



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
IRVIN J. POKE  
DIRECTOR

STEVEN H. HILFINGER  
DIRECTOR

**STATE BOUNDARY COMMISSION**  
**BUREAU OF CONSTRUCTION CODES**

Meeting Location:  
2501 Woodlake Circle - Conference Room 3/First Floor  
Okemos, MI 48864

November 17, 2011  
1:30 p.m.

**AGENDA**

**WASHTENAW COUNTY**

- 1) Call to Order and Determination of Quorum.
- 2) Approval of Agenda
- 3) Approval of Draft Minutes for September 17<sup>th</sup>, 2011 meeting.
- 4) Docket #10-I-2 petition for incorporation of the Village of Dexter as a Home Rule City
  - a. Schedule of time and place for public hearing as required by DLARA Director's Order.
    - 1) Commission Questions/Discussion/Deliberation.
    - 2) Public Comment.
    - 3) Commission Action.
- 5) Docket #11-AP-1 petition for annexation of land in Lodi Township to the City of Saline.
  - a. Summary of Proceedings, Findings of Fact and Conclusions of Law.
    - 1) Commission Questions/Discussion/Deliberation.
    - 2) Public Comment.
    - 3) Commission Action.

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- 6) Unfinished Business
- 7) New Business
- 8) Public Comment
- 9) Adjournment

THESE AGENDA ITEMS WILL BE CONSIDERED AT 1:30 P.M., OR AS SOON THEREAFTER AS THEY MAY  
BE HEARD.

IF YOU HAVE ANY QUESTIONS ABOUT THIS MEETING,  
PLEASE CALL (517) 241-6321 BEFORE 4:00 PM ON THE DAY BEFORE THE MEETING.

**PLEASE VERIFY YOUR ATTENDANCE BY TELEPHONE AT (517) 241-6321 OR EMAIL  
OBRIENK@MICHIGAN.GOV BY NOVEMBER 10, 2011 TO INSURE REPRESENTATION  
FROM A QUORUM OF BOUNDARY COMMISSIONERS AND PARTICIPATION FROM  
INVOLVED PARTIES.**

Please make sure all cell phones, pagers, and other personal electronic devices are either turned off or set to vibrate. The meeting site is accessible and includes handicapped parking. In order to enhance accessibility for everyone, individuals attending the meeting are encouraged to refrain from using heavily scented personal care products. Persons with disabilities requiring additional accommodation in order to participate should contact the Boundary Commission Office by either telephone (517-241-6321) or email (obrienk@michigan.gov) at least ten business days in advance.



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**STATE BOUNDARY COMMISSION  
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Meeting Location:  
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**MINUTES**  
September 15, 2011

**WASHTENAW COUNTY**  
**DOCKET # 11-AP-1 CITY OF SALINE, LODI TOWNSHIP**  
**AND**  
**DOCKET# 10-I-2 VILLAGE OF DEXTER**

**MEMBERS PRESENT**

Mr. Dennis Schornack, Chairman  
Mr. Cameron Priebe, State Commissioner  
Mr. Kenneth VerBurg, State Commissioner  
Mr. Wesley Prater, Local Commissioner  
Ms. Stefani Carter, Local Commissioner

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS PERSONNEL  
ATTENDING**

Mr. Kevin O'Brien, P.S., Office of Land Survey and Remonumentation  
Mrs. Angela Sanderson, Secretary for the Office of Land Survey and Remonumentation

**OTHERS IN ATTENDANCE**

Mr. Shawn Keough, Village of Dexter President  
Mr. Thomas J. Ryan, Attorney for Village of Dexter  
Mr. William Fahey, Attorney for Webster Township

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September 15, 2011

**1. CALL TO ORDER AND DETERMINATION OF QUORUM**

- a. Chairman Schornack called the meeting to order at approximately 10:00 a.m. and read the Opening Statement. Roll was taken and a quorum was determined present at that time.

**2. APPROVAL OF AGENDA**

- a. A **MOTION** was made by Commissioner Priebe and supported by Commissioner Prater to approve the Agenda for the meeting. **MOTION CARRIED.**

**3. DOCKET # 11-AP-1: PETITION TO ANNEX LAND IN LODI TOWNSHIP TO THE CITY OF SALINE.**

a. **Presentations:**

Chairman Schornack explained that the adjudicative session will now continue to examine the legal sufficiency of the petition that was filed with the State Boundary Commission on April 19, 2011.

