A after months of tension, Benton Harbor Mayor Wilce Cooke, Mayor Pro Tem Marcus Muhammad and four of their City Commission colleagues may be taking their grievances against Emergency Financial Manager (EFM) into the legal arena – through a class lawsuit and injunctions aimed at curbing the man they see as unresponsive to their concerns. That was the feeling voiced Friday at a press conference in the Lula Lee Commission Chambers, where Cooke and his peers spent 45 minutes making their case against Harris's management of the city – and how they will challenge it.

As Cooke made clear to an audience of about 30 media representatives and residents, that case partly rests on an interpretation of Public Act (PA) 72. A two-page statement distributed Friday claimed that Harris violated Public Act 72 – which laid the groundwork for his appointment – by not consulting with the commission. “I’ve said it before, we are a city under siege, and under occupation, and that's exactly what's happening in this community,” Cooke said. “When you try and usurp authority of the local elected officials, you, in turn, disenfranchise the citizens of this community who voted for those individuals. And that should not be.”

Harris has only been on the job since last April, when the Local Emergency Finance Loan Board put him in total control of city finances, and to address an estimated $4.5 million budget deficit. Since last summer, the former Detroit CFO (Chief Financial Officer) has drawn criticism for many of his decisions – notably, to eliminate the city’s fire department – and a management style that’s been limited to a handful of appearances, most of them away from City Hall.

Cooke alluded to that complaint in his opening statement, as well. “When you go to another community, to work in that community, you must first present your credentials – he didn’t do that,” Cooke said. “He chose first to meet with ministers, and someone else in the community, which was wrong. Second, we believe that government starts at the bottom, and works its way up – not at the top, and works its way back.”

The two-page statement claimed that, as of December 30, Harris will assume nine different jobs (city manager, fire chief, personnel director, planning and economic department – and a management style that’s been limited to a handful of appearances, most of them away from City Hall.

Ohio Valley Refinery & Roadshow Comes to St. Joseph This Week

Collectors state $300,000 is expected to be distributed to St. Joseph residents this coming week for antiquities, collectibles, and gold and silver items. The Ohio Valley Refinery & Roadshow travels across the globe in search of rare and unique items. During this event, local residents will have the exciting opportunity to sit with experts from around the world and sell their items to our collectors.

A few recent residents have sold items to our collectors including a rare gold coin collection purchased for $107,000, a Civil War pistol used during battle for $40,000, and a letter written by George Washington to the doctor of his wife expressing his disdain toward the doctor’s actions regarding the treatment of his wife.

Collectors are very serious about their hobby and will pay a lot of money...
What You Need To Know About Alzheimer’s Disease

By Patricia Payne  
Spirit Correspondent

T

uesday, December 16, at 7 p.m., Orchard Grove Extended Care Center, 1335 E. Empire Avenue, Benton Harbor, will be hosting a free introductory program to provide the basic information you need to help you recognize and deal with the symptoms and the disease of Alzheimer’s.

Alzheimer’s Disease accounts for upwards of 60 percent of all cases of dementia. Dementia, which isn’t a specific disease, describes a group of symptoms which affect intellectual and social abilities which are severe enough to interfere with daily functioning. Alzheimer’s most often refers to the loss of memory and other intellectual abilities which interfere with daily life.

The first thing to do, if you or a loved one are experiencing memory loss, is to see a physician because most memory loss is not Alzheimer’s. It is, however, important to see a doctor when memory loss occurs. A lot of people believe Alzheimer’s is a normal part of aging, but it is not. Even though most people with this disease are 65 or older and it is one of the major risk factors, up to five percent have what is known as early-onset Alzheimer’s, often appearing in people in their 40s or 50s.

The community is invited to join Orchard Grove Extended Care as they, with the Alzheimer’s Association, provide a free program designed to help the you understand and deal with Alzheimer’s and other associated brain diseases.

JELINEK, continued from page 1

By Patricia Payne

Spirit Correspondent

Senator Jelinek, not only have you been a friend to education in the Legislature, you have also inspired young people throughout Michigan’s Great Southwest to excel academically, and have had a positive impact on students, parents and educators in your roles as teacher, State Representative and State Senator,” stated the host of the dinner, RESA’s Superintendent, Dr. Kevin Ivers.

“Jelinek’s leadership, knowledge, and experience have made him an indispensable asset to the citizens of Berrien County and the State of Michigan. As Senator Ron Jelinek prepares for his retirement, he leaves both an example for future public servants and a legacy that will benefit southwest Michigan for years to come. I am truly honored to call Ron a colleague and friend.”

Others paying tribute to Jelinek at the dinner included State Sen.-elect John Proos, who’ll succeed him in Lansing; State Rep.-elect Al Pscholk (R-Stevensville), who’ll follow Proos into his old 79th District seat in Michigan’s House of Representatives; and State Rep. Sharon Tyler (R-Niles), who now represents the 78th District, where Jelinek started his political career in 1996. After the dinner, Jelinek said that he plans to spend the next couple of months in Florida, and – having worked much of his adult life – simply relax, and pursue his own private interests.

Jelinek served three terms as a state representative, the maximum time allowed under Michigan’s term limit law. In 2002, he won election as a state senator, and soon became a major force by serving as chairman of the Senate Appropriations Committee, and School Aid and Education Subcommittee. In addition to those assignments, Jelinek also held the post of vice chair of the Michigan Senate’s Agricultural and Capitol Outlay subcommittees. He also served as a member of the Department of Natural Resources Subcommittee, and the Senate Fiscal Agency’s Board of Governors.

During his second term, Jelinek was elected to serve on the Board of Directors of the North Central Regional Educational Laboratory. He also received an appointment to serve as a member of the Midwestern Higher Education Commission and to the Council of State Governments Committee on Suggested Legislation.

Among the numerous awards Jelinek received during his career were the President’s Award - Michigan Teacher and Student Association; the Silver Plow Award and Friends of Agriculture Award - Michigan Farm Bureau; Agribusiness Award - Michigan Agri-business Association; Business Partnership Award - Berrien County Intermediate School District; Legislator of the Year Award - Michigan Association of School Boards; Champion for Children Award – HOSTS and many more awards that signified his commitment to the people of the State of Michigan.

