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# Vote - Bill Shaw for City Solicitor

paid for by: William K. Shaw, Jr., 1300 Offshore St. Portsmouth, Oh 45662

PUBLISHED BY AUTHORITY OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA

November 1999

Shawnee

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FREE

A Doup Deepe Publication

# Sentinel

Diamond

The reason some people are trying to stop the freedom of speech is that they know freedom of speech will stop them. ....Walter Winchell

The next time you walk into the Scioto County Common Pleas Courthouse to attempt to file criminal charges make sure you take your checkbook with you. It has been legally decided by Scioto County Common Pleas Court Judge Walter C. Lytten that the Scioto County Prosecutor Lynn Alan Grimshaw has the legal right to charge citizens of Scioto County cash to have criminal charges investigated or filed for crimes committed within Scioto County, Ohio.

On October 20, 1999, Judge Walter C. Lytten dismissed my civil lawsuit against Scioto County Prosecutor Lynn Grimshaw in which I was seeking to have Grimshaw removed from office as Scioto County Prosecutor for demanding cash from me to investigate and/or prosecute my charges.

In August of 1999 I wrote to the Ohio Supreme Court and informed them that if Judge Walter C. Lytten was not removed from this case that no hearing would ever be held on this matter. Judge Lytten assured Chief Justice Thomas Moyer that he would handle this case properly. Properly, it appears, was just as I told Justice Moyer. This case was dismissed without a hearing.

This didn't surprise me at all. But, I have a very big surprise for Scioto County Prosecutor Lynn Grimshaw, Portsmouth City Solicitor David Kuhn and for Judge Walter C. Lytten. I expected this, I wanted this and now we move it down to the United States Federal Courthouse in Cincinnati, Ohio.

I've been working with a law firm from outside of Scioto County that is willing to file a civil action on my behalf in United States Federal Court in Cincinnati against Grimshaw, Kuhn and others for violating my rights to gain access to the courts here in Scioto County. I told the lawyers exactly how this case with Grimshaw would be handled in Scioto County Common Pleas Court. Each of these lawyers told me I would win because of the letters I have in my possession written by Portsmouth Chief of Police Greg Ratcliff and Scioto County Sheriff Marty Donini. These two law enforcement officials both wrote to Ohio State Officials and requested a state investigation into the actions of these men. With those letters the lawyers told me that "no

judge would be crazy enough to dismiss the case without a hearing". Well, guess what? They got a dose of Scioto County Justice because we have a judge who did exactly that.

When I faxed this decision to Cincinnati to my lawyers they couldn't believe it. One lawyer stated that it was true what he had heard and been told. Practicing law in Scioto County is like practicing law in a third world country. To say that these men were in shock was an understatement. But to those of us that have suffered at the hands of these men, it's just another day of corruption here in this county.

There is one good thing about being a citizen of the United States of America. We do have a federal judicial system. I'm very anxious to take this current case down to the federal court system against Grimshaw and Kuhn. I have personally witnessed how "fair, honest and open" the federal courts are compared to this travesty of a judicial system that we have here in Scioto County, Ohio. It's going to be a pleasure to get Lynn Grimshaw under oath for the very first time and ask him questions and confront him with his own documents. It will also be comforting to know that the judge who will oversee that case is not a buddy of Grimshaw. I have no doubts based on the federal case laws that my lawyers have shown me that Grimshaw and Kuhn will both be in for the shock of their life once they get put in front of a judge that they can't go into the backroom with and cut a deal to get them off.

Anyone that wants to take the time to see just how deep this conspiracy goes need only walk into the Scioto County Common Pleas Court Clerks Office and ask to see case files, 99CIH0130 and 99CIH0131. Those are the two case files for my cases against Kuhn and Grimshaw. As you will see, Kuhn's lawyer used Grimshaw's identical answer to ask for his case to be dismissed. It's laughable.

How many other people in this county has had to pay Lynn Grimshaw money to prosecute their cases? I was under the mistaken impression that I was the only one that this had happened to but since Judge Lytten apparently agrees with Grimshaw that Grimshaw didn't

violate the law then I guess some of you must have been charged money too. Wonder how much Grimshaw has taken from the taxpayers to do his job? It's obvious that Judge Lytten didn't appear to be worried about that happening or Judge Lytten would have brought Grimshaw in and questioned him about it. Or did he and it was just done secretly again? That is how it really works in this county, they do it all behind closed doors.

People of Scioto County this dismissal should send chills up your spine. It must be true that justice for the taxpayers is really dependent upon how much you can afford and not what the law says.

