

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

Thursday, September 19, 2019 – 9:00 am

LOCATION

In person: Dunn Carney
 851 SW 6th Ave, 15th Floor
 Portland, OR 97204

By phone: Dial 1-888-891-0496 and enter 150048

MINUTES

In person: Maura Fahey, Sarah Liljefelt, Kirk Maag, Chris Thomas, Ashley Carter, Mark Strandberg, Kate Moore

By telephone: John Mellgren (until 9:20), Mike Freese, Ryan Shannon, Alia Miles, Dominic Carollo (until 9:30), Michael Dunlap (OSB Liaison)

Quorum (minimum 8 of 14) reached

Excused: Caylin Barter

Unexcused: Lawson Fite

1. Approval of Minutes (Maura, subbing for Caylin)

The draft July minutes were approved without revision. The vote was unanimous.

2. Chair's Report (Kate)

Since the last EC meeting, Dave Becker and Caroline Lobdell stepped down. Kate discussed efforts of EC to be inclusive of all viewpoints and perspectives of ENR community and reminded members to keep this in mind as we act as representatives of the Section.

We were already anticipating one open seat for 2020, as Caroline was planning to step down after this year. There is now an additional opening to fill Dave's seat. Kate had initially asked Maura to step into Secretary role for 2020, but Maura is now willing to be named on the slate as Chair-Elect for next year and to serve as Treasurer for the remainder of 2019 to fill Dave's officer role. Caylin will follow natural transition to Treasurer for 2020. The annual meeting notice went out to the Section along with the proposed slate.

Kate moved to approve appointment of Maura as Treasurer for the remainder of 2019. The motion passed with a unanimous vote with the exception of Maura, who abstained from vote.

Kate discussed the need to fill sub-committee positions, particularly the awards subcommittee.

Kate received an email from the Classroom Law Project requesting contributions. In the past the EC had decided that charitable contributions were not an appropriate use of Section funds, but this is open for discussion if any members believe we should revisit this policy. Classroom Law Project is also seeking volunteers if individual members are interested.

3. Bar Liaison Report (Michael Dunlap, subbing for Stacy Owen)

The Board of Governors is still considering ending fund balances to make sure there is less than two years' worth of total membership dues. Right now, we have 542 members, so $(542 \times \$20 = \$10,840 \times 2 = \$21,680)$ ending fund balance needs to be below \$21,680.

4. Treasurer's Report (Maura)

The end of August balance was \$13,089, which still does not reflect \$2,000 deduction for check to McMenamins, which had not yet been expensed to the Section. Michael asked about missing \$2,000 expense and said he would look into it, as it should not take the Bar this long to account the check to the Section; rather, it should be reflected as soon as the Bar cuts the check. Michael asked that the Section call him when this happens in the future and he can address this.

Since June (last report) three additional paid and six complimentary members were added. Memberships at the end of August were 467 paid and 75 complimentary, for a total of 542. By comparison, memberships at the end of August 2018 were 504 paid, 11 complimentary, for a total of 514. Still about 7% below paid members at this time in 2018.

Maura discussed the draft 2020 budget. The increase in member dues to \$25 is necessary to guarantee the budget is balanced beginning next year and going forward. The Section is under budget for expenses this year, although (depending on CLE revenue) the revenues might end up right about at budget, meaning that there will be a roughly balanced budget in 2019 (compared with the budgeted loss of about \$2,000). This means that the fund balance year-over-year may stabilize in 2019 at about \$7,500, rather than the \$6,000 originally budgeted, which gives the Section more of a cushion going forward. Ashley asked about long-range plan that was submitted with the budget. This does not require a vote.

Kate discussed the dues increase. Based on Dave's calculations we determined that \$25 made sense to account for the Bar's increased per-member assessment and to leave more of a cushion each year. Michael added that the increased per-member assessment is for paid and complimentary members. Dues increase will be voted on at the annual meeting.

The 2020 draft budget was approved by a unanimous vote.

5. Publications

a. ENR Deskbook (Kirk/Mark)

No update this month. Kirk and Mark will get an email out to the list serve soon; it is ready to be sent. They are looking for one more editor to assist.

b. Case Notes (Chris)

Dave was working with Devin on this. Chris had volunteered to take it over, but he needs to reach out to Devin to get up to speed. There is time for at least one more case notes publication before the end of the year.

c. E-Outlooks (Chris/Ashley)

Legislative summary E-outlook went out in August. Ashley reached out to U of O Law School in July and is in contact with someone at the Environmental Law Review in search of students interested in publishing. Sarah suggested a potential contact at Lewis & Clark Law Review and will put Chris in contact.

