

SEE PAGE 3
Brush basics —
Achieve your
'best hair day'



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Forrest Gump
celebrates 20 years



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Add s'mores to
your campfire this
summer

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GasBuddy

LETS YOU CHECK AREA
PRICES BEFORE YOU STOP



Midweek Times WEDNESDAY EDITION
2012 & 2013 NEWSPAPER OF THE YEAR

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\$1.00

“ ” tctimes.com ONLINE COMMENTS



“Why don't you ask the family with the yard that you think is such a disgrace if they could use some help. That's what people should do instead of complaining about them.”



“Respect, integrity, honesty equals a code of honor, which brings about pride and self respect.”



“I can settle the e-cigarette debate once and for all. They are a cigarette that burns a substance that goes in your lungs. Do the math dummy. They are definitely bad for you.”

“Oh, grow up. One gay pride float is not going to convert your kid to homosexuality. What a bunch of drama queens.”



810-771-TEXT
(8398)

**TEXT
YOUR
HOT LINE**



Fenton Township store sells winning ticket

►Your neighbor could be \$418,739 richer after winning Fantasy 5 jackpot

By Sally Rummel

news@tctimes.com; 810-629-8282

A regular customer at Lakeside Market in Fenton Township got more than his “bread and butter” when he did his shopping two weeks ago. He won the July 2 drawing of the Fantasy 5 jackpot of

\$418,739 by playing five easy pick numbers on a ticket he purchased at Lakeside Market. The winning numbers were 03-14-18-29-35.

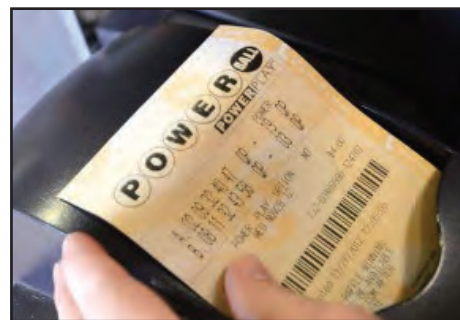
“This is the first time we’ve ever sold a big prize like this,” said market owner Louie Setto. “We’re very excited. We’re seeing new people coming in every day to play the lottery.”

The Lakeside Market, at 2242

See TICKET on 6

“This is the first time we’ve ever sold a big prize like this. We’re very excited.”

Louie Setto, Lakeside Market in Fenton Township



Michiganlottery.com has a plethora of information about the Fantasy 5 game, including recent winners, hot and cold numbers and game demonstrations.



TRI-COUNTY TIMES | TIM JAGIELO

The special ensemble of the Fenton Community Orchestra, conducted by Tim Martuch of Fenton, performs on Saturday, outside the main art tent at the community center. Aside from art on display and for sale, there was at least one musical performance on each block.

Fenton ArtWalk

►It's where art is seen, heard, created and purchased

By Tim Jagielo

tjagiello@tctimes.com; 810-433-6795

Fenton — On Saturday art wasn't just being sold and displayed downtown — it was also being painted, airbrushed, splattered and performed before the eyes of the thousands that came through downtown Fenton for the afternoon event.

The Fenton ArtWalk ran from 11 a.m. to 4 p.m., and then an afterglow took place until 9 p.m. It was the fourth time downtown was taken over by art, and although spread over a large area, seemed successful, and enjoyed by downtown visitors. The perfect weather helped, too.

See ARTWALK on 9

Beer run caught on tape

►Fenton police attempt to identify theft suspect

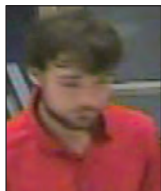
By Sharon Stone

sstone@tctimes.com; 810-433-6786

Fenton police need the community's help to identify the man in this photo.

Lt. Jason Slater said police responded to the VG's grocery store on Silver Parkway on July 14 to investigate a larceny of beer complaint. Employees told police

See BEER RUN on 10



Fenton's road to smoother streets comes with a cost — \$652,734

►Program will target roads throughout the city

By Ryan Tackabury

news@tctimes.com; 810-629-8282

Fenton — If all goes according to plan, Fenton's roads will be somewhat smoother five years from now.

As discussed at the Fenton City Council meeting on Monday, the major street maintenance work looks to target Silver Lake Road from U.S. 23 to Main Street, Main Street from the city limits to Silver Lake Road, South Holly Road from Adelaide to

See ROADS on 2

“We've been putting dollars away for a number of years...”

Lynn Markland
Fenton city manager

Don't panic — but check your well for arsenic

►U.S. Geological Survey points to higher than safe levels in area wells

By Tim Jagielo

tjagiello@tctimes.com; 810-433-6795

According to a recent survey, areas in Linden and Holly both

have more than 50 parts per billion (ppb) of arsenic in the ground water, which is higher than the federal limit of 10 ppb, or .010 milligrams per liter.

The level of 50 ppb used to be the federal limit until 2006.

See ARSENIC on 9

WHAT CAN ARSENIC DO?

Arsenic has been linked to cancer of the bladder, lungs, skin, kidney, nasal passages, liver, and prostate. Non-cancer effects can include thickening and discoloration of the skin, stomach pain, nausea, vomiting diarrhea, numbness in hands and feet, partial paralysis, and blindness.

Source: EPA.gov



FORE!

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**Submit
a Hot line
Times**



Fenton puts freeze on 'Bubbler' ordinance for now

►If passed, ordinance could have damaging impact on Fenton business

By Ryan Tackabury
news@tctimes.com; 810-629-8282

Fenton — While the water may be swimmable now, Fenton City Council is evaluating an ordinance that will impact lakeside residents and at least one business this upcoming winter.

A public hearing was held at Monday's city council meeting to discuss an ordinance, which would prohibit the use of ice retardant systems, such as bubblers.

Residential use of the systems are often used to keep ice from freezing around docks, which allows them to be left in the water all year.

Silver Spray Sports utilizes the ice retardant system to allow them an area to perform on-boat work. The system they currently have in place assists in the business allowing work to be done on an estimated 300 boats throughout the winter, according to co-owner Jeff Smith. Many boats need to be in the water so that work can be done on them.

The concern over the use of such systems is that they not only heat the water to keep ice from forming around a particular area, but also weaken nearby ice. It can be difficult to determine the stability of ice, and the fear is that uncontrolled bubbler use could lead to more potential accidents on lakes during the winter.

The owners of Silver Spray Sports however say that they have taken steps to ensure the safety of their bubbler, establishing a barrier to prevent people from wandering close, lighting it in the evening and keeping it under camera surveillance.

Co-owner Patti Smith asked the council for special consideration for their

business. "Our bubbler is our insurance policy that we will be able to get a boat in the water that day," Patti said. "It is a fact without it we would be unable to complete work that is essential to our business and livelihood in a timely manner."

The ordinance was drafted after the city received a letter from the Fenton township supervisor, asking the city to consider passing an ordinance consistent to the one the township had put in place.

Councilman Bradley Jacob praised the safety precautions taken by Silver Spray Sports saying, "It's amazing how responsible and how proactive they were on their own." Jacob suggested that the ordinance should have a variance for commercial applications, using the standards set by Silver Spray Sports as a benchmark.

A major concern for the council were liability issues that could occur if an exception were made.

City attorney Steve Schultz said that failure to adopt an ordinance would not expose the city to liability issues. The council's concern was

that adopting the ordinance and making exceptions, however, might.

Fenton Fire Chief Robert Cairnduff raised some issues, "Who would have to inspect that and what criteria would be used? There is no certification for ice retardant inspector."

Councilman Scott Grossmeyer appreciated the responsibility Silver Spray Sports has taken with the use of their bubbler, however said, "The odds of the rest of the residents being this responsible are pretty slim."

After nearly an hour of discussion, the council agreed to table the issue to conduct further research. "I want to make sure we know everything before we take a vote on it," Mayor Sue Osborn said. "You raise a lot of important questions."

“It's amazing how responsible and how proactive they were on their own.”

Bradley Jacob
Fenton City councilman

ROADS

Continued from Front Page

the east city limits with cracksealing.

More maintenance work including cracksealing and minor joint repair will be performed on Fenway Circle, Copper Street, and Industrial Drive, while resurfacing will also be done on Outer Drive, Vassar Drive, Summit Street, and Plateau Street.

These improvements come at a cost however, and just how much of a cost was a topic of discussion at Monday's meeting. There, the city council voted unanimously to accept the lowest bidder on the project, Cadillac Asphalt, LLC from Clarkston, at a price of \$578,734.

The city's engineering consultant firm, OHM, recommended the city select Cadillac Asphalt. "They have been in operation for nearly a century and their officers have over 30 years of experience. They have successfully completed similar projects throughout the area," wrote OHM advisors in a letter of recommendation to the council.

Another \$74,000 will be paid to OHM

for additional services involving the street maintenance program, including observation and daily documentation of construction activities, and coordinating material testing.

OHM will also handle all the contract administration according to Department of Public Works (DPW) Director Daniel Czarnecki in a memorandum to the city council.

FUTURE ROAD FUNDING

The council session also briefly touched on the future of roadwork, and the troubles that the city is facing. City Manager Lynn Markland said that in the past, the city would put \$400,000 away in its budget for road repair. As the budget has become tighter, the city now only sets aside \$200,000.

"We've been putting dollars away for a number of years," Markland said. "In order for us to continue having a road program that is successful, we're going to have to find a way to enable us to do that. I don't see any other way to do that other than to create some kind of millage request to the voters."

Markland said unless more funding is secured, the city's ability to continue doing similar road work is numbered, and that it was unlikely it would come from the state of Michigan.

view all stories online at
www.tctimes.com

Police & Fire report

INTOXICATED DRIVER HITS TREE

A 40-year-old Fenton man faces charges after crashing his vehicle into a tree while he was highly intoxicated. Lt. Jason Slater said Fenton police responded to Hickory and Beach streets at 6 p.m. on July 12 on a report that a 2010 Chevy Blazer had just struck a tree and kept going. Police observed the large tree branches on the ground, and the Blazer had dragged some down the street until it came to rest at Beach Street. The driver appeared highly intoxicated and was unable to do any field sobriety tests. He was transported to the hospital where a breath test revealed he had a blood alcohol content of .31 percent. After being cleared by the hospital, the man was lodged overnight at the county jail. No injuries were reported. Once a blood analysis comes back from the MSP crime lab, Fenton police will submit their report to the prosecutor for possible charges.

YELLING AT THE PARK

Just after 1 p.m. on July 14, Fenton police responded to Bush
See POLICE on 6

Forrest Gump

celebrates 20 years this month

Can you believe it?

►Tom Hanks' character teaches an array of life lessons

By Yvonne Stegall

news@tctimes.com; 810-629-8282

While it might just make you feel old to think that this iconic film has been around for two decades, it may also make you reflect fondly on many of its wonderful quotes, wisdom and life lessons. You may also have forgotten it won six Oscar awards, as well as many other awards.

According to IMDb, a popular and authoritative source for movie, TV and celebrity content, Forrest Gump made its first presence on the big screen on July 6 in 1994. While not

everyone will remember where they were on that date, it's likely most everyone has spoken the words "Stupid is as stupid does" at some point since the first time seeing Forrest Gump.

