



# *Southern*

**SOUTHERN WEST VIRGINIA  
COMMUNITY AND TECHNICAL COLLEGE**

## **BOARD OF GOVERNORS**

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### **JUNE 3, 2008 EMERGENCY MEETING AGENDA**

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#### **Members**

Kevin N. Fowler, Chair  
James R. Sheatsley, Vice Chair  
George Kostas, Secretary  
Linda Q. Akers  
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President

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
TELECONFERENCE – EMERGENCY MEETING  
JUNE 3, 2008 — 9:00 A.M.**

**AGENDA**

Dial 1-800-233-3638

Access Code: 6125 followed by the pound sign (#)

1. Call to Order and Role Call ..... Mr. James Sheatsley  
Board Vice Chair
  
2. Action Item ..... Vice Chair Sheatsley
  1. Sale of Real Property by the local Board of Governors of  
Southern West Virginia Community and Technical College ..... Mr. Merle Dempsey  
Executive Vice President
  
3. Adjournment

Interested parties in the Logan area may participate by coming to Southern West Virginia Community and Technical College, Center for Allied Health and Technology, Room 422.

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS  
EMERGENCY MEETING OF JUNE 3, 2008**

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

**RECOMMENDED 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.

**STAFF MEMBER:** Merle Dempsey

**BACKGROUND:**

The following citations of West Virginia State Code 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.