

Grand Rapids to consider smoking ban Sept. 20, 2006

By CHRIS HECOX

Grand Rapids Mayor George Heartwell says he was shocked to learn nonsmokers account for about 40 percent of all smoking-related deaths.

To help curb exposure to second-hand smoke in Grand Rapids, Heartwell is proposing a citywide smoking ban.

The Grand Rapids City Commission will host a public hearing Oct. 3 about the proposed ban.

If approved, the ban, known as the Indoor Clean Air Ordinance, would eliminate smoking at public places in the city.

The smoking ban would not apply to restaurants, bars, tobacco stores, and private residences.

Heartwell said the health risks of

smoking and second-hand smoke are well documented.

“Those who smoke today are well aware the impact their smoking can have on their own health,” he said. “They have a choice and they have the right to make that choice for themselves. They shouldn’t, however, have the right to put the health of others at risk by their choice.”

Heartwell said Grand Rapids, like many other cities and counties across the state, should put limits on smoking.

“Government, I believe, has a legitimate role to regulate and restrict behaviors that put the health and safety of the public at risk,” he said. “Government can, and I would argue government should, protect

Please see **SMOKING**, page 2



Grand Rapids City officials are considering a citywide smoking ban that would prevent smoking in most indoor public areas and near entryways and ventilation systems of most public buildings. Above, smoker Noah Lentz, Clark Goeman, and Zach Phelps congregate outside of Grand Rapids Community College.

SMOKING

continued from page 1

nonsmokers against the health risks of second-hand smoke.”

First Ward Commissioner Jim Jendrasiak said he believes the ordinance does not adequately address all sources of indoor air pollution.

“There are many, many, many sources of second-hand smoke other than people who smoke cigarettes and they’re not being targeted or addressed,” he said. “I think this ordinance unfairly targets a small group of our community and I think it should be

revised.”

Second Ward Commissioner Rick Tormala questioned the ease of enforcing a citywide smoking ban.

“What concerns me about this is it’s so vague,” Tormala said. “I don’t see any mechanism for enforcement. I don’t want to pass something symbolic that doesn’t mean anything.”

Heartwell said enforcement of the ban would be complaint driven.

“We’re not going to send out squads of sniffing dogs to find violators,” he said.

The proposed ordinance calls for the city’s environmental services department to

handle enforcement of the smoking.

If adopted, the smoking ban would take effect one year from the date of adoption.

“That permits ample opportunity for education and awareness (about the ban), as well as ample opportunity for smokers to quit if they wish to do so,” Heartwell said.

Third Ward Commissioner James White said a smoking ban could make Grand Rapids more appealing to business and help to lower healthcare costs.

“I think we should keep in mind that we are in competition with city states and

nations from a business point of view this is very, very important,” he said. “I think the business community is coming around to realizing that smoking keeps health costs very high so it’s a good business decision.”

Elaine Tovey, coordinator of the Kent County’s Smoke Free Air for Everyone Coalition, said she was pleased with the proposed smoking ban.

“The biggest benefit of this is that it would protect the health of nonsmokers,” she said. “The Surgeon General has said second hand smoke is dangerous and there is no safe level of exposure.”

Heartwell outlines goals for 2007 during annual speech

By CHRIS HECOX

Grand Rapids Mayor George Heartwell hopes to end homelessness in Grand Rapids by 2014.

Heartwell announced that goal during his fourth State of the City speech Saturday at DeVos Place.

"The Salvation Army Booth Services reports there are nearly 2,000 homeless individuals in our city," Heartwell said. "They are

living in shelters. They are living in cars. They are hiding in abandoned buildings. They are living in the undergrowth along the river and beside the railroad tracks."

Heartwell said much is already being done to fight homelessness in the city.

Two years ago, Heartwell and then Kent County Board Chairman David Morren launched their

Vision to End Homelessness program.

"We pledged our energy and our resources to ending homelessness in a decade," Heartwell said.

In 2005, community leaders developed the Housing First plan around the premise that safe, affordable housing is key to combating homelessness. The plan was implemented in Kent County

early in 2006.

"The results are stunning," he said. "117 families were housed this year and 91 percent are still housed stably after six months."

Cooperation is critical to expanding the Housing First initiative and eliminating homelessness by 2014, Heartwell said.

"It will require non-profit and for-profit building companies and

property managers to work together toward a common goal of ending homelessness," he said. "It will require strong advocacy by the city and the county to leverage the federal investment required to accomplish our end."

During the speech, Heartwell also vowed to continue to crusade for diversity despite the passage of

Please see **SPEECH**, page 2

SPEECH

continued from page 1

Proposal 2, which ended affirmative action programs at public institutions.

