

West Michigan News Company

WMNC.biz:

- Link to an article on H1N1 vaccinations - Make up your mind
- Video and articles on our push to see the ballots in Allegan County using FOIA law.
- Saugatuck Group meets to talk about health care - audio and pictures
- House Committee questions the head auditor of the Federal Reserve Banks
- Libby Hunter sings to the City Council of Ann Arbor

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New American Revolution by Pat Foster

On August 24th, four groups of bi-partisan citizens took the first steps toward putting our government back into the hands of the citizens of Allegan county. We served 18 townships and cities FOIA's (Freedom of Information Act requests) to see the ballots from the 2008 General Election, where over half the precincts in this county could not even be counted in a Re-count for Circuit Court Judge. Only one clerk, Linda Evans of Allegan Township would follow the law and allow us to photograph the ballots. Copies of these ballots are on our website showing that 3rd Party totals were reduced on the official totals from the actual ballots cast.

All the other clerks received

emails telling them that Brad Whitman of the State Bureau of Elections that "only the State Board of Election Canvassers could give us that right". All of these clerks denied our requests based upon Mr. Whitman's statement.

End of story? Not quite. Mr. Whitman had quoted an old rule made by the Secretary of State's office that only applied to "counting boards" established in 1979 to count IBM punch cards outside of the precincts. This rule never applied to the clerks. Most important, it does not apply to Michigan FOIA law. Only "statutes" passed by the Michigan Legislature apply to FOIA's as a reason to deny us the right to see those ballots.



Judges Recount in Allegan County 55% of the Precincts Uncountable

We appealed the clerk's decisions to the individual boards or councils specifically showing them FOIA law that states only "statutes" can be used to deny our requests. The majority have gotten back to us stating that they are waiting for a decision by Mike Cox, Attorney General (candidate for governor). He has apparently told them to

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Money—How it Robs You? By Pat Foster

The modern version of money is that it represents the total goods and services created by the country it represents. Since paper money and bank accounts basically have no real value intrinsically, it derives its value based upon what each of us can produce.

Who controls the issuance and creation of this money? You would expect the country that is on the paper money that is being issued, but you may be wrong.

In most economies, money is one half of every economic

transaction. If the creation of new money is controlled by governments, it is called the American System of Banking. If the creation of money is controlled by private individuals, it is called the British System of Banking. We use the British System of Banking in our coun-

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Mike Cox

Republican Candidate for Governor
He should be protecting our right to see the ballots.

New American Revolution continued

allow us to see the ballots, but charge us through the nose to inspect them. Manlius Township sent us a letter denying us any rights, including our right to "copy" those ballots using our camera. Instead, they said I had to use their copying machine with a cost of close to \$6,000 plus pay for 3 election workers at the rate of \$33/hour. These are not your elected officials, they are people who are in power through the manipulation of elections.

We have replied to Manlius

Township's Board again showing them court cases that do not allow them to use procedures like these unless my "inspection would take longer than two weeks". **Cashel v Regents of the University of Michigan.**

What is the New American Revolution? It is taking back government first at the local level and putting it back into the hands of the people using laws that are on the books. If we live in a democracy that so many people have fought and died for, then we must have honest, verifiable elections.

If our election officials continue to turn their back on the law, we can use the law to recall them. If they control the ballot box, we will turn out in large numbers and demand to see the ballots. If they change absentee ballots, we will have election challengers there watching them open those ballots and inserting them into the box for counting. The New American Revolution is using the laws on the books to force our representatives to represent us, rather than their own interests.

FOIA Precedents in Federal and State Courts on Inspecting the Ballots after an Election -

What Does This Mean to You?

Honest Elections are possible - This is the first step in having some say over your own life.

Universal Health Care, Environmental Changes, etc. are only possible if we have honest elections.

Please Contribute to our legal fund that is fully tax deductible under Section 501 (C)(3) of the Internal Revenue Code - Make your checks out to the Michigan Election Reform Alliance Legal Fund, or
MERA—Legal Fund

6079 Mallard Drive

Fennville, MI 49408

Clark Hill Law firm by Pat Foster



Scott Smith, Co Chairs the Education & Municipal Law Group

The Cities of Allegan, Otsego, and Plainwell have denied our FOIA request to see the ballots from the 2008 General Election based upon a letter from Scott Smith an attorney with the Law Firm of Clark Hill.

