



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

September 12, 2012

Bernard Barnes
975 S. Warner Road
Sumner, Michigan 48889

Dear Mr. Barnes:

The Department of State (Department) has received a formal complaint filed against you by Brian Denman, alleging that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 et seq. The investigation and resolution of these complaints is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 et seq. Copies of the complaint and supporting documentation are enclosed with this letter.

The MCFA requires a committee that receives or expends more than \$1,000.00 during any reporting period to file periodic campaign finance reports in compliance with the Act. MCL 169.233(6). The failure to file a single campaign statement may trigger the assessment of late filing fees, while the failure to file two or more campaign statements is a misdemeanor offense. MCL 169.233(7)-(8).

Additionally, the MCFA prohibits a person from making a contribution of more than \$500.00 to a candidate for county office if the county has a population of 85,000 or less. MCL 169.52(1)(c). The Act also prohibits a candidate from accepting a contribution that exceeds the limitation in section 52(1)(c). MCL 169.52(7). A contribution includes "a donation of . . . anything of ascertainable monetary value," MCL 169.204(1), and an in-kind contribution is a contribution of anything other than money. MCL 169.209(3). A knowing violation of section 52(7) is a misdemeanor offense. MCL 169.52(9).

Mr. Denman alleges that your committee received or expended over \$1,000.00 and "may have received in kind contributions of an amount exceeding the \$500.00 limit."

In support of his complaint, Mr. Denman provided copies of 4 ads in the Gratiot County Harold and 1 ad in the Morning Sun, a copy of a flyer, and pictures of 2 campaign signs. The ads, flyer, and one sign appear to have been paid for by your campaign committee, and the large sign appears to have been paid for by Brian Barnes.

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 reply will be provided to Mr. Denman, 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 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 sections 33(7)-(8) and 52(9) 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: Brian Denman

Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS
MI DEPT OF STATE
Reset Form

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.*).

Please print or type all information.

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name Brian Denman	Daytime Telephone Number 989-640-9395	
Mailing Address 5501 N. Rich Rd.		
City Alma	State MI	Zip 48801

Section 2. Alleged Violator		
Name Bernard Barnes		
Mailing Address 975 S. Warner Rd.		
City Sumner	State MI	Zip 48889

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

Section(s) of the MCFA violated: Sec. 33(6); Sec. 52(7)

Explain how those sections were violated:

Mr. Barnes' committee recieved or expended over \$1,000.00.
Mr. Barnes' may have recieved in kind contributions
of an amount exceeding the \$500.00 limit.

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

Please see the attached documentation
Showing Mr. Barnes Reporting Waiver, along
with several advertisements, flyers, yard
signs and a billboard in support of these
allegations.

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

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 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



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

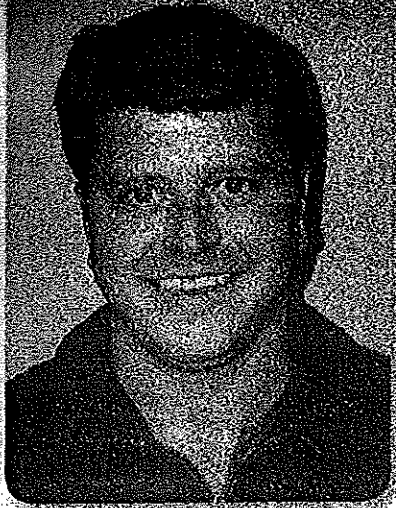
ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

<p>1. Committee ID #: <u>314</u></p> <p>2. Type of Filing: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment to Items: _____ Eff. Date: _____</p> <p>3. Full Name of Committee (must include Candidate's first and last name): <u>The Committee to elect Bernard James Barnes for Gratiot County Drain Commissioner</u></p> <p>4a. Candidate Full Name (Last, First, M.I.): <u>Commissioner Barnes, Bernard, J.</u></p> <p>4b. Political Party (if applicable): <u>Republican Party</u></p> <p>4c. County of Residence: <u>Gratiot</u></p> <p>4d. Office Sought (Check one):</p> <table border="0"><tr><td><input type="checkbox"/> Governor</td><td><input type="checkbox"/> Lt. Governor</td><td><input type="checkbox"/> State Senator</td></tr><tr><td><input type="checkbox"/> State Rep.</td><td><input type="checkbox"/> Sec. of State</td><td><input type="checkbox"/> Attorney Gen.</td></tr><tr><td><input type="checkbox"/> State Bd. of Ed.</td><td><input type="checkbox"/> UofM Reg.</td><td><input type="checkbox"/> MSU Trustee</td></tr><tr><td><input type="checkbox"/> WSU Gov.</td><td><input type="checkbox"/> Supreme Court</td><td><input type="checkbox"/> Appeals Court</td></tr><tr><td><input type="checkbox"/> Circuit Court</td><td><input type="checkbox"/> District Court</td><td><input type="checkbox"/> Probate Court</td></tr><tr><td><input type="checkbox"/> Municipal Court</td><td></td><td></td></tr></table> <p>Local or other please specify: <u>Drain Commissioner</u></p> <p>4e. District/Circuit # or Jurisdiction:</p> <p>5. Date Committee was Formed: <u>02/10/12</u></p> <p>6a. Committee Phone #: <u>989 506 1273</u></p> <p>6b. Committee Fax #: _____</p> <p>6c. Committee E-mail Address: <u>barnesbernard@gmail.com</u></p> <p>6d. Committee Website Address: _____</p> <p>7a. Complete Comm. Mailing Address (May be PO Box): <u>975 S. WARNER RD</u> <u>SUMNER, MI 48889</u></p> <p>7b. Complete Comm. Street Address (May not be PO Box): <u>Same</u></p> <p>8. Treasurer Name and Complete Address: <u>Same</u></p> <p>Phone #: _____</p> <p>E-mail Address: _____</p> <p>9. Designated Record Keeper Name and Complete Address: <u>Same</u></p> <p>Phone #: _____</p> <p>E-mail Address: _____</p>	<input type="checkbox"/> Governor	<input type="checkbox"/> Lt. Governor	<input type="checkbox"/> State Senator	<input type="checkbox"/> State Rep.	<input type="checkbox"/> Sec. of State	<input type="checkbox"/> Attorney Gen.	<input type="checkbox"/> State Bd. of Ed.	<input type="checkbox"/> UofM Reg.	<input type="checkbox"/> MSU Trustee	<input type="checkbox"/> WSU Gov.	<input type="checkbox"/> Supreme Court	<input type="checkbox"/> Appeals Court	<input type="checkbox"/> Circuit Court	<input type="checkbox"/> District Court	<input type="checkbox"/> Probate Court	<input type="checkbox"/> Municipal Court			<p>10. <input checked="" type="checkbox"/> REPORTING WAIVER REQUEST: If the committee does not expect to receive or expend in excess of \$1,000 in an election and checks this box, the filing requirement of pre, post and annual campaign statements is waived. The Reporting Waiver will be automatically lost if the committee exceeds the \$1,000 threshold.</p> <p>11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association)</p> <p>a. Official Depository <u>Isabella Bank, Ithaca</u></p> <p>b. Secondary Depository</p> <p>12. <input type="checkbox"/> This item applies only to Gubernatorial Candidate Committees: Check if this committee intends to seek qualifying contributions or make qualifying expenditures.</p> <p>13. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to Candidate Committees that file with the County Clerk's office.</p> <p>The Campaign Finance Act requires any committee that files with the Secretary of State and spends or receives \$20,000 in the preceding calendar year OR expects to spend or receive \$20,000 in the current calendar year to file campaign statements electronically. MERTS Plus software is provided to you free of charge to assist you in meeting this requirement.</p> <p><input type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$20,000 and is required to file electronically</p> <p style="text-align: center;">** OR **</p> <p><input type="checkbox"/> Committee did not spend or receive or does not expect to spend or receive in excess of \$20,000 and would like to file electronically voluntarily.</p> <p>14. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge and belief. If filing electronically, we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date)</p> <p><u>[Signature]</u> <u>2/10/12</u> Candidate</p> <p>..... Current Treasurer</p> <p>..... Designated Record Keeper (Required only if filing electronically)</p>
<input type="checkbox"/> Governor	<input type="checkbox"/> Lt. Governor	<input type="checkbox"/> State Senator																	
<input type="checkbox"/> State Rep.	<input type="checkbox"/> Sec. of State	<input type="checkbox"/> Attorney Gen.																	
<input type="checkbox"/> State Bd. of Ed.	<input type="checkbox"/> UofM Reg.	<input type="checkbox"/> MSU Trustee																	
<input type="checkbox"/> WSU Gov.	<input type="checkbox"/> Supreme Court	<input type="checkbox"/> Appeals Court																	
<input type="checkbox"/> Circuit Court	<input type="checkbox"/> District Court	<input type="checkbox"/> Probate Court																	
<input type="checkbox"/> Municipal Court																			

