STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

ROBERT J. KLEINE
STATE TREASURER

# MEETING MINUTES OF THE STATE ASSESSORS BOARD SPECIAL MEETING

***Treasurer's Conference Room / Austin Building***
***430 W. Allegan, Lansing, Michigan***

**Thursday, September 24, 2009**
**1:30 P.M.**

**Present:** Lisa A. Hobart, Chairperson
Raman A. Patel, Vice Chairperson
Henry O. Allen, Member
Allan J. Berg, Member
Frederick W. Morgan, Member

Kelli Sobel, Interim Executive Secretary
LaNiece Densteadt, Recording Secretary

MINUTES:

It was moved by Patel, seconded by Morgan, and unanimously approved to adopt the regular meeting minutes of the September 9, 2009 meeting of the State Assessors Board with amendment to be made to the prior meeting minutes and the date of the approval of the minutes corrected. (Item 1 on agenda)

PUBLIC COMMENT:

Chairperson Hobart: The next item is Public Comment and I would like to begin with a telephone call that I received on Tuesday. I received a call that an issue had been brought to the Attorney General's Office from the Michigan Tax Tribunal regarding an allegation that I was seeking to take the certification of a certain Tax Tribunal Judge. I was of course horrified by such an allegation and called the individual that the allegation was attributed to. I have three emails that I wish to read with respect to that. The first email was sent on September 22nd that would have been on Tuesday at 4:20 p.m. It was sent to Fred Morgan, Kelli Sobel was copied, Dirk Beckerleg, Patricia Halm, Ross Bishop, Victoria Enyart, so that the record is clear this email was also forwarded to the State Treasurer, Scott Schrager, and I believe that would have been all and Val Washington. Pursuant to our conversation at approximately 3:45 p.m. this afternoon I understood the following: (1) You stated you made no comment or comments to Judge Enyart that attributed any statements made by me about her certification. (2) You stated that you made statements in public session of a State Assessors Board Meeting. You said that the dialog was regarding who revocation petitions applied to. You said that you were unhappy with the Ferndale Lab's case so maybe quote unquote Vicki should be decertified. (3) You said that you made the statement as a joke to the entire board. I do not understand that type of humor nor do I recall you ever saying that. (4) You said that you would be willing to publicly admit that you made this statement and that I

did not make any such statement. I respectfully request a formal admission that I made no such statement. I have not and will not ever make public statements regarding anyone's certification. Fred your actions may have jeopardized and perhaps compromised actions pending before the Tribunal. The allegations are damaging and destructive to the work the Board is trying to accomplish. Judge Enyart is extremely knowledgeable and has given much of her time both personally and professionally to the assessing profession and I have tremendous respect for her. I await your reply. Lisa Hobart. On September 23rd at 8:48 a.m. in the morning having not received a reply from my email the prior day, I sent a second email on the advice of counsel to Judge Enyart, Chief Judge Patricia Halm, Ross Bishop, Kelli Sobel, Scott Schrager, Robert Klein, Val Washington, Robert Naftaly, and Dirk Beckerleg. Fred, yesterday I sent you an email memorializing our phone conversation from yesterday afternoon. Specifically, I told you that there was an allegation made about a conversation that you had with Tax Tribunal Judge Victoria Enyart. Specifically, the false statement was that you told her that I was unhappy about the Ferndale Lab's case and that "I was going after her certification". This statement is 100% False. I respectfully requested in yesterday's email that you make a formal admission that I made no such statement in fact you said during the conversation that you made it as a joke. Fred, I completely fail to see any humor in such a vicious threat you stated on the phone call that you would publicly recant that you ever said that I made such a statement about a Tribunal Judge. Your untrue statement has posed to bring injury to me, West Bloomfield Township, and the State Assessors Board. I am respectfully requesting a second time that you make a formal admission that I made no such statement. I consider the matter serious and urgent and await your response. After lunch yesterday, having received no reply to the first or second email I sent a third. It says, Fred please be advised that at the State Assessors Board Meeting tomorrow, September 24, 2009. I will read this email along with two previous emails related to the topic. In that context, this message provides you with a third opportunity to respond to my emails so your reply may be included making the record complete. Most likely I will not be retrieving my messages after 4:30 p.m. today or again until after the State Assessors Board Meeting tomorrow. During my conversation on Tuesday when I attempted to receive clarification on this issue and minimize any damage to me or the Township the reply was that I was being, acting like a child and I was being whiney and this was just typical of how I behave. I think to make personal attacks I think to call me names when the whole damage is a complete and utter fabrication is unacceptable. I have this on the tape and I would like to ask you in this public comment if I ever said such a thing ever about Judge Enyart?

Member Morgan: You never said that and I told you that on the phone. That came up when we were talking about that case after we were talking about everybody we could decertify and I think I have talked to Kelli. Kelli remembers the conversation, it was with the whole Board we were talking about the case and saying the case was wrong. Kelli thought it was wrong. I don't really know because I didn't read the case. It had to do with looking up a e-bay it had to do with freight charges, had to do with taxes being added to it. The only comment was and it was off the cuff was I said well then we should decertify her if we don't like it. That was the comment that was made.

