



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

June 18, 2014

Thomas Stobie
2176 Stratton Lane
Frankfort, Michigan 49635

Dear Mr. Stobie:

The Department of State (Department) received a formal complaint filed by Kimberly Jorns 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 individual acting on its behalf to use or authorize the use of "funds, personnel, office space, computer hardware or software, property, stationary, 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(3).

Ms. Jorns alleges that you improperly used public funds by using Frankfort-Elberta Area Schools' resources to expressly advocate for your nomination and election and to solicit campaign contributions to your candidate committee.

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.

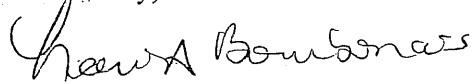
If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau 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 Ms. Jorns, 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 section 57(3) 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, appearing to read "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Kimberly Jorns

BUREAU OF ELECTIONS
MI DEPT OF STATE

2014 JUN 13 PM 3: 14

Complaint Against:

Tom Stobie
2176 Stratton Lane
Frankfort, MI 49635
(231)352-6121

Complainant:

Kimberly Jorns
1220 Turner St
DeWitt, MI 48820
(517)899-2611

Dated: June 10, 2014

Filed pursuant to MCL 169.215(5) and the
Administrative Rules of the Michigan Department of State
Legal and Regulatory Services Administration
Richard H. Austin Building, Fourth Floor
430 West Allegan Street
Lansing, MI 48918

COMPLAINT

Complainant, Kimberly Jorns, declares to the Michigan Secretary of State the following:

JURISDICTION AND LEGAL BACKGROUND

1. The Frankfort-Elberta Area Schools is a "public body" as defined in the Michigan Campaign Finance Act ("MCFA"). MCL 169.211(7).
2. Thomas J. Stobie is a person who, during the relevant time period, was acting for a public body within the meaning of Section 57 of the MCFA. MCL 169.257(1).
3. Section 57 of the MCFA prohibits "[a] public body or a person acting for a public body" from using public resources, including "computer hardware or software," to make an expenditure. MCL 169.257(1). This includes emails advocating for a particular candidate or links to that candidate's fundraising site. IS issued to David Murley dated Oct. 31, 2005.
4. The term "expenditure" is broadly defined in Section 6 of the MCFA as "anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate." MCL 169.206(1).
5. As explained in the Interpretative Statement issued to Robert S. LaBrant dated April 20, 2004, the "in assistance of, or in opposition to" phrase in Section 6 of the MCFA clearly encompasses express advocacy.
6. As first set forth in U.S. Supreme Court precedent in *Buckley v Valeo*, 424 US 1 (1976), and recently codified in Section 6 of the MCFA, express advocacy is a "communication" that "in express term advocate[s] the election or defeat" of a candidate, using words such as "vote for", "elect", "support", "defeat", etc. MCL 169.206(2)(j).

7. The MCFA applies to the solicitation or acceptance of contributions, because such activities are deemed to further the nomination, election, or defeat of a candidate. IS issued to Douglas Weiland dated Aug. 6, 1980.

8. As explained by the Michigan Secretary of State, "The intentional or knowing use of public resources for political purposes is clearly unethical and repugnant to Michigan's deserved reputation for clean government." IS issued to Michael Hanley dated Oct. 29, 1999.

9. The Michigan Secretary of State has jurisdiction to hear a private complainant's administrative complaint. MCL 169.215(5).

FACTUAL BACKGROUND

10. Mr. Stobie is a candidate for the office of Representative for the 101st District, Michigan House of Representatives. Ex. 1 (Affidavit of Identity).

11. On January 29, 2013, Mr. Stobie wrote, using his school-district email, that he was "considering challenging [Rep. Franz] in 2014. I will be making a decision shortly and would like to talk to you [Brad Biladeau] about it." Ex. 2 (1/29/2013 Email). He made similar comments in emails from his school-district email to others. See, e.g., Ex. 3 (2/4/2013 Email); Ex. 4 (4/9/2013 Email).

12. On April 22, 2013, Mr. Stobie announced (using his school-district email) to the Frankfort-Elberta Area School Board that he had "made a final decision on running for the 101st House of Representatives seat in November of 2014 and I will be running." Ex. 5 (4/22/2013 Email). Thus, by announcing his candidacy using public property (thereby making an expenditure), Mr. Stobie qualified as a "candidate" under Section 3(c) of the MCFA no later than April 22, 2013. MCL 169.203(c).

13. Mr. Stobie subsequently wrote to Dan Scripps, again from his school-district email, "My decision then is to run and help the Democratic Party get back into control I will be contacting you for additional help in identifying those who can help me." Ex. 6 (4/24/2013 Email).

14. Mr. Stobie sent an email from his school-district account to a number of individuals asking that they help him identify media outlets to help with his campaign. Ex. 7 (4/29/2013 Email).

15. Mr. Stobie continued to solicit advice from political allies on when was "the best time to announce" his candidacy. He did so, once again, from his school-district email. In response, Betsy Johnson instructed Mr. Stobie that he should first contact Alan Campbell with the *Leelanau Enterprise*, because, in her words, "He's got a bit of an ego and would probably appreciate hearing from you directly." Ex. 8 (4/29/2013 Email).

16. On May 10, 2013, Mr. Stobie wrote to Ted Peters with his school-district email that he was "retiring (again)" from being a school superintendent and would be running for the 101st seat. In describing his candidacy, he noted: "No rest for the wicked." Ex. 9 (5/10/2013 Email).

17. On May 28, 2013, Mr. Stobie wrote to Joe Hollenbeck with his school-district email that he was seeking "[a] little something to do after my 2nd retirement." He attached to the email a newspaper article announcing his candidacy, where he stated that he would "defeat Ray Franz." Ex. 10 (5/28/2013 Email and Attachment).

18. Mr. Stobie then wrote to Jeff Mount, who he had "met at MASA over the years," about his candidacy. Mr. Stobie stated that he would "run for the 101st House seat against Ray Franz in November of 2014," but that "I can't do it alone. I will need the help of all educators

who want to see a change. I am hoping you will help.” Mr. Stobie sent this message from his school-district email. Ex. 11 (6/12/2013 Email).

19. On June 14, 2013, Mr. Stobie forwarded to Glenn Lottie, using his school-district email, Volume 17, No. 2 of *The Benzie Kicker*, Newsletter of the Benzie County Democratic Party. In that newsletter, Mr. Stobie stated that he is a candidate for the 101st seat and that Rep. Franz should be “replace[d].” Readers of the newsletter were exhorted to attend a campaign fundraising event for Mr. Stobie. Ex. 12 (6/14/2013 Email and Attachment).

20. Mr. Stobie worked with Katy Velten on campaign-related materials using his school-district email, including materials that stated “VOTE TOM STOBIE FOR THE 101ST.” Ex. 13 (6/24/2013 Email).

21. Mr. Stobie knew that he was not supposed to use his school-district email for campaign business. As he explained to Allan O’Shea, “I am not supposed to use my school email for campaign business.” Ex. 14 (7/12/2013 Email).

22. And, yet, even with this express admission of his knowledge of the prohibition, he continued to use his school-district email for campaign purposes. See, e.g., Ex. 15 (8/13/2013 Email and Attachment (business card requesting “Donations”)).

23. Not only did Mr. Stobie use his school-district email for express advocacy, he also brazenly solicited campaign donations from that same email account. Examples include:

- He wrote to Jim MacInnes that “Di and Don Rau have agreed to host an \$ early money \$ fund raiser for Tom Stobie” and he told Mr. MacInnes the time and location of the fundraiser. Ex. 16 (6/20/2013 Email).
- In the same email string that he was reminded that he was “definitely NOT allowed to do any political work from school,” Mr. Stobie told a potential contributor that donations for his campaign could be made to “Friends of Tom Stobie” at “PO Box 503 Frankfort 49635.” Ex. 17 (7/11/2013 Email).

- To Mr. Biladeau, Mr. Stobie wrote, "Contributions should be made out to: Friends of Tom Stobie PO Box 503 Frankfurt, MI 49635." Ex. 18 (7/12/2013 Email). This was well after he admitted to another person that he was prohibited from using his school-district email for campaign business. Compare Ex. 18 (email to Mr. Biladeau sent at 4:37pm on 7/12/2013) with Ex. 14 (email to Mr. O'Shea admitting that he knew about the prohibition sent at 9:20am on 7/12/2013).

24. Finally, as the school district's FOIA coordinator, Mr. Stobie had the responsibility for responding to FOIA requests in a timely and appropriate manner. As further evidence that Mr. Stobie has used public resources to further his own nomination or election to office (rather than his official duties), Mr. Stobie purposely delayed responding to the FOIA request that revealed his multiple Section 57 violations: "I will be asking for an extension ***not because I need the time but because I want them to wait.*** Ironically, I am the FOIA coordinator for the district." Ex. 19 (4/29/2013 Email) (emphasis added).

CLAIMS

25. As recounted above, Mr. Stobie made numerous instances of express advocacy from his school-district email account. This is a direct violation of Section 57 of the MFCA. MCL 169.257.

26. Mr. Stobie also sought campaign contributions using public resources, as explained above. This is also a direct violation of Section 57 of the MFCA. MCL 169.257.

CONCLUSION

Based on the foregoing, Mr. Stobie is in violation of Section 57 of the MFCA.

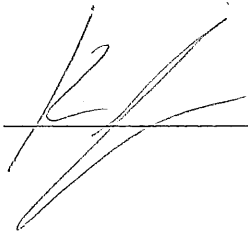
REQUEST OF ACTION BY THE SECRETARY OF STATE

Accordingly, the Complainant respectfully requests that the Secretary of State immediately investigate this violation and determine as a matter of law that Mr. Stobie has

violated the Michigan Campaign Finance Act and assess all appropriate penalties for such violations.

