

Tuscola Circuit Court cases

Sentence youth to 2½-10 years

Robert E. McComb was sentenced Monday to 2½-10 years in the State Prison of Southern Michigan at Jackson for his role in the Feb. 15, 1979, armed robbery near Postoria of Leo Waterman. The 20-year-old Davison resident pleaded guilty to the armed robbery charge Nov. 14. Circuit Judge Norman E. Baguley credited McComb with 28 days served, recommended alcohol abuse treatment and vocational training while in prison and assessed \$500 court costs, to

come out of his bond. The robbery involved theft of about \$100 and a cigarette lighter. McComb's accomplice in the incident, Martin D. Peters of Flint, earlier had received a 2-3 year sentence at Jackson from Baguley. He also had pleaded guilty to armed robbery. Also Monday, Erwin Schmandt, 55, of Frankenmuth, was sentenced to six months in the county jail for non-sufficient funds over \$50. He was credited with 158 days served, fined \$200,

assessed \$200 court costs and ordered to pay restitution of \$600. The charge was that he had written a bad check for \$600 in February, 1979, to a Vassar service station. Albert D. Romain, 32, of Dutcher Road, Caro, stood mute to a charge of uttering and publishing, in connection with writing of a bad check for \$400 Dec. 3, drawn on the Peoples State Bank of Caro. A plea of innocent was entered. Pretrial motions will be heard Feb. 25, fol-

lowed by the pretrial hearing. Bond was continued. Claudette M. Talcott, 28, of 6024 Fox Street, Mayville, pleaded innocent to a charge of non-sufficient funds, in connection with writing of three checks totaling \$62, drawn on the First State Bank of Saginaw. A pretrial hearing was scheduled Feb. 11. The motion of Bryan Huizar, 19, of 1119 S. Elmwood Road, Akron, for withdrawal

of his guilty plea to attempted receiving and concealing of stolen property over \$100 was granted. Bond was set at \$1,000 cash or surety and a pretrial hearing scheduled Feb. 11. Huizar pleaded guilty to the charge in March, 1978, and was subsequently placed on three years' probation. The charge involved theft of two snow tires from an Akron service station.

Federal funds arrive for 3 county bridges

The Tuscola County Road Commission has received federal and state funding for replacing of three bridges, one of which is in Novesta township. That bridge is on Decker-ville Road over Mud Creek, just east of Cemetery Road. It is being replaced, according to Road Commission Engineer Robert Wellington, because it is too narrow and the beams supporting it are too light to support the traffic that is otherwise allowed on the road.

The load limits presently on it, 28 tons for a single-bot-tom truck-tractor, for instance, are about half of what is allowed on the road itself. Replacement cost of the bridge is an estimated \$75,000. The other two bridges for which the Road Commission received funding are Waterman Road over the Cass River, northeast of Vassar, \$160,000, and Millington Road over Perry Creek, west of Millington, \$98,000. Federal funds will pay 80 percent of the actual cost and state funds, 10 percent. The Road Commission will pay the final 10 percent. For the Waterman Road bridge, which is on a local road, the money will come out of the local bridge millage. The local share for the other two bridges will come out of primary road funds.

By the time final plans are drawn, various permits obtained and bids let, it might be too late this year to start construction. Wellington said, which would mean the bridges will be built in 1981. The Road Commission had applied for funds for rebuilding of 12 primary road bridges and 12 local road bridges, out of the \$12.7 million in federal funds and \$5 million in state funds the Michigan Department of Transportation has available for the purpose in 1980. The three bridges for which the Road Commission did receive funds were part

3 county men sent to prison

Three Tuscola county men were sentenced last Thursday to terms in the State Prison of Southern Michigan at Jackson for their roles in a multi-county theft ring. Crawford county Circuit Judge William Porter sentenced William F. Payea, 35, of Vassar, and Arthur T. Rose, 30, of Millington, to 6-10 years in prison. Michael V. Stacey, 20, of Millington, received a 4½-10 year sentence. Payea and Rose pleaded guilty Dec. 10 to five counts of felonious breaking and entering; Stacey pleaded guilty to four counts. The three were arrested in

