August 2006
vol. 52 • no. 04

• SPECIAL ISSUE •
2006 FALL SEMINAR
SEPTEMBER 27, 28 & 29
LAKE VIEW HOTEL • MACKINAC ISLAND, MI

MICHIGAN Chapter Seven IRWA INTERNATIONAL RIGHT OF WAY ASSOCIATION

THE great lakes State ment

MICHIGAN CHAPTER 7 • INTERNATIONAL RIGHT OF WAY ASSOCIATION

Lake View Hotel • Mackinac Island, Michigan • September 27, 28 & 29. 2006

2006 Fall Education Seminar

Updated Seminar Program

WEDNESDAY • SEPTEMBER 27

4:45 - 5:30PM Chapter 7 Executive Board Meeting, Valerie Lafferty SR/WA, President

5:00 - 7:00PM 2006 Seminar Check In, Welcome Reception & Education Auction

7:00PM Enjoy Dinner on your own at one or more of the Island's unique Restaurants

THURSDAY • SEPTEMBER 28 • MORNING SESSION

7:15 - 7:30AM 2006 Morning Seminar Sign In – Coffee & Tea

7:30AM Working Breakfast - Full Breakfast Buffet

7:45 - 8:00AM *Business Meeting & Committee Reports*, Valerie Lafferty SR/WA, Chapter 7 President

8:00 - 9:00AM *Environmental News & IRWA International Environmental Committee Update*, Frederick Walasavage, IRWA - Int'l. Env. Comm. Chair

9:00 - 10:00AM *Understanding Water Rights Today*, William A. Horn, Attorney

10:00 - 11:00AM *MI Condemnation Review & Proposed Act 87 Amendments*, Raymond O. Howd, First Ass't. Attorney General - Real Estate Div. MDOT

11:00 - 12NOON *Historic and Archeological Discoveries during Real Estate & Right of Way Projects*, Jeff Jones, SR/WA - Road Commission of Oakland Co.

12NOON - 1:00PM LUNCH ON YOUR OWN

THURSDAY • SEPTEMBER 28 • AFTERNOON SESSION

12:50 - 1:00PM Afternoon Session Sign In

1:00 - 2:00PM *The Transition from State Employee to Private Contractor*, Margaret Steketee - First Right of Way

2:00 - 3:00PM *Proximity Damage Analysis*, David C. Maturen SR/WA - Maturen & Assoc.

3:00 - 4:00PM *Regional Cooperation for Environmental Protection & Preservation*, John McCulloch - Oakland County Drain Commissioner

4:00 - 5:00PM *Asset Management - An MDOT Perspective*, Kirk T. Steudle, P. E. - Director MI Department of Transportation

5:45PM Make sure that you are all dressed-up and ready for the carriage ride to the GRAND HOTEL for a DINNER TO REMEMBER
Grand Hotel's Dinner dress code: Men must wear Suit Coats & Ties Women must wear Dressy Dresses or Pant Suits

FRIDAY • SEPTEMBER 29 • MORNING SESSION

7:30 - 8:00AM Morning Session Sign In & Continental Breakfast

8:00 - 9:00AM *Easement Valuation - It's the Damage that Counts!*, Paul Sander - MDOT Appraisal Manager - Metro Region

9:00 - 10:00AM *Eminent Domain Issues from a Core City Perspective*, Avery Williams. Attorney - Williams Acosta PLLC

10:00 - 11:00AM *Right of Way Encroachments*, Mary Anne Marr SR/WA - Consumers Energy

11:00 - 12NOON *Valuation Roundtable*, Andrew Reed - Andrew Reed & Assoc.; Stephon Bagne - Kupelian, Ormond & Magy, P. C., Discussion Coordinators

12NOON ADJOURNMENT - HAVE A SAFE TRIP HOME!

Make Your Reservations right NOW!

