

**STATE BAR OF MICHIGAN
ENVIRONMENTAL LAW SECTION
Cobo Hall, Detroit, Michigan
September 28, 2017
3:45 to 4:30 p.m.**

MINUTES OF ANNUAL MEETING

Section officers, Administrator, and Council members present (in person or phone):

Dennis Donohue, Section Chair
Scott Steiner, Chairperson-Elect and incoming Chair
Kelly Martorano, Secretary-Treasurer and incoming Chairperson Elect
Mary Anne Parks, Administrator
Sue Sadler
Margrethe Kearney (elected to Council during this meeting)
Scott Sinkwitts
Jim Enright
Dustin Ordway
Craig Hupp
Chris Dunskey
Todd Schebor
Bill Shikora
Ann Marie Sanford
Paul Collins
Tammy Helminski
Kurt Kissling

Dennis took roll call of Council members.

A quorum of Council members was present (minimum 8 under current Bylaws, reduced to 6 under proposed revisions of Bylaws).

A quorum of Section members was present (minimum 15).

Agenda Items

1. Outgoing Chair's Report (Donohue):

We had a good program for the Annual Meeting. The Section is in a state of transition. The Bylaws have been restructured, which will help in moving forward.

2. Secretary-Treasurer's Report (Martorano):

Minutes of the following Council meetings were approved on motion, second, and unanimous vote of Council members present:

- a. April 13, 2017
- b. June 7, 2017

Copies of the Minutes of those meetings are attached.

A written Secretary-Treasurer's report, including financials, was provided to members via email with the Agenda for this meeting. The same report is attached to these Minutes.

3. Nominating Committee (Steiner)

The Nominating Committee members are:

Bill Schikora
Kurt Brauer
Scott Steiner

- a. Review and act on Committee report

The Nominating Committee nominated:

Jim Enright for Secretary-Treasurer
Margrethe Kearney for Council
Ross Hammersley for Council

Nominations from the floor: none

All three nominees were elected on motion, second, and unanimous vote.

b. Presentation of Plaques to Outgoing Council Members: Dennis reported that Steve Kohl and Ann Marie Sanford are leaving the Council, and will be given plaques recognizing their service.

c. Passing the Gavel: Dennis handed the gavel to Scott Steiner. The painting of the Environmental Law issue cover from the Michigan Bar Journal was given to Dennis.

d. Incoming Chair's Report (summary): Scott complimented Dennis on his term as chair. Scott said he would like to keep the Section's momentum going. As an aspect of strategic planning, he would like to involve more law students and young lawyers in ELS. The revised Bylaws will give us more flexibility.

4. Act on Amendments to Bylaws (Donohue):

A strikeout/redline of the changes to the Bylaws was provided with the Agenda for this meeting, and is attached to these Minutes.

Summary of proposed changes to Bylaws:

- The Council will be given authority to change dues.
- Number of Council members: The number is of members is reduced from 21 to a maximum of 16, plus the officers.
- Council quorum: the quorum is reduced from 8 to 6.
- Committees - The Council may create standing committees, and the Chair may create subject matter committees.
- The process to amend the Bylaws will be more flexible than at present. Changing the Bylaws still requires a vote of the section, but members may be present in person or by a communications device.

The State Bar has had input on proposed Bylaw revisions. The Council approved the proposed revisions of the Bylaws for a vote of the Section

Motion was made to approve the Bylaws as revised (Donohue), and seconded (Enright).

Discussion: Rich Baron said he was the chair in 1982. He is not opposed to

amendment, but by way of background the “sweat equity” provision was put in for a reason after a small group came in and nominated someone who had not put in any time on the Council or committees.

Vote on approval of the proposed amendment of the Bylaws: Approved by unanimous vote.

5. Administrator’s Report (Parks):

A written Administrator’s report, was provided to members via email with the Agenda for this meeting, and is attached.

Mary Anne also discussed the SBM Connect monthly newsletter and stated that the ELS/ AWMA joint conference will be on November 8th at LCC.

6. Member Dues:

a. Student members and non-profit governmental members (Annual Waiver of fees): Motion by Dunsky to approve the waivers, seconded by Sadler, approved unanimously.

b. Dues increase (Martorano/Donohue): It has been a long time since we have increased the dues. ELS dues are lower than the average among SBM sections. The Section may want to consider a \$10 increase to get us closer to \$40. This would allow us to be in a good fiscal position for a long time to come. A Council meeting will discuss this issue. No vote on this is needed today.

7. Standing Committee Reports:

a. Deskbook Committee (Haynes) - a report was emailed to Council members and is attached to these Minutes.

b. Program Committee (Schebor/ Kearney): The joint conference will be on November 8th. (The joint conference is held by the SBM Environmental Law Section and the East Michigan and West Michigan Chapters of the Air & Waste Management Association.)

c. Michigan Environmental Law Journal/ Publications: Amanda Urban was introduced. She will be the new editor. The first issue will be issued by

November. Amanda said she would also like to become more involved with the law schools.

8. Subject Matter Committee Reports:

- a. Air (Kissling/Collins): see above re joint conference date.
- b. Environmental Litigation and Administrative Practice (McClure): no report.
- c. Hazardous Substances and Brownfields (Enright/Helminski): nothing to report.
- d. Natural Resources, Energy and Sustainability (Sadler/Lundgren): The committee is considering having a program about Day 300 of the Trump administration
- e. Great Lakes and Inland Waters (Schroeck/Hammersley): no report.

9. Strategic Planning (Schikora): no report.

Adjournment: The meeting adjourned at 4:30.

Recap of motions made/ approved, and elections:

1. Approval of Minutes of the Council meetings held on April 13, 2017 and June 7, 2017.
2. Election of nominees for Council and officer positions.
3. Approval of amendment of Bylaws.
4. Approval of waiver of membership dues for Student members and non-profit/ governmental members.

Attachments:

1. Minutes of Council meetings on April 13, 2017 and June 7, 2017.
2. Written Secretary-Treasurer's report, including financials.
3. Strikeout/redline of the proposed changes to the Bylaws
4. Written Administrator's report
5. Deskbook Committee report