.

Vote: 7 Ayes; 0 Nays.

Motion CARRIED

2019-46 PUBLIC COMMENT ON AGENDA ITEMS – None.

Beautification Committee – Merry Barron & Sue Smalley

Last year Ball Creek Park was cleared of brush on the west hill that is too steep to mow. Some type of ground cover will be planted with straw mat and hydro seed behind 82 S. 2nd Street.

Uptown grasses need to be trimmed, the shade structure needs to be spruced up and the tree chips will be picked up where the trees were taken down on Clark Street when the tree stumps are ground.

Equipment – Eric Bitely & Curtis Rice

Equipment auction ~ \$3,375.00 income, scrap was taken to Pando's and investigating a grapple.

Health & Safety – Merry Barron & Jill Krikke

Safety walk through was done for the Village DPW and Offices on March 28, 2019 by the Fire Chief.

Motion by Rice, 2nd by Goss to authorize the order to be placed for two Expression Swings for the amount of Three thousand, Fifteen and 22/100 [\$3,015.22] for Leaver and Ball Creek parks.

Roll call Vote:

Ayes: Bitely, Goss, Krikke, Rice, Smalley, Barron and Rose.

Nays: None.

Motion CARRIED

- C. Zoning Administrator 4/9/19 Written Report. Several items were discussed on Dennis' report.
- D. Planning Commission Minutes from April 4, 2019 [Michigan Regulation and Taxation of Marihuana Act 1 of 2018].
- E. Fire Report for March.

2019-47 APPOINTMENTS / RESIGNATIONS - None

2019-48 FINANCE

- A. **Motion** by Bitely, 2nd by Rice to approve the bills for the amount of Seventy-one thousand, Eight hundred ninety-nine and 60/100 (\$71,899.60).

Roll call Vote:

Ayes: Goss, Krikke, Rice, Smalley, Barron, Bitely, and Rose

Nays: None

Motion CARRIED

2019-49 OLD BUSINESS – None.

2019-50 NEW BUSINESS

- A. **Motion** by Bitely, 2nd by Krikke to Authorize Traffic Control for Memorial Day Parade 2019.

Vote: 7 Ayes; 0 Nays

Motion CARRIED

- B. 106 N. Main Street - mowing

Motion by Rice, 2nd by Goss to approve the DPW to mow 106 N. Main Street at an estimate of 15 minutes to mow until after construction of the new library.

Vote: 7 Ayes; 0 Nays

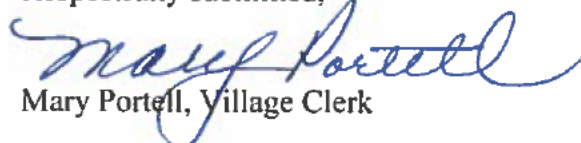
Motion CARRIED

Township Supervisor Bob Sarachman reported clean up days May 9th - 10th - 11th. Postcards will be mailed within a few days. He thanked the village for partnering with the township with DPW helping with clean-up.

Plans are to start digging a year from now for the new library.

2019-51 ADJOURNMENT – **Motion** to adjourn by Krikke, 2nd by Barron at 8:03 p.m. Vote: 7 Ayes; 0 Nay. Motion CARRIED

Respectfully submitted,



Mary Portell, Village Clerk

Mary Portell

#3.

From: sales@shorecom.us
Sent: Tuesday, May 07, 2019 1:11 PM
To: Mary Portell
Subject: RE: Canon copier

Update:

I did find 4 images that were scanned to local media back in 2012. Those images are not retrievable as they were saved to a flash drive or memory card. That log file has been archived as well.

I also called Canon and confirmed this device does not save any images or scans by default without any user setup.

Rick

----- Original Message -----

Subject: Canon copier
From: "Mary Portell" <vk.clerk@kentcitymi.org>
Date: 5/7/19 12:10 pm
To: "'Shorecom WM'" <sales@shorecom.us>

Dear Rick: I am requesting that you backup any and all contents of the copier for the Canon C5030 that is in the village clerk's and village treasurer's office.

Mary Portell, Clerk at the Village of Kent City

Phone: 616-678-7232 Fax: 616-678-4256

Vk.clerk@kentcitymi.org