

**Southern West Virginia Community and Technical College  
Board of Governors  
Meeting of October 13, 2016  
6:00 p.m.  
Chief Logan Lodge and Conference Center  
1000 Conference Drive, Unit D, Logan, WV**

**MINUTES**

**Board Members Present:** Thomas Heywood, Chair; Wilma Zigmond, Vice Chair; Glenn Yost, Secretary; Raamie Barker, Russell Saunders, Faculty Representative; Kevin Zachary

**Board Members Absent:** Kevin Hill, Jada Hunter, George Kostas, Virginia Stepp, Classified Staff Representative

**College Staff Present:** Robert Gunter, President; Samuel Litteral, Allyn Sue Barker, Ronald Lemon, Jack Dilbeck, Bill Cook, David Lord, Rita Roberson, Randy Skeens, Steven Hall, Steven Lacek, Guy Lowes, Melinda Saunders, Gary Holeman, Carol Howerton, Emma Baisden (Recorder and Executive Assistant to the BOG); Howard Seufer (General Counsel)

**Guest:** Tanya Gunter

**1. Call to Order**

Board of Governors Chair, Thomas Heywood, declared a quorum present and convened the meeting at 6:00 p.m.

**2. Call for Public Comments to the Board of Governors**

Chair Heywood asked for public sign-up for comments to the Board. No signatures were recorded.

**3. Board of Governors and Administration Self-Assessment Report**

Mr. Howard Seufer, Board Counsel, led Board members and administrators through the results of the 15<sup>th</sup> annual self-evaluation which was conducted on an aggregated and anonymous basis. Mr. Seufer explained the scoring scale and informed the group that only seven (7) Board members completed the evaluation this year as compared to 11 in 2015, and 10 in 2014. Due to the small number of Board member respondents, scores were distorted by respondents who answered "Don't Know" or gave no answer at all. Therefore, "Don't Know" and "No Answers" were left out of the calculation. For record purposes, the Board was comprised of 9 of the 12 positions available when the annual survey was conducted. Two Board members had been recently appointed, and three Board seats were vacant (two lay member seats and the student representative's seat). Fourteen administrators completed this year's evaluation as compared to 15 in 2015, and 13 in 2014. Mr. Seufer first led Board members through the results of their self-evaluation and identified questions which improved and slipped in rank. Overall, the self-assessment results were good, the Board is well informed, decisions of the Board are supported by its members, there is a climate of mutual trust and respect among its members, and the Board has a positive relationship with the College President. Results showed that Board members are prepared for meetings, and believe employee presentations have good content, but need a time limit established for reports. Comments on question 16 revealed that a Board member believed that in the past year, there were issues that the Board of Governors

should have addressed or spent more time considering such as (1) the handling of SCP-1400, Guest Speakers, Lecturers, Performers and Organized groups. One member stated, "there is a disconnect between students and staff and we need a vehicle to her student suggestions and complaints." There were five areas (questions 16, 25, 2b, 7, and 9) which showed the most improvement this year over last, and one (2b) which demonstrates progress over the three-year period. Comparing the 2016 and 2015 mean scores in the report, eight (8) areas declined with questions three and 8 showing the most significant decline.

The overall results of the administration self-evaluation remained about the same or slightly improved over last year. The highest improvement was that administrators as a group believe they are meeting their established compact goals (question 1), and the next highest improvement was that as individual administrators they are meeting established goals (question 2). Administrators unanimously agreed on questions 10, 15, 16, and 17. The largest downward deviation from 2015 was reflected in the responses to question number seven (7) – new administrators receive an appropriate orientation to their new roles and responsibilities, and the second largest decrease was responses to question number 12 – I work cooperatively and effectively with the President of the College. Administrators consistently commented that Executive Council is too large, meetings are not efficient or productive, keep members informed on progress of projects, and discussions need kept pertinent. Chair Heywood thanked Mr. Seufer for his presentation and commented that these survey results are helpful to Board members and administrators.

#### 4. **West Virginia Open Governmental Proceedings Act**

Chair Heywood led Board members through a PowerPoint presentation on the *Open Governmental Proceedings Act* which was developed by Bruce Walker for the purpose of meeting statute requirements for Board training. All Board members participating in today's meeting will receive training credit. Chair Heywood informed the group that

- (1) A member newly appointed to a governing board must complete three hours of training and development by the end of the first fiscal year of service if appointed in the first half of a fiscal year. If appointed in the second half of a fiscal year, the member must complete three hours of training and development by the end of the first half of the second fiscal year.
- (2) With the exception of the student member of a governing board, each member must complete at least six (6) hours of training and development within two fiscal years of beginning service and within every two fiscal years of service thereafter.