And, throughout his tenure, he also remained a friend of the Benton Spirit Community Newspaper.
Jean Klock Park Battle Continues: Michigan Supreme Court To Hear Oral Arguments In January

By Ralph Heibutzki

The Friends of Jean Klock Park will have another chance to make their case against Harbor Shores Redevelopment Inc. The Michigan Supreme Court has decided to hear the case of Carole Drake and Clellen Bury v. City of Benton Harbor and Harbor Shores Community Redevelopment Inc., with oral arguments to be heard in January, said Scott Howard, who is representing the plaintiffs. Supplemental briefs have been filed, which the court is reviewing now, Howard said, in a December 1 news release. Bury and Drake filed an appeal after losing two initial rounds in Berrien Trial Court, and the Michigan Court of Appeals.

The Court has asked the plaintiffs, Bury and Drake, to address – through their oral arguments – whether the city of Benton Harbor had the right to lease a portion of Jean Klock Park (JKP) to Harbor Shores to develop three holes of a 18-hole Jack Nicklaus Signature Golf Course – without violating a 1917 deed restricting or the terms of a January 27, 2004 consent judgment, Howard said. The 2004 judgment was supposed to settle an earlier lawsuit against the city’s sale of a portion of Jean Klock Park to Grand Boulevard Renaissance, LLC, to build a residential development. That 10-unit project has long since been completed – while the golf course itself officially opened in August.

Drake welcomed the court’s actions. “As you can imagine, we are extremely excited about the opportunity to have our case heard before this court, and are very optimistic that the third time around the court’s decision will fall in our favor,” Drake said, in a December 3 email to the Benton Spirit. “This is an extremely important case and we’re hopeful that this court will recognize the dangerous precedent that has been set as a result of the lower court’s ruling, putting all public parks and public land gifts at risk.”

Harbor Shores Trustee Wendy Dant Chesser, who is also president of Cornerstone Alliance, offered the following response. “This action is not unexpected. We look forward to the Court reviewing all of the facts about this case. From its inception, Harbor Shores has been about community transformation – improving public recreation for area residents, enhancing job growth and increasing business opportunities.”

More Supporting Documents Filed

The 1917 declaration is one of several documents that the plaintiffs are using to present their case. In a letter to Mayor and Common Council, of Benton Harbor, John Klock made it clear that he and his wife, Carrie, intended the park as a memorial to their deceased child, Jean, as well as a playground; “to minister to the pleasure of children in this and coming generations,” and that it would “always be preserved in its natural state,” the language stated, in part. “People who make a gift, who leave a legacy, like the Klocks, should know that their legacy will be protected in the future,” Howard said.

Bury, a Benton Harbor resident, isadamant that leasing 22-plus acres of the park for a golf course violated the Klock deed. “The park was dedicated for the children. The City is the steward of JKP and is obligated to protect it in good faith ‘for the children,’ as the children are the beneficiaries of the Klock gift, not the private interests that support three holes of a Jack Nicklaus championship golf course in JKP’s public park,” Bury said, in a statement released to local media.

Carol Drake, along with Bury, was a plaintiff in the 2003 lawsuit to stop the Grand Boulevard residential development in Jean Klock Park. Together they co-founded the nonprofit organization, Friends of Jean Klock Park. For six years, Drake has contended that there should never have been any discussion whatsoever about a golf course development in JKP. “As a plaintiff in the 2004 consent judgment that allowed four acres of JKP to be sold for a privately owned residential development, in exchange for permanent protections of the park, I am maintaining my position,” Drake said. “We [the plaintiffs] had a legal agreement with the City of Benton Harbor that future private development would be prohibited in JKP and that the remainder of the park would be kept in as natural a state as possible. It is unthinkable that we would back down after agreeing to a consent judgment that was intended to protect the remainder of the park from privately owned and/or commercial development.”

Several more supporting documents have been filed, as well. In addition to the supplemental brief filed by Bury, and Drake, several area environmental organizations have filed two amicus curiae briefs in support of their position. One brief has been filed by Defense of Place, the Great Lakes Environmental Center, Preserve the Dunes, the Saugatuck Dunes Coastal Alliance, and the West Environmental Council. The Friends of Michigan Parks has filed the other brief.

Great Lakes Environmental Center Makes Comments on JKP

Nick Schroeck, executive director of the Great Lakes Environmental Center, outlined his organization’s reasons for supporting the Friends of Jean Klock Park in a November 20 guest posting written for the Great Lakes Law blog, http://www.greatlakeslaw.org/ “Michigan’s publically held lakeshore properties are threatened by sale, lease or development and none of more than the ecologically unique freshwater dunes that line the western shore of the Lower Peninsula. Our tourism industry depends on public access to these unparalleled natural assets, not to mention the health and sustainability of the ecosystem itself,” Schroeck said.

As Schroeck sees it, the threat is two-pronged – not only to the residents, who can no longer use the land, “but also to the land itself,” he stated in his post. “No public land would be safe from the threat of private development. No future generation would be assured public access to any undeveloped land that was gifted to the public. Without protection, those who would dedicate property for public use in perpetuity will not be guaranteed that their intent will be satisfied, and the public will suffer. Hopefully the Supreme Court will agree that public lands deserve protection and that the intent of Mr. Klock’s gift, and others like it, should be respected so that the public will continue to have access to parklands and the Great Lakes.” To view these documents, and other information, visit the Friends of Jean Klock Park’s website, www.savejeanklockpark.org.
Ohio Valley Refinery & Roadshow is a place where anyone in your community can connect with collectors from around the globe. In 1967, Whirlpool Corporation paid for a dedicated water line to serve the Ad Center, in Benton Charter Township, directly from the city of Benton Harbor’s water plant. Whirlpool then donated ownership of that line to the city. Currently, Whirlpool Corporation has a contract with Benton Harbor as a water service customer.

Benton Charter Township’s decision to build its own water plant affects this arrangement, because the township will be serving all customers around the Ad Center. To serve surrounding customers, the township must install a new line, to run parallel with the current line at a $1.3 million estimated cost, the release stated. “In all reality, Benton Harbor could retain Whirlpool as a customer,” Emergency Financial Manager Joe Harris said. “If we did so, Whirlpool would be the only customer on the line, which is not the most efficient way for the Benton Harbor Water Plant to operate. In working with Benton Township and Whirlpool Corporation, I am very pleased with the agreement that has been reached.”

