



**[www.manisteecountydemocrats.us](http://www.manisteecountydemocrats.us)**

### **Monthly Meetings**

Next Meeting Date:

May 28th

(4th Thursday of month)

7 pm - 9 pm

Dial-a Ride, Manistee

Meeting Agenda includes  
Guest Speaker -

News from Lansing  
and District 101

### **Officers**

Chair- Dave Berns  
dberns46@gmail.com

Vice Chair-  
Jeanne Butterfield  
jbutterfield2@gmail.com

Secretary- Kayla Janicki  
kjanicki90@gmail.com

Treasurer-  
Judy Cunningham  
jpc4466@gmail.com

## **Senator Debbie Stabenow to Keynote**

### **Award Dinner**



First elected to the United States Senate in 2000, she was the first woman elected to the Senate from Michigan. Born in Gladwin and raised in Clare, Debbie Stabenow knows what matters to Michigan. She is respected for her ability to build coalitions to get things done for Michigan and our nation.

As Ranking Member of the Senate Agriculture Committee, and a member of the Senate Energy, Finance, and Budget Committees, she has a powerful and unique role to play in shaping our nation's manufacturing, health care, and agriculture policies, which are so critical to our future.

Among her many accomplishments, she has cut taxes for small businesses and passed initiatives to revitalize our manufacturing sector. She also authored the retooling loan program for advanced manufacturers that is bringing jobs back to Michigan from Mexico.

She is a true friend and fighter for Michigan.

The Don Jennings Award Dinner will be held October 3<sup>rd</sup> at the Little River Casino Resort and Convention Center.

**The  
Date  
OCT 3**

# COMMENTS FROM THE CHAIR



## Loud and Proud to be a Democrat

While Republicans continue to propose and pass legislation benefiting the billionaires who control their party, they claim they are representing the middle class. If they tell a big enough lie, say it often and loud, some people begin to believe it. Now is the time to set the record straight. During both Bush administrations, tax cuts for the rich combined with ill-conceived wars nearly destroyed our economy.

During the Clinton and Obama administrations, jobs grew and the economy strengthened. Now the Republicans are trying to reclaim the White House so they can continue to restrict access to health care, oppose increases in the minimum wage, undermine Medicare and Social Security and grant new tax cuts for the rich.

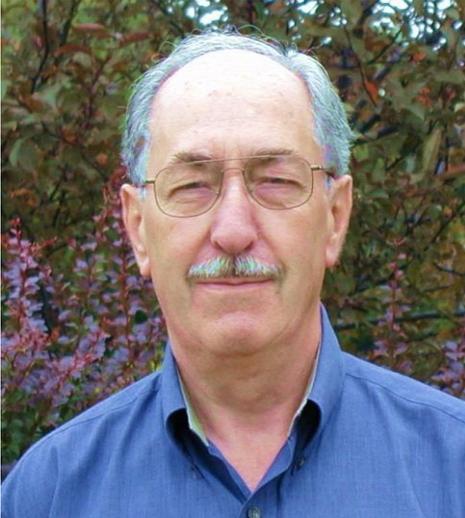
Democrats continue to focus on the issues that are important to all of us. Most of these are part of a comprehensive strategy focusing on 5 key areas:

1. The Economy
2. Education
3. Environment
4. Equality
5. Infrastructure

We Democrats not only stand for the right priorities, we have shown great success in strengthening our nation and in improving the quality of life for all. But we need to do a better job in telling our own story.

We have to show the true colors of those who seek to promote the interests of big money. We must challenge the bullies who poke at our freedoms and hide behind fears and lies. It is too easy for Republicans to say they support the middle class but to pass laws that benefit only the rich.

Mainly, we need to be loud and proud of our Democratic ideals and accomplishments. Together we can continue to protect our safety net such as Social Security and Medicare, implement tax reforms to ensure billionaires pay their fair share, and protect all our hard-fought civil and equal rights.



## WHY RUN FOR OFFICE?

Our political system desperately needs to be changed! Under the present conditions the only way that it can be done is to find candidates (and get them elected) that really care about their neighbors and their communities.

We need people in all the offices in our State who will always make decisions based what is best for the citizens and not what benefits themselves and their careers.