FILED
FEB 10 2012

VOTE AUGUST 7TH



Bernie Barnes



FOR

Drain Commissioner

**The change needed for an
improved, more efficient
drain office.**

- Will provide the experience and improvements needed to operate the drain office at its full capacity.
- Over 10 years experience contracting with the state and federal roads and airports.
- Over 17 years experience contracting with businesses, schools and private individuals.
- Raised and still operate on family farm.
- Gratiot County Resident for 38 years.
- Honorable discharge from the United States Marines.
- Gratiot County Commissioner Elect for two terms.
- Educated in governmental finance.
- Extensive experience in project management involving soil erosion and wetland management.
- Involved in numerous Boards and Committees.
- Willing to create an open door policy in the drain office.
- Associates degree in Business Management and Administration.
- 30 credits to complete Bachelors degree in Accounting.
- A candidate with integrity, morals and respect.

**Vote Bernard James Barnes for
Gratiot County Drain Commissioner**

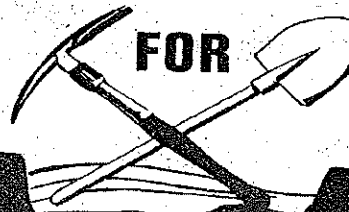
Paid for by the committee to elect Bernard Barnes for Drain Commissioner, 975 S. Warner Rd., Sumner, MI 48886. 909-506-1273.

Gratiot County Harold
1/2 page = \$228⁰⁰

VOTE AUGUST 7TH



Bernie Barnes



FOR

Drain Commissioner

The change needed for an improved, more efficient drain office.

- Will provide the experience and improvements needed to operate the drain office at its full capacity.
- Over 10 years experience contracting with the state and federal roads and airports.
- Over 17 years experience contracting with businesses, schools and private individuals.
- Raised and still operate on family farm.
- Gratiot County Resident for 38 years.
- Honorable discharge from the United States Marines.
- Gratiot County Commissioner Elect for two terms.
- Educated in governmental finance.
- Extensive experience in project management involving soil erosion and wetland management.
- Involved in numerous Boards and Committees.
- Willing to create an open door policy in the drain office.
- Associates degree in Business Management and Administration.
- 30 credits to complete Bachelors degree in Accounting.
- A candidate with integrity, morals and respect.

Vote Bernard James Barnes for Gratiot County Drain Commissioner.

Paid for by the committee to elect Bernard Barnes for Drain Commissioner, 975 S. Warner Rd., Sumner, MI 48889, 989-506-1273

It's not ex
Craft said.
"The botu
ple expect,"
On the br
commission
The agenc
paying few
"This sav
County's pa
seal with a f
A total of
"We are se
about three w

DI
R

D devote
E mply
E xp
L

EXP
AU

Paid for by the con

Gratiot County Harold
1/2 page = \$228⁰⁰

AN TRUST!

Engine
Heater

Gasoline Engine

Diesel Engine

ING
OTOS!

an

UI

Example: A 60-month monthly
payment fee is charged. Cost of
all available equipment may
vary with customer interest
rate. Some exceptions apply.



shallow tillage may be better than
chisel type tools on wide spacing.
Reduced manure rates will also help.

But, if you do haul on such fields,
even with precautions, be sure to get
off the tractor and check tile outlet

This article was published by
MSU Extension. For more informa-
tion, visit <http://www.msue.msu.edu>.
To contact an expert in your area,
visit <http://expert.msue.msu.edu>, or
call 888-678-3464.

Livestock Exchange

UNITED PRODUCERS
ST. LOUIS, MICHIGAN

July 9, 2012

Cattle Sold: 655 Choice Steers
107.00-117.00; Choice Heifers 106.00-
116.00; Select Sts & Hfrs 95.00-105.00;
Holstein Steers 98.00-112.00; Feeder
Steers 500#-800# 90.00-160.00; Feeder
Hol Sts 300#-500# 95.00-145.00; Feeder
Hol Sts 500#-800# 85.00-120.00; Heifer
Cows 90.00-100.00; Comm. & Utility
Cows 75.00-87.00; Canner & Cutter
Cows 30.00-72.00; Good Bologna Bulls
95.00-110.00; #1 Calves 100.00-130.00;
#2 Calves 70.00-100.00; #3 Calves 30.00-
70.00.

DAILY HOG MARKET

MONDAY 9:00 AM TO 8:00 PM

TUESDAY 9:00 AM TO 3:00 PM

WEDNESDAY 9:00 AM TO 2:00 PM

CALL FOR A PRICE QUOTE

Feeder Pigs: 00 30#-39# 20.00-29.00;
40#-49# 65.00-80.00

Hay & Straw:

Hay 680 bales \$2.20-\$5.90.

Round 40 bales \$30.00-\$45.00.

Straw 503 bales \$1.70-\$2.30.

VISIT OUR WEBSITE AT:

www.uproducers.com

MARKET COMMENTS:

Choice Slaughter Steers and Heifers
sold steady compared to one week ago.
Holstein Steers sold steady compared to
one week ago. Feeder Cattle sold steady
compared to one week ago. Cows sold
\$5.00 higher compared to one week ago.
Bulls sold \$5.00 higher compared to one
week ago. Calves sold \$20.00 lower com-
pared to one week ago.

MICHIGAN AGRICULTURAL
COMMODITIES, INC.

FARM MARKETS

Tuesday, July 10, 2012

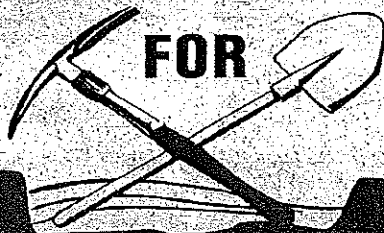
Local Cash Bids

Breckenridge	Delivery	Cash
Corn	July	7.33
	O/N 12	6.66
Soybeans	July	15.62
	O/N 12	14.67
Red Wheat	J/A 12	7.82
White Wheat	J/A 12	7.92
Oat	July 31, 12	3.57

VOTE AUGUST 7TH

Bernie Barnes

FOR



Drain Commissioner

Paid for by the committee to elect Bernard Barnes for Drain Commissioner, 975 S. Warner Rd., Sarnia, MI 48889 (616) 493-1273

Gratiot County Herald
2" x 3" = \$57.00

Cotter completes training

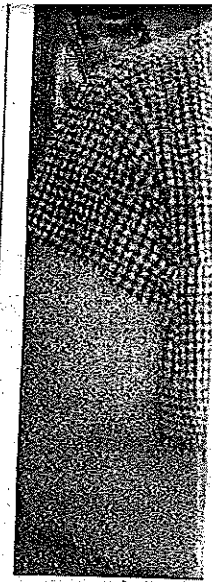
Gratiot County Sheriff's Office corrections officer James Cotter recently completed a local corrections officer training academy held at Delta College.

The four week academy offers a comprehensive, interactive instruction program in various disciplines for local correction officers.

