

VIRGINIA STATE BAR  
Real Property Section

Annual Meeting of the Section  
And  
Summer Meeting of the Board of Governors and Area Representatives  
June 17, 2011  
Virginia Beach, Virginia

Minutes

The joint Annual Meeting of the Section and Summer Meeting of the Board of Governors and Area Representatives of the Real Property Section of the Virginia State Bar was held on Friday, June 17, 2011, at the Holiday Inn Sunspree, Skytop Room, Virginia Beach, Virginia, beginning at 12:35 p.m.

Present in person were Paul Bellegarde (Chair), Paul Melnick (Vice Chair), Philip Hart (Secretary), Brian Dolan, Paula Caplinger, Rosalie Doggett, Jody La, Steve Gregory, Lewis Biggs, Kathryn Byler, Randy Howard, Louis Rogers, Wayne Glass, Mark Graybeal, Susan Pesner, Christina Meier, Larry McElwain, Nancy Kern, Rick Richmond, Steve Romine, Lisa Murphy, Susan Walker, Brian Dolan, Ed Waugaman and Bill Nusbaum.

There being a quorum present, Paul Bellegarde called the meeting to order and welcomed those present.

Upon motion duly made and seconded, the minutes from the Spring 2011 Meeting of the Board of Governors and Area Representatives were approved.

Paul Bellegarde then presented a financial report, a copy of which had been distributed prior to the meeting (and is also attached to these minutes). He noted that the tentative balance remaining for FY 2011 is \$13,475.00. He encouraged Board of Governors members and Area Representatives to submit for reimbursement of travel expenses related to attending the annual meeting. In response to a question, Paul said that the financial report did not show any expenditure of funds previously approved by the Board of Governors for Diane Bellgarde's work on the section portal because he had learned that because Diane is Paul's wife, no Section funds may be paid to her. Following further discussion, and upon motion duly made and seconded, the Board of Governors authorized Paul Melnick, Co-Chair of the Board of Governors, to spend surplus funds remaining at the end of the fiscal year on Virginia CLE materials that will be made available to Section members.

Paul Bellgarde then presented a proposed budget for 2011-12, a copy of which had been distributed prior to the meeting (and is also attached to these minutes). There followed discussion of ways to use Section funds to recruit more VSB members to join the Section and to encourage more participation by existing and new members of the Section. One

person suggested looking into spending Section funds to send speakers to the VSB's Mid-Year Seminar. A motion was made and seconded to approve the 2011-12 budget. A motion was then made by Larry McElwaine and duly seconded to amend the budget to (a) remove the \$4000 line item for the Nat'l Legal Research Group and (b) to add a line item for \$4000 to reduce the cost of the annual or the advanced seminar by \$20 for each Section member who attends in person, subject to obtaining VSB approval, and if such approval is not obtained, to provide the same benefit for Board of Governors members and area representatives, if permissible. The discussion on the motion emphasized that this measure would encourage live attendance at the Section's seminars and serve as a recruiting tool for Section membership. The question was called and the motion was approved. The question was then called on the original motion to approve the budget, as amended, and the Board of Governors then approved the budget, as amended.

Paul Bellegarde then took up the topic of unfinished business, and asked Larry McElwaine, chair of the Membership Committee, for a report on the Board and Area Representative Handbook. Larry reported that he was working on the annual update of the handbook and would have it updated by the time of the September meeting of the Board of Governors. Larry said the Committee was also looking into formalizing the duties of area representatives and would prepare an appropriate proposal for the Board of Governors' consideration.

Paul Bellegarde then gave a progress report on the Eminent Domain Committee's eminent domain handbook. Paul said the Committee had made good progress on the handbook, but it was not finished yet and should be finished in 2011-12.

Paul Bellegarde then gave a status report on the Section's web portal. He reported that despite encouraging indications from persons and the VSB earlier in the year about the portal, he had recently learned that some persons on the VSB's Communications Committee had expressed misgivings about the Section having an interactive website portal without an active screening mechanism that would prevent inappropriate postings. Paul reported that the next step is to make a formal presentation to the Communications Committee to attempt to allay concerns. He said he would set up a meeting with the Communication Committee and may be asking other members of the Board of Governors and Area Representatives to assist him.

Paul Bellegarde then took up the topic of new business, starting with the Fee Simple. He reported that the topic submission deadline for the November 2011 issue is September 1, 2011, and the article submission deadline is November 1, 2011. Steve Gregory then raised for discussion the idea of having four issues of the Fee Simple each year instead of two. Steve said that each semi-annual issue of the Fee Simple is a very large file, now being sent by email, and he thought that four smaller files might be more user-friendly. General discussion ensued. One person expressed concern about the added burden this would place on committee chairmen who would have to get more articles for the publication. Another point made was that the Fee Simple is posted to the Section website and so can be access without relying on the emailed document. No motion was made or action taken.

Paul Bellegarde then dispensed with the Committee Reports in the interest of time and took up the nominations for 2011-12. Paul reported that the Nominating Committee had been convened as required in the Bylaws and was prepared to propose a slate of candidates.

He first presented the Nominating Committee's slate of candidates to serve terms as members of the Board of Governors filling open seats:

Philip Hart – for a second 3-year term  
Ken Dickenson – for a second 3-year term  
Susan Walker – for a second 3-year term  
Paul Bellegarde – for a third 3-year term  
Randy Howard – for a third 3-year term  
Lewis Biggs – for a first 3-year term

Paul then asked for any additional nominations from the floor. There were none. Then, upon motion duly made and seconded, the Nominating Committee's slate for members of the Board of Governors was adopted and the candidates thereon were duly elected.

Paul then presented the Nominating Committee's slate of candidates to serve as officers of the Board of Governors for 2011-12:

Paul Melnick – Chair  
Philip Hart – Vice Chair  
Bill Nusbaum – Secretary/Treasurer

Paul then asked for any additional nominations from the floor. There were none. Then, upon motion duly made and seconded, the Nominating Committee's slate for officers of the Board of Governors was adopted and the candidates thereon were duly elected.

Paul Bellegarde concluded the meeting with thanks to those in attendance and with the reminder that the next meeting of the Board of Governors and Area Representatives and Section will be at the Fall Meeting in Charlottesville, at the offices of Virginia CLE, on September 9, 2011, at 10:00a.m.

Paul Bellegarde then turned the meeting over to Paul Melnick. Paul Melnick began his remarks with thanks to Paul Bellegarde for the notable achievements of the Section during his year as Chair, including the progress made with the Section's web portal, the transition to email distribution of the Fee Simple and several other matters. Paul Melnick then expressed his thanks to the Board of Governors, Area Representatives and Section members for electing him as Chair, and he said he would continue the work on the web portal and other important Section initiatives during 2011-12.

Upon motion duly made and seconded, the meeting was adjourned at 1:57 p.m.

Respectfully Submitted,

Philip Hart  
Secretary

Attachment:

- Financial Report