Often I have heard “sincere” persons voice their opinions about what is wrong with our political system. They feel that the current politicians lack compassion for the problems that people face daily. These complaints often turn to anger because they feel trapped in a system that constantly makes life harder for them; (i. e.) increased taxes, fees, fines, lack of jobs, etc. Also they feel squeezed and denigrated by the constant flow of negative laws and regulations from our governments which are aimed mainly at the poorest of our citizens. Politicians like to manipulate this anger (knowingly or unknowingly) so that it is misdirected in the form of resentment and jealousy toward other citizens and groups. These negative feelings need to be channeled in a positive direction.

I feel that citizens, who deem themselves to be honest, caring, and not self-centered, need to step forward and run for a political office. I know that no one is perfect; but we should at least try to do our best. It is a wonderful feeling when you know that you have made a positive difference in someone’s life.

Running for a political office is relatively easy. All you have to do is file with the County Clerk and then start talking to citizens in the affected area. You will find that people are grateful to be able express their feelings.

Please run for an office and get involved.

## OPEN MEETINGS ACT EXPLAINED

The recent decisions to replace top administrators in Manistee and Grand Traverse County have generated questions about the open meetings act (OMA). Michigan Compiled Laws (MCL) §§ 15.261-15.275. The discussion has focused on whether members of the governing boards met in advance of the meetings at which the actions were taken and effectively reached the decisions in those non-public gatherings. The facts underlying those situations remain to be determined, but in the meantime, it is worth keeping in mind the basic principles found in the OMA.

First, what is a “meeting” to which the OMA applies?

“‘Meeting’ means the convening of a public body at which a quorum is present for the purpose of deliberating toward or rendering a decision on a public policy . . . .” MCL 15.262(b).

The two key provisions requiring that governing boards act at public meetings are the following:

“(2) All decisions of a public body shall be made at a meeting open to the public.

“(3) All deliberations of a public body constituting a quorum of its members shall take place at a meeting open to the public except as provided in this section and sections 7 and 8.” MCL 15.263.

As that passage indicates there are some exceptions, a few of which will be discussed later.

In the context of decisions like the recent ones, attention has focused on allegations that members of the boards met in advance in non-public meetings to make these decisions. Where a quorum meets together, the only question is whether the members were “deliberating toward or rendering a decision”. The tricky problem arises when there are multiple contacts, no one of which involves a quorum. There are two early court decisions that essentially form “bookends” for analyzing these kinds of issues. One is *St. Aubin v Ishpeming City Council*, a 1992 Court of Appeals decision. There the mayor individually canvassed council members regarding the idea of dismissing the city manager. The court found that did not constitute a violation. The other case is *Booth Newspapers v Regents of the University of Michigan*, a 1993 Supreme Court case. The Court found a violation where the Board divided itself into subgroups of less-than-quorum size to conduct initial screening decisions about selection of a new University President. This concept has been described as creation of a “constructive quorum.”

There are an infinite number of possible variations within these extremes, and one needs to look at the details of the discussions that took place. Whether there is a finding that the procedure was intended to evade the OMA may also be important, though a violation could certainly be found where there is no intent to act improperly, and there could be situations where there was such an intent, but no actual violation. In discussing the recent decisions, some have mentioned the use of prepared written motions and votes taken without

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discussion. These may be signs that there were prior discussions, but aren't likely to be sufficient to establish a violation. There is no reason that one member (or more, but less than a quorum) can't prepare a written motion in advance. And there is no requirement that members engage in discussion at a public meeting or give reasons for their votes.

There is often talk about going into closed session to discuss personnel matters. There is an exception for that situation, but it is narrower than many people believe. A closed session may be used to discuss dismissal, suspension or disciplining of a public employee, to hear complaints brought against an employee, or to consider a personnel evaluation of an employee. But that can only be done when requested by the person involved. MCL 15.268(a). And even if this or one of the other exceptions allows discussion in closed session, decisions still need to be made in a public meeting.

Finally there is the question of the remedy for an OMA violation.

First, a decision made by a public body may be invalidated by a court if the public body has not complied with the several key requirements of the OMA. There are fairly short time limits for bringing such challenges. But where a lawsuit seeking to invalidate a public body's decision on the ground that it was not made in conformity with the OMA, the public body may reenact the disputed decision in conformity with the OMA. This new decision is effective when made and is not affected by any invalidity of the earlier decision. MCL 15.270. This obviously greatly limits the value of "invalidating" the earlier decision.

Second, any person may bring an action to compel compliance or to enjoin further noncompliance with the OMA. MCL 15.271(1).

