

Marys Peak Group Executive Committee Minutes
Last meeting of the 2023 ExCom
First meeting of the 2024 ExCom

January 4, 2024
Via Zoom

ExCom: Julie Arrington, Mike Neeley-Brown, Dave Eckert, Melanie Feder, Mary Beth Downes, Leslie Hogan

Present : Robert White

Absent: Karl McCreary

Recorder: Leslie Hogan

Last meeting of the 2023 ExCom began at 7:00 p.m.

I. Welcome and announcements

This will be the last meeting of the 2023 ExCom. We will wrap up old business and then adjourn. After adjourning, the newly elected board will be installed and will begin its first 2024 meeting.

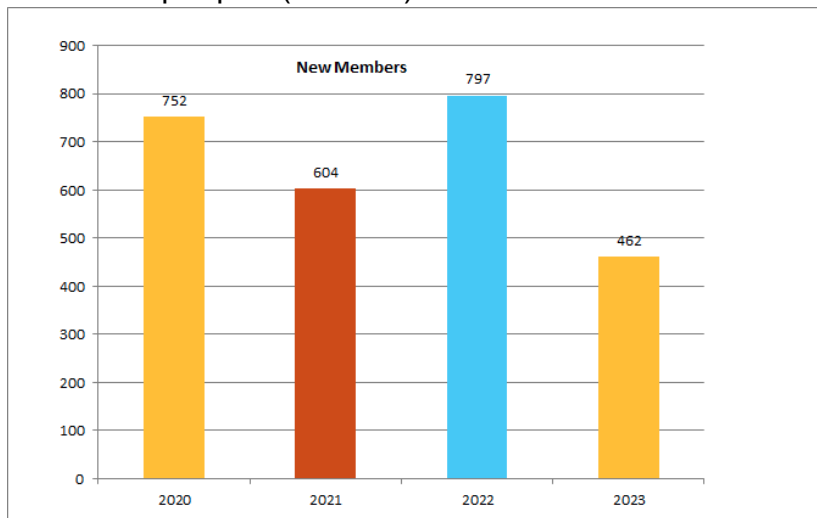
II. No additions or changes to the agenda.

III. Motions passed by email.
None

IV. Treasurer's report (Robert). Robert laid out the current state of MPG finances and then noted that it will be up to the 2024 MPG board to make allocations in the second part of tonight's meeting.

MOTION to approve the treasurer's report made by Mike, seconded by Dave. Motion passed.

V. Membership report (Melanie)



VI. **Motion by Dave Eckert:**

The Marys Peak Group Sierra Club Executive Committee urges the Corvallis City Council to vote against the forfeiture of the Ward 5 City Council seat held by Charlyn Ellis for the following reasons:

1. City Council and staff are wasting precious time, resources and taxpayer money for this frivolous prosecution, when we are facing the truly important issues of human-induced climate change, human-induced environmental degradation, homelessness, diminishing public involvement in government and many, many other issues that need Council attention and taxpayer funding..
2. We believe that the City Charter language used for the prosecution of City Councilor Charlyn Ellis is “void for vagueness” and unenforceable in this specific instance. “Void for Vagueness” is a legal doctrine understood by lawyers and judges. Juries need to be informed about the doctrine and implications.
3. We believe the City staff and Council have not acted in the best interest of the City of Corvallis by bringing this expulsion of a City Councilor to a radical hearing agenda rather than having private conversations and agreements to move forward without the expulsion.
4. We believe that a resulting expulsion using the vague language of the City Charter will set a precedent for future City Councilor expulsions that could be driven by political or administrative interests to eliminate City Councilors who do not agree with the actions of a simple majority of the City Council.
5. We believe that if this forfeiture is upheld by vote of the City Council that the decision will be appealed and ultimately lost at the State Supreme Court. As a result, the forfeiture action of the City Council will result in further unraveling the delicate fabric of trust in local government by the electorate.
6. We do not believe Charlyn Ellis is guilty and was simply exercising her right to free speech.

