



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

May 18, 2017

Linda Ruwersma,
Wes Ruwersma
9322 South Greenville Road
Greenville, Michigan 48838

Dear Mr. and Mrs. Ruwersma:

The Department of State (Department) received a formal complaint filed by Greenville Public Schools (GPS) against you 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 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).

GPS alleges that you unlawfully used public resources to advocate against a school bond proposal which appeared on the May 2, 2017 ballot.

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. You may each submit your own signed response or you may submit one response signed by each of you. 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 GPS, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials

Linda Ruwersma
Wes Ruwersma
May 18, 2017
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) 241-0395.

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: Jeffrey J. Soles



THRUN

LAW FIRM, P.C.

MICHAEL B. FARRELL
GORDON W. VAN WIEREN, JR.
MARTHA J. MARCERO
LISA L. SWEN
JEFFREY J. SOLES
ROY H. HENLEY
ROBERT G. HUBER

MICHAEL D. GIESENS
CHRISTOPHER J. IAMARINO
RAYMOND M. DAVIS
MICHELE R. EADY
KIRK C. HERALD
MARGARET M. HACKETT
MATTHEW F. HSER

KARI K. SHAY
ROBERT A. DIETZEL
DAVID M. REVORE
JENNIFER K. STARLIN
RYAN J. NICHOLSON
FREDRIC G. HEIDEMANN
DANIEL R. MARTIN

JEFFREY J. SOLES
(517) 374-8835
jsoles@thrunlaw.com

U.S. MAIL ADDRESS:
P.O. Box 2575
EAST LANSING, MI 48826-2575
PHONE: (517) 484-8000
FAX: (517) 484-0041
FAX: (517) 484-0061
ALL OTHER SHIPPING:
2900 WEST ROAD, SUITE 400
EAST LANSING, MI 48823-6386

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2017 MAY 11 PM 3:47
ELECTIONS/GREAT SPOIL

KATHERINE WOLF BROADBENT
TIMOTHY L. BROADBENT
PHILIP G. CLARK
PIOTR M. MATUSIAK
CRISTINA T. PATZELT
KEVIN S. HARTY OF COUNSEL
TRaverse CITY
ROBERT W. ROBINSON OF COUNSEL

May 11, 2017

Via Hand Delivery

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

Re: Greenville Public Schools May 2, 2017 Special Election

Dear Sir/Madam:


Enclosed is a completed and signed Campaign Finance Complaint Form and supporting documentation regarding the above-captioned matter.

If you should have any questions or require anything further, please don't hesitate to contact me.

Very truly yours,

THRUN LAW FIRM, P.C.

By


Jeffrey J. Soles

JJS/keh
Enclosures

cc: Roy H. Henley, Thrun Law Firm, P.C.
Linda Van Houten, Superintendent of Schools

Campaign Finance Complaint Form
Michigan Department of State

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2017 MAY 11 PM 3:47

This complaint form may be used to file a complaint alleging that someone violated the **ELECTIONS/GREAT SEAL**
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 Greenville Public Schools -Linda Van Houten, Supt.		Daytime Telephone Number 616-754-3686
Mailing Address 1414 Chase Street		
City Greenville	State MI	Zip 48838

Section 2: Alleged Violator		
Name Linda and Wes Ruwersma, Eureka Township Officials		
Mailing Address 9322 S Greenville Rd		
City Greenville	State MI	Zip 48838

Section 3: Alleged Violations

Section(s) of the MCFA violated: Section 57

Explain how those sections were violated:

Eureka Township Clerk sent a text message to electors in the Township on the Saturday before the May 2, 2017 election asking electors to vote no on the school bond election the following Tuesday, and, if they couldn't vote on Tuesday to come to the clerk's office that day to get an absentee voter ballot. To any reasonable elector, this text message was sent by the clerk in her

official capacity with the purpose of influencing the electors to vote no on the school bond proposal. This and other conduct contained in the attached documents is evidence of wrong doing from an elected official.

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

Text message from Township Clerk, Township Clerk Business Card, memo created by township official and attached to text message, defaced school fact sheet, photograph of Wes R. distributing defaced fact sheet, local newspaper article, and FOIA request documents.

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

Amelia VanHouten
Signature of Complainant

5/10/17
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 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

Greenville Public Schools Election Complaint regarding School Bond Election vote 5/2/2017

Alleged Violations of MCFA Section 57 and the General Election Law of the State of Michigan

- On Saturday, April 29, 2017 the Eureka Township Clerk, Linda Ruwersma, sent an unknown number of text messages to Eureka Township residents encouraging them to vote no on the School Bond Election on May 2, 2017. In this/these text messages, she identifies herself as the clerk and then encourages resident/s to come to the township hall and vote absentee if they can not make it to the polls on election day and VOTE NO. (Evidence attached.) This text message was brought to the attention of Greenville Public Schools on May 2, 2017 and then brought to Kristen Millard, the Election Official for Montcalm County. The body of the text message is as follows:

"This is Linda Ruw your clerk. Want to remind you to get out and vote at the township hall on Tuesday May 2, for the school bond election. Encouraging people to vote NO. Any questions about it just call me. If you can't vote Tuesday you can vote in the office at the hall today from 9am to 2pm. Have a blessed day!"
- On Saturday, April 29, 2017, the Eureka Township Clerk, Linda Ruwersma and Eureka Township Appointed Official, Wes Ruwersma, engaged in the defacing and subsequent distribution of defaced factual information provided to township offices by Greenville Public Schools. In short, Greenville Public Schools provided each township in our area with fact sheets for distribution to township residents who may stop in seeking clarification as to the content of the bond proposal. The fact sheets did not promote a yes or no vote. Linda and Wes Ruwersma took these sheets from Eureka Township Office and defaced them by writing "VOTE NO" on them in large letters. They then went to the local grocery store and put these defaced fact sheets on cars in the parking lot. (Evidence Attached)
- On the weekend of April 29, 2017, by the admission of Linda Ruwersma, Wes Ruwersma made and distributed VOTE NO flyers in the Green Timbers Subdivision in Greenville, Michigan. Residents reported to Greenville Public Schools that these flyers were placed in/on their mailboxes and it was strange to receive this type of propaganda in/on their mailboxes. (Evidence Attached) We understand that he may also have passed these out at a local McDonald's Restaurant, who may have subsequently called the local law enforcement regarding this.
- At the Eureka Township Hall Meeting on May 8, 2017, Linda Ruwersma, admitted to calling upon absentee ballot voters to return their ballots. She also indicated at this public meeting that she was the only person that handled the absentee ballots. She was not able to verify that she called all of the absentee ballot holders which leads Greenville Public Schools to allege that perhaps

she was selective in her administration of the absentee ballot process. She indicated that she called a lot of people and that she was pleased with the high number of absentee ballots cast in Eureka Township. Her behavior at the meeting was inconsistent with that of an unbiased election official and is cause for great concern.