The township agrees to pay the city $675,000 for ownership of the current water line, according to Benton Charter Township Supervisor Nora Jefferson. “This creates a resolution as we work faced as we work to get our water plant up and operational,” Jefferson said. “This agreement eliminates the need for us to build a duplicate line and results in cost savings for us. Additionally, as a part of the agreement, Whirlpool Corporation service will be transferred to Benton Charter Township.” The city also waives Whirlpool’s right to provide a 12-month notice period for canceling its current water contract.

Benton Harbor Mayor Wilce Cooke expressed a different reaction on learning of the agreement. “When I woke on Wednesday morning and read the shocking headline that ‘Benton Harbor Sells Water Line to Benton Township’—that headline is erroneous. The city of Benton Harbor did not sell it, Joe Harris, Emergency Financial Manager, sold it,” Cooke told the Benton Spirit. “The City Charter requires six votes of the City Council to sell any city property and that was never done. Nor was it brought before the City Council, and Public Act 72 of 1990 clearly states that an EFM cannot usurp a city’s charter. We have yet to see the agreement to see what it entails. The City Charter was violated.”

Cooke called on the parties involved in the transaction to shed further light on its details. “On behalf of everyone, I think it is crucial for us to know the terms outlined when Whirlpool donated this line to the City. Plus, should had reviewed an impartial report showing the revenue captured in the past, currently and future and how it equates to only $675,000,” Cooke said. “The Water Plant overall is a major revenue source where we have invested money to improve, as well as the State’s approval of a bond to enhance the water plan and its lines. For Benton Harbor to sell any part of it is foolish, reckless, and lacks good judgment.”

Commenting to the Benton Spirit, Mayor Pro Tem Marcus Muhammad, offered the following statement: “The sell of the water line to Benton Township for $675,000 is just another example that the EMF (Emergency Financial Manager), Joseph Harris, has placed a clear sign in the city limit of Benton Harbor, with big letters in bold, that ‘Everything Must Go’ in the name of fiscal responsibility, financial stability, and ‘balancing the budget,’” Muhammad said. “It is also a clear sign as well as evident, that Public Act 72 of 1990 must be reformed to prevent reckless abandonment in the name of finance recovery. Ultimately, the citizens of Benton Harbor in the long term will bear the brunt of this State takeover.”

On behalf of everyone, I think it is crucial for us to know the terms outlined when Whirlpool donated this line to the City. Plus, should had reviewed reviewed an impartial report showing the revenue captured in the past, currently and future.

—Benton Harbor Mayor Wilce Cooke

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Season’s Greetings to All!

From Mayor Wilce L. Cooke, City of Benton Harbor, Michigan

As we come to the close of this year, with the Holiday Season fast approaching, I have a sense that these are not ordinary moments in the life and times of Benton Harbor. Not simply because we are entering the second decade of the 21st Century; or because 2010 was the 150th year since Brunson Harbor was founded; or because 2011 marks the 120th anniversary of the incorporation and granting of our city charter by the Michigan State Legislature. For sure, these are all significant milestones in the history of our community. However, as a lifelong citizen of Benton Harbor, as a student of history and as a part of my community’s history, I have a sense that this moment in time is more than the celebration of historic milestones.

My sense of the meaning of these times comes out of my reflection upon another city over two thousand years ago. It is the city of Nazareth, the childhood home of our blessed Savior, home to the Church of the Annunciation, the largest Christian church building in the Middle East and home of the site where according to Holy Scripture the Archangel Gabriel announced the future birth of Jesus to the Virgin Mary. Yet, even with all these milestones, comes the haunting question from the Gospel of John, “Can any good come out of Nazareth?”

This moment where the footsteps of Christmas and New Year’s can be heard around the corner, when carols hang merrily in winter’s cold air, when everyone seems just a little bit more generous despite the grind of life, this is our moment to come together as Heaven and Earth did on that first Christmas. We come together and find strength in each other’s smile, we find staying power in each other’s words, we will never let our troubles get the upper hand. We come together so we can go on. This is the community I was privileged to be born in many years ago. We went on not with unrealistic hopes but with a spirit that never quits and with a soul that never gives up. This is the proud legacy of our ancestors in America. This is the moment we are at in Benton Harbor.

Often throughout history, from the crucible of hardship comes genius and triumph. This was true of Nazareth. Shall it be in Benton Harbor? Each day, I work with the young people of our community and I see promise, I see the tiger in their eyes, I see hopes that will not be denied. For those of us who have journeyed further along life’s path, we must nurture those hopes and we must cherish our youth. For out of the streets of Nazareth came a child “…unto us a child is born, unto us a son is given, and the government shall be upon his shoulders.” So shall it be in Benton Harbor.

This for me is the meaning of this moment in the history of Benton Harbor and our country. That despite the negativity -- we shall rise, despite the burdens -- we shall be blessed, despite the ridicule -- we shall soar, and despite our troubles -- we shall overcome. We need not slavishly look for a “Savior” from beyond our people or beyond ourselves. It is my audacious hope that self-determination will arise from among us, that within us lies the seeds of greatness and we are the authors of our own destiny.

So, be of good cheer, Benton Harbor, as we celebrate this hopeful season and let us all resolve to work towards a better community: church by church, block club by block club, school by school, teacher by teacher, commissioner by commissioner, student by student … and we will shock the world with the good that comes from Benton Harbor. Can any good come out of Benton Harbor? Yes, it can.

Happy Holidays and a Blessed New Year!

Granhom-Snyder Announce Economic Transition Plans

Snyder names Finney to lead MEDC; Granholm names local business executive D. Jeffrey Noel of Whirlpool

On December 13, 2010, Governor Jennifer M. Granholm and Governor-elect Rick Snyder, in an unprecedented sign of cooperation between incoming and outgoing administrations, announced that the Michigan Economic Development Corporation (MEDC) — the state’s economic development agency — will be governed in 2011 by a new leadership team that includes appointees of both the incoming and outgoing governors.

In announcing the economic development transition plan, Governor-elect Snyder also announced that the new MEDC Executive Committee has agreed to select Michael Finney as the new CEO of the MEDC. Finney is currently president and CEO of Ann Arbor SPARK, a public-private partnership focused on innovation-based economic development in the greater Ann Arbor region co-founded by Snyder.

