



Michigan



Vol 56, Issue 6 • October 2010

INTERNATIONAL RIGHT OF WAY ASSOCIATION

MICHIGAN • CHAPTER 7

November 11, 2010 General Membership Meeting Zehnder's of Frankenmuth



Please register with: Mike Odette, SR/WA
MDOT Metro Region, Real Estate
Mail: 18101 W. Nine Mile Road
Southfield, Mi 48075
Phone: 248-483-5192
Email: odettem@michigan.gov
Registration Fee: \$40.00

8:00 a.m. – 8:30 a.m.

Registration (remember to bring your real estate licenses)

8:30 a.m. - 8:45 a.m.

Chapter President Laura Southwell SR/WA
Opening Remarks and Business Meeting

8:45 a.m. – 9:45 a.m.

Patricia Petitto, SR/WA, R/W-RAC, IRWA International Vice President/Treasurer
Getting the Most From Your IRWA Membership - An Update on International News and Important Information
Regarding IRWA's New Career Path and Designation/Certification Program

9:45 a.m. – 10:45 a.m. Jamie J. Muter ASA, MSF, Muter and Associates
Service Station Valuation Basics

10:45 a.m. – 11:45 a.m.

Carmine Palumbo, Director of Transportation Programs – SEMCOG
The TIP - From Plan to Implementation

11:45 a.m. – 1:00 p.m. Lunch Please return to your seats by 1PM promptly

1:00 p.m. – 2:00 p.m.

Timothy H. Hoeffner, Administrator of MDOT's Office of High Speed Rail and Innovative Project Advancement.
The M-1 Corridor - Promoting and developing the infrastructure needed to support high speed intercity passenger rail, commuter rail, and rail rapid transit services

2:00 p.m. – 3:00 p.m.

Steven Gronda, Tribal Historical Officer, Wyandot of Anderdon Nation
Indigenous perspective on large road projects

3:00 p.m. Adjourn

*If interested in overnight
reservations, contact
Zehnder's of Frankenmuth
800-863-7999*

Suggestions for subjects/speakers are appreciated,
please send to:
Paul E Sander SR/WA: sanderp@michigan.gov

International Right of Way Association Michigan Chapter 7

2010-2011 Executive Board

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Norman G. Thomas, SR/WA
Nominations

Patricia A. Pettito, SR/WA, R/W-RAC
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Gary E. Bowman, SR/WA
**Past Presidents
& Retired Members**

Carl L. Meyer, SR/WA, R/W-RAC
Pipeline

Paul E. Saunder, SR/WA
Program

Jeffrey L. Jones, SR/WA, R/W-NAC, R/W-RAC, R/W-URA
Recognition, Awards & Fall Seminar

Theresa Vanis
Jerald Rosenfeld
Relocation

Tim Davis, SR/WA, R/W-NAC
Roster

Lynn P. Hall, SR/WA
Silent Auction

Henry Horton
Christopher S. Lamus
Survey

Paul E. Saunder, SR/WA
Steve R. Roon, SR/WA, R/W-NAC
Transportation

Laura Stensland
Utilities & Liaison

Jim Aiello
Website

Professional Development
David C. Maturen, SR/WA
Class of 2010
Andrew M. Reed, SR/WA
Class of 2011
Norman G. Thomas, SR/WA
Class of 2012

Thank
You



President's Chapter Message-
Laura Southwell
SR/WA, R/W-RAC

Hello Members :

What is greatness? The companies and our members who continually give to this organization. I can't say **thank you** enough to those who sponsored the fall education seminar and spent so much time making this the best ever education seminar. I specifically want to thank Kim Tassen, SR/WA, R/W-NAC, Jeff Jones, SR/WA, R/W-NAC, R/W-RAC, R/W URAC and Paul Sander, SR/WA. These three spent numerous hours organizing this event to bring in top notch speakers, wonderful food, and facilities. I have received numerous compliments on how great the seminar was due to the informative topics that were presented. Many have said they will use information they learned at the seminar in their professions.

There were a total of 56 registered for this event, a little down but considering the economy, this was a fantastic turnout. We raised a grand total of \$1,000 for the International Education Foundation from our Silent Auction. Thanks to all who either brought auction items or bid on the wonderful selection. A special thanks to Pat Pettito, SR/WA, R/W-RAC who donated the difference of the auctioned off items total of \$924.50 to bring the total to an even \$1,000. With her donation, we will present the Foundation a check for \$1,000 in June at the Annual Education Conference in Atlanta, GA on behalf of Chapter 7 membership.

I also wanted to mention that I'm sure I have the best Executive Board ever. Thanks to all that volunteer their time and do a super job at making our Chapter meetings run so smoothly.