Greenville Public Schools alleges that it is likely that based upon the evidence above that Linda Ruwersma, the Eureka Township Clerk, and possibly her husband, Wes Ruwersma, an appointed official in Eureka Township used her/his/their positions and influence as a clerk and township official to interfere and/or tamper with the School Bond Election placed on the ballot by Greenville Public Schools on May 2, 2017. We believe this is a violation of the Campaign Finance Act and also the General Election Law and wish to pursue any and all complaint mechanisms available to us.

Eureka Charter Township

Linda J. Ruwersma, CMMC, CMC
CLERK

OFFICE 616-754-5053

CELL 616-516-9184

FAX 616-754-4760

EMAIL ljruw@yahoo.com

9322 SOUTH GREENVILLE ROAD, GREENVILLE, MI 48838

6/2/2017

0 (1950) 40

← (616) 516-9184

Sat 04/29/2017



Hi this is Linda Ruw your clerk. Want to remind you to get out and vote at the township hall on Tuesday May 2, for the school bond election. Encouraging people

8:41 AM



to vote NO. Any questions about it just call me. If you can't vote Tuesday you can vote in the office at the hall today from 9am to 2pm. Have a blessed day!

8:41 AM

Sun 04/30/2017



Enter message

GREENHILL PUBLIC SCHOOLS BOND PROPOSAL

Tuesday, May 2, 2017 Election

Still paying on the 30-year millage from 1995 of \$4,000,000.00

Still paying on the 25-year millage from 1999 of \$9,400,000.00

Still paying on the 20-year millage from 2011 for \$14,700,000.00

These total \$27,210,000.00

If millage passes the school will be borrowing an additional \$52,315,000.00

This would total a \$79,525,000.00 Debt

We are currently paying a total of 6 mills

This 6 mills generates \$3,900,000.00 each year

School is asking for an additional 1.44 mills, which would total 7.44 mills
This could run up to 30 years

School is planning to ask for another millage increase in ten years from now

HAOYS

VOTE NO

put in mail boxes in the Green Timbers Housing Area.
and attached to the text message sent.

GREENVILLE PUBLIC SCHOOLS

Inspiring Excellence

PROPOSED BOND ISSUE IMPROVEMENTS
ELECTION DATE: MAY 2, 2017

BOND FACTS

It is the continued mission of Greenville Public Schools to provide all students the education necessary to participate in the global economy in an ever-changing world.

As we look to the future of Greenville Public Schools, District leadership has developed a plan to sustain our growth and ensure development, ensuring all students will be prepared to be successful in the 21st Century. The Board of Education is asking you to consider a bond proposition Tuesday, May 2, 2017. Education is asking you to consider a bond proposition Tuesday, May 2, 2017. Education is asking you to consider a bond proposition Tuesday, May 2, 2017.

If approved, this bond proposal would generate \$22,315,000. These dollars would be spent gradually over the course of four years to provide for the continuing needs of our schools.

It is projected that the tax rate would increase by approximately 1.44 mills. This equals an additional estimated \$100,000 per month for each \$900,000 in market value of your home.

MARKET VALUE	ANNUAL COST	16 YEAR COST	COST/MONTH	COST/YEAR
\$100,000	\$25.00	\$300.00	\$3.00	\$36.00
\$150,000	\$37.50	\$450.00	\$4.50	\$54.00
\$200,000	\$50.00	\$600.00	\$6.00	\$72.00
\$250,000	\$62.50	\$750.00	\$7.50	\$90.00
\$300,000	\$75.00	\$900.00	\$9.00	\$108.00
\$350,000	\$87.50	\$1,050.00	\$10.50	\$126.00
\$400,000	\$100.00	\$1,200.00	\$12.00	\$144.00

The proposal focuses on three key district-wide areas:

1. SAFETY AND SECURITY
2. ENHANCING PROGRAMMING AND LEARNING ENVIRONMENTS
3. EDUCATIONAL TECHNOLOGY

Pursuant to State law, expenditures of bond proceeds must be audited, and the proceeds cannot be used for repair or maintenance costs, teacher, administrator or employee salaries, or other operating expenses.

FOR MORE INFORMATION

Voter Registration Deadline: Monday, April 3, 2017
Absentee Voting: Contact your precinct; ballots available Saturday, March 18, 2017
Vote Dates: Tuesday, May 2, 2017, 7:00 a.m. to 8:00 p.m.
Poll Locations: Registered voters may cast a ballot at the polling location established by their city/county.

If you have further questions, contact Superintendent Linda Van Houten, at (615) 734-1000 or by email at vanh@greenville.k12.tn.us.

SAFETY AND SECURITY

- Secure building entry where lacking
- Clear office entry areas at all elementary schools and the middle school
- Improve vehicular and bus traffic flow and parking at all elementary schools
- Additional security cameras at all schools
- Select replacement of aging school buses

ENHANCING PROGRAMMING AND LEARNING ENVIRONMENTS

- Upgrade building exterior at all elementary schools
- Classroom renovations at all elementary schools
- Development of collaborative group learning areas at all elementary schools
- Classroom furnishing replacements where needed at all schools
- Roofing and flooring replacements where needed at all schools
- Site improvements to improve safety and provide additional parking where needed at all schools
- Playground equipment and surface improvements at all elementary schools
- Remodel academic areas at the middle and high school
- Remodel and expand food service areas at the middle school
- Mechanical system upgrade to provide air conditioning in select areas at the high school
- Upgrade industrial academic technology classroom at the high school and expand educational programming
- Performing Arts upgrades at the high school
- Renovate science labs at the high school
- Pavement replacements where needed
- Resurface Yellow Jacket Stadium

EDUCATIONAL TECHNOLOGY

- Refresh classroom inventory at all schools
- Upgrades to network infrastructure and replacing wireless network at all schools

FOR MORE INFORMATION

Public Information Meeting will be held on Tuesday, February 14, 2017, 7:00 p.m. to 8:00 p.m. at the Greenville Public Schools Board of Education meeting room. For more information, contact the Board of Education at (615) 734-1000 or visit our website at www.greenville.k12.tn.us.



Eureka residents say clerk acted unethically leading up to vote

CLERK

BY CORY SMITH

Daily News senior staff writer

EUREKA TOWNSHIP — A text message sent three days before last week's failed Greenville Public Schools bond vote has brought forth accusations of unethical behavior against the Eureka Township clerk.