“Over the past eight years we have laid the foundation for a new Michigan economy,” Granholm said. “We put in place the most aggressive economic development program to diversify Michigan’s economy that has resulted in more than $57 billion in private investment, nearly 4,000 economic development projects and the creation or retention of 653,000 jobs. And while our work is far from finished, it’s time to pass the torch to Governor-elect Snyder who shares my commitment to diversifying Michigan’s economy and creating jobs.”

Snyder, who was the first person to chair the MEDC Executive Committee when the group was formed in 1999, said economic development is his passion and Finney is the right person to lead the MEDC going forward.

“Economic development and job creation are top priorities of my administration,” Snyder said. “The hard truth is we need to take a different approach when it comes to economic development and I have spent my career creating jobs and environments where businesses can flourish. I have said before we can’t simply ‘fix’ Michigan, we need to ‘reinvent’ Michigan. Mike Finney understands this urgency and will effectively lead the new team at the MEDC so we can take Michigan into an era of innovation.”

In addition to tapping Finney to lead the MEDC, Snyder along with Granholm announced appointments to a new executive committee that will oversee the agency beginning in January. The current executive committee members have tendered their resignations effective December 31, 2010.

Snyder’s appointments include:

• Christopher Rizik, CEO and fund manager of Renaissance Venture Capital Fund
• Lizabeth Ardisana, CEO of ASG Renaissance
• Greg Northrup, president of the West Michigan Strategic Alliance
• Jeff Metts, president and CEO of MEDC of Greenstone Farm Credit Services
• Doug Rothwell, president and CEO of Business Leaders of Michigan
• Robert Collier, president and CEO of the Council of Michigan Foundations
• Stephen R. D’Arcy, chairman of Detroit Medical Center/Partner Quantum Group
• John Rakolta Jr., chairman and CEO of Walbridge
• Kirk Lewis, group executive for corporate and civic affairs for the city of Detroit
• Robert Collier, president and CEO of the Council of Michigan Foundations

Snyder announced that the new Executive Committee will designate Rothwell, a former CEO of the MEDC, as chair of the MEDC Executive Committee.

Granholm’s appointments to the MEDC board, which will be filed later this month and be effective January 1, 2011, include:

• Mary Lou Benecke, VP of Public Affairs and Corp. Communications, Dow Corning
• D. Jeffrey Noel, VP of Communications and Public Affairs, Whirlpool Corporation
• Dr. Marilyn Schlack, president of Kalamazoo Valley Community College
• Chris MacInnes, chief operating officer of Crystal Mountain Resort and Spa
• Haifa Fakhouri, president and CEO of the Arab American and Chaldean Council
• Dayne Walling, mayor of Flint

The governor-elect will be sworn in as Michigan’s 49th governor at noon on January 1, 2011.
BH CITY, continued from page 1

development director, public safety director, public works director, supervisor of the police chief, tax assessor and treasurer). The December 30 date refers to City Manager Ron Carter Jr.’s departure from the job he’s held since last December – which also coincides with a reorganization of the city’s payroll that Harris is also overseeing. “He wants to assume all the authority in the city. Now, ladies and gentlemen, we know that that’s not possible,” Cooke said.

“President Obama doesn’t have all that authority in the United States – there is a Congress that he has to report to, to work with.”

Muhammad: “This Is Not A Cellphone Issue”

Cooke, Muhammad and City Commissioners Juanita Henry, Eddie Marshall, David Shaw and Duane Seats II attended Friday’s press conference. Besides Harris himself, notable no-shows included Commissioners James Hightower, and Bryan Joseph, who have generally expressed support for the emergency manager’s actions. Area media included reporters from the Benton Spirit Newspaper, Herald-Palladium, WSJM radio, and the South Bend TV stations, WSBT and WSJV.

In an email sent Tuesday to Muhammad, Hightower asked: “Can you please inform in which Commission meeting this was decided? What was the vote count, resolution number, and why did I not receive formal notification or any kind of communication about a special Commission meeting? Also, the vote count and resolution number approving and retaining legal counsel, and what cost, and whose expense?”

Commissioners offered few clues on Friday about what shape any litigation would take – or who might join in on the class action – though Cooke said that passing a resolution would probably be the first step. Muhammad said that all commissioners knew the press conference was coming, and each one had the choice to attend, or not. “Even in Benton Harbor, we have differences, as an elected body,” Muhammad said. “Here, you see five commissioners and the mayor, who are here, and I can’t speak for them.” Muhammad also hoped that the bigger issues don’t get lost in the publicity shuffle. “We’re consulting with attorneys. However, I don’t understand why it’s such a highlighted question of who’s going to pay – as opposed to us being focused on the laws and the violations of the Constitution of the United States, as well as the state constitution,” he said.

Muhammad also took issue with local media for suggesting that he and his colleagues are upset for minor reasons, such as having Harris cut off their city-issued cellphones. “I would like to say, this is not a cellphone issue – we all have our own personal cellphones. We don’t want to minimize or trivialize the breaking or upholding of PA 72 of 1990,” Muhammad said. “That’s why we are here, not about a cellphone.” In any event, the outlines of the lawsuit will become clear soon enough, Muhammad said. “Patience is a virtue – because, when you’re planning to go into legal battle, this is something that you don’t want to do off the cuff,” he said.

To underscore his point, Muhammad cited a Wall Street Journal article about Highland Park’s issues with its EFM, who agreed to work for $1 per day, and has since been indicted for embezzling hundreds of thousands of dollars, he said. In Benton Harbor’s case, commissioners have had trouble getting basic questions answered – which only deepens their frustration, Muhammad said. “The EFM was placed on the Consortium for Community Development Board – for what purpose?” Muhammad asked. “The EFM should only be accountable to the Local Emergency Finance Loan Board or the state of Michigan.”

Seats: “We Will Have Our Day Soon”

Muhammad and Seats further confirmed that talks have been underway with Republican Governor-elect Rick Snyder’s incoming administration, in hopes of getting a better hearing than they received from the outgoing incumbent, Jennifer Granholm. “We’re thankful that the majority of the holdovers who had a play in all of this coming to pass are not going to be held over,” Seats said. “And we will have our day soon.”