Other than giving us a bunch of interesting
See GUMP on 9

"My mama always said, 'Life was like a box of chocolates. You never know what you're gonna get.'"

— Forrest Gump

"Run, Forrest! Run!"

— Jenny Curran

"You have to do the best with what God gave you."

— Mrs. Gump

"Mama always said, 'dying was a part of life.' I sure wish it wasn't."

— Forrest Gump

"What's normal anyways?"

— Forrest Gump



TRI-COUNTY TIMES

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Brush basics



The right hairbrush can be the key to achieving your 'best hair day'

By Sally Rummel

news@tctimes.com; 810-629-8282

If you've been using the same hairbrush since college without giving it much thought, you're missing out on a daily grooming tool that could change the way you feel about your hair.

See BRUSH on 10

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FROM THE LEFT



Clarence Page

Nationally syndicated
columnist**New border politics:
Blame Obama first**

As thousands of unaccompanied Central American children stream across his state's southern border, Texas Gov. Rick Perry took a paranoid turn.

In an interview Sunday on ABC's 'This Week,' Perry repeated sentiments that he expressed earlier on Fox News that, as the number of detained children has surged past 60,000 in recent months, President Barack Obama might be 'in on this somehow.'

'I have to believe,' he said, 'that when you don't respond in any way that you are either inept or you have some ulterior motive....'

It's a narrative that fuels House Speaker John Boehner's announced plans to sue President Obama for alleged failures to 'faithfully execute the laws' of the Constitution, even though Boehner has been remarkably nonspecific about what laws Obama has failed to faithfully execute.

Obama has boosted border security and deported so many undocumented immigrants (a record-breaking 409,849 in 2012) that the National Council of La Raza, a leading Hispanic rights organization, has branded him 'deporter-in-chief.' No, that was not a compliment.

Although sad stories of unaccompanied child migrants are not new, the Department of Homeland Security reports that the current surge has been building since 2011 when border agents nabbed 4,059 unaccompanied youths. That number jumped to more than 21,000 juveniles last year and is projected to top 100,000 this year at its current pace.

Yet Obama hardly has been celebrating. A full week before Perry's remarks on ABC the White House announced plans to seek more than \$2 billion from Congress to do what critics like Perry say they want the government to do: expand detentions facilities, appoint more immigration judges and speed up the processing of undocumented children and others from Central America.

On Tuesday, the president upped his ask of Congress to \$3.7 billion. Congress needs to fund improvements to speed up the process of distinguishing true refugees from other undocumented arrivals.

But the most powerful message is delivered by those who, after making their way unlawfully across our borders, find themselves sent right back to their home country. Not everyone deserves to stay, but every case deserves due process.

FOR THREE MONTHS, I have had the Linden post office deliver someone else's bank statements to my address. Called Linden post office to be told postmaster left for the day. I will no longer resend others mail and will let the person know that they will be getting late charges.

MARK MY WORDS, the city of Flint will be in bankruptcy by the end of this year.

I CERTAINLY DO not need parenting advice from anyone of the LGBT persuasion. I will decide what is and is not necessary to explain to my kids. Justify your lifestyle to someone who doesn't know any better than to think it should be acceptable. That would not be me.

HEY, FENTONIANS, YOUR town is great, make it greater by toning down the ego.

IF YOU NARROW-minded Fentonites are bothered by a gay float, wait until next year when I enter my marijuana float. The good thing is you won't have to explain it to your kids, they already know all about it. Smoke on.

ALL THE MICHIGANDERS who voted for Obama once or, heaven forbid, twice should donate a dollar every time Obama says 'I,' 'me,' or 'my' in a speech. Not only will this massive revenue source be used to repair Michigan's roads but also help clean up his abysmal policy failures.

IN RESPONSE TO 'Fenton closing FARR.' Fenton did not. A non-caring, shortsighted FARR board did. Those who never worked in the store, or understood the need of the people. The volunteers had short notice of the store closing. Where did the bank account go? Where is the truck?

I AGREE WITH President Obama that completing the border fence is not a priority. While we're at it, let's tear down that silly fence around the White House. Also, let's disarm the Secret Service and declare the White House a gun-free zone.

WHILE OUR GOVERNMENT does nothing to stop the invasion at our southern border, remember the resources and power they used for one lone cattle rancher in Nevada. It should tell you — our government supports this invasion.

HERE'S A THOUGHT, before a group can enter the Fenton Freedom Parade they have to provide proof that they did some type of community service over the past year. This is a great way to

**Hot
lines**

Submit at: tctimes.com,
call 810-629-9221 or
text to 810-771-8398

All submissions, if approved for publication, must be 50 words or less and do not necessarily reflect the views of the Tri-County Times. We reserve the right to edit for clarity, length and liability.

stop a group from making a political statement that no one wants to hear.

FENTON ELECTED OFFICIALS subject their citizens to the same warped arbitrariness of their personal taste also. The DDA paid a lot of money to rent what somebody loosely labeled as art.

TO THE LADY at the Owen Road McDonald's who paid for four car loads of people's drive-through orders on July 13, thank you! I will for sure pay it forward.

NO HETEROSEXUAL FLOAT, no homosexual float, common sense and compromise, people.

WHY DON'T THE people complaining about the Linden mural stop and ask if you can paint a small portion? You'd appreciate it much more.

AS ONE OF the many taxpayers of Linden, I would much rather have seen my tax dollars put into our worsening road conditions than the completely absurd 'mural' on the side of our 'beloved' town hall.

I'VE BEEN A Linden resident for almost 20 years and I had no recognition from the city for being deployed in 2012 and defending the freedoms of this town. What's happening to this place? So sad.

PLEASE STOP INJURING the ducks on the millpond in Fenton. We are having a lot of ducks swallowing hooks and getting horribly tangled in fishing line left laying around by people who want to fish. For those who do clean up, thank you.

SORRY ABOUT THE \$5 milk. The Guernsey is the one that's five. Somebody's special I guess.

YOU MUST BE a pitiful driver if you don't know what to do at any crosswalk. If a person is in a crosswalk, you stop for them. If there isn't, you go on as if it wasn't there.

HOW ON GOD'S green earth are the crosswalks downtown Fenton going to cause someone to be injured or killed? Last time I checked, this is how they work — someone enters the crosswalk, you stop and let them cross.

YES, WOULD YOU please explain in one of your Hot lines, what 'LGBT' stands for? Maybe I can understand what people are talking about. Thank you.

IT SEEMS THAT for the people that 'love' Fenton, they would 'love' to use direction signs and stop at all stop signs.

See **HOT LINE** throughout Times

FROM THE RIGHT

Cal Thomas

Nationally syndicated
columnist**Constitution, not immigration,
central to our way of life**

The cab driver taking me to the Washington Nationals baseball game on July 4 is from Bangladesh. I ask him how he got here. He said his father 'won the immigration lottery' some years back, was admitted under U.S. immigration law and eventually became a citizen, as did his son. He is proud to be an American and said after he dropped me off he was going to a traditional Fourth of July party to celebrate America's independence.

Those are the kinds of immigrants America should welcome. My driver says he works hard, supports his family and is outraged by those who break the law to cross the border and immediately begin getting free stuff that he, now a taxpayer, must subsidize.

At a July 4 White House naturalization ceremony, President Obama said welcoming people to America is 'central to our way of life.' No, what is central to our way of life is the Constitution, which protects our freedoms.

There is no constitutional right for anyone to come to America, or become a citizen.

The Department of Homeland Security website publishes a list of restrictions and prohibitions on aliens wishing to enter the United States. Among those barred are people with 'a communicable disease of public health significance.' Some of those who are certain to be denied entry are children who have not been vaccinated for certain types of diseases. Who will follow up to make sure each alien child is vaccinated, much less 'sponsored?' Probably no one, because no one will ensure they will ever show up in court.

The one promise President Obama is keeping is to 'fundamentally transform the United States of America.' He is transforming the country by flooding it with illegal immigrants that will result in creation of a new permanent underclass beholden to government and thus the party of government, the Democrats.

Numerous opinion polls show the public disapproves of this transformation and a majority no longer favors this president.

My cab driver, not the president, is modeling an approach to immigration most Americans support.

Compiled by Torrey Christopher, intern

What's the most memorable part of the Forrest Gump movie?**streettalk**

"'Run Forrest, run.' I watched the movie when it first came out and I think everyone thinks that."

— Linda Josephson
Fenton



"The parade, because it's festive and patriotic."

— Orpha Verhelle
Fenton



"After the scene with the reflection pool when he beats the guy that backhanded Jenny. It's the only time we see Forrest violent."

— Robert Stewart, Linden



"The scene on the ocean in the shrimp boat. It was the turning point of the movie."

— Mike Tokarsky,
Fenton



"That's hard, I love 'Forrest Gump,' but probably seeing him run out of his braces, it was sentimental."

— Noreen Huff
Fenton



"The 'box of chocolates' scene. I liked the whole thing though it was such a good movie."

— Nancy Brakeiron
Fenton



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Spartan
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77¢



New
Summer
Item!

Spartan
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Mushrooms
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New
Summer
Item!

New
Summer
Item!

Spartan
Peanut Butter
16 oz.

1.77



Spartan
Yogurt
6 oz.

39¢



New
Summer
Item!

Spartan
Orange
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Carafe
(59 oz.) or
Premium Ruby Red
Grapefruit Juice (64 oz.)

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New
Summer
Item!

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(6 - 12 ct.); or
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Cream Bars (3 - 9 ct.)

3.58



New
Summer
Item!



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Chips
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Liquid
Laundry
Detergent
64 loads

11.97



Charmin
Ultra Soft
or Strong
Bath Tissue
Double Roll (24 ct. pkg.) or
Mega Roll (12 ct. pkg.); or
Bounty Huge Roll Paper
Towels (6 ct. pkg.)

12.97



New
Summer
Item!



Colgate
Toothpaste
(6.4 oz.) or
Wave
Toothbrush
(each)

1.89



New
Summer
Item!

Spartan
Liquid
Hand
Soap
7.5 oz.

10/\$10



Look for these tags for family savings through September 6, 2014

TICKET

Continued from Front Page

North Long Lake Rd., will receive a \$2,000 flat-rate commission from the Michigan Lottery for selling the winning ticket.

Setto could only say that the winner is a customer who comes into the market every day. The winner has the right to remain anonymous since the passage of a law by the Michigan Legislature in 1988, which gives winners of more than \$10,000 that right. However, winners of Powerball and Mega Millions are exempt from the act, according to Michigan Lottery. The names of winners and cities where they live are considered public record.

Prizes of more than \$50,000 must be claimed at Michigan Lottery headquarters in Lansing.

Michigan ninth for lottery payouts

Lotteries are "big business" in most states, providing windfalls for both the winning ticket holders and the state coffers.

Michigan is one of the top 10 states in the U.S. that pays out the most in lottery winnings, according to business news website 24/7 Wall St. In terms of total prizes paid to all players and the size of the maximum prize, New York holds the crown.