Now I want to go on the record with another prediction about our judicial system. Does anybody think that Kuhn will investigate the criminal charges I have filed against him and Grimshaw? No way. But, I have filed a motion with the Portsmouth Municipal Court requesting that the court hold a hearing and bring forth witnesses to be put under oath who I believe will be credible witnesses. Let's see, Sheriff Donini, Chief Ratcliff, Judge Harcha III, Judge Lytten, Attorneys Russ Kegly, Joe Hale, Rick Faulkner and more. Now, with witnesses like that, why wouldn't a court call these men in and hold the hearing if Kuhn won't investigate the criminal charges? The law permits that hearing so lets see if the law is really for the citizens protection or not.

If Kuhn doesn't want to do his job the voters can get rid of Kuhn in just a few days. He should be the first "corruptician" sent out the door. Then the attention moves to Grimshaw. He's up for election next year. Hopefully someone will run against him like Shaw is doing with Kuhn this year. I'm going to enjoy sharing what I have uncovered with the voters during that campaign. I have faith that when the voters see the corruption in black and white a change will take place and Grimshaw will have to go looking for work. Then we can move to the 2002 election. Guess who comes up for re-election then? Fella's you can only stay if you get the votes. I don't think you have them any more. Your power days are almost over, let's just see.

John Welton

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## unsolved murders

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Evelyn Howard was the first unsolved mystery to frustrate Sheriff Donini. Mrs. Howard, a 72-year-old widow of June Avenue, Eden Park, was last seen by neighbors on Friday evening, the 21st of November, 1997. Her body was found by a hunter on Dec. 14, 1997 in a remote area of Scioto County, north of Minford, on Glade Road near the Jackson County Line. There is a \$7,500 Crime Stoppers reward for information leading to indictment of the person(s) responsible for her murder. Call Crime Stoppers at 355-3558 if you have any information.

The second homicide to bewilder Sheriff Donini was the Danny Traylor case. Mr. Traylor's body was found on April 9, 1998 on the Randy Clausing property on Maple-Benner Road. Danny Traylor had been missing ten years when his body was dug up. Mr. Clausing was charged with fourth-degree obstruction. No other arrests have been in this case although a West Side kidnapper told law officers where to find the body.

On Friday the 16th of April, 1999 a third murder was added to the growing list. Thirty-six year-old Dennis Jones was found shot to death in his home on State Route 348 about 200 yards east of the Adams-Scioto County line. The Sheriff has made no arrests in this case. There is a \$1,000 reward offered by Crime Stoppers for information leading to the arrest and indictment of the murderer(s).

The unsolved murders continue. The Sheriff's office refuses to share information with the public that might aid in the solution to these shocking crimes. *Sentinel* reporters have repeatedly been told, "Do your own investigation."

The *Sentinel* has "done our own investigation," and have talked with persons who have not been interviewed by the sheriff's investigators. Many persons have been fearful of retaliation for talking with reporters, or to the investigators. It is understandable that citizens fear to discuss what they know about killers who may also murder them.

If you have information about these outrageous murders, please call Crime Stoppers today. You do not need to give your name, your identity and confidentiality will be protected, and you might receive a large reward.

Or, if you prefer to talk directly to the Sheriff's Detectives, you may call 355-8245.



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Email addresses are: [notlew@zoomnet.net](mailto:notlew@zoomnet.net) or [shawneesentinel@email.msn.com](mailto:shawneesentinel@email.msn.com). Telephone numbers are 740 354 3719 or 740 259 4586. The *Sentinel* is now accepting subscriptions: You may receive the next 13 issues of the *Sentinel* by sending a \$20.00 donation to *The Sentinel*, P. O. Box 222, Portsmouth, OH 45662. Your financial aid will help in the continued publication of the newspaper. Send your donation today; get on the mailing list; don't miss a single issue.



The City of Portsmouth deserves the best choice in its Auditor's office.

Trent Williams has a practical background of accounting and fiscal management and will work hard to monitor budget expenditures and maximize cash flow to ensure stability for the City of Portsmouth.

Trent Williams has the management experience and leadership abilities needed to develop and maintain an efficient finance department and is endorsed by all three City of Portsmouth employee labor organizations, the Fraternal Order of Police, the International Association of Fire Fighters and the American Federation of State, County and Municipal Employees.

Trent Williams will listen to and work with the citizens, businesses and City officers and employees to create a more cooperative and progressive atmosphere for our city.

"The efforts of the Auditor should be directed at conscientiously managing the financial affairs of the City. I hope to provide better communications and accountability to our citizens, local businesses, City officers and employees to create a more cooperative and progressive atmosphere for our city. I want to do all I can to keep Portsmouth a great place to raise a family and a place in which we can all be proud. I would appreciate the opportunity to serve the City of Portsmouth as its elected City Auditor. I need and appreciate your support and ask for your vote on November 2<sup>nd</sup>."

The best choice is Trent Williams. On November 2<sup>nd</sup>, you can make that choice.