Seats suggested that commissioners have bigger fish to fry than losing their cellphones, or having pay cut sharply, as Harris has done. “Let me make something clear,” Seats said. “We’re not talking about anything superficial – we’re talking about the reason why you place somebody here, the guidelines that he’s to operate under, and the things that are not being done way the Act says it’s supposed to be done.”

Seats cited an October 18 resolution to create a commercial rehabilitation district, as part of the tax abatements that Whirlpool Corporation sought for its $86.8 million downtown office complex project. Copies of that resolution were also distributed at Friday’s press conference. “Joe Harris signed this (resolution) for the Whirlpool Development Corporation,” Seats said. “This is a violation of Public Act 72. He was not sent here to assume the authority of the mayor, or the city commission. He was sent here because there was a financial emergency.”

The commission will also probably have to revisit the abatements – because they’re good for 10 years, not the shift. The bill would also include an overhaul of food safety laws and expand Food and Drug Administration enforcement powers. It is unclear at this time whether the Senate will take up this measure. The current continuing resolution expires December 18, 2010.

Rep. Fred Upton voted NO

DREAM Act - Vote Passed (216-198, 20 Not Voting)

The House passed this measure that would provide a path to legal status for certain undocumented children brought into the U.S. illegally by their parents. Shortly before the vote, the House voted to replace the language of a bill further along in the legislative process with the language of the DREAM Act. The Senate may take up the bill the week of December 13.

Rep. Fred Upton voted NO

UPCOMING VOTES

Middle Class Tax Relief Act of 2010 - H.R.4853

This bill is being used as the vehicle to extend the 2001 and 2003 tax cuts. The Senate is scheduled to begin procedural votes this week.
Thursday 16

Boy Scouts of America: 10 a.m. – 4 p.m. Tuesday thru Saturday. A Century of Values exhibit. Heritage Museum & Cultural Center Research Library, 601 Main St., St. Joseph. (269) 983-1191.


Fairplain West Kids In Business: 10 a.m. – 3 p.m. Students are selling items they made in their classroom. 1901 Fairplain Ave., Benton Harbor.

Visit Santa In His House: 4 – 6 p.m. Corner of State & Pleasant, St. Joseph.

BH Boys JV & Freshman Basketball vs. Mattawan: Away. 7:15 p.m. South Bend Symphony Orchestra’s Home for the Holidays: 8 p.m. Saturday; 3 p.m. Sunday. Morris Performing Arts Center, 211 N. Michigan St., South Bend. (800) 537-6415; www.morriscenter.org.

Friday 17

Visit Santa In His House: 4 – 6 p.m. Corner of State & Pleasant, St. Joseph.

BH Varsity Girls & Boys Basketball vs. Mattawan: Home. Girls 5:45 p.m.; Boys 7:15 p.m.

South Bend Symphony Orchestra’s Home for the Holidays: 8 p.m. Saturday; 3 p.m. Sunday. Morris Performing Arts Center, 211 N. Michigan St., South Bend. (800) 537-6415; www.morriscenter.org.

Saturday 18


New Riders of the Purple Sage @ The Livery: 9 p.m. 190 5th St., Benton Harbor. (269) 925-8760.


How The Grinch Stole Christmas: -- See ad above, right.

How The Grinch Stole Christmas Reading: -- See ad above, right.

Sunday 19

Pray for our Community

Visit Santa In His House: 1 – 4 p.m. Corner of State & Pleasant, St. Joseph.


Paul Mow & Friends Holiday Concert @ The Livery: 3 p.m. 190 5th St., Benton Harbor.

Monday 20


Pastiche, Open Mic @ The Acorn: 7 p.m. FREE 107 Generation Dr., Three Oaks (269) 756-3879.

Tuesday 21

South Bend Symphony Orchestra’s Home for the Holidays: 8 p.m. Saturday; 3 p.m. Sunday. Morris Performing Arts Center, 211 N. Michigan St., South Bend. (800) 537-6415; www.morriscenter.org.


Yoga @ The Livery: 10 a.m. 190 5th St., Benton Harbor (269) 925-8760.

Lake Michigan Admirals vs. Mattawan: Home. Girls 5:45 p.m.; Boys 7:15 p.m.

Open at The Acorn Presents Christmas at The Acorn: 8 p.m. 107 Generation Dr., Three Oaks. (269) 756-3879.

Lake Michigan Admirals vs. Mattawan: Away. 7:15 p.m.

South Bend Symphony Orchestra’s Home for the Holidays: 8 p.m. Saturday; 3 p.m. Sunday. Morris Performing Arts Center, 211 N. Michigan St., South Bend. (800) 537-6415; www.morriscenter.org.

The Twin City Players Present: Dr. Seuss’ How the Grinch Stole Christmas!

T he Twin City Players announces two special readings of Dr. Seuss’ How the Grinch Stole Christmas! on December 20 and 21, 2010 at 7 p.m.

This lively, dramatic reading will be followed by a special visit from Santa Claus. Children are welcome to attend in their PJ’s. Parents may bring cameras and letters to Santa are also encouraged. Children under 10 must be accompanied by an adult. Some lucky youngsters will also receive Grinch surprises. Special family pricing, holiday decorations, hot cocoa and cookies will make this a memorable family event.

Every Christmas the citizens of Who-ville exchange presents, eat a feast and sing Christmas carols. This happens Christmas after Christmas to the joy of the townpeople. There is one person who doesn’t feel the Christmas joy. He is the Grinch. The Grinch lives on Mt. Crumpit with the dog, Max, his only friend. Mean Grinch does not like Christmas. Evil Grinch wants to destroy Christmas. On Christmas Eve, he slips into Who-ville and steals every Christmas related item. But Grinch is very wrong about the meaning of Christmas! Grinch and kids learn Christmas is not about material processions, but the spirit of the holiday season.

Directing is Lisa Cripps-Downey assisted by Maureen Bradford. The cast includes: Timothy Aranyos, Jr., Christine Aranyos, Bob Myers, Candace Myers, Patrick Pjesky, Chad Roden, Ashley Bock and Julia Farrell Diefenbach.

