

Two Charges Dropped, Two Undecided in Lawsuit Against Thomas North

By Ellen Paquin

Two charges have been dismissed, and two will go to jury in a lawsuit against Thomas North of St. Ignace, who was charged in October with four counts of misrepresenting himself as the incumbent in the November 4 election for the judgeship of 92nd District Court.

At issue in the case is the use of printed campaign materials in which Mr. North, the former judge of 6th Probate Court, referred to himself as "judge."

The case began when his opponent in the election, incumbent Judge Beth Gibson of Newberry,

filed a complaint contending Mr. North's use of the honorary title "judge" in his campaign materials implied he was the incumbent. Disputed are the words "Elect Judge Thomas North to District Court" on two magnetic signs used on cars in July 4 parades, "Judge Thomas North Election Committee" printed on his campaign letterhead, and "Judge North" used on a name tag, according to the court warrant.

Judge John Fitzgerald of Montmorency County, assigned to 92nd District Court for this case, dismissed counts three and four, concerning the name badge and sta-

tionery, January 8. Count three was dismissed with prejudice, meaning the charge could not be re-filed in the future. Count four was dismissed without prejudice, and the prosecutor, James Linderman of Emmet County, has 30 days in which he can amend this charge by changing the language.

Mr. Linderman was assigned to the case when Mackinac County Prosecutor Fred Feleppa, perceiving a conflict of interest for his office because the case could impact the campaigns of two candidates for the bench, requested another prosecutor be called in.

Three-Vehicle Crash Results in Death

One man died and four people were injured in a three-vehicle crash Sunday, January 18, on US-2, west of Pte. Aux Chenes Road in Moran Township.

An eastbound vehicle driven by Caitlan Grubb, 19, of White Lake, lost control and struck a westbound vehicle driven by Louis Giesken, 64, of Chesaning. The Giesken vehicle was then struck by another eastbound vehicle driven by Kristy Burt, 29, of Marquette.

Joseph Esmer, 54, of St. Charles, was a passenger in the Giesken vehi-

cle, and was pronounced dead at the scene.

Occupants and drivers of all vehicles were transported to Mackinac Straits Hospital in St. Ignace. Injured were John Schneider, 54, of St. Charles; Joshua Burt, 34, and Parker Burt, 3, both of Marquette, and Louis Giesken. Mr. Burt, Mr. Giesken, and Mr. Schneider were later transferred to Northern Michigan Regional Hospital in Petoskey for further treatment.

The road was icy. Alcohol is not believed to be involved in the crash.

Further investigation is planned.

Michigan State Police from the St. Ignace Post were assisted at the scene by the Mackinac County Sheriff Department, St. Ignace Fire Department, Hendricks Township Fire and EMS, Allied EMS, and Mackinaw City EMS.

Michigan Politics

By George Weeks



Northern 3 To Have Sway Over Obama Agenda

Northern Michigan's three congressmen will have key roles on the fate of the Obama administration's agenda on Capitol Hill.

One, Representative Bart Stupak (D-Menominee), revealed Saturday that he recently discussed with ex-Representative Rahm Emanuel of Illinois, a longtime ally on Great Lakes issues and incoming White House chief of staff, about ways to *shape* the new administration's agenda for the lakes.

One proposal being drafted by Stupak is creation of a Great Lakes Trust Fund. As newly-selected ranking Republican on the powerful House Ways and Means Committee, 10-term 4th District Representative Dave Camp of Midland will be an influential voice on domestic affairs.

He is among four GOP congressmen working to develop what he calls "constructive ideas to help revitalize the nation's economy" in response to an earlier request by President-elect Barack Obama for Republican ideas.

As ranking Republican on the House Intelligence Committee – and its chairman when his party ruled the House – nine-term 2nd District Representative Peter Hoekstra of Holland retains his prominent voice on security and foreign affairs.

Hoekstra, who's not going to seek reelection in 2010 and is exploring running then for governor, has been a go-to guy for the national media, and not timid about occasional criticism of the Bush administration.

But among the Northern Three, the most critical in congressional relations for Obama will be nine-term 1st District Congressman Stupak, who last week was unanimously picked by all other 35 Democrats on the House Energy and Commerce Committee to retain chairmanship of its Oversight and Investigations Committee.

Stupak, who held 36 hearings over the past two years, said: "I expect an equally aggressive agenda in the new Congress" on "food and drug safety, FDA (drug agency) reform, security of government laboratories, energy costs, and abuses in our nation's health care system."

Last week, Stupak was among Democrats quoted by *The Hill* daily newspaper in a story that began: "Senior House Democrats have a message for their Speaker: We're mad as hell, and we're only taking it this one last time."

