

OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION EXECUTIVE COMMITTEE MEETING

MINUTES

Friday, November 12, 2010, at 9:15 a.m.

The meeting was held at Schwabe Williamson & Wyatt's offices in Portland, Oregon.

The following people were in attendance:

In person: Diane Henkels, Laura Maffei, Erin Madden, John Marsh, Karen Moynahan, Susan O'Toole and Patrick Rowe.

Via Telephone: David Ashton, Jas Adams, Hong Huynh, Rachel Barton-Russell, Kimberlee Stafford, Scott Morrill & Micah Steinhilb.

Excused: Michael Campbell & Nathan Karman.

1. Minutes

September and October minutes were discussed and corrections noted. September minutes were unanimously approved, with the corrections and two abstentions. October minutes were unanimously approved, with corrections and two abstentions.

2. Chair's Report (David Ashton)

Annual CLE: The CLE was a great success – thanks to the subcommittee and in particular to John Marsh who headed the effort. Some electronic materials are still missing; please get those to Pam Hardy as soon as possible for publication on our website.

EPA Civ /Crim Enforcement CLE: This was an excellent CLE with good attendance from the executive committee and others. The materials are on the ENR website, though some folks are having difficulty opening the presentations. Pam and Rachel will work on this so that materials are easier to pull from the website.

House of Delegates Meeting: There is a summary of the meeting on the Bar's website. It was a packed agenda, but nothing especially relevant to our section with the exception of approval to make telephonic meetings more available.

UECA Workgroup: The workgroup met to determine whether to move forward with this, but Patrick was unable to attend. David will find out what was decided and report back.

Nominating Committee: The nominating subcommittee met after having to change the make-up of the committee: according to the bylaws, the nominating committee cannot be made up of more than 2/3 of existing Executive Committee

members. Pam Hardy graciously agreed to step off and two non-Exec Committee members volunteered to help: Dallas DeLuca and Adam Orford.

The subcommittee first considered officer positions and continuing at-large members. It recommends John Marsh as incoming Secretary & that Susan O'Toole and Kimberlee Stafford should continue as at-large members.

There were four openings for new at-large members and the nominating subcommittee had 17 applicants for these positions. Jas described the subcommittee's consideration of the diversity requirements in the section's bylaws, then presented the slate: Brett Kenney, attorney for the Coquille Tribe, Regina Cutler with Oregon DEQ, Dustin Till of Marten Law Group, and Sarah Winter Whelan of the Regional Marine Conservation Project.

There was a general discussion about Executive Committee members who do not attend meetings and the provision in the bylaws that allows the EC to remove these members. Karen suggested additional notices to the section announcing EC meetings. John suggested we have a regular agenda item to consider unexcused absences by EC members.

After motion and second, the slate of candidates, including officers, was approved unanimously. This slate will be formally voted upon at the annual meeting in December. Laura will send the information to Sarah Hackbart to include in the meeting announcement to the section.

Annual Meeting: We discussed the cost of the room and snacks. Last year, we spent \$347 and we have a budget for \$500 this year. There was a motion, second and unanimous approval to make the expenditure for the annual meeting. Erin and Hong will work out the logistics for payment.

3. Treasurer's Report (Hong Huynh)

(a) Budget Subcommittee: Hong reported on the proposed budget from the budget subcommittee (Hong, Jas & Laura). Revenues come from membership fees and the annual CLE and are generally budgeted for 2011 similar to 2010. Changes to expenses were discussed as follows:

- Casenotes budget increased because we may need to pay the editor more next year.
- Speaker expense increased to get more people interested in speaking at the annual CLE and brownbags. This could be an honorarium, travel expense or both. Possibly get someone entertaining like the Oregon Field Guide guy to speak at lunch.
- Subcommittee expense increased to pay for things like lunches and conference call charges; this will be offset by unfunding the legislative subcommittee, which money we haven't used for quite some time.

- Increase in funding for a networking/social event in Bend or another non-Portland location in Oregon.
- Annual CLE: John Marsh provided a handout showing this year's projected revenues and expenses. We wound up making money, even though the CLE was supposed to break even or even spend down the section's funds. Suggestions for spending down via the CLE next year include: budget \$1500 for web access and providing complementary registration for folks on the CLE planning committee. Also, we should include speaker travel expenses.

There was general discussion of long-term planning and spending down the reserve, as requested by the Bar. Hong noted that the targeted reserve is \$2,500, but with the revenue from the CLE and low expenses, our year-end balance will be around \$5,593 for 2010. The budget calls for spending down to about \$3,500 ending balance in 2011. After this discussion, the budget was approved unanimously.

4. Bar Liaison Report (Scott Morrill)

Bar Mentoring Program: Details are still being developed, but this program will likely involve a one-year relationship for lawyers who have just passed the bar with an experienced attorney.

Membership Directory: This will now be online only, except for the BLUE pages.

Sustainability Team at the Bar: This is the Bar's internal sustainability effort. The Bar has implemented most of the "easy" stuff and now needs to implement tougher projects. Jean Key of the Center for Earth Leadership is helping with this effort.

Personnel Changes: Amber Hollister, formerly of the governor's office, will become the new deputy general counsel.

Annual report is due December 1. David will see to this and contact folks individually if he needs information for the report.

5. Casenotes

Micah reported that the latest edition went out on November 8. The pool of volunteers is growing slowly with about 3-5 new volunteers per issue. Micah is targeting the next edition before the end of the year.

6. Newsletters

Annual CLE newsletter: This would be a summary of the October CLE. Karen will check with Nathan to discuss collaborating on this.

Portland Harbor: David says he is still planning on doing this.

There was a general discussion about the number of issues per year and making sure we get them out. We will discuss having a subcommittee for newsletters – this should go on the January agenda. We should also contact interested non-EC section members to edit newsletters to relieve some of the burden from Exec Committee members.

7. Deskbook

The Deskbook committee has nothing new to report.

8. CLEs and Brownbags

(a) Annual CLE. John is already working on the 2011 annual CLE and will work with the Bar to reserve Edgefield October 6 and 7. Diane suggested that John continue to work with Edgefield to get long distance web access for the conference. After motion, second, amendment and vote, the committee unanimously approved the date and location of the CLE next year. John and Patrick indicated that they would like to encourage more people to play the golf tournament next year and are looking for suggestions to get people there to play.

We discussed an outstanding item from the 2010 CLE involving travel expenses. A panelist submitted an expense report for mileage from Eugene to Edgefield and back for a total of \$243. After a discussion of the correct rate per mile, we approved reimbursement of this speaker's expense at the bar-approved rate of \$0.50/mile.

For 2011, we will be more clear with speakers regarding travel expenses so that there is no confusion about reimbursements.

(b) Brownbags. (David Ashton & Nathan Karman)

David and Nathan are looking for ideas for the next brownbags. One suggestion was to have Jackie Dingfelder discuss legislative priorities.

9. E-alert Topics

Patrick indicated that Miller Nash will provide a summary of the Zidell case. Beyond that, he is looking for suggestions.

10. Law School Liaisons

Karen reported that she will be disseminating membership information to Willamette. Rachel reported that U of O will also be getting information on the ENR committee via electronic means.

David indicated that we got great help from law students at the annual CLE.

11. New Business

There was no new business.

David adjourned the meeting at 10:45 a.m.

Next Meeting Date: **Annual Meeting. Friday, December 10, 2010, at 5:30 p.m., at Lucky Lab in Portland.**