Top 10 states for lottery winners:

1. New York
2. Massachusetts
3. Florida
4. Texas
5. Georgia
6. Pennsylvania
7. California
8. Ohio
9. Michigan

Largest Jackpot: \$363 million (two-state lottery win shared with Illinois in 2000).

Prizes paid: \$1.4 billion

Ticket sales: \$2.38 billion

Largest single-ticket prize: \$208 million to a couple in Port Huron.

State profit from sales: \$702 million

Government use: K-12 Education.

History: The Michigan Lottery was established on May 16, 1972, generating more than \$16 billion in revenue for the state's education fund.

10. Illinois

Add s'mores to your campfire this summer

► Make delicious treats even better with creative additions

There is no hallmark of summer fun quite like a campfire — whether you've gathered some neighbors and friends in your own backyard or you're on a backpacking adventure.

In fact, 99 percent of campers have a campfire and 91 percent of campers "roast" over their campfires, according to research from The MindClick Group. And now there are some great ways to give this age-old tradition some innovative twists.

Go Green

Take care of the nature that you're enjoying. Remember to keep the honorable principle of "leave no trace" top of mind. Regularly clear your campfire and your campsite of debris and garbage. This is also a good practice to keep bears at bay if you are in an area inhabited by bears. Many parks have separate bins for recyclables.

You can also green your campfire by your choice of what you burn. Instead of traditional firewood, consider a cleaner-burning roasting log to reduce your impact on the air around you. For example, duraflame Campfire Roasting Logs are made from 100 percent renewable resources and burn 60 percent cleaner than firewood in a fire pit.

Just five pounds of the logs create a fire equivalent to about 24 pounds of firewood. And because they are made with wood charcoal, recycled sawdust and renewable bio wax, no trees are cut down to produce them. They are also easy to transport for your camping trip, and stack and burn like wood.



www.nsmbl.com

Roasting marshmallows over an open campfire and making s'mores is an activity that nearly all campers enjoy.

Old treats made new

S'mores, a staple of campfire treats, are a delight for children and adults alike. But you don't need to stick with the standard recipe at your next campfire. Get s'more out of the experience with these scrumptious suggestions from Duraflame:

• **Everything But the Kitchen Sink:** Graham crackers with peanut butter cups, white-chocolate covered pretzels and marshmallows sprinkled with crumbled chocolate wafers.

• **Mint Medley:** Chocolate wafer cookies with mint wafer chocolate and marshmallows.

• **Strawberry Shortcake:** Shortbread cookies with white chocolate and strawberry marshmallows or slices of fresh strawberry.

• **Turtles:** Add chopped pecans and caramel to a standard-style s'more.

More recipes and videos can be found at www.duraflame.com/recipes.

HOT LINE CONTINUED

DON'T YOU JUST love it, trouble breaks out here, Obama gives a speech, trouble breaks out there, Obama gives a speech. Trouble breaks out everywhere, Obama gives a speech. Every day, a speech.

FOR ALL YOU people who blow off your fireworks, 11 to 12 o'clock at night, please get together and set them off for Gov. Snyder.

NO MATTER WHAT your opinion of the president is, be respectful. My husband and I both voted for him in the hope that he would do more for our kids than just talk, which he has. Look at the big picture, look to the future.

I HOPE ALL the slick and greedy people who raised the price of milk over \$2 a gallon are proud of themselves. Millions of hungry babies and kids appreciate it. Way to go, folks.

LOVED 'THE KING' on Sunday, but I believe Obama is the worst since King George, who like Obama, ruled by royal decree and taxed until the revolution. If only we had the courage of the nation's founders.

SAW AN ARTICLE on TV that while cleaning your grill with a wire brush, the bristles may fall out. Went out and checked my grill, sure enough, I found three bristles. Checked the brush — made in China.



Mark McCabe

67th District Court

Ask the judge

The retroactive application of Miller v Alabama in Michigan

For over a year, I have periodically written on the various legal issues that were raised and decided in the 2012 United States Supreme Court case of Miller v Alabama. This is the case that held that juvenile defendants who are convicted of murder cannot automatically be given a mandatory life sentence without the possibility of parole.

Instead, such defendants are to have individualized sentencing hearings that take into account a number of factors involving the fact that they were juveniles when the offense was committed.

Since Miller was decided, Michigan has seen new statutes enacted to comply with its requirements. Additionally there has been a lawsuit and appeals requesting that it apply retroactively.

On July 8, 2014 the Michigan Supreme Court ruled in the case of People v Carp that under both federal and state law, Miller is not retroactive.

This means that at least for now, the approximately 334 convicted Michigan inmates serving life sentences without the possibility of parole and who had exhausted their appeals before Miller was decided, will not receive new sentencing hearings. This was a 4-3 decision authored by Justice Stephen Markman.

In his opinion, Justice Markman reviewed federal law precedent, which provides for a general rule of nonretroactivity when it comes to applying new constitutional rules to cases that became final before a new rule is announced. Even though Miller clearly announced a new rule, he concluded it was a 'procedural' rather than a 'substantive' rule change and procedural changes are not retroactive.

He also found that under Michigan's three-part retroactivity test of determining: 1) the purpose of the new rule; 2) the general reliance on the old rule and 3) the effect of retroactive application of the new rule on the administration of justice, retroactivity did not apply.

Finally he found that neither the Eighth Amendment or Michigan's Constitution Article 1 §16 categorically bars juvenile life sentences without parole. Commentators have indicated this may not be the last word on this. There presently is a pending appeal in a federal case on this very issue and it could well be that eventually the United States Supreme Court will make the final decision.

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POLICE

Continued from Page 3

Park on a report of several teens inside a black Camaro were yelling obscenities to passersby on Adelaide Street. Upon arrival, police located the driver and occupants of the Camaro, who were now seated nearby. A computer check revealed that a 19-year-old passenger had an outstanding arrest warrant. He was taken into custody and transported to the Flint City Jail to await arraignment. Officers spoke to the other two occupants, a 17-year-old Fenton male who owned the car and a 21-year-old Holly male. They denied yelling obscenities and said they were just yelling at a friend.

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GasBuddy lets you check area prices before you stop

►Smartphone app keeps tabs of retail gas prices, locally, nationwide

By Sharon Stone

sstone@tctimes.com; 810-433-6786

It's so frustrating to stop for gas and find out minutes later that you could have spent 10, 20 or 30 cents less per gallon had you known a nearby gas station's prices were lower.

If you have a smartphone, a free app called GasBuddy could have alerted you to the price difference and saved you a lot of money on that fill-up.

GasBuddy.com also sends out weekly reports of where gas prices are at, including the greater Flint area, and an adequate reason as to the price increases, or decreases.

As announced by GasBuddy on Monday, average retail gasoline prices in Flint fell 15.8 cents per gallon (/g) in the past week, averaging \$3.56/g Sunday, according to their daily survey of 212 gas outlets in the Flint area. This compares with the national average that has fallen 3.7 cents per gallon in the last week to \$3.61/g.

A look at Fenton area gas stations, the GasBuddy app reveals that gas prices on Monday ranged from \$3.55 to \$3.84 per gallon.

Including the change in gas prices during the past week, prices Sunday were 25.9 cents per gallon lower than the same day one year ago and are 37.6 cents per gallon lower than a month ago. The national average has decreased 4.3 cents per gallon during the last month and stands unchanged compared to this day one year ago.



Smartphone owners can check out the price of area gas stations if they download the GasBuddy app, found in the app store.

"The last two weeks have seen some large drops in oil prices and gasoline spot prices — a very exciting thing to see in the middle of the summer driving season," said GasBuddy.com Senior Petroleum Analyst Patrick DeHaan in a news release. "Motorists have some nice relief coming at the pump to look forward to in the next week to two as these drops make it to retail outlets.

"Over the next week, the national average will fall back under \$3.50 per gallon something we haven't seen since April, and will also drop under last year's average in the next few days.

"I'd caution motorists as we expect these large decreases to only buy the amount of gasoline they immediately need as prices drop, and to shop around as price gaps between stations widen because of the quick decrease in wholesale gas price.

"Some stations will be buying the cheaper gasoline and passing on savings faster, leading to a wide array of gas prices," DeHaan said.

Smartphone owners can download the free GasBuddy app by going to their app store. Users can check out all of the local gas stations, and if you travel, you can review prices in other towns, as well.

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Calendar of events

Canever Car Show This Thursday

Vic Canever Chevrolet of Fenton is hosting a car show this **Thursday, July 17, from 3-8 p.m.** on the dealership grounds, 3000 Owen Road in Fenton. All makes and models of vehicles are encouraged to attend. All classic cars, hot rods and antique automobiles are welcome, along with all car lovers. Participants will have the ability to show their vehicle while enjoying other unique vintage automobiles. Free hot dogs, pop and popcorn are available, along with on-site contests for great prizes such as free car washes, oil changes and a chance to drive a Volt for the weekend. The Fox 103.9 FM will be on-site with a live radio remote and music. The final Canever Car Show of the season will be held Thursday Aug. 7, from 2-7 p.m. in connection with the Fenton Back to the Bricks Tune Up Party. Rain dates will be the third Thursday of each month as needed. To learn more about the Canever Car Shows, visit them online at www.canever.com or call (810) 629-3350.

MICHIGAN VOTES

KEY VOTES OF THE 2013-2014 SESSION

MichiganVotes.org is a free, non-partisan website created by the Mackinac Center for Public Policy, to provide concise, non-partisan, plain-English descriptions of every bill and vote in the Michigan House and Senate. While the Legislature is adjourned for a primary election campaign break, the Roll Call Report, released on Friday, July 11, reviews key votes of the 2013-2014 session.

Senate Bill 257: Expand "Business Improvement Zone" tax-and-spend entities To expand the items that a "Business Improvement Zone" can spend money on, revise voting rules in a way that (potentially) reduces the proportion of property owners needed to impose a zone's tax-and-spending powers, increase the proportion of owners needed to dissolve one, reduce notice and public meeting requirements required to establish one, increase penalties for not paying the "special assessments" these entities impose, and more. These zones have the power to impose levies to pay for the debt they incur to pay for projects that are supposed to benefit the property owners.

Passed 35 to 2 in the Senate

State Sen. Dave Robertson (R-Genesee County)

☒ YES ☐ NO

Passed 77 to 31 in the House

Rep. Joe Graves (R-Argentine Township)

☒ YES ☐ NO

Senate Bill 38: Authorize wage garnishment for nonpayment of "administrative hearing bureau" fines

To allow a local government to garnish the wages of a property owner who has failed to pay fines imposed by "administrative hearing bureaus" that most cities are allowed to create for enforcing "blight violations" under a 2003 law.

Passed 35 to 1 in the Senate

State Sen. Dave Robertson (R-Genesee County)

☒ YES ☐ NO

Passed 95 to 15 in the House

Rep. Joe Graves (R-Argentine Township)

☒ YES ☐ NO

Senate Bill 39: Authorize foreclosure for nonpayment of "administrative hearing bureau" fines

To allow a local government to foreclose on property owned by a person who has failed to pay fines imposed by "administrative hearing bureaus" that most cities are allowed to create for enforcing "blight violations" under a 2003 law.

