

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

Thursday, October 15, 2020 – 9:00 a.m.

Present: Caylin Barter, Ashley Carter, Dominic Carollo, Maura Fahey, Mike Freese, Sara Ghafouri, Sarah Liljefelt, Kirk Maag, John Mellgren, Alia Miles, Ilene Munk, Stephanie Regenold, Ryan Shannon, Mark Strandberg, Avalyn Taylor, Chris Thomas, Stacy Owen (Bar liaison), and Michael McNichols (non-EC member).

Quorum (minimum of 9 of 17) reached.

Excused: Kate Moore

MINUTES

1. Approval of Minutes (Ashley Carter)

Mark moved to approve the minutes. Ryan seconded. John and Avalyn abstained. All others in favor (Ilene, Mike, Alia not present for vote). Minutes are approved.

2. Chair's Report (Sarah Liljefelt)

There is a House of Delegates meeting on Oct. 30th and the agenda available. Section chairs are voting members for the year they are chairs. Everyone is allowed to go the meeting, but if there is something you'd like Sarah to bring up, let her know. The agenda includes raising fees and remote court appearances. Regarding increasing fees, it's unclear whether this affects the per member assessment for 2021. They are considering increasing fees for active members by \$45 and inactive members by \$25. These are increases for licensure. It's unclear whether this will affect our Section budget.

3. Bar Liaison Report (Stacy Owen)

We still need to schedule the annual meeting. People voting will get specific info.

4. Treasurer's Report (Caylin Barter)

The end of September balance was \$14,834, which represents a decrease of \$57 from the August financials. This balance reflects expenses of \$57 assessed by OSB for support services (\$9.50/member, whether paid or complimentary). Expenses from the October CLE are not yet reflected, though the Bar notified us that scholarship costs totaled \$600, which was substantially lower than expected.

Our year-to-date revenue of \$12,050 from membership dues is very close to our budget estimate of \$12,500 (96.4%). We are well ahead of our September 2019 membership revenue, which stood at \$9,360. The year-over-year change is attributable to the increase in Section dues for 2020.

Since August, we have experienced a small increase in overall membership. Section membership at the end of August was 482 paid and 39 complimentary, for a total of 521. At the end of September, we had 482 paid and 45 complimentary, for a total of 527 (increase of 6). By comparison, memberships at the end of September 2019 were 468 paid and 80 complimentary, for a total of 548.

The treasurer forms for the 2021 Budget are due back to the Bar by December 4. The budget is in development and a draft will be circulated to the EC for consideration in the next couple of weeks. We will vote on the proposed budget at our November meeting.

Regarding the Annual CLE scholarship, only about 16 members asked for the scholarship. Some EC members heard that section members had trouble getting the scholarship. Someone at the bar told a member only the published rate was available and not the scholarship. Maybe some OSB staff members did not know about the scholarship. We will let the Bar (Karen Lee, head of CLE department) know about these few incidents and that some people had trouble getting the scholarship.

5. Publications

a. ENR Deskbook (Kirk Maag/Mark Strandberg)

Kirk is scheduling a meeting with Bar to relaunch effort to move forward with Vol 3. Kirk will continue on the subcommittee after he's off the EC. The Bar prefers a mix of people on and off the EC working on the Deskbook for continuity.

b. Case Notes (Chris Thomas)

Chris sent out a request for volunteers for next case notes, and he has 4 out of 7 have volunteers. The next issue of case notes should be out within the next month or so.

c. E-Outlooks (Chris Thomas/Ashley Carter)

Chris is in contact with one author about an E-Outlooks publication and there should be another issue within the next month or so.

6. Education/CLE

a. Brownbags (Ryan Shannon/John Mellgren)

They are reaching out to the Governor's office about doing a CLE on the Governor's climate order. Hopefully this will happen at the end of year or early next year. They plan to have a representative from the Governor's office go into detail about the order. The CLE will explain the order; whether it also touches on legal challenges to the order is TBD. We're co-sponsoring with Sustainable Futures.

Maura and Ryan need to touch base on the I-5 CLE.

If you have any other brownbag ideas, let Ryan know. Avalyn proposed having Heather Wade (speaker from State) do a brownbag since she couldn't connect during our annual CLE. Maura and Avalyn are trying to figure out who could be a good companion speaker. This brownbag could come together rather quickly since she already has materials prepared. Maybe there could a CLE on Jordan Cove. Susan Jane Brown, who presented on NEPA at the annual CLE, could present on this topic as well.

Regarding recording Brownbags and posting them on the website, can people get CLE credit for it? Sarah emailed the Bar about this and is waiting for a response back.

b. Field Trips (Caylin Barter/Alia Miles)

This is still on hold.

c. Annual CLE (Maura Fahey/ Ilene Munk/Stephanie Regenold/Avalyn Taylor/Alia Miles/Kate Moore)

We had 91 total attendees, including speakers and planners. Maura can share a recap of the comments when she receives them from the Bar. We received mostly positive feedback. One complaint/question received was about one presentation being too advocacy focused. Maura made clear that the section doesn't guide topics beyond making sure the CLE meets requirements. One member will not be renewing their membership because of the presentation being too advocacy focused. Stacy will follow up with Maura separately about the Complaint. Most people felt the presentation was valuable, however, and consistent with past presentations.

Too many people giving last minute slides makes vetting hard. We discussed not wanting to sensor our speakers and to continue to make sure our Annual CLE subcommittee has a good cross section of sectors, and perhaps even EC and non-EC members to offer a diversity of speakers. Maybe we could even provide speakers a 1-pager about things to keep in mind when putting together a presentation. In the future, maybe we will include some type of disclaimer in our canned opener in the beginning.