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.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'K' followed by a series of loops and a long horizontal stroke, is written over a solid horizontal line.

AFFIDAVIT OF IDENTITY AND RECEIPT OF FILING

PLEASE COMPLETE SECTIONS I, II, III AND IV BELOW (Print or Type) – See Reverse Side for Important Notifications

EXHIBIT 1

382823

| | | |
|-----------------------|--|--|
| OFFICE USE ONLY | Received by <u>Chace #553</u> Reviewed by _____ Jurisdiction/District of Office Sought _____ | No. of Petition Sheets or Receipt No. <u>6792</u> Date of Filing <u>3-21-14</u> CFR I.D. No. <u>516407</u> |
|-----------------------|--|--|

I. CANDIDATE IDENTIFICATION

Name Stobie Thomas John Birth date 12 / 19 / 1946
(Last) (First) (Middle) (Month) (Day) (Year)

Have you changed your name within the last 10 years for reasons other than marriage? ☐ Yes ☒ No

If yes, enter full former name here (See "Section A" on reverse) _____

I WISH TO HAVE MY NAME APPEAR ON THE BALLOT AS PRINTED BELOW (Please print upper & lower case - nicknames/titles not permitted. See "Sec. B" on reverse.)

T O M S T O B I E

Residence Address (Street Address, City, Zip Code):

2176 Stratton Ln.

(Street Address)

Frankfort

(City)

49635

(Zip)

Mailing Address (See "Section C" on reverse):

PO Box 503

(Street Address)

Frankfort

(City)

49635-0503

(Zip)

Phone (231) 352-6121

Email tomstobie101@yahoo.com

Website TomStobie.com

☐ City ☒ Township of Gilmore

Precinct # (required) 001

and Ward # (if any) _____

County of Benzie

Resident of County for 50 years. Resident of Michigan for 66 years.

I am a citizen of the United States:

☒ Yes ☐ No

I am registered and qualified to vote at the address listed above:

☒ Yes ☐ No

II. OFFICE SOUGHT

Office Title: State Representative

Date of Election: Primary Election * 8 / 5 / 2014
(Month) (Day) (Year)

General Election 11 / 4 / 2014
(Month) (Day) (Year)

Recall ☐

If a partisan office, list political party*

DEMOCRAT

District/Circuit # (if applicable) House District 101

(Note: If filing a Qualifying Petition list "No Party Affiliation")

Term of Office ☒ Regular Term ☐ Partial Term ☐ Expiring 12 / 31 / 2016
(Month) (Day) (Year)

Judicial Candidates Only (See "Section D" on reverse)* ☐ Incumbent Position ☐ Non-Incumbent Position ☐ New Judgeship

III. FILER'S ACKNOWLEDGMENT – This filing contains the following (check all that apply):

- ☐ Nominating or Qualifying Petitions (Estimated number of signatures: _____)
- ☒ Filing Fee of \$100.00 (if applicable)
- ☐ Certification of Party Nomination and Certificate of Acceptance (if applicable)*
- ☐ Affidavit of Constitutional Qualification (judicial candidates only)*
- ☐ Affidavit of Candidacy (incumbent judicial candidates only)*

If nominating petitions are filed:
☐ Destroy petitions in January
☐ Return petitions in January

IV. CAMPAIGN FINANCE COMPLIANCE STATEMENT AND ATTESTATION

- By signing this affidavit, I swear (or affirm) that the facts I have provided are true. I further swear (or affirm) that the facts contained in the statement set forth below are true. (See Section "E" on reverse for further information.)

At this date, all statements, reports, late filing fees, and fines due from me or any Candidate Committee organized to support my election to office under the Michigan Campaign Finance Act, PA 388 of 1976, have been filed or paid.

- I acknowledge that making a false statement in this affidavit is perjury – a felony punishable by a fine up to \$1,000.00 or imprisonment for up to 5 years, or both. (MCL 168.558, 933 and 936)

SIGNATURE OF CANDIDATE

Tom Stobie

Subscribed and sworn to before me on the

20th

Name of Notary Jeff Winston

of March
(Month)

2014
(Year)

Notary Public, State of Michigan, County of Kent

My commission expires April 13, 2016

Acting in the County of BENZIE

Signature of notary public

*Not applicable to School Board Candidates

From: Tom Stobie
Sent: Tuesday, January 29, 2013 8:50 AM
To: 'Brad Biladeau'
Subject: RE: Presentation

Brad,

On Franz it's interesting, I got a little hand written note from him yesterday and you were mentioned indirectly. When the EAA bill first came out I wrote him directly voicing my concerns and also wrote a letter to the editor to my local paper encouraging people to write all our legislators on this subject. It's an understatement to say he was not happy with this.

He wrote:

"Mr. Stobie,

I read your letter in the in the paper and must admit - I was more than alittle (sp.) disappointed. As you know - very few bills end up anything close to their introduction and EAA was no different. 5923 was off the table almost immediately. Your effort to panic the public (much like your lobbyist in Lansing) will only lead to discredit & disrespect. I'm sorry that you feel the need to do this at the beginning - not the end.
Ray"

Of course the Republicans never try to panic anyone. I believe people are getting fed up with Ray. In fact, and this is not for publication, I am considering challenging him in 2014. I will be making a decision shortly and would like to talk to you about it.

Tom

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641 x214
231-352-5066 (fax)

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

From: Brad Biladeau [mailto: [REDACTED]]
Sent: Tuesday, January 29, 2013 7:01 AM
To: Tom Stobie
Subject: Re: Presentation

Tom,

I believe they put it online yesterday. If you don't see it let me know. As far as Franz only time will tell. I think it will be difficult to beat him but not impossible in his last term. It seems like all the incumbents from that area seem to make their last term close. What are your thoughts?

Brad

Sent from my iPhone

From: Tom Stobie
Sent: Monday, February 04, 2013 12:49 PM
To: Dan Scripps
Subject: Discussion

Dan,

I hope all is well with you and your family. I would like to talk to you sometime. I am considering running for State House against Ray Franz and would like to get your insights.

Let me know the best way to go about communicating. I think a phone conversation would be better than email.

Thanks,

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

Exhibit 4

From: Mary Robling [REDACTED]
Sent: Tuesday, April 09, 2013 6:25 PM
To: Tom Stobie
Subject: Re: FYI

Thanks Tom.
All the best!

Mary

On Apr 9, 2013, at 11:06 AM, Tom Stobie wrote:

Folks:

- I have let my board know that I am considering running for the 101st seat.
- I had a good meeting with Dan Scripps on the 29th before I took off for Florida.
- I am meeting with Bill Wolf this Friday at 3. I will let you know the results of that meeting.

Tom

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.

~Margaret Mead

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

Exhibit 5

From: Tom Stobie
Sent: Monday, April 22, 2013 8:39 AM
To: Andrew Lamb; Arah Johnson; Doug Rath; Rick Schmitt; Teresa Mensching; Troy Terwilliger; Wes Blizzard [REDACTED]
Cc: Barb Marshall; Eric Chorley; Frank Ikens; Jeff Tousley; Matt Stapleton
Subject: My Decision on the 101st seat

Dear Board:

I have made a final decision on running for the 101st House of Representatives seat in November of 2014 and I will be running. I would like to sit down with the board negotiations committee to discuss my working until December 31, 2013 and the possibility of consulting with the district beyond that point.

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Tom Stobie
Sent: Wednesday, April 24, 2013 4:00 PM
To: Dan Scripps
Subject: Next Step

Dan,

I am grateful for your counsel a few weeks ago (Florida was a great experience). As you know I have talked to many people and to a person they have encouraged me to run for the 101st seat in 2014 and have pledged their support. My decision then is to run and help the Democratic Party get back into control and help those in need including the kids in our state.

I will be contacting you for additional help in identifying those who can help me.

Once again, thanks for all your help.

Tom

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

Exhibit 7

From: Tom Stobie
Sent: Monday, April 29, 2013 9:04 AM
To: Allan O'Shea; Betsy Johnson; Bill Wolf; Carroll Volpe; Charlie Godbout; Chris Fannesbeck (Chair); Constance Anderson; Dee Payment ([REDACTED]); Fred Cepela; George Wellman; Glenn Lottie (Chair); Gwemme Allgaier; Joanna Collins; Laurel Mason; Marcia Stobie; Mary Robling; Mike Ross (Vice Chair); Pat Payment; Peggy Raddatz; Ray Nicols; Rick Schrock; Tim Joseph; Tom Stobie
Subject: Media Information

Dear Team:

I am putting together a list of all media in the 101st. Could you send me the following information about media in your county:

- Name of newspaper
- Name of reporter who covers politics
- Number for reporter
- Email for reporter
- Anything else pertinent

I have the TV stations in Traverse City and Cadillac

Thanks,

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

Sent: Monday, April 29, 2013 1:44 PM
To: Tom Stobie
Subject: RE: Fwd: Media Information

Damn! I'm beginning to think we picked a very bad day for this event -- Glen Lake is graduating their seniors also, but earlier in the day. Oh dear, oh dear.

In any case, we have appetizers and open bar at 4, dinner at 5 and speakers at 6. You could come at any time and be most welcome. Let me know what you think.

Also, will you be making a formal announcement? And did you read the RE editorial yesterday? Whoopee!

Betsy

On Mon, Apr 29, 2013 at 1:04 PM, Tom Stobie wrote:

We graduate our seniors at 2 on that day. Bill Hollenbeck is our graduation speaker. I normally have other commitments after graduation but what time is your event?

