



Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
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MICHIGAN DEPT OF STATE

2021 NOV -4 PM 1:09

ELECTIONS/GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name Stacy Nelson		Daytime Telephone Number 906-420-3911	
Mailing Address 418 Dakota Ave.			
City Gladstone	State MI	Zip 49837	
Email (optional)			

Section 2. Alleged Violator			
Name Mike O'Connor			
Mailing Address 526 Minnesota Ave			
City Gladstone	State MI	Zip 49837	
Email (optional)			

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: 169.221 169.247

Explain how those sections were violated:

There are three different candidate
committees listed in three different
newspaper ads. The Gladstone Citizens Council
is Michael O'Connor at a rented facility located
at 921 Delta Ave. Also doing business at this location
as U.P. Consultants, Inc.

Evidence included with the submission of the complaint that supports the allegations:

Copies of ads in Oct. 10, 2021, U.P. Action News.
Copies of material printed from the internet.

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X



Signature of Complainant

10/27/2021

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

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

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Hiawatha Extends Free Personal Use Firewood Cutting Permits

The Hiawatha National Forest is extending free personal use firewood cutting permits across the Forest until December 31, 2021.

"As a continued public benefit during this difficult time, the Hiawatha National Forest has extended free personal use firewood permits," said Mary Moore, Forest Supervisor. "The Forest is working to bring the issuing of firewood permits online as well, hopefully in 2022."

Prior to this extension, free personal use firewood permits were scheduled to expire on October 31, 2021. Such permits will now automatically extend to the new date, with no need to obtain a new permit. If you wish to purchase a permit during this time of social distancing, a personal use firewood permit will be issued upon request by calling one of the district offices:

Munising District — (906) 387-2512
Rapid River/Manistique Districts — (906) 474-6442

If needed, please leave a message with your name and phone number and we will return your call.

Please have the following information on hand to obtain your permit:

Full name

Phone Number

VOTE for CHANGE in Gladstone

There are 6 challengers vying for the 3 City Commissioner Seats to oust the existing Commissioners in Gladstone.

Jeff Diebolt
Brian Godfrey
Diane Godfrey
Jason Leonard
Mike O'Connor
Steven Viau

The City Commissioner is where the decisions are made on financial matters including utility rates, special road assessments, and the millions owed to the employee retirement fund. The city commission is responsible for these issues and more which affect our everyday lives.

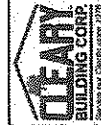
The Gladstone Citizens Council will hold a meet and greet on October 17th, Sunday at 1PM at the Terrace Bay Conference Center. There will be an opportunity to ask the candidates questions.

Paid by the Gladstone Citizens Council

your card, your vaccination history will be reviewed and a new card will be issued at the time of your appointment.

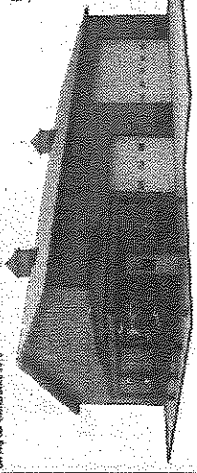
Individuals are able to make their own appointment online at www.phdm.org and on our Facebook page, www.Facebook.com/4phdm.

Those who are unable to schedule an appointment online can call (906) 786-4111 for appointments in Escanaba, or (906)863-4451 to schedule their appointment in Menominee. No walk-ins are permitted.



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License plate number

Standing dead and down trees may be gathered for firewood. Further guidelines for cutting will be provided with the permit. This authority applies only to non-commercial firewood cutting on Hiawatha National Forest system lands.

Halloween Event At Civic Center

The Community Foundation for Delta County has partnered with the City of Escanaba Recreation Department for a Halloween event again this year. The Catherine Bonifas Civic Center will have pumpkins, snacks and candy on October 11 and 12 while supplies last.

The event will be held at the civic center, 225 North 21st St., from 12 to 4 p.m.

Participants are asked to take a picture of your decorated pumpkin and post on the City of Escanaba Recreation Department Facebook page with your child's first name and age to be entered into a random drawing for a Halloween basket. A winner will be announced on Wednesday, October 20 on Facebook.

Rapid Readers To Meet

"Once There Were Wolves," by Charlotte McConaghy, is the novel chosen for discussion for the Rapid

Readers Oct. 20 meeting at Jack's Restaurant at 10 a.m. in Rapid River. Judy Pomeroy will be the moderator.

The Wednesday, Nov. 17 book choice is "Circling The Sun," by Paula McLain. New members are welcome. Questions may be directed to Peg Netchey at 428-9668.

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Understanding Lupus

The immune system plays a vital role in human health, protecting the body against invaders such as bacteria, viruses, fungi, and toxins. But what happens when something goes awry with the immune system?

According to Johns Hopkins Medicine, when the immune system functions effectively, it senses danger from a virus or infection and attacks it. However, healthy cells and tissues are sometimes caught in the crossfire during this immune response, resulting in an autoimmune disease.

