

WEST VIRGINIA BAR FOUNDATION
BOARD OF DIRECTORS MEETING
TELEPHONE CONFERENCE CALL
MARCH 1, 2018-12:00 NOON

MINUTES

The telephone conference call meeting of the West Virginia Bar Foundation's Board of Directors was called to order by President Ken Gray on March 1, 2018 at 12:00 Noon.

Board Members participating at the WVU College of Law in Morgantown besides President Gray were Board Members Professor Marjorie McDiarmid and Christy Morris, as well as Executive Director Tom Tinder.

Participating by telephone conference call were Vice President Rich Ford, Ellen Cappellanti, Judge Mary Ellen Griffith, David Jividen, Lucien Lewin, Judge Alan Moats, Gerry Stowers and Tracey Weber, III.

The first item on the Agenda was a review of the Minutes of the previous Board of Directors meeting which had been held on December 7, 2017. A motion was duly made, seconded and passed that the Minutes be approved.

In the absence of Secretary/Treasurer Eros because of telephone service difficulties, President Gray called upon Executive Director Tinder to present the financial report. For the financial report for the first eight months of this fiscal year through February 21, regarding Income items, the large crowd at the Lunch and Laughs event on September 15, provided an excess of over \$7,000 with the donation of \$9,440 being made earlier today to WVU Provost McConnell's designated charity---the student legal clinics at the WVU College of Law. Foundation Fellows payments are coming in from both past Fellows and from this year's class.

Regarding Expense items, the Independent Audit fee was paid (\$3,200). All other items are either right on budget or under budget at the 2/3 point of the

fiscal year. The checking account is satisfactory even after the \$9,400 paid to the WVU College of Law student legal clinics today, as mentioned above. A motion was duly made, seconded and passed to approve the Financial Report as presented.

The next item for discussion was the strategic plan. President Gray stated that the Foundation Fellows Dinner is set for April 26, 2018, at the Marriott Hotel with seventeen persons to be honored----Greg Hinton (Fairmont) declined for "personal reasons", Joseph Sanders (Princeton) declined because he is "retired, living in a nursing home and not interested" and Gloria Stephens (Welch) accepted, but could not attend on April 26 and will be carried over to 2019. Invitations have been sent to the Board members to attend the Dinner and responses so far have filled one table. Other Board members should give notice quickly if they wish to attend.

The Antero Lawyer Leadership Institute has been set for May 18-20, 2018, at Stonewall Resort.

Lastly, President Gray talked about the successful 2017 Lunch and Laughs event honoring WVU Provost Joyce McConnell. For the Lunch and Laughs this year, the event is set for Friday, September 7 (Youngstown State football game) at the Erickson Alumni Center in Morgantown and an honoree needs to be selected. After some discussion, a motion was duly made, seconded and passed to invite former WV Supreme Court Justice Larry Starcher to be the 2018 honoree.

The Justice Fund report was given by Executive Director Tinder, at the request of President Gray. The Justice Fund was \$698,451 on February 21----it was \$691,747 at the December 1 Board meeting and got as high as about \$720,000 in January, 2018, before the current "correction". It was \$668,549 at the September Board meeting and \$664,591 on June 1, 2017. He went on to say that email fundraising requests were sent to all 5,000 WV lawyers and all Bar Foundation Fellows in December with approximately \$2,000 being generated.

The Justice Fund has increased from \$520,000 to its present amount in the past three years as the Board followed through with its fundraising campaign to get to \$1 million. In addition, the ratio of stocks to bonds has grown from

40%/60% to 70%/30%, as advised by the Merrill Lynch Financial Consultant with the current ratio being the industry standard for non profit entity endowment funds. The Strategic Planning Committee will need to decide what further actions need to be taken in the future.

The Grants Committee report was given by Committee Member Ellen Cappellanti, who stated that the current 2017-2018 budget includes \$50,000 for grants. The Board has already approved the continuation of the Public Service Scholarship at the WVU College of Law and the amount will be approximately \$22,000. In addition, the Committee recommended, and the Board approved, three additional grants totaling \$10,250 (WV Child Advocacy Network-\$3,000/ WV Lawyer Assistance Program-\$5,000/Child Protect of Mercer County-\$2,250). Therefore, there is a remainder of \$17,750 until June, 2018.

The Committee reviewed two requests and recommended the following actions: 1. Grant Application-Randolph Tucker Children's Advocacy Center-\$8,860. The application is to provide for an onsite Forensic Medical Exam Room to assist with child abuse and neglect cases. Recommendation: Provide 50% grant (\$4,430) with Center obtaining the other 50%.

2. Request for Grant Excess Expenditure-Randolph Tucker Children's Advocacy Center-\$125.84. A Bar Foundation grant, in the amount of \$1,100, was provided to this group in December, 2016, to provide for the purchase of computer equipment to use in the Randolph and Tucker county offices. Request for permission to expend the excess funds remaining after the purchase of the equipment. Recommendation: Give permission to expend excess funds-\$125.84. A motion was duly made, seconded and passed to approve the two recommendations from the Grants Committee.

President Gray called upon Vice President Ford to give the report of the Nominating Committee. It had reviewed the five positions on the Board with three year terms expiring in 2018:

Judge Mary Ellen Griffith-Princeton-Eligible for second three year term.

Chip Shaffer-Madison-Eligible for second three year term.

Ken Gray-Morgantown-Has served maximum two terms of three years each.

Jodie Boylen-Parkersburg-Has served maximum two terms of three years each.

Richard Bolen-Huntington-Has served maximum two terms of three years each.

After discussion and then affirmative contacts with agreed upon persons, the Nominating Committee recommends:

President Rich Ford

Vice President Ellen Cappellanti

Secretary/Treasurer Mary Clare Eros

Board Member Judge Mary Ellen Griffith-Second three year term

Board Member Chip Shaffer-Second three year term

Board Member Judge Joyce Morton-First three year term

Board Member Gail Henderson Staples-First three year term

Board Member Teresa Dumire-First three year term

The Board accepted the Nominating Committee report with the actual elections to occur at the Board meeting and the membership meeting in June.

Mr. Tinder gave his Executive Directors report by informing the Board that President Gray had recently received the highly prestigious Spirit of Excellence Award which was presented by the American Bar Association for the President's outstanding commitment and leadership in promoting racial and ethnic diversity in the legal profession. There will be a cover photo and the lead story in the next issue of the WV Lawyer magazine.

President Gray announced that the remaining Board of Directors meeting for this fiscal year would be held by conference call at 12:00 Noon on Thursday, June 7, 2018.

There being no further business to transact, the conference call was terminated.