During Monday evening's Eureka Township Board meeting, about 25 area residents confronted the board regarding a text message sent from the personal cell phone of Township Clerk Linda Ruwersma.

Township resident John Niewoonder brought forth the issue during public comment, which evolved into a back- and- forth dis-cussion between the township board and community members, lasting nearly an hour and half.

Niewoonder said he felt the text message was "inappropriate" in relation to the May 2 vote proposing a \$ 52 million school improve-ment bond proposal. The proposed bond failed by 69 votes (1,764 "no" votes to 1,695 "yes" votes).

"We're here tonight because we've become a

little bit concerned with how this township runs elec-tions," Niewoonder said. "On elec-tion day last week, we became aware of a text that was sent out by the clerk."

SEE CLERK, PAGE 2



Eureka Township Clerk Linda Ruwersma speaks during Monday eve-ning's Eureka Township Board meeting, addressing allegations of uneth-ical election-related behavior brought forth by residents.

Daily News/Cory Smith

Eureka residents say clerk acted unethically leading up to vote

CLERK

CONTINUED FROM PAGE 1

Niewoonder read the text message aloud, which was confirmed by Ruwersma to be accurate.

The message read, “Hi this is Linda Ruw your clerk. Wanted to remind you to get out and vote at the town-ship hall on Tuesday May 2, for the school bond election. Encouraging people to vote NO. Any questions about it just call me. If you can’t vote Tuesday you can vote in the office at the hall today from 9 am to 2 pm. Have a blessed day!”

The text was sent out 19 minutes before the township hall opened for early voting the Saturday, April 29, before Tuesday’s school bond vote. The text was accompanied by an attached document of reasons to vote against the school bond with “VOTE NO” printed in large letters at the bot-tom of the document.

“I thought that was pretty interest-ing, pretty inappropriate,” Niewoonder said of Ruwersma identifying herself as clerk in the text message. “We take our right to vote and have balanced and fair elections pretty seriously, so I just want to raise that as an issue. We just want to see what you folks think about that. Is that appropriate behav-ior for a township official?”

Ruwersma defended her actions, saying she sent the text in question to a township resident, but that she did not intend for it to be sent in her capacity as clerk.

Ruwersma said she wasn’t certain if the resident would know who the text was coming from if she only provided her name, being that she was only familiar with the resident’s husband.

“I didn’t know if she would know for sure who I was,” she said. “I did not mean to promote myself

Ruwersma said she only contacts individuals who requested an absen-tee ballot or are on the township’s permanent absentee ballot list but have not submitted their absentee bal-lot by early voting deadlines.

“I give the person a call, if I have a way to, and I say ‘I just want to remind you that your ballot is due Tuesday,’” she said. “That’s just something I do out of a courtesy.”

The idea of soliciting reminders to return absentee ballots left township residents frustrated.

“I came here tonight to collect facts, and what I hear here, although it may not be against the law, it has broken my trust with you,” Martin Mc Donough said. “As a private citizen you have a right to your opinion ... but I think the judgment and influ-ence you were trying to employ with that title has breached the trust of the public.”

According to officials with the Michigan Townships Association and the Michigan Secretary of State Office, Ruwersma’s actions would only be considered problematic if she used township resources in any way while campaigning against the school bond proposal, which she has denied.

Greenville Public Schools Superintendent Linda Van Houten told The Daily News the school dis-trict has contacted an attorney to review possible legal options regard-ing Ruwersma’s actions.

Greenville Public Schools Chief Operations Officer Korie Crawford spoke on behalf of the school district during Monday’s township board meeting, requesting an investigation of the township board.

“Greenville schools is very con-cerned with the conduct that has been expressed today,” she said. “We believe that this matter should be handled swiftly by the township, including a full investigation.”

as the township clerk. I did not try to do that in any way, shape or form at all.”

Ruwersma said she meant no harm by her actions, stating she believes she was acting as a private citizen by send-ing the text message while at her own residence from her own phone. She said the township does not financially reimburse her for her phone.

“ I did not try to sway this election. I had my opinion as a citizen, as a public person, (though) I should not have put ‘ your clerk,’ (in the text),” she said.

Ruwersma said she sent “ maybe about six” text messages that day to individuals regarding the upcoming election, but claimed she did not identify herself as clerk in the other text messages “ because they knew who I was.”

“ I do not want to come across as a fraudulent clerk,” she said. “ I know there’s a lot of people who know I try to do my job very well. I’m just really sorry that happened. I’m sorry to all of you that think that I was trying to go behind people’s backs.”

Niewoonder said despite Ruwersma’s apology, he had lost his trust in her.

“ Regardless of what the proposal was, we’re concerned about that kind of behavior,” he said. “ For all I know, you’ve done this a million times or you’ve never done it before. And I hope that you would not do it in the future. That’s our concern, we want everything to be (straightforward).”

“ I will never do it again,” Ruwersma responded. “ I thought I was being pretty careful, not overstepping my bounds at all, but I did on that. But it was not my intention to advertise as the clerk.”

Additional audience members also shared their thoughts regarding Ruwersma’s actions, ranging from frustration to confusion. An additional complaint was voiced regarding Ruwersma’s husband, Lee, who serves on the township’s

According to Township Supervisor Rod Roy, township officials are taking the matter seriously.

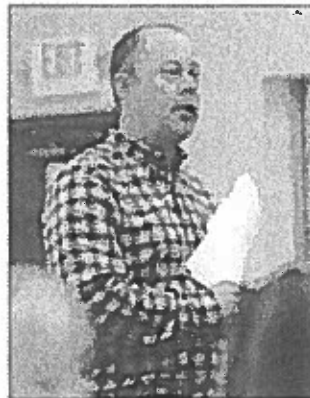
“ The board as a whole is looking to get the facts, to see who made mis-takes and what should be done, to see if (action) needs to be taken against the clerk or not,” he said. “ We’re try-ing to work to make sure it doesn’t happen again.

“ I’ve also talked to the Bureau of Elections, and at this time, as far as the election part of it, they see no harm there,” he added. “ But with eth-ics, they think maybe we need to have a more stringent policy.”

Roy said the township will be reviewing its own policies regarding ethical behavior of township officials.

According to Crawford, the school district has submitted two Freedom of Information Act (FOIA) requests in relation to the issue. Since Ruwersma is the FOIA coordinator for the town-ship, Roy said he will be supervising both FOIA requests to avoid a conflict of interest.