Passed 35 to 1 in the Senate

State Sen. Dave Robertson (R-Genesee County)

☒ YES ☐ NO

Passed 103 to 7 in the House

Rep. Joe Graves (R-Argentine Township)

☒ YES ☐ NO

Senate Bill 218: Expand borrow-and-spend "water resource improvement authorities"

To eliminate the sunset on local governments creating new "water resource improvement authorities," which use extra property tax levies and "tax increment financing" schemes to divert other taxing units' property tax revenue to cover debt service payments on debt they incur for various recreation and development projects. The bill would also expand the scope of activities and geographic limits of these entities, letting them borrow and spend for dredging among other things.

Passed 32 to 5 in the Senate

State Sen. Dave Robertson (R-Genesee County)

☒ YES ☐ NO

Passed 92 to 16 in the House

Rep. Joe Graves (R-Argentine Township)

☒ YES ☐ NO



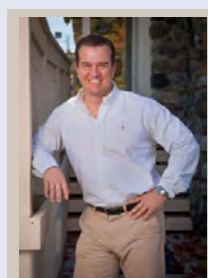
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TRI-COUNTY TIMES | TIM JAGIELO

Ja'Mia Maxon, 9, of Flint plays the bass steel drums with the Boys and Girls Club of Greater Flint during ArtWalk on Saturday. These girls ages 9 to 11 performed pop songs arranged for steel drums.



TRI-COUNTY TIMES | TIM JAGIELO

Lilli Carter 6, along with mother Melissa look at canvas pieces on the porch of the AJ Phillips Museum on Saturday. She said the ArtWalk "seems to be getting bigger each year."

ARTWALK

Continued from Front Page

There were several participating vendors and 31 businesses. But as mentioned, there was art being created at the event. Wendy Dalton of Hartland and Armando Fernández of Flint air brushed an ultra-detailed and colorful portrait of a lion, at which many stopped to watch.

A "Fenton ArtWalk" sign was splatter painted on the lawn of the Fenton Community and Cultural Center. Every block had at least one musical performance — steel drums, to psychedelic rock, to the Fenton

Community Orchestra.

Living statues and strolling performers graced downtown, and the lilting sounds of the Sweet Adelines choir stopped visitors before the police station.

Faces were painted, and lots of art pieces were sold, the epicenter being the larger tents on the lawn of the community center. While shopping or browsing, visitors could hear the special ensemble of the Fenton Community Orchestra perform.

ArtWalk is funded by Downtown Development Authority (DDA) money, and also sponsored by Lake Area Arts Council.

“(ArtWalk) seems to be getting bigger each year.”

Melissa Carter
ArtWalk visitor



TRI-COUNTY TIMES | TIM JAGIELO

Wendy Dalton of Hartland and Armando Fernández create an airbrush painting in real time during ArtWalk on Saturday. Fernández admitted it was exhausting — though the process attracted steady attention.

ARSENIC

Continued from Front Page

Arsenic is produced naturally by rocks underground, and also by industrial activities. Michigan happens to have a higher concentration than many areas in the U.S. and over exposure can be dangerous (see sidebar).

Residents with wells are most at risk because municipal systems treat for the element already. With water, it is up to the homeowner to test the well, and treat it if needed.

In Linden, the study pinpoints a well off Creekwood Circle. The good news is that drinking water in that subdivision is on the municipal system.

In Holly Village, the area in question is west of Saginaw Street, and north of Bevins Street which is also on a municipal water system.

Holly Township residents are mostly on well systems. Residents near Belford, and North Holly roads also register a higher than 50 ppb arsenic reading.

This doesn't surprise Supervisor Dale Smith, who even in 1992 gave residents free testing kits. "We always tried to make people aware if they had an issue with their water," said Smith. Despite the reading, there have been no complaints recently.

Previously, residents would take a sample to Oakland County for testing. Today, arsenic testing is done by the Michigan Department of Environmental Quality (MDEQ).

If levels are higher than 10ppb, systems that utilized processes like reverse osmosis can reduce arsenic to safe levels, according to the EPA.

“We recommend people, just to be safe, should test their water.”

George Krisztian
MDEQ Laboratory Director

For \$18, the MDEQ tests for arsenic. Lab Director George Krisztian said the process is pretty simple — if you don't use a municipal water system, call the lab and request a kit.

They'll ship you a kit with proper bottle instructions, paperwork, and payment information. The sample, payment and information gets mailed back, and results will be provided in a letter, and email if an address is provided.

The lab does around 4,000 tests year, and can get results back via email in around a week.

"If they have well water, Michigan has naturally occurring arsenic, and there are some hot spots in Michigan," said Krisztian. "We recommend people, just to be safe, should test their water." He recommends annually for arsenic hotspots, and every five years with low readings.

The MDEQ doesn't recommend a specific system for filtering water. Krisztian said that instead, the filter, whether at the faucet, sink or at the water softener, should have been tested by a third party laboratory. He said if the information isn't prominently displayed already, a call to the manufacturer can get answers, and even the test results.

For more information on drinking water, go to water.ep.gov/drink

To request a kit

Call the Michigan Department of Environmental Quality lab at (517) 335-8184. They'll confirm that you use a well, and then have a kit sent to your home. The cost is \$18.

HOT LINE CONTINUED

LET'S SEE HERE, Snyder gives my tax dollars to Detroit, to prop up inflated pensions, while I don't even have a pension. Why didn't he bail out the Delphi salary pensions, when they lost 40 percent of their salary pension?

■■■■
BEWARE, RESIDENTS ON Lake Ponemah, there were several thefts of wakeboards, and skis over the weekend. If anyone has information, please call the sheriff's department.

■■■■
ABSOLUTELY LOVING THIS cooler weather during the week. Nice breezes blowing through the house and no need for the air conditioner.

■■■■
ARE YOU SURE you had to explain to your children the gay pride float, or your reaction, to the gay pride float? Maybe if you treated it like any other float, you wouldn't have to explain anything to your children.

GUMP

Continued from Page 3

lines, and a heartwarming tale, this movie taught a nation that even if you aren't the sharpest individual you can still do something great with your life. But while Forrest was out meeting the President and fighting for our country all that really mattered to him was his love for Jenny. Some may say he was clueless, others may think he understood unconditional love more than anyone did.

It's likely that it would be hard to picture anyone other than Tom Hanks in this bumbling role. In fact, according to IMDb, it only took an hour and a half of reading the script for Hanks to sign on. The only condition he gave them was that the film be historically accurate. It's also been said that he adlibbed the line "My name is Forrest Gump. People call me Forrest Gump," and Director Robert Zemeckis liked it so much it stayed in the final cut.

Not only are we inundated with lines from this movie in everyday life, still, but Gump and Dan's Shrimp Emporium "Bubba Gump" is actually a themed restaurant in 33 locations around the world, including the U.S. If that doesn't speak of the movies undying popularity then I don't know what would.

A few life lessons from Forrest Gump

1. If you don't try, you'll never know if you can succeed

Forrest Gump was born with trials. To begin with his back was "as crooked as a politician," which caused him to have to wear braces on his legs. He was bullied because of his problems, and during a bullying incident Jenny said, "Run, Forrest, run." As he ran his braces broke free, and later he became an athlete, illustrating that you can do what you set your mind to.

2. Always do what you love

Forrest loved mowing the lawn and he even continued doing it when he was rich. This can go both ways — don't let money or a lack of money hold you back from doing what you enjoy or reaching for your dreams.

3. Share your fortunes with others

Forrest didn't keep his money to himself once he got rich. He even gave Bubba's portion of the shrimping boat business to Bubba's family. "There's only so much fortune a man really needs and the rest is just for showing off."

What life lessons has Forrest Gump taught you?

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BEER RUN

Continued from Front Page

that a white male, shown in this video, allegedly stole beer from the store at 2:06 a.m.

After fleeing with an undetermined amount of beer, witnesses said the man was observed entering an older white pickup truck with a dump bed (hydraulic). The truck had a loud exhaust and no taillights. Police will be reviewing more store surveillance videos to determine the amount of beer stolen.

Slater said they do not have any information about the individual driving the white pickup truck. He added that customers are not permitted to purchase alcohol between 2 and 7 a.m.

If anyone has information about the man in this photo, they are to call Fenton police at (810) 629-5311.

“I’m shopping local.”

Three words that will tell your community merchant that you appreciate them.

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Times

BRUSH

Continued from Page 3

While your hair’s styling products, dryers and irons help you create your own unique style, the brush you use to finish it off has a lot to do with achieving that look also.

Going through the hair care aisle at the drugstore may seem intimidating at first, but if you do a bit of research here you can easily find a brush that will help boost your hair’s styling and finishing powers.

BRUSH SHAPE

• Paddle

This is your go-to brush best for straightening and preliminary drying. They are meant to create a straight look that works both on long hair and straight-styled bobs. They’re usually made of nylon bristles and are used to dry larger areas to a flat, smooth finish.

• Round

Use a round brush to create shape and movement wherever you need it, or to add volume and lift. The size of the barrel will determine how much curl or volume can be achieved. For short hair or bangs, use a small brush. The bigger the brush, the straighter the look you’ll achieve.

• Teasing

Use a teasing brush to add serious height and to support an up-do. Teasing brushes are usually thin with rigid nylon or plastic bristles. Experts suggest care in using this brush on fine or fragile hair.



BARREL TYPE

Picking the best barrel for your buck and the right one for your style can speed up the drying process.

• Ceramic

This is the most popular barrel material, according to Prevention magazine. Like ceramic cookware, barrels made of this materials maintain a gentle, healthy level of heat to aid in the drying process. They can double as a curling iron, and dry hair quickly and evenly. Most have holes through the barrel to allow both sides of the hair to dry.

• Tourmaline or ion

These are made from crushed gemstones that release negative ions, helping to smooth hair and reduce static electricity. Many brush models have gel grips, which keep your hand relaxed while you style and smooth your hair.

• Titanium, thermal and vented

Titanium brushes coated with ceramic provide similar benefits to ceramic brushes, but are slightly more lightweight.

A thermal brush aims to regulate heat to protect hair, much like ceramic.

Vented brushes have holes to distribute the heat for consistency throughout your blowout.

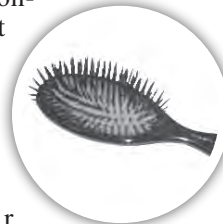
BRISTLES

• Boar bristles

These distribute natural oils throughout your hair, making it smoother and shinier. They also stimulate the scalp, promoting growth and overall hair health.

• Synthetics

Nylon or plastic bristle brushes glide through hair gently, even when hair is tangled.



