

# Another county board flexes its muscles

By TIM RICHARD

Oakland County budget battles will be keeping an eye on a major courtroom battle in neighboring Wayne County this week.

On one side are five Wayne County department heads who are asking the circuit court to block layoffs. On the other is the 27-member board of commissioners which maintains, as the legislative body, it alone has the legal right to determine how tax funds are spent.

If it sounds familiar—well, it is. In Oakland County, the circuit judges have ordered the executive and legislative branches to build three new courtrooms instead of remodeling existing facilities. The heart of both cases is whether the board of commissioners can be forced to spend more than it wishes.

HEARING The Wayne County case is visiting Circuit Judge Allan C. Miller of Tawas. Miller defined the key issue: "Has the board of commissioners denied them (department heads) their basic ability to perform their duties?... Not just whether or not the plaintiffs have reached their highest level of efficiency."

The controversy began last fall when the Wayne board, facing state orders to balance its budget,

## analysis

voted budget cuts to eliminate a projected \$15 million deficit.

Among the multi-million cuts were slashes in criminal justice programs and other services required by state laws. The new budget is some \$26 million less than the 1978 budget.

Charging they "couldn't perform their duties to the public" if cuts were made, Prosecutor William Cahalan, Clerk James Kilien, Register of Deeds Forest Youngblood, Drain Commissioner Charles Youngblood and Treasurer Raymond Wojtowicz filed suit to force restoration of the budgets.

GEORGE CROSS, assistant corporation counsel representing the Wayne board, contended:

"The legal question of who has authority to decide how public monies are spent must be decided first in this case. American tradition and law place that authority in the hands of the legislative body whose members are accountable to the people who elect them."

"In this consolidated lawsuit, the executive branch of government is challenging that legal

right.

They (the department heads) say: 'Don't take care of the senior citizens, give it to us! Don't take care of the parks, give it to us! Don't run health programs, give it to us!'

Cross said whichever side loses plans to appeal to the State Supreme Court.

The same thing will happen in Oakland County, where circuit judges have in effect decided the case

locally by ordering the eviction of Prosecutor L. Brooks Patterson. "The outcome will affect all 83 counties," Cross added. "If the department heads win, it will mean that anytime a department head doesn't agree with his county board of commissioners, he will file a lawsuit and let some judge determine if he has enough funding or not."

"That not only dilutes the power of a legislative body, it abolishes it."

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# Traffic deaths rise to five-year record

Traffic deaths in Oakland County climbed to a five-year high in 1978. More than 170 persons died on Oakland's roads, a 15 per cent increase over 1977.

The Traffic Improvement Association of Oakland County (TIA) released preliminary figures last week listing 175 Oakland fatalities.

December was the county's only bright spot. Whereas the number of traffic deaths increased in nearly every month, December's total of 12 was half the number recorded in December 1977.

Traffic deaths were also on the increase across the state. According to preliminary figures, 2,043 persons died in traffic accidents in Michigan last year. In 1977, 1,950 persons died.

TIA officials said that last year's totals will probably increase because of "delayed deaths from accidents that occurred during the year."

"THERE ARE many probable causes behind the increase in last year's fatality picture. When all the data are analyzed, we'll be able to be more specific," said Bruce B. Madison, TIA's managing director.

He cited an improved economy in Oakland Coun-

ty, its increased population, a high incidence of drunk driving, decreasing use of safety belts and an "increase in the number of smaller, less crash-worthy vehicles mixing with the bigger cars."

Studies have shown a definite correlation between an improved economic climate and an increase in fatal accidents," Madison said.

In addition, he said, statistics show that more than half of Oakland County's fatalities were alcohol-related.

Oakland's preliminary 1978 total of 175 fatalities is the highest total recorded since 1973, when 188 persons lost their lives on the county's roads. It recorded its lowest fatality total last year, when 152 persons died.

IN AN EFFORT to stem the increasing fatality rate, TIA and the Oakland County Road Commission are cooperating in developing a "risk management" program to identify and correct road hazards throughout the county.

And the county has applied for a \$735,000 state grant for the Oakland County Sheriff's Department. The grant would fund secondary road patrols in the county.

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