Background for Motion:

City Councilor Ellis was asked at a meeting of City leadership and without any forewarning was told by the Mayor, Council President and City Attorney that she violated the City Charter and must step down (see attached resolution). She was without representation and totally caught off-guard by the accusations of something they were accusing her of doing two months prior. Charlyn is the only vocal supporter of action on many issues of interest to the Sierra Club. If the Council votes to expel Charlyn Ellis for these trumped-up charges under the pretext of a vague paragraph in the City Charter, it will be the first time in City history this has been used. There is also no process set up in the Charter for enforcement of this charge. Any decision will be precedent-setting in Corvallis and may have state-wide implications. This is the most critical piece of local government action I have seen in my 33 years of City Council-watching in Virginia and Oregon. We can't let this denigration of democracy occur as a result of Charlyn's fight for climate justice. This action fits hand and glove into the Sierra Club mission and the primary interests of the National Sierra Club today.

Definition: “void for vagueness” as used in the second point of the motion.

In **American constitutional law**, a statute is considered **void for vagueness** and unenforceable if it is too unclear for the average citizen to understand. This concept arises from the **due process clause** of the **Fifth and Fourteenth Amendments** to the **U.S. Constitution**.

Here are the key points regarding laws being void for vagueness:

1. **Criminal Laws:** A law can be declared void for vagueness if, after setting requirements or punishments, it fails to specify what is required or what conduct is punishable³.
2. **Delegation of Authority:** Under the vagueness doctrine, a statute can also be void for vagueness if a legislature’s delegation of authority to judges or administrators is so extensive that it could lead to arbitrary prosecutions.
3. **Property Laws:** In property law, a declaration of void for vagueness may apply to a deed or other instrument affecting property rights if it lacks a sufficiently clear description of the property.

MOTION made by Dave, seconded by Melanie. The motion passed unanimously.

VII. **Conservation Projects (Dave)**

a. Dunawi Creek Regeneration Project at Bald Hill Natural Area

- i. **PLANTINGS** - Over 100 volunteers helped plant Oregon White Oak, Hazel, Camas, Wild-clustered Rose, Douglas Spirea, Oceanspray, Scouler’s Willow, Oregon Yampah and Pacific Ninebark on the upstream and downstream sides of the new culvert installed last July.
- ii. **CREEK MANAGEMENT** – Local residents donated logs that we transported to the creek site and laid into the creek bed near the culvert to reduce creek bed and creek bank erosion and provide more habitat.

b. Marys Peak Interpretive Plan- The U.S. Forest Service Siuslaw National Forest hired a new interpretive specialist as of December 18th. The Forest Service has assured us that the priority project for the new hire is the development of the Marys Peak Interpretation Plan.

VIII. **Programs (Dave)**

Champinefu Series

MPG co-sponsored two webinars and one live presentation for the 7th annual Champinefu Series. Other co-sponsors included the Confederated Tribes of the Grand Ronde, Corvallis-Benton County Public Library, Oregon State University, Corvallis Sustainability Coalition and the Spring Creek Project. You can link to the webinars of the 2021-2023 seasons at:

<https://youtube.com/playlist?list=PLoOnCSHMZGTpY0u06KPIgiSveUonaWS5L&si=fPCPNrho01koBq2b>

a. *Willamette River: Ancestral Highway*

Thursday, October 12th @ 7 pm – Webinar – 465 registrants for first showing

A film by the Confederated Tribes of the Grand Ronde and follow-up panel about canoe culture at the Grand Ronde and their relationship to the Willamette River.

