Board of Ethics

March 9, 2011

Background – The State Board of Ethics was created by PA 196 of 1973 as an advisory and investigatory board regarding conduct of state employees. It is responsible for determining the ethical conduct of classified and unclassified state employee and public officers of the executive branch of Michigan state government who are appointed by the Governor or any other executive department official. It is not empowered to take direct action against any person or agency. The Board does not have jurisdiction over employees in the legislative or judicial branches of government or local government officials.

The seven-member Board is comprised of Michigan residents who do not work for state government and are appointed by the Governor with advice and consent of the Senate. No more than four members can be of the same political party. In addition, two ex-officio members are on the Board as non-voting members. The Governor appoints the Chair of the Board of Ethics.

Members are appointed for four-year terms.

Current Members – Four Democrats, two Republicans and one Independent

- Frank J. Kelley (D) from Lansing, serving a term that expires February 7, 2012.
- Frederick P. Dillingham (R) from Fowlerville, serving a term that expires February 7, 2012.
- Rabbi Paul M. Yedwab (I) from Commerce Township serving a term that expires February 7, 2012.
- John D. Pirich (D) from East Lansing, serving a term that expires February 7, 2013.
- Milo Mike Pumford (R) from Newago serving a term that expires February 7, 2013.
- VACANT – Mark R. Fox (D) from Okemos term expired February 7, 2011.
- VACANT – H. Lynn Jondahl (D) from Okemos term expired February 7, 2011
- Ex Officio members Attorney General Bill Schuette and State Personnel Director Jeremy Stephens.

Recommendation -- Appoint Mary Ann Middaugh (R) from Paw Paw to replace Mark Fox and Peter Webster (R) from Beverly Hills to replace Lynn Jondahl, each for four-year terms expiring February 7, 2015.

Ms. Middaugh is a former State Representative in the Michigan Legislature, serving from 1998-2004, when she was term limited from re-election. She previously worked as

administrative assistant to the House Republican floor leader and on the Senate staff. She received an associates degree from Muskegon Business College.

Mr. Webster is a member of the Dickinson Wright, PLLC law firm in Bloomfield Hills. His area of law practice focuses on antitrust, condemnation and land use, real estate and education. He serves on the Royal Oak Downtown Development Authority and the Oakland County Brownfield Redevelopment Authority. He received his B.S. degree in Marine Engineering Systems from the United States Merchant Marine Academy and his law degree from the Wayne State University Law School.

Appointments will change political make-up to four Republicans, two Democrats and one Independent.

Appointment Guide

Name: Mary Ann Middaugh

City: Paw Paw

Board/Commission: Board of Ethics

Length of Term: 4 yrs

End date: 2/1/15

Representing: Republicans

Advice and Consent: (YES) NO

Replacing: Mark Richard Fox

MARY ANN MIDDAUGH

80TH District: Counties of Van Buren and Cass (partial)

A Paw Paw Republican who was raised on a family farm, educated at Muskegon Community College and Muskegon Business College, and served as a legal assistant before beginning her Capitol career in 1973. Mary Ann's work experience in both the House and Senate has covered a wide range of issues, including her leadership with the Michigan Task Force on Alzheimer's Disease and Related Conditions. Mary Ann and her husband, Mick, reside on Maple Lake in Paw Paw.

Mary Ann is an active member of many community organizations, including:

- **Paw Paw United Methodist Church**
- **Farm Bureau and Conservation Club**
- **Cass County Centurions, Michigan Maritime Museum and Van Buren Historical Society**
- **Fraternal Order of Police, County Fair Association and Paw Paw Art Association**
- **Van Buren County Friends of the Library**
- **Michigan Steelhead & Salmon Fishermen's Association – South Haven Branch**
- **Active Republican, local, state and national groups including Republican Women.**
- **Southwest Michigan Land Conservancy**

Mary Ann was Administrative Assistant to the Republican Floor Leader of the Michigan House of Representatives from 1983-1998. In that capacity, Mary Ann coordinated session activities for House Republicans as issues were considered by the Michigan legislature.

Elected to the Michigan House of Representatives in November 1998, Mary Ann Middaugh sought to make an immediate impact on the Legislative process. Mary Ann's experience was recognized by her colleagues by her election in 1999 and 2001 to Assistant Majority Floor Leader. During her first term, Mary Ann sponsored a revision of the Michigan Telecommunications Act to lower phone bills, enlarge calling areas, and create more competition at the local level. She was also appointed in 1998 to serve as State Chairman of the American Legislative Exchange Council, a national organization of State Legislators and policy makers.

Representative Middaugh is the Vice Chair of the House Energy and Technology Committee. Her other committee assignments include the House Insurance and Financial Institutions Committee, the House Commerce Committee and she is Vice Chair of the Commerce Subcommittee on Tourism and Travel.

Representative Mary Ann Middaugh
Republican of Paw Paw
80th District

P.O. Box 30014
The State Capitol
Lansing, Michigan 48909

MARY ANN MIDDAUGH

Mary Ann Middaugh is the daughter of Joseph and Laura Parker of Montague, Michigan. She was born on May 13, 1946 and raised on the family farm with one sister and four brothers. Mary Ann attended Muskegon Community College and Muskegon Business College and served as a legal assistant for seven years. She moved to Lansing in 1973 and began a career at the Michigan Capitol serving as an administrative assistant to the Republican Floor Leader of the Michigan House of Representatives. She married Representative James Mick Middaugh of Paw Paw in 1985. In 1998, 2000 and again in 2002, Mary Ann Middaugh was elected to the Michigan House of Representatives, where she served as the Chair of the House Energy and Technology Committee and was elected by her colleagues as Assistant Majority Floor Leader in 1999 and again in 2001. Mary Ann is a member of Farm Bureau, Conservation Club, Cass County Centurions, Michigan Maritime Museum, Paw Paw United Methodist Church, Van Buren Historical Society, Fraternal Order of Police, County Fair Association, Paw Paw Art Association, Van Buren County Friends of the Library, Michigan Steelhead and Salmon Fishermen's Association-South Haven Branch, Republican Women, Southwest Michigan Land Conservancy; and the Michigan Chair of American Legislative Exchange Council, a national organization of state legislators.