The State statute on Open Governmental Proceedings, sometimes called the Open Meetings or "Sunshine" Act, was enacted to ensure that the proceedings of all public agencies are conducted in an open and public manner, so that the people may be informed about the actions of their governments and retain control over them. The law and code have improved over the years. The Act applies to all State, county, and municipal administrative or legislative units of government, including their departments, agencies, committees, boards and commissions. It does not apply to the courts. Meetings of the governing bodies of all public agencies must be open to the public, unless a specific statutory exception applies. The Act does provide specific exceptions for which a

governing body of a public agency may hold an executive session, which is a meeting that is not open to the public. A member of the governing body must make a motion to go into executive session. The motion must state in plain language the grounds for convening an executive session. A governing body may go into an executive session for any of the reasons set forth in the Open Meetings Act at West Virginia Code § 6-9A-4. Some common grounds for going into an executive session are to discuss personnel matters or pending litigation; to consider matters involving the purchase, sale or lease of real property, or to plan or consider an official investigation. No decisions can be made during an executive session. A governing body may only vote after it reconvenes in an open session. The decision of whether or not to take minutes for an executive session lies within the discretion of the governing body. Every public agency is required to give advance notice to the public and news media of the date, time, place and agenda of all regular meetings and the date, time, place and purpose of all special meetings, except in the case of an emergency requiring immediate action. State agencies must file a notice of any meeting with the Secretary of State at least five business days prior to the date of the meeting. The meeting agenda must be posted three business days before a regular meeting. Public agencies must keep written minutes of all meetings, and must make them available to the public within a reasonable time after the meeting. These minutes must include all measures proposed and the results of all votes taken. Chair Heywood concluded his presentation by informing the group that the Open Meetings Act provides that any person who is a member of a public or governmental body required to conduct open meetings and who willfully and knowingly violates the Act is guilty of a misdemeanor and, upon conviction thereof, can be fined not more than \$500. Persons convicted of a second or subsequent offense are guilty of a misdemeanor and, upon conviction thereof, can be fined not less than \$100 nor more than \$1,000.

**5. President's Report**

- 5.1 On October 11, 2016, President Gunter, Allyn Sue Barker, Steven Hall, and Carol Howerton participated in an Economic Development Roundtable at Welch, West Virginia, hosted by Congressman Evan Jenkins. Following the roundtable discussion, the group met privately with Congressman Jenkins to discuss and solicit his support for three (3) large U. S. Department of Labor grant proposals which Southern has written and submitted. Funding of these grants would have a tremendous economic impact on this region and provide capacity building in new and expanded programs for our communities.
- 5.2 In August 2015, the Partnerships for Opportunity and Workforce and Economic Revitalization (POWER) Initiative awarded an ARC grant to the Hatfield McCoy Regional Recreation Authority in Man, WV for the Southern Coalfields Sustainable Tourism and Entrepreneurship Program. As a partner with the Hatfield McCoy Regional Recreation Authority, Southern will receive \$750,000 to provide small business training, technical assistance, and entrepreneurial coaching services.
- 5.3 The Southern West Virginia Community College Foundation held its fourth annual Michael J. McGraw Memorial Scholarship Golf Classic on October 6, 2016 at Twin Falls State Park. There has been a 30% increase in funds raised at this event. To date, approximately \$10,000 has been raised for student scholarships. All proceeds of the tournament will provide assistance to Wyoming County residents who want to

pursue an education at Southern West Virginia Community and Technical College.

**6. Financial Report**

Vice President for Finance and Administration, Samuel Litteral, provided the financial report dated September 30, 2016 to Board members. He reviewed restricted, unrestricted, and auxiliary revenues and expenditures for the period. Mr. Litteral informed Board members that revenues are above 25% and he has no concerns on the expenditure side due to the increased PEIA insurance premium. Twenty percent of state appropriations are received within the first three months of the fiscal year which began July 1, 2016. Restricted revenue on page two of the handout shows an increase due to the College receiving most of the PELL funds upfront. Vice President Litteral informed the group that his office has completed the field work with the financial audit and he should receive some figures within a couple of weeks.

**7. Workforce and Community Development Office Report**

Ms. Allyn Sue Barker, Vice President for Workforce and Community Development, presented a PowerPoint presentation to Board members highlighting the Unit. The Community and Workforce Development Unit consists of three departments – Academy for Mine Training and Energy Technologies; Community and Leadership Development; and Workforce and Continuing Education. The Unit is committed to supporting the needs of employees and employers. It serves as a mechanism for economic development in the region by offering continuing education, non-academic credit courses, customized training programs to expand and upgrade workplace skills, and to provide community interest programs and activities which promote personal growth and cultural enrichment. Vice President Barker informed Board members that training data in the Academy for Mine Training and Energy Technologies has been up and down due to the declining coal economy.

**8. Action Items:**

**8.1 Request for Approval of August 16, 2016 Board Meeting Minutes**

**MOTION:** Glenn Yost moved to accept the meeting minutes as presented.

**ACTION:** Wilma Zigmond seconded the motion. The motion carried unanimously. Chair Heywood declared the motion adopted and the minutes approved.