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Paid for by Williams for Auditor, 2003 Valley St., Portsmouth, OH 45662, M. Trent Williams, Chairman

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The county-wide program is coordinated by Vietnam Navy Veteran Jim Bailey who said that veterans are brought in from around the entire area to the Post 23 building at Seventh and Court Streets. Many of the veterans are bedfast and must travel by ambulance. The nursing homes where many of the veterans are living furnish free ambulance transportation for their veterans. "They (nursing homes) have been very generous in providing this service to the veterans," said Mr. Bailey.

Maurice Liddle, operator of Pat's Cafe, said each veteran annually receives a gift that he has requested, plus a high quality sweater that identifies with the veteran's branch of service.

In addition to the special gifts there are other presents for the vets plus a complete Christmas dinner, and other Christmas goodies. All the veterans look forward to the annual party; some even get to enjoy a drink, a once a year treat for most of them.

It is a great program that makes it possible for these men to get out one day each year. Most are without family, seldom receive visitors at their nursing homes, and are old, lonely and ill.

Maurice Liddle said that the happiness and gratitude shown by these old warriors at the annual parties makes all the time and effort expended worthwhile.

Jim Bailey, who coordinates the entire program told the Sentinel that each year Pat's Cafe is number one in the collection of funds for the Veterans Christmas Party; Pat's Cafe regularly collects more dollars than the American Legion Posts.

Donors are asked to contribute a dollar or more; at Pat's Cafe the donor's name is written on a 6x8 card and suspended from the ceiling by a string. Hundreds of customers and guests give at Pat's Cafe year after year.

Pat's Cafe, known as "the best damn bar in town" is operated by Maurice Liddle, an English citizen who emigrated to America when he was six years old. He too, is a veteran; he served five (5) combat tours in Vietnam as a helicopter crew leader and gunner. Come to Pat's Cafe on Second Street near the Scioto River on Saturday November 13th, enjoy the food, and the warm, friendly feeling of being among comrades.

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William David Conley, born Nov. 27, 1944, lived at 1202 Longview Ave., in West Portsmouth at the time of his disappearance on March 1, 1990, according to Probate Court Records. Mr. Conley, a disabled Vietnam War veteran, was survived by his wife, Janet, and two children, Lisa Conley and William D. Conley, Jr., according to an article in the *Daily Times* dated March 30, 1990.

Confidential sources have informed the *Sentinel* that the disappearance of Mr. Conley was similar to the vanishing of Danny Traylor.

Danny Traylor was found in a shallow grave on Clausing's land.

Mr. Traylor was last seen alive in 1988; his body was found on April 9, 1998 in a shallow grave on the Randy Clausing property on Maple-Benner Road. Chuck Crowder, 60, of West Portsmouth showed local authorities where Mr. Traylor's body was found after Mr. Crowder was arrested for kidnapping 37-year-old William Pack of Knox County (in Licking County) and bringing Mr. Pack to Crowder's home where the victim was beaten and tortured. Mr. Crowder was not charged with these crimes in Scioto County, but was sentenced to 10 years in prison by the Licking County Court. Randy Clausing, 47, entered a plea of guilty to a charge of fourth-degree obstruction of justice on March 22, 1999. Scioto County Prosecutor Lynn Grimshaw said this plea to the reduced charge was permitted with the understanding that Mr. Clausing would fully cooperate by revealing all he knows about the Traylor murder. It is believed that Mr. Clausing may also have knowledge of the William David Conley disappearance in 1990.

Both William Conley and Danny Traylor were carrying large sums of money when they vanished.

According to *Sentinel* sources Mr. Traylor had \$69,000 on his person when he was killed, and Mr. Conley was carrying over \$20,000 when he disappeared. Confidential information received by the *Sentinel* indicates that investigators have been searching for a second grave this past month. Mr. Traylor and Mr. Conley had many common associates. Both men were from West Portsmouth, Mr. Traylor has been found; Mr. Conley is still missing.

"Democracy started from men's thinking that if they are equal on any count, they are equal absolutely."

Aristotle, *Politics*

## Crime Stoppers

Call Scioto County Crime Stoppers if you have information about any crimes. Your call may aid in the solution of a robbery, burglary, sex crime, assault, drug offense or an unsolved murder. Your identity will be protected and in addition to performing a citizen's duty, you may be eligible for a large reward.

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"Freedom of religion; freedom of the press; freedom of person under the protection of the habeas corpus; and trial by juries impartially selected, --- these principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation."

Thomas Jefferson  
*First Inaugural Address*

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"The people's government, made for the people, made by the people, and answerable to the people.

Daniel Webster,  
*Second Speech on Foote Resolution*

"The love of liberty is the love of others; the love of power is the love of ourselves."

