

**Board Meeting Minutes**  
**Virginia State Bar**  
**Construction Law & Public Contracts Section**  
**January 11, 2017**  
**Via Telephone Call-in**

I. Call to Order 12:00 p.m. – Present by telephone: Judge Richard T. McGrath, Jennifer Mahar (Chair, Presiding), Christopher Boynton (Vice Chair), Barrett Lucy (Secretary), Hanna Blake (Treasurer), Jesse Keene, Arnie Mason, Alison Mullins, Chris Page, Jonathan Straw, Spencer Wiegard, Mark Crawford, Randy Wintory, Scott Kowalski, and Dan Fitch.

Absent: Judge Robert S. Ballou, Shannon Briglia (Immediate Past Chair), Chris Hill, and Lauren McLaughlin.

II. Approval of Minutes from November 3, 2016 – Chris Boynton moved for approval of the November 3, 2016 minutes. Spencer Wiegard seconded. [Minutes were approved unanimously, and reading dispensed with.]

III. Financial Report – Hanna Blake reported, referencing financial report attached to agenda. Hanna reviewed balance, but noted that balance does not include 100% portion of our cost – VA CLE cost (\$2,700 approximately); monthly web maintenance will come in the future on target as in past years; few additional costs; thus the balance is slightly lower.

IV. Chair's Report – Jennifer Mahar reported that The Local is a great venue to host our group, and the benefits associated with having more space. Jennifer reported that our section locked in The Local as the venue for the Thursday meeting and dinner in 2017.

V. Fall Seminar 2016 and 2017 – Alison Mullins reported. Overall the Fall 2016 program received a 4.6/5.0 rating. The individual ratings for the speakers ranged from 4.0 to 4.7. Alison reported the following feedback from attendees: need to ensure that speakers are not duplicating discussion; more protein in breakfast bar; nine (9) attendees disliked Seminar (too remedial – some speakers rambled on); breakout sessions recommended by some attendees; lack of speakers from western portion of the state; and concerns about rooms.

There were fifteen (15) less attendees (but this count did not include attendees that registered onsite/arrived late). The dates for 2017 Fall Seminar are ~~November 3~~ and 4, 2017. Randy Wintory and Jennifer Mahar commented that they liked the new 2-screen presentation platform. ~~Alison discussed monitor malfunctions with first few speakers. For next year's program, Alison proposed exploring how general law topics discussed topics for next year "related" to construction~~ (e.g., hourly employees/salary employees, teaming agreements,

joint —defense agreements, mergers and acquisitions, bankruptcy) apply to construction law practice, ~~but are not directed to — construction.~~

Jennifer inquired about use of breakout sessions, a yearly topic. Alison discussed the disruption associated with dividing the room for breakout sessions. Randy Wintory proposed using venue for breakout session where attendees use to have lunch in the separate building. Scott Kowalski discussed the prospect of CGL legal issues serving as a topic next year.

~~Hanna Blake noted that she believed that the proposed topics would be a refreshing change.~~ Hanna proposed that a bankruptcy attorney speak at the Fall CLE in 2017.

Chris Boynton discussed the idea of returning to “sticks and bricks” for the lunch program.

VI. Handbook Committee Report – Spencer Weigard and Scott Kowalski reported. Spencer thanked everyone for helping with the case digest. Spencer noted that Scott has been working with the webmaster for the printed materials.

VII. Newsletter Committee Report – Jesse Keene reported that the newsletter was digitally distributed ~~before~~prior to the Fall Seminar. ~~Jesse has been approached by t~~Several wo or three attendees at the Fall Seminar approached Jesse ———about writing an article for the next newsletter. The goal is to publish the ~~Hanna Blake is working to get the —next~~ newsletter printed the in the first week of May (before Summer Meeting), 2017. Hanna Blake is looking to include more local cases in the newsletter. Any announcement requests should be submitted to Hanna by the first week of April. Scott Kowalski requesteds that any cases submitted for the newsletter also be emailed to him and Spencer Wiegard for inclusion in the Handbook.

VIII. 2017 Membership/Membership Committee Report —~~John Straw reported that he was thankful for the past minutes.~~—The mediation ethics CLE will take place in March by live webcast. John reported that attendees will enroll and register automatically becoming members of our section. John reported that the first year membership is free.

John reported that the overall membership efforts for the past three years show that the membership numbers are trending upward from 730 to 784. John stated that the membership goal for 2018 is 800.

Jennifer Mahar inquired about whether additional programs were needed from our section to further interaction with potential members. A brief discussion followed concerning a possible joint program with the Maryland Bar. Randy Wintory noted that the Virginia CLE markets destination CLE’s.

- IX. Publications Committee Report – Arnie Mason reported and thanked the authors of the construction articles for the recent Virginia Lawyer publication. ~~Jennifer Mahar noted that she liked the cover of the Virginia Lawyer publication, which included the construction law related articles. Arnie also thanked Jennifer for writing the introduction to the publication.~~ Arnie requested that our section provide him with any feedback concerning the articles. Arnie stated that there is ample time to prepare articles for the February, 2018 publication.
- X. Website Committee Report – Chris Hill absent. No report.
- XI. Young Professionals – Chris Page reported that he would like to receive feedback from young lawyers about the Thursday reception at the 2016 Fall Seminar. Chris estimated that 20 young lawyers attended and noted that it is his understanding that attendance was down for the Thursday reception.
- XII. 2017 Annual Meeting CLE (Summer Program )— Dan Fitch reported that our section and the Litigation section, ~~along with our section,~~ are in the process of putting a joint program together on expert witnesses for the annual meeting. Dan reported that the panel will feature Judge Robert S. Ballou, Brian Riopelle, and Lauren McLaughlin as program speaker~~expert witnesses for the program~~. The Virginia State Bar is working on marketing material and our section will be listed as one of the sponsors for the summer event.
- Chris Boynton inquired about whether to keep the dinner location at Salacia. Following a brief discussion, Chris agreed to reach out to management at Salacia to schedule the dinner for June 15, 2017.
- XIII. Old Business – Jennifer Mahar reported that Shannon Briglia ~~is will~~ spearheading the fall government contract program. Anyone interested in being a speaker or suggesting topics should reach out to Shannon. Randy Wintory will follow-up concerning the writing competition, and noted that it may not be feasible absent an award that makes the writing competition worth the competitors' efforts.
- XIV. New Business – Judge Richard T. McGrath wished everyone a happy new year.
- XV. Adjournment at 1:08 p.m.

**Next meeting: April 12, 2017 at 12:00 p.m.**