Because response has been so great to this years Seminar, we have also blocked rooms with the Lilac Tree and Chippewa Hotels as well as the Lake View. All rates are ***per night*** and ***do not*** include taxes and you ***must*** indicate you are with the International Right of Way Association for these special rates.

Lake View Hotel: 1 800 213 7077 - ask for Jean
single or double = $110. + taxes
(rooms in very short supply)

Lilac Tree Hotel: 1 866 847 6575
Suites = $120. + taxes

Chippewa Hotel: 1 906 847 3341
standard room = $85. + taxes
suite = $145. + taxes

Remember: you must mention International Right of Way Association to obtain these rates.

If you have additional questions about hotels on the Island contact:
Alicia Worthley SR/WA
248 588 8293 /
worthleya@aol.com

Please see page 3 for additional information about the program, ferry service and directions ▶

ANNUAL EDUCATION AUCTION

Remember, you need to take a ferry to the island, we recommend your donation(s) be small items. Don't try to carry that heavy and cumbersome tuba… bring a gift certificate, instead!

You've got stuff… and we want it!

Check around your home and office. It's time to start your search for all those new, used and/or unique items for our annual benefit auction. Donate all your still-usable stuff! Your old stuff can make big money for the Education Foundation. Be creative!

Lynn Hall is in charge of the Auction and she is looking for item donations – both old & new.

Call Lynn with your Auction questions at 810 364 7940 or via e-mail: lhall@elexco.com

MEMBER spotlight

Michigan Chapter 7 is pleased to welcome it's newest approved member, ***Kelly Ramirez***. Kelly is a Relocation Specialist/Local Agency Coordinator with the Michigan Department of Transportation. Her duties include overseeing and verifying compliance on all relocation-related issues for the department, local public agencies, consultants and other public municipalities. Kelly has been employed by MDOT for 17 years, has acquired her Real Estate Broker license, is a Certified General Appraiser and was previously a condemnation specialist for MDOT. Kelly is married to Kevin and they have two daughters, Kori age 11 and Kasey age 8. Her hobbies include golf, coaching her daughter Kasey's softball team and following (literally) the MSU women's basketball team.

This year, many of you may have received emails from ***Kimberly Tassen*** as she fulfills her duties as Assistant Secretary-Treasurer of the IRWA Michigan Chapter 7. Kim has been an IRWA member since 2002. She has worked at The Detroit Edison Company for 16 years, working as a Right-of-Way Facilitator for the past four years. She is currently attending Central Michigan University to complete her Bachelor Degree. She feels that the skills, education, and networking that she has gained through IRWA have been invaluable in her job. Without IRWA, she feels that she would not have the highly specialized skills needed to perform her job duties successfully. She stated that becoming an IRWA member was one of the most valuable steps that she took in her career.

Kim and her husband, Tom celebrated their ten year anniversary this year, vacationing in Key West, Florida, where they originally said their wedding vows. They enjoy traveling together, laughing together, and spending time with friends.

International Right of Way Association
Michigan Chapter 7

2006 Executive Board

Valerie F. Lafferty, SR/WA, RW-AC
President, International Director

Richard W. Roth, R/W-AC
President-Elect, International Director

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Vice President

Norman G. Thomas, SR/WA
Treasurer

Laura K. Southwell, R/W-AC
Secretary

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Jeffrey L. Jones, SR/WA
Jeannine Myers
Education

Michael Odette
Education Certification

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Alicia T. Worthley, SR/WA
Fall Education Seminar

Laura K. Southwell, R/W-AC
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Avery Williams
Raymond Howd
Law & Legislation

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Chris Barnes
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Local Public Agency

Julie A. Sandzik
Membership

Michael Oakes
Newsletter

Jeffrey L. Jones, SR/WA
Norman G. Thomas, SR/WA
Laura K. Southwell, R/W-AC
Nominations

