

Citizen sues to stop paving on rural road

By SUSAN L. SILK

One man's fight against the Oakland County Road Commission may be lost in a puff of dust even before his lawsuit gets into court.

David Lebenbom, 6795 Orinoco Circle, Bloomfield Township, is suing the Board of Road Commissioners to halt the paving of his dirt road.

A hearing to consider at least temporarily stalling the paving project is scheduled for May 22 in the Oakland Circuit Court of Judge James S. Thornburn.

But it's "quite possible" the contractors assigned to paving the entire Sly Farms subdivision may have begun their work before the case can be heard.

"Our contract calls for work to begin by June 1," said John Grubba, managing director of the Road Commission.

GRUBBA ACKNOWLEDGED that work on the subdivision, avoiding the Orinoco Circle stretch, would normally "not be a good project."

The road commission official also said that although he knows of the Lebenbom lawsuit his department has not been notified officially.

The road commission would be allowed 20 days after notification to respond in writing to the charges before a hearing would be held, Grubba said.

Lebenbom's lawsuit alleges that Orinoco Circle is ineligible for paving based on the lot sizes and that the needed petition signatures were collected by "misrepresenting" the extent to which others favored paving and the cost to residents.

The plaintiff's suit also charges that the county does not have enough money on hand to finance the work and is legally restrained from going into debt to complete road work.

"THERE ARE SO many heavily traveled, busy roads in the county that desperately need maintenance, repair or improvement."

"The road commission should be using its money maintaining those streets," Lebenbom said.

Lebenbom said his "country road" is one of the reasons his family chose that home five or six years ago.

"I like the idea that if someone drives faster than 10 miles an hour over this road, his transmission will bust up," he said.

Lebenbom said he represents most of the approximately 10 property owners on Orinoco Circle. Although a few signed the citizen petitions requesting the work, they have since changed their minds and entered his camp, Lebenbom said.

HE HAS circulated counter-petitions and written letters to the road commission without response.

Sufficient citizen signatures asking for the paving of the entire subdivision were presented to the road commission "about a year ago," Grubba said.

Two necessity hearings also were held, Grubba said.

Bids for the project were let in September, 1973, and one was accepted for 1974 work, according to a road commission official.

An apportionment hearing, during which the interested citizens are given a very approximate idea of their share of the costs, was held on Jan. 30, Grubba said.

IN THE Sly Farm file there is a letter from Lebenbom protesting the paving and indicating that he would be at the apportionment hearing. But Lebenbom was not there, Grubba said.

And, once the citizens in the

subdivision signed those petitions they committed themselves to the project, the road commission official said.

Grubba acknowledged that there are "some lawsuits" (Lebenbom charges six or seven) filed against the county road commission.

According to Lebenbom, the other lawsuits, like his own, are fights to keep the rural county roads rural.

2 clerks hired to aid attorneys

By SUSAN L. SILK

Two part time law clerks have been hired to "help out" in the Oakland County Prosecutor's office in lieu of eight assistant prosecutors.

Following his pleas last year for increased staff, Prosecutor L. Brooks Patterson was allotted five new assistant prosecutor positions in the 1974 budget.

Three additional beginning attorney positions arose from staff resignations, chief assistant prosecutor, Richard Thompson, said.

The resulting eight slots would pay \$12,000 to \$14,000 each.

The two clerks hired are doing research and preparing paperwork to

free available assistant prosecutors for trial work. Thompson said. But they are not attorneys and cannot, therefore, serve in court.

THE CLERKS are being paid \$3.57 an hour, compared to the \$8.75 average hourly wage of a beginning assistant prosecutor, according to the Patterson aide.

"We've interviewed more than 80 people for those jobs but we're not going to hire just anyone," Thompson said.

The short-staffed situation has forced Patterson to recall to circuit court duties three of the four assistant prosecutors assigned to the 50th district court in Pontiac, he said.

Since the resignation of the assistant prosecutor permanently assigned to the Consumer Protection Division, that position has remained unfilled. Sheri Pefelli, division director confirmed.