Chairperson Hobart: So you are saying that Judge Enyart was inaccurate when she reported this.

Member Morgan: I talked to Judge Enyart, not since you. So I will talk to Judge Enyart and see what her take on what I told her was and for you to even think that the Tribunal would jeopardize a case shows a certain degree of paranoia. Judges don't take stuff personally or they shouldn't be there.

Chairperson Hobart: Well I can tell you that the AG's Office is concerned, West Bloomfield Township Office is concerned, I am concerned but certainly you are entitled to your opinion as a non attorney. I respectfully

request and as a formal request under the Freedom of Information Act a copy of this tape in its entirety at the conclusion of the meeting.

Deputy Treasurer Val Washington appeared before the Board regarding filling the open Executive Secretary position. Deputy Treasurer Washington indicated that the Board was aware that Interim Executive Secretary Sobel had told the Board she was no longer interested in filling in as the Interim Executive Secretary. He indicated he had sent an email to staff asking if anyone was interested in filling the position and received no serious interest. Therefore, he has ordered Ms. Sobel to continue as the Interim Executive Secretary. Deputy Treasurer Washington also indicated he was moving forward with filling the Executive Secretary position and while the Board will have opportunity for input, the ultimate decision will be made by the Department.

Member Raman Patel mentioned he would like to post the position in the MAA Magazine and MTA Newsletter.

Member Allan Berg asked if the posting could be sent via the LISTSERV.

EDUCATIONAL PROGRAMS:

It was moved by Berg, seconded by Allen, and unanimously approved to move the assessor certification renewal requirements deadline to October 31st from September 30th. (Item 3a)

It was moved by Patel, seconded by Morgan, and unanimously approved to approve the requests for Experience Credit from Daniel R. Holland for Level 3, Thomas E. Schlichting for Level 3, and Clifford Porterfield for Level 3. (Item 3b on agenda)

It was moved by Allen, seconded by Berg, and unanimously approved to deny the request of the applicant who had failed to remit their 2009 certification fee. (Add on)

RECONSIDERATION OF PETITIONS INITIALLY REVIEWED IN CLOSED SESSION:

It was moved by Morgan, seconded by Berg, to postpone action on the reconsideration of the petitions until the assessor's names in the petitions were notified. A roll call vote was ordered: Berg – Yes, Allen – abstained, Morgan – Yes, Patel – did not vote, Hobart – No. The motion passed. Following discussion, Morgan moved for reconsideration of his previous motion. Allen seconded, all Members voted yes. Morgan moved, seconded by Patel to move forward with the reconsideration of the petitions as prescribed by the Attorney General, all Members voted yes.

There was no discussion on revocation petition 08-0038. (Item 4a on agenda)

There was no discussion on revocation petition 09-0010. (Item 4b on agenda)

There was no discussion on revocation petition 09-0011. (Item 4c on agenda)

There was no discussion on revocation petition 09-0012. (Item 4d on agenda)

There was no discussion on revocation petition 09-0014. (Item 4e on agenda)

There was no discussion on revocation petition 09-0015. (Item 4f on agenda)

There was no discussion on revocation petition 09-0016. (Item 4g on agenda)

There was no discussion on revocation petition 09-0019. (Item 4h on agenda)

There was no discussion on revocation petition 09-0020. (Item 4i on agenda)

There was no discussion on revocation petition 09-0022. (Item 4j on agenda)

There was no discussion on revocation petition 09-0023. (Item 4k on agenda)

There was no discussion on revocation petition 09-0024. (Item 4l on agenda)

There was no discussion on revocation petition 09-0025. (Item 4m on agenda)

There was no discussion on revocation petition 09-0026. (Item 4n on agenda)

There was no discussion on revocation petition 09-0027. (Item 4o on agenda)

There was no discussion on revocation petition 09-0028. (Item 4p on agenda)

There was no discussion on revocation petition 09-0029. (Item 4q on agenda)

There was no discussion on revocation petition 09-0030. (Item 4r on agenda)

There was no discussion on revocation petition 09-0031. (Item 4s on agenda)

There was no discussion on revocation petition 09-0032. (Item 4t on agenda)

There was no discussion on revocation petition 09-0033. (Item 4u on agenda)

There was no discussion on revocation petition 09-0034. (Item 4v on agenda)

FUTURE STATE ASSESSORS BOARD MEETINGS

It was moved by Hobart, seconded by Patel and approved to move the October 16th meeting to Tuesday, October 20th at 9:30 a.m. as long as room location can be secured. Berg voted No.

ADJOURNMENT:

It was moved by Morgan, seconded by Berg, and unanimously approved to adjourn the State Assessors Board Meeting at 2:45 p.m.

Date Minutes Approved: October 16, 2009

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Lisa A. Hobart, Chairperson