William Hazlitt

From the Book of Books

"Blessed be the name of God forever and ever: for wisdom and might are his:

And he changeth times and the season; he removeth kings and setteth up kings: he giveth wisdom unto the wise, and knowledge to them that know understanding:

He revealeth the deep and secret things: he knoweth what is in the darkness, and the light dwelleth with him."

*The Book of Daniel 2:20-22*

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# SHAW FOR SOLICITOR



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Bill Shaw has more than 23 years of practice as a *trial* attorney; 16 years experience as an assistant county prosecuting attorney and he served as Portsmouth City Solicitor from February through December, 1995. Shaw did the the job of City Solicitor and unlike the incumbent, **Shaw did the job without outside help! Bill Shaw has and will:**

- ◆ Represent the City in *all* legal matters.
- ◆ Reduce or eliminate the use of outside counsel saving taxpayers thousands and thousands of dollars.

**HELP BILL SHAW STOP THE HIRING OF OUT OF  
TOWN ATTORNEYS TO DO THE SOLICITOR'S JOB!  
VOTE BILL SHAW FOR CITY SOLICITOR!**



# A Letter to the Editor

## Shaw says Kuhn incapable of telling the truth

Editor  
Shawnee Sentinel;

October 24, 1999

I am William K. Shaw, Jr., an attorney and a candidate for Portsmouth City Solicitor. **My reputation for truth, honesty and integrity mean far more to me than any public office which I could possibly attain,** including, President or Chief Justice of the Supreme Court. My professional and personal ethics and morals far exceed those of my opponent and his personal attacks upon me will not go unanswered.

I entered the campaign believing that a positive approach was necessary and appropriate. My wife, Susan (Snedecor) Shaw, and our friends agreed that, despite the questionable ethics of my opponent, we should attempt to identify only legitimate campaign issues such as the expenditure of City funds for "outside counsel" which did not involve issues of personal morals, ethics or integrity. Unfortunately my Opponent has resorted to smear tactics and lies which affect not only my political race by my professional and personal life.

On Monday, October 18, at the Meet the Candidates Forum sponsored by the League of Women Voters and again in the October 23rd edition of *Daily Times*, my opponent **absolutely and unequivocally LIED** about my record in office as City Solicitor! My opponent and the *Times* (without verifying any allegation) have slandered me and impugned my professional and personal reputation.

Voters will ultimately determine who will hold the Solicitor's office. I hope that the general public, whether they vote in this election or not, will view the facts and determine that Dave Kuhn has not told, and is incapable of telling, the truth. I will address the allegations against me in what I believe is the descending order of their significance to me personally.

**The allegation:** Shaw helped reward several retired firefighters with \$140,647.96 they didn't deserve when suing the city.

"Mr. Shaw used the wrong formula to determine the amounts that were due to them, and he stipulated to the wrong amounts.[sic]" "Why did he do it? Does it show his allegiance is to the employees instead of the employer? I don't know. He's wanting to be the employer's attorney now, but all through his experience he's represented employees."

**The Truth:** I take the greatest personal offense to the allegation I negatively impacted the position of the City because I have represented employees and unions. While I have represented labor throughout my legal career, I have also represented management in both the private and public sectors.

While my opponent may view it as a negative, I am proud that my father was the president of a Steelworker's local union for 15 years; that two of my sisters have served as presidents of teachers' unions; and that I was the president of an AFSCME local union prior to enrolling in law school. Being supportive of labor or working people does not mean that I would not represent the City or any other client to the fullest extent of the law and my ability. For my opponent to imply otherwise is not only malicious but deceitful and contrary to the facts.

Unlike Kuhn, I litigated labor arbitrations for the City. The only such case which I tried after election involved police and fire dispatchers and was won by the City. Under Mr. Kuhn, the City utilizes the services of an outside consultant, Robert Cross, and outside Counsel at considerable expense totaling tens of thousands of dollars.

The case of the "retired firefighters" referenced in the *Times*, was *Medley, et al v. City of Portsmouth*, which was determined and lost by the City before I took office. Medley retired from the Fire Department December 31, 1986, nine years before I took office. The case was concluded on appeal during Kuhn's term through "outside Counsel," Taft, Stettinus and Hollister, at taxpayers' expense totaling \$6,842.80, plus court costs.

If as alleged, I 'sold the City down the river,' Mr. Kuhn and his "outside counsel" certainly had an opportunity to correct it on appeal but did not allege any such error. Any Court in the face of proof that I had engaged in fraudulent conduct would have set aside the stipulation.

Further, I never made any determinations of any employee's pay or benefits. This was and is the job of the auditor and I would not have presumed to usurp that function. Mr. Kuhn knew these facts and the *Times* was too lazy or stupid to investigate. The auditor's office has confirmed that they made these calculations and continue to as firefighters retire.