Mr. Smith, the attorney representing the Cities of Allegan, Otsego, and Plainwell had given these councils a letter stating

that only a "statute" could be used to deny our FOIA request, and then he cited Michigan Election Law. Guess what? Michigan Election Law does not take the right of those ballots away from the local clerks and give it to the State Board of Election Canvassers.

Would you call that misleading? Is this the action of a law firm

that just recently was voted by their peers as having 30 of the top attorneys in our country? Maybe you can answer those questions. I noticed Mr. Smith was not one of those 30 attorneys. I question the ethics expressed in their letter. They know the law, and how to use it to mislead people.

Money—How it Robs You? continued

try. The Federal Reserve Bank is controlled by private interests. These interests actually create not only the money the government spends, but they create money for themselves thereby diluting the wealth of people. Wikipedia states that "in the United States at the end of 2001, 10% of the population owned 71% of the wealth, and the top 1% controlled 38%. On the other hand, the bottom 40% owned less than 1% of the nation's wealth. " That leaves 38% for a fast disappearing middle class. So who loses when these

few families create new wealth diluting your wealth. It surely is not 40% of the population that has learned to live on nothing. It is the wealthy Americans called the middle class.

Does this add up to the haves against the have-nots. I don't see it that way. The have nots really don't have anything to steal. These interests that control the Federal Reserve are stealing what wealth exists in the remaining middle class and wealthy outsiders at the top of the pyramid.

What can you do to change this situation? You could ask the government to do something about it, but this is forbidden ground for them. You Tube film on my website at the bottom of my home page shows how little the government knows about the Federal Reserve Banks.

You can do what the bottom 40% of the population has been doing for a very long time. You can learn to live without money. I grow a good deal of my own food in my garden. I make agreements with others to help them, and they help me. All of



Federal Reserve Bank— Chicago

these actions help to by pass the use of money. If you want our government to do anything, you could contribute to our legal fund on page 2 to try to get the vote back, because right now you are just a victim of legal robbery.

The Murky World of High Fructose Corn Syrup—Excerpt by Linda Joyce Forrestal, CCP, MTA

Sucrose is composed of glucose and fructose. When sugar is given to rats in high amounts, the rats develop multiple health problems, especially when the rats were deficient in certain nutrients, such as copper. The researchers wanted to know whether it was the fructose or the glucose moiety that was causing the problems. So they repeated their studies with two groups of rats, one given high amounts of glucose and one given high amounts of fructose. The glucose group was unaf-

ected but the fructose group had disastrous results. The male rats did not reach adulthood. They had anemia, high cholesterol and heart hypertrophy--that means that their hearts enlarged until they exploded. They also had delayed testicular development. Dr. Field explains that fructose in combination with copper deficiency in the growing animal interferes with collagen production. (Copper deficiency, by the way, is widespread in America.) In a nutshell, the little bodies of

the rats just fell apart. The females were not so affected, but they were unable to produce live young.

"The medical profession thinks fructose is better for diabetics than sugar," says Dr. Field, "but every cell in the body can metabolize glucose. However, all fructose must be metabolized in the liver. The livers of the rats on the high fructose diet looked like the livers of alcoholics, plugged with fat and cirrhotic."

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God - .89¢/lb. By Pat Foster

I was at the grocery store the other day and I noticed a sign saying: Chicken .89¢/lb. My mind raced to the facts I know about factory farming and how these birds are raised in such misery being forced to take growth hormones so they can be slaughtered earlier. They are also force fed corn which is not their natural diet, so they get sick on it. To keep them alive

long enough to be slaughtered, they are also fed anti-biotics so that they can be crammed together in tight spaces. We are all aware of these facts.

My mind drifted to another theory of God the Creator, who is the creation. If you look at it from that perspective, we are abusing not just a chicken, but God.

I just wanted to leave that concept with you for awhile. If we became spiritual in nature, then everything that is happening in factory farms, GITMO, Palestine, Iraq, and Afghanistan is being done against God. It can all be corrected very easily just by finding the God within ourselves. Apparently that God is not yet awake.