Training topics include custody and security, defensive tactics, first aid (including CPR and AED procedures), suicide awareness, fire safety and interpersonal communications.

The academy, certified by the Michigan Sheriff's Coordinating and Training Council, is an important element of providing the necessary skills for maintaining a safe, secure environment for correction officers, inmates and county residents.

"Congratulations to our graduate who is dedicated to learning important skills in order to safely and effectively manage our inmate population," said Sheriff Rick Beracy. "The training helps our corrections officers develop and practice the tools necessary to be successful in a high stress environment."



The Alma Arbor Breckenridge. The sentation were Aln

VOTE AUGUST 7TH

Bernie Barnes

FOR

Drain Commissioner

Paid for by the committee to elect Bernie Barnes for Drain Commissioner, 975 S. Varner Rd., Skinner MI 48590, 989-506-1273

VOTE

DOUG

WRIGHT

Red Cro

The Gratiot Coun Center of the America will sponsor a variety and Safety Classes for the mid-Michigan c during August.

The classes will be Gratiot County Servi located in the Wilcox Center at 525 N. Stat Alma.

For more informati center at 463-3209 dur business hours, 8:30 a.n Monday through Friday

Pre-registration and p required by three days class and recommended before the class. The not be held if there are

Subscribe to
Your come

Gratiot County Herald
2" x 3" = \$57.00

even regular flu a serious illness, so should be careful re going be around Dr. Joseph Bresee, CDC's chief of epidemiology. goers are advised to their hands and avoid food and drinks in public barns. Pregnant, young children, elderly and people weakened immune should be particularly careful.

summer and fall we're likely to see a few cases," Bresee reports during a conference Friday. He has begun on a for the new strain it ever becomes a threat.

ER

E

FF

CK

ORE HOURS
Monday-Friday
10am-6pm
Saturday 10am-6pm

Drker

SHOP VISA

NG

ID



(42x175) Many updates include
hardwood floors, updated
refrigerator, 2 year old washer
Corner lot is very private.

my web page
m



Marge Mills
30 Years Experience

One thing is known: California, which provides the lion's share of the millions of plants eradicated every year in the United States, saw a 46.5 percent drop in plants eradicated between 2010 and 2011, bringing down the nation's overall numbers.

"You can't attribute it to one factor," said Casey Rettig, spokeswoman for Drug Enforcement Administration in San Francisco.

Shifts in tactics from growers, weather patterns and budget cuts to

— a 35 percent decrease.

Those numbers are amplified by California, where 7.3 million plants were eradicated in 2010. The number dropped to 3.9 million plants in 2011, a 46 percent decline.

In that same time span, 37 states saw their eradication results shrink by more than 98 percent between 2009 and 2011 — from 77,748 plants to just 786. Although, the Cali-

One of the most dramatic shifts came from Idaho, which saw its eradication results shrink by more than 98 percent between 2009 and 2011 — from 77,748 plants to just 786. Although, the Cali-

the Washington, Oregon, Idaho and Alaska region.

But while the number of plants eradicated has dropped, the number of pounds of bulked processed marijuana confiscated has increased from 53,843 pounds in 2009 to 113,167 pounds in 2011, the data collected by the DEA shows.

Some of this was seized along with eradication at growing locations. But DEA officials said the data also includes marijuana seized during traffic stops and other

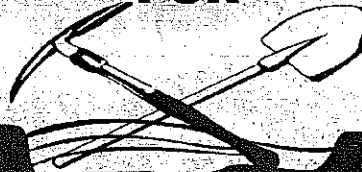
the country, using helicopters to search for plants hidden beneath the natural canopy.

These marijuana grow operations, authorities have said, feature irrigation systems from nearby creeks and fertilizers that damage the local habitat. Authorities believe some of the growing operations are operated by branches of Mexican drug organizations using the forced labor of immigrants to tend the plants. Others are tended by locals.

VOTE AUGUST 7TH



Bernie Barnes
FOR



Drain Commissioner

The change needed for an improved, more efficient drain office.

- Will provide the experience and improvements needed to operate the drain office at its full capacity.
- Over 10 years experience contracting with the state and federal roads and airports.
- Over 17 years experience contracting with businesses, schools, and private individuals.
- Raised and still operate on family farm.
- Gratiot County Resident for 38 years.
- Honorable discharge from the United State Marines.
- Gratiot County Commissioner Elect for two terms.
- Educated in governmental finance.
- Extensive experience in project management involving soil erosion and wetland management.
- Involved in numerous Boards and Committees.
- Willing to create an open door policy in the drain office.
- Associates degree in Business Management and Administration.
- 30 credits to complete Bachelors degree in Accounting.
- A candidate with integrity, morals, and respect.

Vote Bernard James Barnes for Gratiot County Drain Commissioner.

Paid for by the committee to elect Bernard Barnes for Drain Commissioner, 975 S. Warner Rd., Summer, MI 48889, 989-506-1273

Morning Sun 4" x 7" = \$4.85⁰⁰

Vote August 7th



Bernie Barnes



- Will provide the experience and improvements needed to operate the drain office at its full capacity.
- Over 8 years experience contracting with the state for roads and airports.
- Over 16 years experience contracting with businesses, schools and private individuals.
- Raised and still operate on family farm.
- Gratiot County Resident for 38 years.
- Honorable discharge from United States Marines.
- Gratiot County Commissioner Elect for two terms.
- Educated in governmental finance.
- Extensive experience in project management involving soil erosion and wetland management.
- Completed experiments for companies on new methods of soil erosion control.
- I have been involved in numerous county and township Boards and Committees.
- Willing to create an open door policy in the drain office.
- Associates degree in business management and administration.
- 30 credits to completion of a bachelors degree in accounting.
- A candidate with integrity, morals and respect.

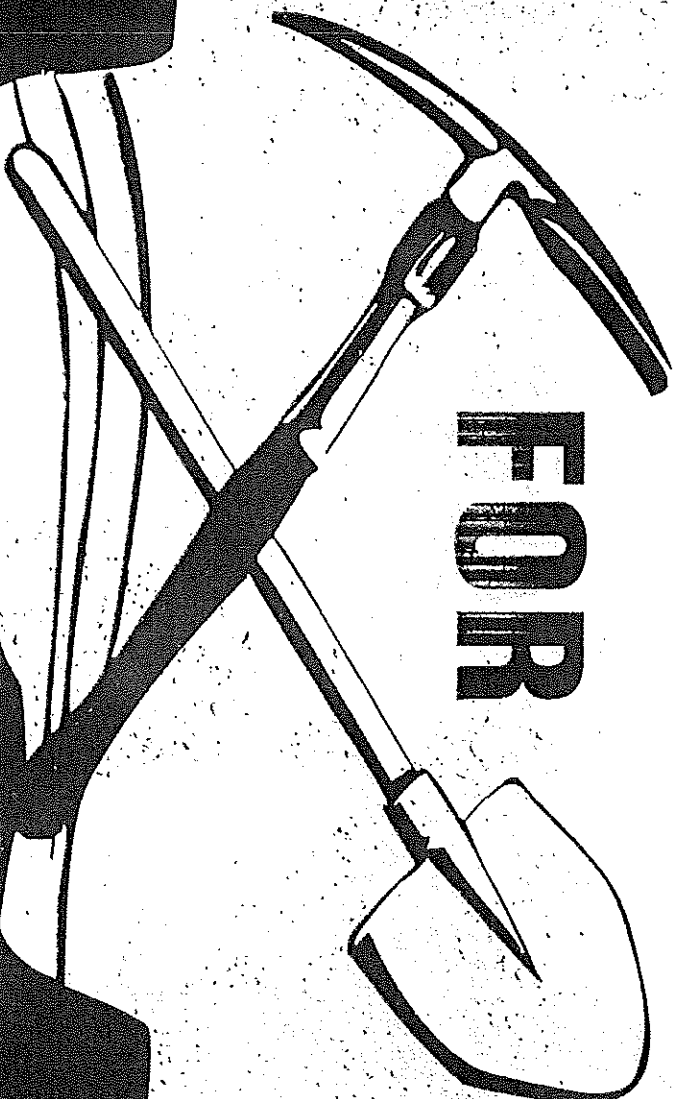
The change needed for an improved, more efficient, drain office.