"All our grand economic plans, all our work for environmental protection is hollow – and ultimately futile – if we aren't a city where the poorest among us get equal consideration to those with wealth and power," Heartwell said.

He called on the private sector to take the lead in promoting a diverse workforce.

"The best firms are already promoting diversity," he said. "The fact that the city can no longer man-

date minority participation will make no difference to them. Other firms need to emulate these diversity leaders. Our economy depends on it."

Heartwell awarded the first "Mayor's Champion of Diversity Award" during the speech to the group of contractors and city staffers who developed a program to boost the number of minority and women-owned companies with which the city does business.

Heartwell also used his speech to call for a regional approach to solving the problems facing Michigan school districts.

Top-notch public

schools are critical to reviving Michigan's sluggish economy, Heartwell said.

He encouraged school districts and municipalities to work together.

"Our future depends on quality public education for all our children," he said. "Not just suburban children, but all children. Not just white children, but all children. Not just children of the economic elites, but all children."

Heartwell also highlighted the effort to make Grand Rapids a sustainable community. City leaders closely consider the social, environmental and economic impact of decisions they make.

Heartwell announced that the United Nations recently designated Grand Rapids a "Center for Excellence in Education for Sustainability."

Grand Rapids is one of the first cities in the country to receive the U.N. designation, he said.

Heartwell also lobbied for the development of a Neighborhood Improvement District during the speech.

"If neighborhoods could do what downtown has done using its Downtown Improvement District to beautify streets, collect litter, employ staff and promote events, wouldn't such a tool be useful?" Heartwell

asked.

Heartwell said property owners could assess themselves using the Neighborhood Improvement District and raise money to provide their neighborhoods with important services.

"Using a Neighborhood Improvement District, neighborhoods might choose to do some of the same things downtown has done, or they might use the funds for youth programs, for park enhancements, or for crime-stopping initiatives," he said.

The creation of Neighborhood Improvement Districts would likely require state legislation, Heartwell said.

Heartwell closed the speech by asking the community to unite, much like it did earlier this month to welcome home former President Gerald R. Ford for a final time, to help achieve



MAYOR GEORGE HEARTWELL

the goals he outlined.

"In early January, 57,000 people came together to say welcome home, to say goodbye, and to be a part of history," he said. "In 2007, I am calling on those 57,000 and more to unite again to welcome every person to share in the economic growth and prosperity of this city and region."

Reward offered in four-year-old hit-and-run case

By CHRIS HECOX

Before Dawn Kramer's parents died, they asked her to do all she could to find the driver responsible for killing her brother.

Her parents died a year apart one year after her brother was killed in a hit-and-run accident.

Now Kramer is offering a \$10,000 reward through Silent Observer for information leading to a conviction of the driver responsible for her brother's death.

She hopes the reward will help fulfill her parents' request.

The accident happened at

Sweet Street and Forrest Street NE in Grand Rapids around 1 a.m. Jan. 17, 2003.

According to police reports, Andrew Martin Kramer Jr., 47, who had been walking, was pronounced dead at the scene. The driver who struck him fled before police arrived.

Grand Rapids Police Department Sgt. Steve LeBrecque investigated the accident. He said police did not find anyone who saw the crash occur.

"There were no eyewitnesses," he said. "There were some folks who saw him before the accident

and there were witnesses who found him after the accident."

LeBrecque said the reward might entice witnesses or people with information about the crash to come forward and speak with police.

"We hope it helps," LeBrecque said of the reward. "We exhausted all viable leads shortly after the crash happened. Hopefully, this will generate some tips.

"We would certainly like to have a chat with the driver involved or anyone who knows who was involved."

For Kramer, finding the person

responsible for her brother's death would not only fulfill the wishes of her parents, but it would provide her with some much-needed closure.

"It's been four years and I just want to know what happened that night," she said.

Kramer is using an inheritance from her father to fund the reward.

"I felt it was the good thing to do to try and find out what happened," she said. "I'd just like to have some closure."

While some in Kramer's family suspect foul play, Kramer isn't so

Please see **CASE**, page 2



ANDREW MARTIN KRAMER JR.

CASE

continued from page 1

sure her brother's death was intentional.

"Everyone makes mistakes," she said. "But you need to come back and face those mistakes. I don't know how they live with themselves."

Voters approve lighter schedule for city commissioners

BY CHRIS HECOX

It's official.

The Grand Rapids City Commission will stick with its lighter meeting schedule.

Voters approved an amendment to the city charter Aug. 8 that will cut in half the number of meetings the City Commission is required to conduct each month.

