

**MSBA State & Local Government Law  
Section Council Minutes  
December 8, 2008**

The Council met at King's Contrivance Restaurant at 6:00 p.m. The following Section Council Members were present: Chair Bill Varga, Karen Federman-Henry, Steve Orens, Bob McDonald, Rob McCord, Amanda Conn, and Laura Swisher. Tim Sheridan, our Section Liaison to the MSBA Board of Governors, also attended.

**Approval of Minutes**

Minutes of the Council's August 26, 2008 and September 29, 2008 meetings were reviewed and approved.

**Budget**

The budget submittal is due. Expenses from the Dinner Program were charged to the budget, but Bill will ask for those to be removed, as costs were covered by fees. While Annual Dinner programs must be self-supporting, we may want to ask for additional funds to cover expenses of the Mini-Programs. It was agreed that we would request an additional 10%, plus 4300 towards Mini-Program expenses.

**Council Membership**

There are two current vacancies. Bill nominated Kimberly Millender, a County Attorney from Carroll County. The nomination was unanimously approved. Ernie Crofoot nominated someone from his firm, but the person is not a Section member.

**Municipal Law Blog - Committee**

Bob reported on status. Bill would like to see modeled on the Law of the Land blog, a national land use and zoning blog. See link: <http://lawoftheland.wordpress.com/>. We would need technical assistance from MSBA and an editor. Bob spoke with Kathleen Gallagher of UM's Institute for Government Science. She didn't volunteer. If anyone knows of any technically inclined academic that might be interested, please call Bob. Laura agreed to call Byron Warnken at UB to see if he might know of anyone there. Bob was going to check with the Bar to see how much assistance they could offer - just hosting, or all tech assistance? Bill agreed to ask Pat Yevics to check with other State Bar Associations to see if anything comparable we could emulate. Rob will follow up with any suggestions from MAACO - probably not really going to be able to assist. Maybe we should be looking for someone semi-retired to act as editor/content manager?

**Legislative Session**

Need to start coordination. Diane not at meeting, but Bill will have Richard Montgomery, MSBA Committee on Laws, contact Diane or Steve. Richard will try to

keep us up to date. Steve will try to touch base with Diane to clarify how they will notify members of items of interest.

### **Future MICPEL Institute**

It was agreed that trying to hold one every two years in May would be a good target.

### **Fall Dinner Program**

There were 70 to 75 attendees at the Dinner Program. Bill hadn't fully understood the amount of effort involved in planning this type of function. He suggested planning one for every other year. Also discussion that may not always be an awards program... might 'cheapen' the honor if you had to look for recipients. Need to contact Elissa to see if Administrative Law Section wants to co-sponsor programs again.

### **Mini-Programs**

Potential topics for the next Mini-Program were discussed. Potential topics included: Jeopardy game; Professional Responsibility; Fiscal Constraints such as furloughs, early outs, giving new hires different benefits, cutting off health benefits of retirees or reducing for current employees; vested pension rights. Everyone liked the idea of basing on legal issues associated with tough economic times and fiscal constraints. Laura, Steve and Amanda agreed to plan. The last week of April or first week of May was suggested as a target date.

Another possible topic discussed was business continuity at the local level. Rob has been looking at this and thinks there are authority issues, charter amendments may be needed. Program could cover best practices, process to enact emergency legislation authorizing power Mutual Aid Agreements, Model Charter Amendments, Emergency Operations Committees - designated delegation of authority and differences between Commission Counties and Charter Counties. Rob knows of a good speaker from Louisiana that talked about issues they encountered after Katrina.

### **Board of Governors**

Tim Sheridan, our Section Liaison to the Board of Governors, asked if there was anything we wanted him to report at upcoming Board meeting. It was requested that he report the Section Counsel was actively promoting the health and welfare of its State and Local Government members.

### **Next Meeting**

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Bill checked on convenient dates and time for the next meeting, which would be by teleconference. Monday, February 2, 2009 at 2 pm was chosen. Steve agreed to set up the conference call line. The meeting was then adjourned.