Vote Bernard James Barnes for Gratiot County Drain Commissioner.

Paid for by the committee to Elect Bernard James Barnes
975 S. Warner Road • Summer, Michigan 48889 • 989-506-1273

Bernie Barnes

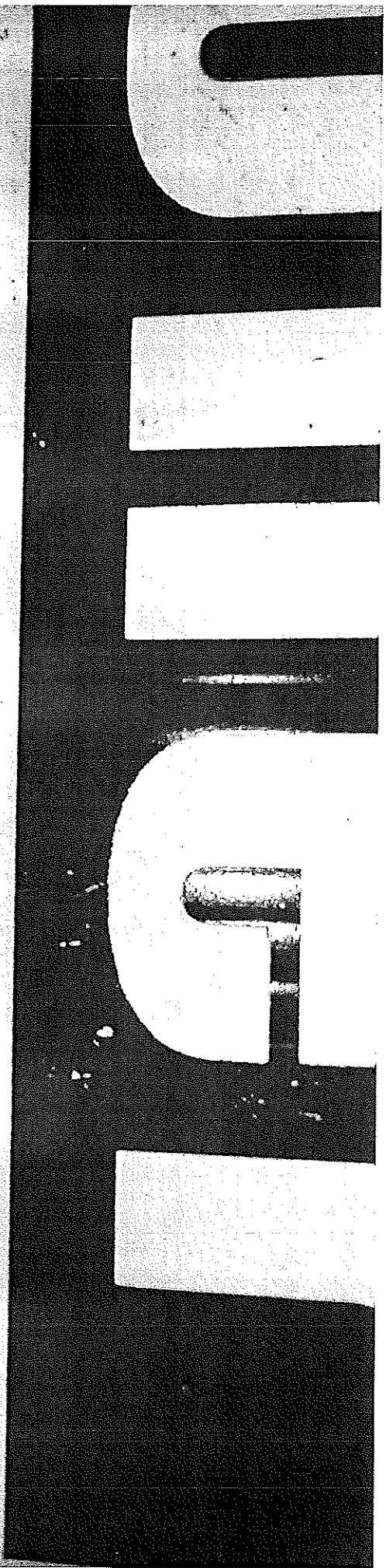
FOR



Drain Commissioner

d for by the committee to elect Bernard James Barnes for Drain Commissioner

www.precisionsignz.com • 1-866-31GNS R US Z



www.precisionsignz.com • 1-866-SIGNS R US



VOTE
AUGUST 7th

BERNIE BARNES
FOR DRAIN
COMMISSIONER

05050

VOTE

AUGUST

7th

BERNIE BARNES

FOR DRAIN

COMMISSIONER



VOTE

AUGUST 7th

BERNIE BARNES

FOR DRAIN

COMMISSIONER

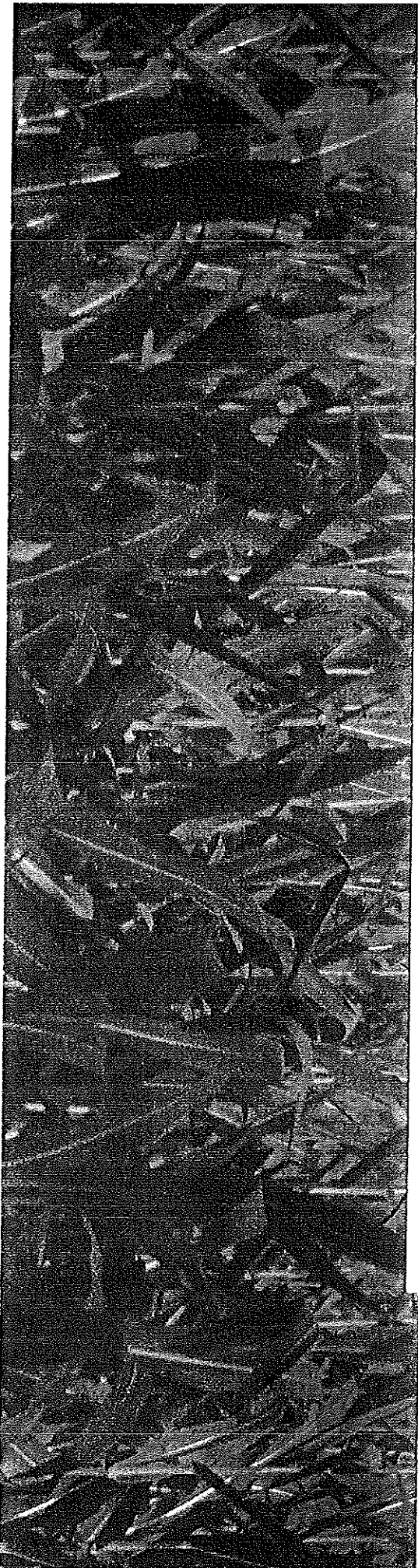


or by Brian Barnes

2620 Glasgow Rd Jackson

Mi 49201

989 506 1273



THIS SIDE OF THE PANEL IS TREATED TO ACCEPT WATERBASED ADHESIVE.

MADE FROM RECYCLED PLASTICS
FOR COLOR CONSISTENCY
BUY ALL PANELS FROM THE SAME LOT

SOLID PLAS-TEX®

Interior PLAS-TEX® panels are the same material all the way through. Interior PLAS-TEX® waterproof pass ASTM E-34 Class III, USDA, and California's Proposition 65 requirements.

STORAGE AND CONDITIONING

PLAS-TEX® panels must be stored flat on a smooth, dry surface. Allow panels to come to room temperature. Install panels at the temperature typical for the area after construction is finished.

ALLOWING FOR MOVEMENT

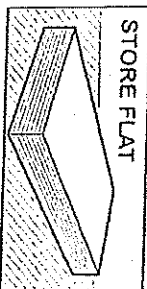
PLAS-TEX® expand & contract with temperature changes. Space panels as shown. Do not use in structures subjected to extreme temperature changes such as trailers and recreational vehicles.

SURFACE PREPARATION

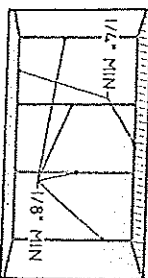
Ensure that walls are flat, clean, dry and solid. Remove or sand through all waterproof wall surfaces (if you are not using Parkland Panel Adhesive). Remove all bumps, loose plaster or paint and dust. Fill all low spots and voids. Concrete and block walls must be dry and cured.

CUTTING & FITTING PANELS

PLAS-TEX® can be sawed, cut with shears or scored and snapped like drywall. Cutouts for switches or pipes, should be drilled at the corners to distribute stress. Test the panel fit by placing it in position without adhesive. Be careful to leave appropriate gap at panel edges.



STORE FLAT



PANEL ADHESIVES

PLAS-TEX® panels should be installed using Parkland Panel Adhesive. This adhesive is applied to the wall, rather than the panel, and it has a long open time for ease of installation. Use a 1/8" notched trowel to spread the adhesive. Be sure to cover the entire area. The adhesive will go milky and turn clear when it is ready to bond. This adhesive may be used with non-porous surfaces, such as DensArmor Plus®, Green Board or painted drywall. Complete installation instructions can be found on the can label or on our website. Adhesive coverage is about 1 1/2 gallon per 4' x 8' panel.

Other adhesives that may provide satisfactory results are listed below. Generally these adhesives cannot be used over non-porous substrates, such as DensArmor Plus®, Green Board or painted drywall. Be sure to follow the manufacturer's instructions. To ensure adequate open time, spread the adhesive on the panel, not the wall. Leave only ridges of adhesive.