Seven hair brushing mistakes:

- 1. Don't brush from the root to the tip.** To avoid breaking your hair by pulling it out of the follicle, work your way up by starting to comb a few inches from the bottom, taking out tangles, then moving up toward the roots in small sections.
- 2. Don't brush when wet,** to avoid breaking stretched hair fibers. Allow hair to air dry before detangling.
- 3. Don't use a paddle brush to detangle.** Use a wide-tooth comb, and first apply a detangling product designed for your hair type.
- 4. Over brushing causes breakage.** Instead, focus on the quality of the brushing, not the number of strokes.
- 5. Don't brush with the wrong type for your hair.** Natural boar bristle brushes are gentler than brushes with synthetic bristles.
- 6. Don't brush with a dirty brush.** Wash your hairbrush once a week to avoid clogged bristles and excess product buildup. To wash, remove hair in the bristles, and then run brush under warm water. Add shampoo or hand wash and work into the bristles, creating a foam. Rinse the brush off completely and set on towel to dry.
- 7. Don't cause static with your brush.** Before brushing, spritz hairspray on the brush to control flyaways.

Source: Women's Health

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SPORTS TRIVIA

BASEBALL

Q Name the only two positions where the Detroit Tigers have never had a player win a Silver Slugger Award.

A Those two positions would be a designated hitter and a pitcher.

WORLD CUP SUMMARY

A Q&A about the World Cup:

Did the right team win the World Cup?

Germany defeated Argentina 1-0 in Sunday's final. I'd argue the best team from start to the finish of the World Cup won it. Germany was in a class of its own.

Was this a successful World Cup venture for the U.S.?

Time to get wishy-washy with an answer. Few expected the U.S. to get out of the group of death, so doing so could be termed success. However, the U.S. has made it to the round of 16 many times, so there's nothing overwhelming about that result. Surpassing it would classify as a success, and that didn't happen. Also, we were promised a different type of play by the Americans, and the team looked very much what we've seen in the past. The U.S. couldn't possess the ball, but it showed guts and usually did well because of its keeper. That happened again this year.

Is the U.S. now a soccer nation?

Soccer won't be the NFL anytime soon. However, with each World Cup cycle it's obvious there is a larger sub-culture of soccer fans. Most of its fans are younger, so it's only going to continue to grow.

Times

Sports

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WEDNESDAY, JULY 16, 2014

INSIDE SPORTS:
BASTILLE DAY
More on the event can be found inside



PAGE 11

Bastille Day winners are from near and far

► Bragg, Anderson keep the 15K run titles in Fenton

By David Troppens

dtroppens@tctimes.com; 810-433-6789

Fenton — Kelsey Bragg isn't completely used to people knowing who she is.

Well, the 24-year-old Fenton resident better get used to it.

If Bragg continues winning Michigan road races, she's going to become a household name on the Flint-area circuit.

And it's already happening. This year's overall female winner at the Bastille Day 15K Race was already getting noticed prior to starting her race on Saturday.

"It's amazing," Bragg said. "It's kind of something I've dreamt of. Today, getting out of the car, a guy approached me saying, 'Hey, you are the girl that won the half-marathon (during Fourth of July in Brighton) a couple of days ago. I don't expect people to recognize me, so it's half-humbling, too.'"

Bragg was one of three area winners in the 15K event. While she won the female event by taking seventh overall with a time of 59:41, another 24-year-old Fenton resident, Jesse Anderson, captured the male overall winner title by posting a time of 50:43.

The Masters winners included Pontiac's Eric Green, who was the Male Masters winner (56:55). He finished third overall. Taking 10th overall and capturing the Female Masters winner title was Lisa Veneziano (1:00:50).

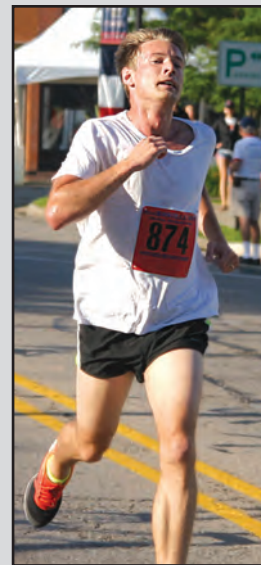
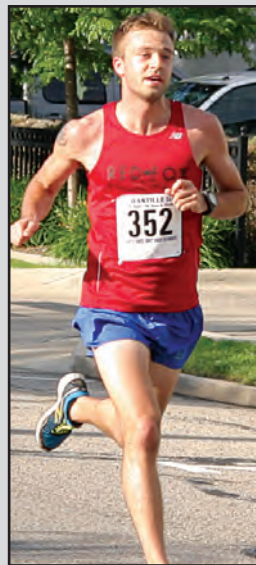
Veneziano was the defending female champion and she posted nearly the same time as last year, .01 second faster.

Flint's Billy Durant placed second overall, finishing 2:32



TRI-COUNTY TIMES
DAVID TROPPENS

(Top) The 15K race for the Bastille Day Walk and Run begins. Lisa Veneziano (394) was the Female Masters Winner, while Kelsey Bragg (to Veneziano's right) won the event. The overall 15K winner was Jesse Anderson (right) and the 5K overall winner was Pete Janson (far right).



behind Anderson with a time of 53:15. After Green placing third, Fenton's Todd Connor was fourth (56:56) and Arizona's Karl Lenser was fifth (58:51). Bragg and Veneziano were followed by Grand Blanc's Sarah Martinez, who was third in the female division (1:04:23). Birmingham's Marie Halpin was fourth (1:06:03), while Fen-

ton's Pamela Rynearson was fifth (1:08:28). Rynearson won the Applefest 5K race last fall.

Bragg had a spirited 10K race with Veneziano last fall, and didn't want to finish second to the Fenton running legend at the Bastille event.

"Ever since Applefest, we were neck and neck the entire See **15K** on 12

► Jackson repeats 5K honors; Colorado's Janson overall first

By David Troppens

dtroppens@tctimes.com; 810-433-6789

Fenton — It may not be the ideal way to prepare for a race, but it worked for Pete Janson on Saturday.

The Boulder, Colorado resident who is living in Holly while doing his medical residency at Genesys, needed a pick-me-up before Saturday's Bastille Day 5K Race.

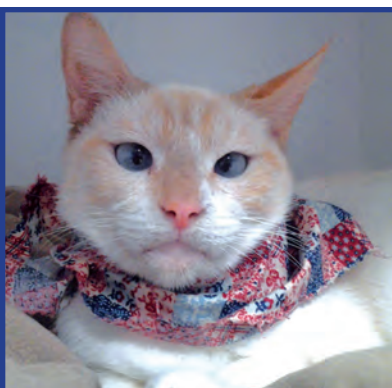
"I woke up right before the start, drank a small Red Bull and had stomach pains the whole time," Janson said.

The pains didn't hurt Janson, who captured the top spot of the 5K event with a time of 16:40, defeating last year's champion, Davisburg's Michael McCarty Jr., who finished with a time of 16:51.

Winning the Female Overall title was the defending champion, Hudsonville's Kelli Jackson, who placed fourth overall with a time of 18:32. The Male Masters winner was Fenton's Diego Velasquez (19:02), who placed seventh overall. The Female Masters winner was Maryland's Kellie Redmond (21:00) who was the fourth woman overall to compete the event. She finished second to Redmond a year ago.

Janson isn't a stranger to competitive racing, but he hasn't competed in a running event since the 3,000-meter steeplechase event during the 2008 NCAA Division 1 Track and Field Championships. Janson had no clue how well he would do.

"I ran my last race when I graduated in college (from the University of Colorado)," Janson said. "I actually am (surprised how well I ran). The two guys I ran with were pretty cool. I sat on See **5K** on 12



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15K

Continued from Page 11

time, I was hoping to get some redemption from that," Bragg said. "I just came out running."

"For the first few miles, we were pretty good. She was ahead of me the first mile. I just kept telling myself to keep her in sight, run my race, but don't lose sight of her. I love this course. Being from Fenton and it goes for Habitat for Humanity — I really love that."

Anderson just opened his new shoe store in downtown Fenton called Red Fox Footwear, so his first Bastille Day victory came within a quarter-mile of his store.

"It's awesome winning. I grew up on the race course. I used to run it almost every day training for the high school team here," Anderson said. "It's nice to come out to my own stomping grounds and do so well."

Anderson, who says he competes in trail relays, is preparing for the Crim.

"This is a great preparation for it," Anderson said. "You get more hills than you will ever see. (Denton Hill) is the toughest one you'll see in a road race for sure. It's at the end of the course, eight miles in."

Bastille Day 5K Walk results

Davison's Kraig Webber won the 5K walk event with a time of 29:37. He was followed by Flushing's Harry Garrison, who also was the Male Masters Winner (29:49). Third overall was the Female Overall Winner, Rochester's Brenda Davis (30:55). The Female Masters Winner was Holly's Elaine Sheets (35:28).

5K

Continued from Page 11

the person who took it out to see if I could outkick him at the end. "

The rest of the male top five finishers were Grand Blanc's Fouad Abdole in third (17:13), Belleville's Jacob Hoppe in fourth (17:13) and Holly's Vincent Cantu in fifth (18:57). Velasquez won the Male Masters honor by beating Fenton's Eric Larson, who finished 18 seconds behind Velasquez (19:20).

Jackson dominated the female 5K, defeating the field by 1:55. It made her victory by 61 seconds a year ago seem relatively close.

Jackson is entering her senior year in high school and enjoys seeking out strong races in the state. Jackson won the Caledonia Kilt Klassic in late June, but says she doesn't win too many road races because she usually looks for the toughest events.

"I like to run against the fastest people," Jackson said. "I don't always win the races, but the faster the people I run against, the better. That's how you get better. I'd rather take third in a big race with faster people. I have a lot of fun here. It's a challenging course. All of the runners did great."

The rest of the female top five finishers in the 5K were (in order from second to fifth) Ithaca's Misty Godley (20:27), Holly's Jennifer Janson (20:56), Redmond and Oxford's Hannah Long (21:13).

Jackson placed 21st at the Division I state cross country meet last year, and is excited about her senior year. Jackson improved upon her time of 18:58 by 26 seconds this year. She was the only



TRI-COUNTY TIMES | DAVID TROPPENS

Runners begin the 5K event at Saturday's Bastille Day Walk and Run. The female 5K winner was Kelli Jackson (far right). Michael McCarty Jr. (far left) was the second-place runner overall.

woman to finish in under 20 minutes.

"I just want to see what happens," Jackson said. "I don't like to put a lot of stress

on it. I just want to have fun and I want to be the best I can be, obviously. I enjoy racing and just trying to get better every year."

Wednesday Night CROSS COUNTRY RACES

Here are the results for the second week of the Wednesday Night Races held at Linden County Park. The races continue Wednesday.