Some technical feedback – Avalyn and Stephanie were co-moderating their panel and had asked that they both be in the speaker room at the same time, but there were times when Avalyn wanted to speak and she wasn't in the room. She can pass that feedback on to the Bar. They had to manually let themselves back into the room and that wasn't clear.

d. Legislation (Mike Freese/Ilene Munk)

No updates. The upcoming session will start on time – after MLK weekend. They will have to adopt rules first and then it may go virtual after that. Mike doesn't expect to hear anything firm (such as whether public is excluded) until after the elections. When that more information and rules come out, Mike can do a short, written update for our members.

7. Committees

a. Pro Bono (Ashley Carter/Ryan Shannon/Chris Thomas)

No new developments. We could flag email the Bar sent around last Wednesday for volunteer services related to wildfires. This could include volunteer opportunities related to the skill sets our members have. Stacy will follow up about when training on that actually starts.

b. Diversity (Ashley Carter/Maura Fahey/Kate Moore/Sara Ghafouri)

No updates.

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

The EC Membership Committee met with the Diversity Committee to discuss solicitation for new members. We did not get a lot of statements about diversity qualifications. We received 5 statements of interests and the committee met to discuss them. 3 of the candidates were well suited to join the section at this time. 2 are left off and we're encouraging them to stay involved. The slate for this year will be Laura Kerr (Stoel Rives), Cassie Roberts (Perkins Coie), and Olivier Jamin (DWT).

Since we can't do the selection at annual meeting, we will have to do an electronic ballot. The Bar will put together an electronic ballot for the meeting. They'll send out the proposed slate and members will have a chance to vote in total or challenge for a spot (like they usually do from the floor). This is one less thing we'll have to do at the annual meeting.

We have to put forward a slate for our membership to vote on. Members can always come to the annual meeting and make alternative nominations from the floor (which they can do electronically this year). Historically, we've done different things— sometimes people give statements; other times just the names are said. There is usually not a lot of engagement from members on this.

We received statements of interest this year and asked for specific things/criteria in the statement, although there was no point system or scoring. We've encouraged past applicants to reapply and think anyone who has wanted to get on has gotten on.

Caylin moved to approve the slate. Chris seconded the motion.

Discussion: We discussed why we're only filing 3 spots when we have 4 open spots. This was based on the criteria from the committee. The two who expressed interest but were not selected were Nick Caleb and Michael McNichols. We are not required to fill the maximum number of at large members. All folks stepping off are private sector attorneys except for Alia. We urged those who expressed interest but who were not selected to get more involved. Ilene asked for more transparency in the selection process in the future. We will continue to improve this process. The solicitation (with criteria) was on improvement to the process.

Vote: Ilene opposed (based on process). All others in favor. Motion passes and slate is approved.

d. Annual Award/Meeting (Dominic Carollo/Ashley Carter/Alia Miles)

So far, we've received two nominations. We discussed the process surrounding selection of the award winner. In the past, sometimes everyone on the EC votes on who gets the award. Sometimes the committee shares the nominations, so everyone knows what is being considered by the committee. On most boards, the subcommittee recommends a selection for the board to vote on. We've also done that in the past but not in recent years since the selection ran late.

For the annual meeting, we'll want to make sure as many people (including nominators) are available as possible and to make sure the award winner is available. We'll encourage the new EC members to attend to introduce them to the section. Since we don't have to have our vote at the annual meeting, this annual award meeting no longer has to be in December. The committee will convene to suggest a timeline/path moving forward. Options include have a Zoom call and have the nominators give their speeches or recognition over Zoom. We could have award winner open the award (picture) over Zoom. We could also email the announcement with excerpts from nomination letters.

8. Other/New Business (Sarah Liljefelt)

Future Zoom meetings: For the Sustainable Futures Section, the section pays for a Zoom account. Maybe we can do that. Maura will follow up with that section for more details.

OREGON STATE BAR
Environmental & Natural Resources - 813
Statement of Revenue and Expense
For the Nine Months Ending September 30, 2020

Description	September 2020	YTD 2020	Budget 2020	% of Budget	September Prior Year	YTD Prior Year
REVENUES						
Membership Fees		\$12,050	\$12,500	96.4%	\$20	\$9,360
Registrations - Conferences/Seminars		110	5,325	2.1%	2,575	3,740
Total Revenue		12,160	17,825	68.2%	2,595	13,100
EXPENSES						
Annual Meeting			2,300	0.0%		138
Case Law Summaries			400	0.0%		
Committee - Subcommittee			300	0.0%		
Computer - Internet / Web			100	0.0%		
Conferences / Seminars Expense		220	5,900	3.7%		40
Education			1,000	0.0%		616
Gifts & Awards			600	0.0%		
Newsletter & Case Law Summaries				0.0%	43	43
Telephone - Conference Calling		106	200	53.0%		127
OSB Support Services Assessment	57	5,007	5,938	84.3%	48	4,384
MCLE Sponsorship Application Fee		40	315	12.7%	75	235
Credit Card Fee		5		0.0%	21	39
Miscellaneous Expense			500	0.0%		
Total Expense	57	5,378	17,553	30.6%	187	5,620
Net Revenue (Expense)	(57)	6,782	273		2,408	7,480
Beginning Fund Balance		8,052				
Ending Fund Balance		14,834				
Section Member Count - Paid		482				468
Section Member Count -	6	45				80
Section Member Count - Total	6	527				548

E & NR Detail

Account Numbe	Account Description	Date	Vendor Reference	Debit Amoun	Credit Amount
813-7745-000	OSB Support Service Assessment	9/30/2020	Sept Sec Admin fee	\$57.00	\$0.00
813-U004-000	Environmental & Nat'l Resource Sect Comp Memb	9/30/2020	Sept Sect HC Adj	6	0

As of 10/13/2020