Sine January, the City Commission has experimented with an abbreviated meeting schedule, conducting meetings in regular session every other Tuesday at 7 p.m.

The amendment requires the City Commission to meet in regular session twice a month and to schedule at least one of those meetings in the evening.

The City Commission was previously required to meet in regular session at least once a week, with one meeting scheduled in the evening each month.

Voters cast 13,419 to approve the change to the city charter, with 4,868 voting against the measure.

Grand Rapids City Manager Kurt Kimball said the charter amendment aligns Grand Rapids' meeting schedule with other municipalities in the area.

"I think it was time for this," Kimball said. "Virtually all area local governments are on this kind of schedule. This brings us in step with the way other local governments conduct business in these parts."

Second Ward Commissioner James Jendrasiak said he did not support the charter amendment when the City Commission placed it on the ballot.

"I don't think it was a good proposal," he said. "But it's been voted in and we have to live with it."

He said he believes fewer City Commission meetings will mean commissioners will not have enough time to adequately consider every issue before them.

"It makes our meeting too cluttered," he said. "It's like trying to

Please see **VOTERS**, page 2

VOTERS

Continued from page 1

put 10 pounds in a 5-pound bag. Things just get rushed and that leads to bad government and lack of oversight."

Second Ward Commissioner Rosalynn Bliss disagreed.

She said the abbreviated meeting schedule has worked well.

"It doesn't seem to be a problem," she said.

She said conducting

fewer City Commission meetings each month allows city commissioners more time to focus on other aspects of their duties as elected officials.

"I think it gives us some flexibility and the opportunity to be out in the community more," she said.

Kimball agreed.

"This does free up commissioners to tend to their other duties and effectively represent their constituents," Kimball said.

First Ward Commissioner Roy Schmidt said a recently restructured committee meeting schedule has helped make the City Commission's regular session meetings more efficient.

"A lot of discussion takes place in committee now," he said.

Schmidt also noted that the City Commission could schedule additional meetings when dealing with matters that require more attention, like the city budget.

Closure of A.O. Smith 'no surprise'

By **CHRIS HECOX**
Argus-Press Staff Writer

Those familiar with the Owosso A.O. Smith Electric Product Co. plant say the announcement that the facility will close by the end of June 2006 comes as no surprise.

Earlier this week, the company announced that it will close its 200,000-square-foot Owosso plant by the second quarter of 2006. The plant fabricates end frames and other components for electric motors and employs about 80 people.

Owosso resident Mike Cline worked for the Owosso plant's die-casting department for 16 years. In December, he accepted a buyout offer from the company.

"I could have stayed on but would have had to take a pay cut," Cline said, adding that he believes he would have lost his job after a few months if he had not taken the buyout.

"The writing's been on the



PATTY COLEMAN of New Lothrop walks into work at A.O. Smith Electrical Products Co. on Stewart Street in Owosso. Coleman has worked at the plant for 17 years.

wall since they made the first announcement," Cline said.

The announcement Cline refers to came in August 2004 when company officials announced layoffs of up to 30 percent of the then nearly-200

person workforce at the plant.

Since that announcement, the number of employees working at the Stewart Street plant has been reduced by more than half.

"The only production line left is the lamination department,"

Cline said.

Mark Petrarca, a spokesman for the Milwaukee, Wis.-based company, said there is no concrete timetable in place for the plant's closure.

"Obviously, it's going to be a phased program, something that will start next in the couple of weeks and will finish the second quarter 2006," Petrarca said.

The closure, Petrarca said, will allow the company to be more competitive.

"The situation is that it is a very competitive marketplace and we need to make sure we're being competitive and producing a good, quality product," he said. "We are continually evaluating what we build, where we build and how we build to ensure we have an optimum structure to provide our product at a value to our customers."

The decision to close the Owosso facility was a difficult

See **A.O. SMITH** on Page 5

A.O. SMITH

Continued from Page 1

one, Petrarca said.

"Whenever we have to make these types of decisions, it's gut-wrenching," he said. "No one at A.O. Smith takes this lightly. These are good people who have worked hard for A.O. Smith over the years."

A.O. Smith has 22 locations in North America, including locations in Ohio, Illinois, Juarez, Mexico, and its world headquarters in Milwaukee, Wis.

"Some work (from the Owosso facility) will go to Mexico and some work will go to other A.O. Smith facilities in the U.S.," Petrarca said.

The company will assist employees with finding new jobs and will provide them with a severance package, the details of which will be discussed with employees next week, Petrarca said.

"We are going to do everything possible to help these people," he said.

Cline, who now works for Reeves Wheel Alignment in Owosso, said the plant's employees should utilize the job placement service that will be provided to them.

