

An historic step

County eyes Drain-DPW merger

By TIM RICHARD

Oakland County is moving closer to the historic step of becoming the first Michigan county to consolidate its water management offices under one roof. The county board of commissioners will decide March 4 whether to lump the work of the drain commissioner, an elected post dating back to the mid 1800s, and the public works department (DPW), an appointed department dating back only to 1988. Drain Commissioner George Kuhn is pushing the consolidation and is available for appointment as public works commissioner to head the entire function. He would have to face the voters this fall.

THE COUNTY BOARD last week held a required, lightly attended public hearing on the proposal. A handful of speakers vented their frustration at dealing with one or the other of the bodies rarely tackling the question directly. The drain commissioner is responsible for maintenance and operation of more than 300 drains in Oakland County, says Kuhn, who campaigned for the post despite a week's worth of political opposition. State law specifies the election of the drain commissioner along with the sheriff, prosecutor, clerk and treasurer.

A 1988 LAW allowed voters to set up public works boards and departments to build and maintain sanitary sewers, new disposal plants and flood control facilities (Oakland pioneered by being among the first counties to set up such a board and department).

In 1974, Kuhn got then-Sen. Harvey Lodge of Pontiac and Sen. Donald Babco of Rochester to introduce what became Act 176. It allows the county board to consolidate the two functions into one court department headed by the public works commissioner. The public works commissioner shall be elected in the same manner and for the same term as a drain commissioner and shall carry out the powers and duties of a drain commissioner.

In a way, Kuhn a Republican is stuck in the political mud. The county board shifted to Democratic control last month when two Republicans changed their allegiances. A 1611 Democratic board may or may not give Kuhn the public works commissioner's post.

MEANWHILE, A FRIENDLY lawsuit is clouding the air. Last year Oakland County's first elected county executive, Daniel T. Murphy, took office. The act allowing Oakland to adopt the executive system abolished the board of public works.

With the public works board gone, the board of commissioners attempted to appoint a DPW director. Murphy vetoed the action and declared that he, under the executive act, was to appoint the DPW director.

Murphy eliminated personalities as an issue by appointing the man the commissioners had picked—Donald W. Ringler. The board of commissioners took the issue to Oakland Circuit Court, where Judge William R. Beasley heard the case. No decision has been reached.

COMMISSIONER Lawrence R. Purnack (D-Southfield) gives his summary of what could happen. If the commission was to go ahead and consolidate the departments, the new public works commissioner would be elected in November. In the meantime, the board of commissioners could appoint the drain commissioner or someone else to the new post.

This would be the case if the board acts before Judge Beasley decides the suit. If Murphy wins, Purnack contends, the commissioners can decide whether to appeal or go to the legislature and seek an amendment to the law.

A Murphy victory in court would put a halt to consolidation of the drain commissioner and the DPW. There is no way the county executive can get control of the drain commissioner, says Purnack. But in the meantime, he wants to get direct control over the DPW.

KUHNS FEELS the two offices should be consolidated under a person directly elected by the public. Although he supported establishment of the county executive system, Kuhn contends DPW should not have an appointed director under the executive but an elected commissioner.

In recent years the public has repeatedly expressed its preference for and greater confidence in elected over appointed public officials, Kuhn says. Such direct accountability to the people is particularly important in this instance because taxing authority and condemnation powers and ecological decisions are involved.

I believe an elected official will be more responsive to the people.

MURPHY'S ARGUMENT is that the public is confused by a proliferation of independent administrators and needs to be able to point the finger of credit or blame at a single person.

He also is seeking a new law that would allow counties with either an elected executive or appointed manager to abolish the DPW's wing. An Kuhn summed it up: The question before us now involves philosophy, economics, personalities and good old-fashioned politics.

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Defebaugh dissents on certificates

With one area representative dissenting, the Michigan House of Representatives passed 75-36 a bill to require certificates of nursing before nursing homes could expand their facilities. Rep. James Defebaugh (R-Bloomfield) dissented.

Supporting HB 5384 which now goes to the senate, were Reps. W. V. Broderton (R-Farmington), Joseph Forbes (D-Oak Park), Mel Larsen (R-Oxford), Ruth McArthur (R-Birmingham) and Sai Rocca (D-Sterling Heights). BACKERS WERE concerned about an unnecessary proliferation of nursing homes, and similar healthcare facilities. They said the free market was failing to prevent overbuilding. The state would issue such certificates of need based on the recommendations of regional health planning authorities. Certificates would be required for projects costing \$100,000 or more.

Defebaugh said, "We have certificates of need programs for hospitals—both public and private—right now. I support that. An empty bed in a hospital costs \$100,000 a year. "BUT NURSING homes are a business, whether they're profit or non-profit. And competition is good for business." Defebaugh said. Successful nursing homes tend to weed out unsuccessful ones. If there's a need for the certificates of need, no one has shown it to my knowledge," he added.

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