HALF-MILE RACE

GIRLS 5 & 6

1. Kaitlyn Bowles..... 5:22.60
2. Melody Meckstroth5:29.10
3. Jillian Bowles.....6:03.20

GIRLS 7 & 8

1. Ava Fahrenkopf..... 3:38.80
2. Haley Wasilewski4:23.00
3. Paige Lefever.....4:42.80
4. Natalie Needham4:59.60

GIRLS 9 & 10

1. Caden Hall-Cooke..... 4:12.30

GIRLS 11 AND OLDER

1. Claire Burtrum 3:56.50

BOYS 5 & 6

1. Evan Fahrenkopf..... 4:53.10

BOYS 7 & 8

1. Evan Crane..... 3:43.10
- 2 Dylan Katzenberger3:45.90
3. Nolan Page.....4:38.20

BOYS 9 & 10

1. Patrick Hamilton 3:29.70
2. Zane Burtrum3:43.70

BOYS 11 & OLDER

1. Michael Crane 3:40.30

ONE-MILE RUN

GIRLS 4 & UNDER

1. Courtney Lawhorne 11:47.12

GIRLS 7 & 8

1. Haley Wasilewski 9:39.83

GIRLS 9 & 10

1. Lauren Gadola 8:42.15
2. Hannah Wasilewski9:09.48
3. Chase Hall-Cook9:09.82
4. Alyson Kelly9:41.33

BOYS 5 & 6

1. Dillon Hamilton 8:21.39
2. Evan Fahrenkopf.....10:45.88

BOYS 9 & 10

1. Nolan Fahrenkopf 7:37.92
2. River Meckstroth7:38.59
3. Patrick Hamilton8:00.01
4. Sean Bowles8:21.08

BOYS 11 & 12

1. Michael Crane 7:43.42
2. Nathan Katzenberger8:54.09
3. Parker Wilkie9:28.18

BOYS 13 & OLDER

1. Jack Needham..... 5:37.53
2. Drew Krueger6:58.32.

TWO-MILE RUN

GIRLS 10 & UNDER

1. Sophie Crane 18:44.00
2. Chase Hall-Cooke25:47.00

GIRLS 11-13

1. Chloe Lefever..... 16:25.00
2. Madison Nelson17:06.00
3. Coral Lefever17:09.00

GIRLS 14-16

1. Maya Gossett..... 15:36.00
2. Lauren Burnell18:02.00
3. Meghan Hitt.....18:39.00
4. Hannah Whitted20:03.00

WOMEN 40-49

1. Anna Troppens..... 20:00.00

WOMEN 50-59

1. Connie Nunham 20:35.00

BOYS 10 & UNDER

1. River Meckstroth 16:36.00
2. Patrick Hamilton18:43.00
3. Sean Bowles22:25.00
4. Dillon Hamilton.....23:10.00

BOYS 11-13

1. Justin Longworth..... 15:07.00
2. Liam Sack15:40.00
3. Mickey Hinojosa.....19:27.00
4. Dominic Lora.....23:51.00

MEN 40-49

1. Jay Kelly..... 14:46.00
2. David Gardner17:27.00
3. Robert Negri17:29.00

THREE-MILE RUN

GIRLS 10 & UNDER

1. Haley Wasilewski 30:07.00

GIRLS 14-16

1. Jordan Holscher 22:54.00

WOMEN 30-39

1. Jennifer Wasilewski ... 26:38.00

WOMEN 50-59

1. Christine Zittel..... 29:26.00

BOYS 11-13

1. Michael Crane 28:30.00

BOYS 14-16

1. Chase Morse 20:29.00

2. Connor Brooks20:35.00
3. Sebastian Lubahn22:56.00

MEN 17-19

1. Graham Elliott 17:45.00

2. Andrew Skelly19:14.00
3. Nicholas VanGilder19:22.00
4. Jack Elliott.....22:45.00

MEN 20-29

1. Eldon Soper..... 23:48.00

MEN 30-39

1. Josh Freeman 21:29.00

MEN 40-49

1. Eric Larsen..... 18:48.00

2. Brian Burnell.....22:48.00

MEN 50-59

1. Tony Micallef..... 23:21.00

2. Ron Nachtigal23:40.00
3. Jim Zittel29:29.00

MEN 60-69

1. Gary Mundy 24:10.00

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PAGE 13



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human experience from the perspective of
an unforgettable heroine who grows too
comfortable in her borrowed skin, until she
is abducted into humanity with devastating
results. R, 1 hr. 48 min.

CITY OF LINDEN
ORDINANCE NO. 350

AN ORDINANCE TO AUTHORIZE THE ISSUANCE BY THE CITY OF LINDEN OF ITS SPECIAL ASSESSMENT BONDS, SERIES 2014, THE SALE THEREOF AND OTHER MATTERS PERTAINING THERETO

THE CITY OF LINDEN ORDAINS:

1. **AUTHORIZATION OF BONDS PURPOSE.** Bonds of the City of Linden, Michigan (the "City") in the aggregate principal sum of Seven Hundred Fifty Thousand Dollars (\$750,000) (the "Bonds") shall be issued to defray part of the cost of certain improvements as authorized pursuant to Act No. 279, Public Acts of Michigan, 1909, as amended. The improvements consist of the removal, milling and replacement of asphalt pavement; removal and replacement of select concrete curb and gutter; removal and replacement of sidewalk ramps; and construction of storm sewer improvements (and other appurtenances) from right-of-way to right-of-way along the lengths of Haystack Drive, Rockway Drive, Saddlebrook Drive, Saddlevally Court, Sunflower Drive and Ridgewood Drive. The aforementioned improvements are referred to herein collectively as the "Improvements." The period of usefulness of the Improvements is estimated to be not less than sixteen (16) years. The plans for and estimate of cost for the Improvements in the amount of \$751,108 are hereby approved and adopted.

2. **BOND DETAILS.** The Bonds shall be designated "Special Assessment Bonds, Series 2014"; shall be dated as of the date of delivery to the purchaser thereof; shall be numbered consecutively from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not to exceed 7% per annum to be determined upon the sale thereof payable on May 1, 2015, and semiannually on the first days of November and May in each year thereafter; and shall mature on November 1 in each year as follows:

YEAR	AMOUNT	YEAR	AMOUNT
2015	\$25,000	2023	\$50,000
2016	50,000	2024	50,000
2017	50,000	2025	55,000
2018	50,000	2026	55,000
2019	50,000	2027	55,000
2020	50,000	2028	55,000
2021	50,000	2029	55,000
2022	50,000		

If he determines it to be in the City's best interest, the City Manager is hereby authorized to reduce the number of years for which the Bonds will be outstanding, and to reduce the aggregate principal sum of the Bonds and adjust the related maturity amounts accordingly.

3. **PAYMENT OF PRINCIPAL AND INTEREST.** The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each Bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. **BOOK-ENTRY SYSTEM.** Initially, one fully-registered bond for each maturity, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC") for the benefit of other parties (the "Participants") in the book-entry-only transfer system of DTC. In the event the City determines that it is in the best interest of the City not to continue the book-entry system of transfer or that the interests of the holders of the Bonds might be adversely affected if the book-entry system of transfer is continued, the City may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this ordinance. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the City shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the City and the bond registrar and paying agent shall be obligated to deliver Bond certificates in accordance with the procedures established by this ordinance. In the event Bond certificates are issued, the provisions of this ordinance shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the City and the bond registrar and paying agent to do so, the City and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Bonds to any Participant having Bonds certificated to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on the Bonds and all notices with respect to the Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations between DTC and the City. The City Manager is authorized to sign the Blanket Issuer Letter of Representations on behalf of the City in such form as the City Manager deems necessary or appropriate in order to accomplish the issuance of the Bonds in accordance with law and this ordinance.

5. **PRIOR REDEMPTION.** Bonds maturing prior to November 1, 2023, shall not be subject to redemption prior to maturity. Bonds maturing on and after November 1, 2023, shall be subject to redemption prior to maturity upon the terms and conditions set forth in the form of Bond contained in Section 13 hereof.

6. **BOND REGISTRAR AND PAYING AGENT.** The City Treasurer shall designate, and may enter into an agreement with, a bond registrar and paying agent for the Bonds which shall be a bank or trust company located in the State of Michigan that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The City Treasurer may from time to time as required designate a similarly qualified successor bond registrar and paying agent.

7. **EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS.** The Bonds shall be executed in the name of the City by the facsimile signatures of the Mayor and the Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent and the seal of the City (or a facsimile thereof) shall be impressed or imprinted on the Bonds. After the Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the Treasurer to the purchaser upon receipt of the purchase price for the Bonds. Additional Bonds bearing the facsimile signatures of the Mayor and the Clerk and upon which the seal of the City (or a facsimile thereof) is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of Bonds. The bond registrar and paying agent shall indicate on each Bond the date of its authentication.

8. **EXCHANGE AND TRANSFER OF BONDS.** Any Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond.

Each Bond shall be transferable only upon the books of the City, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any Bond, the bond registrar and paying agent on behalf of the City shall cancel the surrendered Bond and shall authenticate and deliver to the transferee a new Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Bond pursuant to this Section, payment of interest on the Bonds is in default, the bond registrar and paying agent shall endorse upon the new Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____, _____."

The City and the bond registrar and paying agent may deem and treat the person in whose name any Bond shall be registered upon the books of the City as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this ordinance shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of Bonds, the City or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

CITY OF LINDEN ORDINANCE NO. 350 (CONTINUED)

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

9. **SECURITY.** The principal of and interest on the Bonds shall be payable primarily out of the collections of the special assessments in anticipation of which they are issued but the full faith and credit of the City are pledged hereby to the payment of such principal and interest. If the receipts from the special assessments in anticipation of which the Bonds are issued shall not be sufficient to pay such principal and interest as the same shall become due, then an amount sufficient to pay the deficiency shall be advanced from the general fund of the City. The ability of the City to raise such funds is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City.

10. **DEFEASANCE.** In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of and interest on the Bonds, shall have been deposited in trust, this ordinance shall be defeased and the owners of the Bonds shall have no further rights under this ordinance except to receive payment of the principal of and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

11. **PRINCIPAL AND INTEREST FUND.** There shall be established for the Bonds a Principal and Interest Fund which shall be kept in a separate bank account along with other debt retirement funds of the City created for the same category of debt as the Bonds, as provided in Act No. 34, Public Acts of Michigan, 2001, as amended. From the proceeds of the sale of the Bonds there shall be set aside in the Principal and Interest Fund any premium and accrued interest received from the purchaser of the Bonds at the time of delivery of the same. All collections (including principal, interest and penalties) on the special assessments in anticipation of the collection of which the Bonds are issued shall be placed in the Principal and Interest Fund and so long as the principal of or interest on any of the Bonds shall remain unpaid, no moneys shall be withdrawn from such fund except to pay such principal and interest.

12. **CONSTRUCTION FUND.** The remainder of the proceeds of the sale of the Bonds and a portion of the collections of the first installment of the assessments against lands in the Saddlebrook Farms Streets Improvement Project Special Assessment District in the amount to be determined by the City Manager shall be set aside in a construction fund and used to defray part of the cost of constructing the Improvements, including any engineering, legal and other expenses incidental thereto. Any unexpended balance of proceeds of the sale of the Bonds remaining in the construction fund after completion and construction of the Improvements shall be deposited in the Principal and Interest Fund.

13. **FORM OF BONDS.** The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF GENESEE
CITY OF LINDEN

SPECIAL ASSESSMENT BOND, SERIES 2014

INTEREST RATE MATURITY DATE DATE OF ORIGINAL ISSUE CUSIP
Registered Owner: November 1, ____
Principal Amount:

The City of Linden, County of Genesee, State of Michigan (the "City"), acknowledges itself indebted to, and for value received, hereby promises to pay to the registered owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the principal corporate trust office of _____, _____, Michigan, the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the Ordinance (as hereafter defined), and today to the registered owner, as shown on the registration books. at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the registered owner at the registered address, interest on such Principal Amount until the City's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first days of May and November in each year, commencing on May 1, 2015. Principal and interest are payable in lawful money of the United States of America.