Tickets are $5 per person or $20 per family. The shows will be general seating and tickets can be purchased by calling the TCP box office at (269) 429-0400 or at the door.

Both performances take place at the Twin City Players Playhouse located at 600 W. Glenlord Road in St. Joseph.

You are invited to the 2nd annual Soul Train Super Party!

Sponsored by: Legendary DJ’s Big Archie & China Co-Sponsored by the Benton Spirit

Saturday, December 25, 2010 (Christmas) at Lakeshore Roller World 5567 Red Arrow Hwy. Stevensville, Michigan • Ph. 429-7700

Pool • Video Games • Refreshments • Door Prizes

Hottest New & Old School Music Ever Made!!

You Don’t Want to Miss This!!!

$6 per person • From 9 p.m. until 1 a.m.

No Kids Admitted
Orchard Grove Steps Out In Style For Christmas

By Ralph Heibutzki
Spirit Correspondent

A s Christmas scenes go, a nursing home might not top everybody’s list – but on Friday, December 10, all the appropriate festive touches were in place for Orchard Grove Extended Care Centre’s holiday dinner. About 75 residents, staff and family members gathered for a turkey and ham dinner – topped off by cranberry sauce, dinner rolls, green bean casserole, pumpkin pie, and red velvet cake – while local personality Eddie J presided over the entertainment, toting a strap-on keyboard to match his bright red suit.

From a corner of Orchard Grove’s large communal dining room, Marketing and Admissions Director Elaine Mitchell stood and watched, while Eddie J launched into ’60s-era classics like “Soul Man.” For Mitchell, the final week before the dinner is the most hectic, but about two to three months of advance planning is required to make the event work, she said. Occupational therapist manager Amy Watson said that the dinner is a roughly 10-year tradition.

“The dinner also holds a strong personal meaning, according to Mitchell, who spent a year away from her job to care for her mother. “She passed away with Alzheimer’s (Disease), on Memorial Day of this year,” Mitchell said. „This is the first year without her, but I have family here. Being in a setting like this helps out.”

Among them were Bridgman resident Terry Smith, and his sister, Lorrie Ray, who sat on either side of their mother, Lorraine Smith. “She’s gotten along the best here – she gets really good treatment,” Ray said. “We’re very happy with Orchard Grove, yes.”

According to Terry Smith, his mother had been to a couple different places, but has made greater progress since becoming an Orchard Grove resident.

For Carolyn Word, visiting her mother, Nannie Mae Yates, the dinner “felt more like a family outing – as opposed to just taking her out,” she observed. “I guess it would give her a more ‘at home’ feeling.” Evelyn Edwards and her grandson, Enrique Hernandez, appreciated the chance to spend an extended time period with her mother, Willie B. Robinson.

Asked what she liked most about the occasion, Edwards said, “Just getting to spend time with my mom, and her friends – nice place to be. Wouldn’t choose any other facility.”

Signs of change are everywhere at Orchard Grove, and they aren’t cosmetic, say Mitchell, and administrator Doug Buck. Buck initially served as an interim administrator, “and then, they liked me so well, I stayed on,” he said. The Memory Care Unit may also expand to 40 beds, “depending on the need for this specialty right here,” Mitchell added.

Back in the dining room, Eddie J prepared for his big closing number, as the 7:15 p.m. ending time drew near. “I’ve been playing professionally for about 30 years – this is my first time here,” Eddie J said, during a mid-set break. “I’m volunteering my time for a wonderful cause. Sometimes, musicians are into making sure the performance is ‘just so’ – my idea is to make sure that everybody’s having fun. If you make sure that people are having fun, you’ve done your job.”

Top right: Resident Terry Smith relaxes with his mother, Lorraine Smith, and sister Lorrie Ray. Evelyn Edwards; (right) shares a light moment in the Memory Care Unit with grandson, Enrique Hernandez (center), and mother, Willie B. Robinson; Bottom, center: Eddie J treated residents to a variety of songs; (bottom right) resident Eugene Crawford shows off his dance steps, while administrative assistant Stacey Scheideman watches.

YOUR DAUGHTER HAS HER WHOLE LIFE AHEAD OF HER

Give her a good start at the Benton Harbor Girls Academy

The Benton Harbor Girls Academy is now accepting current fourth and fifth graders for the 2010-2011 school year. Some advanced third graders are also being accepted, space permitting.

A nurturing environment she’ll love
- A strong education that will help her succeed
- A safe and nurturing setting
- Individual instruction to strengthen her self esteem and help guide her intellectually and socially
- Instruction in art, music, dance, life skills, health and nutrition, gender and ethnic heritage, and more

Schedule an interview today
Call Head Mistress Patricia Ann Quattrin Ph.D. at 269-925-5858.
Openings are limited, so call now.

Benton Harbor Girls Academy
580 Columbus Avenue

Michigan Works! Business Services
- Market your job openings
- Manage your applicant pool
- Supplement your training capacity
- All at no cost to you!
First Chance will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to First Chance.

The First Chance Boxing Program will be offered to both males and females ages 7-18. It is designed to be a fun, safe and rewarding learning experience that offers each individual the opportunity to become stronger mentally, physically and emotionally. Participants will be introduced to fitness & nutrition, sparring, strength & combat training, and other basic techniques that will allow each trainee to master the sport. Our program also offers youth the opportunity to learn the value of:

• Self-Discipline
• Emotional Management
• Mental focus
• Enhanced Athletic Abilities
• Health & Wellness Awareness
• Sportsmanship

Students will also be able to experience:

• Tournaments & Events
• Awards/Trophies

Academic Enrichment
• Expansion of Curriculum
• Tutorial Services

Enrichment
• Arts, Music, Drama, & Dance
• Technology
• Recreation

Family Services
• Technology Programs
• Family Literacy
• Family Activities & Involvement

Youth Development
• Drug and Violence Prevention
• Character Education
• Mentoring

First Chance After School Program is a free program offered to students in grades 1-12. Visit our website at www.1stchanceinc.org for more details.

Through the experiences gained, program participants will obtain life skills that go beyond the boxing ring. To learn more about the boxing program, please contact our office.

On Tuesday, November 23, all First Chance After School Program sites joined together for the Thanksgiving Celebration. Over 200 students and parents got out into the cold and traveled to the Benton Harbor High School Student Commons to join us for an amazing evening of fun, food, friends and family.

