



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

October 26, 2015

Petro Tolas
306 East Broadway Street
Suite 1
Mount Pleasant, Michigan 48858

Dear Mr. Tolas:

The Department of State (Department) received a formal complaint filed by James Moreno against you, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign material. A copy of the complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

In support of his complaint, Mr. Moreno provided a copy of a picture of a sign which states, "Elect PETRO TOLAS CITY COMMISSIONER [.]". There does not appear to be a paid-for-by statement on the sign.

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

If you wish to file a written response to the complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA. 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. Moreno, 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

Petro Tolas
October 26, 2015
Page 2

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 47(6) of the Act.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: James S. Moreno

Michigan Department of State
Campaign Finance Complaint Form

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 JAMES S. MORENO	Daytime Telephone Number 989-954-5144	
Mailing Address 610 E. WISCONSIN		
City Mt. Pleasant	State MI	Zip 48858

Section 2. Alleged Violator		
Name Petro TOLAS		
Mailing Address 306 E. Broadway Street Ste. 1		
City Mt. Pleasant	State MI	Zip 48858

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

Section(s) of the MCFA violated:

169.247

Explain how those sections were violated:

NO DISCLAIMER ON LARGER SIGN PICTURED AND LAWN SIGNS.
...a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate or a ballot question, shall bear upon it the name of the person paying for the matter.

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

Enclosed picture taken 10-14-15

OFFICE OF THE GREAT SEAL

2015 OCT 20 AM 10:15

RECEIVED/FILED
MICHIGAN DEPT OF STATE

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

James S. Moreno
Signature of Complainant

10-14-15
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

Elect
PETRO
TOLAS
CITY COMMISSIONER

EMPTY
LIQUOR
DE N V

LIMIT
35



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

November 25, 2015

James S. Moreno
610 East Wisconsin
Mount Pleasant, Michigan 48858

Dear Mr. Moreno:

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

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

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Petro Tolas

Petro Tolas
306 East Broadway Street, Suite 1
Mount Pleasant, Michigan 48858

RECEIVED/FILED
MICHIGAN DEPT. OF STATE
2015 NOV 13 PM 3:16
ELECTIONS/GREAT SEAL

November 6, 2015

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

RE: Letter dated October 26, 2015, Campaign Finance Complaint

Dear Ms. Lori A. Bourbonais,

Per our conversation, I have enclosed the Case Supplemental Report from Mt. Pleasant Police Department concerning the removal of stickers showing the address and the forty (40) signs that went missing.

As I mention before, all the signs had stickers showing who paid for them. It was later that I was informed that they also needed addresses, which we complied.

If you should have any more questions please feel free to call me at your convenience at (989)621-1984.

Thank You,



Petro J. Tolas

Enclosures

CASE SUPPLEMENTAL REPORT

Printed: 11/06/2015 13:46

Mt Pleasant Police Department

OCA: **201503589**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **CLOSED**Case Mng Status: **NA**Occurred: **10/20/2015**Offense: **LARCENY - OTHER**Investigator: **VANDYKE, D. J. (243)**Date / Time: **11/01/2015 14:24:24, Sunday**Supervisor: **GAFFKA, D. J. (212)**Supervisor Review Date / Time: **11/01/2015 16:03:20, Sunday**

Contact:

Reference: **Supplement****INFORMATION:**

On 11/01/15 I (Officer VANDYKE) was contacted by Petro TOLAS in reference to this complaint. TOLAS stated that he has had several more signs taking in the area of Mount Pleasant. Mr. TOLAS stated that his sign at the intersection of Michigan and Fancher St. was also damaged. Mr. TOLAS stated that he is missing approx. 40 signs total. Mr. TOLAS stated that he did an inventory on his signs after learning that he needed a sticker on them showing how the sign was paid for. Mr. TOLAS stated that he placed stickers on the signs. ^{Reference} a complaint was filed in Lansing. Mr. TOLAS is concerned that some of the missing signs will be put back up for the purpose of filing additional complaints in Lansing.

Mr. TOLAS stated that the missing signs are worth approx. 450 dollars.

STATUS:

Closed due to lack of suspect information.

INVESTIGATED/PREPARED BY:

D. VANDYKE MPPD 11/01/15

Per Address on Sign

Investigator Signature

Supervisor Signature

Petro J. Tolas

306 East Broadway, Suite 1
Mt. Pleasant, MI 48858

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2015 NOV -4 PM 3:16
ELECTIONS/GREAT SEAL

October 30, 2015

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

RE: Petro Tolas; Violation of Section 47(1)

Dear Ms. Bourbonais,

In reference to the letter dated October 26, 2015, that I did not comply with Section 47(1) of the Michigan Campaign Finance Act as Mr. Moreno suggest is untrue. I have enclosed the picture of said sign, which had the sticker on the other side on the bottom. I have since added one on top, both pictures are included.