This bond is one of a series of bonds aggregating the principal sum of Seven Hundred Fifty Thousand Dollars (\$750,000) issued by the City in anticipation of the collection of special assessments against lands in the Saddlebrook Farms

Streets Improvement Project Special Assessment District to defray part of the cost of public improvements in the District as assessed on the special assessment roll for the District.

This bond is issued under and pursuant to and in full conformity with the Constitution and statutes of Michigan, the Charter of the City and a bond authorizing ordinance adopted by the City Council of the City (the "Ordinance"), and for the prompt payment of the principal of and interest on this bond as the same become due the full faith and credit of the City have been pledged irrevocably. If the receipts from the special assessments in anticipation of which the bonds of this series are issued shall not be sufficient to pay the principal of and interest on the bonds when due, moneys shall be advanced from the general fund of the City to meet such deficiency. The ability of the City to raise such funds is subject to applicable charter, statutory and constitutional limitations on the taxing power of the City.

This bond is transferable, as provided in the Ordinance, only upon the books of the City kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Ordinance, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

Bonds maturing prior to November 1, 2023, are not subject to redemption prior to maturity. Bonds maturing on and after November 1, 2023, are subject to redemption prior to maturity at the option of the City, in such order as shall be determined by the City, on any one or more interest payment dates on and after November 1, 2022. Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus accrued interest to the date fixed for redemption.

Not less than thirty and not more than sixty days' notice of redemption shall be given by first-class mail to the registered owners of bonds called to be redeemed at their registered addresses. Failure to receive notice of redemption shall not affect the proceedings for redemption. Bonds or portions of bonds called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City, including the series of bonds of which this bond is one, does not exceed any constitutional, charter or statutory limitation.

IN WITNESS WHEREOF, the City of Linden, County of Genesee, Michigan, by its City Council, has caused this bond to be executed in its name by facsimile signatures of its Mayor and Clerk and its seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

CITY OF LINDEN

By: _____
Its: Mayor

{SEAL}

By: _____
Its: Clerk

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Ordinance.

Bond Registrar and Paying Agent

By: _____
Authorized Representative

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and hereby irrevocably constitutes and

(CONTINUED ON NEXT PAGE)

CITY OF LINDEN ORDINANCE NO. 350 (CONTINUED)

appoints _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

14. **SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS.** The City Manager is authorized to set the time and date for the sale of the Bonds in accordance with the notice of sale set forth in Section 18 hereof. The Mayor, the Clerk, the City Manager and the Treasurer are each authorized to execute and deliver such certificates or documents as bond counsel shall require and to do all other things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of this ordinance and to take any actions on behalf of the City, including the making of covenants of the City, deemed necessary and appropriate to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes.

15. **QUALIFIED TAX-EXEMPT OBLIGATIONS.** The Bonds are designated as "Qualified Tax-Exempt Obligations" as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

16. **TAX COVENANT.** The City covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended, necessary to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes.

17. **REPLACEMENT OF BONDS.** Upon receipt by the City Treasurer of proof of ownership of an unmatured Bond, of satisfactory evidence that the Bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity which complies with applicable law and is satisfactory to the City Treasurer, the City Treasurer may authorize the bond registrar and paying agent to deliver a new executed Bond to replace the Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Bond is lost, apparently destroyed or wrongfully taken, the City Treasurer may authorize the bond registrar and paying agent to pay the Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Bond. The bond registrar and paying agent, for each new Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the City in the premises. Any Bond delivered pursuant the provisions of this Section in lieu of any Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the Bond in substitution for which such Bond was delivered.

18. **PRIOR APPROVAL.** The City Manager, or his designee if permitted by law, is hereby authorized to submit to the Michigan Department of Treasury an application for prior approval, and an application for any waiver that may be required, to issue the Bonds, and to pay any applicable fee in connection therewith.

19. **NOTICE OF SALE.** The Notice of Sale for the Bonds shall be published in accordance with law in the Bond Buyer and shall be in substantially the following form, with such changes as shall be approved by the City Manager:

OFFICIAL NOTICE OF SALE

\$750,000

CITY OF LINDEN
COUNTY OF GENESEE, STATE
OF MICHIGAN

\$750,000 SPECIAL ASSESSMENT BONDS, SERIES 2014

SEALED BIDS for the purchase of the above bonds will be received by the undersigned on _____, the ____ day of _____, 2014, until _____ .m., Eastern Daylight Time, at the City Hall located at 132 East Broad Street, Linden, Michigan 48451, where they will be publicly opened and read. Sealed bids also will be received on the same date and until the same time by an agent of the undersigned at the offices of the Municipal Advisory Council of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226, where they will be opened and read publicly. Bidders may choose either location to present bids and good faith checks, but not both locations.

IN THE ALTERNATIVE: Bids may be submitted electronically via PARITY pursuant to

this Notice on the same date and until the same time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY conflict with this Notice, the terms of this Notice shall control. For further information about PARITY, potential bidders may contact H.J. Umbaugh & Associates, Certified Public Accountants, LLP at (517) 321-0110 or PARITY at (212) 849-5021.

BOND DETAILS: The bonds will be fully registered bonds of the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof, dated _____, 2014, and will bear interest from their date payable on May 1, 2015, and semiannually thereafter.

The bonds will mature on the first day of November as follows:

YEAR	AMOUNT	YEAR	AMOUNT
2015	\$25,000	2023	\$50,000
2016	50,000	2024	50,000
2017	50,000	2025	55,000
2018	50,000	2026	55,000
2019	50,000	2027	55,000
2020	50,000	2028	55,000
2021	50,000	2029	55,000
2022	50,000		

TERM BOND OPTION: Bidders shall have the option of designating bonds maturing in any year as serial bonds or term bonds, or both. The bid must designate whether each of the principal amounts shown above represent a serial maturity or a mandatory redemption requirement for a term bond maturity. There may be more than one term bond maturity. In any event, the above principal amount schedule shall be represented by either serial bond maturities or mandatory redemption requirements, or a combination of both. Any such designation must be made within twenty-four (24) hours of the Bond sale.

PRIOR REDEMPTION:

A. Mandatory Redemption - Term Bonds.

Bonds maturing in any year are eligible for designation by the original purchaser at the time of sale as serial bonds or term bonds, or both. However, principal maturities designated as term bonds shall be subject to mandatory redemption, in part, by lot, at par and accrued interest on May 1st of the year in which the Bonds are presently scheduled to mature. Each maturity of term Bonds and serial Bonds must carry the same interest rate. Any such designation must be made within twenty-four (24) hours of the Bond sale.

When term Bonds are purchased by the Issuer and delivered to the Paying Agent for cancellation or are redeemed in a manner other than by mandatory redemption, the principal amount of the term Bonds affected shall be reduced by the principal amount of the Bonds so redeemed or purchased in the order determined by the Issuer.

B. Optional Redemption.

Bonds maturing prior to November 1, 2023, are not subject to redemption prior to maturity. Bonds maturing on and after November 1, 2023, are subject to redemption prior to maturity, at the option of the City, in such order as determined by the City, in any one or more interest payment dates on and after November 1, 2022, in integral multiples of \$5,000 and by lot within a maturity, at the par value of the bond or portion of the bond called to be redeemed, plus accrued interest to the redemption date.

Not less than thirty nor more than sixty days' notice of redemption shall be given by first class mail to the registered owner at the registered address. Failure to receive notice of redemption shall not affect the validity of the proceedings for redemption. Bonds or portions of bonds called for redemption shall not bear interest after the redemption date; provided, funds are on hand with the bond registrar and paying agent to redeem the bonds called for redemption.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 7% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/100 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The interest rate on bonds maturing in any year shall not be less than the interest rate on bonds maturing in any preceding year. No proposal for the purchase of less than all of the bonds or at a price less than 99% of their par value will be considered.

BOND REGISTRAR AND PAYING AGENT: The bonds shall be payable as to principal in lawful money of the United States upon surrender thereof at the principal corporate trust office of _____, _____, Michigan, the bond registrar and paying agent. Interest shall be paid to the registered owner of each bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to each registered owner at the address shown on the registration books. As long as DTC, or

(CONTINUED ON NEXT PAGE)

CITY OF LINDEN ORDINANCE NO. 350 (CONTINUED)

its nominee Cede & Co., is the registered owner of the bonds, payments will be made directly to such registered owner. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the bonds is the responsibility of DTC participants and indirect participants. The City from time to time as required may designate a successor bond registrar and paying agent.

BOOK-ENTRY-ONLY: The bonds will be issued in book-entry-only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as nominee for The Depository Trust Company (“DTC”), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will not be issued in book-entry form if the purchaser is willing to accept physical delivery of the bonds in denominations equal to the aggregate principal amount for each maturity and, if necessary, transfer the bonds only in such denominations.

PURPOSE AND SECURITY: The issuance of the bonds is authorized by the provisions of Act 279, Public Acts of Michigan, 1909, as amended, and a bond authorizing ordinance adopted by the City Council of the City on July 7, 2014. The Bonds are issued in anticipation of the collection of special assessments for public improvements in the Saddlebrook Farms Streets Improvement Project Special Assessment District in the City as set forth in the bond authorizing ordinance. The special assessments and interest thereon are sufficient to pay the principal of and interest on the Bonds when due. The full faith and credit of the City have been pledged for the payment of the principal of and interest on the Bonds and, in case of the insufficiency of said special assessments, moneys shall be advanced from the general fund of the City to pay the principal of and interest on the Bonds. The ability of the City to raise such funds is subject to applicable charter, statutory and constitutional limitations on the taxing power of the City.

GOOD FAITH: A certified or cashier's check in the amount of \$7,500 may be submitted contemporaneously with the bid or, in the alternative, a deposit in the amount of \$7,500 shall be made by the winning bidder by federal wire transfer as directed by H.J. Umbaugh & Associates, Certified Public Accountants, LLP, to be received by the Issuer not later than noon, prevailing Eastern Time, on the next business day following the award as a guarantee of good faith on the part of the winning bidder (the "Purchaser") to be forfeited as liquidated damages if such bid be accepted and the Purchaser fails to take up and pay for the Bonds. Any award made to the Purchaser is conditional upon receipt of the good faith deposit. The good faith deposit will be applied to the purchase price of the Bonds. In the event the Purchaser fails to honor its accepted bid, the good faith deposit will be retained by the Issuer. No interest shall be allowed on the good faith deposit. Payment for the balance of the purchase price of the Bonds shall be made at the closing. Good faith checks of unsuccessful bidders will be returned via U.S. Mail.

AWARD OF BONDS: The Bonds will be awarded to the bidder whose bid produces the lowest true interest cost which is the rate that will discount all future cash payments so that the sum of the present value of all cash flows will equal the Bond proceeds computed from _____, 2014.

