

THE WEST VIRGINIA BAR FOUNDATION
BOARD OF DIRECTORS MEETING
STATE BAR CENTER - CHARLESTON
SEPTEMBER 28, 2006

MINUTES

The meeting of the West Virginia Bar Foundation's Board of Directors was called to order by President Al Emch on September 28, 2006 at the State Bar Center in Charleston.

Members of the Board in attendance were Jane Moran and Carl Harris. Participating by telephone conference call were Tracey Rohrbaugh, David Burton, Jerry Jones, Vice President Bill File and Janet Preston. Consultant Susan Griffis and State Bar Executive Director Tom Tinder were also in attendance.

The first item on the Agenda was a review of the Minutes of the last Board of Directors Meeting which had been held on May 18, 2006. A motion was duly made, seconded and passed that the Minutes be approved as presented.

The Board members then reviewed the financial report for the first two months of the current fiscal year - July and August, 2006. Comments were made that the annual membership dues, the lifetime membership dues and the contributions were already over the budgeted amount for the year. There were no other revenue or expense items that were abnormal.

The Board members then reviewed the unaudited financial report for the last fiscal year of July 1, 2005 to June 30, 2006. For the first time, the Bar Foundation had more expenses than revenues because of several extraordinary items including contributions made to the Katrina Disaster relief efforts in Louisiana and Mississippi, the unbudgeted amount for the independent audit that was done for the previous fiscal year, almost \$6,000 in expenses for the fund raising campaign and the expenses for the consultant contract and the law related education programs. The independent auditor will prepare the audit and make a presentation at the next Board of Directors Meeting.

President Emch then requested a report from the IOLTA Advisory Committee. The necessary figure were provided to the Board members which showed that there was a total amount of \$331,000 to be distributed. The recommendation from the Advisory Committee was to increase the Rainy Day Fund from \$50,000 to \$62,500, that the amount of \$12,500 be set aside for the portion of the annual management fee and that the remaining

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amount of money - \$256,000 - be distributed in accordance with the Supreme Court Order. A motion was duly made, seconded and passed to approve this recommendation from the IOLTA Advisory Committee.

Mr. Harris gave a report on behalf of the Grant Making Committee. There had been two grant applications which had been reviewed by the Committee. The first one was to the Law Works, which had requested an amount of \$2,500 for close captioning for this public education television program. The recommendation from the Grant Making Committee was to approve \$2,000 for this activity. A motion was duly made, seconded and passed to approve a grant of \$2,000 to West Virginia Public Broadcasting to provide close captioning for the Law Works Program. Vice President File did not participate or vote on this matter since he is involved with West Virginia Public Broadcasting in a volunteer capacity.

The second grant application was relating to a Constitution Day activity in Wheeling that was held previously during the month of September. The proposal was from Wheeling Jesuit University and was in the amount of \$10,000. The recommendation from the Grant Making Committee was to inform Wheeling Jesuit University that the request for funds was not approved, but that it should consider filing an application in advance for next year's activities.

The next item related to a report regarding Foundation Fellows activities. There was no report on this topic.

President Emch then call for a report on the fund raising campaign. Ms. Griffis stated that fund raising requests had been made to the Foundation's Board of Directors, the Bar Foundation Fellows, past contributors to Foundation activities and leading lawyers and law offices in the state. In addition, it was announced that the issue of The West Virginia Lawyer magazine which should be received in the next few days will have the lead story on the fund raising campaign and include information regarding it, including a pledge card. It was agreed that additional contacts would be made with lawyers and law offices with the ability for staff persons to follow up on the initial contacts made by Board members. The deadline date for the fund raising campaign is December 31, 2006. But extensions can be provided if necessary.

Under the topic of Other Business, President Emch provided a letter of resignation from Board member Jack Bowman because of his inability to participate in Bar Foundation activities. A motion was duly made, seconded and passed to accept, with regret, the resignation of Jack Bowman.

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President Emch stated that he had had conversations with Scott Segal, a member of the IOLTA Advisory Committee, to ascertain whether he would accept the vacant position on the Board of Directors and also serve as the Chairperson of the IOLTA Advisory Committee with the completion of the term of past Chairperson Elliot Hicks. A motion was duly made, seconded and passed to appoint Mr. Segal to the Board of Directors to replace Mr. Bowman and to serve as the Chairperson of the IOLTA Advisory Committee, contingent on receiving his agreement to do so.

President Emch announced that the next meeting of the Board of Directors would be on December 14, 2006 at 12:00 noon at the State Bar Center in Charleston.

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