6. Education/CLE

a. Brownbags (Maura/Ryan/John)

The tentatively planned Eugene brownbag for September fell through given the result of the carbon cap and trade legislation. Ryan discussed whether we wanted to plan any additional brownbags this year, in November or December. It would be good to fit another one in this year, maybe we want to try to offer the mental health credit as a brownbag. Maura suggested it would be good to still try to host a brownbag in Eugene in December. Maura and Ryan will ask John about his availability to help organize a brownbag before the end of the year.

Alia suggested a Portland brownbag on the Supreme Court Lake Oswego public access case. She could reach out to the DOJ attorney who argued the case to see if they are interested in presenting. Ryan could reach out to Mike Blumm as well. We will explore this as either a December panel or a January/February 2020 event.

b. Field Trips (Caylin/Alia)

Caylin and Alia had a meeting to brainstorm field trip ideas and discussed many ideas including Mt. Hood ski areas. There are many logistics to work out and make sure the field trip provides a valuable experience for members. Alia asked whether we have an objective of how many field trips we want to offer each year. The 2018 annual report stated that we will continue to offer field trips of interest to members of the Section in 2019. Typically, we have done about two field trips per year, some years we have offered three. Likely looking to next year for field trips given the Annual CLE is coming up and the end of the year is coming.

c. Annual CLE (Sarah/Ashley/Ryan/John/Dominic/Alia/Maura/Mark)

McMenamins Edgefield flooded this week so there is a question whether the venue is going to be open for the CLE date. We have not heard anything from the venue yet, but Sarah will be in touch with them today to check in. It is unlikely that we would be able to locate an alternative venue in time for the event; depending on developments, may need to review the contract. *POST-MEETING UPDATE: the venue confirmed that our meeting room was not affected by the flooding and will be able to accommodate the Annual CLE as planned.*

We are still working to fill out the public lands panel that Dave was planning. Mac Lacy is lined up to speak. Sarah Ghafouri at AFRC is helping to identify another speaker to discuss another public lands topic. Sarah Liljefelt reached out to Julie Weiss, but she is out of town.

Dave's contacts at DOJ were not available to discuss state public lands issues. We are looking to identify another speaker to discuss public lands issues who can jump in with short notice.

Alia suggested Boardman to Hemingway transmission line as a potential topic. It is unclear whether Dave reached out to Elizabeth Howard. Thomas Griffin might be more available and brings an interesting perspective. Kirk will reach out to Thomas.

d. Legislation (Mike)

No update this month.

7. Committees

a. Pro Bono (Ashley/Lawson/Ryan)

The subcommittee has been discussing potential public service events to organize for members in the winter.

b. Diversity (Ashley/Maura/Kate)

Now that law school classes have started back up, Kate suggested that we should be reaching out to contacts at each school to let them know about the Section's services and free membership for students.

c. Executive Committee Membership (Lawson/Mark – Laura Maffei (non-EC member))

Kate had previously asked Maura to step in as Secretary in 2020, but she has now been proposed to take over as Treasurer for the rest of 2019 and will move to Chair-Elect position for proposed slate for 2020. Ashley has agreed to step in as Secretary for 2020 slate. We also need approval for those members whose term ends this year, so those members are also listed on the proposed slate.

Sarah mentioned that if the Annual CLE ends up getting cancelled, we will need to reschedule the Annual Meeting for voting on the slate. We may need to identify potential alternative locations. Kirk offered to help identify an alternative event space for the Annual Meeting if needed. *POST-MEETING UPDATE: venue unaffected, so this issue is now moot.*

Lawson, Mark, and Laura met several times to discuss candidates for EC members. All great candidates to choose from, and given the number of open spots, all currently interested candidates were proposed for 2020 EC membership. Some of them are unable to attend the annual meeting, but some will be there for the vote.

Kate explained the process for voting on the proposed slate at the annual meeting and how to address any nominations from the floor. Lawson is going to send Kate voting materials from last year.

d. Annual Award/Meeting (Dominic/Ashley)

The announcement of the final deadline (Oct. 11) for award nominations will go out today.