[csmith@ staffordgroup. com](mailto:csmith@staffordgroup.com) (616) 548- 8277



Eureka Township resident John Niewoonder addresses members of the Eureka Township Board on Monday about allegations of unethical behavior brought forth against Township Clerk Linda Ruwersma.

Zoning Board of Appeals and Board of Review. Prior to Tuesday's vote, Lee distributed flyers campaigning against the bond at Meijer in Greenville.

Another complaint involved Linda Ruwersma's decision to call absentee voters with reminders to submit their ballots. Audience members voiced concern that Ruwersma might be selectively choosing which voters to remind.

However, according to Michigan election law, it is only a violation of Michigan election law "for a person other than those listed in the instructions to return, offer to return, agree to return or solicit to return your absent voter ballot application for the clerk." In state election law instructions, the clerk, clerk's office and clerk's authorized assistant are all listed as proper absentee ballot officials.



Eureka Township Trustee Brad Kelley points to a picture showcasing town-ship resident Lee Ruwersma, husband of Township Clerk Linda Ruwersma, distributing campaign flyers in the Greenville Meijer parking lot, which Lee had altered to showcase support against a Greenville Public Schools bond proposal.

Eureka Charter Township
9322 S. Greenville Road
Greenville, Michigan 48838
Office (616) 754-5053
Fax (616) 754-4760
eurekatp@yahoo.com

May 10, 2017

Mrs. Korie Crawford
Chief Operations Officer
Greenville Public Schools
1414 Chase Street
Greenville, MI 48838

Re: The Two FOIA Requests – May 4, 2017 and May 5, 2017

Dear Mrs. Crawford:

With regard to your requests under the Michigan Freedom of Information Act, being MCL 15.231 *et seq.* ("FOIA") dated May 4, 2017 and May 5, 2017, Eureka Charter Township (the "Township") is hereby invoking the 10-day time extension during which the Township must respond pursuant to MCL 15.235(2)(d). As you know, that extends the typical five business day response time to a total of 15 business days.

With regard to your request that the Township appoint a different FOIA Coordinator for this matter, the Township has denied that request. Nevertheless, Township Supervisor Rod Roy will be assisting the Township Clerk's office in responding to your FOIA requests.



Sincerely,

Linda Ruwersma
Eureka Charter Township Clerk and
Eureka Charter Township Coordinator

Rod Roy
Eureka Township Supervisor

cc: Deputy Clerk

(15943-004-00068539.1)

County: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Montcalm County
Eureka Charter Township
9322 S. Greenville Road
Greenville, MI 48838

Phone: 616-754-5053 Email: eureka@p@yahoo.com

Request Form
Note: Requestors are not required to use this form. The county may complete one for recordkeeping if not used.

FOIA Request for Public Records

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ Date Received: 5/5/2017 ^{DELIVERED IN PERSON} Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method

Name	<u>Korie Crawford on behalf of</u>	Phone	<u>(616) 754-3686</u>
Firm/Organization	<u>Greenville Public Schools</u>	Fax	
Street	<u>1414 CHASE RD</u>	Email	<u>crawfork@greenville.k12.mi.us</u>
City	<u>GREENVILLE</u>	State	<u>MI</u> Zip <u>48838</u>

(Please Print or Type)

Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

Request for: ☐ Copy ☒ Certified copy ^{OR} ☒ Record inspection ☐ Subscription to record issued on regular basis

Delivery Method: ☒ Will pick up ^{OR} ☒ Will make own copies onsite ☐ Mail to address above ^{OR} ☒ Email to address above
☐ Deliver on digital media provided by the county: _____

Note: The County is not required to provide records in a digital format or on digital media if the county does not already have the technological capability to do so.

Describe the public record(s) as specifically as possible. You may use this form or attach additional sheets:

Please see attached letter for records requested.

Consent to Non-Statutory Extension of County's Response Time

I have requested a copy of records or a subscription to records or the opportunity to inspect records, pursuant to the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq. I understand that the county must respond to this request within five (5) business days after receiving it, and that response may include taking a 10-business day extension. However, I hereby agree and stipulate to extend the county's response time for this request until: _____ (month, day, year). I do not agree to an extension.

Requestor's Signature K. Crawford, C.O.O.

Date 5/5/2017
(Complete both sides)

Records Located on Website

If the county directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from any labor charges to redact (*separate exempt information from non-exempt information*).

If the FOIA coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the county must notify the requestor in its written response that all or a portion of the requested information is available on its website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed cost itemization form, the county must separate the requested public records that are available on its website from those that are not available on the website and must inform the requestor of the additional charge to receive copies of the public records that are available on its website.

If the county has included the website address for a record in its written response to the requestor and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, including digital media, the county must provide the public records in the specified format (if the county has the technological capability) but may use a fringe benefit multiplier greater than the 50%, not to exceed the actual costs of providing the information in the specified format.

Request for Copies/Duplication of Records on County Website

I hereby stipulate that, even if some or all of the records are located on a county website, I am requesting that the county make copies of those records on the website and deliver them to me in the format I have requested above. I understand that some FOIA fees may apply.

Requestor's Signature

N/A

Date

Overtime Labor Costs

Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed cost itemization form.

Consent to Overtime Labor Costs

I hereby agree and stipulate to the county using overtime wages in calculating the following labor costs as itemized in the following categories:

1. ☐ Labor to copy/duplicate 2. ☐ Labor to locate 3a. ☐ Labor to redact 3b. ☐ Contract labor to redact
6b. ☐ Labor to copy/duplicate records already on county's website

I do not consent to overtime.

Requestor's Signature

R. R. R.

Date

5-5-2017

Request for Discount: Indigence

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who:

- 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR
- 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if ANY of the following apply:

- (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year,
- (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

Office Use: ☐ Affidavit Received ☐ Eligible for Discount ☐ Ineligible for Discount

I am submitting an affidavit and requesting that I receive the discount for indigence for this FOIA request:

Date:

Requestor's Signature:

N/A

Request for Discount: Nonprofit Organization

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act, if the request meets ALL of the following requirements:

- (i) Is made directly on behalf of the organization or its clients.
- (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.
- (iii) Is accompanied by documentation of its designation by the state, if requested by the county.

Office Use: ☐ Documentation of State Designation Received ☐ Eligible for Discount ☐ Ineligible for Discount

I stipulate that I am a designated agent for the nonprofit organization making this FOIA request and that this request is made directly on behalf of the organization or its clients and is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931:

Date:

Requestor's Signature:

N/A



Greenville Public Schools

1414 Chase Street • Greenville, MI 48838 • Tel: (616) 754-3686 • Fax (616) 754-5374
Website: www.greenville.k12.mi.us

May 5, 2017

Dear Eureka Township Officials:

This is to inform you that Greenville Public Schools is making a formal Freedom of Information Act Request for the following records:

An accounting of all absentee ballots cast for the May 2, 2017 election including the date the ballot was requested, the date and time each ballot was received at Eureka Township and the name and position of the Eureka Township official that signed off on each ballot.

