

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

Thursday, November 21, 2019 – 9:00 am

**LOCATION**

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

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

**MINUTES**

In person: Maura Fahey, Chris Thomas, Mark Strandberg, Kate Moore, Caylin Barter, Ryan Shannon, Ilene Munk (new EC member)

By telephone: Dominic Carollo (9:30), Sarah Liljefelt, Ashley Carter, John Mellgren, Stacy Owen (Bar liaison)

Quorum (minimum 8 of 14) reached

Excused: Alia Miles, Lawson Fite, Mike Freese

Unexcused: Kirk Maag

**1. Approval of Minutes (Caylin)**

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

Kate will share her notes from the Annual Meeting at the October CLE and those will be posted to the Section website along with these minutes.

**2. Chair's Report (Kate)**

The Section's annual report is due December 1. The report covers "Activities and Accomplishments," "Budget," "Legislative Matters," "Matters Considered or Pending," and "Recommendations for 2020" (could include number of publications, field trips, other Section goals/priorities, service days, etc.). Stacy forwarded the 2018 Annual Report to Kate during the meeting for reference in preparing the 2019 edition, and she also reviewed the process for generating and submitting the report: circulate draft to EC for comments, incorporate revisions, then submit.

Kate also received a survey from OSB regarding services received from Bar this year, and asked for feedback from EC. These services included CLE assistance, Stacy's support, Mike Dunlap's assistance from Accounting office, etc. She was not able to view the full scope of the online survey but will respond and provide an update to the EC.

**3. Bar Liaison Report (Stacy Owen)**

Nothing to report.

#### **4. Treasurer's Report (Maura)**

The end of October balance was \$9,887. This reflects the \$2000 McMenamins deposit and the balance of the expenses paid for the annual CLE, including registration services and other related charges. We received more than \$3,000 in revenues from the Annual CLE, paid in September and October. Michael Dunlap (OSB) clarified after our September meeting that pre-paid expenses will not be reflected in the financials until the expense is actually incurred on the date of the event.

Our revenue for the year has exceeded our budget estimates, and we are at about 78% of budgeted expenses.

Since August (last report), one additional paid and 18 complimentary members have joined the section. Membership at the end of October was 468 paid and 93 complimentary, for a total of 561. By comparison, memberships at the end of October 2018 were 504 paid and 23 complimentary, for a total of 527. Overall membership number has increased above 2018 levels, but we are still behind on paid memberships. Maura also completed a survey from OSB regarding Accounting services based on her short term of service since assuming the role of Treasurer in August.

At the annual meeting in October, the section membership voted to increase annual dues from \$20 to \$25.

#### **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. We will look for an update in January with new Section and EC membership.

##### **b. Case Notes (Chris)**

Devin Franklin was previously handling this and solicited the last round of case summaries. Chris has taken over the editing component and, moving forward, will be taking care of Case Notes completely.

Kate noted that in the past, we have provided modest payment for this position. Chris has agreed to donate his time even though he has additional duties on the EC.

##### **c. E-Outlooks (Chris/Ashley)**

Ashley reported that Chris reached out to Lewis & Clark environmental law review and had an in-person meeting; this is expected to be a good source in the future for articles. The journal is supportive of providing student-written content for publication as E-Outlook, and they are working on an internal process for this. Ashley will also follow up with UofO's law review to see if they have interest.

## **6. Education/CLE**

### **a. Brownbags (Ryan/Maura/John)**

Ryan reported that the committee will meet soon and will look at having an event in February. Maura reported that we hosted three brownbags this year (Legislative Session recap, Air Quality Permitting, and co-sponsored event featuring Jillian Hirshaw). Maura is stepping off the committee for 2020 given her role in planning the annual CLE, so they will be seeking a third member. John will continue to assist with coordination of brownbag events in Eugene.

For future topics, Maura suggested a brownbag on the state timber case for which the verdict was issued November 20 (OFIC and counties v. State) for >\$1 billion.

### **b. Field Trips (Caylin/Alia)**

Committee will meet in early 2020 to plan field trips, aiming for two field trips during calendar year. In 2019, we hosted one excellent field trip for CLE credit (Eagle Creek post-fire recover field trip and hike).

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

It's done! It was great. There were approximately 70 attendees. Comments were generally positive and included some helpful suggestions for next year's topics. The room continues to be cold and the sound quality is variable, though the convenience and overall value of the venue are difficult to beat.

### **d. Legislation (Mike)**

No update this month, but short session starts in February so look for more info soon.

## **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)**

No new report. Kate suggested meeting with committee before end of year and setting goals for 2020.

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

Welcome new members! The slate proposed by the EC committee was approved at the annual meeting in October.

