

THE WEST VIRGINIA BAR FOUNDATION  
BOARD OF DIRECTORS MEETING  
STATE BAR CENTER - CHARLESTON  
SEPTEMBER 8, 2005

MINUTES

The meeting of the West Virginia Bar Foundation's Board of Directors was called to order by President Al Emch on September 8, 2005 at the State Bar Center in Charleston.

Members of the Board in attendance were Vice President Bill File Elliot Hicks and Carl Harris. Participating by telephone conference call were Jack Bowman, Bob Goldenberg, Dave Burton and Jerry Jones. State Bar Executive Director Tom Tinder was also in attendance.

The first item on the Agenda was a review of the Minutes of the last Board of Directors Meeting which was held on May 12, 2005. President Emch stated that the name of law related education program should be listed in the Minutes as Youth And Government. Other than that change, the Minutes were approved as presented.

Mr. Hicks gave a report as the Chairperson of the IOLTA Advisory Committee. He said that the Committee had reviewed the funds available for distribution and the amount was \$195,000. After some comments, a motion was duly made, seconded and passed that the amount of funds in the Rainy Day Fund be increased to \$25,000, that a partial payment of the management fee in the amount of \$12,5000 should be set aside and that the remaining amount of \$157,500 should be distributed to the grantees in accordance with the Supreme Court Order.

Mr. Hicks went on to say that the IOLTA Advisory Committee is planning to place a favorable article on the bank participation in the IOLTA Program in The West Virginia Lawyer magazine and then the article will be offered for placement in the West Virginia Bankers publication.

President Emch led a discussion concerning the financial condition of the organization. The Board members reviewed the income and expenses for the 2004-05 fiscal year. The organization ended the year by placing more than \$10,000 in additional revenue into reserves.

The Board members then went over the proposed budget of the fiscal year of July 1, 2005 to June 30, 2006. There were numerous comments and questions regarding the materials. Then, a motion was duly made, seconded and passed to approve the financial report for 2004-05 and to approve the

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budget for the 2005-06 fiscal year.

The Board members then had additional discussions concerning the relief efforts directed to the victims of the Hurricane Katrina disaster in Louisiana and Mississippi. After some discussion, a motion was duly made, seconded and passed to make a \$5,000 contribution to the Mississippi Bar Foundation and a \$5,000 contribution to the Louisiana Bar Foundation to assist the lawyers in those states who were affected by the hurricane disaster.

President Emch called upon Mr. Burton to give a report on behalf of the Grantmaking Committee. He said that there had been no grant applications received since the last Board of Directors Meeting. Comments were made regarding the availability of funds for grants and the need to engender applications for beneficial programs. After some additional comments, it was agreed that Mr. Goldenberg and his Foundation Fellows Committee would send letters with grant information to the Foundation Fellows requesting that they seek grant applications.

The next item for discussion related to the Foundation Fellows Program. President Emch appointed Mr. Tinney, as Chairperson, and Secretary/Treasurer Riley and Mr. Jones as members of the Foundation Fellows Selection Committee.

President Emch led a discussion concerning law related education programs. He informed the Board that the Youth And Government is now under the auspices of the Bar Foundation and that the State Bar had approved the transfer of the We, The People Program to the Foundation to handle the financial and fiduciary responsibilities. After some additional comments were made, a motion was duly made, seconded and passed to authorize the Bar Foundation Officers to provide the financial administration for the Youth And Government Program.

The Board members then talked about several future activities. It was agreed that the Board members would provide time and effort into the grant making work of the Bar Foundation. There was also a discussion concerning the retirement of the debt on the two buildings which are owned by the Bar Foundation - the State Bar Center and the Lawyer Disciplinary Board buildings. It was agreed that there would be a fundraising proposal for review and discussion at the next meeting of the Board of Directors.

President Emch announced that the next meeting of the Board of Directors would be on December 8, 2005 at 12:00 noon at the State Bar Center in Charleston.

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