T

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: [REDACTED] [mailto:[REDACTED]]
Sent: Monday, April 29, 2013 12:33 PM
To: tstobie@frankfort.tbaisd.k12.mi.us
Subject: RE: Fwd: Media Information

Tom, you're already starting a smart campaign. Good for you! My thought on the Leelanau Enterprise: start with Alan Campbell first (alan@leelanaunews.com) and ask him whom he suggests you contact for press releases, etc. He's got a bit of an ego and would probably appreciate hearing from you directly.

Also, when do you plan to announce your candidacy? Has your timeframe changed? Would you like to attend our Pasta and Prose Dinner on Sunday, June 2 and be introduced as our candidate?

Betsy

Exhibit 9

From: Tom Stobie
Sent: Friday, May 10, 2013 3:50 PM
To: Ted Peters
Subject: Hello

Ted,

I wanted you to know that I am retiring (again) on December 31, 2013 and then I am running for the 101st Michigan House Seat from our area in the November, 2014 election. No rest for the wicked.

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Tom Stobie
Sent: Tuesday, May 28, 2013 8:20 AM
To: Joe Hollenbeck
Subject: FW: Manistee News Advocate this morning
Attachments: Front Page News Advocate .pdf

A little something to do after my 2nd retirement

Tom

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Margaret Raddatz [mailto: [REDACTED]]
Sent: Friday, May 24, 2013 8:53 AM
To: tstobie@frankfort.k12.mi.us; [REDACTED]
[REDACTED], Laurel Mason; [REDACTED]
Subject: Manistee News Advocate this morning

Stobie announces candidacy for 101st district

Democrats hear former state rep speak

By DAVE YARNELL

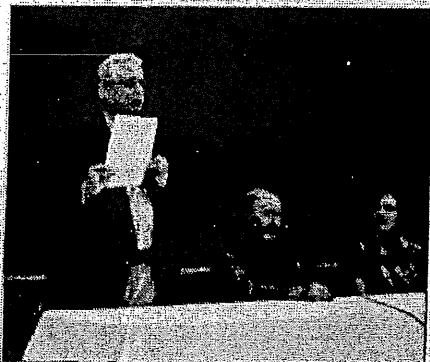
STOBIE WRITER

MANISTEE — Tom Stobie, current superintendent of Frankfort-Elberta Area Schools, got a standing ovation at Thursday's meeting of the Manistee County Democratic Party when he announced his candidacy for the 101st District of the Michigan House of Representatives.

Stobie said he plans to run against Ray Franz, R-Onondaga, in 2014 as he introduced the evening's guest speaker, Ingham County Clerk Barbara Byrum.

"Peggy Raddatz referred to me in a recent email as our unannounced, but Republican-ousted 101st candidate," Stobie said. "Let me set the record straight. It is my intention to run for the 101st seat. And it is my intention to defeat Ray Franz. I'm an old football coach and believe me, I never went into a game that I didn't think I could win. But it's going to take everyone who

See **BYRUM** page 5A



Dave Yarnell/News Advocate

Tom Stobie (standing), superintendent of Frankfort-Elberta Area Schools, announces at Thursday's meeting of Manistee County Democrats that he intends to run against Ray Franz for the 101st Michigan House of Representatives seat. Seated are Glenn Lottie, chair of the Manistee County Democrats, and Barbara Byrum, Ingham County clerk who was guest speaker for the meeting.

BYRUM: FROM PAGE 1A

wants a change to help me to get this thing done."

Byrum, a former member of the Michigan House of Representatives, talked to the Manistee Democrats about election reform, starting by saying that the state needs more women in elected office so women's issues will be taken more seriously.

"Election reform has always been important to me," she said. "It is important because we care about the integrity of democracy."

One of the reforms she said she'd like to see in Michigan is to allow no-reason absentee voting.

"It's high time Michigan allows it," she said. "We need to make sure that if people are qualified, registered voters that they are given every opportunity to cast their ballot."

She said she believes all elected officials should be required to file quarterly financial disclosures.

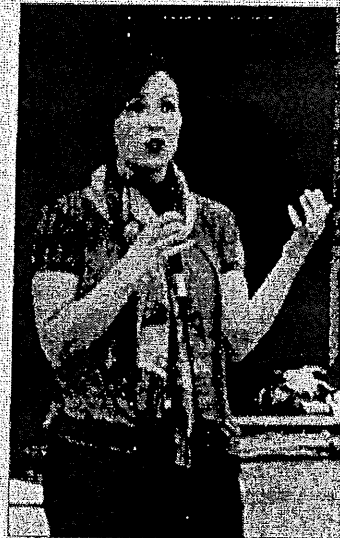
"People have a right to know if elected officials are receiving contributions from those who have an interest in legislation under consideration," she said. "There needs to be disclosure of where the money is coming from."

She also called for redistricting reform.

"My kids love to play with crayons, but even they wouldn't dream of drawing some of the shapes like that," she said. "It's not right when the Democrats do it, and it's not right when the Republicans do it. So many people aren't reaching across the aisle, and that leads to this kind of redistricting."

She said some states have given redistricting responsibilities to bodies besides the legislators.

"I don't know how we should fix it, but I do know



Dave Yarnell/News Advocate
Barbara Byrum, Ingham County clerk and former member of the Michigan House of Representatives, was the guest speaker at Thursday's meeting of the Manistee County Democrats.

the system is broken," she said.

She also asked those in attendance to be aware of legislation that would change the working of the electoral college in Michigan and in

no-fault auto insurance.

"There's a plan out there that is a total gut of no-fault auto insurance," she said. "Attacks on no-fault insurance are not good for our state."

From: Tom Stobie
Sent: Wednesday, June 12, 2013 10:19 AM
To: jmount@mccschools.org
Subject: Request for meeting

Dear Jeff:

I am currently superintendent at Frankfort-Elberta Area Schools, we have met at MASA over the years, in particular dinners with Mike Kenney. I have sat by, as all of us in education have done for the past three years, and watched how the Michigan Legislature has hacked public education to the point where currently 55 school districts are in deficit spending in the state. That number will only get larger if the current legislature is allowed to move forward.

So I said to myself one day, you can complain or you can do something about it. So I am going to attempt to do something about it and run for the 101st House seat against Ray Franz in November of 2014.

I can't do it alone. I will need the help of all educators who want to see a change. I am hoping you will help.

I would like to sit down and talk to you in the near future about your concerns and ways you think you could help.

Please contact me at [REDACTED] or email me to arrange a time.

Thanks,

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

Exhibit 12

From: Tom Stobie
Sent: Friday, June 14, 2013 4:47 PM
To: Glenn Lottie
Subject: Fwd: Emailing: Tom Stobie 001.tif
Attachments: Vol 17 No 2 Summer 2013.pdf; ATT00001.htm

If you laugh, you think and you're moved to tears, that's a full day. That's a heck of a day. You do that seven days a week; you're going to have something special.

-Jim Valvano

Begin forwarded message:

From: "Doreen Fitzgerald" <[REDACTED]>
To: "Tom Stobie" <tstobie@frankfort.k12.mi.us>
Subject: Re: Emailing: Tom Stobie 001.tif

Thanks Tom.

The newsletter is done and should be posted on our website this weekend and sent out by Constant Contact email.

I'm attaching a copy.

Dodie

On Thu, Jun 13, 2013 at 4:02 PM, Tom Stobie <tstobie@frankfort.k12.mi.us> wrote:

The message is ready to be sent with the following file or link attachments:

Tom Stobie 001.tif

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



The Benzie Kicker

Newsletter of the Benzie County Democratic Party

Volume 17, No. 2, Summer 2013

Benzie County Democrats: working inclusively and creatively for the betterment of all.



Tom Stobie to challenge Franz in 101st House District

New candidate, Tom Stobie.

In May, Tom Stobie, Superintendent of Frankfort-Elberta Area Schools, announced his candidacy for state representative of the 101st District, which includes Leelanau, Benzie, Manistee, and Mason counties. For more on Stobie's background, see page 3. Stobie plans to retire from school administration in December.

...In the Fray

by Tom Stobie

For 19 years I have written a weekly newsletter for those I worked with in education. The title of this newsletter is "from the sideline" and it comes from my experience as a coach earlier in my career. Once the game began, my job was to support, give input and cheer from the sideline. The real work was done on the field. The same holds true in education. Classroom teachers, secretaries, aides, custodians, bus drivers, administrators, coaches and food service workers are in the game all the time making decisions, caring for youth, and causing learning to happen. My responsibility is to support them from the sideline.

I am currently reading a book entitled *The Wizard and the Warrior* by Bolman and Deal. In it is the quote, "Leaders cannot afford to stay on the sidelines and play it safe. Someone has to be willing to stand up and put it on the line." As I transition from supporting from the sideline to the battle of a political campaign, my newsletters will be entitled "...In the Fray."

I am willing to put it on the line for this campaign and hope everyone who wants a change in 2014 will do the same.

My calendar is beginning to fill up as I start to visit areas in the 101st district. Last month I attended the Benzie County Dems monthly meeting and on May 20 went to a meet and greet for Derek Blomke from Alanson who is considering running for U.S. Congress against Dan Beneshak in the next election.

On May 23, I introduced Barb Byrum, a three-term member of the House from the 67th district at an event in Manistee County and on June 1 attended the Leelanau County Dems monthly meeting, then headed to Mason County on June 6 for their monthly meeting.

Chicken BBQ June 29



We hope you'll turn out for our annual Chicken Bar-B-Que, Saturday, June 29, at Maley Park in Honor. Dinners will be available at noon on until the last chicken is sold. On the menu is one-half grilled chicken, potato salad, baked beans, roll & butter, dessert and beverage for \$12.00.

For those that will be attending the Cherry Festival Air Show in the afternoon or evening, or other events and activities, just drive in and pick up dinners to go.

