

Farmington Observer

Volume 41 Number 2

Monday, October 25, 1978

Farmington, Michigan

30 Pages

Twenty Five Cents

Family sues school district in son's death

Top Farmington school officials remain lighted about a lawsuit charging them with negligence in connection with the electrocution of 13-year-old Robert Kourtyjan during a shop class Jan. 9.

Mr. and Mrs. Wallace Kourtyjan, of Farmington, filed suit Wednesday in Oakland County Circuit Court, charging the school board, the district and two East Jan. 9 High Shop instructors John Polak and Gordon Davis, with negligence and building safety violations.

The Kourtyjans are asking for \$1 million in the suit.

The parents charge that their son died after he pulled a homemade ungrounded extension cord connected to a defective buffer out of a wall socket in the class.

School officials are scheduled to be officially informed of the suit this week, according to the Kourtyjan attorneys, Thomas Casey of Troy.

Meanwhile officials were wary of discussing the matter.

"It was a sad, unfortunate incident," said School Supt. Lewis Schulman. "We are saddened by it."

School board Trustees Helen Prutow and Michael Szevce had been informed of the action but were unsure of the details.

"It is in the hands of the attorney. I'm not the dick about the whole thing," said Mrs. Prutow.

"I wasn't on the board at the time of the incident. I only knew about it through the papers," she said.

Mr. Schulman told me that he learned about it in the paper, she added. He told me about the suit.

"EVERYONE IS entitled to file suit," said Szevce. "I don't know if the district

was negligent. It's up to the court to decide. It was an unfortunate incident."

Szevce felt the board of education had done all it could, last January, after the boy died.

"I don't know about January," he said. "It was a difficult situation all around."

"I don't know what the board could have done about it. We ordered an inspection of all facilities. The safety committee wrote up a policy concerned with safety procedures," he stated.

The district was fined \$558 in civil penalties for 25 safety violations as a result of a State Department of Labor investigation conducted shortly after the accident.

Szevce squelched speculation that there was some community opposition to appointing then Asst. Supt. Lewis Schulman to the top administrative position because of his handling of the incident.

The incident occurred shortly before Martinus van Arneyde retired as superintendent of the district.

"I don't remember any opposition from the board or from the community," Szevce said.

"I don't remember anyone in the community opposing his appointment. The board voted seven to zero for him," he said.

The Kourtyjans retained Casey as their lawyer last March, but the investigation into the accident took months to complete.

Casey maintains that he won't have to use the Department of Labor's list of violations in the Farmington school. He believes that he has gathered enough information on his own.

"I INVESTIGATED the incident. I checked with the police records, with engineers with the law. The case is complex because

of the engineering features.

"It won't be necessary long because all the answers are up front. We've spent time answering the questions beforehand," he said.

Casey charges that one teacher was ill prepared to instruct a shop class and that the homemade extension cord was used because teachers and administrators were lax about safety practices.

"The buffer the boy was using wasn't grounded," Casey said.

"The frame was energized because the cord of the buffer wasn't grounded. There wasn't any on-off switch on the machine."

"The extension was necessary because the wall plug wasn't working. There wasn't proper wiring in the walls of the shop class."

"Therefore they had to connect the buffer's cord to a homemade extension cord without grounding," he said.

"There was a lack of safety training for teachers and students," Casey said.

"The attorney explained that the superintendent was named in the suit because he is the head of the system."

"The superintendent is the captain of the ship. It doesn't take much time for him to look in on a shop class. There were out of order signs on the walls of the shop."

Casey maintains for the walls of the shop.

"How can the administrators do their job if they don't stick their heads in the door?" he said.

The Michigan Department of Labor inspector who examined the shop machinery shortly after the accident said that the boy pulled one hand on the extension cord's metal box and the other hand on the buffer as he

tried to unplug the machine.

The buffer was found to be without an on-off switch by the inspector.

Criminal charges of involuntary manslaughter against the school district were considered by Oakland County Prosecutor

L. Brooks Patterson.

Patterson didn't press charges because he thought that they could only be filed by the boy's parents.

"The Michigan Occupational Safety and Health Act, under which the school board

was fined in civil penalties, was enacted to insure the safety of employees and not students. Consequently, criminal sanctions under that act aren't available when the deceased is not an employee," Patterson explained at the time.



Ghoulish delight

Strangers are welcome here, this resident seems to be grunting. The home, cleverly remodeled by the Farmington Area Jaycees, is open to visitors during the Halloween season. For further introductions to its residents, see page 3. (Staff photo by Harry Mauthe)

Farmington seeks funds for DPW improvements

The City of Farmington has submitted its bid in the federal funding sweepstakes hoping to receive enough money to re-visit its Department of Public Works building on Nine Mile and to construct a public safety officers' firearms range and fire training facility.

The \$120,000 improvement plan was

submitted to the federal government for a Local Public Works Investment Act grant.

The additions and improvements, designed by Farmington-based architects, Jane Huebel and Weiland, will be worked around the existing structure.

The design includes an indoor firing range

for the Farmington Public Safety Department. The police currently are using Farmington Hills' outdoor range for practice.

The fire training section of the DPW complex will be a structure with movable walls.

"That way, the men can get used to a certain pattern," explained Tom Thomas, the architects' representative.

"It was Public Safety Director Daniel Brynes' idea," Thomas added.

A COVERED SALT STORAGE area will be added in the complex.

State law requires that covered salt storage to prevent the contamination of drinking water and the killing of nearby vegetation.

"Every time I drive past there, I think that one of these days, we'll find ourselves in violation," City Manager Robert Deadman said.