Third, a public official who "intentionally violates" the OMA may be found guilty of a misdemeanor. MCL 15.272.

In addition to these statutory remedies there is the possibility of adverse political effects on officials who are found to have violated the OMA.

This note has touched on only a few of the concepts involved. For those interested in more detail, the Attorney General has prepared a helpful pamphlet dealing with the OMA. See [http://www.michigan.gov/documents/ag/OMA\\_handbook\\_287134\\_7.pdf](http://www.michigan.gov/documents/ag/OMA_handbook_287134_7.pdf). There is also a good bit of information on the Michigan Municipal League website: [mml.org](http://mml.org).

This article is contributed by Frank Greco.



## *Blue Tigers*

*By Al Frye, Manistee County Blue Tigers Chair*

The Blue Tigers will continue their tradition of volunteering to help out wherever there is a need in Manistee County. We are always looking for new opportunities so please let me know if you have any ideas.

I will be sending out a schedule for Blossom Boulevard planting as soon as I have it.

This year we would like to expand our work to include an essay writing contest for Manistee County students. The proposed topic is "Why is it important for everyone to vote?".

I am forming a committee to help with the coming years projects. If you are available for the committee or just want to volunteer, please call me at 231-723-7855.

Thanks for your continued support. Al Frye

Blue Tiger Weeding Crew  
Manistee Blossom Boulevard



**Wanted!!** Items for the silent auction to be held at the Don Jennings Dinner on October 3, 2015. Please use your talents to build, create, collect item(s) to be used in the auction to raise money for activities of the Manistee Democratic Party. In 2014, over \$1300.00 was raised and we hope to top this in 2015. Please contact **Laurie Mason at 231-889-4718** with the nature of your contribution.

## NEWS FROM THE 101<sup>ST</sup> DISTRICT COMMITTEE

The 101<sup>st</sup> District Committee met in February to discuss the 2014 campaign. Three of the four parties reported what went well about the campaign and what could have gone better. The following is a combination of Mason, Manistee and Benzie's reports.

All agreed we had a strong, vigorous candidate in Tom Stobie. All three counties had strong leadership through the campaign, had successful major fundraisers, strong volunteer turn out for the Get Out The Vote push, and had good media coverage either through articles or Letter to The Editors.

We all agreed, the VoterAccessNetwork was outdated and needs to be verified before the next election. In addition, local candidates should be recruited. These candidates could have our values, but not be a democrat. Candidate Training was suggested. All suggested getting College age voters and high schoolers interested in the political process in an effort to encourage voting. Talking points in social media, newsletters, Letters To the Editor as a source of communication with the public should be encouraged. Manistee and Mason would like to see a different debate forum than offered by the League of Women Voters.

The next meeting of the 101<sup>st</sup> District Committee will be held from Noon to 2 pm on Wednesday May 13<sup>th</sup> at the Platte River Inn in Honor.

Contributed by Peggy Raddatz

Dear Fellow Democrat,

We're well into the New Year and new terms for politicians. Manistee County Democrats are also recruiting for new membership and renewals. The National and State Democratic parties tend to focus more on nationwide and statewide office and issues. Your county party is your voice for local issues and elections. Although 2015 is not an election year we still have much work to do locally.

We, at the county party, are concentrating on recruiting and developing Democratic candidates to run in 2016 elections for local offices including all county commissioner seats, sheriff and other partisan countywide elected officials so that they can be held accountable. Communicating our Democratic messages to the local community is our emphasis in the upcoming year.

In order to carry out these tasks, your support and involvement is **crucial**. Your Democratic party is visible to the while participating in my local events such as the Fourth of July Parade, the County Fair, volunteering at the Vogue Theater, and other public service activities. On a more personal basis, members help prepare our countywide newsletter, write letters to the editors of local newspapers and sponsor informational sessions on key issues.

However, no organization can run without incurring incidental expenses. This year, your dues will be used to pay expenses such as postage for the newsletter, new banners/signage for parades, rent for the office location and support to recruit and train Democratic candidate for local offices and other incidental expenses for our events.

We thank the seventy people who have paid their membership and our goal is to increase that number by another 30%! If you haven't sent in your membership, please do so soon.

Let us not forget the 2016 will be a major election year. **We are the party of the people and our strength is in our grassroots support!**

Thank you,

David Berns, Chair    Ellen Somsel, Membership Chair