**8.2 Request for Approval to Table Action on SCP-2875, *Workload Requirements for Full-time Faculty***

**MOTION:** Russell Saunders moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors table action on SCP-2875, *Workload Requirements for Full-time Faculty*, to allow ample time for review of comments received.

**ACTION:** Glenn Yost seconded the motion. The motion carried unanimously. Chair Heywood declared the motion adopted.

**8.3 Request for Final Approval by Board of Governors and Submission to Chancellor**

**8.3.1 SCP-1010, *Use of Alcoholic Beverages on Campus***

**MOTION:** Kevin Zachary moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval of SCP-1010, *Use of Alcoholic Beverages on Campus*, for submission to the Chancellor for Community and Technical College Education for final approval following the required 30-day comment period.

**ACTION:** Russell Saunders seconded the motion. The motion carried unanimously. Chair Heywood declared the motion adopted and the policy approved.

**8.3.2 SCP-3200, *Awarding College Credit for Prior Learning***

**MOTION:** Glenn Yost moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval of SCP-3200, *Awarding College Credit for Prior Learning*, for submission to the Chancellor for Community and Technical College Education following the required 30-day comment period.

**ACTION:** Russell Saunders seconded the motion. The motion carried unanimously. Chair Heywood declared the motion adopted and the policy approved.

**8.4 Request for Approval to Release for 30-day Public Comment Period**

**8.4.1 SCP-2000, *Elimination of Faculty Positions Due to Program Reduction or Elimination***

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of the proposed rescission of the aforementioned policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Russell Saunders seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

**8.4.2 SCP-2218, *Evaluation of Full-time Faculty***

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP- 2218, *Evaluation of Full-time Faculty*, and attachments to Southern's constituencies and the Chancellor for Community and Technical College Education for the required 30-day comment period.

**ACTION:** Kevin Zachary seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

**8.4.3 SCP-3000, *Distance Learning***

**MOTION:** Glenn Yost moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-3000, *Distance Learning*, policy to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day public comment period.

**ACTION:** Russell Saunders seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

**8.4.4 SCP-4000, *Basic Guidelines and Standards for Admission***

**MOTION:** Wilma Zigmond moved the adoption of the following resolution:

*RESOLVED*, That the Southern West Virginia Community and Technical College Board of Governors grant approval for the distribution of SCP-4000, *Basic Guidelines and Standards for Admissions*, to Southern's constituents and the Chancellor for Community and Technical College Education for the required 30-day comment period.

**ACTION:** Russell Saunders seconded the motion. The motion carried unanimously and Chair Heywood declared the motion adopted.

**9. Informational Items:**

**9.1 Board of Governors Training and Development Hours**

Chair Heywood reviewed the Board of Governors Training Hours Report for the period of July 1, 2015 - June 30, 2016 which was provided by Chancellor Tucker's office. This report was submitted to the Legislative Oversight Commission on Education Accountability (LOCEA) on September 30. It includes the total hours completed (highlighted in yellow) and the deadline for training hours. If a member does not complete the training hours by the deadline listed on the report, the member will be removed from the Board. The training and development hours requirement was reviewed in Chair Heywood's Open Governmental Proceedings Act presentation at today's meeting. If new Board members have not completed the initial three hours of training, the West Virginia Higher Education Policy Commission has online training opportunities available. Chair Heywood informed members to contact Emma Baisden should they need to complete online training. Additionally, it is acceptable to count training hours for informational items presented at Board

meetings with prior approval from Chancellor Tucker's office.

**9.2 Institutional Policies Granted Final Approval by Chancellor Tucker**

President Gunter informed members that the following institutional policies had been granted final approval by Chancellor Tucker:

9.2.1 SCP-1230, *Firearms, Weapons, and Explosives Policy*

9.2.2 SCP-1750, *Tobacco and Smoke-free Campus Policy*

9.2.3 SCP-2171, *Professional and Educational Requirements for Faculty*, and  
SCP-2171.A, *Faculty Credentials Certification Form*

9.2.4 SCP-4356, *Financial Aid Recipient - Change in Enrollment Policy*

**Other** - President Gunter invited Board members to attend Southern's Harvest Half Marathon and 5K race scheduled for Saturday, November 18, 2016, at the Williamson Campus. Dr. Gunter anticipates approximately 200 runners will participate in the event which will begin at 9:00am. A web link is provided on Southern's website which connects to the Road Runners' website for on-line registration which is ongoing. The race has several corporate sponsors.

**10. Adjournment**

There being no further business, Chair Heywood declared the meeting adjourned at 8:40 p.m. The next Board meeting is scheduled for 6:00 p.m. on December 13, 2016 and will be held in Building C, Room 428, at Southern's Logan Campus.

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Wilma J. Zigmond, Chair

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Emma L. Baisden  
Executive Assistant to the President  
and Board of Governors

*OFFICIAL*  
*Approved 12-13-2016*