A fenced area for impounded cars, a large item storage, truck storage, 500-slip, flammable liquid storage and conference rooms will be added to the DPW complex.

A sense of urgency accompanies the fund application.

"We have to be quick with this thing. The money will be all gone the first time around. We should be there before it's gone," Deadman said.

"They tell us that we can apply again later on, but you know the chances of getting money twice are slim," he said.

"Money will be awarded on a competitive basis. Each application will be given points based on the city's unemployment level, readiness to begin the project and if the proposal fits the community's master plan."

MICHIGAN CITIES ARE COMPETING for a share of the \$200 million available through the program.

The application requires that the rest of construction be broken down into skilled and unskilled labor costs. The material and service costs have to be identified.

Attacks GOP

Brodhead blasts Ford

By JACKIE KLEIN

U.S. Rep. William Brodhead (D-37) has charged the Ford administration with writing a record of stagnation, ineffectiveness, disinterest, lack of concern, inactivity and liberating bigotry.

Brodhead, whose district includes Southfield and Farmington, aimed verbal darts at Republicans when he spoke to members of the Southfield Democratic Club at an Oct. 20 campaign rally.

The Congressman, who is seeking his second term, described his first two years in office as "most frustrating and difficult."

"I was elected when the nation was still reeling on the after-effects of Watergate and attendant allegations and fears," Brodhead said. "President Ford has vetoed more bills than any chief executive I can remember and Congress has been the busiest in history overriding that mountain of vetoes."

Earl Butts, former Secretary of Agriculture, who he termed "an incompetent fool and a bigot."

Brodhead accused, went too far and should have been discharged long before his ill-chosen remarks. Butts' undoing, the Congressman noted, was talking in the name of John Dewey.

"Dean has one more trophy in his den," Brodhead quipped. "He's done more than anyone realizes to defeat Ford and elect Jimmy Carter for president."

"There's no question about Ford's incompetence, callous insensitivities to the needs, concerns and feelings of ethnic and minority groups and the underprivileged."

CARTER, BRODHEAD maintained, has respect for blacks, farmers, city people and ethnic groups. He also contended the Democratic presidential hopeful isn't as fuzzy on the issues as Ford.

"Ford has made 180 degree changes," Brodhead claimed. "He said so way back in '68."

(Continued on page 4A)

It's BEEN exciting getting some so-

Election could determine future political leader

U.S. Rep. William Brodhead (D-Detroit) will square off with Republican opponent James Burdick tomorrow in one of the most hotly contested races for Congress in Michigan.

The two will meet at the North Congregational Church, 3873 Northwestern Highway, Southfield, at 8 p.m. The debate is being cosponsored by the Observer & Eccentric Newspapers and the League of Women Voters.

The 17th district includes Farmington, Farmington Hills, Redford Township, Southfield and a portion of northwest Detroit.

The candidates will be questioned by a panel of journalists from press, television and radio. Panelists will be Tom Richard, editorial page director of the Observer & Eccentric Newspapers; Beverly Payne of WJBK-TV; and Jim Martin, WJR radio.

The moderator will be Fay O'Hare of the Detroit League of Women Voters.

Farmington Editor Steve Barnaby, project coordinator for the debate, urges all residents to attend.

"We feel this is one of the most important votes this Congressional residents will cast this year," Barnaby said.

"Both Brodhead and Burdick are young members of their respective parties and we should have a major political voice in the future," he said.

Although the U.S. Senate seat held by Senator Robert Griffin isn't up for grabs until 1980, Brodhead already is being looked by some observers as the person most likely to face Griffin.

"Republicans and Democrats around the state have their attention focused on this race. The outcome will determine if Brodhead's political career will skyrocket or flounder," said Barnaby.

Both supporters are spending approximately \$100,000 to stop Brodhead in his reelection bid.

"Both candidates are dynamic speakers. They represent the future of their parties. It's doubtful it will be an exciting evening for those voters who attend."

Burdick, 34, is running for reelection to his second term. Before becoming a U.S. representative, he served in the Michigan house. He is a graduate of Wayne



WILLIAM BRODHEAD



JAMES BURDICK

State University and the University of Michigan Law School. After graduation he worked briefly in private practice and then joined the legal staff of the Detroit Department of Streets and Railways (DSR). He was first elected to the state house in 1970. Burdick, 32, is a Southfield resident. This is his first attempt at elective public office. He also is a graduate of Wayne State

and the UM law school.

He served as an assistant Wayne County prosecuting attorney and special assistant attorney general. Presently, he is a self-employed lawyer.

Clarification

The story entitled "Senior citizens make plea for more services from city" in the Oct. 21 edition of the Farmington Observer was incorrect in saying that the senior citizens have a 5-year lease at the American Legion hall at 3175 Grand River.

The American Legion Post allows the senior citizens use of the hall free of charge.

We apologize for any embarrassment or inconvenience this may have caused anyone in the community.

inside

- News 11:12
- Sports 11:12
- Crackerbarrel Debate 14
- Around the Edges 14
- Letter 16
- Belshazzar's Life 16
- Classifieds

- Section A
- Section B
- Section B.C



SAVE YOUR RECEIPT

Don't lose the receipt your carrier will give you when he collects this month. It's worth its face value towards the next classified ad that you place.



Bottoms up

An unidentified City of Farmington Public Safety Officer puts everything he's got into fighting a fire. To see what he and his buddy's have to do to keep in fire fighting shape see the Thursday edition of the Farmington Observer. (Staff photo by Harry Mauthe)