July Lily Farm event will support Stobie candidacy

You're invited to a **Sunday, July 21** reception at the Betsie River Centennial Lily Farm to meet candidate Tom Stobie, (State House of Representatives, District 101) and support his candidacy, which is an important race to defeat Republican Ray Franz. Early support is extremely important to our state candidates. Refreshments will be served during the event, for which a \$20 campaign donation is suggested.

Volunteers are needed, so if you can help out, donate appetizers, or for more information, contact Diane Wilbur 231-944-2666 (dwilbur46@gmail.com).

The Lily Farm is at 17745 Moore Rd. Thompsonville. Directions: From US 31: Turn east onto N. Manistee County Line Rd. Turn south (right) onto Moore Road, which runs south off N. Manistee County Line Rd. at roughly 4.5 miles from US 31. From M-115: Turn south onto Kurick Rd. (at Mobile Gas Station corner). Go about 1 block and turn (right/west) onto N. Manistee County Line Rd. At Moore Rd, turn left/south (left) The Lily Farm is approximately 1.5 miles south of County Line Rd. on the east side of the road.

Why replace State Rep Ray?

Michigan State Representative Ray Franz (R - Onekama) was named to the national League of Conservation Voters' state "Dirty Dozen" list in 2012, a list of 12 of the most anti-environment state-level candidates in the country.

Franz, who represents northern Michigan's 101st State House district along the Lake Michigan shoreline, voted to put his own district under a restrictive public land cap, open up sensitive sand dunes to expanded development, remove permitting requirements along Great Lakes beaches that prevent the spread of aquatic invasive species, and to prevent

continued on page 2

From the Benzie Dems Chair...



Showing up!

Recently I was in my car and a TED Talk came on NPR. The theme that day was "making mistakes." The segment that caught my attention was about Brené Brown, a woman who has done research on "shame," and why many people are prone to inaction because they are ashamed; they don't feel competent enough, smart enough, _____ enough (fill in the blank).

Brené talked about how change and innovation came from being willing to make mistakes and, yes, even failing. Courage is about taking risks and being vulnerable. She also talked about 'standing on the sideline of her own life waiting for the moment when she was _____ enough and then she "would kick some butt!" Courage is "showing up," with whatever you have to offer, and being there.

So, the challenge to you is to "show up."

- Call that friend who has lost a loved one, a job, a home, has gotten bad news about their health. If you can't think of the perfect words to say, tell them you are there to support them.

- Be willing to put your ideas out there for other people to hear. Take a risk, be vulnerable

- If you are feeling particularly courageous and vulnerable, volunteer for a campaign, or better yet run for office.

Get involved! SHOW UP!

—Marcia Stobie

Benzie Dem Committee Leaders

Campaign and Candidate Recruitment

Ray Nichols, 231-882-4790; raynick@charter.net;
Mike Ross 231-882-5913; mike.ross0919@gmail.com

Communications

Bonnie Smith: 231-882-7008; beulahbonbon@charter.net

Finance

Karen Roberts, Treasurer: Karen@mandrinfoservices.com

Fund-raising

Chloe McGehee: 231-882-9446;
cmcgehee@sbcglobal.net

Issues and Action

Mary Robling: 231-882-9750 marylottie@gmail.com
Diane Wilbur: 231-3784362; dwilbur46@gmail.com

Membership

Carroll Volpe: 231-709-6053; mcarrollvolpe@gmail.com

Rules & Bylaws

Mary Robling, 231-882-9750; marylottie@gmail.com

Database

Kathy Ralston, 231-342-2155; kathy@kathyralston.com

Join the Party!

Many thanks to all who became supporters of the Benzie County Democratic Party by sending in your donation with the form in the last Kicker. We did not reach our goal yet, we are trying to raise enough money to pay for the campaign headquarters next year, purchase a computer and printer and assist the Blue Tiger Democrats with their events such as the Thompsonville Summerfest and Elberta Solstice. If you can, please send in your donation to Benzie Democrats, P.O. Box 403, Beulah, MI 49617.

In this "Kicker" we have included a membership application to the Michigan Democrat Party for those who would like to join and help the State Party. The MDP needs money to run the coordinated campaign from Governor on down the state ticket and the US Senate. We receive a portion of all MDP memberships above retiree and student levels. Please consider joining the State Party today and make your checks out to Michigan Democratic Party and mail to: 606 Townsend St., Lansing, MI 48933-2313. If you don't know if your MDP membership has expired or not please call me at 231-709-6053 or e-mail me at mcarrollvolpe@gmail.com and I will let you know your status.

With your help we can win in 2014!!

Carroll Volpe, Chair, Membership Committee

Why Replace Ray? *continued from page 1*

Michigan's agencies from adopting Great Lakes protections stronger than the federal government's.

Also, at a time when Michigan citizens are demanding that more of their energy come from renewable sources, Rep. Franz introduced a bill to repeal Michigan's existing renewable energy standard.

Franz has approved several bills that have adverse effects on workers, labor organizations, and public employees, including teachers. He has towed the Michigan Republican Party line that in general has favored big business over working families.

However, he has supported a bill this year that makes it OK for a business to allow its patrons to handle small bears. That's right, if you want to fondle a bear cub, he's all for it, whether or not it's good for the bear, or you.

In the area of public safety, Franz supported the bill that expanded the types of places a person can carry a concealed weapon, a move that may or may not make you feel safer, depending on your point of view.

For a complete look at the Franz voting record, visit **Project Vote Smart** on the Internet: http://votesmart.org/candidate/key-votes/105711/ray-franz#.UbjThT_NkQ0.

Action Alert, Stabenow's Farm Bill Passes Senate:

This important bipartisan proposal has many significant reforms and reduces the deficit. Urge representatives in the U.S. House to approve the bill before the Sept. 30 deadline. For details, go to: http://www.stabenow.senate.gov/?p=press_release&cid=1038. Michigan Senator Debbie Stabenow chairs the U.S. Senate Agricultural Committee.

The Benzie Kicker

Dems community service

The service division of the Benzie Democrats (Blue Tigers) has, for the seventh straight year, assisted the Village of Thompsonville, both financially and physically, with their 'Summerfest' event, a free family community picnic featuring information booths, kid's games, door prizes, music, etc. This Year's Summerfest was on June 17. The Benzie Democrats always have an information booth at the event.

The Blue Tigers also participate in the State of Michigan "Adopt a Highway" program. We pick up trash three times a year on two separate sections of Benzie County highways



(M- 115 & M- 22). This program

provides a valuable service to our community and is a chance to get some fresh air and hang out with fellow Dems.

The Blue Tigers also sponsor food drives throughout the year, with one tentatively planned for late July. New participants to this group are needed and are always welcome. To volunteer or for more information, call Mike Ross at 231-651-0604.

Background on candidate Stobie

Our new candidate Tom Stobie grew up in Ypsilanti, Michigan, where he graduated from Ypsilanti High School in 1965 and attended Eastern Michigan University briefly before joining the United States Navy in 1966. Four years later, after his discharge from the Navy, he returned to EMU and after graduation with a bachelor's degree in 1974, taught special education, was an elementary counselor, and the head football and baseball coach for the Frankfort-Elberta Area Schools.

In 1979, Tom and his family moved to Jackson, Michigan, where he taught special education and was head football coach at Parkside High School. In 1982 he moved to Jackson High School where he was also a special education teacher, department chair and head football coach. In December of 1986, he was named assistant principal at Jackson High School and in July of 1992, was appointed principal at that school. In October of 1999 Tom moved to Central Office as Deputy Superintendent.

In June of 2002, Tom retired from the Public School System and went to work for the United Way of Jackson County in charge of youth programs. In July of 2004, he was hired as interim Superintendent of the Frankfort-Elberta Area Schools and in 2005, the interim was removed and he continues in that position today, with plans to retire in December.

Tom was active in the Michigan High School Football Coaches Association where he was a board member. He was a member of the Board of Directors for the Jackson Leadership Academy where he served as Chairperson and he was a member of the Eastern Michigan University Alumni Board of Directors. Tom served as President of the Michigan Association of Secondary School Principals during the 1999-2000 school year.

Tom's wife, Marcia, is a graduate of the School of Architecture at the University of Michigan and currently heads Marcia Stobie Architect in Frankfort, Michigan. The Stobie's have two daughters; Cheryl, who is a graduate of Eastern Michigan University and has been teaching in the Jackson Public Schools system for 20 years and Katy, a graduate of Michigan State University, currently employed with Stryker Corporation in Kalamazoo, Michigan. Tom and Marcia have six grandchildren.



Yard Sale:

Thanks to all!

This year's spring yard sale was a great success, thanks to all of you who donated items and especially the fund-raising committee and all who worked on the sale. Volunteers included: Chloe McGehee and Susana Green (organizers), David Green, Mike Ross, Jim Sheets, Phyllis Crowell, Doug Wozniak, Carroll Volpe, Marcia Stobie, Jane Purkis, Kay Boyne-Mead, Dodie Fitzgerald, Bob McQuilkin, Judy Bosma, Susan Koenig, Tim Bannister, Jill Kimball, Ray Nichols and Paula Nichols.

Attorney Jim Olson honored at Benzie Dems Earth Day Event

Our Earth Day event on April 23, a showing of the film "Chasing Ice" and a program honoring environmental attorney Jim Olson was a great social and fund-raising success. The Garden Theater in Frankfort was full, the film was breathtaking, and we were pleased to thank Olson in person for his efforts. Chairwoman Marcia Stobie present our certificate of appreciation to Olson.