During this election I have had forty (40) signs that had been removed, I have enclosed the police report. There was also problems with someone removing the stickers stating who funded the signs, there was a police report on that but I am waiting to receive a copy.

Enclosed is a copy of a local newspaper "The Pulse", which shows that I did have stickers on all of my signs showing who paid for them.

I have complied with all of the regulations, it's unfortunate that this campaign has to come to this.

If you should have any further questions don't hesitate to give me a call (989)621-1984.

Thank you,

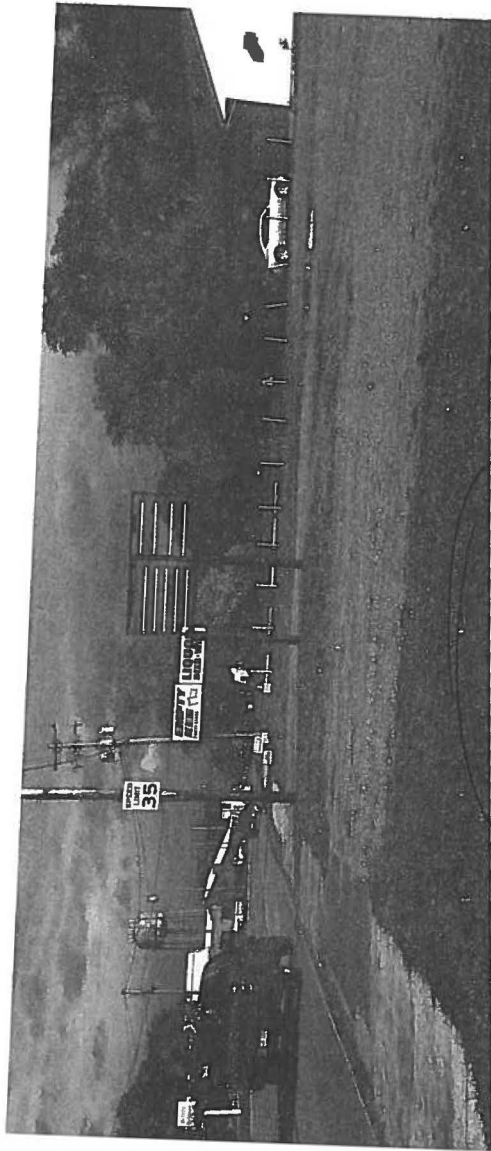
Petro J. Tolas

Enclosures

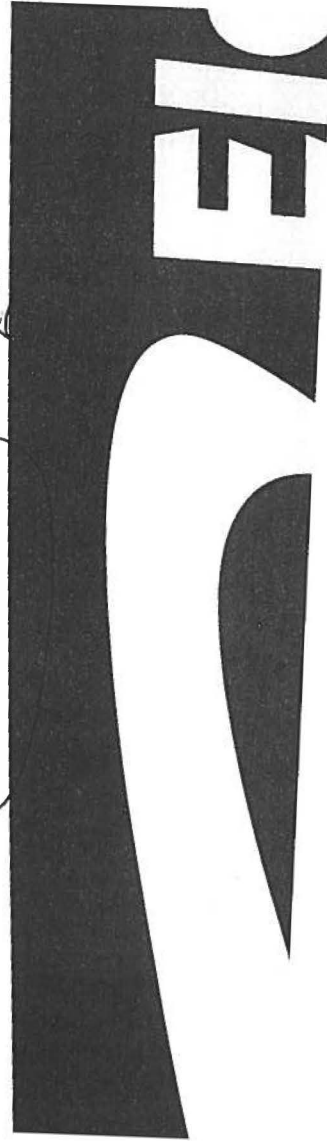
Chart of City Commission Candidates and the MCFA

