

**Southern West Virginia Community and Technical College  
Board of Governors Emergency Meeting of June 3, 2008  
Center for Allied Health and Technology, Room 422  
2900 Dempsey Branch Road, Mount Gay, WV**

**Board Members Present:** James Sheatsley, Linda Akers, Terry Sammons, Glenn Yost, Michael Baldwin, George Morrison, Elston Johnson (all joined the meeting by teleconference)

**Board Members Absent:** Kevin Fowler, George Kostas, Shelley Huffman, David Pierce Wilma Zigmond

**Administrative Staff:** President Joanne Jaeger Tomblin, Merle Dempsey, Sam Litteral, Emma Baisden

**1. Call to Order:**

Board of Governors Vice Chair, James Sheatsley, called roll, declared a quorum present, and convened the meeting at 9:05 a.m.

**2. Sale of Real Property by the local Board of Governors of Southern West Virginia Community and Technical College**

Vice Chair Sheatsley asked President Tomblin to present this item to the Board. She informed Board members of an opportunity for the College to sell the Logan Downtown Annex and provided the following citations of West Virginia State Code which authorize the Board of Governors to sell property:

**§18B-14-3. Southern West Virginia community college authorization to sell property; use of net proceeds.**

Notwithstanding the provisions of article one-a, chapter twenty of this code, southern West Virginia community college, with the approval of the board of directors, is hereby authorized and empowered to sell any surplus real property and deposit the net proceeds into a special revenue account to be utilized for the purchase of additional real property or for capital improvements: **Provided**, That prior to such action the board of directors shall have the property appraised by two licensed appraisers and shall not sell the property for less than the average of the two appraisals: **Provided, however**, That the net proceeds which exceed the funds needed for the purchase of real property or for capital improvements may be transferred to other accounts or funds and redesignated for other purposes by appropriation of the Legislature.

**§18B-14-5. Authorization to sell property generally.**

Notwithstanding any other provisions of this code to the contrary, the governing boards are hereby authorized and empowered to sell any surplus real property and deposit the net proceeds into a special revenue account in the state treasury to be appropriated by the Legislature for the purchase of additional real property or technology, or for capital improvements at the institution that sold the surplus real property: *Provided*, That prior to such action the appropriate governing board shall have the property appraised by two

licensed appraisers and shall not sell the property for less than the average of the two appraisals: *Provided, however,* That before such action, the governing boards shall provide notice to the public by a Class II legal advertisement as defined in section two, article three, chapter fifty-nine of this code and shall hold a public hearing on the issue.

Vice Chair Sheatsley called for a motion.

**MOTION:** Terry Sammons moved to accept the following resolution:

*RESOLVED,* That the Southern West Virginia Community and Technical College Board of Governors delegate to the President the authority to sell real property located at 300 Main Street, Logan, West Virginia and more commonly known as the Logan Downtown Annex.

*FURTHER RESOLVED,* the Board of Governors directs the President to comply with all laws of the State of West Virginia and the rules, regulations, and procedures of the West Virginia Higher Education Policy Commission, the West Virginia Council for Community and Technical College Education, and Southern West Virginia Community and Technical College regarding the sale of said property including the requirement that the sale price shall not be less than the average of the appraisals by two licensed appraisers.

*BE IT FURTHER RESOLVED,* that the Board of Governors authorizes the President to act on its behalf in negotiating said sale of the specifically designated real property and to sign all documents required for the sale of the described property.

**ACTION:** Linda Akers seconded the motion. Aye signified the motion. Hearing no negative votes, Chair Sheatsley declared the motion passed.

There being no further business, Vice Chair Sheatsley adjourned the meeting at 9:20 a.m.

  
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James R. Sheatsley, Vice-Chair  
Board of Governors

  
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Emma L. Baisden  
Assistant to the Board