He and his firm have been involved in a variety of state and federal court decisions, including over 30 appellate court decisions that protect land, water, public access, parklands, wetlands, wilderness, rivers and lakes, the Great Lakes, and public trust, and that have prevented or remedied sprawl and toxic pollution. He has been practicing and writing about environmental, water, and public trust law for over thirty-five years. He is a principal in the Olson, Bzdok & Howard, P.C. law firm in Traverse City, Michigan.

Thanks to Chloe McGehee for organizing the event and to all who helped out or attended!

If you haven't yet seen the award-winning documentary, we highly recommend it.

State Legislative Contacts

101st House: Ray Franz: 517-373-0825 or toll free at 1-855-347-8101; RayFranz@house.mi.gov

35th Senate: Darwin Booher: 517-373-1725; SenDBooher@senate.michigan.gov

Have you signed yet? Antifracking petitions are circulating: Our groundwater is at stake!

Visit us on the Internet at www.benziedemocrats.com



Benzie County Democratic Party
PO Box 403
Beulah, MI 49617

RETURN SERVICE REQUESTED

BULK RATE
U.S. POSTAGE PAID
PERMIT #28
BEULAH, MI 49617

Regular meetings
begin at 10
a.m. on the **3rd**
Saturday of
the month at
the Benzon
Township Hall
unless otherwise
announced.
No meeting in
July and Dec.

JULY 4 PARADES



If you can participate in the Frankfort and/or Beulah parade, please contact Susan Koenig: cell 231-510-5861; email: koenig.esl@gmail.com. We have a lot of fun and hope to see many supporters on the march!

What works best for you?

For those of you who rely mostly on electronic communication and could do without extra paper around the house, tell us you want "E-Kicker only" by emailing kathy@kathyrallston.com. Please put "Benzie Dems Contact Update" in the subject line of your email. Note that email recipients get more and more timely information due to much lower cost.

Delivery of the regular mailed Kicker will continue as usual to members who wish to receive it in printed format.

Please let us know if you move, get a new mailing address, new phone number or new email address.

To update your contact information on line: Go to www.benziedemocrats.com, click on the blue button that says "Join Our Email List/Update Your Information." OR: Call Kathy Ralston at 231-342-2155.

Coming Events

June 22: Elberta Solstice Festival (Stop by the Dems booth; Dems operating the Dunk Tank noon - 4 p.m.)



June 29: ANNUAL CHICKEN BBQ (See page 1.)

July 4: Join a Parade!

July 21: Lily Farm Reception (See page 1.)

No regular meeting in July

Benzie Dems Officers

Chair, Marcia Stobie: 231-352-6121, tmstobie@yahoo.com

Vice Chair, Mike Ross: 231-882-5913,
mike.ross0919@gmail.com

Treasurer, Karen Roberts: Karen@mandrinfoservices.com

Secretary, Delores Berta: 231-275-4115
jjames148@centurytel.net

The Kicker is published by and paid for by the Benzie County Democratic Party and is not authorized by any candidate or candidate committee. Editor: Doreen Fitzgerald (231-352-7876).

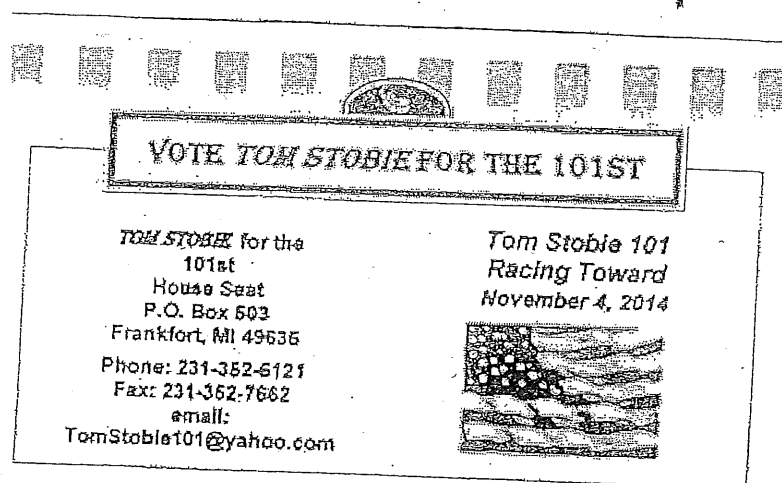
From: Velten, Katy [mailto: [REDACTED]]
Sent: Monday, June 24, 2013 11:59 AM
To: Tom Stobie
Subject: RE: Campaign Business Card

Cool. I just sent this to my graphic designer and gave her some artistic direction.

[REDACTED]

From: Tom Stobie [mailto:tstobie@frankfort.k12.mi.us]
Sent: Monday, June 24, 2013 11:49 AM
To: Velten, Katy
Subject: Campaign Business Card

Katy,
Had a great time this weekend, good to have you girls up. Here is my feeble attempt for a campaign business card



Love,

Dad

Thomas J. Stobie

Superintendent

Frankfort-Elberta Area Schools

534 11th Street

Frankfort, MI 49635

231-352-4641

231-352-5066 (fax)

Exhibit 14

From: Tom Stobie
Sent: Friday, July 12, 2013 9:20 AM
To: 'Allan O'Shea'
Subject: RE: MLCV Invitation--We need you to come and Support.

Allan,
From now on please email me at TomStobie101@yahoo.com

I am not supposed to use my school email for campaign business

Tom

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Allan O'Shea [mailto: [REDACTED]]
Sent: Friday, July 12, 2013 9:13 AM
To: Tom Stobie
Cc: Pam Paige
Subject: RE: MLCV Invitation--We need you to come and Support.

Great, Hope all is going well!

Pam or Lynda has the Donor list and I will print it off or do a CD for you.
Maybe I can bring it to the LCV Fundraiser..
Allan

From: tstobie@frankfort.k12.mi.us
To: [REDACTED]
Subject: RE: MLCV Invitation--We need you to come and Support.
Date: Fri, 12 Jul 2013 08:30:28 -0400

Allan,
Marcia and I are planning on attending, thanks for the invite. Could I get your donor list? I am also getting Dan Scripps and will combine them as possible contributors.

Thanks,

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Allan O'Shea [mailto:████████████████████]
Sent: Tuesday, July 09, 2013 9:29 AM
To: ████████████████████; Manistee Dems; Dave Milarch; Pat Davidson; Julia Chambers; Greg McCollough; marciahovewright@house.mi.gov
Cc: Rick Schrock; Richard Albee; Lynette Grimes; Dick Hitchingham; Jim Dulzo; Brandon_Fewins@stabenow.senate.gov; tstobie@frankfort.k12.mi.us; Steve rogers; Mary Russell; Glenn Lottie; ████████████████████
jhansen@house.mi.gov; Jill; Tim Joseph
Subject: FW: MLCV Invitation--We need you to come and Support.

From: ████████████████████
To: ████████████████████
Subject: FW: MLCV Invitation--We need you to come and Support.
Date: Tue, 9 Jul 2013 09:04:37 -0400

LCV was very important to Northwestern Michigan's environment and the candidates we put forward in 2012. Please come and support LCV in a real fun fundraiser at the L.Mawby.Vineyard July 25, 2013 6-8). LCV's efforts are important in 2013 because since 2014 is an election year with many pivotal races we need to raise money to support candidates that support environmental causes. Please try and find the time in your busy schedule to come for a glass of Michigan Wine and some very important conversation about the 2014 elections and what we can do about them.

Allan and Lynda O'Shea

Exhibit 15

From: Tom Stobie
Sent: Tuesday, August 13, 2013 1:02 PM
To: [REDACTED]
Subject: FW: Business Card Info
Attachments: business card 3.pdf

Phil,
Your comments on this card.

Tom

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Velten, Katy [mailto:[REDACTED]]
Sent: Monday, August 12, 2013 2:49 PM
To: Marcia Stobie (tmstobie@yahoo.com); Tom Stobie
Subject: FW: Business Card Info

Let me know what you think.

From: Pletcher, Ashley (Contractor)
Sent: Monday, August 12, 2013 2:48 PM
To: Velten, Katy
Subject: RE: Business Card Info

Here you go!

Ashley Pletcher
Graphic Designer
Marketing Communications
Stryker Instruments

269-389-4783
ashley.pletcher@stryker.com

From: Velten, Katy
Sent: Wednesday, August 07, 2013 10:20 AM
To: Pletcher, Ashley (Contractor)
Subject: Business Card Info

Hi Ashley,

I was hoping you could help with some changes to the business card for my dad. They want to take off a lot of the tag lines. Could you please help me with that? Below are the basics of what we need. From here on out, I would like compensate you for your services. Especially if we keep coming back ☺

Thank you!

Front:

- Same background
- Tom
STOBIE (as
large as
possible)
- TomStobie1
01@yahoo.c
om
- <http://www.tomstobie.com/>
- "Like" Tom Stobie 101 on [INSERT
FB LOGO]
-

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1

Donations to:
"Friends of Tom Stobie"
P.O. Box 503
Frankfort, MI 49635

TOM STOBIE

TomStobie101@yahoo.com

www.tomstobie.com

"Like" Tom Stobie 101 on 

Follow @TomStobie101 on 

Exhibit 16

From: Tom Stobie
Sent: Friday, June 21, 2013 9:37 AM
To: 'Jim MacInnes'
Subject: RE: Lily Farm Event

Thanks Jim,
I will contact you once I get all my paperwork in to allow donations legally. That should be in about a week. Thanks for the recommendation to Lisa Wozniak. I will follow up with her.

I would still like to sit down with you and talk about energy.

Have a good trip to Vancouver,

Tom

Thomas J. Stobie
Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)

From: Jim MacInnes [mailto:]
Sent: Thursday, June 20, 2013 4:37 PM
To: Tom Stobie
Cc: Chris MacInnes
Subject: RE: Lily Farm Event

Tom – good to hear from you and thank you very much for becoming a candidate for the 101st district. We need you!