We respectfully request that Eureka Township appoint a FOIA Coordinator to handle this request that is not a member of the Ruwersma Family due to the obvious conflict of interest present.

Additionally, Greenville Public Schools is a non-profit public school and believes that the records requested are a matter of public interest, therefore we ask that you do not issue charges to complete this request. Further, if you choose to issue fees associated with this request, please notify us in writing of all fees in excess of \$50.00 with a detailed accounting of the fees.

Greenville Public Schools will accept these results via email on pdfs if possible. If that is not possible, we are willing to pick up paper copies and/or inspect the records and make copies for ourselves.

If you deny this request all or in part, please give us detailed legal citation as to the reason for denial and delineate any appeals process that is applicable.

Respectfully Submitted on behalf of Greenville Public Schools,

Korie Crawford
Chief Operations Officer

MISSION STATEMENT

As a cooperating partner of the community, Greenville Public Schools will assure all students the education necessary to participate as responsible citizens in an ever-changing world.

County: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Montcalm County
Eureka Charter Township
9322 S. Greenville Road
Greenville, MI 48838

Phone: 616-754-5053 Email: eureka@yaho.com

RECEIVED

MAY 01 2017

Eureka Charter Township

Request Form

Note: Requestors are not required to use this form. The county may complete one for recordkeeping if not used.

FOIA Request for Public Records

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ Date Received: 5/4/17 Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method

DELIVERED IN PERSON 5/4/17

Name	<u>K. Crawford on behalf of</u>	Phone	<u>(616) 754-3686</u>
Firm/Organization	<u>Greenville Public Schools</u>	Fax	
Street	<u>1414 CHASE RD</u>	Email	<u>crawford@greenville.k12.mi.us</u>
City	<u>Greenville</u>	State	<u>MI</u>
		Zip	<u>48838</u>

Date delivered to junk/spam folder: _____

Date discovered in junk/spam folder: _____

(Please Print or Type)

Request for: ☐ Copy ☒ Certified copy ☒ Record inspection ☐ Subscription to record issued on regular basis

Delivery Method: ☒ Will pick up ☒ Will make own copies onsite ☐ Mail to address above ☒ Email to address above
☐ Deliver on digital media provided by the county: _____

Note: The County is not required to provide records in a digital format or on digital media if the county does not already have the technological capability to do so.

Describe the public record(s) as specifically as possible. You may use this form or attach additional sheets:

Please see attached letter for specific documents requested

Consent to Non-Statutory Extension of County's Response Time

I have requested a copy of records or a subscription to records or the opportunity to inspect records, pursuant to the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq. I understand that the county must respond to this request within five (5) business days after receiving it, and that response may include taking a 10-business day extension. However, I hereby agree and stipulate to extend the county's response time for this request until: _____ (month, day, year). I do not agree to an extension

Requestor's Signature

K. Crawford

Date 5/4/17

(Complete both sides)

Records Located on Website

If the county directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from any labor charges to redact (*separate exempt information from non-exempt information*).

If the FOIA coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the county must notify the requestor in its written response that all or a portion of the requested information is available on its website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed cost itemization form, the county must separate the requested public records that are available on its website from those that are not available on the website and must inform the requestor of the additional charge to receive copies of the public records that are available on its website.

If the county has included the website address for a record in its written response to the requestor and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, including digital media, the county must provide the public records in the specified format (if the county has the technological capability) but may use a fringe benefit multiplier greater than the 50%, not to exceed the actual costs of providing the information in the specified format.

Request for Copies/Duplication of Records on County Website

I hereby stipulate that, even if some or all of the records are located on a county website, I am requesting that the county make copies of those records on the website and deliver them to me in the format I have requested above. I understand that some FOIA fees may apply.

Requestor's Signature

N/A

Date

Overtime Labor Costs

Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed cost itemization form.

Consent to Overtime Labor Costs

I hereby agree and stipulate to the county using overtime wages in calculating the following labor costs as itemized in the following categories:

1. ☐ Labor to copy/duplicate 2. ☐ Labor to locate 3a. ☐ Labor to redact 3b. ☐ Contract labor to redact
6b. ☐ Labor to copy/duplicate records already on county's website

Requestor's Signature

I do not consent to overtime charges.

K. Egan

Date

5/4/17

Request for Discount: Indigence

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who:

- 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR
- 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if ANY of the following apply:

- (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year,
- (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

Office Use: ☐ Affidavit Received ☐ Eligible for Discount ☐ Ineligible for Discount

I am submitting an affidavit and requesting that I receive the discount for indigence for this FOIA request:

Date:

Requestor's Signature:

N/A

Request for Discount: Nonprofit Organization

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act, if the request meets ALL of the following requirements:

- (i) Is made directly on behalf of the organization or its clients.
- (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.
- (iii) Is accompanied by documentation of its designation by the state, if requested by the county.

Office Use: ☐ Documentation of State Designation Received ☐ Eligible for Discount ☐ Ineligible for Discount

I stipulate that I am a designated agent for the nonprofit organization making this FOIA request and that this request is made directly on behalf of the organization or its clients and is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931:

Date:

Requestor's Signature:

N/A



Greenville Public Schools

1414 Chase Street • Greenville, MI 48838 • Tel: (616) 754-3686 • Fax (616) 754-5374
Website: www.greenville.k12.mi.us

May 4, 2017

Attention: Eureka Township, FOIA Coordinator

Dear Eureka Township Officials:

This is to inform you that Greenville Public Schools is making a formal Freedom of Information Act Request for the following records:

1. Any and all correspondence in writing, email, text or image that was distributed from or received by Linda Ruwersma or Wes Ruwersma from February 1 through May 4, 2017 which is in the possession of any Eureka Township official.
2. A complete voter list of all Eureka Township residents that voted in the 5/2 election.
3. An accounting and list of all of those whom voted using an absentee ballot including a denotation of any absentee ballot that was turned in on Saturday April 29, 2017.
4. A copy of all employment records for Linda Ruwersma
5. A copy of any and all complaints or citations (previous, current and pending) with any ties to Linda Ruwersma's position as township clerk or any other position held by a member of the Ruwersma family at Eureka Township.
6. Information as to any and all expenses paid from Eureka Township to or for the Ruwersma household. Please provide a list of any and all benefits afforded to either Wes or Linda Ruwersma through their affiliation with Eureka Township. This request is including but not limited to; pay, in kind benefits, cell phone service or allowance, internet/technology/wifi service or allowance and all other services or allowances either paid to either Linda or Wes Ruwersma or paid on their behalf at any time during the last 18 months.