We need five total members for the committee, 3 EC and 2 non-EC. It is not in the bylaws, but we decided to have a balanced committee because the EC delegated the ultimate decision-making to the committee by vote at a prior EC meeting. When we passed that motion, we also voted to approve the committee, so we need to do another motion to change the process. Alia volunteered to step in as the third EC member.

Kirk moved to approve Dominic, Ashley, and Alia as the EC representatives on the committee, and any of the following as the non-EC members at the Chair's discretion: Tiffany Johnson, Joan Snyder, Mary Anne Cooper, Stephanie Parent, or Scott Horngren. The motion passed with a unanimous vote.

The initial notice for nominations requested that nominations be sent to Dave Becker. He will forward any nominations to Kate. The second notice will ask for nominations to be sent to Dominic and Kate. The award will be given out at the December party at The Cleaners. Kate will check in with Dave/The Cleaners on status of planning.

8. Other/New Business (Kate)

Nothing to report.

OREGON STATE BAR
Environmental & Natural Resources - 813
Statement of Revenue and Expense
For the Nine Months Ending September 30, 2019

Description	September 2019	YTD 2019	Budget 2019	% of Budget	September Prior Year	YTD Prior Year
REVENUES						
Membership Fees	\$20	\$9,360	\$10,100	92.7%		\$10,080
Registrations - Conferences/Seminars	2,575	3,740	3,000	124.7%	1,655	1,795
Total Revenue	2,595	13,100	13,100	100.0%	1,655	11,875
EXPENSES						
Annual Meeting		138	2,200	6.3%		
Case Law Summaries			400	0.0%		291
Committee - Executive				0.0%		404
Committee - Subcommittee			500	0.0%	123	123
Computer - Internet / Web			100	0.0%		
Conferences / Seminars Expense		40	5,000	0.8%	3	3
Education		616	1,000	61.6%	1,997	3,952
Gifts & Awards			600	0.0%		242
Newsletter & Case Law Summaries	43	43		0.0%		
Telephone - Conference Calling		127	200	63.3%		104
OSB Support Services Assessment	48	4,384	4,240	103.4%		4,040
MCLE Sponsorship Application Fee	75	235		0.0%		
Credit Card Fee	21	39		0.0%		
Miscellaneous Expense			1,000	0.0%	147	644
Total Expense	187	5,620	15,240	36.9%	2,270	9,803
Net Revenue (Expense)	2,408	7,480	(2,140)		(615)	2,072
Beginning Fund Balance		8,018				
Ending Fund Balance		15,498				
Section Member Count - Paid	1	468				504
Section Member Count -	5	80				13
Section Member Count - Total	6	548				517

E & NR Detail

Account Number	Account Description	Date	Vendor	Reference	Debit Amount	Credit Amount
813-4405-000	Membership Fees	9/19/2019		Aptify BatchID = 532	\$0.00	\$20.00
813-4565-000	Conferences / Seminars-Conf/Seminar Registrations-	9/6/2019		Aptify BatchID = 526	\$0.00	\$255.00
813-4565-000	Conferences / Seminars-Conf/Seminar Registrations-	9/19/2019		Aptify BatchID = 532	\$0.00	\$1,515.00
813-4565-000	Conferences / Seminars-Conf/Seminar Registrations-	9/30/2019		Aptify BatchID = 540	\$0.00	\$805.00
813-7715-000	Newsletter	9/30/2019		Sept 2019 Sections-Design Bill	\$42.55	\$0.00
813-7745-000	OSB Support Service Assessment	9/30/2019		Sept Section Fee	\$48.00	\$0.00
813-7746-000	Environmental & Nat. Resources-MCLE Assessment	9/30/2019		Sep 2019 Misc Funds Transfer	\$75.00	\$0.00
813-7747-000	Environmental & Nat. Resources-Credit Card Fee-	9/3/2019	BluePay	Aug 2019 CC Transaction Fee:	\$21.27	\$0.00
813-U001-000	Environmental & Nat'l Resource Section Member Cou	9/30/2019		Section HC update	1	0
813-U004-000	Environmental & Nat'l Resource Sect Comp Members	9/30/2019		Section HC update	5	0