

Kuhn Jr. running for judge

Former Oakland County Commissioner and son of Circuit Judge Richard D. Kuhn, Richard D. Kuhn Jr. announced his candidacy for Oakland County Circuit Court Judge Monday. The position is being vacated by retiring Judge Robert C. Anderson. Kuhn, an attorney with Addison Need law firm of Bloomfield Hills, is currently an assistant township attorney and served as municipal prosecutor for Commerce, White Lake and Springfield townships. Formerly a research attorney for Oakland County Circuit Judge Rudy J. Nichols, Kuhn served four terms as county commissioner from 1983 to 1990. He currently serves on the Oakland County Parks and Recreation Commission. Kuhn said his eight years of service as a county commissioner, coupled with his background as an attorney, makes him uniquely qualified to be a circuit court judge. "I am confident that I have the legal training, experience and temperament to be a good judge," Kuhn said. In making his announcement, Kuhn said he believes a judge's primary concern should be for the rights of law-abiding citizens. "Our homes, businesses, churches and neighborhoods can be made safe for our families by removing criminals from our streets," Kuhn said.

Reps: Keep garbage out of Michigan

BY TIM RICHARD
STAFF WRITER

On this the state Senate and House agree: Michigan needs to control the solid wastes hauled to its landfills from other states. On another matter, the U.S. Supreme Court has been clear: Transportation of solid wastes is in interstate commerce, thus a matter for the U.S. Congress. So action in Lansing is stalled as lawmakers craft an amendment to bills by Sen. Loren Bennett, R-Canton, that will pass constitutional muster. Bennett's bills, passed 36-0 last year by the Senate, seek to halt the flow of solid waste from across the borders to Washtenaw County landfills. They send a message to Congress that Michigan wants to act provided Congress gives the state that authority. "For us to sit here month after month, with out-of-state wastes coming in..." said Rep. Mick Middaugh, R-Paw Paw, during the Jan. 28 House Conservation Committee meeting. Added the Michigan United Conservation Clubs: The intents are 1) "decreasing the amount of solid waste imported into Michigan and 2) prohibiting waste from other states and countries with less restrictive solid waste disposal regulations." The Senate bill included an amendment by Alma Wheeler Smith, D-Salem: "To protect the public health, safety, welfare and environment of this state from solid waste such as tires, batteries, yard clippings, used oil and similar waste products," Michigan shall notify Canada and other states it will not accept those wastes. The House panel substituted an amendment by Rep. William Byl, R-Grand Rapids, who said Smith's amendment "would almost certainly create a constitutional challenge because it treats wastes differently." Byl proposed language to require the state Department of Environmental Quality to compile a list of states whose solid waste laws are as restrictive as Michigan's. "Other states could comply by having an individual to certify their solid waste meets Michigan's standard." Smith left the Senate floor to attend the House committee meeting and argue for her version. "We were over-exuberant on yard wastes and tires," she admitted. But Smith added that if Michigan sticks to the public health issue, its chances of a law surviving in court are greater. "Michigan is imposing no different standards on others than it does on itself," she said. "If I had my way, I'd urge you to pass the bill as it passed the Senate. With my amendment, our state can look at health based standards of other states."

Panel airs opposition to Auburn Hills casino

BY GERALD FRAWLEY
STAFF WRITER

After a slight stumble at an OU Student Council forum last week, where several students actually had positive things to say about a casino proposed by the Bay Mills Indian Tribe, casino opponents were back on the attack Monday. These opponents consider the forum to be a carefully orchestrated attempt by the tribe to elicit some positive public relations for the casino, which has drawn protest from north Oakland residents and elected officials alike. In response, the opponents answered with their own carefully orchestrated attempt to step up a negative PR campaign. A panel of recognized opponents — from state Sen. Mat Dunaskias and Oakland County Sheriff's Capt. Barnett Jones to Orion Township Supervisor Colette Dywauak and county commissioners Larry Obrecht and Jeff Kingzett — presented their views on the casino plan in a special live telecast on Orion Cable television. The program was taped and will be replayed on Orion Cable channel 65 on Friday at 7 p.m. Citizens Against Auburn Hills Casino president Beverly Luther said a tape of the program will be available for interested community groups, and her organization will also make speakers

available to explain what they consider to be the drawbacks to the casino. Spokesman David Waymire said last week the tribe has had little opportunity to actually tout its casino proposal, which he said will provide both economic stimulus for the community and a revenue source for a variety of local governmental units. Waymire said the tribe has developed a proposal promising roughly \$20 million to Auburn Hills, Oakland County and local school districts. Waymire also said that the consistent opposition to the casino proposal has been made without actually having heard the tribe's ideas. Most opposition arose before the tribe completed its application to put the land in trust. The Bay Mills Indian Tribe has asked U.S. Secretary of the Interior Bruce Babbitt to put into federal trust 20 acres of land alongside Harmon Road, near I-75 and Joslyn Road in Auburn Hills. If Babbitt approves the application, the land becomes a sovereign state allowing the tribe to build a casino on up to six acres of the property. The Bay Mills Native American tribe has acquired an option on the six-acre parcel of property, as a settlement in a lawsuit with Ohio attorney James Hadley. Hadley is among 174 UP landowners the tribe filed a law-

suit against to reacquire land that the tribe claims once belonged to its reservation. In exchange for the six acres in Auburn Hills, Hadley maintains clear title to some 50 acres along the St. Mary's River in the upper peninsula. Because the land was acquired as settlement of a land lawsuit, the 5.9 acres is eligible for being placed into trust and can be used for the construction of a casino. The tribe also has an option to purchase an additional 14 acres from Hadley. That 14 acres can also be placed into trust, but because it is being purchased and is separate from the lawsuit settlement, it cannot be used to build a casino under the Indian Gaming Act. It can, however, be used for supporting businesses. If Secretary of State Babbitt refuses to place the land in trust, the option will expire and revert to Hadley. According to county commissioner Kingzett, the story may be even more complicated. Kingzett said that a property title search of the 20 acres and the surrounding 132 acres shows that Hadley may not even have clear title to the property. Instead, a Troy based conglomerate of land speculators doing business as ANIRJOT Investment Company is the actual owner of the property; Hadley and the tribe merely have



Sign of the future? A billboard sign along I-75 at M-24 advertises for the Casino Windsor. The grassy field in the foreground is where the proposed casino will go.

options on the property and will only swap (the 50 acres in northern Michigan and the 6 acres in Auburn Hills) should the land be taken into trust. The other 14 acres the tribe has designs on is a cash deal, said Kingzett. The 132 acres surrounding the site, whether it's owned by Hadley, the land speculation group or the tribe, could not be developed for with a casino, but would be valuable nonetheless. "It's a unique way to acquire property, to any the least," said

Kingzett. The tribe applied to have the first 20 acres put into trust in November, but the application has stalled while the Minneapolis Minn. office of the Bureau of Indian Affairs of the department of interior reviews the application. State Sen. Dunaskias said that the only way that opponents can stop the casino is if there is a concentrated and resounding din of opposition. "We must say, no, no, no," he said.

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