Lupus is a relatively rare but potentially debilitating autoimmune disease. According to the Lupus Foundation of America, at least five million people across the globe have a form of lupus. Like all autoimmune diseases, lupus causes the immune system to attack healthy tissue. But lupus is more complicated than that, and understanding it may compel people who suspect they have lupus to seek treatment.

What parts of the body does lupus affect?

The LFA reports that lupus most commonly affects the skin, joints and internal organs, including the heart and kidneys. When the immune system attacks healthy tissue due to lupus, people may experience inflammation in various body parts, leading to some very uncomfortable symptoms.

What are the symptoms of lupus?

The U.S. National Library of Medicine notes that lupus symptoms differ from person to person. That's because there are several kinds of lupus and each produces its own symptoms. For example, someone with discoid lupus may experience a red rash that does not go away. A person with subcutaneous lupus may develop sores after being out in the sun.

The LFA notes that there is no single first sign or symptom of lupus. Symptoms such as extreme fatigue, joint pain or a butterfly

American Cheese Is A

Recipe Staple

With its silky texture, ability to melt and mild flavor, American cheese can do wonders for burgers and grilled cheese. American cheese can make quesadillas really sing, and it long has been a school lunch staple.

Although American cheese may not be part of high class charcuterie platters or coveted by French fromageries, it has its own unique place in the culinary landscape.

According to the online cheese purveyor Cheese.com, American cheese is a semi-soft, processed product made from pasteurized cow's milk and has a creamy, mild flavor. American cheese can come in yellow or white varieties.

American cheese is made from a mixture of cheeses, including colby and cheddar. Each slice of American cheese today contains less than 51 percent of curds, which means it doesn't exactly meet the definition of cheese as defined by the Food and Drug Administration. To be a true "cheese," a product has to be more than 50 percent cheese. American

cheese is made from a base of cheese and combined with whey, milk proteins and emulsifying salts. This blend of ingredients helps American cheese melt without breaking or turning greasy the way a traditional cheese does.

According to the resource Serious Eats, the process for mak-

ing American cheese was invented in Switzerland. In an effort to reduce cheese waste, scraps from various batches of cheese were melted together and formed into a new product. In 1916, Canadian-American cheese salesman James Kraft perfected and patented the technique. He produced and sold the first American cheese.

While American cheese has cheese in it, labels on the American cheese typically sold at the deli counter typically say pasteurized processed cheese. Those individually plastic-wrapped slices sold in the dairy case often go by pasteurized cheese food. The latter has a higher percentage of added ingredients that affect texture and melability.

While true cheese connoisseurs may scoff at American cheese, the product certainly has had staying power and stands up in many recipes.

Extra Cash From The Classifieds

Right to Life Poster Contest

Right to Life of Delta County will sponsor its 8th Annual Respect Life poster contest in October for grades three through eight. For more information, call Joan at 428-4457 or Mary at 428-1169.

ZONING ADMINISTRATOR Masonville Township

Masonville Township is seeking an individual to assume the responsibilities of the Zoning Administrator. The position entails distributing, receiving, and reviewing zoning applications for compliance prior to issuance.

Interested individuals may contact
Jim Berg, Masonville Township Supervisor
at 906-474-9505 for additional information.
Please leave a message if no answer.

Mike O'Connor a/k/a Citizen Mike

Over the last few years the City of Gladstone Commissioners and City Manager have gone on and on about the cost of the lawsuits brought by O'Connor.

They have gone out of their way to slander my good name and put a spin on the facts to make it appear I'm in the wrong. The stories in the newspaper are all based on the propaganda machine at city hall.

I know most of the citizens in Gladstone have not paid much attention to finding out the facts. The facts are easy to understand for anyone paying a utility bill.

The lawsuits I brought were about the intentional violation of the Michigan Constitution concerning using electric funds to provide property tax money to the city.

In 1978, the Citizens of Michigan passed an amendment to limit property taxes to inflation. The City of Gladstone was spending more than was legally allowed. The solution, raise the electric rates to cover the shortage. The Michigan Constitution be damned.

Over the years, the City needed more and more and more money to run the city and increased the electric rates to cover the shortfall. The electric fund has become the go to place to shore up the shortages in other departments: City Hall, Police, Parks and Recreation and cover the \$6 Million Dollars owed the Retirement Fund.

The City of Gladstone settled the utility lawsuit, paid my legal fees and agreed to stop the illegal process and have a consultant, of their choice, provide a comprehensive report that the city was to follow.

THE CITY OF GLADSTONE has not followed the agreement. It would require the City reduce electric rates by 25%, return \$800 to each household and stop raiding the electric fund for cash.

The amount of money the city needed to hold in the fund balance was about \$11 Million Dollars. The fund balance had approximately \$3,939,826 on 7/14/2021.]