You, the members, are what makes this the great chapter it is. With this in mind, the Executive Board made a decision to give back to our members. We approved for the Chapter to reimburse members their application fees for the SR/WA candidacy and/or designation if submitted by Oct 1st. Fifteen of Chapter 7's members decided to pursue the Senior Right of Way designation and numerous designation applications have been submitted. This is huge! This shows how our members are truly right of way professionals and are always improving and setting higher standards for themselves. Way to go members you will never go wrong pursuing designations.

What's next? Some of the executive board members along with International committee members will be going to Region 5's Fall Forum in Perrysburg, Ohio. Chapter representatives from our Region will go to discuss what's going on within their Chapters and International. Ideas will be generated to help our Chapters do a better job of serving our members. After all, our members are who we are trying to serve. Without you all, we wouldn't have a Chapter. If you have any ideas on how our chapter might better serve you and especially what topics you'd like hear about in our upcoming chapter general membership meetings, please don't hesitate to give Paul Sander, SR/WA or myself a call.

Please join me at the General Membership meeting at Zender's of Frankenmuth on November 11th. Not only will it be a great meeting, you'll get to have the famous Zender's chicken dinner.

Please consult the website: irwamichigan.org to see what other upcoming events we have in store for you for the year.

Enjoy the beautiful fall weather!

-Chapter 7 President
Laura Southwell, SR/WA, R/W-RAC

Laura Southwell

Fall Education Seminar Highlights

Bay Harbor Golf Course



Left to Right: Jeff Jones, SR/WA, R/W-RAC, R/W-NAC, R/W-URAC, Norm Thomas SR/WA, Pat Petitto SR/WA, RW-RAC, Mary Anne Marr SR/WA, Kim Tassen, SR/WA, R/W-NAC and Laura Southwell, SR/WA, R/W-RAC



Chapter 7 President, Laura Southwell, SR/WA speaks at the Fall Education Seminar



Chapter 7 Vice-President, Paul Sander, SR/WA Introduces the Speakers

On behalf of Chapter 7, I would like to thank all of you that were able to attend this year's Fall Education Seminar at the Inn at Bay Harbor. It is very much appreciated that you take time from your busy schedules to attend our Chapter's education endeavors.

This year, for the second year in a row, Kim Tassen, SR/WA provided a wonderful array of speakers. They were educated and entertaining.

For those that are licensed in the State of Michigan, Norm Thomas, SR/WA, and Andy Boetcher worked hard to obtain the continuing education credits you all earned. The 9 hours of Con Ed credit and 2 hours Law is a wonderful perk for those that need it.

And now for next year... **SAVE THE DATES**.....

Next years 2011 Fall Education Seminar will be held beginning Wednesday evening September 28th and ending Friday September 30th at noon. The seminar will be held at Mission Point Hotel on Mackinac Island. Prior to the start of the seminar we will be holding IRWA Course 606 "The Environmental Process." This is a new course from the IRWA. Pencil in the dates, September 28 through September 30, 2011 for the 2011 Chapter 7 Fall Education Seminar and class.

Once again, thank you all that attended the Fall Education Seminar for giving your time to support your Chapter.

-Jeff Jones SR/WA, R/W-NAC, R/W-RAC, R/W-URAC



Norm Thomas, SR/WA receives the Chapter 7 2010 Professional of the Year Award from Jeff Jones, SR/WA, R/W-RAC, R/W-NAC, R/W URAC

Jerry Rosenfeld, working hard for those Silent Auction dollars as the Auctioneer



Matt Wagner, Speaker, DTE Energy -Wind Site Development



Faith Roland, SR/WA, Speaker, Roland Resources, Inc.- IRWA Leadership

Welcome New IRWA Chapter 7 Members

Bruce Davis, ITC Company

Howard R. Linnabary, Howdi, Inc

Wendy M. Sutton, Wayne County Airport

Cynthia M. Innomen, A.S.K. Services, Inc

Diane L. Francisco, DTE Energy

Robert J. Hamstra, RJH Land Service Inc

Darcy Ellinger, Consumers Energy

Joe VanAntwerp, White Pine Land Company

Scott Kessner, White Pine Land Company

Thomas C. Jay, MDOT

Donald J. Suchocki, MDOT

Glenn P. McKennon, MDOT

Twelve new members joined the Michigan Chapter 7 International Right of Way Association.

When given the opportunity, please introduce yourself and share the many benefits of membership.

