

Megabuck lawyers' fees shock panel

By Tim Richard
staff writer

The high cost of lawyers left a panel of Oakland County commissioners gasping.

"Eye-opening... shocking," said John Olsen, R-Huntington Woods.

"The rents they pay are astronomical in Washington, D.C.," explained Don Bishop, R-Rochester, himself a lawyer.

They are members of the county board's finance committee, which last week studied a bill of nearly \$250,000 from their solid waste consultant and pondered rates for defending a landfill case.

NO ONE suggested anything was padded. In fact, commissioners generally are pleased at the quality of talent they have been able to hire. But the size of the bill shocked them.

The Washington firm of Bishop, Cook, Purcell & Reynolds charged \$249,035 for about five months through the end of November as consultants on the countywide solid waste program.

When completed, the plan's waste-to-energy incinerators, recycling facilities and landfills will require a capital investment of \$650 million to \$1 billion. So the consultant's fees

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are a small fraction of the ultimate total.

The top lawyers, Larry Fox and James K. Jackson, bill their time at \$225 an hour. Less experienced lights, doing research, bill at \$90 an hour.

THE ITEMIZED bill ran 16 pages. Excerpts:

• Oct. 25 — Fox, telephone conference with clients, eight hours, \$1,800.

• Oct. 26 — Fox, teleconference with clients and travel, six hours, \$1,350.

• Oct. 28 and 31 — Fox, teleconferences with clients, total of nine hours — \$2,025.

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the phone so long," said one commissioner.

• Oct. 14 — Jackson, vendor conference in Oakland, eight hours — \$1,800. (Vendors are potential bidders for construction contracts.)

• Oct. 13 — M.J. Marchaterra, "non-attainment" review, memo on stack height requirements, phone calls to Michigan on BACT requirements, BACT research, 6.25 hours — \$500.

• Oct. 15 — Marchaterra, "research on Michigan statutes needed for Oakland County resource recovery facility; trip to Georgetown law library," three hours — \$240.

THE FINANCE committee post-

poned a resolution authorizing the corporation counsel to hire William Hampton of the firm of Kohl Seccrest of Farmington Hills to defend the county in a suit brought by the city of Rochester Hills.

Corporation counsel Jack Hays, the county's civil lawyer, made a preliminary decision to hire Hampton at \$125 an hour after Rochester Hills hired the firm of Dickinson Wright to sue. The county frequently uses the same firm, which would have found itself in a conflict of interest.

"Rochester Hills is suing to get out of the solid waste pact," said Linda Wasilewski, an assistant corporation counsel. The city objects to including a landfill owned by the South Oakland County Incinerator Authority in the final plan.

The rub: The board of commissioners already has a contract with Kohl Seccrest with hourly rates of up to \$90.

"I don't understand why, when we have Hampton on contract, we have to hire Hampton at \$125," said Olsen.

Wasilewski said rates for a highly technical lawsuit are customarily higher than for simpler suits or merely giving advice.

IN OTHER business, the finance committee:

• Appropriated \$42,784 from a contingency account to purchase 32 additional portable radios for the jail addition.

• Accepted a \$67,000 "probation enhancement" grant from the state Department of Corrections. Under it, the county supervises adult felons on probation.

• Rescinded an asbestos abatement contract of \$113,163 awarded earlier to Odgen-Alford Decontamination Services of Chicago after the firm said it had erred in making the bid and wanted \$239,000. The panel directed the corporation counsel to collect on the bid bond and voted to

award the contract to the next highest qualified bidder, Dependence Inc. of Detroit, at \$163,117. The contract is part of a county effort to remove asbestos from the central heating, North Office, Troy Street (Royal Oak) and Oakland Avenue buildings.

• Applied to the Michigan Department of Natural Resources for a \$75,000 grant to purchase a hydraulic shredder for a composting facility. The county's match is to be \$25,000. Commissioner Marilyn Gosling, R-Bloomfield Hills, noted the DNR application asked the site's location by legislative districts, an apparent effort to spread DNR funds evenly across the state.

Glitches stall new jail opening

The new Oakland County Jail addition won't be ready for "at least another 10 days," an official said.

"I'll know maybe by Feb. 18," said Don Malinowski, manager of central facilities for the county executive.

The problem is electronic glitches. "All the controls are electronic. You push a button to open a door, but it should open only one door. There are inner locks and outer locks. Some doors are stuck on open. Other doors are stuck closed."

The architectural firm of Newman Smith of Southfield is due to inspect the jail addition Feb. 14-15, Malinowski said. A ribbon-cutting ceremony will be set afterwards.

The jail addition was due to be

completed Dec. 1, but that was before county officials added \$2 million worth of work — stair towers and kitchen remodeling, he said. There is no penalty for late completion or reward for early completion.

The jail's capacity, meanwhile,

was doubled from 244 to 488 by a state decision to allow double-bunking in cells.

The addition will cost about \$18 million. The expansion was caused not only by population but a prisoners' suit alleging crowded conditions.

With the addition, Oakland will have a jail capacity of 972 prisoners.

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