<p>This chart shows details of the current candidates.</p> <p>Across the top you will see each of the seven candidates for city commission, listed in alphabetical order. Below is a list of information such as dates for activity, and compliance with the Michigan Campaign Finance Act.</p>	COTTER, KETH	FERDEN, LISA	GILLIS, LORI	MADAJ, NICHOLAS	QUAST-LENTS, ALLISON	RAUTANEN, RICK	TOLAS, PETRO
Attendance at 1st Candidate Forum - WANA September 23rd	NO	NO	YES	YES	YES	YES	NO
Attendance at 2nd Candidate Forum - SWAN October 8th	YES	YES	YES	YES	YES	YES	YES
Attendance at 3rd Candidate Forum - LWV October 15th	YES	YES	YES	YES	YES	YES	YES
Date Candidate Filed Affidavit of Identity- (and other papers filed with city clerk for candidacy)	July 21	July 21	July 21	July 9	July 21	July 17	July 21
Date Candidacy began (according to city of Mt. Pleasant)	July 22	July 22	July 22	July 15	July 22	July 22	July 22
Did Candidate File Statement of Organization within 10 days of candidacy?	NO	YES	NO	YES	YES	NO	NO
- Requirement of the Michigan Campaign Finance Act (MCFA) 169.221 (1) / DATE FILED	Oct 12	July 28	Aug 3	June 19	July 21	Oct 20	Oct 19
Do Candidate's Campaign Signs state who is paying for the signs?	YES	YES	YES	YES	YES	YES	YES
- Requirement of MCFA 169.247 (1)							
Do Candidate's Campaign Signs state the address of who is paying for the signs?	YES	NO	YES	YES	YES	NO	NO
- Requirement of MCFA 169.247 (1)							
Was Candidate required to file a Pre-Election Campaign Finance Statement on October 23rd? - Requirement of MCFA 169.233	YES	NO	NO	YES	YES	NO	YES
Did Candidate file Pre-Election Campaign Finance Statement On Time?	YES	N/A	N/A	YES	YES	N/A	NO
Average amount of contributions to Candidates who filed, not including self-funding. -Average from committee reported contributions received (as listed on Pre-Election Campaign Finance Statement)	\$562.50	N/A	N/A	\$75.81	\$57.33	N/A	N/A

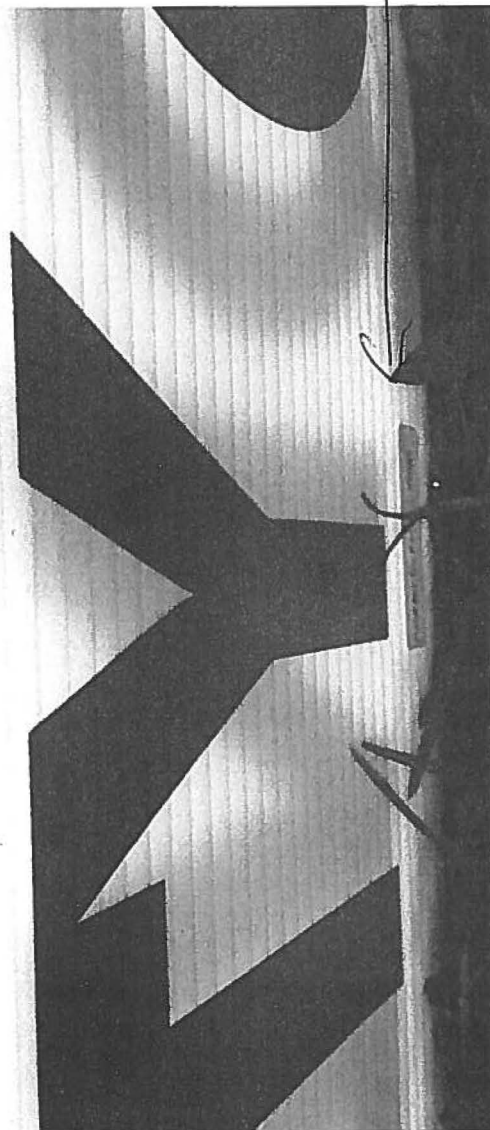
* Already Corrected
Pictures Show Address.



THE PHOTOGRAPHY OF THE
THE PHOTOGRAPHY OF THE



Front West Starts Now!



EAST/BACK SIDE of SIGN



W. B. Board St.
St. V. Board St.

INCIDENT/INVESTIGATION REPORT

Agency Name	<i>Mt Pleasant Police Department</i>
ORI	<i>MI 3759900</i>

Case#	2015-03589
Date / Time Reported	10/20/2015 13:17 Tue
Last Known Secure	10/20/2015 13:17 Tue
At Found	10/20/2015 13:17 Tue

Location of Incident		Premise Type	Zone/Tract	10/20/2015 13:17 Tue	
100 E High St/s Main St, Mt Pleasant MI 48858-		Other	MPPD	At Found	10/20/2015 13:17 Tue
#1	Crime Incident(s) (Com) Larceny - Other 23007	Weapon / Tools None			Activity N
		Entry	Exit	Security	
#2	Crime Incident ()	Weapon / Tools			Activity
		Entry	Exit	Security	
#3	Crime Incident ()	Weapon / Tools			Activity
		Entry	Exit	Security	