**The Allegation:** On Monday, Shaw said outside council [sic] was not used while he was Solicitor. However, Kuhn supplied the *Daily Times* with documents indicating otherwise. The documents had dates when the outside council [sic] was used, along with price per hour. For example, from Feb. 6 to Feb. 28, 1995 Shaw used outside council [sic] for 40 1/2 hours at \$30 per hour, for a total of \$1,215. "So his statement (that not one dime was spent on outside council [sic]) just isn't true," Kuhn said.

**The Truth:** No city funds were expended for "outside counsel" while I was solicitor! Anyone who questions the facts can go to the City Auditor's office and verify that I am telling the truth.

Further, unlike my opponent I was present in the office of the Solicitor for a significant amount of time! Kuhn has stated repeatedly that the job of the Solicitor was "a part time job" and that is exactly how he treats it. Kuhn attends council meetings, goes to meetings as required by the charter and does virtually nothing else to serve the City. If you asked any City employee, including his own secretary how much time he spends in the Solicitor's office you would learn that it is virtually none. I was in the Solicitor's office every day of my term except for three days. On two of those days I was attending a seminar on Municipal law and on the third I was in a federal court representing the City.

The City Solicitor is by state law and the City Charter the attorney for the City. "Outside counsel" is an attorney, other than the Solicitor, who takes the place of the Solicitor and represents the City in a legal matter. During the time I was in office; February 28, through December 31, 1995, not one attorney was paid to represent the City in any legal matter other than myself, my assistants or a substitute for my assistants hired by myself.

Continued on Page 12 -

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F. Lee Bailey, Attorney

From final paragraph on page 133 of "The Defense Never Rests" by F. Lee Bailey and Harvey Aroson, published by the New American Library, Inc., New York, NY 1971

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IN THE COURT OF COMMON PLEAS,  
SCIOTO COUNTY, OHIO  
GENERAL DIVISION

JOHN WELTON,

Plaintiff

Case No. 99-CIH-130

JUDGE: WALTER C. LYTTEN

VS

LYNN ALAN GRIMSHAW,  
SCIOTO COUNTY PROSECUTING  
ATTORNEY,

Defendant

**JUDGMENT**

This cause comes to the Court upon defendant's motion to dismiss and/or motion for summary judgment filed on August 16, 1999. The plaintiff filed his contra motion to dismiss and/or contra motion for summary judgment on September 13, 1999.

The Court has considered the defendant's motion to dismiss pursuant to Civ.R.12(B)(6) finds that it is well taken and it is Ordered granted.

It is therefore ORDERED that the complaint of the plaintiff be dismissed with costs assessed to the plaintiff.

ENTER: October 20, 1999.

WALTER C. LYTTEN, JUDGE

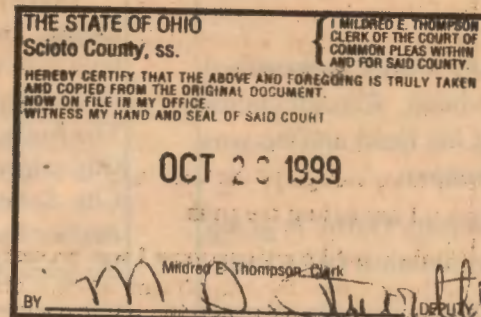
cc:

John Welton  
1303 Lowry Hollow Road  
Portsmouth, Ohio 45662  
Complainant

Lynn Alan Grimshaw  
Scioto County Prosecutor

TO THE CLERK:

Please serve upon all parties not in default for failure to appear notice of this judgment and its date of Entry upon the Journal (Civ.R.58(B)).



John Welton said the above letter was no surprise to him. He said Judge Walter Lytten has a habit of dismissing cases without hearing if he or one of his friends has an interest in the case. Mr. Welton said he expected this case to be dismissed because of an Affidavit of Disqualification that he had filed with the Supreme Court in an attempt to remove Judge Lytten from the case before the Judge could dismiss the action without a hearing. Welton indicated that he would appeal the case; he said one of his interests in getting the case to court was to reveal that Attorney Tracy Hoover wrote to the Supreme Court alleging Judge Lytten had abused the powers of his office in other civil cases. Mr. Welton recalled the case of local attorney Stan Bender receiving an unauthorized payment of \$70,000 from the Portsmouth City School District in 1995. The school treasurer, Bonnie Johnson, refused to furnish the *Sentinel* with any authorization for the payment to Mr. Bender. A suit under the Ohio Public Information Law was dismissed without a hearing by Judge Lytten.

**Court Corruption Continues**

**Suit Against County Prosecutor  
Dismissed Without A Hearing by  
Judge Walter Lytten**

The letter to the left is a copy of the letter received by John Welton by Certified Mail on October 27th from Judge Walter (Butch) Lytten.