Chair: Sarah Liljefelt  
Chair-Elect: Maura Fahey  
Past Chair: Kate Moore  
Secretary: Ashley Carter  
Treasurer: Caylin Barter

Members-at-Large: Avalyn Taylor, Ilene Munk, Stephanie Regenold, Sara Ghafouri, Chris Thomas, Mike Freese, Mark Strandberg, Ryan Shannon

Continuing Members: Dominic Carollo, Kirk Maag, John Mellgren, Alia Miles

**d. Annual Award/Meeting (Dominic/Ashley)**

The annual meeting was held in October immediately after annual CLE and was attended by approximately 20 members. The budget and EC membership were approved, 2019 Section services were discussed, and members socialized afterward. Thoughts were that it was a good opportunity for members outside the Portland area to attend.

The annual award committee received 5 nominations and selected Jan Neuman as recipient. The committee recommended reaching out to nominators to encourage to nominate same people again. Ashley reached out to Jan to notify her of selection, and Jan is considering what photograph she would want to have accompanying her award. Ashley will also reach out to Jan's nominators and those who wrote letters of support to let them know that they are welcome to share words at the annual party. Avalyn Taylor was Jan's nominator and will likely introduce Jan at the party. Last year we sent out the reminder for the party with the name of the award recipient to encourage people to show up in support, and it seemed to work well, so we will do it again.

Our annual section party is at the Cleaners, from 5:30-7:30pm on December 12. This is the same evening as Tonkon Torp's annual party, but Jan has confirmed that she will be there, and it seems like a good opportunity for Jan's colleagues to come before their party to celebrate Jan's award.

Former EC member Dave Becker completed the venue contract with the Cleaners and Stacy will forward Kate a copy. Kirk had volunteered to reach out to Cleaners and confirm all is ready, and Kate will follow up.

Kate will work with Dominic and Ashley to get our party reminder to OSB to be distributed in the next day or two.

## **8. Other/New Business (Kate)**

Kate opened discussion of whether we should try to hold a December meeting, and it was agreed that December 19 would likely be poorly attended on account of the holiday. A motion to cancel the December meeting passed unanimously, meaning the EC will reconvene on January 16.

2020 EC meetings will continue to be held at Dunn Carney at 9am on third Thursday of the month.

Kate will email the full 2020 EC to welcome new members, thank retiring members, and hand off the torch to 2020 Chair Sarah Liljefelt.

Thank you, Kate!

Adjourned.

**ATTACHMENT:** Kate Moore's notes from the ENR Section Annual Meeting on October 3, 2019

**OSB ENR Section Annual Meeting  
October 3, 2019  
Held at McMenamins Edgefield**

Discussion of section activities:

- Newsletters:
  - o Case Notes and E-Outlooks (goal of 3-4 per year) – opportunities to participate by writing if members are interested
  - o Also maintain section website
  - o List serv
- Brownbags: About 4 a year (air permitting, legislative preview in Salem – effort to expand geographic reach of events, and helped organize along with groups at L&C and the Ag Section an Access to Justice speaker, Jillian Hershaw, in evening)
- Field trips: 1-2 a year - Eagle Creek Fire field trip this year
- Annual CLE
- Award
- Annual holiday party

Potential new activities: volunteer day, more social gatherings, practice-area specific brownbags

Discussion of Financials (indicate that posted to section website... but needing some updates)

- Reserves policy
  - o Need to keep below two years of membership dues at end of year so that services provided benefit current members (some sections have very large reserves at end of year)
  - o In past, had a larger amount remaining but have brought that down over last couple of years
- Dues increase
  - o Annual per member assessment has been \$20 since 2014; EC is proposing an increase to \$25 in 2020
  - o Provide all the services above free of charge to members, except annual CLE but we try to keep the cost of the CLE low to members, mostly covering the costs of putting the event on
  - o Membership fee to OSB, whether complimentary or not (students and 1<sup>st</sup> year)
    - \$8 per member to \$9.50 per member
    - I think we are around 470 paid members, 85 unpaid in 2019

\*Section voted to approve the dues increase to \$25 in 2020

Discussion of Executive Committee membership:

- Committee consisting of two members of the EC (Lawson Fite and Mark Strandberg) and one non-EC member, Laura Maffei
  - o Solicit input from entire EC as to people known to be interested, particularly those who have contributed to the section leading up to now, for example serving on the CLE planning committee or the like

- They select the proposed slate, which consists of the brand-new members as well as those who have been serving on the EC but whose initial term has expired (eligible to serve two 2-year terms as member at large, and up to 9 total years if become an officer)
- That selection is presented to the EC for comment before it is distributed to the Section with the announcement of the annual CLE
- Nominations may also be made from the floor, but need to be made to contest a person currently on the proposed slate
- Note: two nominated individuals, Ilene and Stephanie, had commitments out of town and were not able to attend
- Reviewed proposed slate with section:
  - Officers
  - Terms ending December 31, 2020*
  - Chair-Elect: Maura Fahey
  - Secretary: Ashley Carter
  - Treasurer: Caylin Barter

Member-at-Large  
*Terms ending December 31, 2021*  
 Sara Ghafouri  
 Ilene Munk  
 Stephanie Regenold  
 Avalyn Taylor  
 Chris Thomas  
 Michael C. Freese  
 Mark P. Strandberg  
 Ryan Adair Shannon

The current Chair-Elect, Sarah Liljefelt, will succeed to the office of Chair on January 1; current Chair, Kate LaRiche Moore, will succeed to Past-Chair. Members previously elected to the executive committee and continuing through December 31, 2020, include Dominic Carollo, Kirk Maag, John Mellgren, and Alia Miles.