Edward R. Bradley, SR/WA
Parliamentarian & Historian

Gary E. Bowman, SR/WA
Past Presidents & Retired Members

Carl L. Meyer, SR/WA
Gayle Konik
Pipeline

Andrew M. Reed
Program

Alicia T. Worthley, SR/WA
Recognition & Awards

Kelly Ramierez
Relocation

Verne Cappell
Roster

Chris Lamus
Survey

Paul E. Sander
Steve Roon
Transportation

Kimberly A. Tassen
Ronald Sneller
Utilities

Doug Hodge
A. K. Smith
Valuation

Lynn P. Hall, SR/WA
Website

Professional Development

Roland B. Cilke, SR/WA	Class of 2006
Mary Anne Marr, SR/WA	Class of 2007
Jeffrey L. Jones, SR/WA	Class of 2007

Every man owes some of his time to the upbuilding of the profession to which he belongs.

–Theodore Roosevelt

The *Annual International Conference* in Denver in mid-June was three days of cutting-edge seminars on a wide variety of right of way topics presented by professionals from all the states, Canada and a significant contingent from Japan. I took advantage of an afternoon bus tour of Denver that included three large redevelopment sites hosted by local authorities. While I didn't have time to take advantage of exploring the towns and mountains nearby, many from Michigan did and had a great vacation too! I was surprised how pancake-flat Denver is, however the majestic, snow capped Rockies backdrop made it clear there was some serious geography to the west!

As you know, our next target is the *2006 Michigan Fall Education Seminar* at the Lake View Hotel at Mackinac Island September 28th and 29th with an environmental class offered on the Wednesday before. For those of you that may not have yet signed up, there are more details offered in this newsletter – please check the front page for alternate hotel information. Look for a day and a half of great Michigan topics and speakers!

Our last and final General Membership meeting for 2006 will be at Shulers in Marshall (on I-94) on November 9th, in case you want to note it on your calendars! In regard to Executive Committee meetings, we will be meeting August 3rd at the Metro Region MDOT offices in Southfield, then again on September 27th at Mackinac Island and finally on Thursday December 7th to wind up the year and discuss budgets for net year. So that's the rough outline! Looking forward to seeing and working with all of you to fill in the details along the way. Enjoy our wonderful Michigan summer!

About the 2006 Fall Education Seminar...

Thanks to an outstanding effort by Chapter Vice President, Andy Reed, along with the Executive Board and Chapter Committees the *2006 Fall Education Seminar* at the Lake View Hotel on Mackinac Island will prove to be one of our best ever. This year's program will have something for everyone!

Seminar Check-In will begin at 5:00PM on Wednesday, September 27 at the Lake View Hotel, followed by the Welcome Reception and Education Benefit Silent Auction.

Auction Donations are always needed – please see page 2 for more details. Remember, you need to take a ferry to the island, we recommend your donation(s) be small items. Auction questions? Lynn P. Hall SR/WA at 810 364 7940.

Pre-Seminar IRWA Course #603 Understanding *Environmental Contamination in Real Estate,* will begin at 8:00AM on Wednesday, September 27 – more info on page 7. Course or Registration Fees questions? Patricia Petitto SR/WA at 248 524 3376 right away.

2006 Seminar Registration Fees will be as follows: IRWA Members $215.00 *less $10. early Registration Discount. Non-IRWA $235.00 *less $10. early Registration Discount. Spouse/ Nonaffiliated Guest $120.00 *less $5. early Registration Discount. *Early Registration Discounts will apply for those who mail Seminar Registration Forms along with checks which are **received by August 26, 2006**. Checks should be made payable to Chapter 7 IRWA and mailed to: Alicia Worthley SR/WA, 260 Bellevue Avenue, Clawson, MI 48017. **Please see the back page of this newsletter for Registration Form.**