Participants enjoyed many interactive activities including board games, bean bag toss, pin and rice, dancing, raffle prize giveaways, and much more. After the fun and games families were able to do what we all came there for: eat! First Chance would like to extend our deepest gratitude to the families who brought dishes to pass; the food was amazing! We would also like to thank all students, parents, family members and Benton Harbor Area School Teachers for joining us in such a memorable night.

It’s that time of the year again! First Chance After School Programs will be celebrating Christmas with our students at the Benton Harbor High School Student Commons on Wednesday, December 15, 2010. At this time, students will be allowed to show their Christmas spirit in the form of plays, skits, and poems. There will also be a drawing for Christmas gifts. Friends and family of participating students are welcome and expected to participate. We hope to see you there for some good fun and good Christmas food.
Berrien Treasurer Offers Foreclosure Advice

By Ralph Heibutzki
Spirit Correspondent

Berrien County Treasurer Bret Witkowski says that he's not too anxious to enter the property management business, but one deadline will push that issue to the forefront: Thursday, March 31, 2011. That's the last day to make up delinquent property taxes, interest, fines and penalties — unless an extension has been granted by a judge. If that hasn't happened, the property will go into foreclosure, and off to the county auction block during the third Tuesday in July — but there are options to head off that scenario, Witkowski said.

"They can call and make a partial payment — as long as we see effort, we'll work with people," Witkowski said. "That usually gives them another year (to catch up). The following year, they have to get that one year caught up — plus, at least make another partial payment. If it's (a property) business, and this is their livelihood, we'll talk with them. If it's a rental, we won't do payment plans. I'm real staunch on that." Witkowski won't have any hard statistics until April, once the foreclosure notices come in. However, he's heard enough anecdotes to show the crisis that first made headlines in 2007-08 isn't even slowing down this year. 27 of 135 local units of government have properties in foreclosure, Witkowski said. In a better year, only 10 to 12 units will have that distinction, he added. Benton Harbor city and Benton Charter Township lead the list, at roughly 50 percent of foreclosed — followed by New Buffalo, "because the second home market isn't what it used to be," according to Witkowski — and the city of Niles, with about five to 10 percent. Those percentages have not changed significantly from last year, he added.

Property owners feeling the foreclosure heat can sign up for a payment plan through Witkowski's office. For more information, call him at (269) 983-7111 (ext. 8569). Several conditions apply, however. First, he makes sure the lender is amenable to working with the county. Second, property owners must clear up other outstanding issues — such as code enforcement, past due taxes to other local governmental units, or unpaid utility bills, for example — before Witkowski works with them. "Last year was the first year I stressed that really hard, and it got a lot of things cleaned up — especially in the city (of Benton Harbor), because it's not really fair to the city," Witkowski said. "They're strapped for cash. That percentage of people paying everything on time has gotten better." About 300 people are in the program, of which 45 to 50 people have gotten paid off since last year, Witkowski said. He divides the total amount by eight months to calculate the actual monthly payment. "The other thing is, if someone has to pick between paying their mortgage and the taxes — pay the mortgage," Witkowski advises. "That affects your credit rating, ours (unpaid taxes) do not." Residents should stick with local institutions for whatever loans they make, when ever possible, Witkowski said. "I can't tell you how many people come in here, and say, 'I've got a problem, I can't get ahold of the mortgage company.' Go where you can physically talk to somebody," Witkowski said. "They'll be more apt to work with you than some John Doe, 550 miles away."

Residents who miss the March 31 deadline get one more chance to reclaim their property, during the county's July auction, Witkowski said. "I do not disallow a previous owner from buying it back. Every year, there's one or two people that bought it (a foreclosed property) back, and there's probably two to four houses where the tenants have come in, and bought it (as well)," he said. Witkowski estimates that the county sold off about 200 properties last year, with an additional 60 going to the Berrien County Land Bank for demolition. Thirty-nine demolitions alone are expected to proceed in Benton Harbor after January 1, 2011. "I don't think it's fair to that neighbor hood, to throw out that chance: 'Oh, maybe somebody will fix it up, maybe not,'" Witkowski said. "Guess what? The neighborhood that's done everything right all those years still gets generalized. By the time it comes to us, that property's been a problem — not just the three months that we've owned it, but five or 10 years."

Starting in July 2011, the actual payment process will get easier, following a software overhaul that takes effect then. "The nice thing is, it'll be just like a store — we'll take your card, swipe it, you'll be out the door," Witkowski said. The current system relies on hand ledgers dating back to the 1970s, and while the payment is credited right away, "it's all handwritten, but our software just can't handle it," Witkowski said. "We're not going to redesign something that we're only going to use for another few months."
### Foreclosure Hearing Non-Payment of Property

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**FORECLOSURE HEARING NON-PAYMENT OF PROPERTY**

**CITY OF BENTON HARBOR**

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**More FORECLOSURE PROPERTIES, page 12**
Classifieds

BID NOTICE

DEMOlITION

Berrien County Land Bank is seeking requests for proposal from Licensed Contractors for demolition of residential properties in the City of Benton Harbor under the U.S. Department of Housing and Urban Development’s Neighborhood Stabilization Program (NSP). NSP is a federally funded program intended to arrest the decline in residential property values in targeted neighborhoods in Benton Harbor. The Land Bank has been allocated funds to acquire, demolish and maintain residential properties in the targeted neighborhoods of Benton Harbor. Complete bid packages are available by contacting Roxanne Romhelard, Berrien County Purchasing Department, 701 Main St., St. Joseph, MI 49085 or 269-983-7111 x8200.

VOLUNTEER

SPREAD THE WORD ABOUT EVENTS IN OUR COMMUNITY!

The Benton Spirit is looking for a person to volunteer with our calendar on-line and in print. If you are detailed, computer literate, can cut and paste text, and spend 2-5 hours a week to spread the word about what is happening, please contact us.

Advertise 269/926-4241

Researchers Needed

Do you have 1 to 3 hours a week to research something that could empower our community? Volunteer with us! Your efforts are needed.

Send letter of interest for both volunteer activities to: Jill Chamberlain, Benton Harbor Community Cal endar Assistant and Researcher: editor@bentonspiritnews.com.
### Support Our Local Businesses

It makes community and business sense!