"There are jobs out there in the local community and outside it — they just might have to look a little harder for them" he said. "I'd recommend they take advantage of

any resources available to them."

After accepting the buyout offer, it took Cline about eight months to find a new job, he said.

Owosso City Councilman Mark Owen said the plant's closure is proof the state's economy is slowly changing.

"We're going through a hard transitional period in Shiawassee County — and all of Michigan for that matter," he said. "We're gradually moving away — in some degree — from the auto industry."

Owen said the closure of the plant is unfortunate, but he believes there have been several indications in the past few months that the state of the local economy is improving.

"Some local factories are doing quite well," he said. "They're expanding and hiring."

According to the state, the August unemployment rate for Shiawassee County was 6.8 percent, a drop from 9.6 percent in January.

Owosso to eliminate fire marshal position, hire deputy fire director

Move likely to force Schaufele into retirement

By **CHRIS HECOX**

Argus-Press Staff Writer

Owosso City Manager Gregg Guetschow plans to eliminate the city fire marshal position as soon as he can hire a new deputy fire director — essentially forcing embattled former deputy director of public safety Charles Schaufele to retire.

During Monday's council meeting, Guetschow explained that once the position of deputy fire director is filled, the fire marshal position will no longer exist.

"We won't have a place for (Schaufele) once the deputy fire director is in place," Guetschow told *The Argus-Press*. "He's eligible to retire. He will have to decide if he is ready to do that or not."

City officials will immediately begin searching for someone to fill the vacant deputy fire director position in the Owosso Public Safety Department.

Public safety director Michael Compeau presented the council with an internally generated report on the state of the department. The study was required by an agreement signed in July that moved Schaufele, deputy director, to the position of city fire marshal amid allegations he verbally abused firefighters.

The fire marshal position is defined in the city charter but was vacant 15 years prior to Schaufele's transfer.

Guetschow proposed the creation to a public safety department when veteran fire chief John Kenney was preparing for retirement. Under the department of public safety model, the police department and fire department were consolidated into one department. With each division of the department — police and fire —



Argus-Press Photos
Anthony Cepak

OWOSSO Director of Public Safety Michael Compeau addresses questions regarding a study he submitted to the city about the benefits and effectiveness of the consolidation of city police and fire during the Owosso City Council meeting Monday night.

managed by a deputy director who reports to the director of public safety.

The position of deputy fire director, however, has remained vacant since Schaufele was transferred to the position of fire marshal.

One of the firefighters' chief concerns with the public safety department is that Compeau is not a trained firefighter.

"I'm not going to sit in front of you and say I know how to fight fires — I don't know how to fight fires," Compeau told the city council.

He said he believes the addition of a deputy fire director who is

trained as a firefighter will resolve many of the problems between the city and its firefighters.

Filling the deputy fire director position will also provide him the opportunity to focus on the public safety department's long-term goals, he said.

"I've been doing two jobs since July," Compeau said.

Councilman Matthew Harvey said he also believes it is necessary for the firefighters to have a supervisor who is trained as a firefighter.

"They do a very dangerous job," he said. "They have to rely on each other for their lives and they have to rely on their supervisor to maintain safety."

Councilman Michael Bruff said it is in the interest of all city residents to quickly resolve the problems that have plagued the public safety department.

"Personally, I have only been on the council a short time — this is my third meeting — and I'm already tired of the firefighters and the city bickering," he said. "It's disgusting. It's a black eye for the city."

Bruff also agreed that hiring a deputy fire director with a firefighting background may help solve many of the problems between the firefighters and the city.

"I just don't think at this point we should abolish the program," Bruff said. "We should fill all the positions and see how the entire administration works."

Harvey disagreed.

"I think a lot of people, myself and my constituents included, want to see the public safety department revert back to separate police and fire departments the way it used to be," he said.

Although the city council took no action regarding the public safety department Monday, Guetschow said the city council may revisit the issue at any time.

"The department is established by a city ordinance and at any time you can amend that ordinance," he said.

A place to call home

Owosso family takes in puppy abandoned during storm

By **CHRIS HECOX**
Argus-Press Staff Writer

Hurricane Katrina left her homeless for 13 days.

When she was finally rescued from a New Orleans rooftop, she was disoriented and thin and, like the other nine pups in her litter, she was in desperate need of care.

The 4-month-old, mix-breed pup, her siblings and her mother were taken to an animal shelter in Mobile, Ala., where they received the attention they lacked for nearly two weeks.

After receiving veterinary care, the pup and her siblings traveled to Michigan with volunteers from the Michigan Animal Rescue League of

PUPPY on Page 5



MIKE AND MARY LAW and their dog Red welcome their new foster puppy to Owosso from New Orleans Thursday afternoon.

