

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF JANEL HEIDEMAN REGARDING JEAN EPLAND, PAT NEILON, SANDY SLETTEN, AND THE CITY OF TWIN LAKES

On October 10, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Janel Heideman regarding Jean Epland, a city council candidate in the City of Twin Lakes; Pat Neilon, a mayoral candidate in the City of Twin Lakes; Sandy Sletten, a city council candidate in the City of Twin Lakes; and the City of Twin Lakes.

The complaint alleges that the candidates sent out a piece of campaign literature without a disclaimer in violation of Minnesota Statutes section 211B.04. The literature consisted of a single page with the text “City of Twin Lakes” and “Election 2024,” first-person descriptions of each of the three candidates, and language encouraging individuals to vote for those candidates. The complaint also alleges that the literature was printed on neon green paper, as was a mailer dated September 30, 2024, that was sent to residents by the City of Twin Lakes and had various news items for residents, including information about the upcoming election. The complaint asserts that “[t]his gives residents/taxpayers/voters the impression that the City very possibly paid for the paper, and the copying with our brand new copier.” The complaint alleges that “Jean Epland has a key to city hall and is an incumbent, having easy access to have the city clerk do this, or for [Epland] to do it on her own, using city resources.” The complaint does not explain what statute or rule may have been violated if city resources were used to produce the campaign literature included with the complaint. The complaint included a copy of the campaign literature from the candidates and the mailing from the City of Twin Lakes.

Determination

Minnesota Statutes section 10A.022, subdivision 3, authorizes the Board to investigate alleged or potential violations of Minnesota Statutes Chapter 10A, in addition to Minnesota Statutes sections 211B.04, 211B.12, and 211B.15 regarding state-level candidates. Minnesota Statutes section 10A.01, subdivision 10, defines the term “candidate” to mean “an individual who seeks nomination or election as a state constitutional officer, legislator, or judge.” The Board does not have investigative authority with respect to alleged violations by candidates for local office. Because the individuals named in the complaint are not candidates within the meaning of Minnesota Statutes Chapter 10A, the Board does not have investigative authority with respect to the violations alleged in the complaint regarding those individuals. While the complaint appears to list the City of Twin Lakes as one of the entities being complained about, the complaint does not explain what statute or rule the City of Twin Lakes may have violated, and none of the alleged conduct appears to be addressed by the statutes and rules under the Board’s

jurisdiction. Therefore, the chair concludes that the complaint does not state a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by the Board chair and not by any vote of the entire Board. The complaint is dismissed without prejudice.

A handwritten signature in black ink, appearing to read 'D. Asp', is written over a horizontal line.

David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: October 14, 2024