Directions to the Island & Ferry Service is fairly simple: for those traveling from point's south, follow I-75 north to Mackinac City. For those traveling from the north or west, follow I-75 south to St. Ignace. Watch for the well-marked exits to your boat dock of choice in either Mackinac City or St. Ignace. The Mackinac Bridge spans the Lower and Upper Peninsulas connecting the two communities and tolls are assessed for vehicles traveling over the Bridge. Tolls begin at approximately $2.50 for passenger vehicles increasing according to size of your vehicle, truck, RV or bus. The Mackinac Bridge Authority accepts tokens or cash **only**. Scheduled ferryboat service is available throughout the day and ample parking is available on the mainland at all ferry docks. All ferries charge a $20./per adult, round trip and $10./per child. We hope to be able to provide all Registrants and Speakers with $2. discount coupons for one or more of the ferry companies which will either be mailed to you by the Lake View Hotel or along with your Seminar Registration Confirmation. The ferry companies are Shepler's: 231 436 5023 (closest dock to the Lake View Hotel on the Island), Starr Lines: 231 436 5045, and Arnold Lines: 231 436 5542. Each line has its' own Ferry Schedule – you must contact them separately and request departure ***AND*** return times to and from the Island back to your car in either Mackinaw City or St. Ignace. Each also has a website with additional information and schedules.

Thursday Night Dinner at the Grand Hotel will be a wonderful adventure you will remember for years to come. At approximately 5:45PM on Thursday evening, September 28th, horse drawn carriages will pick-up our group in front of the Lake View Hotel and take all to dinner at the Grand Hotel. Remember all Grand Hotel dinner guests must meet their ***Hotel Dinner Dress Code Requirements***: men must wear suit coats and ties and women must wear either dressy dresses or dressy pantsuits. After dinner you may explore the magnificence of this historic landmark and return to the Lake View either with a leisurely walk or by carriage ($4.25 fee).

Special Note to Michigan Appraisers & Real Estate Licensees: Chapter 7 plans to submit the 2006 Fall Education Seminar Program and Schedule to the State of Michigan for Continuing Education Credit. If approved by the State, **you must provide accurate information on your Seminar Registration Form:** Name as it appears on each License, current and correct type and number of each license. You must also provide your Pocket Card License ID at the Seminar Check In on Wednesday Evening. In the event of State Approval, ***you must attend all sessions*** beginning at 7:45AM Thursday,

Question about the 2006 Fall Seminar Program or Speakers? Please contact Chapter 7 Vice President & 2006 Program Chair: Andy Reed at 248 547 5350 or reedandassociates@earthlink.net

Questions regarding Seminar Registration, Hotels, Arrangements or Ferry info? Please contact 2006 Fall Education Seminar Chair: Alicia Worthley at 248 588 8293 or worthleya@aol.com

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Denver, Colorado

2006 IRWA Annual International Conference

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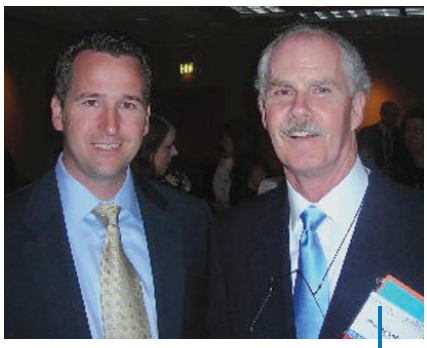

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It's Time to Plan for Next Year!

Each year, IRWA's Annual International Education Conference provides right of way professionals with unparalleled learning and networking opportunities.

YOU could be one of the typically more than 1,000 registrants! Attendees have the opportunity to learn about best practices, share project challenges and hear solutions from the industry's leading professionals.

