



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

STATE SURVEY AND REMONUMENTATION COMMISSION

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

MEETING MINUTES

JANUARY 28, 2015
10:30 A.M.

MEMBERS PRESENT

Mr. William L. Karr, Chair
Mr. Jack N. Owens, Vice Chair
Ms. Karen L. Hahn, Commissioner
Mr. Andrew J. Hartwick, Commissioner
Mr. Marvin E. Myers, Commissioner
Mr. John F. Quine, Commissioner
Mr. Roland F. Self, Commissioner

DEPARTMENT PERSONNEL ATTENDING

Mr. Chris Beland, Director, Office of Land Survey and Remonumentation
Ms. Nancy Johnston, Analyst, Office of Land Survey and Remonumentation
Mrs. Angela Sanderson, Secretary, Office of Land Survey and Remonumentation
Mr. Keith Lambert, Deputy Director, Bureau of Construction Codes
Mr. Irvin Poke, Director, Bureau of Construction Codes
Mr. John Scherbarth, Assistant Attorney General

OTHERS IN ATTENDANCE

Mollee Neff, MSPS
Ron Lester

Providing for Michigan's Safety in the Built Environment

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

Mr. Beland called the meeting to order at approximately 10:30 a.m. A quorum was determined present at that time.

The meeting was briefly interrupted to swear in Commissioner Hartwick.

2. **NOMINATION AND ELECTION OF OFFICERS**

A **MOTION** was made by Commissioner Self and seconded by Commissioner Myers to nominate Commissioner William Karr as Chairperson of the State Survey and Remonumentation Commission. **MOTION CARRIED UNANIMOUSLY.**

A **MOTION** was made by Commissioner Owens and seconded by Commissioner Quine to nominate Commissioner Jack Owens as Vice-Chairperson of the State Survey and Remonumentation Commission. **MOTION CARRIED UNANIMOUSLY.**

3. **APPROVAL OF AGENDA**

A **MOTION** was made by Commissioner Quine and seconded by Commissioner Self to approve the Agenda. **MOTION CARRIED UNANIMOUSLY.**

4. **INTRODUCTIONS**

Introductions of Commissioners and staff were made around room.

5. **ORIENTATION**

Mr. Chris Beland opened the orientation portion of the meeting for the commission. Mr. Beland explained why the commission was created and explained that all meeting information and all writings of the commission will be open to the public. He referenced the State Survey and Remonumentation Act to explain the commissions' responsibilities.

Commission discussion ensued. A draft model county plan was discussed.

Commissioner Hahn asked if the current model plan and rules that they are operating under will continue until the new ones are in place.

Mr. Beland answered saying yes.

Chairperson Karr asked when the rules will be updated by the Department.

Mr. Beland answered saying that with the updates affecting the Corner Recordation Act (CRA) the creation of rules for the CRA will be the first priority of the Department. That when the

rules committee completes its task the Department will follow up with initiating the rules committee for the State Survey and Remonumentation Act (SSRA). He anticipates that this committee will start sometime in this summer. Prior to the rules committee for the SSRA meeting draft rules will be provided to this Commission for review and provide feedback.

Chairperson Karr asked if this group be involved in the committee to update the rules.

Mr. Beland answered saying no, probably not.

Mr. Poke, Bureau of Construction Codes Director, said that since all rules belong to the Director, he doesn't think there is a prohibition against a Commissioner being on the rules committee to represent the Commission or a Commissioner being on the rules to represent another organization. He said it does get to be confusing, but he doesn't know of a prohibition about it.

Mr. Scherbarth, Assistant Attorney General, said that he doesn't know of a prohibition on that either. They would just be responsible for reporting back to the Commission about it.

Mr. Beland clarified that a Commissioner may be on the rules committee as long as they report back to the Commission.

Chairperson Karr asked if Mr. Beland is their liaison for the Department.

Mr. Beland answered saying yes. He also said that correspondence needs to go through the Department and not the Commission.

Mr. Poke spoke further on the correspondence, saying that as a Commissioner the Commission meetings are their venue to discuss business and make decisions. Outside of the Commission meetings they are not to discuss matters or speak for the commission. He said as individuals they do not represent a voice for the Commission or the Department. He said if they are asked a question, they should refer those questions to the Department.

Chairperson Karr asked what kind of confidentiality is involved in personal correspondence (emails) between commissioner members.

Mr. Poke answered saying that the Commission's business is to be conducted at the meetings. No decisions should be made outside that venue, even if there are emails back and forth. He said they can disseminate information, but there should not be discussion of an issue that can be construed as making a decision.

Mr. Scherbarth agreed and said those emails and any other correspondence between the Commissioners may be requested through FOIA.

Mr. Poke said that if members of the Commission are at a gathering, they should not discuss anything related to the Commission as it could be construed as violating the Open Meetings Act. Everything they do as Commissioners may be requested through FOIA.

Chairperson Karr said as he understood it, discussions can take place on issues, but not decisions on those issues.

Mr. Poke answered saying that it is best not to discuss any business that could lead to a decision outside of the Commission Meetings because it could be construed as a violation of the Open Meetings Act.

Further discussion ensued regarding rules and responsibilities of the commission.

Mr. Poke closed saying that the members of the Commission need to always make sure it is understood that they are not speaking on behalf of the Commission. He said if they ever have a question on what constitutes a violation, they can commit that question to writing and submit it to Mr. Beland and the Department will have it reviewed.

6. REVIEW OF LCRC DOCUMENT

Mr. Beland asked if the commission understood the reasoning behind the LCRC document.

Commissioner Hahn asked if it is the intent to have the LCRC document included as part of the 2015 Survey and Remonumentation Grant Agreement so the counties can agree to use it as part of their work assignments.

Mr. Beland said by providing information on this form they are helping to create the rules. Generally he would use the same form for both sets of rules.

Discussion ensued.

Commissioner Hahn mentioned, in reference to the draft form, that as a Register of Deeds she appreciates the considerations that were made for their recording requirements.

Discussion ensued.

Mr. Beland said it will become a "final" document when it goes out in the grant agreement.

Discussion ensued about accuracy of the coordinate values that are being requested on the form.

Mr. Beland said they are requesting an approximate location for the corner to be used as an accessory to the corner and not the precise location of corner.

7. CORRESPONDENCE

Commissioner Owens asked if someone knows that they are serving on the Commission and send them something, are they to assume they are sending it to the Commission as a whole and not the individual.

Mr. Poke answered and said, if a Commissioner received something that they believe to be for the Commission, they should provide it to Mr. Beland and the Department will disseminate it.

8. NEW BUSINESS

None

9. PUBLIC COMMENT

Mr. Ron Lester noted that he has some questions on the proposed LCRC form and asked who he should send those to.

Mr. Beland answered and said he could send them to him directly.

10. CONFIRM 2015 MEETING SCHEDULE

Commission agreed to the current schedule and will meet again on July 22, 2015.

11. ADJOURNMENT

Chairperson Karr adjourned the meeting at approximately 12:00 p.m.

APPROVED:

William Karr, Chairperson

Date

State Survey and Remonumentation Commission

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