APPLYING THE PANEL

Position the panel and press against the wall. Take care to ensure that the panels are not fitted too tightly. Use a laminate roller over the entire surface of the panel to ensure that there is even and complete adhesive contact with the wall at all points. Remove fresh adhesive and/or caulk.

CLEANING PLAS-TEX®

After installation panels may be cleaned with non-abrasive all-purpose cleaners or soaps. For difficult stains such as ink marker and graphite, use mineral spirits or acetone sparingly. Parkland Back Labels can be soaked off with penetrating oil such as WD-40. Wash afterwards with soap and water.



Install With PARKLAND PANEL ADHESIVE / HENRY® 444 / LIQUID NAILS® FRP-310 / OS® FRP 555 / or Call Us

SPL 4010 P



Parkland Performance

WALLS & CEILINGS

800-835-4110

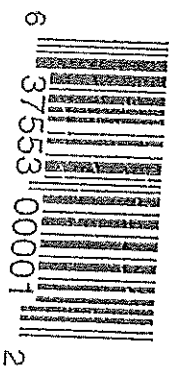
www.WaterProofPanels.com

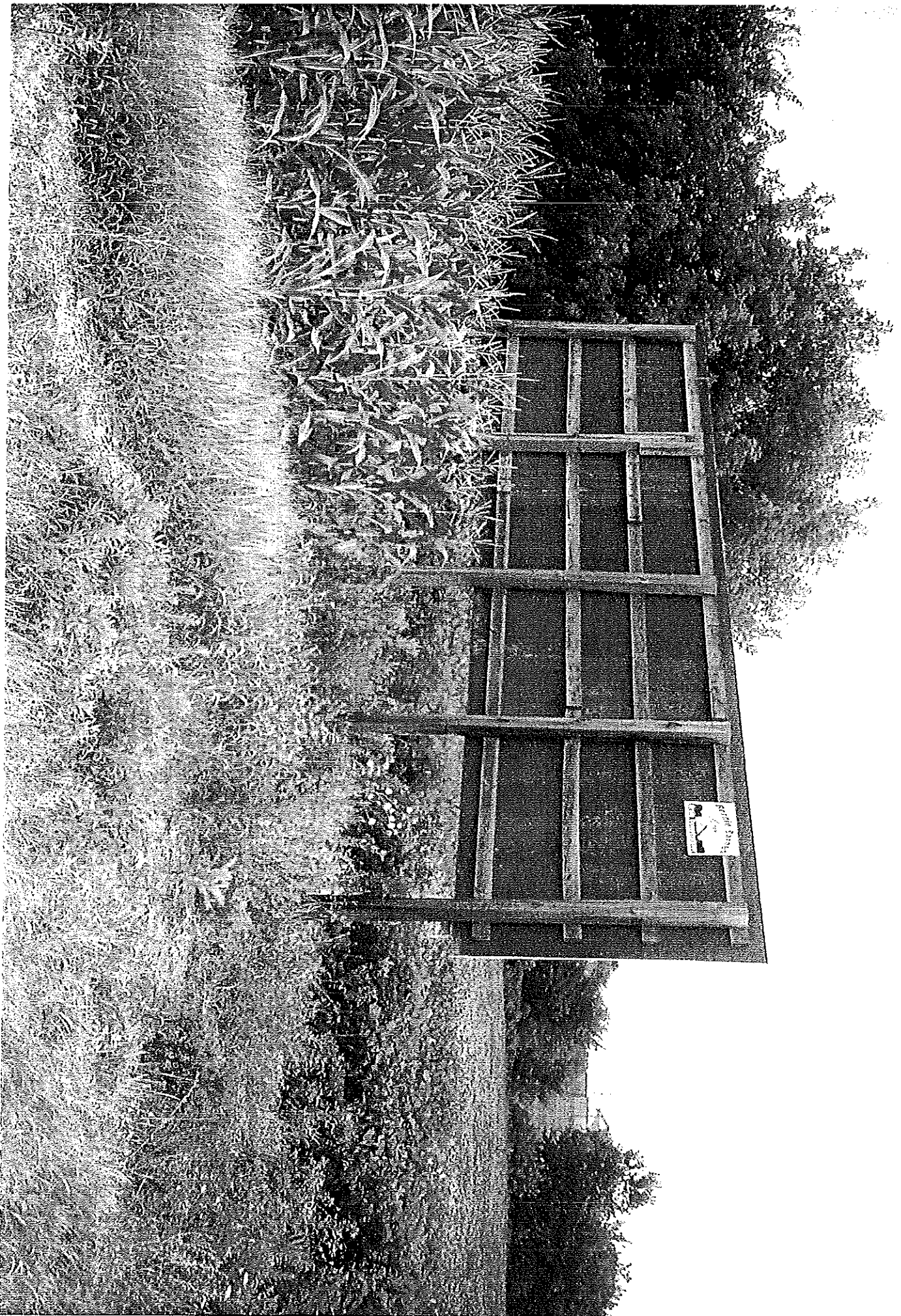
PLAS-TEX®

WATERPROOF WALL PANEL

.060 x 4 x 8

Bright White







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

September 28, 2012

Brian Denman
5501 North Rich Road
Alma, Michigan 48801

Dear Mr. Denman:

The Department of State received a response to the complaint you filed against Bernard Barnes, 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,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Bernard Barnes

BUREAU OF ELECTIONS
MI DEPT OF STATE

Bernard Barnes
975 S. Warner Rd.
Sumner, MI 48889
989.506.1273

September 23, 2012
2012 SEP 27 PM 3: 32

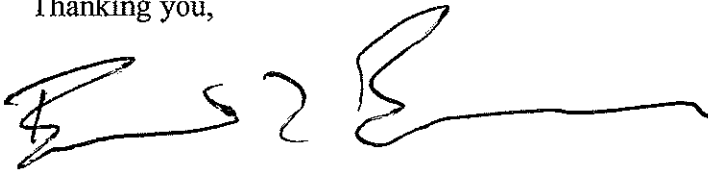
Lori A. Bourbonais
Dept. of State, Bureau of Elections
Richard H. Austin Building, 1st Floor, 430 West Allegan Street
Lansing, MI 48918

Dear Ms. Bourbonais,

The ads in the newspaper did indeed put me over the 1,000.00 thrush hold. I failed to review receipts properly; I in my mind thought the expenditure for the Harold was less than it was. Stimulated by your letter, I reviewed all expenses and filed a late post primary campaign statement with the Gratiot County Clerk. The Clerk is aware of this situation and would be available to answer any questions she may be able to assist you with. I included a copy of my filing with the county for your review. The ad expenses are as stated, the yard signs were from an election four years ago. The bill board, with the Clerks assistance was priced as realistic as possible. The picture submitted by Denman reveals the materials were recycled from a basement remodel project, if they were to be purchased new they have a value under \$200.00. The bill board is not being used and as the picture reveals I had to cut brush from in front of it to make it visible from road. The property owner stated that a couple years ago he had rented the sign for \$150.00. I used this sign from July 21, 2012 till August 8, 2012, less than a month I realize, but I reported a full month's value.

If I may provide any further information regarding this matter please feel free to contact me at your convenience.

Thanking you,

A handwritten signature in black ink, appearing to read 'Bernard J. Barnes', with a long horizontal flourish extending to the right.

Bernard J. Barnes

GRATIOT COUNTY COURT HOUSE
P.O. BOX 437
ITHACA, MI 48847
989-875-5215

GRATIOT COUNTY CLERK

RECEIPT 95997
DATE 09/20/12
PAGE 1

RECEIVED OF BERNARD J. BARNES
FOR THE ITEMS INDICATED BELOW:

CHECK 2662

ACCOUNT NO.	DESCRIPTION	PAYMENT
101.0-215-607.03-02-00	CLERK FEES	250.00
	Campaign Finance Late Fees.	
CAV	TOTAL	\$250.00
	AMOUNT TENDERED	\$250.00
	CHANGE	\$0.00



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

**CANDIDATE COMMITTEE
COVER PAGE**

FOR OFFICIAL USE ONLY

Report must be legible, typed or printed in ink and signed by the treasurer (or designated record keeper) and candidate.