The situation is simple to understand the city can't stop stealing money

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rash may or may not appear depending on the type of lupus a person has. When doctors are told about symptoms, they will then seek to diagnose the underlying problem, which may or may not be lupus. The USNLM notes that the following are some commonly reported symptoms of lupus:

- Pain or swelling in joints
- Muscle pain
- Fever with no known cause
- Butterfly rash, which is a red rash that appears most often on the face
- Chest pain when taking a deep breath
- Hair loss
- Pale or purple fingers or toes
- Sensitivity to the sun
- Swelling in legs or around eyes
- Mouth ulcers
- Swollen glands
- Feeling very tired

These symptoms can come and go, but it's vital that they're reported to a doctor immediately. They may or may not indicate the presence of lupus, but only a doctor can diagnose the problem promptly and correctly.

What causes lupus?
The cause of lupus is unknown, though the LFA reports that experts believe it may develop in response to hormones like estrogen or environmental triggers that can bring on symptoms of the disease.

Who is most vulnerable to lupus?
According to the LFA, nine out of 10 people with lupus are women, and women between the ages of 15 and 44 are at higher risk for the disease.

Lupus is a complicated disease that in many ways remains a mystery. More information about the disease is available at lupus.org.

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because it will not deal with reality. Lashing out at me is a simple way to continue down the same path. As you can note from above, there is about \$84 Million in the Electric Fund and the city commission raised the rates by \$150,000 last year and an additional \$180,000 this year and, oh by the way, gave the general fund \$310,000 to cover the cost of trucks.

Paid for by Mike O'Connor

Mike O'Connor for Gladstone City Commissioner

The current City of Gladstone Commissioners have failed in their fiduciary responsibility to look out for the well being of the citizens of Gladstone.

I am running for City Commissioner to finish what I started 5 years ago. I submitted a plan to pay off the Employee Retirement Fund by passing a bond issue for \$7 Million with a 30 year payout and end all pension contributions. That would require \$300,000 per year from the budget.

The pension plan has assets of \$7.8 Million. It should have \$14.15 Million. \$14.15 Million would generate about \$1 Million Dollars a year.

If you are unfamiliar with the retirement fund, we pay our retirees about \$1.1 Million Dollars a Year.

With the retirement fund only having \$7.8 Million, every year we need to pay \$500,000 to keep from falling farther behind and pay in more principle.

The mandatory contribution April 1, 2022 is \$1,293,852

For 2023, 2024, 2025, its over \$1.3 Million each year. The end date for payments is 2032.

Where will all the money come from, the \$1.3 Million?
That would be the electric fund. Yes, you will get to be overbilled for electric and most likely trash, water, and sewage to cover the other overspending by the city of service that should be paid for by property taxes.

You deserve the truth and know the gory details. For too long, the long line of City Commissioners kicked the can down the road. It would be the next commission to handle the issues.

Well the road is about to end. We didn't get in this position overnight and it will take time to get us out of these massive debts.

The first step is to elect people who represent the needs of the people and understand the citizens can't continue to pay property taxes, special road assessments and ever higher utility rates.

I look forward to having you "Vote for Change." There are 3 seats open in November. I need you to make the decision, bring in 3 new commissioners to fight for you.

Mike O'Connor

Paid by the Committee to elect Mike O'Connor

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opencorporates

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Company name or number

☒ Companies ☐ Officers

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USF CONSULTANTS, INC. branch

Company Number

801061210

Previous Company Numbers

- 60324H

Incorporation Date

12 October 2011 (about 10 years ago)

Company Type

★ FOREIGN PROFIT CORPORATION

Jurisdiction

Michigan (US)

Branch

Branch of USF CONSULTANTS, INC. (Wisconsin (US))

Registered Address

- ★ • 40600 ANN ARBOR RD E STE 201 PLYMOUTH MI 48170
- United States

Agent Name

MICHAEL O'CONNOR

Agent Address

★ 921 DELTA AVENUE, GLADSTONE, MI, 49837

Directors / Officers

- KELLEY O'CONNOR, director
- MICHAEL O'CONNOR, agent
- MICHAEL O'CONNOR, president
- MICHAEL O'CONNOR, treasurer
- MICHAEL O'CONNOR, secretary
- MICHAEL O'CONNOR, director
- PATTY O'CONNOR, director

Recent filings for USF CONSULTANTS, INC.

15 May 2021
[ANNUAL REPORT view](#)

24 Mar 2020
[ANNUAL REPORT view](#)

19 Mar 2019
[ANNUAL REPORT view](#)

18 Apr 2018
[ANNUAL REPORT view](#)

7 Mar 2017
[ANNUAL REPORT view](#)

7 Mar 2017
[2017 ANNUAL REPORT](#)

17 Oct 2016
[ANNUAL REPORT view](#)

17 Oct 2016
[2016 ANNUAL REPORT](#)

[see all filings](#)

Source Michigan Department of Licensing and Regulatory Affairs,
<https://cofs.lara.state.mi.us/SearchA...>, 25 May 2021

[Add data \(website, address, etc\)](#)

