

# C'ville again says no to Durant lawsuit

# Speed

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BY MARIE CHESTNY  
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Twice now, the Clarenceville School District has turned down the chance to join Durant II, a lawsuit that has already brought a small victory for the 130 school districts which filed it against the state in May 1998.

Even though it didn't join the lawsuit's forerunner, Durant I, Clarenceville still got an unexpected windfall — \$1 million — from the state's settlement of that suit in 1998.

Because the legal costs of what could be a lengthy Durant II lawsuit are "not cast in stone" and could jump every year for an unknown number of years, the Clarenceville Board of Education Thursday once again declined to sign onto the so-called Durant II lawsuit.

Durant I took 17 years to wind its way through the court system before the Michigan Supreme Court ruled in 1997 that the state violated the Headlee

Amendment to the Michigan Constitution in its funding of state-mandated programs.

In losing, the state was forced to pay \$211 million to the 84 school districts which had filed suit, including Livonia Public Schools, and another \$640 million to school districts which had not filed suit, including Clarenceville.

In refusing to sign on to Durant II, Clarenceville trustees said they feared a costly, lengthy and open-ended battle lay ahead, a legal battle that would take away money that should be spent in Clarenceville's classrooms.

"The cost is \$1,100 a year now; we don't have a clue what it will cost next year; and this could go on for years," said board president John Kanyo.

"There are too many questions, and we're not ready to spend dollars when we don't have answers," said trustee Bryan Bentley. "Once you're in, you're

in."

The Clarenceville trustees' decision comes just days after, in oral arguments June 16 before the Michigan Court of Appeals, the state admitted it was paying its legal share of school lunch costs.

It's a tiny victory, but a welcome one, said Livonia Public Schools' Superintendent Ron Watson. Livonia is one of the 130 school districts to participate in Durant II. In Durant II, the school districts claim the state still underfunds state-mandated special education and school lunch programs.

"The state has admitted it's not funding the lunch subsidy right," Watson said. "It's an insignificant amount of money, but the same argument goes for both. If it's true for lunch, why is it not true for special education? It's a small victory, but a large victory in principle."

"Principle" is the word used by Clarenceville Superintendent Tom Tattan Thursday in bringing the "to-join-or-not-to-join" question before the board.

"Some districts are doing it for the principle of the thing," Tattan said. "We're not covering our special education costs, and costs

are going up an average rate of 9 percent yearly. This takes money from the general fund. If the state mandates things, they should pay for it."

Tattan brought the question of whether to join Durant II from Superintendent John Schultz of Rochester, who is coordinating the lawsuit for the 130 districts who have signed on so far.

"They would like to have 600 Michigan school districts to participate," Tattan said.

The more districts join, the more the legal costs get spread around, he said.

In response to Durant II, the state has argued that there is nothing in the Headlee Amendment that guarantees a funding foundation for state-mandated programs.

School districts statewide struggle to keep up with the ever-rising costs to educate special education students.

The Durant suit was named after Warren school board president Donald Durant, who filed the first lawsuit in 1980. The 84 school districts which joined in

Livonia took a two-pronged approach to its \$10.2 million Durant I settlement. It gave local taxpayers a 6-mill tax cut on their 1998 tax bill, and set the remaining \$8 million aside to spend in the years ahead to (making donations) on a voluntary basis. "About a thousand school children visit the museum a year, he said.

Curvell said the museum has "a dozen or so weddings lined up this year."

"As many as 3,000 people a year use the area (as a setting) for pictures," he said.

"The problem is, he said, "Sometimes we have as many as three bridal parties taking pictures at the same time."

"Sometimes they don't even call us" ahead of time to make reservations.

To make reservations or get additional information, call (248) 479-7275.

residents about the problem. A SMART trailer, which gives speed readings to motorists, was also placed there.

General studies show people who speed also live in the area.

"The ones speeding are the ones most comfortable with the roadway," said Tom Bissell, Hills Public Services director.

Police stepped up enforcement on Mayfair, but it had little effect.

A follow-up speed study a year later indicated the average speed actually increased to 81 mph from 80.6 mph between 7-9 a.m.

After traffic engineers nixed a three-way stop as a possible solution, residents petitioned for speed bumps. Some 40 of 48 homeowners, or 83 percent, favored the measure.