3. This Statement covers From:

02/10/12 to 9/6/12

1. Committee I.D. Number

314

4. Candidate Last Name

Barnes

First Name

Bernard

M.I.

J

4a. Office Sought Including District # or Community Served (If applicable)

Gratiot County Drain Commissioner

4b. County of Residence

Gratiot County

2. Committee Name

The Committee to elect Bernard J. Barnes for Gratiot County Drain Commissioner

5. Committee's Mailing Address

975 S. WARVER RD
SUNNER MI 48889

6. Treasurer's Name & Residential Address

Bernard Barnes
975 S. WARVER RD
SUNNER MI 48889

Area Code and Phone

989 506 1273

If the address in this box is different from the committee mailing address on the Statement of Organization, mail may be sent to this address by the filing official.

Area Code & Phone

989 506 1273

7. Treasurer's Business Address

8. Designated Record keeper's Name and Mailing Address (If the committee has a Designated Record keeper)

FILED

SEP 20 2012

Area Code and Phone

Area Code and Phone

9. TYPE OF STATEMENT

9a. ☐ Pre-Election

OR

9b. ☒ Post-Election

9c. ☐ Annual Statement (_____ Coverage Year)

9d. ☐ Amendment to Campaign Statement (Complete Item 9a, 9b, 9c or 9e to indicate which Statement is being amended)

9e. ☐ Dissolution of Candidate Committee

Pre-Election or Post-Election Statement relates to:

☒ Primary

☐ General

☐ Convention

☐ School

☐ Special

☐ Caucus

Date of Election, Convention or Caucus

Aug 7 2012

Effective Date of Dissolution

By checking this item, I/We certify that the committee has no assets or outstanding debts, including late filing fees. Further, I/We request that if the dissolution cannot be granted, that this be considered a request for the Reporting Waiver.

Note: The disposition of residual funds must be reported on Schedule 1B and the Summary Page.

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures, and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in items 2, 4, 5, 6, 7, or 8 has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement cannot be waived.

10. Verification: I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or

Designated Record keeper

Bernard Barnes

Type or Print Name

Signature

Date

9/18/12

Candidate

Bernard Barnes

Type or Print Name

Signature

Date

9/18/12



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

1. Committee I.D. Number

314

**SUMMARY PAGE
CANDIDATE COMMITTEE**

2. Committee Name

The Committee to elect Bernard J. Barnes for Grand County
Drain Commission

RECEIPTS		Column I This Period	Column II Cumulative this election cycle
3. Contributions			
a. Itemized (Schedule 1A - Column 6)	(3a.) \$	1072.49	
b. Unitemized (less than \$20.01 each - no Schedule)	(3b.) \$	NOT APPLICABLE	
c. Subtotal of "Contributions"	(3c.) \$		(18.) \$
4. Other Receipts (Schedule 1A -1, Column 6)			
	(4.) \$		(19.) \$
5. TOTAL CONTRIBUTIONS AND OTHER RECEIPTS (Add Line 3c + Line 4)	(5.) \$	1072.49	(20.) \$ 1072.49
IN-KIND CONTRIBUTIONS & EXPENDITURES			
6. In-Kind Contributions (Schedule 1-IK, Column 7)	(6.) \$	32.50	(21.) \$
7. In-Kind Expenditures (Schedule 1B-IK, Column 6)	(7.) \$		(22.) \$
EXPENDITURES			
8. Expenditures			
a. Itemized (Schedule 1B, Column 6)	(8a.) \$	1072.49	
b. Itemized Get-Out-the-Vote (Schedule 1B-G)	(8b.) \$		
c. Unitemized (less than \$50.01 each - no Schedule)	(8c.) \$		
9. TOTAL EXPENDITURES (Add Line 8a + Line 8b + Line 8c)	(9.) \$	1072.49	(23.) \$ 1072.49
INCIDENTAL EXPENSE DISBURSEMENTS (Officeholders Only)			
10. Disbursements			
a. Itemized (Schedule 1C, Column 6)	(10a.) \$		
b. Unitemized (less than \$50.01 each - no Schedule)	(10b.) \$		
11. TOTAL INCIDENTAL EXPENSE DISBURSEMENTS (Add Line 10a + Line 10b)	(11.) \$		(24.) \$
DEBTS AND OBLIGATIONS			
12. Debts and Obligations			
a. Owed by the Committee (Schedule 1E)	(12a.) \$		
b. Owed to the Committee (Schedule 1E)	(12b.) \$		
BALANCE STATEMENT			
13. Ending Balance of last report filed (Enter zero if no previous reports have been filed.)	(13.) \$	0	
14. Amount received during reporting period (Line 5, Total Contributions & Other Receipts)	(14.) + \$	1072.49	
15. SUBTOTAL Add lines 13 and 14	(15.) = \$	1072.49	
16. Amount expended during reporting period (Add lines 9 and 11)	(16.) - \$	1072.49	
17. ENDING BALANCE (Subtract line 16 from line 15)	(17.) \$	0	



**ITEMIZED EXPENDITURES
SCHEDULE 1B
CANDIDATE COMMITTEE**

1. Committee I. D. Number 314

2. Committee Name The Committee to Elect Bernard J. Barnes for
Grand Jury

3. Name and address of person or vendor to whom paid	4. Purpose (Required Information)	5. Date	6. Amount
Expenditure #1 Name <u>Gratiot County Harold</u> Address <u>123 N. Main St.</u> <u>Ithaca MI 48847</u> <input type="checkbox"/> Fund Raiser	Purpose: <u>advertising</u> <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	<u>7/6/12</u> Date	<u>\$ 570.00</u> Click Here for Memo Itemization
Expenditure #2 Name <u>Morning Sun</u> Address <u>311 E. Superior St.</u> <u>Alma MI 48801</u> <input type="checkbox"/> Fund Raiser	Purpose: <u>advertising</u> <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	<u>7/31/12</u> Date	<u>\$ 485.00</u> Click Here for Memo Itemization
Expenditure #3 Name <u>Precision Signs and Banners</u> Address <u>1055 Valley Drive</u> <u>Riverdale, IA 52722</u> <input type="checkbox"/> Fund Raiser	Purpose: <u>Campaign signs</u> <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	<u>9/28/08</u> Date	<u>\$ No Expenditure</u> <u>revised from 2008</u> Click Here for Memo Itemization
Expenditure #4 Name <u>Arrow Swift Printing</u> Address <u>207 E Superior St.</u> <u>Alma MI 48801</u> <input type="checkbox"/> Fund Raiser	Purpose: <u>advertising</u> <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	<u>7/19/12</u> Date	<u>\$ 17.49</u> Click Here for Memo Itemization
Expenditure #5 Name _____ Address _____ <input type="checkbox"/> Fund Raiser	Purpose: _____ <input type="checkbox"/> Check box if this expenditure is payment of debt or obligation reported on previous statement	_____ Date	\$ _____ Click Here for Memo Itemization

Subtotal this page 1072.49

Grand Total of all Schedules 1B
(Complete on last page of Schedule) 1072.49

Enter this total
on line 8a of
Summary Page



ITEMIZED IN-KIND CONTRIBUTIONS

SCHEDULE 1-IK

CANDIDATE COMMITTEE

1. Committee I. D. Number 314

2. Committee Name The Committee to Elect Bernard James Barnes for Gratiot County Drain Commissioner

3. Name and Address from whom received if contribution is from an individual, enter last name first. Check box to indicate if contribution is from a Political Committee or an Independent Committee (Both are commonly called PACs). Report all in-kind contributions.	4. Type of In-Kind Contribution (Check applicable box) 5. Date of Receipt 6. Name & Address of Vendor from whom goods or services were purchased	7. Amount or Fair Market Value	8. Cumulative for Election Cycle (Through date in Item 5)
--	---	--------------------------------------	--