Crippled chicken left to suffer.



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Brief:

Thank you to the Allegan County News!

The Green Party of Michigan will be in Benton Harbor on November 3rd as election challengers making sure that election law is followed explicitly. There is a group of BH citizens that will be running against the Whirlpool group that has controlled for years. We were there for the Primary election in August, and this new group beat the old Whirlpool group in Commissioners-at-large races. My friend, Dennis Knowles will be running in the 4th Ward against an old Whirlpool backed commissioner who stated that "nobody could ever remove him". I believe our presence could force him to eat those words.

If you want to volunteer to help, go to WMNC.biz and register as a MERA's Monitor.

The Garden by Pat Foster



I am now in the process of canning my harvest for the coming winter. So far I did 37 quarts of pickles, and 2 quarts of ketchup. I still have tomatoes coming in, but lost some to the tomato blight that hit us this summer. I had to cut off all the dead limbs, and I understand that the plants must be burned, not plowed under after the harvest to prevent it from coming back next year.

I did not know anything about canning, so I was apprehensive about it from the beginning. Once you get the pot boiling on the stove, and start making your syrup from a recipe to pour over the cucumbers, it becomes easy to do. We have been eating these sandwich pickles both dill and sweet. They are great. You cannot get anything like this in a store.

I've mentioned my successes, but I have some failures to. The worst is my crop of Spanish peanuts. They took a lot of space, and they just will not grow fast enough over the summer to get a crop. Maybe if I start some in doors around February, I may get large

enough plants to give me a crop. My early plantings of okra were eaten by the birds, so I replanted in mid-June, but it may have been to late to yield a crop for this season. My seed potatoes grew plants and then died early on. I am getting some tubers, and should have around 30 lbs. When I'm finished. The russets I buried in the ground from the store are growing like crazy. I could have another 30 lbs. there.

On a par with other things I have done with my life, this one definitely sits very close to the top.



Pumpkin grows under the fence and takes off

Manlius Township FOIA Restrictions

Per the Freedom of Information, (FOIA), appeal made to the Manlius Township Board on September 5, 2009, a special meeting of the Manlius Township Board was held. Motion was made as follows:

Moved VanGeldereren, second Hertel to contact Pat Foster to inform him inspection will be allowed with the following stipulations:

1. *Manlius Township reserves the right to coordinate time and date of inspection, with that inspection to be concluded no later than October 26, 2009 at 6:00 PM.*
2. *Three regularly scheduled election workers will be present for said inspection, at a rate of \$11.00 per person per hour.*
3. *For those visiting to conduct said inspection, we limit said visitor(s) and that inspection to be done by one person, that being Pat Foster or a representative of Pat Foster.*
4. *To assure the chain of custody of ballots, only the election workers present will be allowed to touch the ballots.*
5. ***We will not allow videotaping or photographing to be done by the person visiting to do said inspection.*** (Note that this is made as reference to person visiting being Pat Foster and or representative of Pat Foster.)
6. *Manlius Township does reserve the right to videotape all or a portion of the procedure.*
7. *Photo copies will be made available on request at the rate as was adopted in cost schedule by the Manlius Township Board on July 14, 1997. That rate being \$2.00 for the first page and \$1.00 for pages 2 through 5, with each additional page charged at \$0.75. It should be noted that with the size of the ballot from said election it will require 4 copies per ballot, that making the minimum copy cost for a ballot is \$3.00..*
8. *Manlius Township will photograph the ballot can before the seal is broken, to insure that the can is sealed and in proper condition. This photograph will be taken in the presence of Pat Foster or representative of the same.*
9. *At the completion of the viewing, a document listing the following reasons will be made;*
 - a. *Reason for opening of the ballot can.*
 - b. *Date of inspection, time of opening.*
 - c. *Those individuals present.*
 - d. *Length of time the ballot can is open.*
 - e. *Photograph copy of the can as was taken before can was opened.*
 - f. *Time that the can is again sealed.*
 - g. *This document will be signed by all present.*
10. *The cost of this inspection process is based on the ballot can containing 1585 ballots, viewed at a rate of 30 seconds per ballot. This totals 13 hours at a rate of \$33.00 per hour, or a total personnel cost of \$429.00, with copy cost being an additional charge. To begin this process, 50% of personnel cost must be paid to Manlius Township, or that amount being \$215.00. Immediately following inspection the remaining \$215.00 plus any copy cost must be made to Manlius Township.*

All ayes — motion carried.