YOUTUBE recording - <https://www.youtube.com/watch?v=5w1q984Bp6I>

b. *Fire is Life: Living in Relation with Indigenous Fire Practices of Western Oregon*

Thursday, November 9th @ 7 pm – Webinar – 581 registrants for first showing

Joe Scott (Confederated Tribes of Siletz Indians) winner of the 2023 Indigenous Place Keeping Artist (IPKA) Fellowship presented the connecting local indigenous people to the sacred fire resources and practices that have sustained people of this place through the seasonal round since Time Immemorial. **YOUTUBE recording:**

<https://youtube.com/playlist?list=PLoOnCSHMZGTpY0u06KPIgiSveUonaWS5L&si=fPCPNho01koBq2b>

c. *Winter Storytelling: Indigenous Stories of Place*

Tuesday, December 12th, 7 pm

In-Person - OSU Alumni Center, 725 SW 26th Street – In attendance – over 440 people.

i. **RECEPTION** – A small private reception for members of the Confederated Tribes of the Grand Ronde and the program co-sponsor leadership was held in the “living room” of the Alumni Center prior to the program. Gifts were exchanged. MPG Chair Julie Arrington presented a framed photo of Marys Peak (taken by Barry Wulff) to the Confederated Tribes as a symbol of our offer to lead field trips for members and staff of the Confederated Tribes to lesser-known physical or ecological sites on Marys Peak. We also helped to negotiate the donation of a 17-foot Drift Boat from a Corvallis resident to be used by the Confederated Tribes for their river restoration and cultural uses.

ii. **PROGRAM** – Members and staff of the Confederated Tribes of Grand Ronde shared stories that can only be told during the winter, including family stories, Ikanum (creation stories) and contemporary stories. Most were told in the ancestral language and then translated into English. This was the first time the Confederated Tribes have shared these stories in a large, public setting. At the request of the Confederated Tribes, the program was not recorded.

iii. Two city councilors, Charlyn Ellis and Paul Schaffer, lauded the Champinefu Lecture Series during the time for Councilor remarks at the December 18th meeting of the Council. I saw both of them in attendance. Paul also mentioned the participation of the Corvallis-Benton County Library. (Julie)

iv. **UPDATE** - OSU will be negotiating a memorandum of understanding with the Confederated Tribes of the Grand Ronde and Siletz Indians to have an ancestral-style canoe built to be part of the OSU community to use on the Willamette River and

possibly on the Pacific Ocean. I met today with an OSU representative about the possibility of being an ally in this project. Nothing else to report for now. This is simply an exciting project stimulated by the October webinar. I will report back as the project develops.

- IX. Election results: Julie reported that Mike and Melanie were reelected to MPG ExCom. Over 2000 electronic and paper ballots were sent out and our return was 2.2% of the ballots, about par for past years.
- X. **Motion:** Adjourn the 2023 Marys Peak Group Executive Committee. Motion made by Mike, second by Mary Beth. Time of adjournment: 7:06 p.m.

First meeting of the 2024 Marys Peak Group Executive Committee

ExCom: Julie Arrington, Mike Neeley-Brown, Melanie Feder, Mary Beth Downes, Leslie Hogan

Present : Robert White, Dave Eckert

Absent: Karl McCreary

Recorder: Leslie Hogan

Meeting begun at 7:07

- I. Election of officers as listed below:
 - A. **Motion** to approve the following list made by Mike, seconded by Mary Beth. Motion approved.
 - B. Chair: Julie Arrington
 - C. Vice chair: Mike Neeley-Brown
 - D. Secretary: Leslie Hogan
 - E. Treasurer: Robert White
 - F. Outings: Mary Beth Downes
 - G. Membership: Melanie Feder
 - H. Programs: Dave Eckert
 - I. Representative to chapter ExCom: Julie Arrington
 - J. Alternate representative to chapter ExCom: Leslie Hogan
- II. Outings (Mary Beth, Mike)
 - A. A list of the land acknowledgements that we have for use by hike leaders have been compiled. Leslie will up-load them to Google. Mary Beth noted that we have a new leader, Randy Rassmussen. Mary Beth is also planning a members' potluck at the big shelter in Willamette Park, most likely in May.

III. Peak View and Facebook (Julie)

- A. We continue to receive requests to sign up for The Peak View.
- B. Our editor, Rose Young, is doing a great job. She suggested that we include articles on our favorite plant, fungus or animal that we might see on our hikes. We have done this before. It would be a good idea to continue this. Leslie will ask Barry if he would like to report on seasonal fungi.

