

Bills to keep open space held up in Senate

By Tim Richard
staff writer

A dozen bills allowing neighborhoods to set up special assessment districts to reserve open space are bogged down in the Senate Local Government Committee.

"They're not going anywhere until January," said Rep. David Honigman, R-West Bloomfield, who al-

ready has won House passage of House Bills 4120 to 4131.

Realtors, home builders and apartment owners associations supported the bills, fearing they would expand government's power to condemn private property for public use.

THE FIVE-MEMBER Senate committee Wednesday saw its

quorum dissolve as members drifted off to other meetings. At the end of a two-hour session, only vice chairman Edgar Fredricks, R-Holland, was left as Honigman answered the critics' arguments. A brief Thursday meeting failed to draw a quorum.

"I agree with everything these guys say," Honigman told Fredricks, "but I don't see what it has to do with my bills. Every argument they

made is with the existing (condemnation) law."

The bills would allow groups within a local unit of government to petition their elected officials for special assessment districts for a much longer list of purposes — pristine woodlands, bogs, landscaped areas, camps, botanical gardens, waterfront access and so on.

"They will also allow businesses to

expand parking lots," Honigman told the panel. "Rep. Mike Benaene (D-Detroit) added an amendment to allow urban neighborhoods to buy vacant crack houses."

He added: "There's a feeling in rapidly growing areas that the entire township shouldn't pay for something that benefits only us (one neighborhood)."

ROBERT LONG, supervisor of Commerce Township, said the population has expanded from 9,600 to 27,000 in his 22 years in office because "people like the open appearance. Two areas would like to preserve open space."

"We have, almost every meeting, petitions for some kind of service — chloride, blacktop, lights, weed control."

"One (neighborhood) has 17 homes around a three-acre parcel. They are unanimous in wanting to acquire it. The don't want a park. They want open space," Long said.

Honigman said that under his bills, if 20 percent of the property owners object, the improvement would have to be supported by at least 51 percent of the owners. He said a governing board may, if it wishes, require a "supermajority" of 70 percent approval from owners.

A dozen bills are needed because separate laws govern home rule cities, fourth-class cities, home rule villages, general law villages, general law townships and charter townships, as well as metropolitan districts.

JACK SCHICK, of the Apartment Association of Michigan, saw problems.

"If a community wishes parks and parking facilities, the community at large should vote for them and not just a special area," he said.

"We are worried about the liberality of the definition of 'park.'"

"Just who benefits is another concern."

"They (the bills) might be good for the representative's (Honigman's) area, but not in the northern and western sides of the state."

His chief objection was that a local government could find itself invoking the use of its power of condemnation (eminent domain) with a longer list of special assessment districts. If lawsuits resulted, the entire community could wind up paying, he said.

JACK WALKER, of the Michigan Association of Realtors, said MAR hasn't taken a position but he was bothered by "what appears to be an extension of police power" (eminent domain).

"I see nothing that says there has to be a willing seller," Walker said.

Lynn Egbert, executive vice president of the Michigan Association of Home Builders, said special assessment districts for open space could work to the detriment of those who want to see further development.

Egbert also raised questions about who would own the preserved open space and who would be liable if someone were injured on it.

Feet dragging?

Pernick charges deliberate delay by GOP

By Pat Murphy
staff writer

Republican county commissioners have been accused of dragging their feet on accepting the resignation of another commissioner who is resigning to take a job with the solid waste division.

The accusation was made at Thursday's meeting of the Oakland County Board of Commissioners by Lawrence R. Pernick, D-Southfield.

He said Republicans decided to accept the resignation of the commissioner — Anne M. Hobart, R-Milford — on Jan. 1, rather than Dec. 31, so they could appoint a successor rather than have a special election.

Hobart, chairman of the Planning and Building Committee, is resigning to become a liaison between the solid waste division of the county's Department of Public Works and various Oakland communities.

The job, which pays about \$32,000, was advertised in October and drew 18 applicants, according to commissioner Marilyn E. Gosling, R-Bloomfield Hills.

"Six were eliminated because they lacked the basic requirements," she said. "But all others (including Hobart) were evaluated on their qualifications."

HOBART HAS BEEN mentioned as a candidate for the job for several months, as the county implements

its \$476,000 solid waste program that includes incineration, recycling and composting grass clippings and leaves.

Pernick charged Republicans were attempting to hand-pick a successor to Hobart by delaying her resignation until after Jan. 1. Had she resigned prior to Dec. 31, state law requires a special election, he said.

Hobart was offered the job in early November, and accepted immediately without setting a specific date for resigning from the commission.

"They (Republican commissioners) want to thwart the will of the people," Pernick said. "By waiting until after the first of the year they can pick her successor."

Pernick introduced a resolution requiring a special election in the 4th District (White Lake Township and part of Waterford), but it was defeated by a partisan vote.

Pernick said he hasn't given up, however.

"As I understand it, the Republicans have several people interested in the job," he said. "If they have enough Republicans interested, they may go to a special election just to avoid making enemies (by picking one over the other)."

HOBART, A RETIRED teacher, served on the commission in 1973-74 and was re-elected in 1978. The current basic pay of a commissioner is

considered a part-time position — is \$19,158.

Asked about credentials for her new job, Hobart said she has a master's degree in communications.

And I'd stack my background in solid waste up against anybody's," she said.

— Lawrence Pernick

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D-Southfield



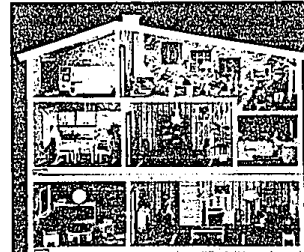
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Genealogists talk photos

Monte Nagler, photographer and newspaper columnist, will discuss techniques for photographing old pictures at the Tuesday, Dec. 5, meeting of the Oakland County Genealogical Society.

The discussion, entitled "It's a snap," will begin at 7 p.m. in the Ro-

tary Room of the Baldwin Public Library, 300 W. Merrill, in Birmingham.

The discussion is open to the public. More information can be obtained by calling Jane Van Dragt at 646-0223.

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