Mr. Welton filed suits in Common Pleas Court to remove Lynn Grimshaw, county prosecutor and David Kuhn, City Solicitor from their respective offices; the suits alleged criminal activities by the officers as cause for their removal.

Affidavits charging misdemeanor criminal activities (violation of civil rights) were filed against both Mr. Kuhn and Mr. Grimshaw in Municipal Court where Judges Richard Schisler and William Marshall have ordered an investigation into the charges be conducted by the City Solicitor's office. David Kuhn has been ordered to investigate Lynn Grimshaw and David Kuhn. We wonder how well David Kuhn will investigate David Kuhn; he was given the court order to investigate over 60 days ago. Mr. Welton said that to this date Mr. Kuhn has not contacted the first witness.

David Kuhn has also been charged with mutilation of election documents in a separate case that concerns petitions seeking to recall Mr. Kuhn from office in 1996. In this case the Supreme Court of Ohio has ruled in a 7-0 decision that Kuhn's actions were in violation of the Ohio Revised Code. This is a felony charge against Mr. Kuhn. Felonies are handled by Lynn Grimshaw's office. Again we wonder, how diligent will Mr. Grimshaw be in prosecuting Mr. Kuhn? Will each prosecutor vigorously prosecute the other?

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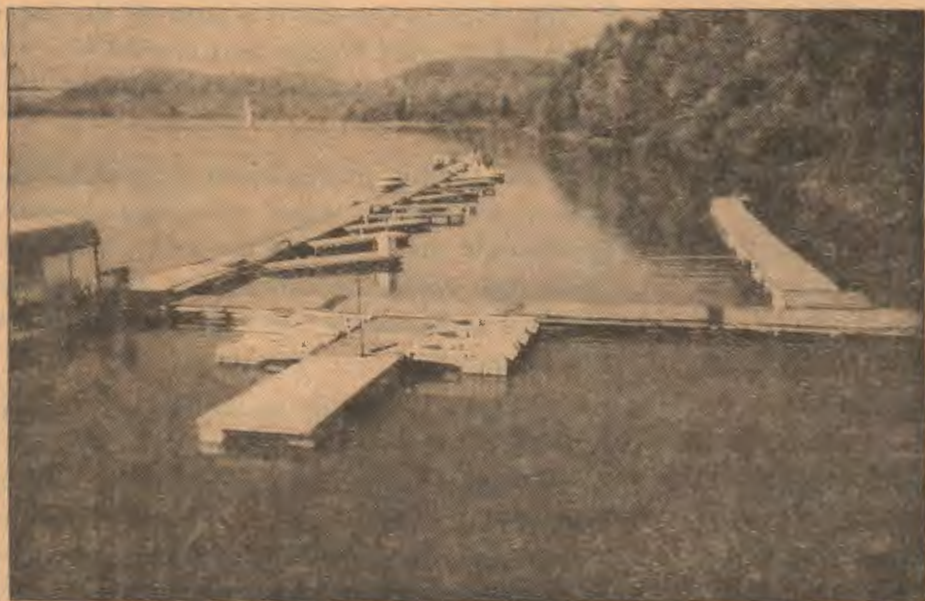
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Above is a view of the Anchor Pad located on the Ohio River .



Above is a view of the Anchor Pad Headquarters on the Ohio

## The Anchor Pad

### Scene of River Day Armed Violence

Jeff Ratcliff of 30th Street, Portsmouth, reported to the police and the county sheriff that he was attacked by Deputy Sheriff/Bailiff Mark Darby in the early hours of the 5th of September while he was at the Anchor Pad.

Mr. Ratcliff filed a complaint alleging that Deputy Darby approached him from behind and placed a gun to the back of his head. Ratcliff claims that when he turned around the gun was pointed at his head and he was looking directly into the barrel of Sheriff Darby's weapon.

The latest news from the Sheriff's office is that Deputy Darby is going to be again asked to take a computer voice stress evaluation (a lie test).

Mr. Ratcliff said he has taken and passed this lie test twice, while Deputy Darby has previously refused the lie test, and has been temporarily suspended by Sheriff Donini.

Deputy Sheriff/Bailiff Mark Darby is paid \$49,000 per year for his court duties as bailiff and probation officer; it is unknown if he also is paid by the Sheriff. We tried to find out, but Sheriff Donini did not return our call.

Deputy Sheriff Captain Todd Miller, the president of the Anchor Pad said Deputy Darby was one of the early members of the Anchor Pad but has not been active for several years, since he (Deputy Darby) sold his boat. He said he and Deputy Darby were close associates in the early days of the Anchor Pad. The Anchor Pad leases an area 1,000 feet long and up to 96.6 feet deep from the City under an agreement authorized in August 1993 by Richard Schisler, then City Solicitor. The rent for this area (about 96,600 square feet) costs the Anchor Pad Club only \$100 per year. (This low rental fee is substantially below the prices the city asks the children for use of the city ball parks).

