

**Courtney Nicholls**

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**From:** Courtney Nicholls  
**Sent:** Friday, February 12, 2010 12:01 PM  
**To:** Courtney Nicholls  
**Subject:** FW: Village Update - Cityhood - Legal Sufficiency Meeting with the State Boundary Commission  
**Attachments:** image001.png

**Village of Dexter E-Mail Update**

The Village of Dexter met in front of the State Boundary Commission (SBC) in Lansing yesterday afternoon. The meeting started at 1:40 pm and lasted approximately an hour and a half. No official action on the Village petition was taken at the meeting, however the Village expects the SBC to rule that our petition as submitted is "legally insufficient" at the March 18<sup>th</sup> meeting. For those interested in the process part of the meeting, the SBC officially opened the meeting and held a discussion on the Village petition, which essentially included the State Surveyor reading a letter into the record that commented both on the merits of our petition (i.e. - we met the population requirements, the density requirements, and exceeded the number of signatures required) and his recommendations regarding his review of the legal description prepared to describe our current Village Boundary. There are a lot of technical details that need to be included in the final description. Unfortunately, the Surveyor's recommendation was that our legal description as prepared needed to be less ambiguous in a few areas and more accurate in terms of some of the language we used to describe the Boundary of our current Village Limits. The Commission discussed the letter and then gave the Village an opportunity to provide comments. Village President Shawn Keough presented the steps toward Cityhood that the Village has taken since the City Study Committee was formed in 2006, reviewed the reasons for pursuing Cityhood that were submitted with our petition and presented reasons why the Village believed that its petition as submitted met the Legal Sufficiency requirements. After much discussion, the Commission decided that they needed to clarify a few things through the Attorney General's office. Thus two motions were made. They officially made a motion to declare our petition insufficient (because the purpose of the meeting is to declare it either sufficient or insufficient). However, before voting on that motion they made another motion to postpone the action until March 18<sup>th</sup> to allow them time to officially "clear up" a couple questions with the Attorney General's office. We believe that this is mostly procedure and that they will declare the Village petition insufficient at the March 18 meeting, consistent with the State Surveyor's recommendations.

What this means going forward, is that if the Village wants to continue the process, a new petition would have to be filed. While many of the technical comments made by the State Surveyor can easily be cleared up, the rules that the Commission follows do not allow additional information to be submitted prior to the SBC making a determination. Each petition submitted must stand or fall on its own merits.

The State Surveyor agreed to meet with the Village and our Engineering Consultant that prepared the Village legal description to discuss the details of a revised boundary description.

The issue of Contiguity was also discussed during the meeting. As residents may know, the Village is actually 3 separate areas. The Village petitioned to keep its boundary the same as those 3 areas (i.e. we are not trying to get any larger), however the SBC often introduces a discussion on this topic to minimize "irregular boundaries" during the incorporation process. The Village expects this topic to be discussed more in the future, potentially at the March 18, 2010 meeting at the SBC.

Please look for additional updates on the Cityhood process in the future. We will always make sure we provide an update to you of the current information.

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