September, following investigation by the Crawford County Sheriff's Department. According to Sgt. Charles E. Haas of that department, 532 break-ins in 16 counties have been traced to the ring in which the trio were involved. More than \$80,000 in stolen property has been recovered. Stolen merchandise, including televisions, radios, guns and lawn tractors, usually stolen from weekend and summer cabins, was brought to Tuscola county for sale. Much of the merchandise was stolen on order from would-be buyers. Charged in Tuscola county with receiving and concealing stolen property over \$100 in connection with the operation are Terry L. Burrows, 29, Caro; Kenneth Robinson, 32, Mayville, and Paul Luketich, 56, Mt. Morris. A new trial is to be scheduled for Luketich, after a four-day trial before Circuit Judge Patrick R. Joslyn ended Friday with the jury unable to reach a verdict. The trial had started Tuesday. Luketich had been charged with possession of a stolen garden tractor. Robinson, who has three charges against him, faces trials Feb. 7 and 26. Trial date for Burrows, who faces one charge, is March 11.

Gov. William G. Milliken last Wednesday said that seven governmental units in Tuscola county will receive an estimated \$34,000 under a proposed addition to the state revenue sharing program. Cass City would receive an estimated \$6,000; Gaggetown, \$1,800; Kingston, \$2,100; Akron, \$1,100; Caro, \$13,500; Mayville, \$6,500, and Millington, \$4,000. Huron county villages would divide an estimated \$49,000, including \$760 for Owendale, \$2,100 for Uby, \$4,680 for Elkton and \$8,300 for Bad Axe. Milliken said the new \$40 million distressed communities program will assist more than 300 communities throughout the state. The program will involve new state funds to be added to the \$500 million unrestricted state revenue funds which go to local units of government. "The distressed communities program will help assure fiscal stability for Michigan's local units of government by providing additional funds to cities, villages and townships which most need it," Milliken said. If the program is approved by the Legislature, communities will receive additional funds based on a formula considering the percentage of families with incomes below the poverty level, the percentage of senior citizens in the community, the growth or deterioration of the tax base, relative tax effort and decline in population. Milliken stressed that the new program will not affect the general revenue sharing program. "However, population

Tax tribunal rejects appeal


The Michigan Tax Tribunal has rejected an appeal by the Owendale-Gagetown School District of Circuit Judge Martin E. Clements' awarding of 1978 and 1979 Goslin parcel taxes to the Cass City School District. Technically, what the tribunal did in a decision dated Jan. 23 was to grant the three respondents' motions for accelerated judgment, thereby dismissing the appeal. The respondents -- defendants in the original Owen-Gage suit -- were the Tuscola County Board of Commissioners, Elwood Township Board and Cass City School District. The tribunal said it didn't have jurisdiction and that Owen-Gage's appeal "cannot be collaterally attacked

in this tribunal." In other words, it was tantamount to the district having appealed to another circuit court judge. Owen-Gage Supt. Ronald Erickson said that the district filed an appeal with the Michigan Court of Appeals the same time it did so with the tax tribunal, its attorneys not being sure which was the proper one to appeal to. The appeals court has yet to make a ruling. Clements made his ruling Oct. 22. Involved from Owen-Gage's standpoint, is the loss of \$82,269 in 1978-79 operating revenue (from the Goslin territory) and (tax bills sent out in December, 1978, based on Owen-Gage millage rates) and \$91,465 in 1979-80 revenue.

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County may receive extra state funds

projections and revenue growth estimates make it clear that following the 1980 census, there will be an extremely adverse impact on some local governments which are growing, have demographic and other characteristics which result in service needs that cannot be funded locally. "That is why I am proposing that we add this new assistance program to the existing revenue sharing program, so that communities throughout Michigan which need additional funds have a means of securing them."

Up charges

The Public Service Commission has approved a request by Michigan Bell Telephone Co. to charge 20 cents for information service after a customer makes more than 20 information calls a month. The plan will not go into effect, however, until about June, 1981. Under the plan, each residential and business customer will receive a monthly credit on their bills and be allowed up to 20 such calls within that billing month. Each information call after the allotment will cost 20 cents. The charges will not apply to handicapped persons, who may file for an exemption, or to calls from pay telephones in hotels, motels and hospitals. Information services for other cities will be provided free upon request to customers. The plan will be in effect for three years, after which the commission may evaluate it.

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