One street over, residents were even more firm about using the last-gasp speed deterrent.

Of 41 homeowners along Ravenscroft in Briar Hill sub, 37 signed a petition asking for speed bumps. The 90-percent approval well exceeded the required 75 percent.

A petition for a proposed speed bump on Northwick hadn't been turned in yet.

In the case of Ravenscroft, though, education and enforcement appeared to work.

In 1996, average speeds on Northwick at 7-9 a.m. were 31.4 mph. That dropped to 28.5 mph, according to follow-up study in 1998.

The clamor for speed bumps persisted.

Charles Frank, Briar Hill Association president, was not in favor of speed bumps but, like his neighbors, sees them as the only alternative to curb leadfoot motorists.

"I feel that speeders should pay through fines for additional enforcement," Frank said.

Mayfair resident Mark Clevey also underscored his view to council that speed deterrents are a last hope on his street.

"I also beg that you pass it for us," Clevey said.

## Admission and gazebo fees on the increase at mansion

BY RICHARD PEARL  
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They'll still be a bargain, but admission and gazebo fees at the popular Governor Warner Mansion in Farmington will increase by 50 to 100 percent come July 1.

The Farmington City Council, taking its cue from recommendations by the Farmington Historical Commission, voted Monday to increase adult admission from \$1 to \$2 and youth admissions (ages 13-18 years) from 50 cents to \$1. Children 12 and under accompanied by an adult are admitted free.

Group-tour fees for adults, which had been a \$1 donation minimum per person, will rise to \$2 while students will be charged \$1.

The gazebo, a popular place for weddings, and mansion grounds will have a \$150 fee for up to two hours of usage. The old fee was \$100.

The \$300 fee for anything over two hours will become a half-day rate, while \$450 will be charged for a full day.

"A lot of people seem to feel we ought to kick up

As many as 3,000 people a year use the area (as a setting) for pictures."

Dick Carvell  
—Warner Mansion committee chairman

the price a bit," said Dick Carvell, Warner Mansion Development Committee chairman. "Everybody else is up, too."

He said the new fee structure formalizes student rates. "A lot of them (schools) had been doing it (making donations) on a voluntary basis." About a thousand school children visit the museum a year, he said.

Curvell said the museum has "a dozen or so weddings lined up this year."

"As many as 3,000 people a year use the area (as a setting) for pictures," he said.

"The problem is, he said, "Sometimes we have as many as three bridal parties taking pictures at the same time."

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### Arthritis Today

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#### ARTHRITIS? OF CAUSE

The term "arthritis" of cause is the way physicians speak of an arthritis they cannot identify.

Over 100 different types of arthritis exist. You would think that when you presented to your doctor with swollen joints that from the questions he asked, and the findings on examination that the doctor could find the arthritis you had.

Understanding special studies is not always helpful. Blood work and x-rays often do not give additional information. Particularly early in the course of arthritis, your pain and inflammation may rise ahead of blood and x-ray findings. The results may indicate you are normal when obviously you are not.

Furthermore, blood studies can be misleading — you can have abnormalities such as a positive-rheumatoid factor or Lupus test that only reflects age. The labs may represent past exposure to an agent or drug not responsible for your present joint condition.

Though your doctor may not be able to say what your arthritis is, often he can be sure of what your arthritis is not. He may be able to assure you that you do not have rheumatoid arthritis, gout, lupus arthritis, or osteoarthritis.

Ruling out these conditions is important as the medicine for them can be as toxic as it is helpful, and you are spared the complications such regimens bring.

First in treating inflammation of unknown cause, the physician can turn to medication that fits for joint inflammation of whatever reason.

### in the 90s

by Herbert M. Gardner, D.D.S.

#### JOINT CONCERN

It is already known that older people need to pay particular attention to the health of their gums as a means of preserving their teeth. There is also some new evidence that gum disease may be linked with heart disease. Now, new research published in the Journal Arthritis & Rheumatism suggests a possible link between arthritis and gum disease. According to the study, rheumatoid arthritis patients experienced 30% more gum bleeding, on average, than other people. They also had 30% more missing teeth. While researchers surmised that rheumatoid arthritis might promote gum disease, they are at a loss as to explain how. Regardless, people with rheumatoid arthritis have even more reason to attend to the health of their gums.

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