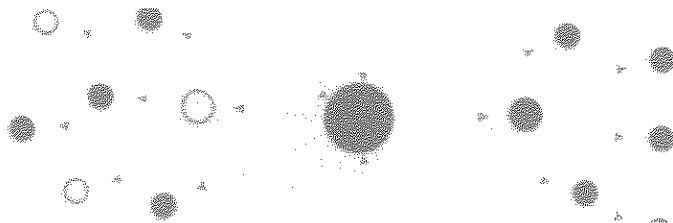
[update from registry](#)

Company Addresses

[Mailing Address](#)

PO BOX 23, GLADSTONE, MI, 49837

[Explore company network](#)



Company network

Not yet available for this company. [Click to find out more](#)

Latest Events

2011-10-12 - 2019-03-26




Addition of officer MICHAEL O'CONNOR, agent
2011-10-12 - 2019-03-26
Addition of officer MICHAEL O'CONNOR, director
2019-03-26 - 2020-06-24
Removal of officer NATIONAL REGISTERED AGENTS, INC, agent

See all events

Corporate Grouping User Contributed

None known. Add one now?
See all corporate groupings

Similarly named companies

-  USF CONSULTANTS, INC. (Wisconsin (US), 8 Jan 1999-)
-  inactive branch USF Consultants, Inc. (Minnesota (US), 31 Jan 2011-)
-  inactive branch USF CONSULTANTS, INC. (Iowa (US), 4 Feb 2013- 8 Aug 2018)

Home company

 USF CONSULTANTS, INC. (Wisconsin (US), 8 Jan 1999-) details

* While we strive to keep this information correct and up-to-date, it is not the primary source, and the company registry (see source, above) should always be referred to for definitive information
Data on this page last changed May 25 2021

Problem/question about this data? Click here

Open Data

Get this info as json, xml, rdf

About us

- About
- Blog
- Team
- Governance
- Jobs

Using our data

- Our data
- Our purpose
- Legal/Licence
- User/Cookie privacy policy
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Help

Home > U.S. > Michigan > Gladstone

GLADSTONE CITIZENS COUNCIL, INC.

Michigan Domestic Non-Profit Corporation • Updated 12/4/2020

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Gladstone Citizens Council, Inc. is a Michigan Domestic Non-Profit Corporation filed On December 1, 2020. The company's filing status is listed as Active and its File Number is 802564136.

The Registered Agent on file for this company is Michael O'connor and is located at 921 Delta Ave, Gladstone, MI 49837.

The company has 1 principal on record. The principal is Michael Oconnor from Gladstone MI.

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Manhattan Comedy School

Company Information

Company Name: GLADSTONE CITIZENS COUNCIL, INC.
 Entity Type: DOMESTIC NONPROFIT CORPORATION
 File Number: 802564136
 Filing State: Michigan (MI)
 Filing Status: Active
 Filing Date: December 1, 2020
 Company Age: 10 Months
 Registered Agent: Michael O'connor
 921 Delta Ave
 Gladstone, MI 49837

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Name Records



4 Sources

Records Updated Da

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ReviewPl

Company Contacts

Affiliate Links

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MICHAEL OCONNOR

Agent

921 Delta Ave
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Reviews



English

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Use our online voters' guide to see the races and issues on your ballot. Compare candidates side-by-side and read their views on the important issues in their own words.

VOTE411 Voter Guide










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Progress: 1 of 3

Next Race: Gladstone Mayoral Advisory-2 year term

Gladstone City Commission

Click a candidate icon to find more information about the candidate. To compare two candidates, click the "compare" button. To start over, click a candidate icon.

 Jeff Diebolt Compare	 Brian Godfrey Compare	 Diane Godfrey Compare	 Jason Leonard Compare	 Mike O'Connor Compare
 Robert E Pontius Compare	 Greg Styczynski Compare	 Joe Thompson Compare	 Steven Viau Compare	

Mike O'Connor
Consultant

Biographical Information

Address
526 Minnesota Ave
Gladstone, MI 49837

Campaign Phone (906) 241-9808

Email
mikemikemikeup@gmail.com

Age 67

Education BSEE Electrical Engineering Tulsa University

What do you believe are the 3 biggest issues/challenges before the City Commission and how would you address them?

Mike O'Connor:

Financial, financial and financial. The City owes the Retirement Fund \$6 Million [see comments next section]. Use 100% of the state gas tax funds, \$800,000 per year in the Department of Public Works for materials. Labor would be paid from property taxes. The City must learn to live on the tax funds and state funds being provided. The city has just undertaken to build a new Wastewater Plant at a cost of \$21 Million or \$30 per household per month for the next 30 years. The cost to citizens to live in Gladstone needs to be controlled. Retirees with a fixed income can not afford a special road assessment or skyrocketing utility costs. The commission needs to look at the needs of citizens before the needs of the city staff. Working with other cities and the county to provide more services at less cost.

Every community has budget challenges. How would you address issues affecting the City budget?

