

Flap grows

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formation," he said. "The gentleman (Faine) obviously doesn't have sufficient information. But others are very well informed."

O'CONNOR'S COMPANY is seeking lease agreements with subdivision associations and homeowners in the Nine Mile-Hillside area as a preliminary step in what's expected to be a long process of gas and oil exploration and possibly drilling. "We're expecting gas in this area," O'Connor said.

Those who sign the three-year leases (with two-year options) will receive \$50 plus 12 1/2 percent royalties on any gas or oil production. For each household signed, Farmington Square Homeowners Association will receive a \$50 bonus in addition to the \$3,300 the association received for signing a lease for the commons area.

"The lease does not give us the right to drill," said Peter Brimont, O'Connor's associate.

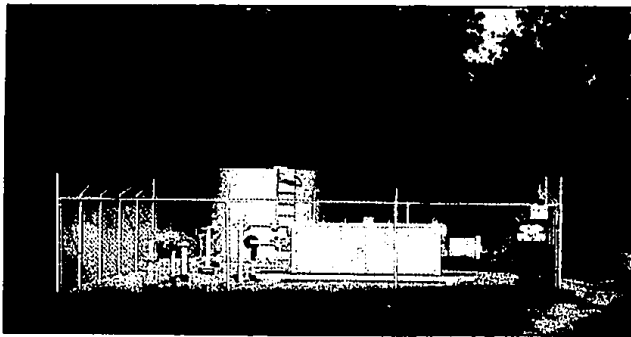
Drilling will not take place within the subdivision commons area or on homeowner property, O'Connor said if drilling takes place, it would be angle-drilling from a distance away. "We will eventually try to strike a deal with someone where we can drill," Brimont said.

The Council of Homeowners Associations of Farmington Hills, which represents many of the city's subdivisions, voted Tuesday night to unanimously oppose any mineral development in Farmington Hills, council president Jack Rakjovich said.

Farmington Hills officials have not yet released an official statement regarding the signing of leases. "Our city attorney has done some preliminary investigation and found that most case law on this subject dealt with township areas," city manager William Costick said. "It's our opinion that because we're a home-rule city, we have more regulatory power. We're still researching state statutes, case law and state Department of Natural Resources regulations."

COSTICK REFERRED to the BOCA National Fire Prevention Code, adopted by the city, which prohibits a well drilled within 300 feet of a residence. A permit is required from the city to allow gas or oil drilling.

Oil and gas wells also are incompatible with land uses in residentially zoned areas, Costick added.



Oil, gas leases rile many

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"We in fact have the authority. It is in our bylaws for all contracts, leases for the open space."

Board members were elected to make decisions, he said. No one was "sold out" because the lease for the commons area is "irrelevant in the process," Davey said. "Any decision to proceed will ultimately be up to the homeowners."

RESIDENT PEGGY DuPont, spearheading an informational campaign for residents and encouraging them not to sign leases, doesn't want the anger toward the association to divide the more than 250 households in the neighborhood.

"I think there's just a difference of opinion. They should have consulted us. But that's over," she said.

Residents said that the board signed a lease without sufficient information. But Davey said a lot of study, investigation and a trip to wells in neighboring Northville was completed.

"The board met with representatives of M.J. O'Connor for four weeks. It was not a spontaneous decision by any means," said Davey, who works for Michigan Consolidated Gas Co.

"No, I don't think that's a conflict," he said about his work. "I think it was an asset because I was able to provide resources. We're a distribution company. I personally

could care less about the drilling. I'm not going to benefit from this. The company buys from many companies."

The association lease was reviewed by attorneys specializing in oil and gas leases and the reputation of the leasing and drilling companies was investigated, Davey said.

"Based on that effort we decided to sign. The lease prohibits drilling in the subdivision (including the commons area)," Davey said.

IF DRILLING for oil or gas does not take place because a majority of homeowners refuse to sign leases, the association will retain the \$3,300 fee it was paid for signing, Davey said.

"It is a way to raise funds for the association in what we consider a no-risk deal," Davey said.

Despite the associations' lease, board members are not involved in securing leases from individual homeowners.

"The board is neither recommending or discouraging homeowners from signing leases."

For each homeowner's signed lease, the association would receive a \$50 bonus.

DAVEY HOPES residents consider the leases based on facts, he said. "In my mind, there are a lot of scare tactics by people who are not informed."

Farmington Square resident Du-

Pont distributed flyers urging residents to be informed before signing leases. She urges homeowners to refrain from signing the first lease they're given.

"The lease is negotiable. It is imperative that noise, odor, and traffic restrictions be included in the contract. Recognize that local ordinances may not be enforceable. Only court action will resolve problems after the well is installed. Odor control and removal of toxic and hazardous waste from the well site are major problems," according to DuPont's flyer.

DAVEY SAID he believes it's impossible for each homeowner to have an individually negotiated lease with M.J. O'Connor. But the association's negotiated lease calls for 15 percent royalties.

The state doesn't offer guidelines for the leasing process of natural gas and oil exploration, according to a representative in the DNR's mineral lease section.

"There are no set rules. Leases are very individual," the representative said. The state provides a sample oil and gas lease, she said.

Economist faults schools for bid to issue bonds

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THE SCHOOL district is asking voters to approve \$7 million to pay for a new westside elementary school and early childhood center, plus \$30 million to repair and refurbish existing school buildings, including asbestos removal and other safety issues. Monday's ballot issue will have only one question for both parts of the project. A "yes" vote would support the bond issue and approve the money.

Trustee James Abernethy said the board made the decision because of the tight timeline necessary for opening the needed school by fall 1990. The new school is being proposed as an alternative to overcrowding in elementary schools because of growth on the district's west side.

"The date was set to try and make it (opening the school by 1990) possible," Abernethy explained.

Abernethy, an architecture professor who heads the board's building and site committee, also said the dollar amount being requested is reasonable. Architects told him they would have to be "creative" with a \$7 million budget. "I don't want any one to leave here thinking this is a golden calf budget," Abernethy added. "It is not."

ANDERSON APPEARED with his boss, Richard Headlee, at the Sept. 8 school board meeting to question the ideology in asking for more debt mileage when the district has a \$8 million surplus and more than \$1 million more, uncommitted, in a capital account. Headlee authored the 1978 Headlee Tax Limitation Amendment and is president of the Alexander Hamilton.

Headlee's argument appeared to be a philosophical one about the

school board attempting to bond the project instead of spending the cash reserves it has. School officials say they need at least 10 percent cash reserves, or surplus money, as a buffer in the event new school funding legislation passes in Lansing and negatively affects the district.

"Our attorneys are saying we couldn't build a school from those (surplus) funds anyway," Flanagan said this week.

Anderson said little at the Sept. 8 meeting, but made a written statement this week, voicing his disapproval. "Because we do not know whether the district needs another \$37 million of the taxpayers' money, I urge taxpayers to vote 'no' on Monday."

HEADLEE AND Anderson first approached the district in late August asking for information. Flanagan said he met with district accountants to get additional information before the Sept. 8 meeting. "We feel we did the best we could getting answers back to you," he told Anderson.

Flanagan did admit that the \$35 million from the sale of property to Little Caesars Enterprises in 1985 did not show up on the financial information submitted to the state, as charged by Headlee and his people. "We had to dig to even find out there was a building fund," Anderson added.

Absentee ballots may be requested from 8 a.m. to noon and 1-4:30 p.m. Thursday and Friday and from 10 a.m. to 2 p.m. Saturday at the Lewis Schulman Administrative Center, 32500 Shawwassee, Farmington.

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