MINUTES
American Society of Mining and Reclamation
National Executive Committee
Wednesday October 16, 2013

The National Executive Committee of the American Society of Surface Mining and Reclamation held a bimonthly meeting via conference call on October 16, 2013. The meeting started at 10:00 AM CDT.

In attendance on the call were the following:
President: Bob Nairn
Past President: Bruce Buchanan
President Elect: Joe Friedlander
Executive Secretaries: Dick Barnhisel
                      Robert Darmody
Members: Michele Coleman
         Bob Dunker
         Jennifer Franklin
         Jarvis Harper
         Barry Stewart

Invited Guests
Financial Advisory Committee: Eddie Bearden
Scholarship Committee: Barry Stewart

Not in attendance were:
Member Len Ballek
Invited Guest Student Representative Hannah Angel
Invited Guest Early Career Representative Lisa Cox
Invited Guest Major Awards Committee Chair Jerry Schuman

1. Approval of Minutes of the August 21, 2013 NEC meeting.
   Nairn called for motion. Barry moved, Jarvis second. Passed unanimously

2. Financial Advisory Committee
   Beardon reported they received four proposals for a financial advisor, and checked out Paul
   Ruedi for a few months on the Internet. No direct communication with Mr. Ruedi. Darmody
   asked if Ruedi was notified we may want to go with him, and Beardon said that was not
   appropriate yet. Darmody said Ruedi was busy moving houses this summer, so he was hard to
   contact. Darmody said he just had an email exchange with him, and Ruedi still seems
   interested. Nairn said it’s now up to the NEC to take action. Darmody said Ruedi has done
   nonprofits before, and that he would do well with us as a nonprofit. Coleman said she had
   experience firing other advisors, and just wanted to make sure he would work well with us.
   Beardon said Ruedi communicated that he sticks almost exclusively with index funds, and
Darmody said he thinks this is a good idea. Coleman asked if these funds follow the market, and Darmody said they do.

Nairn said there are two comments that Jarvis pointed out, that we need to address. First, do we want to limit ourselves to certain vehicles, and second do we limit ourselves by restricting purchase of individual stocks? Nairn asked if the Financial Advisory Committee could address this. Beardon said the FAC always felt we should stick to index funds, and believed we should continue this. Coleman said if we follow individual stocks it takes more involvement that we really want to have. She said we should stay on a steady path and not worry about month-to-month fluctuations.

Nairn asked for further discussion, and then asked for motion to move forward. Coleman moved, seconded by Stewart, to negotiate an agreement with Ruedi Holder and Associates for them to become the ASMR financial manager. Discussion whether it needs to come back to the board. Bob Darmody said he’ll handle the negotiations on the contract, so it doesn’t need to come back again to the board. Unanimously approved.

Coleman asked if there will be a timeframe for the contract. Darmody and Nairn said Darmody will work that out as a detail. Darmody said he will get hold of Ruedi and Associates very soon.

3. Scholarship Committee Update - Barry Stewart
Stewart said he will revise forms and get them out by the end of the year.

4. Major Awards Committee Update
Nairn said he talked with Schumann, and was informed they have only one nomination for awards, and encouraged others to make a nomination. No update on new industry award

5. Administrative account - Dick Barnhisel
Barnhisel discussed the proposed budget, previously sent to the NEC. He said Darmody and he reviewed it, following the pattern they’ve had for the past several years. He said there are various footnotes, explaining how he came up with the numbers. These include some additional items, such as his management of online journal and web page.

Nairn said that in Laramie we agreed to move money from one account to another to make sure we have enough money to cover increased scholarship amounts, but recent email correspondence doesn’t clarify that. Barnhisel said he did move some of the national meeting CD’s to redesignate them for the memorial scholarship fund, but wasn’t sure if that is enough to cover the memorial scholarship account. He put matured CD’s cash into the checking account, and hasn’t calculated the amount to check and see if the cash added into the checking account is enough to cover the memorial scholarship account. But he didn’t think that would be a problem because we can move money between accounts to do that. There is money coming in and he said it will be up to Darmody to make sure we have the right amount in the right
Nairn said we made a motion in Laramie to move money to the memorial account from other accounts to make sure we’re covered in the memorial account. There was further discussion regarding moving the money. Barnhisel said he hasn’t moved the money in the accounts and hasn’t calculated the new amount in the memorial account. He said he can do that in the next week or so.

Jarvis asked how much money we need in the memorial accounts. Barnhisel said he wasn’t sure. Nairn said we need $4500 in actual scholarship dollars plus a stipend, based on the motion to raise the scholarship amounts and transfer monies from last summer. One person said this account should be checked to make sure there are sufficient funds to cover the memorial scholarships, per the motion passed at the Laramie meeting.

Nairn said we need to move forward. Barnhisel said it’s a negative budget, but the proceeds from Laramie should cover. We just need a motion such that Subscript 17 profits from Laramie be used to balance the budget.