PUPPY

Continued from Page 1

Pontiac, who journeyed south to help rescue and care for pets left abandoned after Hurricane Katrina ravaged the Gulf Coast.

Elizabeth Sherman is one of the Michigan Animal Rescue League volunteers who went south to help. She took on the task of finding a home for the rescued pup.

Sherman called her father, Patrick Sherman of Owosso, looking for help.

Patrick, a volunteer with the Shiawassee Humane Society, made a few telephone calls and found the perfect foster parents: Mike and Mary Law of Owosso.

"Of the entire litter, she was the most withdrawn," Elizabeth Sherman said of the rescued pup. "We needed someone who would be extra hands-on in caring for her."

The Laws have experience in dealing with distressed dogs. Their dog, Red, was one of several rescued from a home on Bennington Road about four years ago.

The Laws have experience in dealing with distressed dogs. Their dog, Red, was one of several rescued from a home on Bennington Road about four years ago.

The Laws don't plan to keep the pup, which they are considering naming Katrina, permanently. They do, however, plan to nurse her back to health and care for her until a permanent home can be found.

"We will foster her until they find a very good home for her," Mike Law said.

Patrick Sherman said the Laws' experience dealing with rescued animals and their devotion to their other pets make them a perfect family to care for the rescued pup.

"These folks were the first recommended," he said. "I asked people for a quiet, loving place for the pup and the Laws were the first ones to come to their mind."

For Mary Law, the rescued pup is a welcomed house guest, who she is glad to care for.

"I would want somebody to do it for me," she said. "You watch it on TV and you just want to help."

She does not, however, understand why the pup was abandoned.

"I would never leave mine," she said.

Elizabeth Sherman said the rescued pup's mother is in critical condition in Mobile and the other pups in the litter will be placed for

adoption.

She is planning to make another trip south to assist with the relief effort.

When she returns to Michigan, she said she hopes to bring more rescued animals with her.

Anyone who would like more information about caring for a rescued animal may contact Patrick Sherman at 725-7701.

Area residents grapple with latest postage increase

Rate hike takes effect Sunday

By **CHRIS HECOX**

Argus-Press Staff Writer

Stephanie Smith's family uses a lot of stamps.

"We usually buy four books at a time," the Owosso woman said.

And despite the 2-cent hike in

the cost of stamps that goes into effect Sunday, Smith said she doesn't plan to change her mailing habits.

"I have kids and they're always mailing things to everybody," she said. "We use the mail a lot and we plan to keep using it."

The increase in postage costs, however, has led Smith to at least consider utilizing other forms of communicating with out-of-town

relatives, but she said she still favors old-fashioned letters.

"I've thought about using e-mail more or things like that," she said, "but we have a lot of family who work for the postal system."

Owosso postmaster Jan Overcash said Smith is not alone in her resolve to keep mailing letters and packages despite the increase in postage costs.

Overcash said the rate of peo-

ple using the downtown Owosso post office has remained steady for at least the past four years and, if sales of the new 39-cent stamps are any indication, that won't change.

The postage rate increase — the first since 2002 — is the result of a federal law passed in 2003 that required the United States Postal Service to establish a \$3.1 billion escrow account.

Money in this account is used

to pay for military retirement pensions and other uses to be determined by Congress.

Overcash said money from the increase will also help the postal service combat increasing fuel costs.

"We don't rely on tax dollars to operate and haven't since 1971," she said.

The new 39-cent stamps have been selling well since they were introduced at the Owosso post office Dec. 8, Overcash said.

As for the 37-cent stamps many may still have, Overcash said they can still be used to mail letters but must be accompanied by two 1-cent stamps or one 2-cent stamp, both of which are sold at the Owosso post office.

Overcash said she hasn't received many complaints about the postage rate increase.

Several people, however, have asked why the price was not increased to an even 40 cents, she said.

The reason for not raising stamp prices to 40 cents, Overcash said, is that federal law prevents the postal service from earning a profit.

If the price of stamps was raised to 40 cents the postal service's revenues could exceed its expenditures, she said.

Owosso resident Dale Spencer, like Smith, said the increase in postage rates will not affect his mailing habits.

"With the price of everything else going up, you have to accept it," he said.

To save money on postage, Spencer said he pays many of his bills via the Internet.

"It probably saves us about \$30 per year," he said. "It's too bad Christmas cards can't go through like that."

Jackie Flynn was at the Owosso post office Thursday afternoon mailing several letters to people in Owosso.

She said hand delivering the letters isn't worth the hassle and she will gladly pay the higher post rate for the sake of convenience.