MISSION STATEMENT

As a cooperating partner of the community, Greenville Public Schools will assure all students the education necessary to participate as responsible citizens in an ever-changing world.

7. Any correspondence between Linda Ruwersma and any other Eureka Township official regarding the election on May 2, 2017.

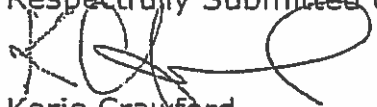
We respectfully request that Eureka Township appoint a FOIA Coordinator to handle this request that is not a member of the Ruwersma Family due to the obvious conflict of interest present.

Additionally, Greenville Public Schools is a non-profit public school and believes that the records requested are in the public interest, therefore we ask that you do not issue charges to complete this request. Further, if you choose to issue fees associated with this request, please notify us in writing of all fees in excess of \$50.00 with a detailed accounting of the fees.

Greenville Public Schools will accept these results via email on pdfs if possible. If that is not possible, we are willing to pick up paper copies and/or inspect the records and make copies for ourselves.

If you deny this request all or in part, please give us detailed legal citation as to the reason for denial and delineate any appeals process that is applicable.

Respectfully Submitted on behalf of Greenville Public Schools,

A handwritten signature in black ink, appearing to read 'Korie Crawford', is written over the printed name.

Korie Crawford
Chief Operations Officer



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

June 20, 2017

Jeffrey Soles
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826

Dear Mr. Soles:

The Department of State received a response to the complaint by Greenville Public Schools (GPS) filed against Linda and Wes Ruwersma, 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 GPS elects to file a rebuttal statement, GPS is 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: Linda and Wes Ruwersma

RECEIVED
MICHIGAN CAMPAIGN FINANCE
2017 JUN 13 AM 9:46
ELECTIONS/GREAT SEAL

Wes and Linda Ruwersma
9322 S. Greenville Road
Greenville, MI 48838
June 6, 2017

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

Dear Lori A. Bourbonais,

This letter is in response to the complaint filed by Greenville Public Schools against Linda and Wes Ruwersma alleging the violation of the Michigan Campaign Finance Act concerning the May 2, 2017 election.

Alleged Violation Bullet Point 1.

I, Linda Ruwersma, sent out about six, seven, or eight text messages to friends and acquaintances on Saturday, April 29, 2017, encouraging them, not telling them, to "vote no" on the May 2, 2017 bond proposal. Most of them do not even live in Eureka Township, therefore, I was not acting as their clerk.

Those text messages were made from my private cell phone, (which is not provided by Eureka Township, nor am I reimbursed anything for my phone or its use from the Township), and were made while at my home on my own time. I was only stating people could vote on Saturday at their own Hall if they needed to as an option. That is public information.

I did not send out any mass text to individuals promoting myself as the Eureka Township Clerk and asking them to "vote no." I did not send out a mass text concerning the election period. Also, the Eureka Township Deputy Clerk was scheduled to be at the hall on Saturday, April 29, 2017, to handle the election matters.

Alleged Violation Bullet Point 2.

A stack of fact sheets, provided by Greenville Public School, was on public display on the counter at the Eureka Township Hall. There was no sign stating only take one flyer and were for the public to take. Being only a few days before the election, Wes Ruwersma took about fifteen of the flyers and distributed them with the words "Vote No" across them.

Wes Ruwersma did indeed go to the local Meijer store and was handing out literature in the parking lot and also put about five flyers on windshields of cars on Saturday, April 29, 2017. After talking to the people he realized most of them were from out of the area,

so he decided to stop. Linda Ruwersma was shopping inside of the store and did not put any papers on any cars. Wes later stopped and talked to the manager, Joe, at Meijer and he stated that there were no complaints filed to the authorities at the Meijer store about this issue.

Alleged Violation Bullet Point 3.

Wes Ruwersma called the Greenville Public School many times before the school bond election to get factual information about the upcoming bond proposal. With the facts given him by someone in the office at the GPS and from information written in the local newspaper, he made approximately 125 flyers at his own home, with his own computer and supplies, and passed them out at various places and while out walking in the Green Timbers Subdivision on Monday, May 1, 2017. Wes did not pass out any flyers in the Green Timbers Subdivision on the weekend of April 29 as stated in the complaint. (A copy of the flyer is enclosed with the complaint by the GPS.) He did not have anyone complain to him while passing his flyers out and was received well by those he talked to. Wes did not put any flyers inside any mailboxes, but did put them below in the slot where a paper could be delivered. The Greenville postmaster told Wes that it was not a violation to do so.

Wes called the Bureau of Elections prior to this, and was told he did not have to put a disclosure on the paper flyers if he did not spend over \$100.00, which he did not.

As far as "by the admission of Linda Ruwersma" as stated in the violation, it is not my job as his wife to give him permission to pass out literature or to tell him what he can and cannot do. Wes is a resident and elector of Eureka Township. He is an appointed Board of Review Member and Zoning Board of Appeals Member, but he was not acting in either of those positions as he passed out the literature and did not mention that he was on either of these boards. As a citizen, he does have an opinion of how his tax dollars are spent.

Neither Wes nor Linda passed out any literature at the local McDonald's Restaurant prior to the May 2, 2017 Election. Therefore, McDonald's did not call the local law enforcement on us, because there was no problem with us, because it did not happen. This is just more hearsay, with no documentation.

Alleged Violation Bullet Point 4.

Prior to each election, local clerks are encouraged to call electors who still have an absent ballot out to remind them to return their ballot. It is important to me that each person's vote counts, no matter how they vote. If a phone number was provided on their application, I, Clerk Linda Ruwersma called each one, not thinking how they would vote, but concerned that their vote would count. Many of the names I could not even put a face to and was not calling only those who I thought would "vote no." Those I talked to were very thankful that I called, and I also left messages on answering machines.

I did not selectively call from the stack of unreturned absent voters, but called everyone that provided me information to do so. I was pleased that many of the ballots did come

back in the next few days, and I was certainly not bias when calling those with ballots still not returned. Detective Ed Doyle, who is involved in the case, told us he was going to call the phone service to retrieve the numbers to verify that each number of the unreturned absent voter ballots was indeed called. Detective Doyle also stated you could call him at 616-835-1777 with any questions you might have about this case.