Barnhisel said he put in $400 for DOI subscription fees. Subscript 16. This is an index that each article is assigned, so that if we change servers we can still have articles indexed. We need to determine whether we want to go back and index previous papers. Nairn said in his opinion this is a good use of funds. Barnhisel said Jon Bryan Burley told him he would help him.

Barnhisel asked if we plan to do an audit. He said he talked with his son who is a CPA and told him that to do a true audit it would cost about $5,000. Bruce Buchanan said he was advised that we should have an audit conducted, so we need to determine whether we should do this. Darmody said his next door neighbor, who manages some university finances, told him he must do an audit. Buchanan said he thought it would be less than $5,000. Nairn suggested that Darmody visit with Ruedi Holder and Associates and let the transition take place, then pursue the audit.

Jarvis moved, second by Coleman to approve the administrative budget. Unanimously approved

6. By laws changes
   Nairn said changes were approved. Motion to accept the vote by Stewart, second by Franklin. Unanimously approved. Barnhisel said he plans to put this information on the web site.

7. 2013 Elections
   Regarding President Elect candidates, Buchanan said he asked Brenda Schadweilder, and she said maybe. We may need to find another candidate. He has calls in to other people, but no positive responses.
Buchanan said Kirby Neeley and Kelley Driessen will be nominated for early career candidates.

Buchanan said Chris Johnson, Chris Blake, Tom Bowman, and Tim Danehy accepted nominations for NEC.

Further discussion about the need for President Elect candidates. Darmody suggested Bob Dunker, but Dunker said he only became active recently, and wasn’t sure if he’d be a good candidate. Barnhisel suggested Coleman, but she said she didn’t know if she’d be available. Neil Humphrey was suggested. Len Ballek was suggested, but someone said they talked with him and he said he couldn’t make it. Barnhisel suggested Gwen Geidel, but Buchanan said he checked and she already turned him down.

Nairn said people that had previously served as President could run again. Lee Daniels and Jeff Skousen had previously run. David Lang was also a suggestion. Stewart said he will talk with David Lang.

Nairn suggested Peter Beckett and Tom Wildemann. There was discussion that maybe we should get people that had been on the NEC so that they know how the organization operates.

Barnhisel said we traditionally have the names by now, but whenever you get the names identified send them to Darmody, with a bio, then he can send out ballots, with a 45-day election period. Barnhisel suggested that when Buchanan gets to three names as candidates for President then that should be enough.

The Technical Division representative is up for election. Jennifer Franklin is the representative now, and we need two names for that as well. Lee Daniels, Jon Bryan Burley and Lewis McDonald were suggested by Barnhisel. Fred Brenner was suggested. Franklin said she would be willing to run again for the TD rep.

Following these discussions, Buchanan said he has enough names to move forward on ballots.

8. Executive Secretary Transition
Nairn said we need to have a signed contract with Bob Darmody. Friedlander asked about whether some discussion of compensation should be included in the contract – there is nothing currently in it. Darmody said he thinks it should be in there. This can be added.

Coleman asked about tax withholding. Barnhisel said social security and Medicare must be taken out, but he did not because of the small amount. Darmody said that’s between him and the IRS. There was some question on state income taxes. Darmody said that, again, taxes should not be an issue. He pays quarterly taxes anyway, so he can address the tax issue.

Nairn said there were significant comments from Jarvis regarding compensation and the
appendix. Nairn said he can make the changes. Dunker said if we put a salary in there, is it locked in for three years, or do we need a new agreement at a new salary rate? Barnhisel said the way he believed the original contract was written was with an initial amount, subject to adjustments by the NEC.

Darmody asked about liability. Is there any language needed regarding protections associated with liability? Nairn said he has a 501C3 firm, with independent contractors, instead of employees, to avoid the liability issue. Buchanan and Jarvis said there is personal or liability insurance available for employees.

Nairn said he will clean up the existing document, and work with Darmody to address the compensation and liability issues. Buchanan suggested he make the changes and send out to the NEC, with individual comments and approvals/disapprovals back to Bob Nairn. It was agreed Bob Nairn would do that.

Regarding transitions of the bank accounts, American Society of Mining and Reclamation (ASMR) bank accounts in Lexington are to be advised that Dr. Robert Darmody name should be added to the accounts and to replace Jeff Skousen as the current approved signer as he (Robert Darmody) will become the Executive Secretary of ASMR on November 1, 2013. However, until such time the accounts are closed, which could be as long as 2016 when the last Certificate of Deposit matures at some of these banks, Richard Barnhisel's name should remain on all of these accounts.

Nairn said he has some questions about individual roles and responsibilities, and has some concerns. Darmody said he’s been very busy this summer and hasn’t had time to completely review everything with Dick. He said he’ll review this with Barnhisel, and he has no problem using Barnhisel as a role model, and retain Barnhisel as executive secretary emeritus, hoping that Barnhisel helps him out along the way. Barnhisel said they have started boxing up some stuff, and needs to be moved. He said either the 4th or 6th of November would be good for transferring all the equipment, but Darmody said he’ll be gone that time. Nairn said you two guys work it out, and it should be sooner rather than later.