STAMPS

Continued from Page 1

"I'd rather just send them in the mail," she said.

The price of sending a letter overseas will also increase Sunday.

Overcash said the price of sending a 1-ounce letter overseas will increase by 4 cents.

The cost of sending a 1-ounce letter to Mexico and Canada will increase 3 cents, she said.

Trial by jury

Oct. 11, 2005

'To Kill a Mockingbird's' trial re-enacted by Corunna High students

CHRIS HECOX

Argus-Press Staff Writer

CORUNNA — An attorney defends his client against rape charges.

He criticizes the state's lack of medical evidence and questions the validity of testimony from the state's key witness.

He suggests the evidence indicates that the victim was beaten by someone who is left-handed. A cotton gin accident cost his client the use of his left hand when he was a boy.

It is a scene taken from Harper Lee's novel "To Kill a Mockingbird" and Corunna High School students in Lauren Haapala's 10th-grade Honors English 10 class re-enacted it Monday to illustrate their understanding of the novel.

Haapala said the mock trial served as a way of assessing the students' knowledge of the novel in lieu of a test.

"We were getting toward the end of the book and I knew I didn't want to give a plain old test," Haapala said. "The kids were pretty involved with the book and we decided to do something different."

She said the mock trial allowed students to apply their understanding of the novel to a



JON BECKWITH, left, playing Tom Robinson, is sworn in by Ryan Bohac, playing the bailiff, in a modern retelling of the trial described in Harper Lee's classic "To Kill a Mockingbird."

true-to-life situation.

Haapala appointed students to be characters from the book and to re-enact the roles each character played in the trial. In all, students performed the duties of attorneys, witnesses, lawyers, jurors and reporters during

the trial.

There was also a student judge and bailiff. To prepare for the trial, Haapala said, students needed to understand the events and characters in the novel.

The attorneys worked with witnesses on developing testimony, investigators collected evidence related to the novel and reporters produced a newspaper about the trial and key events in the novel.

Courtroom facilitators — the bailiff, the judge and the attorneys — studied courtroom procedures to ensure the trial ran smoothly.

In addition to re-enacting the trial as it was presented in the novel, students collected and presented modern evidence that further explained the events in the book.

"The rule was they couldn't change anything, but they could add to it," Haapala said.

Once the trial began, it was up to the attorneys to present the facts of the case and persuade the jury of the accused's guilt or innocence.

"It was definitely on the fly," Haapala said. "During cross examination, (the witnesses) had to think on their feet."

See **TRIAL** on Page 5

TRIAL

Continued from Page 1

After all the testimony was heard, the fate of the accused rested with the jury.

Upon deliberating, the jury delivered a guilty verdict.

"It was very hard to come to a decision with all the evidence we had to consider," said juror Kelly Osika. "It was a real-life experience and we were able to understand what went into the book and what made the characters the way they were."

Ryan Bucholz played the role of prosecuting attorney Mr. Gilmer.

He said the mock trial provided a glimpse of what it was like to work in a real courtroom.

"It was really fun," he said. "I'm not the best public speaker but I had a great time. It was definitely a real-world experience."

Brooke Warner was a reporter during the trial. She said the mock trial helped her better understand the characters and themes in the novel. It also helped familiarize her with the legal system.

"It was interesting," she said. "I liked the idea of not having a test. This got the class more involved and thinking about things."

State Court of Appeals sends Kissner case back to Shiawassee for resentencing

Convicted arsonist of State Police post could possibly get shorter prison term

By **CHRIS HECOX**

Argus-Press Staff Writer

The Ovid man convicted of intentionally burning down the Flynn Building south of Owosso, which housed Michigan State Police Post 15, may face less prison time following a court of appeals ruling.

The Michigan Court of Appeals Tuesday sent the case of Donald Lee Kissner back to Shiawassee County 35th Judicial Circuit Court Judge Gerald D. Lostracco for resentencing,



**DONALD LEE
KISSNER**

stating the trial court needs to provide "substantial and compelling" reasoning that is "objective and verifiable" for exceeding the sentencing guidelines in the case or sentence Kissner in accordance with the guidelines.

Kissner appealed his 12-to-20 year prison sentence on the basis that it exceeded sentencing guidelines, which call for a defendant with Kissner's criminal history to serve 34 to 67 months in prison.

At the time of the blaze, the Flynn Building housed the MSP post, Sascon Construction, Hi-Temp Heating and Cooling and the Shiawassee Foundation. It was located on the corner of South M 52 and Bennington Road.

The fire was started inside Hi-Temp Heating and Cooling April 9, 2002. Gasoline was used as an accel-

erant to start the blaze, according to state fire investigators.