Mike O'Connor:

The City spends more than it takes in. The result has been to rob the electric, water, wastewater, and trash funds to support an ongoing structure deficit. The Retirement Fund is underfunded by \$6-\$8 Million (based on annual returns) and has to be paid off by 2027. The payment to Retirement Fund is \$1.3 Million in 2022, 2023, 2024, 2025 (based on a 3.35% market return and could be as high as \$1.8 Million (based on 5.35% market return). The total city property tax is \$1.6 Million per year. It takes all of our property tax to cover the mandatory payments. A bond issue now for \$6 Million would pay off the Retirement Fund Debt and could be paid at a rate of \$300,000 per year over 30 Years. The City must not use utility funds to pay for services provided by property tax. The city has also transferred funds for roads to the General Fund with the results being terrible roads in Gladstone and Over \$1 Million in special road assessments being added to citizens tax bill.

Economic Development encompasses many areas including the Gladstone North Shore. How can the Commission address these issues?

Mike O'Connor:

The North Shore is not property owned by the city. It is owned by Bessa and the Coal Company and only a few acres are owned by the city with a large section being used to house a concrete pile. The City should not devote city resources both time and now over \$100,000 to find a developer. If there is a need, the developer will come to the property owners with an offer and the city can then assist. The current businesses in the city and

UPCOMING ELECTION & REGISTRATION DATES

Some elections in this list are local and do not apply for all voters. Please click all election dates in your state.

NEXT ELECTION: GENERAL

Tuesday, November 2, 2021

Registration Deadlines

ONLINE
[Get registered!](#)
BY MAIL

Monday, October 18, 2021

Monday, October 18, 2021

Tuesday, August 2, 2022

Primary

[View details](#)

especially in the industrial park should be contacted to help those companies grow and prosper. The vast majority of jobs and growth is from small business ventures. Look to maintain our existing business base and build on those relationships.

Housing is an issue across all income levels. How will the Commission address these issues?

Mike O'Connor:

The Commission does not need to address housing issues. The private sector can and does provide housing. Gladstone has a variety of available homes and rental properties.

There are 9 candidates running to fill 3 seats. What makes you the best candidate for the City Commission?

Mike O'Connor:

The current commissioners are hesitant to take on difficult issues. Being popular appears to be more important than doing the job as city commissioner and the obligations. The City Budget will be facing a major financial issue as the utility funds are required to comply with the Headlee amendment. I am looking forward to making those difficult decisions and investing the time required.

Select this Candidate

Powered by [Peta the People](#)

All above responses come directly from the candidates and are unedited by LWV. The League does not support or oppose any candidates or parties.

Have all your candidates answered our questions? If not, [see how you can help!](#)

YOUR POLLING PLACE

ELECTION DAY

GLADSTONE SKI PARK

900 NORTH BLUFF DRIVE, GLADSTONE, MI 49837

DROP-OFF LOCATION

DROP BOX - GLADSTONE CITY

1100 Delta Avenue, Gladstone, MI 49837

EARLY VOTING

CLERK - GLADSTONE CITY

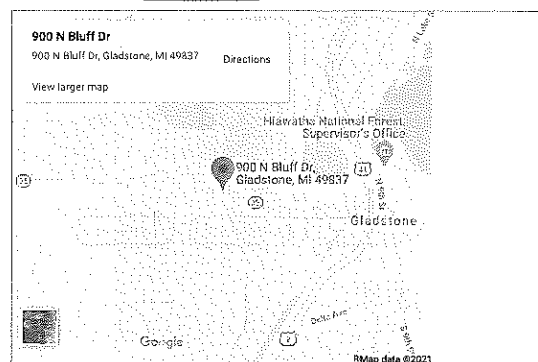
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Check Registration Status: [MI Gov. Site](#)



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

April 7, 2022

Mike O'Conner
526 Minnesota Ave.
Gladstone, MI 49837

Re: *Nelson v. O'Conner*
Campaign Finance Complaint No. 2021-11-52-221

Dear Mr. O'Conner:

The Department of State (Department) has received a formal complaint alleging you have violated the Michigan Campaign Finance Act (MCFA). Specifically, the complaint alleges that you, or organizations under your control, paid for newspaper advertisements in the October 10, 2021 edition of the *U.P. Action News* without properly reporting the advertisements as contributions or expenditures as required by the MCFA. A copy of the complaint is enclosed.

Advertisements 1 and 2

The MCFA requires all expenditures made by a candidate in support of their candidacy be reported to the relevant filing official as an expenditure made by the candidate's committee.¹ An expenditure is "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). The purchase of a communication which advocates for "the election or defeat of a clearly identified candidate" in "express terms" is an expenditure for the purposes of the MCFA. MCL 169.206(2)(j). Express advocacy, in turn, can take two forms: explicitly statements advocating for a candidate's election or defeat, *Buckley v. Valeo*, 424 US 1, 44 n. 52 (1976), or non-explicit statements which nevertheless are "susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate." *FEC v. Wisconsin Right to Life, Inc.*, 551 US 449, 470 (2007).

