

**OSB ENVIRONMENTAL AND NATURAL RESOURCES SECTION
EXECUTIVE COMMITTEE MEETING MINUTES¹**

Friday, November 8, 2013, at approximately 9:15 a.m.

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

Attendance (12 members attended, quorum achieved)

In person: Karen Moynahan, Laura Maffei, Kate Moore, Patrick Rowe, Matt Preusch, Larry Burke, John Marsh. Duncan Delano, Kirk Maag

Via Telephone: Scott Morrill, Dan Mensher, Aurora, Sarah W, Dustin Till

Others in Attendance: Matt Preusch

Excused: Anzie Nelson, Sarah L.

1. Approval of Minutes from September and October 2013 Meetings (Karen)

Approved.

2. Chair's Report (Laura)-Laura attended the House of Delegates meeting. There was an extended discussion regarding changing the ethics rules to allow the Bar to take action against attorneys who express bias during the course of litigation. The resolution passed. The HOD also discussed raising Bar dues and the amount to go to Diversity.

Laura sent us all a blank annual report to review. Volume I of Deskbook needs to go in to the report, as well as raising our section dues. Laura will draft the report and circulate.

The awards committee has met. The award will be presented at the December social event.

Matt Preusch needs to get under contract so we can pay him.

We need to switch our meeting time and day next year because John Marsh, our incoming Chair, has a conflict. Also, our financial reports always come later than our meeting, so a later meeting date would be beneficial. We will move the meeting to the 3rd Friday of the month starting in January, subject to confirmation with absent members.

¹ A quorum of the ENR EC is composed of at least 9 of the 17 members.

3. Bar Liaison Report (Scott)

Scott reported that the due date for 2015 legislation proposals is April 2014. Also, Scott reported that there was a discussion at HOD as to whether the Bar should take a position on same sex marriage. He commented that diversity in Bar has gone from .5% to 6.5%, not 5% to 6.5% as reported by Steve Duin in The Oregonian. The HOD approved a \$15 Bar dues increase.

4. Treasurer's Report (Patrick)

The Section's end of September balance was \$11,096, with 527 paid members and 533 total members. However, this reflects CLE income only, not payments.

Charitable contributions- We have previously discussed the extent to which the ENR Section should make charitable contributions, and we are continuing that discussion. We currently have \$2000 in budget for contributions. We have previously donated to the Campaign for Equal Justice, Oregon Minority Lawyers Association, St. Andrew's Legal Clinic, and the Classroom Law Project, among others. It was noted that the ENR Section has never received negative feedback from members regarding the contributions. We discussed the possibility of not making any contribution this year. Larry suggested the option of donating this year and not budget contributions for next year, just donate at the end of the year if we have extra money. OSB has encouraged 75% of sections give to CEJ, and has a list of other approved charities. There was a motion to make \$2000 in donations this year, with no recipient identified. Scott added that CEJ gets most of its money from interest assessments, and that the bank that has been the greatest source of these assessments, US Bank, is cutting interest rates significantly, causing a deficit in funds. John suggests that we donate \$500 to each of the four charities mentioned above, but tell them not to count on it next year, as we are evaluating our contributions for next year. This motion passed. For next year, a subcommittee of Karen and John will discuss how to proceed with charitable donations.

Because of our dues increase, we had to vote on our budget earlier than usual. We did this via email, and it passed. Laura has looked at other sections and budgets, and some have much larger CLEs than we do.

5. Publications

- a. Updating ENR deskbook (Laura)** - No recent feedback from the Bar. We anticipate that Volume II will come out in early 2014.
- b. Casenotes (Matt)**- Casenotes are ready to go out. Matt has asked for rules that are being promulgated to add to his Casenotes.
- c. E-Outlooks (Anzie)**- Legislative Update is the topic of the next E-Outlook. This should go out in next week or so.

6. Education/CLE

- a. **Brownbags (Anzie)**- There will be a brownbag on November 14 (International Water Law) at Tonkon Torp, with speaker Laura Schroeder. There will be no brownbag in December. Let Laura or Anzie know if you have topics.
- b. **Field Trips (Lawson)**- Portland Water Pollution Control Lab tour early next year (Karen and Lawson to arrange). Think about locations for another big trip like the Portland Harbor tour.
- c. **Annual CLE (John)**- John reported on evaluations that we received. Twenty forms were turned in. We had approximately 38 paid attendees, and 32 attendees were complimentary. We need to talk about the complimentary attendees next year. We haven't received a bill from McMenamins yet. Overall, the facility was rated in the evaluations as positive. The written materials were mostly rated as positive, and the caliber of presentations was rated good and excellent. We did not think that McMenamins did a good job. There was a lack of staff, and management not very responsive to Karen's complaints. We need to revisit if we will go there next year. We need to reserve a facility now, so Karen will talk to McMenamins' management and tell them that we will give them one more chance. Patrick will chair the CLE next year, and Karen will assume the duties the following year. We should request more vegan options (and ask that they be clearly identified) and that McMenamins not use plastics. Kirk suggested World Forestry Center as alternative. Karen will get a proposal from Forestry Center to bring to McMenamins when she meets with management.

7. Committees

- a. **Pro Bono Report (Sarah W., Dan)**- The pro bono directory has gone out to 20 different organizations around the state. Fourteen attorneys are on the list, and 10 attorneys have offered to be mentors. Sarah and Dan are getting good feedback.
- b. **Exec Committee Cultivation (Dustin)**- At the CLE, we held elections. Tina Hein is interested in becoming more active, so we should put her on the list for next year. Let Dustin know if you have ideas for members out of Portland area.
- c. **Technology (Kate)**- Give Kate your ideas for anything tech related. We are considering video conferencing for members out of area.
- d. **Fastcase/Electronic Publications (Sarah L.)**- We are not pursuing Fastcase at the moment, but we are keeping this on the agenda. We are waiting to see how the directive to state agencies to store records electronically unfolds. We are also considering the Bar resolution to make agencies put opinions online.
- e. **Awards (Kirk)**- The committee is sending out the application soon. We want to add that some preference should be given to contributions within past year, as we are not only interested in lifetime achievements. Nomination forms will be due December 2nd. Nominations have been sparse, so Exec committee members should encourage colleagues to make nominations. Kate

suggested that to keep the pool broad, we should say that we are interested in both recent accomplishments and lifetime achievements. Also, there have been comments that nonprofit attorneys haven't received the award, but the committee hasn't received nominations for nonprofit attorneys. The awards committee will send the nominee to Exec for approval.

8. Holiday Party (Kirk)- Kirk has found a venue for Wednesday, December 11th at The Cleaners (Ace Hotel and Clyde Common). This event is budgeted for \$2000. Food will be about \$1500, and Markowitz may pay for some of the alcohol. There will be no speaker, just awards.

9. New Business (Laura)- None

Next Meeting Date: The next Executive Committee meeting date will be determined. It will be at Schwabe, Williamson & Wyatt, 1211 SW 5th Ave., Suite 1900. If you will not be able to attend, please notify Karen Moynahan before the meeting via email to be excused.