Shiawassee County Assistant Prosecutor Craig Winnegar said the appellate court's decision to send the case back to circuit court does not necessarily mean Kissner will receive a shorter prison term.

"We'll be at the sentencing and ask the judge for the same sentencing as before," he said. "We'll probably argue that the monetary damages were a substantial reason for departing upwards (from the sentencing guidelines)."

In all, total damage caused by the fire is estimated at more than \$300,000.

Lostracco ordered Kissner to pay \$335,940.86 in restitution, receive mental health counseling and vocational training and submit to DNA testing during his original sentencing.

Winnegar said Lostracco's choice to sentence Kissner to more time than the sentencing guide-

lines called for was "very rare," but he believes if more substantial reasoning is provided, Kissner's original sentence will stand.

"The judge departed upwards for a variety of reasons, including what the crime was, the violence of the defendant, the vindictiveness and the money loss," Winnegar said.

In the unpublished opinion regarding the case, the court of appeals certainly leaves the possibility for the original sentence to stand.

"We hold that the trial court did not err in departing from the guidelines based on the amount of damages caused by defendant but that the trial court's characterization of the defendant as dangerous, as articulated on the record, was not a substantial and compelling reason for departing from the sentencing guidelines," the appellate courts opinion states.

Dec. 12, 2005

Fire destroys Laingsburg home

By **CHRIS HECOX**
Argus-Press Staff Writer

LAINGSBURG — Donald Scruggs spent the last seven months remodeling his house at 412 Woodhull St. in Laingsburg and hoped to move in soon.

Those hopes were dashed Wednesday when an afternoon blaze tore through the house, causing extensive smoke and fire damage.

The fire was reported at 2:04 p.m. Wednesday.

Laingsburg-Sciota-Woodhull Emergency Services Authority Chief Larry Sparkes said it took fire crews about 15 minutes to knock down the flames, but hot spots smoldered well into the afternoon.

Scruggs said he bought the house in May and was living in Grand Ledge while he remodeled it.

“It was my folks’ house,” he said. “We were fixing it up and putting an addition on it.”

Although his house was damaged in the fire, Scruggs

was thankful that most of his belongings were stored in his Grand Ledge house.

“We had some stuff in the (Laingsburg) house, but we have another home so most of our stuff’s OK,” he said.

Sparkes estimated that the fire caused \$75,000 worth of damage to the house.

Nobody was home when the fire started and no firefighters were injured extinguishing the blaze, Sparkes said.

LSW ESA was assisted on scene by the Laingsburg Police Department and Perry Area Fire and Rescue.

The cause of the fire is unknown and Sparkes said his department will be contacting the Michigan State Fire Marshal Investigation Unit to conduct an investigation.

“We don’t suspect anything suspicious, but you never know,” he said. “We’ll start to rule things out as we go.”

Shiawassee County superintendents earn less than state average

By **CHRIS HECOX**

Argus-Press Staff Writer

Public school superintendents in Shiawassee County earn on average about \$5,700 less annually than the average Michigan superintendent.

The average salary for Shiawassee County superintendents is \$97,050 per year, while the statewide average salary for a superintendent, according to the Michigan Association of School Boards, is \$102,783 per year.

MASB spokeswoman Jennifer Rogers said many factors are considered when determining how much to pay a superintendent. Budget constraints, district size, along with the candidate's experience and education, are a few of the key factors involved in the decision.

"They might want someone who has lived in the community. They might want someone who is NCA (North Central Association) accredited," she said. "Every district has different variables. It really is a local issue."

The Owosso Public Schools Board of Education will soon look at these variables as it begins searching for a new superintendent.

In August, Larry Audet and the Owosso board of education reached a "negotiated separation" that allowed Audet to leave his post as superintendent before his contract with the district expired.

At the time of his departure from Shiawassee County's largest school district, Audet was the highest paid public school superintendent in the county.

Now, Corunna Public Schools Superintendent John Smith receives the largest salary of all superintendents in Shiawassee County: \$101,602 per year.

Smith's salary includes \$2,128 for handling the district's negotiations and \$1,327 for dealing with all the district's grievances.

John Hagel, Shiawassee Regional Education Service District superintendent, said handling negotiations is one of the many duties superintendents perform.

"They do everything," he said. "Their primary responsibility is to operate the district and ensure it is financially and educationally sound."

Corunna Public Schools has a total operating budget of about \$18 million.

Smith has worked for the district for 11 years. In all, he has 36 years of experience in education.

Corunna Public Schools is Shiawassee County's second-largest school district, with an enrollment of about 2,400 students.

At the New Lothrop Area Public Schools, John Strycker earns \$92,000 per year to lead the district.