The publication said that as "congressional Democrats take the lead in responding to the sinking economy, subcommittee and even some full-committee chairmen" who normally wield significant influence in writing legislation "have been forced to wait on

The difference in printed language between the car signs and the other materials is the reason the two counts regarding the signs were sustained by the court, while the others were dismissed, Judge Fitzgerald told *The St. Ignace News* Friday, January 16.

"There is case law, opinions of the Judicial Tenure Commission, and opinions from the Michigan Code of Professional Responsibility, so there are a number of resources that address this issue," Judge Fitzgerald said. "The outcome is still pending."

A good part of the day January 8 was spent arguing the legal points of the language by all parties, the judge said, and since then, further motions have been filed by Mr. North for consideration by the court.

Mr. North is representing himself and has requested a jury trial, Judge Fitzgerald said.

Does the judge anticipate a change of venue for this case,

owing to Mr. North's longtime residency and former judgeship in Mackinac County?

Under the law, he said, "you must attempt to impanel a jury first. This case may or may not be tried in Mackinac County."

If the campaign materials are found to be in violation of the law, these are misdemeanor charges, each punishable by up to 90 days in jail and a \$500 fine.

Judge Gibson was the winner in the November 4 election.

LETTERS TO THE EDITOR

Will City Officials Ever Get Around To Complying With Charter?

To the Editor:

Help me count the ways the mayor and city administration are beating a dead horse.

The City Charter, as enacted in 1970, is fine as it is. No revisions needed. No updates. No additional tax dollars need to be spent.

The four areas which confound the council and mayor are simply explained because the city has failed to comply with the charter in the past. The city has had a charter-mandated legal department every year so that any areas of confusion could be unraveled by the attorney. Yet, they weren't.

Even something as basic as elections being held in years inconsistent with the dictates of the charter inspires the logical question: Who was in charge when this went haywire?

One amusing council member frets and worries about how to publish the annual audit. What about the cost! It must be that you and I are the only ones who've heard about "desktop publishing" or other fun modern technology.

I am one citizen who did request a copy of the auditor's summary several years ago, and I received it without delay or hassle. I'll go out on a limb to suggest that this civility would be available to others.

The funny part of this adventure in wanting to learn more about how my local government works is this: The auditor specifically drew attention to expenditures the city had made to private corporations. The certified public accountant and staff advised that this practice was in violation of Michigan law.

Years have passed. These questionable expenditures of public funds are now being made to many, many more private corporations by decision of the City Council. No compliance or mere concern here.

You know that it's our dollars being spent in ways which may or may not be in violation of Michigan law, and it will be our tax dollars spent to defend this practice.

So, whether access is provided to information, things here won't be changing until an appreciation for compliance is demonstrated by our city's elected officials. And we don't need to spend additional thousands of tax dollars to hire consultants or to conduct studies about how to revise the charter! All the city has to do is to comply with the charter as it is written.

Our mayor has adamantly resisted following the charter provisions of Chapter II-Municipal Powers as he attempts to convene a regular meeting of the City Council outside city limits. This prohibition is spelled out in Public Act 215 of 1895 and is cited in Section 2.1 of our city's current charter. Anyone can read it. Anyone can understand. The mayor could comply with it, but simply doesn't.

And, if there had been compliance with the City Charter concerning Budget Control, Section 8.5, the city would never had had to endure the painful consequences of "discovering" the apparently-unexpected shortages in the water and sewer budgets. Water users locally are still paying for this administrative "ooooooooops!"

The well-crafted 1970 City of Saint Ignace Charter requires that "the City Manager shall each month submit to the Council data showing the relation between the estimated and actual revenues and expenditures to date; and, if it shall appear the revenues are less than anticipated, the Council shall endeavor to reduce the appropriations, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the revenues."

That's clear. That's simple. And that remains undone. Last year, tax dollars in the amount of \$2,000 went into the pockets of the elected officials "to study the Charter." The previous year, we paid the council and mayor an additional \$500 for the special meeting where the newly re-elected three council members swore an oath to uphold the Charter, which may or may not have been read at that time.

Last year, something else was done at City Hall, which is noteworthy, as well.

It seems that the job description of Deputy Clerk over the years had become a job position represented by AFSCME, Local 25, the collective bargaining labor union. A vacancy occurred. Our current City Clerk, who is very knowledgeable about the City Charter as it is written, citing Section 4.15 – Deputy Administrative Officers – realized the conflict in the job being filled solely on the basis of seniority considerations with termination subject to labor contract considerations.