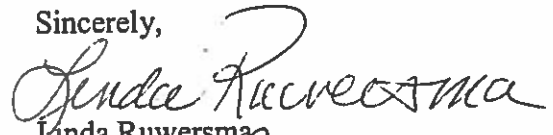

Other Issues.

The Township provides business cards for the clerk, treasurer, supervisor, zoning official, and assessor of the Township. The associations and the county and the residents want to be able to call their officials and they encourage us to use our cell phone numbers. As I am not provided a phone by the Township, I use my own cell phone number to answer many questions by residents. If a cell phone was provided to me by the Township, I would have used my own phone and not a Township phone while sending private text messages. Also, I did not pass out any of my business cards while talking about the election; all of the business cards are on the counter at the hall for anyone to take, and I rarely pass them out.

As requested by the GPS, a recount of the May 2, 2017 election ballots was held at the Eureka Township Hall on Tuesday, May 23, 2017. The recount results showed that not one thing was altered, and the results came out the same as before the recount.

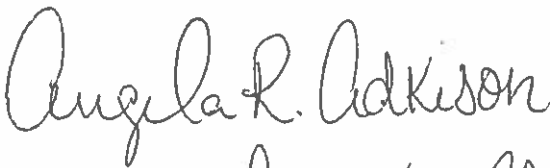
We, Wes and Linda Ruwersma, did not use the equipment, supplies, personnel, funds, or other public resources to influence the outcome of the May 2, 2017 Election; and did not act in or identify our official capacity in any way to influence the outcome of the election, therefore, we feel we are not in violation of the Michigan Campaign Finance Act.

Sincerely,


Linda Ruwersma

Wesley Ruwersma

ANGELA R. ADKISON
NOTARY PUBLIC, STATE OF MI
COUNTY OF MONTCALM
MY COMMISSION EXPIRES Oct 31, 2022
ACTING IN COUNTY OF

Montcalm



June 6, 2017

Rodney Roy
9322 S. Greenville Road
Greenville, MI 48838
June 6, 2017

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

Dear Lori A. Bourbonais,

I, Rodney Roy, Supervisor of Eureka Township, state that neither Linda nor Wes Ruwersma were given a phone from Eureka Township to use or to keep, nor are they reimbursed by Eureka Township for their phone or any part for the usage of their phones.

Sincerely,


Rodney Roy

ANGELA R. ADKISON
NOTARY PUBLIC, STATE OF MI
COUNTY OF MONTCALM
MY COMMISSION EXPIRES Oct 31, 2022
ACTING IN COUNTY OF *Montcalm*

Angela R Adkison
June 6, 2017



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

July 6, 2017

Linda Ruwersma,
Wes Ruwersma
9322 South Greenville Road
Greenville, Michigan 48838

Dear Mr. and Mrs. Ruwersma:

This letter concerns the complaint that was recently filed against you by the Greenville Public Schools, 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. The Greenville Public Schools' 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: Jeffrey Soles



THRUN

LAW FIRM, P.C.

U.S. MAIL ADDRESS:
P.O. Box 2575
EAST LANSING, MI 48826-2575
PHONE: (517) 484-8000
FAX: (517) 484-0041
FAX: (517) 484-0081

ALL OTHER SHIPPING:
2900 WEST ROAD, SUITE 400
EAST LANSING, MI 48823-6386

MICHAEL B. FARRELL
GORDON W. VANWIEREN, JR.
MARTHA J. MARCERO
LISA L. SWEM
JEFFERY J. SOLES
ROY H. HENLEY

ROBERT G. HUBER
MICHAEL D. GRESENS
CHRISTOPHER J. IAMARINO
RAYMOND M. DAVIS
MICHELE R. EADDY
KIRK C. HERALD

MARGARET M. HACKETT
MATTHEW F. HISER
KARI K. SHAY
ROBERT A. DIETZEL
JENNIFER K. STARLIN
RYAN J. NICHOLSON

FREDRIC G. HEIDEMANN
KATHERINE WOLF BROADDUS
DANIEL R. MARTIN
TIMOTHY T. GARDNER, JR.
PHILIP G. CLARK
PIOTR M. MATUSIAK

CRISTINA T. PATZELT
KEVIN S. HARTY (OF COUNSEL)
TRAVERSE CITY

ROY H. HENLEY
(517) 374-8864
rhenley@thrunlaw.com

June 29, 2017

Ms. Lori A. Bourbonais
The Bureau of Elections
Michigan Department of State
Richard H. Austin Building, First Floor
430 W. Allegan
Lansing, Michigan 48918

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2017 JUL -6 AM 9:07
ELECTIONS/GREAT SEAL

Re: Greenville Public Schools/Ruwersma Complaint

Dear Ms. Bourbonais:

This firm is in receipt of your June 20th, 2017 letter. In a brief reply to Ms. Ruwersma's assertions, attached please find a May 12, 2017 article from *The Daily News* concerning the above matter.

Thank you for your consideration. Should you have questions or require additional information, please contact me or Jeff Soles at your convenience.

Very truly yours,

THRUN LAW FIRM, P.C.

Roy H. Henley

RHH/clw
Enclosure

c (w/encl): Linda VanHouten, Superintendent of Schools

w:\wdsystem\wddocs\cliedoc\343\1\01318263.docx

Menu



Search ...



THE DAILY NEWS

Since 1854 — News from Greenville, Belding and Montcalm County, Michigan

Wednesday, June 28, 2017

There Is Life **BEYOND PAIN**



*Providing Renewed
Hope For Relief
from Chronic Pain*

MPC

MICHIGAN PAIN CONSULTANTS, PC

LISA PULLUM, D.O.
GREENVILLE
5805 S. Greenville Rd., Suite 100
616-754-5036

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Police investigate Eureka clerk as recount looms

By Elisabeth Waldon | on May 12, 2017



Eureka Township Clerk Linda Ruwersma

EUREKA TOWNSHIP — Greenville Public Schools has filed a petition for a ballot recount in Eureka Township even as the township clerk is being investigated by the Michigan State Police for alleged election fraud.

Eureka Township Clerk Linda Ruwersma has come under fire for a text message she sent to what she says were “about six” people in which Ruwersma identified herself as township clerk and reminded them to vote in the May 2 school bond vote — and encouraged them to vote “no.”

The text message was sent out 19 minutes before Township Hall opened for early voting on Saturday, April 29. The text was accompanied by an attached document of reasons to vote against the school bond with “VOTE NO” printed in large letters at the bottom of the document.

The school’s \$52 million bond proposal failed by 69 votes — 1,764 “no” votes to 1,695 “yes” votes.”