Two of the advertisements you purchased may have violated the above statutory scheme. The advertisement titled "Mike O'Conner a/k/a Citizen Mike" (Advertisement 1) indicates that it was

¹ Because a candidate themselves constitutes a committee, MCL 169.203(4), a candidate who has formed a committee by spending more than \$500 in support of their run for office must use committee funds, not personal funds, to pay for all expenditures made in the candidate's pursuit of that office.

paid for by "Mike O'Conner." The advertisement appearing directly below Advertisement 1, titled "Mike O'Conner for Gladstone City Commissioner" (Advertisement 2) indicates that it was paid for by "the Committee to elect Mike O'Conner." Based on these paid for by statements, it appears that Advertisement 1 was paid for out of your personal funds, while Advertisement 2 was paid for out of committee funds. Advertisement 1 does not explicitly advocate for your election to the Gladstone City Commission, but Advertisement 2 explicitly supports your candidacy. This complaint concerns whether the content of Advertisement 1, combined with its placement directly above Advertisement 2, makes Advertisement 1 a statement which is "susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate" and thus an expenditure under the MCFA which was required to be made from your committee account rather than from personal funds.

Advertisement 3

In Michigan, all money spent "in assistance of, or in opposition to, the nomination or election of a candidate" is either an expenditure or a contribution. Any entity making more than \$500 of expenditures or contributions, other than independent expenditures,² must register as a committee, MCL 169.203(4), by filing a statement of organization. MCL 169.224(1). A failure to file a statement of organization within 30 days of the date the statement becomes required is a misdemeanor punishable by a fine of not more than \$1,000. MCL 169.224. Additionally, committees must report all contributions and expenditures on regular campaign statements. MCL 169.226. A failure to file required campaign finance statements is punishable with late filing fees, and a failure to file two or more statements is a misdemeanor punishable by a fine up not more than \$1,000 or imprisonment for not more than 90 days, or both. MCL 169.233(8).

The advertisement titled "VOTE for CHANGE in Gladstone" (Advertisement 3) may be a contribution of more than \$500 from the Gladstone Citizens Council to the Committee to Elect Mike O'Conner. Advertisement 3 explicitly advocates readers "vote for change" and lists Mr. O'Conner as one of the candidates challenging the incumbent officeholders. If Advertisement 3 is a contribution of more than \$500, Gladstone Citizens Council would be required to register as a committee and report any contributions or expenditures made which are regulated by the MCFA.

Responding to This Complaint and Subsequent Process

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

² An independent expenditure is "an expenditure by a person if the expenditure is not made in cooperation, consultation, or concert with, or at the request or suggestion of, a ballot question committee or a candidate." MCL 169.209(2). Based on the evidence accompanying the complaint, the Gladstone Citizens Council cannot make an independent expenditure advocating for Mike O'Conner's election to office, because the Gladstone Citizens Council is controlled by Mike O'Conner.

true. 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.* An explanation of the process is included in the enclosed guidebook.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Ms. Nelson, 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 penalty provided in section 33(11) of the Act.

If you have any questions concerning this matter, you may contact me at BOERegulatory@Michigan.gov.

Sincerely,



Adam Fracassi, Regulatory Manager
Bureau of Elections
Michigan Department of State

Michael O'Connor
526 Minnesota Avenue
Gladstone, Michigan 49837

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2022 MAY -3 AM 9:57
ELECTIONS/GREAT SEAL

Adam Fracassi
State of Michigan
Bureau of Elections
430 W Allegan Street
Lansing, Michigan 48918

April 25th, 2022

Re: Letter date April 7th, 2022 Complaint 2021-11-52-221

Dear Mr. Fracassi,

I have reviewed the Mike O'Connor a/k/a Citizen Mike and the Mike O'Connor for Gladstone City Commissioner as published in the Action News. The Mike O'Connor a/k/a Citizen Mike was not intended to be a campaign advertisement but a rebuttal to a statement made by a City Commissioner concerning my actions. If you read the release it states the intent to clear my name.

I have turned to the print media, Action News, to provide information to the citizens. I have included an additional ad placed two weeks later. Again this is not a campaign advertisement but a commentary on the situation where the City of Gladstone dumped 100,000 tons of concrete, in violation of state law, and we now have a pile of broken concrete, asphalt, and other debris.

Sincerely,



Michael O'Connor

Michael O'Connor
526 Minnesota Avenue
Gladstone, Michigan 49837

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2022 MAY -3 AM 9:57
ELECTIONS/GREAT SEAL

Adam Fracassi
State of Michigan
Bureau of Elections
430 W Allegan Street
Lansing, Michigan 48918

April 25th, 2022

Re: Letter date April 7th, 2022 Complaint 2021-11-52-221 Advertisement 3

Dear Mr. Fracassi,

This issue has to do with the Gladstone Citizens Council. The Gladstone Citizens Council is a nonprofit organization with the primary mission to provide information to the residents and property owners of Gladstone. There are no paid positions and all work is voluntary.