So, our clerk did the absolute right thing by asserting the precedence of the City Charter over tradition. She "shouldered" the entire burden of the office while this impasse eventually went to the formal arbitration hearings, and in the end the City Charter, defended by our remarkable clerk, prevailed.

I'm left to wonder whether elected officials will ever get around to just complying with the charter. I don't think simply doing the job is much of a photo opportunity, but I've observed the real heroes at City Hall aren't pictured much.

Mary Elizabeth Nichols
St. Ignace

With Inauguration, Americans Join Hands for Brighter Future

To the Editor:

At this most historic time, hope has electrified America and it has electrified nations around the world. Clearly, change is in the air and Americans are joining hands to grasp a brighter future, as is reflected in President Obama's approval rating having soared well beyond that of former incoming Presidents.

Telling numbers such as these reveal that President Obama is a transformative figure, a true and rare personage who emerges every generation or so onto the national scene. Such people inspire America to reach deep into her founding principles to help perfect our young evolving union that we hold so dear.

Already, one can feel harsh edges softening and sense that America's shattered moral standing is on the mend. As a people, we seem to be looking at each other differently and for the better, and seeing ourselves reflected in each other.

President Obama leaves no doubt that we as Americans, when acting at our best, can overcome difficult challenges which lay before us. And the fact is his words resonate as though they belong to one nation after another.

Barack Obama is America's President, although as a transformative figure he is so much more than that. He understands that people at home and around the world are standing up for greater justice, for peace and an end to needless war, for a healthier planet and for increased liberty. He has helped us to see ourselves in each other, which is key to the brighter future which all mankind aspires to.

Ronald E. Wallin
Mackinaw City

St. Ignace News Policies

Letters:

All responsible letters will be considered for publication and may be edited. They must be signed and a telephone number must be included for verification. Personal thank-you notes, personal attacks against other people, form letters, and letters promoting political candidates are not accepted, although letters for or against ballot proposals are welcome.

Obituaries:

The St. Ignace News maintains a policy of not charging for obituaries and we do often add information or rewrite them for clarity and reader interest. Obituaries that the family wants published exactly as submitted can be placed in the newspaper for \$75. Photographs are welcome at no charge.

Weddings:

Weddings with photographs are published without charge within 45 days of the ceremony. After 45 days, a photograph can be included for \$35.00.

Internet:

The complete edition of The St. Ignace News is available online at stignacenews.com.

Contact:

The St. Ignace News
359 Reagon Street
PO Box 277
Saint Ignace, MI 49781
(906) 643-9150 (phone)
(906) 643-9122 (fax)
e-mail: news@stignacenews.com

The St. Ignace News

and Les Cheneaux Islands Weekly Wave

359 Reagon Street, PO Box 277, Saint Ignace, MI 49781
Telephone (906) 643-9150 • Facsimile (906) 643-9122
www.SaintIgnaceNews.com

USPS Periodical Publication Number - 462-380

ESTABLISHED 1878

Published each Thursday at Saint Ignace, Mackinac County, Michigan

Entered in Saint Ignace, Michigan Post Office as Periodical Mail Matter, Act of March 3, 1879
Periodical Postage Paid at Saint Ignace, MI • Additional Postage Paid at Gaylord, MI
POSTMASTER: Send address changes to St. Ignace News, PO Box 277, St. Ignace, MI 49781

Volume 129, Number 42 Thursday, January 22, 2009

Publisher/Editor

Wesley H. Maurer, Jr.

Associate Publisher

Mary R. Maurer

Publisher 1975-1995

Wesley H. Maurer, Sr. (1897-1995)

Editor

Ellen Paquin, news@saintignacenews.com

Staff Writers

Ryan Schlehuder, ryan@saintignacenews.com

Karen Gould, karen@saintignacenews.com

Jonathan Eppley, jon@saintignacenews.com

Advertising Department

Tammy Matson, David Moyalson

ads@saintignacenews.com

Print Shop Manager

Sherry Cece

Circulation Manager

Wendy Colegrove



Subscriptions:
\$42 in Mackinac, Chippewa, Emmet, Luce, and Cheboygan counties.
\$52 elsewhere in the United States and military post offices.
\$35 for the Web edition at www.saintignacenews.com

We take Visa, MasterCard, and Discover

The quotation under the flag of *The St. Ignace News* on Page 1 is from the 10 triads written by Dr. Fred Newton Scott, creator and teacher of the first continuous course in journalism in the United States at the University of Michigan in 1890. The 10 triads are chiseled on the parapet of the Detroit News Building at 615 Lafayette Boulevard, Detroit. They were headed "Ideals of the Press" or "The Newspaper as a Free Society," and serve as a reminder of what a free press means to us.