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Twenty-five cents

Oak Hill appeals state's penalty

By Jean Adamczak and Joanne Maliszewski staff writers

Officials of the Oak Hill Nursing Home in Farmington are appealing a \$500 fine levied against the facility by the state Department of Public Health in October for alleged patient rights violations.

Oak Hill officials face a Dec. 11 hearing in Lansing before Kathleen Opperwall, an attorney appointed by the state to hear the case.

The fine against Oak Hill, 34225 Grand River, remains unpaid pending outcome of their appeal, according to Dr. Harvey Day, chief of the department's Bureau of Health Facilities.

"We will present our evidence that we did the prudent thing," said Paul Phelps, chief of the health department's Compliance, Auditing and Scheduled Surveillance (CASS) section. "I'm sure the nursing home will attempt to refute what we say."

Oak Hill owner Dr. Edwin C. Blumberg could not be reached for comment.

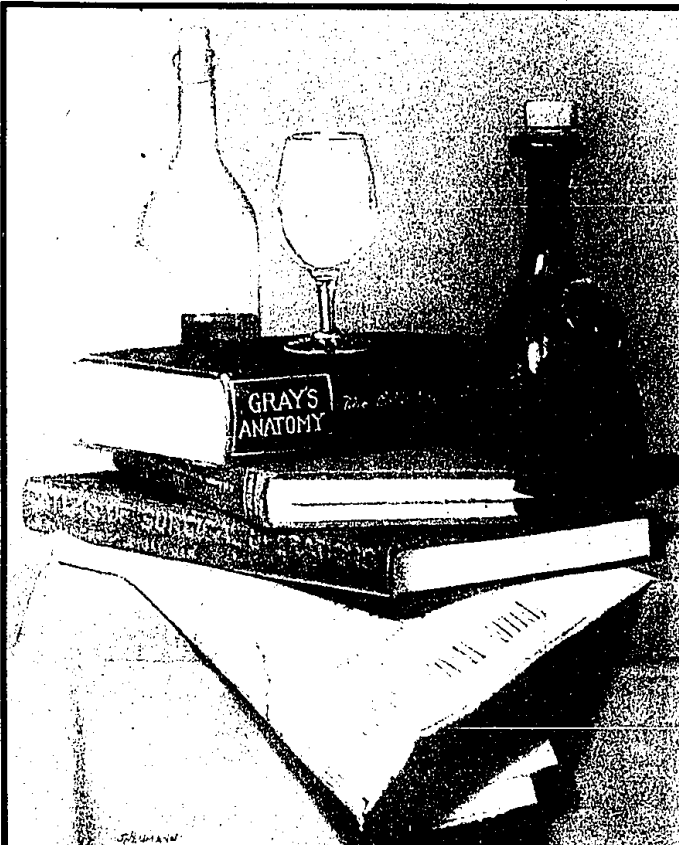
CASS staff conducted an investigation of the complaint against the nursing home last August, said Doree Bradshaw, a compliance supervisor for the state health department.

CASS was notified through another agency who received information about the incident from an anonymous caller, Bradshaw said.

The state's complaint said that a patient received "inadequate and inappropriate" nursing care. The charge was based on the patient's record.

The complaint contends that a female resident in a wheelchair fell down a flight of stairs after opening an emergency door, according to Bradshaw. An emergency door is supposed to sound an alarm notifying staff it has been opened, Bradshaw said.

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Michigan art on display

"Wall Street Journal with Gray's Anatomy" is the title of the above still-life oil painting by John Neumann. It is part of a new exhibit featuring Michigan artists in the lobby of the Botsford Inn. For profiles of the artists and photos of their work, please see Page 3A.

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Flagpole flap

Possible lawsuits worry Hills officials

By Joanne Maliszewski staff writer

Farmington Hills officials are leary of anything that could lead to a lawsuit.