- **Xtreme Wireless**
  1855 M-139
  (Next to Dairy Queen)
  (269) 927-1717
  • Boost Mobile •
  Get the $50 BOOST
  Unlimited Plan
  Talk, Text & Web
  All for $50 a month!

- **Jim’s Heating Service**
  372 S. Fair Avenue
  Benton Harbor, MI 49022
  Time to get your Air Conditioner & Furnace Checked!
  SHOP: 269/926-1512 • FAX: 269/926-1705
  EMERGENCY: (269) 449-6196
  OWNER: JIM WHITELOW
  10% OFF Service Call
  Not valid with other discounts/promotions. Must have coupon. No cash value. Expires 12/30/2010

- **Millie’s Wig Boutique**
  219 East Main Street
  Downtown Benton Harbor,
  (269) 925-9447
  **STOP IN FOR DISCOUNTS • YOU’LL BE SURPRISED!**
  Finest Quality Human & Synthetic Wigs
  and Hair Pieces
  Not valid with other discounts. Must have coupon. No cash value. Expires 12/30/2010

- **Dialo’s Catering**
  “Homemade Food That’s Good for Your Soul”
  (269) 208-2480
  10% OFF CATERING
  Not valid with other discounts. Party of 50 or more. Must have coupon when ordering. No cash value. Expires 12/30/2010

### Did You Know?

By supporting a local business, you keep money in our community!

- **JIM’S HEATING SERVICE**
- **Xtreme Wireless**
- **Lark & Sons Bar-B-Que**
- **Millie’s Wig Boutique**
- **Dialo’s Catering**

### Local Business Directory

- **Look! Insurance Agencies**
- **Ken Kendall**
  Agent
  1442 E. Napier Ave.
  Benton Harbor, MI 49022
  Tel (269) 925-2600
  Fax (269) 925-7271

- **Social Security Disability Denied?**
  PETER A. KATZ
  ATTORNEY
  983-2300

- **The Bent En**
  Building a Spirit of Community in Benton Harbor since 1952
  For more information: Visit [www.bentencommunity.org](http://www.bentencommunity.org)

### Save Money - Track Advertising - Support Local Businesses!

Call 269-926-4241!
Local residents in amazement yesterday as Collectors provide a stimulus package to St. Joseph!

They are paying on the spot for my stuff. Unbelievable!!

By DAVID MORGAN
STAFF WRITER

Spokesperson for the event said he expects to spend in excess of $200,000.00 this week for vintage items and precious metals from local residents. Here are some examples of what is going on in the event that started Tuesday in the Holiday Inn Express.

One person sold an old Gibson guitar that was purchased in the 1960’s for less than $250.00 to a collector at the event for $2,175.00.

Another person had a pocket watch collection that sold for $4600.00., with one of the watches in this collection bringing $375.00 of the $4600.00 tally.

A husband and wife brought in a box of old Jewelry, wristwatches, coins, and two German daggers from WW2 and left $785.00 richer.

This is cool that something like this would come here to our town. Where else would this stuff ever be sold? The refinery has teamed up with the collectors for a 24 month tour of the United States, both big and small towns to dig up hidden gems.

If you go:
WHO: Ohio Valley Gold & Silver Refinery Reclamation Drive
WHAT: Open to public to sell gold and silver.
WHEN: December 14th - 18th
WHERE: Holiday Inn Express
3019 Lakeshore Drive
St. Joseph, MI 49085
TIMES: TUESDAY-FRIDAY
9:00am - 6:00pm
SATURDAY
9:00am - 4:00pm
SHOW INFO: (217) 523-4225

Items of Interest:

- **Vintage Guitars:** Martin, Gibson, Fender, National, Rickenbacker, Gretsch, Mandolins, Banjos and others.
- **Pocket Watches:** Hamilton, Illinois, Waltham, Patek Phillipe, Ball, Howard, South Bend, Elgin and others
- **Wrist watches:** Omega, Accutron, Longines, Hamilton, Breitling and many more.
- **Old paper money:** United States, Confederate States, Blanket Bills, $1000.00 bills and more.
- **Antique Toys:** Swords, Bayonets, Helmets, German, Confederate, Union, USA, & others.

Above • Couple waits with anticipation, ready to earn some extra Holiday Cash, as a Refinery expert uses special equipment to examine their old coins and broken jewelry.

Dozens cash in yesterday, just in time for the Holidays, with jewelry, railroad watches and guitars.

An estimated $200,000 in St. Joseph!

By DAVID MORGAN
STAFF WRITER

They are paying on the spot for my stuff. Unbelievable!!

- **Vintage Guitars:** Martin, Gibson, Fender, National, Rickenbacker, Gretsch, Mandolins, Banjos and others.
- **Pocket Watches:** Hamilton, Illinois, Waltham, Patek Phillipe, Ball, Howard, South Bend, Elgin and others
- **Wrist watches:** Omega, Accutron, Longines, Hamilton, Breitling and many more.
- **Old paper money:** United States, Confederate States, Blanket Bills, $1000.00 bills and more.
- **Antique Toys:** Swords, Bayonets, Helmets, German, Confederate, Union, USA, & others.

The first days of the 5 day reclamation drive in St. Joseph will be a hit with those looking to sell their gold and silver. Representatives are on hand this week purchasing all types of unwanted and broken jewelry. An estimated 55 people left the event with over $200 dollars from old class rings, wedding bands, herringbones, and gold teeth. Coins dated 1964 and earlier were bringing big premiums as well. Silver dollars, halves and quarters arrived in large quantities. Lots of gold coins were also brought in. Rebecca Hughes walked away with over $1200.00 after selling an original $20 gold piece from 1888.

On the other side of the room were representatives from the Antique Association. They were purchasing all types of guitars, large currency bills dated before 1923, military items and pocket watches. One watch was purchased by a collector in Montana for $835 dollars. There were piles of sterling silver items like old silverware sets and tea pots. One gentleman rolled a cart in with 3 boxes full of silver coins. Company officials reported spending over $80,000 the first day of the event, alone. Brian Eades with Ohio Valley said, “We have had an overwhelming turnout this first day and we expect to get busier every day this week.” The event continues today and runs through Saturday. The event is free and the public is welcome.