Complicating matters are allegations that Ruwersma’s husband Wes — who serves on the township’s Zoning Board of Appeals and Board of review — took school flyers left at the Township Hall for voters, altered them to campaign against the school bond and distributed them throughout the Greenville Meijer parking lot prior to the May 2 vote.

Michigan State Police Lakeview Post Det. Ed Doyle is handling the investigation.

“I received a call from the school administration concerning potential voter fraud,” Doyle told The Daily News. “I have met with several administrators, spoken with (Montcalm) County Clerk Kristen Millard and

interviewed numerous people, including the Eureka Township clerk. All of the people I have spoken with so far have been cooperative and are providing all the assistance requested.

"We are now waiting for additional information that may take a few days, including a potential recount that is being requested by the school administration," he said. "Once all of the documents have been received, the case will be evaluated to see if any further action will be taken."

Greenville Public Schools Superintendent Linda VanHouten filed the recount petition with the Montcalm County Clerk's Office on Thursday. Greenville Public Schools paid \$125 to initiate the recount.

"Greenville Public Schools is petitioning for a recount of the votes cast in the precinct of Eureka Township," VanHouten wrote in her letter. "We believe fraudulent activity has taken place and we have concerns about the conduct of the township clerk leading up to the district's bond vote on May 2."

A total of 819 Eureka Township voters participated in the school bond vote, accounting to the initial vote count — 415 voted "no" and 398 voted "yes."

According to Millard, the recount is tentatively scheduled for May 23 at the Township Hall.

FOIA REQUESTS

Greenville Public Schools Chief Operations Officer Korie Crawford filed several Freedom Of Information Act (FOIA) requests with Eureka Township on May 4 and 5. The requests ask for the following:

- Any and all correspondence in writing, email, text or image that was distributed from or received by Linda Ruwersma or Wes Ruwersma from Feb. 1 through May 4 which is in the possession of any Eureka Township official.
- A complete voter list of all Eureka Township residents who voted May 2.
- An accounting and list of everyone who voted using an absentee ballot, including a denotation of any absentee ballot that was turned in on Saturday, April 29.
- A copy of all employment records for Linda Ruwersma.
- A copy of any and all complaints or citations (previous, current and pending) with any ties to Linda Ruwersma's position as township clerk or any other position held by a member of the Ruwersma family at Eureka Township.
- Information as to any expenses paid from the township to or for the Ruwersma household, including a list of any and all benefits afforded to either Wes or Linda Ruwersma through their affiliation with Eureka Township. This request is included but not limited to pay, in-kind benefits, cell phone service or allowance, internet or technology or wifi service or allowance and all other services or allowances paid to either Linda or Wes Ruwersma or paid on their behalf at any time during the last 18 months.

- Any correspondence between Linda Ruwersma and any other township official regarding the May 2 election.
- An accounting of all absentee ballots cast May 2, including the date the ballot was requested, the date and time each ballot was received at Eureka Township and the name and position of the Eureka Township official who signed off on each ballot.

The township invoked a 10-day extension regarding the FOIA, which extends the response to 15 business days.

Crawford also requested the township appoint a different FOIA coordinator to answer her request, as Linda Ruwersma is the township's FOIA coordinator. The township denied this request but noted Township Supervisor Rodney Roy will assist Ruwersma with the FOIA requests.

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

August 24, 2017

Jeffrey Soles
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826

Dear Mr. Soles:

The Department of State (Department) has concluded its review of the complaint filed by Greenville Public Schools (GPS) against Linda and Wes Ruwersma (Ruwersmas) concerning 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 the complaint.

GPS alleged that the Ruwersmas unlawfully used Eureka Township (Township) public resources to "influence the electors to vote no on the [May 2, 2017] bond proposal."

In Michigan it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of "funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure [.]" MCL 169.257(1). A knowing violation of section 57 is a misdemeanor offense. MCL 169.257(4).

You filed GPS's complaint on May 11, 2017. The Ruwersmas filed an answer on June 13, 2017, and your firm filed a rebuttal statement on July 6, 2017.

The complaint alleged that the Ruwersmas used public funds or resources to distribute campaign materials urging readers to vote no on the school bond proposal. As evidence, GPS provided Mrs. Ruwersma's business card which listed a cell phone number, a copy of a text message from that cell phone number which stated, "Hi this is Linda Ruw your clerk. Want to remind you to get out and vote at the township hall on Tuesday May 2, for the school bond election. Encouraging people to vote NO." GPS also provided a copy of a flyer which stated, "GREENLILE (sic) PUBLIC SCHOOLS BOND PROPOSAL" and "VOTE NO [.]" The complaint indicated that this flyer was attached to the text message. Additionally, GPS provided a picture of a GPS flyer regarding the proposal with "Vote NO" handwritten on it, a picture of a man in a parking lot, a copy of an online newspaper article, and certain Freedom of Information Act requests and the Eureka Charter Township's notice of its extension of time to answer the requests.

In their answer to the complaint, the Ruwersmas asserted that Mrs. Ruwersma sent the "vote NO" text messages from her own cell phone which is not provided by the Township, nor does the Township reimburse her for the phone, and she was not on Township time when she sent the

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texts. The Department notes that the text message was sent on a Saturday. The Ruwersmas admitted that Mr. Ruwersma did distribute the GPS flyers with "Vote NO" written on them in a Meijer parking lot on Saturday, April 29, 2017. The Ruwersmas further asserted that Mr. Ruwersma made "approximately 125 flyers at his own home, with his own computer and supplies [.]". The Ruwersmas also stated that Mr. Ruwersma was not acting on behalf of the Township or as a board member when he passed out the literature. The Ruwersmas provided a statement from the Supervisor of the Township which stated that "neither Linda nor Wes Ruwersma were given a phone from Eureka Township to use or to keep, nor are they reimbursed by Eureka Township for their phone or any part for the usage of their phones."

MCL 169.257(1)(f) exempts, "[a]n elected or appointed public official or an employee of a public body who, when not acting for a public body but is on his or her own personal time, is expressing his or her own personal views, is expending his or her own personal funds, or is providing his or her own personal volunteer services" from the prohibition in section 57 of the Act.

Here, the evidence provided suggests that the Ruwersmas were expressing their own personal views while using their own personal funds or resources as allowed under section 57(1)(f). The evidence supports a reason to believe that Mrs. Ruwersma sent the text message from her personal phone on her own time, and Mr. Ruwersma created flyers using his own materials on his own time and distributed those flyers and the GPS flyers on his own time.

Consequently, the evidence provided does not tend to establish a reason to believe that the Ruwersmas violated 57 of the MCFA, and the complaint is dismissed.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Secretary of State

c: Linda and Wes Ruwersma