

**STATE BAR OF MICHIGAN
ARTS COMMUNICATIONS ENTERTAINMENT & SPORTS (ACES) SECTION
MINUTES OF JANUARY 25, 2012 COUNCIL MEETING
HELD AT ARTSERVE MICHIGAN – WIXOM**

A Meeting of the ARTS COMMUNICATIONS ENTERTAINMENT & SPORTS (ACES) Council was held at the offices of Artserve Michigan in Wixom, Michigan on January 25, 2012 as scheduled and noticed at 5:30 p.m., the date and at the time specified in the Notice of Meeting emails sent electronically on December 22, 2011 and January 23, 2012 to aces-announce@groups.michbar.org.

The meeting was called to order at 6:23 p.m. by the Chair, Pamela Osborne after a presentation by Cezanne Charles, Director of Creative Industries for Artserve Michigan. Present in person at the meeting were the following: Chair, Pamela Osborne; Chair Elect, Thomas Doty; Secretary, Todd Redden; Treasurer, Joseph Voss; Ex Officios Matthew Bower and Duane Lewis; and Council Members Leonard Charla, Frederick Frank, Kimberly Ward, Jeffrey Richardson, and Richard Herman. Others ACES members in attendance were Susan Greenfield, Linda Bruton, John Wright, Alford Harris and Anna Heintz.

The Chairman announced that the meeting was duly convened and ready to transact such business as may lawfully come before it, presented the Agenda and commenced the introductions.

The Minutes of the previous meeting of the organization were not read into the record, but reviewed individually by council members. Charla moved to accept the minutes as written and the motion was seconded by Lewis. The meeting minutes were approved.

The Treasury Report was given by Voss. The report showed fiscal year 2010-11 total revenue of \$6,843 and \$1,538.97 in total expenses. The report incorrectly reported net income of \$921.20 for fiscal year 2010-11. The amended total net income for fiscal year 2010-11 was \$5,304.03 and an ending bank account balance of \$9,956.87. The report showed fiscal year 2011-12 total revenue, through December 2011, of \$5,400 and total expenses, through December 2011, of \$35. The total net income for fiscal year 2011-12 was \$5,295 through December 2011 and a current bank account balance of \$15,251.87. Richardson motioned to accept the revised Treasury Report and the motion was seconded by Charla. The Treasury Report was approved.

Following the Treasury Report, a general discussion took place regarding how to validate expenses. The current process is to complete a reimbursement form for any expenses owed and to

submit it to the Treasurer for reimbursement. The reimbursement is reviewed and approved by the Chair. Lewis motioned to require a reimbursement request form be submitted with the Treasury Report. The motion was not seconded. Further discussion on this issue was tables for a future meeting.

Herman distributed an ACES/LCE (Lawyers for Creative Economy) proposal and gave an overview of the program. Artserve Michigan received a grant of \$25,000 from the NEA for the LCE program. They are interested in a partnership with ACES to provide financial support and pro bono legal services to the program. Herman proposed a three year commitment to LCE with an annual expenditure of \$2,000 (total of \$6,000 over the three year period), but to protect ACES from engaging in activities which may create a potentially unsound fiscal situation, Herman included the following stipulations: 1) LCE must continue programming, which at a minimum will closely approximate that which was contemplated by its program outlines and 2) ACES maintain earnings in its bank account equal to at least \$6,000.

Herman stated he had e-mails in support of the proposal from John Willems, John Kamins, Larry Jordan and Mindy Schwartz. He also had an e-mail from Howard Abrams expressing an option of opening an LCE location in Detroit. Furthermore, he stated that he spoke to Henry Clay and Clay opposed the proposal, but noted that he would give \$100 to the program, if 10 others put for \$100.

Discussion of the proposal is as follows:

Osborne was concerned with a three year commitment and questioned whether or not the State Bar of Michigan would allow ACES to make a three year commitment.

Doty suggested allocating \$6,000 this year rather than \$3,000 per year, while retaining the money in an ACES account. He further suggested that if LCE doesn't meet the conditions stipulated, the money is not given to LCE.

Voss stated that the State Bar of Michigan allows for the giving of money over a multi-year timeframe.

Frank suggested that the proposal be changed to set the second proposed stipulation at \$2,000 rather than \$6,000 as requested by Herman.

Bower recommended that an additional stipulation be added stating that ACES will solicit additional donations from its members.

Lewis commented that he would like to see a Detroit-based office for LCE. This may be in addition to the Wixom office. He also stated that he was not currently in favor of a multi-year deal, but gives his general support to the program. Lewis suggested that an ACES budget be set prior to committing the money to LCE.

Herman commented that ACES has a mission and LCE falls in line with the mission and should be supported.

Charla said he was in favor of helping artists and art services that are in need. He stated he will contribute on his own and suggested ACES make a \$1,000 donation to LCE with the chance for more in the future.

Frank commented that Artserve has come a long way in the last few years. He complimented those individuals involved with the proposal and said he would support the \$2,000 per year proposal.

Doty commented that he was in favor of the \$2,000 per year proposal.

Richardson brought up an alternative to the \$2,000 per year proposal. He stated that ACES could earmark \$2,000 per year for sponsorship of seminars and other activities. This would give LCE the money necessary to operate and give ACES something to show for the money given. Although he mentioned the alternative, Richardson agreed that Herman's proposal was the correct way to proceed.

Doty motioned to accept the proposal as stated. No second to the motion.

Charla stated that there may be an issue of encumbering future councils.

Herman motioned for ACES to provide pro bono legal services and financial support of \$2,000 per year for three years (\$6,000 total) subject to the following conditions: 1) LCE must continue programming, which at a minimum will closely approximate that which was contemplated by its program outlines, 2) ACES maintains earnings in its account equal to at least \$4,000, 3) annual membership dues do not fall below \$4,500 per fiscal year, 4) the State Bar of Michigan concurs that ACES can allocate monies for subsequent years and 5) ACES solicits memberships for individual contributions and any monies received goes to LCE. Motion seconded by Bower. Motion passed (Yes – Bower, Lewis, Herman,

Ward, Richardson, Doty, Frank, Charla, Osborne, Voss and Redden; Opposed – none;
Abstained – none)

Lewis noted that a talent event will be held on February 17, 2012 and said he would e-mail Osborne the details for distribution to ACES members.

Ward gave a report on the Law School/Students Outreach Committee. Ward noted that there was an upcoming public service event. Additionally, there was a potential networking event that included ACES and five law schools, The event would be a bowling or golf outing and would take place in late May or after law school finals. A proposal for potential sponsorship by ACES will be given at the next meeting.

Osborne stated that the ACES budget would be an agenda item for the next meeting.

Osborne stated that there was an offer from Martin Fried to conduct a Bankruptcy seminar for ACES. There was no interest in the presentation so it will not be pursued.

Charla gave a summary from the Bar Journal Committee. He stated that the committee is awaiting final manuscripts and that the publication date was set for the September Bar Journal.

There being no further business to come before the meeting, upon motion by Lewis and second by Voss, the motion was carried and the meeting was adjourned.

Todd Redden
Secretary

Dated 04/22/12

ATTEST:

Pamela Osborne, Chair

Reviewed and dated