IV. Conservation Projects (Dave)

A. Dunawi Creek Regeneration Project at Bald Hill Natural Area

- i. PLANTINGS – A January 28th willow gathering, bundling and planting will take place at the site from 10 am to 1 pm.
- ii. PROSPECTIVE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY AND CONFEDERATED TRIBES OF THE GRAND RONDE – We will be helping to facilitate an MOU to encourage tribal members and staff to use traditional ecological knowledge to manage and harvest culturally-important seeds and plant components that they can use and while simultaneously helping the native plant communities to thrive.

B. Marys Peak Interpretive Plan- I am scheduled to meet with the new Interpretive Specialist on January 19th to help plot the process for the next development stages of the Interpretation Plan. The initial goal is to have something to present to the public in May for public feedback with an MPG-co-sponsored webinar. Hopefully, we will be able to spend the allocated \$2,500 for Marys Peak interpretation by the end of 2024.

C. Oak Creek Watershed Confluence – I will be holding further meetings in January with OSU faculty and staff to produce a program at OSU combining Arts and Sciences departments that will both promote and improve Oak Creek as a cultural and ecological treasure.

V. Programs (Dave)

2024 Liz and Bob Frenkel Environment and Hiking Spring Series. . . . a themed series to be developed about the past, present and potential future of Marys Peak.

Presentation concepts (no titles, presenters or dates yet) for three webinars to be co-sponsored by the Corvallis-Benton County Public Library and, hopefully, the Marys Peak Alliance:

March – Invite members of local indigenous cultures whose homeland includes Marys Peak to elaborate on that homeland. Close with a segment on the many colonial names of the mountain with early colonial settlement and reveal who the Mary of Marys Peak was.

April–Discuss the physical and ecological regeneration/restoration/conservation projects on Marys Peak by the USFS and the BLM. This discussion would include the BPA communication tower work and the meadow restoration project MPG supported.

May - Focuses on plans for future cultural programs like interpretation and partnerships, specifically through the proposed U.S. Forest Service Interpretation Plan. Make this a feedback session to the interpretive plan.

- A. Forest Service staff indicated an interest in participating in the webinars.
- B. I would like to add the Marys Peak Alliance as a partner with the approval of the MPG ExComm just for this year's Marys Peak theme. That will help as the Marys Peak Alliance has a formal partnership agreement with the Siuslaw National Forest, US Forest Service.

MOTION: MPG Ex Com approves a Marys Peak oriented theme for the 2024 Frenkel Spring Series and will invite the Marys Peak Alliance to be an additional cosponsor this year with MPG and the public library. Motion made by Mike and seconded by Leslie.

Julie suggested that MPG arrange to have some hikes planned on Marys Peak during that spring series.

- VI. Elections in fall 2024
It's never too early to start work on the elections! Mike Neeley-Brown will be on the 2024 election committee.
- VII. MPG agreed to appoint someone to fill the empty ExCom seat. Mary Beth offered to put out feelers and make some contacts with prospective board members.
- VIII. Chapter report (Julie)
 - A. National recently told the Chapter Treasurer that National does not have a timeline for when they will have Chapter take over our finances. National advised Robert to go ahead and buy another annual subscription to Quicken which he uses to balance our books.
 - B. The Chapter Treasurer said that National will be busy the first quarter of 2024 with collecting and collating the treasurer reports from all the chapters.
 - C. Damon, our Chapter Director and also serving as Chapter's lobbyist for the short session, has hired a Chapter Coordinator who started Jan 3rd. Kai will take care of office work that a volunteer has been doing as well as taking on other jobs.
 - D. Chapter is working to revive its Political Committee
 - E. Kelly Smith, Chapter Outings Chair, is willing to organize another outings' leader training in Portland. He is focused on creating a dynamic state-wide outings program.
- IX. MPG will keep track of a recent issue about liability on municipal trails in light of a recent lawsuit that has resulted in settlements against municipalities. And Julie will inform Kelly Smith at Chapter and the legislative committee.
- X. Next meeting in April. (Julie will send out a Doodle poll as to the exact date.)
- XI. Meeting adjourned at 8:00 p.m.