I was just mentioning to Lisa Wozniak from the MLCV that we wanted to support your candidacy for the 101st and urged her to do the same.

Unfortunately, I will be on my way to Vancouver during your fund raiser but we can send money. Chris will also be travelling then.

Please tell us where to send the "early money."

Thanks,

Jim

Jim MacInnes, President
Crystal Mountain
Thompsonville, MI 49683
231-378-2000 ext. 2201
www.crystalmountain.com

From: Tom Stobie [mailto:tstobie@frankfort.k12.mi.us]
Sent: Thursday, June 20, 2013 8:57 AM
To: Jim MacInnes
Subject: Lily Farm Event

Jim,

It was nice to see you and Chris the other night at the Cool Spot. I promised I would send you info on the Lily Farm event and it follows.

Di and Don Rau have agreed to host an \$ early money \$ fund raiser for Tom Stobie, candidate for the 101st district of the Michigan House of Representatives at:

***** The Betsie River Centennial Lilly Farm *****
17745 Moore Rd. Thompsonville
<http://betsieriverlilyfarm.com/index.html>

The event will be Sunday, July 21st from 3-5 p.m. Appetizers, homemade sangria and other drinks.

Tom

NOTICE TO RECIPIENT: THIS E-MAIL IS CONFIDENTIAL AND MEANT FOR ONLY THE INTENDED RECIPIENT OF THE TRANSMISSION. IF YOU RECEIVED THIS E-MAIL IN ERROR, ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL IS STRICTLY PROHIBITED. PLEASE NOTIFY US IMMEDIATELY OF THE ERROR BY RETURN E-MAIL AND PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU IN ADVANCE FOR YOUR COOPERATION.

Exhibit 17

From: Tom Stobie
Sent: Thursday, July 11, 2013 11:33 AM
To: Leelanau Dems
Subject: Re: Request for your support

Friends of Tom Stobie

If you laugh, you think and you're moved to tears, that's a full day. That's a heck of a day. You do that seven days a week; you're going to have something special.

-Jim Valvano

On Jul 11, 2013, at 11:23, "Leelanau Dems" <leelanaudemocrats@gmail.com> wrote:

To whom should the check be made out? Usually it's something like "The Committee to Elect...."

On Wed, Jul 10, 2013 at 5:14 PM, Tom Stobie <tstobie@frankfort.k12.mi.us> wrote:
PO Box 503
Frankfort 49635

TomStobie101@yahoo.com<<mailto:TomStobie101@yahoo.com>>

If you laugh, you think and you're moved to tears, that's a full day. That's a heck of a day. You do that seven days a week; you're going to have something special.

-Jim Valvano

On Jul 10, 2013, at 12:52, "Leelanau Dems"
<leelanaudemocrats@gmail.com<<mailto:leelanaudemocrats@gmail.com>>> wrote:

So in addition to an address for donations, can you give me a campaign email address for you?

Betsy

----- Forwarded message -----

From: Cynthia Hollenbeck <[\[REDACTED\]](mailto:[REDACTED])>
Date: Tue, Jul 9, 2013 at 3:20 PM
Subject: Re: Request for your support
To: Leelanau Dems <leelanaudemocrats@gmail.com<<mailto:leelanaudemocrats@gmail.com>>>

Yes, you probably should, because he is definitely NOT allowed to do any political work from school. You might call him first and ask for his campaign email address. I know he has one. Tell him so put it on his Facebook account so all his friends know it, and also link to his campaign Facebook account when he starts it. :-)

I will try to look for the links again.

Cindy

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

From: leelanaudemocrats@gmail.com<mailto:leelanaudemocrats@gmail.com>

Sent: Mon, 8 Jul 2013 20:19:21 -0400

To: [REDACTED]<mailto:[REDACTED]>

Subject: Re: Request for your support

Thanks, Cindy. Actually, I think the attachments are hard to find, but maybe can be found at the bottom of the email?

Also, I was so frustrated by trying to send Tom's article around that I gave out his school email and suggested people contact him directly. I think I really goofed on that, as he probably shouldn't be using that for political purposes. Damn! What should I/he do? I would hate to send out yet another blast on this topic -- do you think I need to?

Betsy

Betsy

On Mon, Jul 8, 2013 at 5:46 PM, Cynthia Hollenbeck

<[REDACTED]><mailto:[REDACTED]>> wrote:

I didn't get the attachments, but I'm willing to trust your judgment.

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

From: leelanaudemocrats@gmail.com<mailto:leelanaudemocrats@gmail.com>

Sent: Mon, 8 Jul 2013 15:23:38 -0400

To: [REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:littlel@cmich.edu>,

pabbott@english.ucsb.edu<mailto:pabbott@english.ucsb.edu>,

abbottb@msu.edu<mailto:abbottb@msu.edu>,

[REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:[REDACTED]>,

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[REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:[REDACTED]>,

[REDACTED]<mailto:[REDACTED]>.

Subject: Re: Request for your support

So please look it all over and let me know what you think. No one else has announced they are running for Attorney General. I would assume that Jocelyn Benson will run for Sec. of State, but she hasn't started campaigning yet.

Betsy

<[REDACTED]> <mailto:[REDACTED]> wrote:

To: "Betsy Johnson" [REDACTED] <mailto:[REDACTED]>>

Dear Betsy,

Hope you're well. I'm writing to request your support for my campaign for Michigan Attorney General. Please find attached a letter requesting your support, along with an Endorsement Form. If you can let me know when you receive this email, I'd be grateful. And if you can let me know your response to my request at your earliest convenience -- by August 16th, if possible -- I'd appreciate it. Thanks so much for your thoughtful consideration. I don't take it for granted.

Best,

Mark

Mark Totten
P.O. Box 19463
Kalamazoo, MI 49019
mark@marktotten.com<<mailto:mark@marktotten.com>>
www.MarkTotten.com<<http://www.MarkTotten.com>>
(269) 270-1276<<tel:%28269%29%20270-1276>> (m)

*Paid for by Mark Totten for Attorney General, P.O. Box 19463, Kalamazoo, MI 49019

--

LCDP
P.O. Box 215
Empire, MI 49630
LeelanauDemocrats@gmail.com<<mailto:LeelanauDemocrats@gmail.com>>

Visit LCDP Website
<http://www.leelanaudemocrats.org>

Make Online & Monthly Contributions
<https://secure.actblue.com/contribute/page/lcdp2013>

Facebook Page
<https://www.facebook.com/groups/leelanaudemocrats/>

If the above links don't work with a click, please copy and paste them into the browser.

<<https://secure.actblue.com/contribute/page/lcdp2013>>

<<https://secure.actblue.com/contribute/page/lcdp2013>>

[3D Marine Aquarium Screensaver Preview]<<http://www.inbox.com/marineaquarium>>
Free 3D Marine Aquarium Screensaver
Watch dolphins, sharks & orcas on your desktop! Check it out at
www.inbox.com/marineaquarium<<http://www.inbox.com/marineaquarium>>

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LCDP
P.O. Box 215
Empire, MI 49630
LeelanauDemocrats@gmail.com<<mailto:LeelanauDemocrats@gmail.com>>

Visit LCDP Website
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If the above links don't work with a click, please copy and paste them into the browser.

<<https://secure.actblue.com/contribute/page/lcdp2013>>

<<https://secure.actblue.com/contribute/page/lcdp2013>>

Free Online Photosharing - Share your photos online with your friends and family!
Visit <http://www.inbox.com/photosharing> to find out more!

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LCDP
P.O. Box 215
Empire, MI 49630
LeelanauDemocrats@gmail.com<<mailto:LeelanauDemocrats@gmail.com>>

Visit LCDP Website
<http://www.leelanaudemocrats.org>

Make Online & Monthly Contributions
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<<https://secure.actblue.com/contribute/page/lcdp2013>>

<<https://secure.actblue.com/contribute/page/lcdp2013>>

LCDP

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Make Online & Monthly Contributions

<https://secure.actblue.com/contribute/page/lcdp2013>

Facebook Page

<https://www.facebook.com/groups/leelanaudemocrats/>

If the above links don't work with a click, please copy and paste them into the browser.

Exhibit 18

From: Tom Stobie
Sent: Friday, July 12, 2013 4:37 PM
To: [REDACTED]

Nice talking to you yesterday- thanks for arranging your schedule.

Contributions should be made out to: Friends of Tom Stobie PO Box 503 Frankfort, MI 49635

Peggy says "Hi"

Tom

If you laugh, you think and you're moved to tears, that's a full day. That's a heck of a day. You do that seven days a week; you're going to have something special.

-Jim Valvano

From: Tom Stobie
Sent: Monday, April 29, 2013 12:21 PM
To: Allan O'Shea; Betsy Johnson; Bill Wolf; Carroll Volpe; Charlie Godbout; Chris Fannesbeck (Chair); Constance Anderson; Dee Payment (b)(6); Fred Cepela; George Wellman; Glenn Lott (Chair); Gwemne Allgaier; Joanna Collins; Laurel Mason; Marcia Stobie; Mary Robling; Mike Ross (Vice Chair); Pat Payment; Peggy Raddatz; Ray Nicols; Rick Schrock; Tim Joseph; Tom Stobie
Subject: The word is out

Dear Team:

The word must be out about my intention to run for the 101st seat; I just got a FOIA request from the Republican Party for my records, evaluations and contract information.

I will be asking for an extension not because I need the time but because I want them to wait.

Ironically, I am the FOIA coordinator for the district.