Kevin O'Brien referred to and read the Legal Sufficiency Memorandum document prepared by Commission Staff. He concluded that the Commission Staff recommends that the petition be rejected as legally insufficient because the petition does not conform to the Commission's Administrative Rules. Kevin discussed his draft and suggested changes to the rules be contemplated.

**Commission questions/discussion/deliberation:** Discussion ensued.

Mr. Fahey spoke about the process of "pre-review" that was done in previous years by the SBC. Kevin replied that due to staffing levels this process has been discontinued by our office at this time.

**Commission questions/discussion/deliberation:** Discussion ensued.

**4. COMMISSION ACTION**

- a. A **MOTION** was made by Commissioner Priebe and supported by Commissioner VerBurg that this petition be determined as legally insufficient. **MOTION CARRIED UNANIMOUSLY.**

Chairman Schornack requested staff to prepare a draft Findings of Fact to reflect the determination of legal insufficiency.

**DOCKET# 10-I-2**  
**VILLAGE OF DEXTER**  
**WASHTENAW COUNTY**

**5. DOCKET # 10-I-2 – ESTABLISHMENT OF LEGAL SUFFICIENCY FOR THE INCORPORATION OF THE VILLAGE OF DEXTER AS A HOME RULE CITY**

a. **Presentations:**

Kevin O'Brien explained that the adjudicative session was to approve draft minutes from the August 18, 2011 meetings regarding this docket, to decide if the Attorney General division level advice memorandum given to the Commission regarding issues raised in this docket should be released; and to adopt the Summary of Proceedings, Findings of Fact, and Conclusions of Law on the rejection of legal sufficiency for Docket #10-I-2.

**6. APPROVAL OF DRAFT MINUTES**

- a. A **MOTION** was made by Commissioner Prater and supported by Commissioner Priebe to approve Draft Minutes for Washtenaw County for the August 18, 2011 meeting. **MOTION CARRIED UNANIMOUSLY.**

Mr. O'Brien continued that during an adjudicative session held on August 18, 2011, the Commission determined this petition to be legally insufficient, based on the inclusion of two areas under a current Act 425 of 1984 agreement between Garfield Township and the Village of Dexter being included in the petition for Incorporation as a Home Rule City. He discussed that there has been a FOIA request submitted from the Village to our office regarding this docket requesting that the AG Memo be made public. It was decided by BCC Deputy Director, Keith Lambert that the AG Memo is under attorney/client privilege and that only the commission that requested the advice could release that opinion.

Mr. O'Brien asks the Commission if they would like to release the Attorney General Memo to the public.

Commission questions/discussion/deliberation: **Discussion ensued.**

**7. COMMISSION ACTION**

- a. A **MOTION** was made by Commissioner VerBurg and supported by Commissioner Priebe to release the AG Memo division level advice from Assistant Attorney General Steven Rideout, dated August 15, 2011 that was given to the Commission be released to the Public.  
**MOTION CARRIED UNANIMOUSLY.**

**8. APPROVAL OF SPFFCL**

**a. Presentations:**

Mr. O'Brien discussed and explained the Summary of Proceeding Finding of Fact and Conclusions of Law document that was before the Commission for approval for this docket.

**b. Involved Parties:**

Mr. Ryan requests that everyone be provided with a copy of the AG Memo.

A Brief Recess is given until 10:40am to make and provide copies of the AG Memo.

Session reconvenes at 10:40am

Mr. Ryan offers his answer to the question given by the Commission as to whether or not an area under 425 Agreement can be included in a petition to incorporate a village to a city.

**Commission questions/discussion/deliberation:** Discussion ensued

**9. COMMISSION ACTION**

- a.** A **MOTION** was made by Commissioner Prater and supported by Commissioner Priebe to adopt the Summary of Proceedings, Findings of Fact, and Conclusions of Law on the rejection of legal sufficiency for Docket #10-I-2 as presented before us today.

**MOTION CARRIED UNANIMOUSLY.**

**b. Public Comment:**

Mr. Ryan, requests for reconsideration of the decision of the commission regarding this docket.

Chairman Schornack asks the commission if anyone would like to enter a motion to reconsider. With no reply from the commission, Chairman Schornack declines Mr. Ryan's request for motion to reconsider.

**10. ADJOURNMENT**

Chairman Schornack adjourned the session on Washtenaw County at approximately 10:50 a.m.

APPROVED:

\_\_\_\_\_  
Dennis Schornack, Chairman  
State Boundary Commission

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
Dennis Schornack, Chairman  
State Boundary Commission

\_\_\_\_\_  
Date

DRAFT