The subject of lawsuits came up in a discussion about a flagpole erected by resident Tony Camilleri on a city-owned cul-de-sac on Carla Court in Green Hill Woods subdivision.

Residents, led by Mary Wight, asked the council last week to allow the 20-foot flagpole to remain, despite one neighbor's opposition. Council approval would be needed to allow the pole to remain on city property because it violates an ordinance.

City Manager William Costick recommended approval as long as neighbors flew only the state or national flag.

THE COUNCIL approved the flag pole on the condition that either the flag pole owner or the neighborhood association indemnify the city if it is sued for ordinance violation or if the flag pole caused damage.

"If I have to do that, I'll go ahead and take the pole down," Camilleri told council before a vote was taken.

But Camilleri's comments didn't change council's mind.

"I don't think it's fair to threaten the city with another lawsuit," said Councilwoman Joan Dudley, who raised the liability issue.

City attorney Paul Bibeau affirmed Dudley's concerns, saying the flagpole exposes the city to liability because it violates an ordinance.

'What you are worrying about is not there. I don't see this great big danger we're imposing on ourselves.'

— Joe Alkateeb, Hills' councilman

'I don't think it's fair to threaten the city with another lawsuit.'

— Joan Dudley, Hills' councilwoman

cause it is on public property. "I would not be willing to agree to this without additional insurance coverage for this," Councilwoman Jodi Soronen said. "People don't hesitate to sue for real or imagined infractions of our ordinance."

COUNCILMAN JOE Alkateeb, who voted against the approval because of the stipulation, supported the neighbors.

"I don't know why we are making a mountain out of a molehill," Alkateeb said. He asked the council not to make it difficult for Camilleri to fly a flag.

"I would like to think . . . that we (council members) are somewhat realistic. What you are worrying about is not there. I don't see this great big danger we're imposing on ourselves."

Tom Blaseit, director of public services, told council the flagpole, a type generally found on private property, did not pose a hazard for traffic. If a car were to hit the pole, he said, the pole would fall over.

Councilman Terry Sever, however, posed the possibility of a child climbing the pole and hurting himself, for which the city most likely would be held liable.

ALKATEEB CONTINUED to criticize council for trying to "slap a law down."

Alkateeb insisted members make a subjective decision on the flagpole. Otherwise, he said, seven computer terminals should replace the council.

"We are here to be subjective with them (residents)," Alkateeb said, "here to react with them, here to be sad with them, here to be happy with them."

Dudley, however, was unmoved. The council doesn't oppose the flagpole or the residents, she said.

"I don't think it's making it hard. I think it's only fair to other taxpayers."

Children coping

Pearce family growing older and wiser together



RANDY BORST/staff photographer

Randy Pearce cuddles his children, Brett (rear), Kristie (left) and Kimmie. The children suffer from cystic fibrosis.

By Jean Adamczak staff writer

Hugs, kisses and playful laughter are abundant in Randy and Lynn Pearce's Farmington home.

But so are the sounds of inhalation machines pumping, and the thumping of Brett, Kristie and Kimmie Pearce doing their "clapping."

All three of the Pearce children suffer from cystic fibrosis (CF), a congenital disease which affects the endocrine glands, such as the lungs, liver and pancreas.

"Clapping" is a form of therapy the children do every day in order to loosen mucus that would otherwise clog the small bronchial tubes in the lungs, or plug up the tiny ducts of the pancreas.

Persons with CF have mucus in their chest 400 times thicker than healthy people.

"I do my clapping every day," says 9-year-old Brett, while dancing around the living room.

The walls of the Pearce living room are full of pictures of Brett, and his 8-year-old twin sisters, Kristie and Kimmie, posing with such celebrities as Nancy Reagan, Tiger baseball players Lance Parrish, Jack Morris and Marty Castillo, and CF national chairperson Joan Rivers.

In September, the Pearce family was flown to Philadelphia to see Michael Jackson perform. The trip was financed by the Philadelphia-based

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