Contribution # 1 PAC Receipt? ☐ Yes

Name & Address:

Gale Fitzpatrick
12210 Stone Rd
Fowler MI 48835

If over \$100.00 cumulative, please provide:
Occupation:

Employer Name & Business Address:

4. ☐ Endorsement or Guarantee of Bank Loan

☒ Goods Donated or Loaned ☐ Services Donated

☐ Goods or Services Purchased by Candidate or Others

☐ Goods or Services Purchased by Candidate or Others- LOAN

Description Road sign

5. Date Of Receipt: July 21 2012

6. Vendor Name & Address:

\$ 12.50 \$ 12.50

*Note: Last time this
sign was rented for \$150.00
per year a couple years
ago, not currently rented.
\$150 ÷ 12 months = \$12.50
Used sign for 2 weeks
July 21 - Aug 8 2012

☐ Fund Raiser Contribution

Contribution # 2 PAC Receipt? ☐ Yes

Name & Address:

Brian Barnes
2620 Glasgow Rd
Jackson MI 49201

If over \$100.00 cumulative, please provide:
Occupation:

Employer Name & Address:

4. ☐ Endorsement or Guarantee of Bank Loan

☒ Goods Donated or Loaned ☐ Services Donated

☐ Goods or Services Purchased by Candidate or Others

☐ Goods or Services Purchased by Candidate or Others- LOAN

Description Road sign materials

5. Date Of Receipt: July 21 2012

6. Vendor Name & Address:

\$ 20.00 \$ 20.00

*Note: These were
salvaged materials
from basement remodel.

☐ Fund Raiser Contribution

Contribution #3 PAC Receipt? ☐ Yes

Name & Address:

If over \$100.00 cumulative, please provide:

Occupation:

Employer Name & Address:

4. ☐ Endorsement or Guarantee of Bank Loan

☐ Goods Donated or Loaned ☐ Services Donated

☐ Goods or Services Purchased by Candidate or Others

☐ Goods or Services Purchased by Candidate or Others- LOAN

Description _____

5. Date Of Receipt: _____

6. Vendor Name & Address:

Page Subtotal 32.50

Grand Total of all Schedules 1-IK
(Complete on last page of Schedule)

32.50

Enter this total
on line 6 of Summary
Page



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ITEMIZED CONTRIBUTIONS
SCHEDULE 1A
CANDIDATE COMMITTEE

1. Committee I.D. Number

314

2. Committee Name

The Committee to Elect Bernard James Barnes for Gen
County Drain Coma

Enter contributor's name and address. If contribution is from an individual, enter last name, first name, middle initial. Check box to indicate if contribution is from a Political Committee or an Independent Committee (PAC) Report all contributions regardless of amount.

6. Amount

7. Cumulative for
Election Cycle for Each
Contributor (Through
date of receipt)

3. Contribution # 1

PAC Receipt? ☐ YES

4. Date of Receipt

7/31/12

Name & Address:

Bernard Barnes
975 S. WARREN RD
Sumner MI 48889

\$ 1072.49 \$ 1072.49

5. If over \$100.00 cumulative, please provide:

Occupation

student

Employer

self

[Click Here for Memo Itemization](#)

Business Address

975 S. WARREN RD Sumner MI 48889

Type of Contribution:

☒ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution #2

PAC Receipt? ☐ YES

4. Date of Receipt

Name & Address

\$ \$

5. If over \$100.00 cumulative, please provide:

[Click Here for Memo Itemization](#)

Occupation

Employer

Business Address

Type of Contribution: ☐ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 3

PAC Receipt? ☐ YES

4. Date of Receipt

Name & Address:

\$ \$

5. If over \$100.00 cumulative, please provide:

[Click Here for Memo Itemization](#)

Occupation

Employer

Business Address

Type of Contribution: ☐ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 4

PAC Receipt? ☐ YES

4. Date of Receipt

Name & Address

\$ \$

5. If over \$100.00 cumulative, please provide:

[Click Here for Memo Itemization](#)

Occupation

Employer

Business Address

Type of Contribution: ☐ Direct

☐ Loan from a person

☐ Fund Raiser

Page Subtotal

1072.49

Grand Total of All Schedules 1A
(Complete on last page of Schedule)

1072.49

Enter this total on
line 3a of Summary
Page.



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

October 15, 2012

Bernard Barnes
975 S. Warner Road
Sumner, Michigan 48889

Dear Mr. Barnes:

This letter concerns the complaint that was recently filed against you by Brian Denman, which relates to purported violations 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 60 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. Denman'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 cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Brian Denman

2012 OCT 11 PM 3:11

October 5, 2012

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State
Richard H. Austin Bldg., 1st Floor
430 W. Allegan St.
Lansing, MI 48918

Dear Ms. Bourbonais:

Re: Rebuttal Statement for Bernard Barnes' Alleged Violation of Michigan Campaign Finance Act

Thank you for the opportunity to provide a rebuttal statement in this matter. While I appreciate Mr. Barnes' efforts to comply with MCL 169.201 *et seq.* by filing a late post-primary finance statement, there are several issues I would like to address upon receiving Mr. Barnes' response:

- 1) Mr. Barnes' post-primary finance statement contains several contribution and expenditure amounts that are unclear and admittedly made-up as stated in his cover letter. I request the Bureau require a submittal of receipts, cancelled checks from Isabella Bank, or other documentation that support the amounts provided.
- 2) Mr. Barnes states in his letter and his finance statement that his yard signs were purchased during the 2008 election cycle. Based on information or belief that Mr. Barnes has purchased or has been in possession of an estimated 300 yard signs, I request the Bureau require he disclose his contribution and expenditure amounts for that election cycle as well.
- 3) Mr. Barnes claims that the billboard was made out of recycled materials and therefore has less value than if they were non-recycled. First, the billboard as depicted in the photographs submitted previously and again attached to this rebuttal, clearly show stickers in place and no indication of prior use from a "basement remodel project." Second, regardless of the source of the billboard materials, the value of the in-kind contribution should remain the same. Third, Mr. Barnes' letter states that the value "would be less than \$200.00," while his finance statement provides a value of \$20.00. There is no reason given as to why Mr. Barnes chose this arbitrary amount. Finally, Mr. Barnes attributes the value of renting the billboard sign to the value of a previous, unrelated transaction. The value of the billboard rental should be based on a fair market value of the rental. I have also attached a photograph depicting the billboard as it is being used currently.

Again, thank you for the opportunity to provide a rebuttal in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Denman". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Brian Denman
5501 North Rich Road
Alma, Michigan 48801
(989) 640-9395

VOTE

AUGUST 7th

BERNIE BARNES

FOR DRAIN

COMMISSIONER

THIS SIDE OF THE PANEL IS TREATED TO ACCEPT WATERBASED ADHESIVE.

MADE FROM RECYCLED PLASTICS
FOR COLOR CONSISTENCY
BUY ALL PANELS FROM THE SAME LOT

SOLID PLAS-TEX®

Interior PLAS-TEX® panels are the same material all the way through. Interior PLAS-TEX® waterproof pass ASTM E84 Class III, USDA, and California Proposition 65 requirements.

STORAGE AND CONDITIONING

PLAS-TEX® panels must be stored flat on a smooth, dry surface. Allow panels to come to room temperature. Install panels at the temperature typical for the area after construction is finished.

ALLOWING FOR MOVEMENT

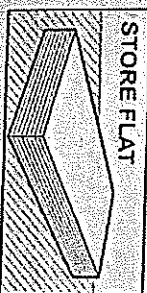
PLAS-TEX® expand & contract with temperature changes. Space panels as shown. Do not use in structures subjected to extreme temperature changes, such as trailers and recreational vehicles.