For new member registrations:

Visit www.irwa.com or contact Julie Sandzick jsandzick@rcoc.org

Legal News

Article written by: Susan Lancaster, Assistant City Attorney, City of Troy

D'Andrea v. A T & T, Michigan Court of Appeals Docket No. 288483 **Case Summary**

Facts: Plaintiffs live on a lot in a platted subdivision recorded in 1948. The plat shows a six-foot dedication labeled "Easement for Public Utilities" which crosses the Plaintiffs' lot. In the 1970's, A T & T installed a "crossbox cabinet" on the easement. In 2005, A T & T replaced that cabinet with a new one and added another aboveground cabinet and underground cabinet. The City of Grosse Pointe Farms and Wayne County issued building permits for the construction. The cabinets were placed on a concrete slab and bushes were planted around the site. Plaintiffs requested that A T & T move the cabinets off their property complaining that the new cabinets had reduced their useable backyard area by almost half, diminishing the market value of their property. A T & T declined the Plaintiffs' request. Plaintiff filed a lawsuit against A T & T alleging trespass upon their property. A T & T argued that Plaintiffs could not establish a trespass because the cabinets were installed within a platted utility easement which was lawfully dedicated in accordance with the Land Division Act ("LDA"). Further, the construction had been approved by the city and the county. The trial court granted summary disposition in favor of A T & T and Plaintiffs appealed.

Opinion: The Court of Appeal reversed the trial court. It held that the LDA did not address the issues raised by Plaintiffs or A T & T since it did set forth only limited guidelines with regard to how easements may be used. The Court refused to speculate about the legislature's intent beyond those expressed in the LDA which does not address whether utilities have the unfettered right to place equipment and/or buildings within the easement as it pleases. Therefore, the court was unwilling to infringe on the private property rights of the landowners. The court also held that A T & T had not submitted evidence or any legal authority that a city and/or county had the discretion to decide on the nature, size or scope of equipment a utility may install in a utility easement.

Educational News

IRWA Introduces New Designation Program

"Right of Way Professional Career Path" is a new designation program recently introduced by the IRWA. The Career Path launched October 1, 2010.

The new Professional Career Path program will provide for additional steps to the designation path with the ultimate being the SR/WA. The program will include four possible steps for members.

Want more information? Attend the November General Membership Meeting where Pat Petitto, International Vice President/Treasurer will discuss the new designation path or contact Dave Maturen, SR/WA, at: maturenappraisal@aol.com

Reimbursement for Candidacy

Don't forget, the Chapter 7 Board approved reimbursement for candidacy fees! The member will be responsible for completing the application and paying the necessary fees required for submission. Upon acceptance and receipt of the letter of approval from IRWA, the member can submit a reimbursement request for the fee accompanied by the approval letter. The Candidacy fees range from \$25 to \$75. The reimbursement program will expire on August 31, 2011.

Questions regarding the Candidacy Reimbursement Program? Contact Dave Maturen SR/WA maturenappraisal@aol.com

Acquiring Right-of-Way for Federally-Funded Projects



Teresa Vanis, MDOT, Speaker-Fall Education Seminar

By Teresa Vanis, Local Agency Coordinator, MDOT-Real Estate Division

The Federal Highway Administration (FHWA) recently hosted a webinar entitled “50 Ways to Lose Your Money”. The presentation was intended for Engineers, Project Managers and Right-of-Way Specialists who are responsible for acquiring/certifying right-of-way for a federally funded project. The message from the FHWA was clear; when a State DOT or Local Public Agency (LPA) acquires right-of-way for a federally funded project, they must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. An agency who fails to comply, with this Act risks losing federally funds on the project. If you’d like additional information regarding this presentation or guidelines for acquiring right-of-way for federally funded projects, please contact:

Teresa Vanis, Local Agency Coordinator, MDOT-Real Estate Division
(517) 373-4135 or vanist@michigan.gov

IRWA Unveils Winner of 2010 Infrastructure Project of the Year

The 2010 Project of the Year was awarded to the Utah Transit Authority FrontLines Program of Projects, deemed one of the most aggressive and successful rail expansion programs in the country. Earlier this year, Forbes magazine singled out Salt Lake City, Utah as the best city in the U.S. for commuters and credits the state’s investment in transportation and infrastructure for the top ranking.

“We are excited to share the impact of our profession with the public,” noted IRWA International President Kenneth Davis, SR/WA. “Right of way professionals play a leading role in facilitating key infrastructure projects. These monumental projects often employ thousands of professionals over many years. We have all seen first-hand how a new highway or bridge can literally transform a community, and we take great pride in making such important conveniences a reality.”

According to IRWA Executive Vice President Mark Rieck, the diversity of projects submitted for consideration speaks volumes. “Right of way professionals are a multi-disciplined group who encompass many different disciplines. From selecting and surveying real estate sites, to securing government approvals and negotiating property rights, these highly-skilled specialists focus entirely on enhancing the quality of life in our communities,” said Mark.

The highways we drive on, the utilities in our homes and the cell towers that make it possible to communicate all exist because of the unique expertise that right of way professionals bring to these projects. Since 1934, IRWA has been recognized as the central authority for right of way education and credentialing programs worldwide.