Tom

Thomas J. Stobie

Superintendent
Frankfort-Elberta Area Schools
534 11th Street
Frankfort, MI 49635
231-352-4641
231-352-5066 (fax)



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

July 25, 2014

Kimberly Jorns
1220 Turner Street
DeWitt, Michigan 48820

Dear Ms. Jorns:

The Department of State received a response to the complaint you filed against Tom Stobie, 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: Tom Stobie

July 9, 2014

2014 JUL 10 PM 3:35

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

Dear Ms. Bourbonais:

I am writing in regard to the letter you sent me dated June 18, 2014, that contained the complaint filed by Ms. Jorns. I would like to state that I never purposefully and knowingly violated Section 57 of the Michigan Campaign Finance Act.

I would like to respond to Ms. Jorns' concerns.

I am a candidate for the 101st House District. I formed my candidate committee on June 21, 2013, and thus, I believe I became a candidate on that date.

In her complaint, Ms. Jorns cites a number of emails (allegations #12-#19, part of #23 and #24) I sent and received prior to my forming my candidate committee and becoming a candidate. These emails were written as I was looking at ending my career in education and exploring the possibility of serving my community in another capacity. Most of these emails were an attempt to solicit advice as to what course of action I should take. I was letting old friends and colleagues know I was thinking about leaving my job as superintendent of schools. I reached out to the best man in my wedding (#16) and an old friend and former principal of Frankfort High School (#17). As you can see, I was enthusiastic and excited, but it was not my intent to campaign for votes or ask for money in these emails. In one email (#19) there was an attachment in which part of that attachment mentions a fundraiser - that was incidental to the email. That was not the goal of the email. The intent of the all these emails was to get feedback from close friends and advisors.

Additionally, I dispute that the email I wrote on April 22, 2013, (#12) made me a candidate. In item #12, Ms. Jorns claims a work-specific email is an announcement of my candidacy and she claims this would force me to be considered a candidate. In this email (#12), I informed the Frankfort Elberta Area Schools Board of Education of my decision to retire as superintendent. The purpose of this work-related email was to inform the Board that I would be leaving my position in December 2013. I had previously had verbal discussions with Board members and thought it was my duty to let them know of my intentions as soon as possible. I knew finding my replacement could be a lengthy process. I was not using this email to publically announce my candidacy, but to discuss the details of my retirement.

Prior to my forming my candidate committee, I took steps to create a campaign email account (on 17 June) because I did not have my own individual private email account. However, in late June, July and August, after I declared my candidacy, it appears that of the multitude of emails I sent from both my email accounts, I did inadvertently and

occasionally mention my campaign using my school account. For example, on June 24, 2013 (#20) I communicated with my daughter, Katy Velten, using my school email.

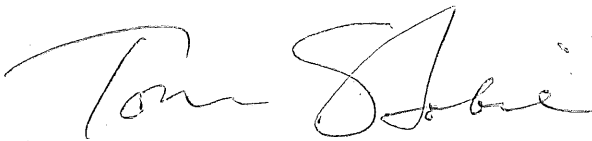
Sometime in early July, I was advised by friends and supporters that I should start consistently using my campaign email account. I do not recall ever being advised that it was a violation of the Michigan Campaign Finance Act to use my school email. My recollection is that I was advised that it was customary to use a campaign-specific email account for campaign business.

At about this same time, I started to let friends and colleagues know that I would no longer use my school email account. When Allen O'Shea emailed me in July, I let him know that I would no longer be using my school account and directed him to my new private campaign email address because of the advice I had received (#21). I did not write that I was prohibited by law from using my school account, rather that it was bad form (#22).

In July 2013, I had my iPhone updated by an employee at AT&T with a new mail system. Due to my unfamiliarity with my phone's operating system, I incorrectly believed that my phone email was linked to a new icloud email account and not my school account. For example, the email sent to my daughter about business card design was sent from my phone and therefore while it came from my school account, this was not intended and happened inadvertently. In the same manner, the emails to Betsy Johnson (#23-b) and to Brad Biladeau (#23-c), were inadvertently sent from my school email. Note that emails sent from my phone have a different automatic signature.

It is my understanding that the Michigan Campaign Finance Act directs this complaint to go through an informal process. I look forward to cooperating fully with the Bureau of Elections to settle this issue. I no longer have access to my school email. And I will not use it in the future. This is the first time I have run for elected office. I have learned a great deal during this process and I look forward to learning even more. With this in mind, I now have begun working with consultants who are helping me continue to comply with all laws.

Thank you for your consideration,



Tom Stobie



Date



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

374073

1. Committee ID #: 516407

2. Type of Filing:
☒ Original
☐ Amendment to Items: _____ Eff. Date: _____

3. Full Name of Committee (must include Candidate's first and last name): Tom Stobie 101

4a. Candidate Full Name (Last, First, M.I.):
Thomas J. Stobie

4b. Political Party (if applicable): Democrat

4c. County of Residence: Benzie

4d. Office Sought (Check one):

| | | |
|--|---|--|
| <input type="checkbox"/> Governor | <input type="checkbox"/> Lt. Governor | <input type="checkbox"/> State Senator |
| <input checked="" 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 | | |

Local or other please specify: _____

4e. District/Circuit # or Jurisdiction: 101st

5. Date Committee was Formed: 06/21/13

6a. Committee Phone #: (231) 352-6121

6b. Committee Fax #: (231) 352-7662

6c. Committee E-mail Address: TomStobie101@yahoo.com

6d. Committee Website Address: TomStobie101.com

7a. Complete Comm. Mailing Address (May be PO Box):
PO Box 503
Frankfort, MI 49635

7b. Complete Comm. Street Address (May not be PO Box):
2176 Stratton Lane
Frankfort, MI 49635

8. Treasurer Name and Complete Address:
M. Carroll Volpe
PO Box 63
Honor, MI 49640
Phone #: (231) 709-6053
E-mail Address: mcarrollvolpe@gmail.com

9. Designated Record Keeper Name and Complete Address:
Marcia Stobie
PO Box 503
Frankfort, MI 49635
Phone #: (231) 352-6121
E-mail Address: tmstobie@yahoo.com

10. ☐ 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.

11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association)

a. Official Depository
Frankfort State Savings Bank
703 MAIN ST.
P.O. BOX 1169
FRANKFORT MI 49635

b. Secondary Depository _____

12. ☐ This item applies only to Gubernatorial Candidate Committees: Check if this committee intends to seek qualifying contributions or make qualifying expenditures.

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.

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.

☒ Committee spent or received or expects to spend or receive in excess of \$20,000 and is required to file electronically.

** OR **

☐ 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.

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 or 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)

Thomas J. Stobie 6-24-13
Candidate

M. Carroll Volpe 6-25-13
Current Treasurer

Marcia K. Stobie 6-28-13
Designated Record Keeper (Required only if filing electronically)

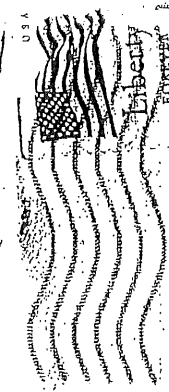
BUREAU OF ELECTIONS
MICHIGAN DEPT. OF STATE

2013 JUL -1 AM 10:40

*Mr. Corrado Vogel
P.O. Box 63
Island MI 49640*

GRAND RAPIDS MI 494

29 JUN 2013 PM 31

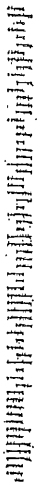


*Michigan Dept. of State
Bureau of Elections
P.O. Box 20126
Lansing MI 48901*

516407
374073
BUREAU OF ELECTIONS
MI DEPT OF STATE

2013 JUL -1 AM 10:42

48901072526





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

August 6, 2014

Tom Stobie
P.O. Box 503
Frankfort, Michigan 49635

Dear Mr. Stobie:

This letter concerns the complaint that was recently filed against you by Kimberly Jorns, 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. Ms. Jorns' 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: Kimberly Jorns

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

August 4, 2014

In re: Complaint filed against Tom Stobie; Rebuttal Statement

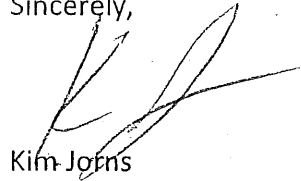
This letter is submitted in rebuttal to Tom Stobie's response to my Complaint filed against him for violations of Section 57 of the Michigan Campaign Finance Act ("MCFA"). I will rely primarily upon the facts set forth in my Complaint as well as the attached exhibits confirming Mr. Stobie's blatant violations of Section 57. In addition, I offer the following brief statements to rebut several of Mr. Stobie's unfounded assertions:

- Mr. Stobie's assertion that he "never purposefully and knowingly violated Section 57" is belied by the fact that he admitted that he knew he was not supposed to use his school email for campaign-related matters but continued to do so. Complaint ¶ 21.
- Regardless of whether Mr. Stobie had more than one purpose for informing the school board of his decision to run for office, he did, in fact, become a candidate for the 101st House District no later than April 22, 2013. In other words, having a second purpose does not cure a violation of Section 57. Complaint ¶ 12; MCL 169.203(1).
- Mr. Stobie admits in his response that he used his school email for campaign purposes. He has, in effect, admitted that he violated Section 57 and seems to be suggesting that he wants to conciliate. The penalties imposed on him, however, should be harsh, given that he continued to use his school email for weeks and months after he explicitly acknowledged that it was illegal to do so. Complaint ¶¶ 22-23.
- Finally, Mr. Stobie tries to push off responsibility for his MCFA violations because (a) he had never run for elected office before, and (b) an AT&T employee set up his mobile phone. With regard to (a), there is no "first time candidate" exception to the MCFA, and voters have the right to expect *all* candidates, even first-timers, to educate themselves about the basics of campaign finance. As for (b), this is little more than the "dog ate my homework" defense, and, again, Michigan voters have the right to demand better from candidates.