\*Section voted to approve the slate as proposed

Adjourned

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

| <b>Description</b>                          | <b>November<br/>2019</b> | <b>YTD<br/>2019</b> | <b>Budget<br/>2019</b> | <b>% of<br/>Budget</b> | <b>November<br/>Prior Year</b> | <b>YTD<br/>Prior Year</b> |
|---|--------------------------|---------------------|------------------------|------------------------|--------------------------------|---------------------------|
| <b>REVENUES</b>                             |                          |                     |                        |                        |                                |                           |
| Membership Fees                             |                          | \$9,360             | \$10,100               | 92.7%                  |                                | \$10,080                  |
| Registrations - Conferences/Seminars        |                          | 4,360               | 3,000                  | 145.3%                 |                                | 6,655                     |
| <b>Total Revenue</b>                        |                          | <b>13,720</b>       | <b>13,100</b>          | <b>104.7%</b>          |                                | <b>16,735</b>             |
| <b>EXPENSES</b>                             |                          |                     |                        |                        |                                |                           |
| Annual Meeting                              |                          | 162                 | 2,200                  | 7.3%                   |                                |                           |
| Case Law Summaries                          |                          |                     | 400                    | 0.0%                   | 116                            | 408                       |
| Committee - Executive                       |                          |                     |                        | 0.0%                   |                                | 404                       |
| Committee - Subcommittee                    |                          |                     | 500                    | 0.0%                   |                                | 123                       |
| Computer - Internet / Web                   |                          |                     | 100                    | 0.0%                   |                                |                           |
| Conferences / Seminars Expense              |                          | 5,817               | 5,000                  | 116.3%                 | 143                            | 5,777                     |
| Education                                   |                          | 616                 | 1,000                  | 61.6%                  |                                | 3,992                     |
| Gifts & Awards                              |                          | 230                 | 600                    | 38.3%                  | 205                            | 447                       |
| Newsletter & Case Law Summaries             |                          | 43                  |                        | 0.0%                   |                                |                           |
| Telephone - Conference Calling              |                          | 147                 | 200                    | 73.7%                  | 6                              | 110                       |
| OSB Support Services Assessment             |                          | 4,488               | 4,240                  | 105.8%                 |                                | 4,112                     |
| MCLE Sponsorship Application Fee            |                          | 235                 |                        | 0.0%                   |                                |                           |
| Credit Card Fee                             | 1                        | 115                 |                        | 0.0%                   |                                |                           |
| Miscellaneous Expense                       |                          |                     | 1,000                  | 0.0%                   | 157                            | 947                       |
| <b>Total Expense</b>                        |                          | <b>11,852</b>       | <b>15,240</b>          | <b>77.8%</b>           | <b>627</b>                     | <b>16,319</b>             |
| <b>Net Revenue (Expense)</b>                | <b>(1)</b>               | <b>1,868</b>        | <b>(2,140)</b>         |                        | <b>(627)</b>                   | <b>416</b>                |
| <b>Beginning Fund Balance</b>               |                          | <b>8,018</b>        |                        |                        |                                |                           |
| <b>Ending Fund Balance</b>                  |                          | <b>9,886</b>        |                        |                        |                                |                           |
| <b>Section Member Count - Paid</b>          |                          | <b>468</b>          |                        |                        |                                | <b>504</b>                |
| <b>Section Member Count - Complimentary</b> | <b>1</b>                 | <b>94</b>           |                        |                        |                                | <b>23</b>                 |
| <b>Section Member Count - Total</b>         | <b>1</b>                 | <b>562</b>          |                        |                        |                                | <b>527</b>                |



## E & NR Detail

| Account Numbe | Account Description                             | Date       | Vendor  | Reference                   | Debit Amoun | Credit Amount |
|---------------|---|------------|---------|-----------------------------|-------------|---------------|
| 813-7747-000  | Environmental & Nat. Resources-Credit Card Fee- | 11/4/2019  | BluePay | Oct 2019 CC Transaction Fee | \$0.69      | \$0.00        |
| 813-U004-000  | Environmental & Nat'l Resource Sect Comp Memb   | 11/30/2019 |         | Nov Sect HC adjust          | 1           | 0             |