After being termed out of office by Michigan's term limit law, Mary Ann has joined the Lakeview Hospital Foundation Board as Secretary, the vestry of the Church of the Transfiguration on Bois Blanc Island, Lakeview Hospital Auxiliary and is doing consulting work.

Mary Ann and her husband, Mick, reside on Maple Lake in Paw Paw.

Mary Ann Middaugh
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Paw Paw, Michigan 49079
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Objective: To be of assistance to the State of Michigan.

Qualifications: Having worked as a legal assistant in my 20's and for the Michigan Senate and House of Representatives for 25 years before being elected as a State Representative, I have a background in the law and legal situations. I would like to put this experience to work for the State.

Education: 1964-5 Attended Muskegon Community College
1965-6 Graduated from the Muskegon Business College with an Associates Degree
Attended Lansing Community College

Employment:

1998 - 2005 Elected as State Representative from the 80th District, elected by colleagues to be Assistant Majority Floor Leader, Chair of House Energy & Technology in 1999-2000, author of the 2000 Michigan Telecommunications Act rewrite, State Chair of the American Legislative Exchange Council, a national organization of legislators and policy makers.

1983 - 1998 Administrative Assistant to the Republican Floor Leaders in the Michigan House of Representatives (Rep. Don Van Singel, Rep. Rick Bandstra, Rep. Ken Sikkema and Rep. Dan Gustafson) Coordinated session activities for House Republicans as issues were considered.

1973 - 1983 Staff member in the Michigan State Senate for Senate Republican Staff and Administrative Assistant to Senator Richard J. Allen.

1966-1973 Legal assistant to Allen Vander Ploeg, attorney at law, Whitehall, Michigan Rough drafted legal documents and conducted legal research.

Appointment Guide

Name: Peter Webster

City: Beverly Hills

Board/Commission: Board of Ethics

Length of Term: 4 yrs

End date: 2/7/15

Representing: Republicans

Advice and Consent: (YES) NO

Replacing: H. Lynn Jondahl

Peter H. Webster

Member

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Bloomfield Hills Office



PROMINENT ASSIGNMENTS

Counsel for both land owners and condemning authorities throughout Michigan and the United States in state and federal courts, including regulatory, total and partial acquisitions, easements, and rights of way condemnation under eminent domain.

Counsel to various land developers for regional and community shopping centers, including branch banking, grocery, hotel, and chain retail clients.

Counsel to the Public School Academies of Detroit which operate the nationally recognized University Preparatory Academy and other charter schools.

Successfully counseled the startup of nine charter schools, including nationally innovative Clara B. Ford strict discipline academy and Vista Meadows public school academy in collaboration with the Vista Maria organization.

Counsel for Detroit/Wayne County Stadium Authority in the condemnation of 60 acres and 136 parcels for the Detroit Tigers' Comerica Park and the Detroit Lions' Ford Field, tried 10 jury trials resulting in savings of more than $20 million.

Counsel to the Road Commission for Oakland County in the acquisition of rights of way for eight modern roundabouts for the Northwestern Connector project.

Successful defense of landowner against the attempted taking of property by municipal cemetery.

Successful defense of Americans with Disabilities Act claims surrounding the implementation of modern roundabout and the nationally and internationally unique trial of "HAWK" signalization of roundabouts for visually impaired pedestrians.

Representation of landowners and governmental authorities regarding Environmental and Part 91 Soil Erosion permitting and development issues.

Counsel for landowner protecting property rights against governmental taking and regulations regarding alleged historic designation.

REPRESENTATIVE CLIENTS

- Chrysler, LLC
- Detroit/Wayne County Stadium Authority
- JP Morgan Chase Bank, N.A.
- Oakland County Water Resources Commission
- Public School Academies of Detroit
- Road Commission for Oakland County

AREAS OF PRACTICE EMPHASIS

- Antitrust
- Condemnation and Land Use and Regulation
- Gaming
- Real Estate
- Schools & Educational Institutions

PROFESSIONAL INVOLVEMENT

- State Bar of Michigan, Real Property, Eminent Domain, Subcommittee, Litigation, Antitrust, and Trade Regulation Sections
- State Bar of Michigan, Standing Committee on Civil Procedure and the Courts, 2005-present
- Oakland County Bar Association
- Oakland County Bar Foundation, Fellow
- American Bar Association, State and Local Government, Section Condemnation Committee, Vice Chairperson

COMMUNITY INVOLVEMENT

- Oakland County Business Roundtable, 2001-present
- Former Oakland County Commissioner
- City of Royal Oak, Former Mayor Pro Tem, Commissioner, and Zoning Board of Appeals Member
- Board of Trustees, Boys & Girls Club of South Oakland County, Executive Committee Member
- Detroit Regional Chamber, Life Member
- Royal Oak Downtown Development Authority
- Oakland County Brownfield Development Authority, Chairperson

PUBLICATIONS AND PRESENTATIONS

- "Proposal 4: Proposed State Constitutional Amendment Restricting Eminent Domain Power," Dickinson Wright Real Estate News, Fall 2006

EDUCATION

United States Merchant Marine Academy, B.S. 1987
Wayne State University Law School, J.D. 1993 *(cum laude)*

- Wayne Law Review, Managing Editor