The 53rd Annual Education Conference is slated for Sacramento, California, ***June 17-20, 2007***.

a| Kim Tassen at the trade show

b| Pat Petitto and, live from New York, Frank Cirillo

c| Jeff Evans with IRWA President Dan Beardsley

d| Jerry Rosenfeld and Jeff Jones

e| Jeff Evans and Murray LeGris of the Survey Committee

f| Mary Anne Marr prepping for her education session

g| Chapter 7 at the Region Caucus (what's in the O.J.?)

h| Region Chair and Mixology Master, Bix

i| Val Lafferty and Dick Roth at a Director's Meeting

j| Recognition of the LPA Committee: Jeff Jones and Rita Rasmussen

k| Recognition of the PDC Committee: Pat Petitto on right

l| Recognition of the LPA Committee: Donnie Sherwood and Dave Maturen

m| A Chapter 7 gathering at a tropical lounge

n| Chapter 7 out on the town at Denver's Adams Mark

All ads subject to editorial approval. Michigan Chapter 7 accepts roster advertising related to the Right of Way profession. Neither the acceptance nor the publication of any such advertising constitutes an endorsement, recommendation or warranty of the advertiser on the part of Chapter 7, its officers and/or its committee members.

Thank You to our advertisers

news views

Scheduling Expert Testimony

David Burgoyne, a Past President of Chapter 7, and a widely recognized instructor and expert witness, has suggested the following proposed changes to procedures regarding expert witnesses may be something to monitor:

The court may, in its discretion, craft a procedure for the presentation of all expert testimony to assist the jurors in performing their duties. Such procedures may include, but are not limited to:

1) Scheduling the presentation of the parties' expert witnesses sequentially; or

2) allowing the opposing experts to be present during the other's testimony and to aid counsel in formulating questions to be asked of the testifying expert on cross-examination; or

3) providing for a panel discussion by all experts on a subject after or in lieu of testifying. The panel discussion, moderated by a neutral expert or the trial judge, would allow the experts to question each other.

Dave also provided the following link for further information:

http://www.courts.michigan.gov/supremecourt/Resources/Administrative/2005-19.pdf

Submitted by David Burgoyne / vade@voyager.net

All classes scheduled by the IRWA are subject to cancellation. Although every effort is made to run each class as scheduled, occasionally a class must be cancelled due to insufficient enrollment or unavailability of instructor. Payments made to IRWA, for tax purposes, are not deductible as charitable contributions; but may qualify as a usual and necessary business expense.

Judge's Ruling Paves Way for Wolverine Pipeline

The $45 million Wolverine pipeline can be built through Lansing, according to an Ingham County Circuit Court ruling.

Judge James Giddings ruled against the city, which had challenged the constitutionality of a new state law that strips control from communities when utilities try to build on state property within their boundaries.

Lansing Mayor Virg Bernero said the city will appeal the judge's ruling.

Submitted by Carl Meyer SR/WA
Pipe Line Committee

Gary E. Bowman, Right of Way Agent for the Road Commission of Macomb County reports happenings in the Bowman clan that are all good:

1) Son Joe married Heather on July 29

2) Other Son Mike and wife Leah are expecting their first child. That will make Robin and Gary proud grandparents for the first time.

Course #801

United States Land Titles

August 14-15, 2006 • 8am – 5pm Daily

United States Land Titles is an advanced course that builds upon prior professional knowledge and provides students with information about analysis of abstracts to determine who must execute a conveyance; learn terminology of title estates, covenants, liens, encumbrances, and contracts; and understand the preparation of chains of title from public records.
Registration Deadline: July 17, 2006

Holiday Inn Express, 4350 Pontiac Lake Road, Waterford, MI 48328

Facilitator: Raymond O. Howd

Class Coordinator: Jeff Jones, SR/WA • RCOC • 248 858 4783 • jjones@rcoc.org

Course #603

Understanding Environmental Contamination in Real Estate

Wednesday, September 27, 2006 • 8am – 5pm Daily • Re-certification Credit: 8 hours
The Lake View Hotel • Mackinac Island, MI
Just a reminder: *This course is offered in conjunction with the Fall Seminar!*

Geared towards right of way professionals who may face the issue of contaminated properties, Understanding Environmental Contamination in Real Estate focuses on causes, effects and remedies of environmental contamination. Learn how to evaluate potential problems that occur as a result of acquiring contaminated properties, and to evaluate, manage and minimize risks and liabilities. What are potential contamination problems? What are some of the causes, effects and remedies? Get the answers to these questions and more. The course covers the following topics: behavior of contaminants in the environment, environmental liabilities and auditing processes, underground storage tank removal, and contamination assessment, cleanup and closures.

