The December meeting of the LSND Board of Directors was called to order at 8:15 p.m. on Thursday, December 1 by President Gary Ramsey.

The following board members were present: Wade Enget, Laurel Forsberg (by phone); Mary Kae Kelsch, Alan Lerberg, Paul Murphy, Gary Ramsey, Lisa Tomlinson (by phone)

Absent were Jodi Colling, Veronica Kirkaldie, Rob Manly and Lenora Kutz.

Nadia Javaid, Mikayla Jablonski Jahner, Kim Kramer, Rich LeMay, Adele Page, Brad Peterson (by phone), Ed Reinhardt, Breezy Schmidt, Audrey Solheim, and Katie Valer

A motion to approve the minutes of the October 10, 2016 meeting was made by Paul Murphy, second to the motion was made by Mary Kae Kelsch. Motion carried.

There was no activity to report regarding either Regulation 1612 nor 1620.

Kim presented the October Budget-To-Actual Expense Report. Total revenues and expenses are within approved budget through October.

Kim presented a second draft of the 2017 Preliminary Budget. A Final Budget was not presented due to many revenue sources being uncertain at this time. Kim recommended that LSND operates off of the second draft of the 2017 Preliminary Budget until notice is received on some of these other funding sources.

Two of the most significant budget changes include; 1) LSND was not awarded the LSC-Migrant Grant that was applied for in June 2016 and 2) Otto Bremer Foundational Grant extension was denied. LSND does plan to apply for another Otto Bremer Foundational grant in January or April 2017.

Other revenue sources that are uncertain at this time include pending grants for CDBG-City of Fargo, Bank of America (BOA) funding, and Fredrikson-Byron Foundational grant.
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LSND is in the 3rd year of the Bush Prize Foundation grant and the amount presented represents an estimated balance to be carried over into 2017.

An increase to personnel costs includes two attorneys and a paralegal for the Grand Forks Law Office project which would be funded by the Bank of America funding. Another staff attorney has been budgeted for the Minot office also.

An increase in Operational and Program expenses include costs for a Grand Forks Law Office, which would be paid by the Bank of America funding if awarded.

Bank of America Allotment

Adele explained that a plan has been worked out with the Dean of the UND Law School. Someone from LSND would teach a class, probably starting with a family law class. The externship program is a big problem for UND right now. LSND has externs coming to Fargo office, but that means driving 70 miles 2 to 3 times a week. It would be much more efficient to have externs working in our Grand Forks office, to provide space, as well as other requirements in order to partner with UND on things like research.

High Plains has decided not to partner with us. We are asking for every cent of the money. A stipulation of distribution states the money has to go to a North Dakota legal aid organization. That means there have to be income requirements for the applicant and it needs to be based in North Dakota.

Human Resources

Management has been looking at the Health Insurance Plan for employees. They have determined that Blue Cross/Blue Shield has a better plan than Sanford. The plan is not the same plan as we had this year, but it is a better plan. One of the big benefits is there is no network restriction. LSND will no longer be on a grandfathered plan. This plan is ACA based and premiums are based on age.

Audit

Discussion on the 2016 Audit ensued. Wade Enget moved, seconded by Paul Murphy that the Brady Martz & Associates Accounting Firm be hired to conduct the audit. It will be held beginning on March 6 in order to complete by the LSC deadline. Motion passed unanimously.
After review of the Program Integrity Statement for 2016, Paul Murphy moved for approval, second by Mary Kae Kelsch. Motion carried. President Ramsey signed the form on behalf of LSND.

Laurel Forsberg was nominated for President by Wade Enget. Lisa Tomlinson was nominated for Vice President by Wade Enget. Mary Kae Kelsch was nominated for Secretary/Treasurer by Paul Murphy. Wade moved that the rules be suspended, nominations cease and that a unanimous ballot be cast for the nominees. Motion carried.

A list of priorities was presented to the board. Even though we did not receive the migrant grant it was determined that we should include the migrant section of the Priorities for 2017. It was also determined that the AIPRA will be included in the Native American portion of the priorities. With those items in mind, Wade moved to approve these as our 2017 priorities, second to the motion was made by Alan Lerberg, motion carried.

Motion to approve BOA agreement as presented was made by Wade Enget, seconded by Al Lerberg and unanimously approved.

Rich has serious concerns regarding the political process and its effect on LSND. With the hope that these fears are not going to come true, they have been more concerning this year than ever before for him.

He has plans for the upcoming annual report, with good stories. It is important that our representatives get a copy of this report so they will know who we are and how we serve their constituents.

We have a collection of excellent staff. Excellent young minds, intertwined with some experience, which is a good combination. Funding is an issue – we will write some additional grants, we can’t expect to receive them all.

Currently there are two LSND cases in Supreme Court, they will be argued early in the new year.

Adele Page reported that she is working in collaboration with Medical Legal Partnership, and talking to stakeholders. There is thought that MLP apply for the Bush Community Innovation
Grant. The Bush folks have expressed interest in collaboration; MLP is probably best way to get started.

Ed and Adele both attended the NLADA conference where Jim received award. Adele did not feel a sense of hopelessness from those at the conference. It was the day after the federal election, so it was on the minds of everybody.

As we pointing out Republicans who are supportive, we need to make sure we are in contact with John Hoeven and Kevin Kramer. It is important to sit and visit with them on these issues and let them know the things we do for their constituents. There are a lot of unknowns, and legal services has a lot of supporters, particularly in the Senate. The need is there to show energy in a positive way. As far as the Bank of America, we need to be realistic with any contacts we have and to point out we are to sole legal aid agency in the state.

Several weeks ago our staff was encouraged to complete an Engagement Survey. This survey had 18 staff who responded. Questions such as how engaged are you in the goals of the organization. A report was prepared and gives good insight to the involvement with our staff and our agency.

Outside Practice of Law Policy

Adele Page reported she had been in contact with LSC regarding our Human Resources Manual and the need updating our section on “Restrictions on Outside Practice of Law Policy. A written handout was provided for the board’s approval. The board felt the need for adding something in subsection (c) regarding not using office email account to handle these cases.

Our LSND Technology Plan also deals with this topic.

Director

Rich said he had been in contact with William Sulik of LSC Office and Enforcement Office (OCE), as he is preparing the final LSND monitoring report from the August visit. Through these conversations and explanations of what they deemed as problems, they removed 37 possible findings in the LSC report.

That makes us look better and we have learned from it. We did some training today to help staff realize why things need to be done in a certain way, according to LSC regulations.
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Wade Enget moved that we add the new wordage to the Human Resources Policy as proposed by Adele and include the additional language regarding use of LSND email. The motion was seconded by Paul Murphy and the vote by roll call was unanimously in favor if the motion.

Meeting adjourned Paul moved the meeting be adjourned, Mary Kae seconded the motion. Meeting was adjourned.

Mary Kae Kelsh Secretary/Treasurer