-www.irwaonline.org

Professional Development News Two members earn SR/WA Designations



Sandra Hoffman, SR/WA

Congratulations, to Sandra Hoffman and L.R. Cole, for achieving their Senior Member, International Right of Way Association, designation. Dave Maturen, SR/WA, Professional Development Chair, presents at the Fall Education Seminar.



L.R. Cole, SR/WA

IRWA Chapter 7 hits LinkedIn

Jim Aeillo, website committee chair, developed a LinkedIn group for IRWA Chapter 7!



Jim recently sent emails to all Chapter 7 members to join the Chapter 7 group on the professional networking site LinkedIn. This gives members another form to stay connected and generate trusted referrals. Should you have any questions regarding this professional networking site, contact Jim at:

jjaiello@cai-engr.com

Education & Development

Register Today for Upcoming Courses!

Contact: Laura Southwell, SR/WA, R/W-RAC: Southwell@wcroads.org

Course 406B

7 Hour USPAP

November 4th, 2010

Weber's Inn, Ann Arbor

Course 105

The Uniform Act

Executive Summary

January 26, 2011

Weber's Inn, Ann Arbor

Course 503

Mobile Home Relocation

January 27, 2011

Weber's Inn, Ann Arbor



Andy Reed, SR/WA discusses
The Leadership Institute at the
Fall Education Seminar

The Leadership Institute By Andrew M. Reed, SR/WA

The International Right-of-Way Association has partnered with Randy Pennington of the Pennington Group to provide the framework for what has become known as the IRWA Leadership Institute.

IRWA Leadership Goals

- Design, develop, and deliver a comprehensive leadership development program for IRWA leaders at the chapter, region, and international levels through face-to-face and electronic media
- Work with the IRWA Leadership Institute stirring committee to organize the association's leadership curriculum into a three-year certificate program that can also be applied to professional certifications
- Work with IEC and Governing Council to establish and maintain a strong strategic direction for the association and build a foundation for leadership succession
- Prepare IRWA leaders to be effective in their current volunteer jobs
- Provide members with leadership development activities and resources that will distinguish them in their profession

The IRWA has committed to a three year financial investment in this program, which includes the following:

- Design of a three year IRWA Leadership Institute certificate program of twenty four credit hours in length
- Development and creation of materials for all on-site, Internet based, and video programs
- Conducting six on-site sessions at IRWA conferences
- Conducting ten on-site sessions at IRWA regional and/or chapter meetings
- Conducting nine webinars for IRWA leaders
- Facilitating three strategic planning sessions with the IEC Governing Council
- Development of IRWA position descriptions, roles, and responsibilities for all officer and committee positions at the local, region and international levels
- Creation of twelve just-in-time leadership vignettes for access by all IRWA members
- Writing eighteen leadership columns for the Right of Way magazine
- Assisting IRWA staff in creating and populating a leadership resources portal on the IRWA website
- Providing fifty behavior style assessments, seventeen 360 degree feedback evaluations, three hundred leadership books, and handout materials for all sessions
- Creating an IRWA Governing Council evaluation tool and assisting in its annual administration and analysis

The IRWA has begun to roll out facets of this leadership training to Chapter, Region, and International leaders at the 2010 Federal Agency Update and the 2010 International Education Seminar in Calgary. Look for more programs at your Region Fall Forums this coming fall.

As a member of the Leadership Institute Steering Committee, I am very excited about the development of this program-both for the benefit of our members in terms of leading within the IRWA and in their personal and professional development.



Roland B. Cilke
President
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Patricia A. Pettito, SR/WA

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Roland B. Cilke, CPL, SR/WA
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Lynn P. Hall, SR/WA
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Carl L. Meyer
President



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E-mail: whorn@mmbjlaw.com

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If you are interested in advertising in the Great Lakes State•ment and/or the Membership Roster, please contact Tim Davis for rate information.

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\$75.00	Roster business card	\$225.00 Roster full page

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The Great Lakes Statement is a publication for the members of MI Chapter 7 International Right of Way Association (IRWA). Stories and articles of interest are encouraged. Please forward your submissions to:

Beth Skowronski,
Newsletter Chair/Editor
517 788 0752
baskowronski@cmsenergy.com

Submissions for the January newsletter due by: **December 15, 2010**

For information on IRWA MI Chapter 7, please contact the Secretary:

Larysa Figol, SR/WA
figol@troymi.gov

October 2010
Vol.56 No.6

Tim Davis
Commonwealth Associates
PO Box 1124
Jackson, MI 49201



**Address
Correction
Requested**

**General Membership Meeting
November 11, 2010
Zehnder's of Frankemuth**

When: November 11, 2010
Where: Zehnder's of Frankemuth

Please register with: **Mike Odette, SR/WA**
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Email: odettem@michigan.gov