LEGAL OPINION: Bids shall be conditioned upon the unqualified approving opinion of Thrun Law Firm, P.C., Novi, Michigan, bond counsel, the original of which will be furnished without expense to the Purchaser at the delivery thereof. The fees of Thrun Law Firm, P.C. for services rendered in connection with such approving opinion are expected to be paid from Bond proceeds. Except to the extent necessary to issue its approving opinion as to the validity of the above Bonds, Thrun Law Firm, P.C. has not been requested to examine or review, and has not examined or reviewed, any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, marketing or issuance of the Bonds and, therefore, has not expressed and will not express an opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of bond counsel, assuming continued compliance by the City with certain requirements of the Internal Revenue Code of 1986, as amended (the “Code”), interest on the Bonds is excluded from gross income for federal income tax purposes, as described in the opinion, and the Bonds and interest thereon are exempt from all taxation in the State of Michigan, except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. The City has designated the Bonds as “QUALIFIED TAX-EXEMPT OBLIGATIONS” within the meaning of the Code, and has covenanted to comply with those requirements of the Code necessary to continue the exclusion of interest on the Bonds from gross income for federal income tax purposes.

NO OFFICIAL STATEMENT: The City will not provide a Preliminary or final Official Statement. A marketing bulletin is available by contacting the Issuer's financial advisor, H.J. Umbaugh & Associates, Certified Public Accountants, LLP, 2150 Association Drive, Suite 100, Okemos, MI 48864. Telephone: (517) 321-0110.

CERTIFICATE REGARDING “ISSUE PRICE”: The successful bidder will be required to furnish, prior to the delivery of the Bonds, a certificate in a form acceptable to bond counsel as to the “issue price” of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended. In addition, if

the successful bidder will obtain a municipal bond insurance policy or other credit enhancement for the Bonds in connection with their original issuance, the successful bidder will be required, as a condition of delivery of the Bonds, to certify whether the premium therefor will be less than the present value of the interest expected to be saved as a result of such insurance or other credit enhancement. The form of an acceptable certificate will be provided by bond counsel.

CUSIP: If requested by the Purchaser, CUSIP numbers will be printed on all bonds of this issue at the City's expense. Neither the failure to print numbers nor an improperly printed number will constitute cause for the Purchaser to refuse to accept delivery. The Purchaser shall be responsible for requesting assignment of numbers and for the payment of any charges for the assignment of numbers.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. If requested by the Purchaser, the Bonds will be delivered through DTC in New York, New York. The usual closing documents, including a continuing disclosure certificate and a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, Eastern Daylight Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder on that day, or any time thereafter until delivery of the bonds, may withdraw its proposal by serving notice of cancellation, in writing, on the undersigned, in which event the City shall return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the Purchaser at the time of delivery.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Bonds."

FINANCIAL CONSULTANT: Further information regarding the bonds may be obtained from H.J. Umbaugh & Associates, Certified Public Accountants, LLP, 2150 Association Drive, Suite 100, Okemos, Michigan, 48864. Telephone: (517) 321-0110. Facsimile: (517) 321-8866.

_____, Manager
City of Linden

20. PUBLICATION OF ORDINANCE: EFFECTIVE DATE AND RECORDATION. This ordinance shall be published promptly after its adoption as required by law, and shall become effective ten days after publication thereof. This ordinance shall be recorded in The Ordinance Book of the City and such recording shall be authenticated by the signature of the Clerk.

Enacted at a special meeting of the Linden City Council held on the 7th day of July, 2014.

CITY OF LINDEN

By: _____
David E. Lossing
Its: Mayor

And: _____
Lynn M. Henry
Its: Clerk

YEAS: _____

NAYS: _____

ABSENT:

[illegible]

I, the undersigned, the Clerk of the City of Linden, Michigan, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted at a special meeting of the City Council of said City held on the 7th day of July, the original of which ordinance is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the Open Meetings Act.

I further certify that said ordinance has been recorded in The Ordinance Book of the City and such recording has been authenticated by my signature.

Lynn M. Henry, Clerk

Tri-County
Times

service directory

Brick Paving

McDonald's Brick Paving and RepairSidewalks • Porches • Patios
Retaining Walls • Powerwashing
248-396-3317

Concrete Services

CONCRETE WORK PAVING BRICK• Garage & Pole Barn Floors
• Driveways & Parking Lots
• Patios & Walks
Also:
Replacement Work, Retaining Walls,
& Bobcat Work
Licensed & Insured
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LICENSED & INSURED**FUNERAL ETIQUETTE****What should I do when I enter the Funeral Home?**

When you arrive, go to the family, and express your sympathy with an embrace or by offering your hands. Don't feel as though you must avoid talking about the person who has died. Talking can help the grieving process begin. If you were an acquaintance of the deceased but not well-known to the family, immediately introduce yourself. Do not feel uncomfortable if you or the family member becomes emotional or begins to cry. Allowing the family to grieve is a natural healing process. However, if you find yourself becoming extremely upset, it would be kinder to excuse yourself so as not to increase the strain on the family.

Source: thefuneralsource.org

Obituaries, Funeral Services and Memoriams

**Dorothy E. Gibbard**

1931-2014

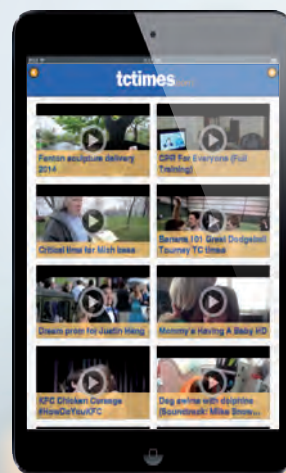
Dorothy E. Gibbard - age 82, of Rose Twp., died Saturday, July 12, 2014.



Funeral services will be held at 3 PM Thursday, July 17, 2014 at the Dryer Funeral Home, Holly.

Visitation will be from 2-9 PM Wednesday and from 1 PM until the time of the service on Thursday. Mrs. Gibbard was born in Detroit on August 22, 1931, the daughter of Alexander and Mary (Doherty) Murray. She served in the Women's Army Corp during the Korean War and was the Township Clerk for Rose Twp. for many years. She was instrumental in the formation of the North Oakland County Fire Authority. Surviving are 3 children, Andrew Gibbard, Robert Stone, and Mary Wolkow; 11 grandchildren, John Wolkow, Heather Wolkow, Lady-Christina Wolkow, Jennifer Walton, Melissa Stone, Robbie Stone, Britany Stone, Alex Stone, Tiger Stone, Thomas Wolford, and Chelsey Gibbard; 11 great-grandchildren; and her brother, Kenneth (Judy) Murray. She was preceded in death by her husband, Phillip Gibbard; her daughter, Jayne Gibbard; and her sister, Carolyn Rowley. Memorial donations may be made to the American Diabetes Association. **www.dryerfuneralhomeholly.com.****Barbara J. Montague**

1926-2014

Barbara J. Montague - age 88, of Fenton, died Sunday, July 13, 2014. Funeral services will be held at 11 AM Thursday, July 17, 2014 at the Dryer Funeral Home, Holly, with Rev. Jeffrey Jagers officiating. Burial will be in Crestwood Cemetery, Grand Blanc. Visitation will be from 2-5 and 7-9 PM Wednesday. Mrs. Montague was born in Plymouth, MI on February 19, 1926, the daughter of Frank and Carrie (Clawson) Burden. She was a wonderful wife and mother. As a caring person, she was well liked by her many friends. Surviving are 7 children, Darlene Lapham of Fenton, Brenda Montague of Fenton, Barb Montague of Fenton, Bonnie Montague of Fenton, Julia Mayers of CA, Douglas Montague of Linden, and Rick Montague of Flint; daughter-in-law, Donna Montague of Flint; many grandchildren, including Amanda, Jason, and Ricky Jr.; and many great-grandchildren. She was preceded in death by her husband George; sons, Larry and Gary; and brothers, Franklin and Marvin Burden. Memorial donations may be given to the family. **www.dryerfuneralhomeholly.com.***view*
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WEDNESDAY JUMBLE

Unscramble these four Jumbles, one letter to each square, to form four ordinary words.

HORAC

NUIFY

MOAPED

GISTED



Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

A: A " " OF " "

Answer in this Sunday's edition of the Tri-County Times

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NEW CONSTRUCTION
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1,080 sq. ft. These units
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discrimination. This newspaper
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advertising for real estate which
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all dwellings advertised in this
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MI 48442. 248-634-3533.

CROSSWORD PUZZLE

KING FEATURES

ACROSS

- 1 Taj Mahal city
- 5 Lunch order, for short
- 8 "Bye"
- 12 Bellow
- 13 Kanga's kid
- 14 Change for a five
- 15 Always playing the same role
- 17 Beehive State
- 18 Perched
- 19 Illuminated
- 20 With aloofness
- 21 Light brown
- 22 "Go, team!"
- 23 Underneath
- 26 Flip-flops
- 30 Suitor
- 31 Solemn promise
- 32 Mayberry moppet
- 33 Used a stopwatch on
- 35 Chirping sound
- 36 Whammy
- 37 Inmate
- 38 Devoutness
- 41 Supporting
- 42 Clear the tables
- 45 Vortex

1	2	3	4		5	6	7		8	9	10	11
12					13				14			
15					16				17			
18					19				20			
			21				22					
23	24	25				26				27	28	29
30						31			32			
33					34				35			
			36				37					
38	39	40				41				42	43	44
45						46			47			
48						49			50			
51						52			53			

- 46 Sad
- 48 Show
-
- sadness
- 49 Anger
- 50 Do as
-
- you're told
- 51 Logical
- 52 Apiece
- 53 Test the waters
- 6 Missing
- 7 Youngster
- 8 Six-pointer
- 9 Opposed to
- 10 Blue hue
- 11 Wan
- 16 Talon
- 20 Author Fleming
- 21 Not hunt-and-peck
- 22 Uncooked
- 23 English channel?
- 24 Moray, e.g.
- 25 Thai neighbor
- 26 Turf
- 27 Gorilla
- 28 Whopper
- 29 Congealed
- 31 Annoy
- 34 Crucial
- 35 Undecided
- 37 Cringe in fear
- 38 Church furniture
- 39 Concept
- 40 Paradise
- 41 Links warning
- 42 Ali —
- 43 Secondhand
- 44 Eyelid woe
- 46 Party bowlful
- 47 Intimidate

DOWN

- 1 — and crafts
- 2 Maja painter
- 3 Engrossed
- 4 "All the Things You —"
- 5 Gray matter

Answer in this Sunday's edition of the Tri-County Times

WEDNESDAY SUDOKU

8			3	6		9		
		1		4				8
	7				1		5	
	1			7		3		
		2	9				1	
5					2			6
		8		5		1		
9			1					7
	6				4		2	

Place a number in the empty boxes in such a way
that each row across, each column down and
each small 9-box square contains all of the
numbers from one to nine.

Answer in this Sunday's edition of the Tri-County Times

iPhone Tip of the week

Mapped pictures

Tap into your Photos app, and
navigate to the Years, Collections,
or Moments views. You'll see a
heading above each section with
where those photos were taken.
Tap on the location header, and
all the pictures from that section
will appear on a map.

Tip provided by cultofmac.com

Tap to
view
map



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