The Vote for Change is a notification of the names of the challengers running for office. In addition to noting the challengers, the next two ads name all the current commissioners and challengers to the position. The intended goal is notification to the public and the opportunity to provide access to citizens.

Of the three newspaper ads, the current City of Gladstone Commissioners holding office are each noted twice.

Sincerely,



Michael O'Connor



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

July 14, 2022

Stacy Nelson
418 Dakota Avenue
Gladstone, MI 49837

Re: *Nelson v. O'Connor*
Campaign Finance Complaint No. 2021-11-52-221

Dear Ms. Nelson:

The Department of State received a response from Michael O'Connor to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

You may file a rebuttal statement after reviewing the enclosed response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State



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

September 29, 2022

Mike O'Connor
526 Minnesota Ave.
Gladstone, MI 49837

Re: *Nelson v. O'Connor*
Campaign Finance Complaint No. 2021-11-52-221

Dear Mr. O'Connor:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Stacy Nelson on November 4, 2021. The complaint alleges that you, or organizations under your control, paid for three newspaper advertisements in the October 10, 2021 edition of the U.P. Action News without properly reporting the advertisements as contributions or expenditures as required by the MCFA, and that you have failed to place a proper paid for by statement on certain campaign related materials.

You responded to the complaint on May 3, 2022. In your response you indicated that the "Citizen Mike" advertisement was not intended to be a campaign advertisement. Additionally, you indicated that Gladstone Citizens Council is a nonprofit organization with a mission to provide information to the residents of Gladstone. Finally, you stated the Vote for Change advertisement was intended as a notification to the public and an opportunity to provide access to the citizens of Gladstone.

Ms. Nelson was notified of your response on July 14, 2022 but did not provide a rebuttal.

The MCFA requires all expenditures made by a candidate in support of their candidacy be reported to the relevant filing official as expenditures made by the candidate's committee.¹ An expenditure is "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). The purchase of a communication which advocates for "the election or defeat of a clearly identified candidate" in

¹ Because a candidate themselves constitutes a committee, MCL 169.203(4), a candidate who has formed a committee by spending more than \$500 in support of their run for office must use committee funds, not personal funds, to pay for all expenditures made in the candidate's pursuit of that office. Candidates using personal funds must still report such expenditures in the appropriate reporting period.

“express terms” is an expenditure for the purposes of the MCFA. MCL 169.206(2)(j). Express advocacy, in turn, can take two forms: explicitly statements advocating for a candidate’s election or defeat, *Buckley v. Valeo*, 424 US 1, 44 n. 52 (1976), or non-explicit statements which nevertheless are “susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate.” *FEC v. Wisconsin Right to Life, Inc.*, 551 US 449, 470 (2007).

Additionally, all money spent “in assistance of, or in opposition to, the nomination or election of a candidate” is either an expenditure or a contribution. Any entity spending or receiving more than \$500 in expenditures or contributions, other than independent expenditures, must register as a committee, MCL 169.203(4), by filing a statement of organization. MCL 169.224(1). A failure to file a statement of organization within 30 days of the date the statement becomes required is a misdemeanor punishable by a fine of not more than \$1,000. MCL 169.224. Additionally, committees must report all contributions and expenditures on regular campaign statements. MCL 169.226. A failure to file required campaign finance statements is punishable with late filing fees, and a failure to file two or more statements is a misdemeanor punishable by a fine of not more than \$1,000 or imprisonment for not more than 90 days, or both. MCL 169.233(8).

There are three advertisements at issue. The first advertisement is titled “Mike O’Connor a/k/a Citizen Mike” (Advertisement 1), was printed on October 10, 2021, and indicates that it was paid for by “Mike O’Connor.” This advertisement discusses lawsuits that you brought against the City of Gladstone and budget matters within the City. In your response, you indicated that this advertisement was not intended to be a campaign advertisement but a rebuttal to a statement made previously by a city commissioner.

From the outset, the Department must consider whether this advertisement constitutes express advocacy. Although Advertisement 1 does not explicitly advocate for your election to the Gladstone City Commission, its placement in conjunction with Advertisement 2, discussion of issues relevant to the election, and the fact that you placed a paid for by statement on the advertisement, is enough to conclude that it was published with the intention of expressly advocating for your election.

Because this article was designed to expressly advocate for your election, it is covered by the Act’s requirements, meaning that the advertisement should have been purchased using committee funds or reported in the 2021 pre-general election campaign statement. However, since this advertisement was not reported, there may be reason to believe a violation of the Act has occurred.

The second advertisement is titled “Mike O’Connor for Gladstone City Commissioner” and clearly contains words of express advocacy. This advertisement was paid for by your committee, but fails to contain a proper paid for by statement because it entirely omits the address in violation of section 47. MCL 169.247. Accordingly, the Department concludes there may be reason to believe that a potential violation has occurred.