Without a permanent attorney, her department may have to "catch as catch can" the services of a prosecutor, she said. However, she denied that the vacancy has reduced the number of warrants being written.

NEXT MONTH two attorneys will report for work and another four by the end of June, Thompson said. Patterson acknowledged that his professional staff is having to "work double duty" but the attorneys understand, he said.

"I told them that I appreciate that they have to do much more work, but they understand that we don't just want to hire some warm bodies," Patterson said.

Of those 80 attorneys interviewed, Patterson said he would have wanted to hire only two.

"They're making in excess of \$25,000 in private practice and probably would have come here for \$25,000, but we just can't pay it," Patterson said.

Winners named in contest

Winners of corporate-sponsored four-year merit scholarships for 1974 have been announced by the National Merit Scholarship Corp.

The announcement is the first of three concerning winners of National Merit scholarships, to be made in the next few weeks.

Names of winners of National Merit \$1,000 scholarships will be released April 25 and winners of four-year college-sponsored merit scholarships will be announced May 2.

AREA STUDENTS who have been named as winners of the corporate sponsored four-year scholarships and the sponsoring corporations are: Allan Craig, Seaholm High School, Chrysler Corp.; Anne Lane, Seaholm, Ethyl Corp.; John Munn, Groves High School, American Motors Corp.

Other winners are Laura Rothwell, Andover High School, Chrysler Corp.; Sherry Leibson, Andover, Bendix Corp.; Patricia Hejnen, Marian High School, Chrysler Corp.; James Yeats, Lahser High School, Chrysler Corp.

Completing the list of area winners are: Elizabeth Ehr and Karen Flanagan, both of Troy and students at Bishop Foley High School, Chrysler Corp.; Richard Murray of Troy, Roper City and Country School, Occidental Petroleum Corp.; Richard Skerik, Troy High School, Burroughs Wellcome Co. and Linda Esh, Kingswood School, Bendix Corp.

Drunkenness talks set

A five-member subcommittee of the State House Judiciary Committee has been appointed to conduct hearings on legislation which would make public drunkenness a treatable disease rather than a crime.

The bill (H.B. 4008) calls for the creation of a Division of Alcoholism within the State Health Department to set up and maintain alcoholism treatment programs in the state.

Under the bill, persons taken into custody by police for public drunkenness would be taken to an alcoholism treatment center rather than put in jail.

"WE MUST recognize that alcoholism is first a disease. I think this bill brings the law in line with medical science and represents a realistic 20th century approach to one of society's biggest problems," State Rep. Thomas Guastello (D-71) said. He is the judiciary committee chairman.

The subcommittee will hear testimony on the bill from various interested organizations and individuals, and will present its findings to the full committee in about two weeks, Guastello said.

Similar legislation decriminalizing public intoxication has been adopted in 18 other states.

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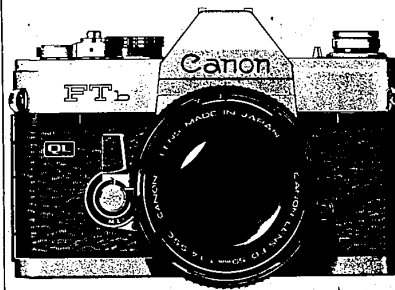
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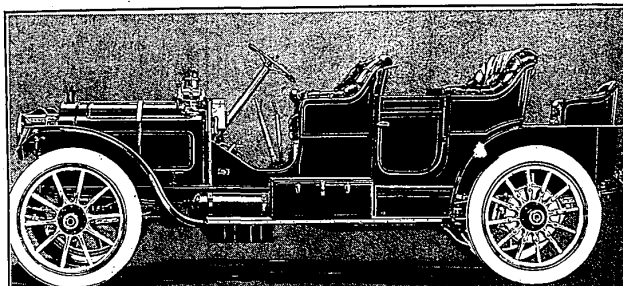
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