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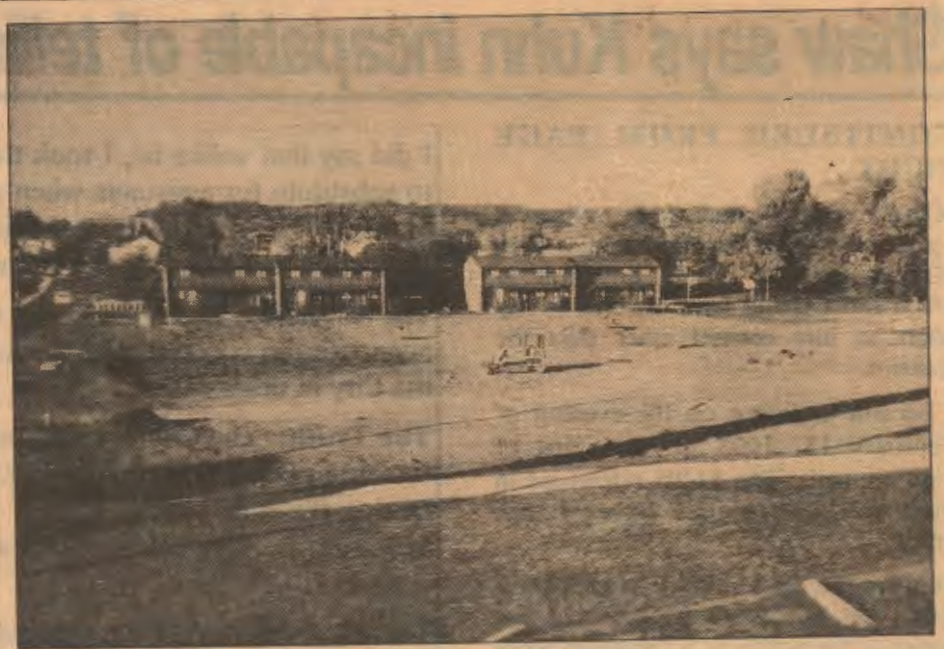


## Art Treasure Found by *Sentinel* Reporters

The \$20,000 piece of plate steel that was painted blue and sold to the culture-conscious Portsmouth City leaders 30 years ago as a piece of art has been found. The artwork vanished from the Esplanade about ten years ago. The sheet-steel art was named "Blue Cloud;" it caused the city "blues" when citizens stumbled on the "cloud," sued for damages and collected.

Rumors that "Blue Cloud" has been used to cover water break holes on Gallia Street are apparently ill-founded; alert *Sentinel* reporters recently photographed the missing "Blue Cloud;" It was leaning against a city outbuilding on the south side of the old Navy Reserve Armory on Charles Street.

"Blue Cloud" is beginning to rust; it is in need of repair, cleaning, and a new paint job. Maybe it should be painted a rose color this time and affixed to the top of the floodwall near the murals. It would be attractive on the floodwall and be out of the way of unwary pedestrians who might stumble over it, if it were on the ground. Now, that the *Sentinel* has located this lost treasure, perhaps one of the art loving groups of our city will volunteer to fund and supervise the restoration of "Blue Cloud" to its former glory.



## Dog Track Out - Soccer Field In - At SSU

In the May 11, 1999 issue of the *University Chronicle*, Reporter Thomas Bertrand revealed dream plans for a greyhound dog racing track on campus, which called for destruction of the present dormitories to make room for dog kennels. The revealing story of the dog track plans won Mr. Bertrand national honors from the American Journalistic Spoofers Society and caused anger among hundreds of readers who did not realize until they had read the last paragraph that Mr. Bertrand had fooled them with a marvelous hoax. That's right, no dog track on campus at SSU. Tom Bertrand was just kidding you.

The construction work in progress shown in the photo above is not the beginning of a dog track, but the start of a soccer field, according to Butch Kottcamp, assistant facilities director at SSU. Soccer teams have been practicing and playing at Earl Thomas Conley Park for many years; the soccer field on campus will be better for the soccer team; but, soccer just ain't greyhound dog racing.

By the way, Reporter Bertrand will receive a trophy for his majestic satire, plus a full four-year MAD Scholarship to the Alfred E. Neuman College of Journalism. These honors will be bestowed on Mr. Bertrand on December 26th at the SSU Student Newspaper Appreciation Dinner, held annually at Taco Belle.



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# **A Letter to the Editor** **Shaw says Kuhn incapable of telling the truth**

**CONTINUED FROM PAGE EIGHT**

"Outside counsel" are hired by ordinance. I made no request for the appointment of "Outside counsel" during my term in office and I would have objected to any effort to hire counsel other than the solicitor.