2014 AUG 5 AM 9:15
BUREAU OF ELECTIONS
MICHIGAN DEPT OF STATE

I renew my request that the Secretary of State immediately investigate Mr. Stobie's numerous violations outlined in my Complaint and assess all appropriate penalties for such violations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim Johns', written over the printed name.

Kim Johns
Executive Director
Michigan Republican Party



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

October 30, 2014

Tom Stobie
P.O. Box 503
Frankfort, Michigan 49635

Dear Mr. Stobie:

The Department of State (Department) has concluded its initial investigation of the complaint filed by Kimberly Jorns against you, which alleged that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of Ms. Jorns' complaint, which was filed on June 13, 2014. You filed an answer to the complaint on July 10, 2014, and Ms. Jorns filed a rebuttal statement on August 5, 2014.

Ms. Jorns alleged that you improperly used public funds to further your nomination or election by sending campaign-related emails using your Frankfort-Elberta Area Schools' (FEA Schools) email account.

The MCFA prohibits a public body or an individual acting on its behalf from "us[ing] or authoriz[ing] 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). Expenditure is a term of art which includes "a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to the nomination or election of a candidate [.]". MCL 169.206(1). A knowing violation of section 57 is a misdemeanor offense. MCL 169.257(3).

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.*

As evidence, Ms. Jorns provided 18 emails purportedly sent from your FEA Schools email account. Ms. Jorns asserted the emails expressly advocated for your nomination or election or solicited campaign contributions, causing unlawful expenditures of public funds.

In your answer you admitted that the emails were sent from your FEA Schools email account. However, you assert that several of the emails were sent prior to your becoming a candidate and some were sent to "get feedback from close friends and advisors." You further assert that one email in particular, sent April 22, 2013, was work-specific and meant to inform the school board of your decision to retire as superintendent, not to announce your candidacy.

You further indicated in your answer that you were "advised by friends and supporters that [you] should start consistently using [your] campaign email account [,]" but that you "do not recall ever being advised that it was a violation of the [MCFA] to use [your] school email." You also stated that an AT&T employee set up your new cell phone for you and you did not realize that the phone email was linked to your school account. Finally, you indicated that you no longer have access to your FEA Schools email account and will not use it in the future.

The Department first notes that it is its long-held position that someone who is "testing the waters" and has not made a clear choice to run for a particular public office becomes a "candidate" as defined by the Act once monies are accepted or expended in the assistance of the nomination or election of that candidate – even if that person never formally files to run for office. *See Clarkson Declaratory Ruling*, January 24, 1984 and *Wolpe Declaratory Ruling*, October 22, 1992. An expenditure made to gauge support for your candidacy or to solicit advice regarding your possible candidacy runs afoul of section 57 of the Act if public resources are used.

Because you admitted that the emails submitted as evidence were sent using your FEA Schools account, and these emails discuss your candidacy, the Department has determined that there is a reason to believe that a violation of section 57 of the Act occurred when you used FEA Schools resources by sending emails which expressly advocated your candidacy, forwarded a newsletter which discussed your candidacy and advocated for the defeat of your opponent, solicited funds to support your candidacy or discussed fundraisers, and contained campaign material. Upon making this determination the Department is required by law to attempt to resolve the matter informally. MCL 169.215(10).

Please request that the FEA Schools' treasurer calculate the amount of public resources expended for the emails, including but not limited to your time (by using your rate of pay and the cost for your fringe benefits) and the cost of the FEA Schools' resources used **By November 21, 2014**. The Department will use this information to facilitate an informal resolution of Ms. Jorns' complaint.

Please be advised that if the Department is unable to resolve the matter through informal methods, the Department must refer the matter to the Attorney General for enforcement of the criminal penalty provided in MCL 169.257(3). MCL 169.215(10)(a).

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State



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

January 15, 2015

Tom Stobie
P.O. Box 503
Frankfort, Michigan 49635

Dear Mr. Stobie:

The Department of State (Department) has concluded its investigation of the complaint filed by Kimberly Jorns against you, which alleged that you violated section 57 of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.257. This letter concerns the disposition of Ms. Jorns' complaint, which was filed on June 13, 2014. You filed an answer to the complaint on July 10, 2014, and Ms. Jorns filed a rebuttal statement on August 5, 2014. At the Department's request, you provided additional information at the end of November 2014.

The MCFA and corresponding administrative rules require the Department to ascertain whether there may be "reason to believe that a violation of this act has occurred." MCL 169.215(10), R 169.55(3). The Department has carefully considered the written statements and supporting documentation and has determined that the evidence submitted meets this evidentiary standard. Upon a finding that there may be "reason to believe that a violation of this act has occurred[.]" the Department is required by law to "endeavor to correct the violation or prevent a further violation by using informal methods." MCL 169.215(10).

Ms. Jorns alleged that you improperly used public funds to further your nomination or election by sending campaign-related emails using your Frankfort-Elberta Area Schools' (FEA Schools) email account.

The MCFA prohibits a public body or an individual acting on its behalf from "us[ing] or authoriz[ing] 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).

By letter dated October 30, 2014, the Department notified you of its determination that the evidence provided supported a conclusion that a violation of the Act had occurred. The Department requested that you provide the Department with the amount of public resources expended for the emails, including but not limited to your time (by using your rate of pay and the cost for your fringe benefits) and the cost of the FEA Schools' resources.

You provided this information to the Department in a letter from the FEA Schools' Treasurer dated November 19, 2014. The Treasurer stated that he estimated the cost of your time of 1 hour to compose and send the emails at \$50.70 and the cost of the FEA Schools' resources related to

sending these emails at \$1.00. The Department has determined that \$51.70 of FEA Schools' funds was improperly expended.

After making this determination, the Department must now "endeavor to correct the violation or prevent a further violation by using informal methods." MCL 169.215(10). The Department offers to resolve Ms. Jorns' complaint against you through execution of the enclosed conciliation agreement, which requires you to reimburse FEA Schools \$51.70 and pay a civil fine to the State of Michigan in the amount of \$100.00 by February 6, 2015. The reimbursement and fine must be paid for with non-public funds.

If you wish to enter into the conciliation agreement, please return the original signed document to this office, proof of reimbursement of \$51.70 to the Frankfort-Elberta Area Schools, and a check or money order payable to the State of Michigan in the amount of \$100.00 by February 13, 2015. Please include the notation, "Conciliation Agreement, Attn: Bureau of Elections" on your check or money order made payable to the State of Michigan.

Please be advised that if the Department is unable to resolve Ms. Jorns' complaint informally, it is required by MCL 169.215(10)-(11) to:

- 1) Refer the matter to the Attorney General with a request that his office prosecute you for the crime of expending public funds to make an expenditure, a misdemeanor violation of MCL 169.257(1); or
- 2) Conduct an administrative hearing to enforce the civil penalty provided in MCL 169.215(11), which provides that the Secretary of State may seek a civil fine of triple the amount of each improper expenditure, plus up to \$1,000.00 for each violation of the Act.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

Enclosure



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

In the Matter of:

Tom Stobie
P.O. Box 503
Frankfort, Michigan 49635

CONCILIATION AGREEMENT

Pursuant MCL §169.215(10) of the Michigan Campaign Finance Act (the Act), MCL §169.201 *et seq.*, the Secretary of State and Tom Stobie (Respondent) hereby enter into a conciliation agreement with respect to certain acts, omissions, methods, or practices prohibited by the Act.

The Secretary of State alleges that there may be reason to believe that Respondent violated MCL §169.257(1) by making improper expenditures by using public funds to further Respondent's nomination or election by sending campaign-related emails using Respondent's Frankfort-Elberta Area Schools' email account.

Therefore, Respondent hereby voluntarily enters into this conciliation agreement and assures the Secretary of State that Respondent will comply with the Act and the Rules promulgated to implement the Act.

By executing this conciliation agreement, Respondent certifies that \$51.70 has been reimbursed to the Frankfort-Alberta Area Schools from non-public sources and has paid a civil fine in the amount of \$100.00 to the State of Michigan.

The Secretary of State and Respondent further agree that this agreement is in effect and enforceable for four years from the date it is signed by the Secretary of State or her duly authorized representative.

The Secretary of State and Respondent further agree that this agreement, unless violated, shall constitute a complete bar to any further action by the Secretary of State with respect to the alleged violation that resulted in the execution of this agreement.

The Secretary of State and Respondent further agree that the complaint and investigation that resulted in this agreement are disposed of and will not be the basis for further proceedings, except pursuant to this agreement.

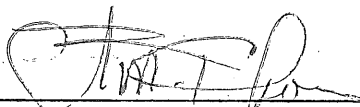
The Secretary of State and Respondent further agree that this agreement will not prevent the Secretary of State from taking action for violations of this agreement.

The Secretary of State and Respondent further agree that the Respondents' performance under this agreement shall be given due consideration in any subsequent proceedings.

The Secretary of State and Respondent further agree that this agreement, when signed, shall become a part of the permanent public records of the Department of State.

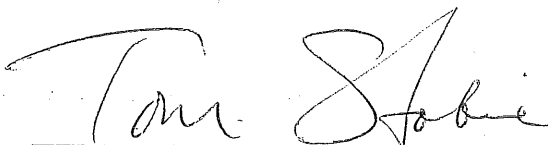
The Secretary of State and Respondent finally agree that the signatories below are authorized to enter into and bind the parties to this agreement, and have done so by signing this agreement on the date below.

**RUTH JOHNSON
SECRETARY OF STATE**



**Christopher M. Thomas, Director
Bureau of Elections**

RESPONDENTS



Tom Stobie

Date:

2-17-15

Date:

2-7-15