SURFACE PREPARATION

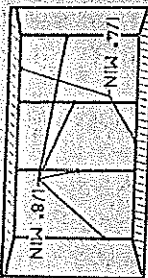
Ensure that walls are flat, clean, dry and solid. Remove or sand through all waterproof wall surfaces. (If you are not using Parkland Panel Adhesive). Remove all bumps, loose plaster or paint and dust. Fill all low spots and voids. Concrete and block walls must be dry and cured.

CUTTING & FITTING PANELS

PLAS-TEX® can be sawed, cut with shears or scored and snapped like drywall. Cut-outs for switches or pipes, should be drilled at the corners to distribute stress. Test the panel fit by placing it in position without adhesive. Be careful to leave appropriate gap at panel edges.



STORE FLAT



PANEL ADHESIVES

PLAS-TEX® panels should be installed using Parkland Panel Adhesive. This adhesive is applied to the wall, rather than the panel, and it has a long open time for ease of installation. Use a 1/8\"

Other adhesives that may provide satisfactory results are listed below. Generally these adhesives cannot be used over non-porous substrates, such as DensArmor Plus®, Green Board or Painted drywall. Be sure to follow the manufacturer's instructions. To ensure adequate open time, spread the adhesive on the panel, not the wall. Leave only ridges of adhesive.

APPLYING THE PANEL

Position the panel and press against the wall. Take care to ensure that the panels are not fitted too tightly. Use a laminate roller over the entire surface of the panel to ensure that there is even and complete adhesive contact with the wall at all points. Remove fresh adhesive and/or caulk.

CLEANING PLAS-TEX®

After installation panels may be cleaned with non-abrasive all-purpose cleaners or soaps. For difficult stains such as felt marker and graphite, use mineral spirits or 60-40-40. Wash afterwards with soap and water.



Install With PARKLAND PANEL ADHESIVE / HENRY® 444 / LIQUID WALLS® FRP-310 / OSI® FRF-555 / or Call Us

SPL 4010 P

Parkland Performance

WALLS & CEILINGS

PLAS-TEX®

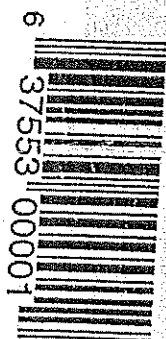
WATERPROOF WALL PANEL

800-835-4110

www.WaterProofPanels.com

.060 X 4 X 8

Bright White



2

Rainbow Lake

Turn Left 1/20 Mi. then 3 Mi. South

LAKELOTS &
BUILDING SITES





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

January 3, 2013

Bernard Barnes
975 South Warner Road
Sumner, Michigan 48889

Dear Mr. Barnes:

The Department of State (Department) has completed its investigation of the complaint filed against you by Brian Denman, which alleged that you violated sections 33(6) and 52(7) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.233 and MCL 169.252. This letter concerns the disposition of the complaint.

The MCFA requires a committee that receives or expends more than \$1,000.00 during any reporting period to file periodic campaign finance reports in compliance with the Act. MCL 169.233(6). The failure to file a single campaign statement may trigger the assessment of late filing fees, while the failure to file two or more campaign statements is a misdemeanor offense. MCL 169.233(7)-(8).

Additionally, the MCFA prohibits a person from making a contribution of more than \$500.00 to a candidate for county office if the county has a population of 85,000 or less. MCL 169.52(1)(c). The Act also prohibits a candidate from accepting a contribution that exceeds the limitation in section 52(1)(c). MCL 169.52(7). A contribution includes "a donation of . . . anything of ascertainable monetary value," MCL 169.204(1), and an in-kind contribution is a contribution of anything other than money. MCL 169.209(3). A knowing violation of section 52(7) is a misdemeanor offense. MCL 169.52(9).

The Act also requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods [,]" if it finds that "there may be reason to believe that a violation . . . has occurred [,]" MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation [,]" *Id.*

The complaint was filed by Mr. Denman on August 28, 2012. You filed a written response on September 27, 2012, and Mr. Denman filed a rebuttal statement on October 11, 2012.

Mr. Denman alleged that your committee received or expended over \$1,000.00 and "may have received in kind contributions of an amount exceeding the \$500.00 limit." Mr. Denman provided as evidence copies of 5 ads placed in newspapers which state "VOTE AUGUST 7 Bernie Barnes FOR Drain Commissioner [,]" a copy of a flyer which states "Vote August 7th Bernie Barnes FOR Drain Commissioner [,]" pictures of a yard sign which states "Bernie Barnes FOR Drain Commissioner [,]" and pictures of a billboard which states "VOTE AUGUST 7th BERNIE BARNES FOR DRAIN COMMISSIONER [,]" The paid-for-by statement on the

billboard indicates that it was paid for by Brian Barnes. The other materials indicate that they were paid for by your committee.

In response, you filed a letter which stated that you "failed to review your receipts properly" and that the newspaper ads did put you over the waiver threshold. You stated that you filed a late post-primary statement with the Gratiot County Clerk. You also stated that with the Gratiot County Clerk's assistance, you determined that the cost of the materials for the billboard was less than \$200.00, and that the property owner had previously rented the sign for \$150.00 for one year. You provided as evidence a copy of the post-primary election statement that you filed and a copy of your receipt for payment of late filing fees.

After reviewing the evidence submitted by both parties, it appears that you failed to timely file your post-election primary campaign statement. MCL 169.233(1). However, the Department believes that the evidence supports that after your review of your receipts and your determination that you did go over the \$1,000.00 reporting waiver threshold, you filed a post-primary statement with the Gratiot County Clerk. The Gratiot County Clerk is the appropriate filing official for this statement. MCL 169.236(6). The Gratiot County Clerk assessed a late-filing fee, which you paid. The Act provides that a late filing fee shall be paid to "the filing official with whom the statement . . . was required to be filed." MCL 169.217(1). The failure to file a single statement triggers late filing fees, which were assessed by the county clerk and paid by you. MCL 169.233(7).

The Department believes that the evidence tends to show that your campaign expended more than \$1000.00, and that you filed the appropriate campaign finance statement late with the appropriate filing official after receiving notice of the complaint. The Gratiot County Clerk also assessed a late filing fee, which you paid. Had the Department determined that you owed a post-primary election campaign finance statement prior to your filing one, the Department would have sought the same enforcement action as the actions you have already taken – the filing of the statement with the appropriate filing official and the payment of late filing fees.

Mr. Denman also alleged that you may have accepted more than the \$500.00 contribution limit in in-kind contributions. MCL 169.252(1)(c), MCL 169.252(7). You stated that cost of the materials and rental of the billboard which indicates that it was paid for by Brian Barnes was less than \$500.00. You stated that the billboard had been recently rented at a cost of \$150.00 for one year, and that the cost of the materials would be less than \$200.00 if purchased new. Mr. Denman provided no evidence to the contrary. The Department finds that the evidence tends to show that the in-kind contribution made by Mr. Brian Barnes was no more than \$350.00, which is under the \$500.00 contribution limit, and this portion of the complaint is dismissed.

Please be advised that this notice has served to remind you of your obligation under the Act to timely file all campaign finance statements if your committee receives or expends "an amount in excess of \$1,000.00 during a period covered by a filing [.]". MCL 169.233(6). The failure to file a single campaign statement may trigger the assessment of late filing fees, while the failure to file two or more campaign statements is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.233(7)-(8).

Because you have already undertaken the corrective measures that would have been required by the Department had it found that you still owed a post-primary election campaign statement and

paid a late filing fee, the Department now considers this matter closed and will take no further enforcement action against you at this time. However, it is expected that if you run for elective office in the future, you will keep complete and accurate records of your committee's contributions and expenditures and timely file all reports due under the MCFA.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori A. Bourbonais".

Lori Bourbonais
Bureau of Elections
Michigan Department of State

c: Brian Denman