Coleman said that it will be helpful having Barnhisel as a backup, because he has a lot of background.

Nairn said he knows there are some issues that need to be addressed for transition, such as taxes, etc. Barnhisel said he would like to be compensated for additional time he will work on this. He anticipates a lot of questions that Darmody will need help with. Darmody said he thinks he should be compensated for additional work that Barnhisel needs to help with.

Buchanan moved that Barnhisel be compensated for two additional months a total of $1200 for assistance through December 31. Second by Coleman. Coleman asked if that was enough time.
9. National Meetings Update

Barnhisel said everything is complete for the 2013 Laramie meeting.

For the 2014 Oklahoma City meeting, Nairn said three items are important: get call for papers out ASAP, he said they are behind right now, but the call for papers will go out next week; second, they are on their fourth point of contact with the hotel, it appears the hotel seems to have some sort of turnover, and hope this doesn’t become an issue. Barnhisel said this happens all the time – more common than you think. And third, they need sponsorships, and Nairn said he is making contacts now. He said field trips are coming together.

For the 2015 Lexington meeting, Barnhisel said the only thing that has happened is that he’s asked the Kentucky student chapter informally and it looks like they will help. They need to meet on this.

For the 2016 meeting we are looking for locations. Nairn said Len Ballek sent him an email regarding Billings, and it looks like this won’t work. It could potentially be held by Montana Tech. Ballek said he talked with Dustin Wasley in Spokane, and this town might be a potential. Buchanan said Salt Lake City really doesn’t have contacts available, and we would have to hire someone.

Nairn said the Northwest Mining Association will have their 2016 meeting in Spokane, and could we have a joint meeting with them? But that is in December, and some said we don’t want to change dates from the spring. Buchanan and Barnhisel said Gillette would be a good location. There are people in Gillette that could do this. Nairn said he will talk with Jerry Schumann re Gillette.

10. Bob Darmody had nothing to report on liability and event insurance for meetings

11. Electronic Presence/Society Branding

Bob Darmody reported a Dropbox with 200 GB is $200 for unlimited users. A GoogleDrive integrates with Gmail, etc., and can get 200 GB for $210. A SkyDrive with 200 GB is $100/year. All three are with unlimited users. A Box is awkward, expensive and not recommended. The NEC recommends SkyDrive for $100, and Darmody will secure a SkyDrive account (no motion was required because it costs less than $500)

Bob Darmody and Julie LaBar will be administrators of the ASMR Facebook account.

Nairn said he will work with Darmody and a new committee of younger ASMR members who have expressed interest in helping to upgrade ASMR’s web presence. The ASMR web page currently resides on justhost.com - ASMR pays an annual fee with unlimited space (we have
about 1 TB on server now). Barnhisel added the following web page statistics:

July: 2,272 total visits, 357 past meetings, 197 conference proceedings, 106 Journal
August: 2,537 total visits, 237 past meetings, 184 conference proceedings, 370 Journal
September: 1,732 total visits, 245 upcoming meetings, 170 conference proceedings, 93 Journal.

12. Journal of the American Society of Mining and Reclamation
Barnhisel said there are ten to 12 articles and most of the editing is finished. One paper is
defered to the spring issue. Three papers were withdrawn after being reviewed, as the authors
didn’t have information that reviewers suggested was needed for acceptance. Two other papers
were rejected. The acceptance rate for papers is 67% since the online journal started. There are
four papers under review for the spring issue. Barnhisel said he hopes that some will write
papers for the spring 2014 issue to be reviewed in time to put in that issue prior to the meetings
in Oklahoma. He needs at least six or seven additional papers for spring issue

13. NASLR (National Association of State Land Reclamationists) Relationship
Nairn and Harper attended NASLR National Meeting in Hot Spring, AR, September 29-October 2.
Total attendance ~20. Nairn gave two technical talks and presented about ASMR at the NASLR
business meeting. NASLR options included maintaining the status quo, maintaining name as
subset of ASMR (perhaps a TD), starting with a co-meeting or folding. Upon NASLR's request,
Nairn forwarded his summary and registration forms from recent ASMR meetings; he will also
send a written summary about ASMR for inclusion in NASLR's next newsletter. Skousen has
agreed to review before submission.

14. NAAMLP (National Association of Abandoned Mined Land Programs) relationship
Skousen reported to Nairn that he attended the last NAAMLP meeting. They are doing pretty
well, with about 175 people there.

15. NEC priorities – no discussion

16. Conference call dates
   Bob Nairn reported we the Gotomeeting.com contract renewed through October 2014 with
   Darmody as host

   Next calls: December 11, February 12, April 9, June 15, June 19 or 20

17. Motion to adjourn by Coleman, seconded by Harper. Unanimously approved. The meeting
    adjourned at 12:05 PM CDT.