# of Victims		I		Type: INDIVIDUAL/ NOT LAW				Injury: None				
V1	Victim/Business Name (Last, First, Middle) TOLAS, PETRO JAMES				Victim of Crime # I,	DOB 08/12/1954 Age 61	Race W	Sex M	Relationship To Offender 199	Resident Status Resident		Military Branch/Status
Home Address 405 W GRAND AVE , Mt Pleasant, MI 48858-2023										Home Phone 989-621-1984		
Employer Name/Address TOLAS DRILLING							Business Phone 989-773-9467		Mobile Phone			
VYR	Make	Model	Style	Color	Lic/Lis		VIN					

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)										
Type:				Injury:						
Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status		
Home Address							Home Phone			
Employer Name/Address					Business Phone			Mobile Phone		
Type:				Injury:						
Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status		
Home Address							Home Phone			
Employer Name/Address					Business Phone			Mobile Phone		

[illegible]

Officer/ID#	VANDYKE, D. J. (MPPD, ROAD) (243)		Outstanding Stolen Val [Total Stolen]: \$250.00 [\$250.00]	
Invest ID#	VANDYKE, D. J. (MPPD, ROAD) (243)		Supervisor	GAFFKA, D. J. (MPPD, ROAD) (212)
Complainant Signature	Case Status	Case Disposition:	Page 1	
	Closed 10/20/2015			

REPORTING OFFICER NARRATIVE*Mt Pleasant Police Department*

OCA

2015-03589

Victim *

TOLAS, PETRO JAMES

Offense

LARCENY - OTHER

Date / Time Reported

Tue 10/20/2015 13:17

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

INFORMATION:

On 10/20/15 I (Officer VANDYKE) was dispatched to 306 E. Broadway St. Suite 1 for a larceny of political signs complaint.

CONTACT WITH PETRO TOLAS:

I made contact with TOLAS in his office at 306 E. Broadway Street. TOLAS stated that several of his election signs for City Commission have been coming up missing in the area of south Main Street.

TOLAS stated that he has had several signs stolen from 503 S. Main, 510 S. Main, 714 S. Main, and 915 S. Main Street. TOLAS stated that a 4 foot by 4 foot sign was also stolen from Main and High Street. TOLAS had no idea who was taking the signs.

CHECK WITH CODE ENFORCEMENT:

I checked with Code Enforcement but they had not removed any political signs.

ADDITIONAL INFORMATION:

I requested that the night shift be on the lookout for TOLAS's signs in the student section of the city.

STATUS:

Closed due to lack of suspect information.

INVESTIGATED/PREPARED BY:

D. VANDYKE MPPD 10/20/15

Incident Report Related Property List

Mt Pleasant Police Department

OCA: 2015-03589

1	Property Description POLITICAL ELECTION SIGNS			Make		Model		Caliber					
Color		Serial No.		Value \$250.00		Qty 1.000		Unit		Jurisdiction Locally			
Status Stolen		Date 10/20/2015		NIC #		State #		Local #		OAN			
Name (Last, First, Middle) Tolas, Petro James						DOB 08/12/1954		Age 61		Race W		Sex M	

Notes

Petro Tolas for City Commission signs.



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

February 29, 2016

Petro Tolas
306 East Broadway Street
Suite 1
Mount Pleasant, Michigan 48858

Dear Mr. Tolas:

The Department of State (Department) has completed its investigation of the complaint filed against you by James Moreno, which alleged that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign-related material. This letter concerns the disposition of Mr. Moreno's complaint.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

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.

Mr. Moreno filed his complaint on October 20, 2015, and you filed written responses on November 4, 2015 and November 13, 2015. Mr. Moreno did not file a rebuttal statement with the Department.

Mr. Moreno alleged that you failed to include a paid-for-by statement on certain campaign material. In support of his complaint, Mr. Moreno provided a copy of a picture of a sign which stated, "Elect PETRO TOLAS CITY COMMISSIONER [.]". From this picture, there did not appear to be a paid-for-by statement on the sign.

In your response you stated that your campaign signs did include stickers with a paid-for-by statement. However, you also stated that the stickers originally did not include your committee's address, but that you had corrected the stickers to include the address. You provided a copy of a picture of one of your signs with a sticker which appears to have a complete and correct paid-for-by statement. Additionally, you provided a copy of a picture of your campaign billboard which appears to include a complete and correct paid-for-by statement.

Keith Cotter
February 29, 2016
Page 2

While the Department believes that the evidence tends to show that the paid-for-by statement on some of your campaign material failed to contain your committee's address, section 15(10) of the MCFA requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]". The Department is satisfied that you took appropriate corrective measures to bring your campaign material into compliance with the MCFA.

Additionally, the Department is advising you that section 47(1) and R 169.36(2) require you to print a complete and accurate identification statement on all campaign materials, consisting of the phrase "paid for by" followed by the full name and address of your committee. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter, and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(6), 215(10).

The Department now considers this matter closed and will take no further action against you at this time.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais". The signature is written in a cursive, flowing style.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: James Moreno