

WEST VIRGINIA BAR FOUNDATION
BOARD OF DIRECTORS MEETING
VARGO ROOM-ERICKSON ALUMNI CENTER-MORGANTOWN
SEPTEMBER 7, 2018-1:30 PM

MINUTES

The meeting of the West Virginia Bar Foundation's Board of Directors was called to order by President Rich Ford, on September 7, 2018, at 1:30 PM, in the Vargo Room of the Erickson Alumni Center in Morgantown.

Board Members in attendance were Judge Alan Moats, Professor Marjorie McDiarmid, Gail Henderson Staples, Lucien Lewin and Christy Morris. Participating by telephone conference call were Vice President Ellen Cappellanti, Secretary/Treasurer Mary Clare Eros, Judge Mary Ellen Griffith, Judge Joyce Morton, Gerry Stowers and Tracey Weber. Bar Foundation Executive Director Tom Tinder was also present.

The first item on the Agenda was a review of the Minutes of the previous Board of Directors meeting which had been held on June 7, 2018, and a special Board meeting held on June 14, 2018. A motion was duly made, seconded and passed that the Minutes of the two meetings be approved.

President Ford called upon Secretary/Treasurer Eros to present the financial report. She stated that the Independent Auditor will review the 2017-18 finances and present his report during the December 6, 2018, Board meeting. The unaudited 2017-18 Financial Report shows a slight surplus of \$1,815 with the most significant matter being the \$80,000 transferred from the Justice Fund, including the \$60,000 loan payment expense to the WV Bar Association in accordance with the loan agreement. In addition, the Board had authorized the Officers to use money in the administrative bank account instead of transferring the Board approved budgeted allotment of \$30,000 from the Justice Fund. The Officers only approved the transfer of \$20,000. If the full \$30,000 has been transferred, there would have been an end of year surplus of almost \$12,000.

The two month financial report for the current 2018-2019 fiscal year does not contain any revenue or expense items of concern. The Bar Foundation's checking account is low based upon only two months of activity in the current fiscal year. The Justice Fund contains \$649,055 and the amounts for the past year were \$668,000 (9/17), \$691,000 (12/17), \$698,000 (2/18) and \$704,000 (5/18).

After some comments, a motion was duly made, seconded and passed to approve the Financial Report. In addition, it was reported that Vice President Cappellanti and the Jackson Kelly law firm had provided extensive pro bono legal services regarding the loan agreement between the Bar Foundation and the WV Bar Association, and that the first two loan payments had been received on time for August and September.

President Ford discussed several actions in the Strategic Plan, including the successful 8th Lunch and Laughs, which had just occurred, with WV Supreme Court Senior Status Justice Larry Starcher as the honoree. The 21st Bar Foundation Fellows Dinner has been set for April 25, 2019, at the Marriott Hotel in Charleston and the highly rated 8th Lawyer Leadership Institute is planned for May 10-12, 2019, at Stonewall Resort.

Judge Griffith gave the Grants Committee report that the current 2018-2019 budget includes \$50,000 for grants. The Committee recommended the continuation of the Public Service Scholarship at the WVU College of Law for the next academic year, 2019-2020 and the amount will be approximately \$25,000. A motion was duly made, seconded and passed. (Professor McDiarmid declared a conflict of interest and did not participate in any discussion and abstained from voting.)

The Committee members also recommended a \$4,800 grant to the Conference on Crimes Against Women to fund four scholarships for WV prosecuting attorneys to attend its Annual Conference in April, 2019, in Dallas, TX, that they be lawyers admitted to practice law in WV, that the four attorneys represent areas of the state where there is the most need for these services and that the lawyers provide a report on the benefits of their attendance at the Conference. A motion was duly made, seconded and passed to approve the recommendation.

Mr. Tinder gave his Executive Director's report by distributing the necessary Conflict of Interest forms to the Board members in attendance and stating that it would be sent to the other Board members for their signatures. He again expressed his utmost appreciation to the Board for its action in providing a generous increase in his salary from \$14,000 to \$16,000 during the June Board meeting.

However, he respectfully refused to accept the increase because of his enjoyment in working for the Bar Foundation and the Board, as well as the fact that the funds could be used more effectively for Bar Foundation grants and programs. Therefore, he had not been taking the increase in salary and would not do so in the future. A motion was duly made, seconded and passed to reduce the salary to \$14,000, retroactive to July 1, 2018.

The Board members then had a lengthy discussion regarding the historic activities involving the WV Supreme Court, including ethical and criminal charges, resignations, impeachment proceedings by the WV State Legislature and the appointment and election of two Justices with 20 candidates participating in the November election. After numerous comments concerning educating the public and repairing the confidence and trust in the judicial system, a motion was duly made, seconded and passed to have President Ford open discussion with the other statewide legal professional groups about rehabilitating the judicial system.

President Ford announced the dates and times for the remaining Board of Directors meetings which will be held exclusively by telephone conference call:

Thursday, December 6, 2018-12:00 Noon

Thursday, March 7, 2019-12:00 Noon

Thursday, June 6, 2019-12:00 Noon

There being no further business to transact, the meeting was adjourned.