The third advertisement is titled “VOTE for CHANGE in Gladstone” and was paid for by the Gladstone Citizens Council. This advertisement tells voters “There are 6 challengers vying for the 3 City Commissioner Seats to oust the existing Commissioners in Gladstone.” This clearly

constitutes words of express advocacy since it urges voters to vote against the incumbent commissioners. Because advertisement 3 expressly advocates for the election of several candidates, Gladstone Citizens Council may have been required to either file an independent expenditure report under section 51 or to form and register an independent committee. However, since neither occurred, the Department concludes there may be reason to believe that a potential violation of the Act has occurred.

Resolution

Upon review, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. When the Department finds that there may be reason to believe a violation has occurred, the Act requires the Department to use “informal methods such as a conference [or] conciliation” to correct the potential violation or to prevent further violation. MCL 169.215(10). The Department has 90 business days to reach an informal resolution of the matter. *Id.*

Given this, please contact the undersigned by emailing BOERegulatory@Michigan.gov to informally resolve this complaint. If the Department is unable to informally resolve the complaint by February 16, 2023, the Act requires the Department to refer the matter to the Department of Attorney General with a request that her office prosecute the criminal penalties outlined under the Act. MCL 169.233(11).

Sincerely,

s/Adam Fracassi

Adam Fracassi, *Regulatory Manager*
Bureau of Elections
Michigan Department of State

Michael O'Connor
526 Minnesota Avenue
Gladstone, Michigan 49837
(906) 241 9808 (c)

Adam Fracassi
Michigan Bureau of Elections
Richard Austin Building
430 W. Allegan
Lansing, Michigan 48918

February 8th, 2023

Re: Campaign Finance Complaint 2021-11 52-221 letter Sept 29, 2022

Dear Mr. Fracassi,

I have reviewed your letter and your initial determination there are 3 issues concerning advertisements in the local free shopping paper associated with the election.

Issue 1- Not a full address associated with campaign ad only had the following " Mike O'Connor Paid by the Committee to elect Mike O'Connor." Indeed I was not aware of the mandatory requirement for an address.

Issue 2- In the same issue I replied to a personal attack by a Gladstone City Commissioner at a city commission meeting. I noted, "Paid for by Mike O'Connor." This was a personal attack on my character and required a reply. The placement of the two ads, one campaign and one personal, was totally up to the local paper.

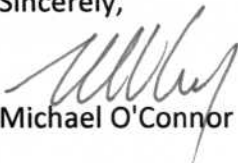
Issue 3- Gladstone Citizen Council printed an ad to advise the citizens there were people running for the city commission. The city had not provided any information to the general public the deadline to file or the people which were running. Subsequent ads listed all names of those running for the open seats and encouraged everyone to vote.

The election was for 3 seats being non-partisan in a relatively small town of 5000 on the city commission. Not being a full time politician, only trying to help and make the city better, I'm sure the exact letter of the law was not followed. There was no intent to deceive the public, hide funds or provide any undue influence to the voters.

I would look at this as an opportunity at the local level to provide appropriate information for all those seeking to run, provide guidance on filing with the county clerk, tracking all fund raising, donations and expenses. In addition to requirements to provide full name and address information on all printed materials.

Thank you for your review of the issues.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael O'Connor", written in a cursive style.

Michael O'Connor

MDOS-BOERegulatory

From: MDOS-BOERegulatory
Sent: Tuesday, February 14, 2023 3:10 PM
To: mike o'connor
Subject: RE: Campaign Finance Complaint 2021-11 52-221 letter 29 sept 2022

Mr. O'Connor,

The Department is in receipt of your February 8, 2023 email in response to the Department's September 29, 2022 determination. As stated in that determination, the Department concluded that there was reason to believe that a potential violation of the MCFA occurred and that, to remedy it, you should amend your campaign finance reports (and potentially file an independent expenditure report for the "Vote for Change in Gladstone" advertisement). If you have not done so by the conclusion of the 90-business day conciliation period on Thursday, February 16, 2023, the Department will have no choice but to refer this matter to the Department of Attorney General.

Regulatory Section

[Bureau of Elections](#)

Michigan Department of State

Main: 517-335-3234

BOERegulatory@Michigan.gov

From: mike o'connor <mikemikemikeup@gmail.com>
Sent: Wednesday, February 8, 2023 12:42 PM
To: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>
Subject: Campaign Finance Complaint 2021-11 52-221 letter 29 sept 2022

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Please see attached letter from Michal O'Connor



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

February 17, 2023

The Honorable Dana Nessel
Department of Attorney General
G. Mennen Williams Building
525 West Ottawa Street
Lansing, MI 48933

Re: *Nelson v. O'Connor*
Michigan Campaign Finance Complaint

Dear Attorney General Nessel:

Please allow this letter to serve as a referral to the Attorney General of the above referenced campaign finance matter for the enforcement of any criminal penalties under the Michigan Campaign Finance Act. MCL 169.215(10)(a).

If you or your staff would like any additional information regarding this case, please contact this office.

Sincerely

s/ Michael J. Brady

Michael J. Brady, Chief Legal Director
Michigan Secretary of State

cc: Heather Meingast, Division Chief, CLEE Division