Topics:

- What are contaminants and what do we mean by the term "contaminated"?
- Basics of geology, hydrology and hydrogeology
- How contaminants move and change
- What happens after contamination is discovered?
- What are the implications on rights of way and ROW projects?
- Options for managing environmental contamination

Facilitator: **Fred Walasavage**

Fred Walasavage works for the Bonneville Power Administration in Portland, Oregon and has over 20 years of experience working in the environmental field. He currently serves as the Program Manager for Environmental Land Actions within Bonneville. He is the Chair of the IRWA International Environmental Committee, past IRWA Chapter 3 President, and is a certified professional auditor by the Board of Environmental, Health & Safety Auditor Certification.

Class Coordinator: **Pat Petitto, SR/WA**
4840 N. Adams Rd., Suite #183, Rochester, MI 48306
248 524 3376 / phone • 248 342 6640 / cell • 248 526 5131 / fax • petittopa@aol.com / e-mail

The Great Lakes State•ment is a publication for the members of Michigan Chapter 7 of the International Right of Way Association (IRWA). Stories and articles of interest are encouraged. Please make your submissions to:
Michael Oakes, Newsletter Chair
517 788 2332
maoakes@cmsenergy.com
Linda M. Polo, Polo Design
Art Director/Editor
lmpolo@aol.com

Submissions for the November newsletter due by:

October 6, 2006

For information on IRWA Michigan Chapter 7, please contact the Secretary:
Laura K. Southwell, R/W-RAC
734 327 6694
southwelll@wcroads.org

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Verne Cappell
c/o Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

MICHIGAN Chapter Seven

IRWA
INTERNATIONAL RIGHT OF WAY ASSOCIATION

• SPECIAL ISSUE •
2006 FALL SEMINAR
SEPTEMBER 27, 28 & 29
LAKE VIEW HOTEL • MACKINAC ISLAND, MI

Address Correction Requested

Michigan Chapter 7 • 2006 Fall Education Seminar • Registration Form

Registration Fee per person: $215.00 – IRWA members
$235.00 – non-members
$120.00 – spouse / guest

EARLY Registration DISCOUNT: $10. /per person*
EARLY Registration DISCOUNT: $10. /per person*
EARLY Registration DISCOUNT: $ 5. /per person*
* Check MUST be received by August 26, 2006

please make checks payable to: *Chapter 7 IRWA*
mail to: Alicia Worthley SR/WA • 260 Bellevue Ave. • Clawson, MI 48017
Questions? Contact Alicia: 248 588 8293 / phone • worthleya@aol.com / e-mail

name _____ IRWA membership number _____

company / agency _____

street address7 _____

city _____ state _____ zip _____

phone / work _____ phone / home _____

appraiser name as it appears on license _____ license # and type _____

real estate broker / salesperson name as it appears on license _____ license # and type _____

spouse / guest name _____

sub total _____ < _____ > _____ = _____

< less early registration discount > total enclosed

* Check MUST be received by August 26, 2005

What:
2006 Fall Education Seminar

When:
September 27, 28, 29, 2006

Where:
Lake View Hotel
Mackinac Island, MI

Register Today!
Use this Seminar Registration Form – ***Space is limited!***

Early registration deadline is ***August 26th****!!!*

Special note for brokers, salespersons & appraisers!
It is **extremely** important that you use the name(s) ***exactly*** as it appears on your license(s) as well as the correct type of license and license number.