"If you know me, then you know that's not why I do this," Strycker said of his salary. "When it's all done,

See **SUPERINTENDENTS** on Page 5

SUPERINTENDENTS

Continued from Page 1

it's not about your bank account — it's about what you've done for people.”

That's a philosophy he passes along to students in the district.

He said he regularly meets with the district's seniors individually and in small groups.

“I really work with the kids on happiness and showing them that it's not equated to money,” he said.

There are about 790 students enrolled in the New Lothrop Area Public Schools and the district has a total operating budget of about \$5.6 million.

Strycker has worked in education for 15 years. He was hired by the New Lothrop Area Public Schools in January.

At Byron Area Schools, superintendent Dr. Mark Miller earns a salary of \$99,816 per year to lead the district.

He has worked in education for 34 years, 10 of which have been spent in the Byron Area Schools.

The district has a total operating budget of about \$10 million and an enrollment of 1,400 students.

Durand Area Schools Superintendent Jan Amsterburg receives a salary of \$97,850 per year.

In addition to his duties as superintendent, Amsterburg also serves as the principal of Durand Area High School.

He has 29 years of experience in education and has worked for Durand Area Schools for six years.

About 1,912 students attend Durand Area Schools. The district has a total operating budget of \$15 million.

Also serving in a dual capacity is Morrice Area Schools Superintendent Bruce Burger.

In addition to his duties as superintendent, Burger serves as principal of the district's elementary school.

“A lot of us wear multiple hats as part of the job,” Burger said, adding that the welfare of the district and its students is his top priority.

Burger said splitting his time between the superintendent's office and the elementary school is saving the district money, something that is especially important given the budget shortfalls some Michigan district are experiencing.

Burger earns \$92,000 per year as superintendent and \$5,000 per year for serving as elementary school

principal.

He has worked in education for 26 years and was hired by Morrice Area Schools in July.

About 670 students are enrolled in Morrice Area Schools and the district has a total operating budget of about \$5 million.

At Perry Public Schools, superintendent Jacklyn Hurd earns a salary of \$96,084 per year.

“I've gone a couple years without a raise,” she said. “It just didn't seem right (to receive a raise) because of the budgets we were working with.”

She has spent her entire 42-year career in education with the district, beginning as a teacher in 1963 and becoming superintendent in 1982.

About 1,920 students attend Perry Public Schools. The district has an operating budget of \$14.3 million.

Hurd said the district's well-being is always her chief concern.

Richard Dunham is entering his third year as superintendent of Laingsburg Community Schools.

He receives a salary of \$95,000 per year.

Laingsburg Community Schools has a total operating budget of about \$9.6 million and the district has an enrollment of about 1,319.

Dunham has 29 years of experience in education.

Hagel said in addition to duties such as preparing budgets and managing curriculum, superintendents also serve as a link between the community and the district.








“They are the chief spokesperson for the district and the board of education,” he said. “They are the district's PR department, ensuring what happens in the district is communicated to the community.”

In addition to their normal work week, Hagel said superintendents often spend time at after-school activities.

“It's not a 9-to-5 job by any means,” he said.

Comparing Shiawassee County superintendents

State figures show Shiawassee County school superintendents average lower salaries than their counterparts across the state. Here's a look at compensation packages for area superintendents.

| CORUNNA | PERRY | BYRON | DURAND |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  JOHN SMITH Salary \$101,602 Annuities \$7,147 Tenure 11 yrs District Budget \$18 million Enrollment 2,400 |  JACKLYN HURD Salary \$96,084 Annuities None Tenure 23 yrs District Budget \$14.3 mil. Enrollment 1,920 |  MARK MILLER Salary \$99,816 Annuities \$8,020 Tenure 10 yrs District Budget \$10 million Enrollment 1,400 |  JAN AMSTERBURG Salary \$97,850 Annuities \$4,200 Tenure 6 yrs District Budget \$15 million Enrollment 1,912 |
| LAINGSBURG | NEW LOTHROP | MORRICE | OWOSSO |
|  DICK DUNHAM Salary \$95,000 Annuities None Tenure 2 yrs District Budget \$9.6 million Enrollment 1,319 |  JOHN STRYKER Salary \$92,000 Annuities \$1,840 Tenure 9 mth District Budget \$5.6 million Enrollment 790 |  BRUCE BURGER Salary \$97,000 Annuities None Tenure 2 mth District Budget \$5 million Enrollment 670 | Owosso's superintendent position currently is vacant. Former superintendent Larry Audet, who was at Owosso seven years, was paid \$116,725 per year prior to leaving the district last month after a buyout by the school board. |