Barbara Van Gelderen, Supervisor
Kathy Lubbers, Clerk
Robert Hertel, Treasurer

Dave Kempker, Trustee
Jo Ann Csapos, Trustee
Vicki Zoerhof, Secretary

West Michigan News Co

September 27, 2009

Manlius Township Board

Dear Sir or Madam:

Your response to my FOIA appeal violates Michigan FOIA law, case law, and Attorney General Opinion. I urge your Board to reconsider your response to my appeal.

In regard to your replies 2 & 10. There is no provision in Michigan statute for requiring the "presence" of three election workers, or for your charging me for their "presence."

Michigan case law has determined that the Township has no authority to charge for supervision of my simple review of this small number of ballots, which will certainly not exceed the two week standard established in:

Cashel v Regents of the University of Michigan, 141 Mich App 541; 367 NW2d 841 (1985)

Where a person seeking to inspect records will take more than two weeks to complete inspection, she may be assessed labor costs incurred by public body to supervise her inspection.

Further, Attorney General Opinion 6923, p 224, October 23, 1996, states that Section 4(2) of the Freedom of Information Act permits that a public body may establish a fee in advance of compiling the records responsive to a request under the Freedom of Information Act so long as the fee represents the actual cost of responding to the request based on prior experience and it is calculated in accordance with section 4 of the Freedom of Information Act. Attorney General Opinion No. 6923.

I must ask, what established policy and prior experience forms the basis for your demand to charge for three persons?

FOIA Sec. 4 provides no basis for this charge, as these persons are not involved in the actual incremental cost of the process of deletion and separation of exempt from nonexempt information, nor were these persons required for the search for the information, as the ballots are easily retrieved from the ballot container.

4. What is the basis in Michigan statute for your refusal to allow me or my representatives to touch the ballots? Your refusal and consequent demand that I pay for the services of others to touch these post-election certification ballots constitutes an illegal denial of my FOIA request to examine public documents.

5. What is the basis in Michigan statute for your refusal to allow my recording of these anonymous ballots by photo or video?

7. I did not request photocopies and continue to decline your offer of copies. Your per copy price reflects either an unlawful policy of charging the public (your constituents) far more than your incremental cost, or a truly bad purchasing decision by whoever selected your copier vendor.

9. This procedure is not authorized by any Michigan statute. As a procedure only authorized by the local township for its own employees, it does not apply to me.

10. You have set these unreasonably high fees on me based upon Michigan FOIA Law 15.234, Sec 4 (1)" A public body may charge a fee for a public record search, the necessary copying of a public record for inspection, or for providing a copy of a public record." This statute does not apply to me because:

- A. The public records I seek do not require a search, because you are required under Federal retention laws to keep them for 22 months from the date of the election.
- B. The records do not need to be copied, because they are not secret. In all elections the secrecy of the voters ballot ends once it is deposited into a box for counting with no reference back to the voter. If you have a right to count that ballot, the public also has a right to count it.
- C. I have not asked you to give me a copy of the ballots. Under 15.233, Sec 3 (1) "a person has a right to *inspect, copy, or receive copies* of the requested public record of the public body." Your restriction on the use of my camera is contradictory to my right to "copy" the records.

I respectfully request that you retract these unlawful and unreasonable demands and fulfill my FOIA request in a timely manner, without unfounded fees or further unlawful impediment.*

Sincerely,

Pat Foster, Editor

* From the web site of the Michigan Attorney General http://michigan.gov/ag/0,1607,7-164-17337_18160-51244--,00.htm

“The Michigan Freedom of Information Act provides every person with the right of access to most public documents. Where access to records is wrongfully denied, citizens are authorized to bring suit to compel disclosure and may be awarded (punitive) damages and reasonable attorney fees.”

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