I became Solicitor on the evening of February 18, 1995, at a meeting of City council. The \$1,215 referenced in the *Times* was incurred *before* I took office.

Furthermore, the \$1,215 was paid to Mark Kuhn, my opponent's nephew and law associate for acting as a substitute assistant City Solicitor. My opponent knew this and it should have been abundantly obvious to the *Daily Times* who did not even bother to ascertain when I took office. This clear misrepresentation of the facts is demonstrative of intent and malice on Mr. Kuhn's part. The failure of the *Times* to verify facts asserted by a political opponent with an obvious motive to impact myself, is gross negligence and willful and wanton misconduct.

When Kuhn took office he appointed his nephew as an assistant Solicitor, discharging a competent attorney who had filled the position for ten months. While hiring your nephew may not be a technical violation of Ohio law, it is nepotism under any definition.

I acknowledged at the candidate's forum on Monday, October 28, that there were occasions when it was necessary for me to obtain a substitute for an assistant City Solicitor. This is not "outside counsel" but a necessary substitute for a prosecutor, without whom the Municipal Courts could not function. Assistant Solicitors, like other people, get sick, go on vacation or have other personal obligations which cause them to be absent from work. The fact that the Courts continue to conduct their business requires the occasional use of substitutes. I never criticized my opponent for having used substitutes, even though I believe his use of them was excessive.

I did say that unlike he, I took the personal responsibility to substitute for assistants when possible to save the City money. The *Daily Times* obviously cannot make this distinction and Kuhn wishes to misrepresent the facts.

**The Allegation:** It was necessary to hire outside counsel to negotiate the contract with Century Cable and represent the City in other cases.

**The Truth:** The City has paid more than \$130,000.00 to "outside counsel" in the time Kuhn has been Solicitor. During the time that I, William K. Shaw, Jr., served as Solicitor, the City did not incur any expense for "outside counsel."

The City Auditor has produced upon my demand for public records, checks to Walter and Haverfield in the amount of \$44,000+ to negotiate a fee increase with Century Cable. The billing goes only through July 30, 1999, and there will most certainly be additional billings to the City. While my opponent alleges that the cable company must pay these fees, up to \$60,000 no check has been received by the City and nobody has said when it will be forthcoming. More importantly, who negotiated the \$60,000 limit and how close did the negotiators come to it before agreeing with the cable company?

A bill from Walter and Haverfield has an entry:

05/10/99 ARD Draft ordinance regarding Century's proposed basic tier rate.

Kuhn and Council knew that rate increases were negotiated for at least five (5) months. Why did they not disclose it to the public?

Ultimately, the residents of Portsmouth will pay this expense through higher fees for cable services. Century gives the City \$60,000 for attorneys fees and charges each of its customers in the City more money for its service. It is the same with payback of overpayments to cable customers by giving a \$5.00 per month credit for a year. The cable company gives you a credit, but charges more for its service. What about the people who were overcharged but are no longer cable customers because they moved or could no longer afford the high costs of cable? Why didn't the City negotiate a "life line" service which is offered by other cable companies in Scioto, Lawrence, and Pike counties, and provides the elderly and poor with a limited expense such as \$10.00 per month?

## **Century Cable Contracts** **Questioned by Attorney Shaw**

Why have Kuhn, Council, the Cable company, or the *Daily Times* not addressed these issues or disclosed what was negotiated in the way of increases for Cable Service? Are we going to get a \$5.00 credit each month but pay \$4.00, \$5.00, \$6.00 a month or more, for service? What's the point, and how much does the Cable company charge after the year of credits? The *Times* said on October 19, that the new cable system would "be state of the art." Is anyone foolish enough to believe that the improvements will come without increased costs to consumers?

The same is true with respect to all of the other use of outside counsel during Kuhn's term as City Solicitor! He has publicly given one explanation as to a possible conflict of interest which required the hiring of "Outside counsel." That explanation is extremely questionable.

More importantly, what about the cases that he didn't address? He talks about the expertise of outside Counsel. What expertise? Manley, Burke, Lipton & Cook has handled and lost two cases for the City. While they are good attorneys who were given bad cases, they have no particular expertise that other attorneys in Scioto County do not have. They are a general practice firm who performed defense work for the City on behalf of its liability insurer. If Kuhn paid any attention they would not represent the City. Mr. Burke, in the firm name, is Timothy Burke, chairman of the Hamilton County Democratic Party. Kuhn's campaign has been supported by the Scioto County Republican party and many of his supporters would cringe if they knew of this connection to a major figure in the Democratic party.

A Letter to the Editor from William K. Shaw, Jr.

**"To sin by silence when they should protest makes cowards of men."**

---Abraham Lincoln

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