

#### **District Governing Board Special Meeting**

#### Agenda

#### **Executive Session**

Tuesday, July 16, 2019

#### 1:00 PM

#### Rock House, Prescott Campus

#### 1100 E. Sheldon Street

#### Prescott, AZ 86301

Pursuant to Arizona Revised Statutes (A.R.S.) §38-431.02, notice is hereby given to the members of the Yavapai College District Governing Board and to the general public that the Board will hold a public meeting, open to the public as specified below. The Board reserves the right to change the order of items on the agenda. One or more members of the Board may participate in the meeting by telephonic communication.

Pursuant to A.R.S. §38-431.03.A.2, A.3 and A.4, the Board may vote to go into Executive Session, which will not be open to the public, for legal advice concerning any item on the agenda to review, discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law; or to consult with and instruct its attorneys regarding its position on contracts, litigation or settlement discussions. If indicated in the agenda, the Board may also vote to go into executive session, which will not be open to the public, to discuss specific agenda items.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Executive Assistant at (928)776-2307. Requests should be made as early as possible to allow time to arrange the accommodation.

Please note that agenda item times are for planning purposes only and do not necessarily reflect the actual time of the agenda item. When regular board meetings, public hearings (both truth in taxation and budget adoption public hearings) and budget adoption special meetings are scheduled for the same date, each hearing or meeting will begin immediately upon adjournment of the preceding hearing or meeting. Members of the public wishing to attend those subsequent hearings or meetings are advised to arrive at the time that the first hearing or meeting is scheduled to begin.

ltem No.	Item	Time Req.	Start Time	Ref No.
1	CALL TO ORDER - HEADING	0	1:00 PM	844357
2	Approval of June 25, 2019 District Governing Board Meeting Minutes - DISCUSSION AND/OR DECISION	2	1:00 PM	844473
3	EXECUTIVE SESSION - Pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4) - Receive Legal Advice from Legal Counsel and discuss settlement position regarding United States ex rel. Daniel Hamilton v. Yavapai County Community College District, CV12-08193-PCT-PGR - INFORMATION AND DISCUSSION	120	1:02 PM	844358
4	Convene in Public Session with Possible Action RE: United States ex rel. Daniel Hamilton v. Yavapai County Community College District, CV12-08193-PCT-PGR - DISCUSSION AND/OR DECISION	5	3:02 PM	844359
5	ADJOURNMENT OF REGULAR MEETING - PROCEDURAL	1	3:07 PM	844360

**Presenter :** Ray Sigafoos

## Proposed By : Ray Sigafoos

Proposed: 7/8/2019

# Start Time: 1:00 PM Time Req: 0 **Item Type :** Heading

Item No:1

Description Ref No To accomplish its job products with a governance style consistent with Board 558881 policies, the Board shall follow an annual agenda which (a) completes a re-

# **Description : CALL TO ORDER - HEADING**

Details :

# Attachments :

No Attachments

Policy No.

3.4

# **Presenter :** Ray Sigafoos

**Proposed By :** Ray Sigafoos

Proposed : 7/11/2019

Start Time: 1:00 PM

Item No: 2

Time Reg: 2 Item Type : Decision Item

Policy No.	Description	Ref No
3.5.4	Unless the Chair has delegated his or her authority otherwise pursuant to Policy 3.5.2.3, the Secretary fulfills the duties of the Chair in the absence of the Chair, including chairing Board meetings and signing documents on behalf of the Board and/or Yavapai College. The Secretary assures the accuracy of Board documents. The Board has its own documents so the accuracy of Board records are critical for historical purposes. The Secretary attests to the Board's adoption of policy.	558943

exploration of Ends policies annually; and (b) continually improves Board performance through Board education and enriched input and deliberation.

## Description : Approval of June 25, 2019 District Governing Board Meeting Minutes -DISCUSSION AND/OR DECISION

Details: To affirm discussion and record of actions and motions made and approved by the District Governing Board at the June 25, 2019 Executive Session Meeting Minutes. As part of the Board Agenda, the record of the proceedings of the previous meetings are presented for Board approval, reporting the kind of meeting, date, and place of the meeting, participants present, approval of consent items, and all the main motions, the hours of the meeting(s), and the adjournment. The approved minutes are used to establish a permanent record of decisions approved by the District Governing Board. (Executive Session minutes are confidential by statute and are; therefore, not included in public documents.)

# Attachments :

Title	Created	Filename
Unapproved June 25, 2019 Meeting Minutes	Jul 11, 2019	Unapproved 06-25-19 Meeting Minutes.pdf



#### **Unapproved Board Meeting Minutes**

Tuesday, June 25, 2019

1:00 PM

Prescott Campus - Rock House 1100 E. Sheldon Street Prescott, AZ 86301

#### **Members Present:**

Mr. Steve Irwin, Secretary

Mr. Ray Sigafoos, Chair Ms. Deb McCasland, Board Member Dr. Patricia McCarver, Board Member **Administration Present:** Dr. Lisa B. Rhine, President Lynne Adams, Board Attorney (via Zoom) Dr. Clint Ewell, Vice President for Finance and Administrative Services Heather Scott, Recording Clerk

#### Attending Guests, via Zoom:

Georgia Staton, Jones, Skelton & Hochuli, P.L.C., Legal Counsel Elizabeth Gilbert, Jones, Skelton & Hochuli, P.L.C., Legal Counsel E.J. Kotalik, Jr. Peshkin & Kotalik, P.C., Legal Counsel

Chairman Sigafoos called the Yavapai College District Governing Board Meeting to order at 1:00 p.m.

Member McCasland made a motion, seconded by Member McCarver, to move into executive session pursuant to A.R.S. §38-431.03(A)(3), (A)(4) to receive advice from legal counsel regarding United States ex rel. Daniel Hamilton v. Yavapai County Community College District, CV12-08193-PCT-PGR. Motion carried unanimously (Sigafoos, McCarver, Irwin, McCasland all voted aye).

The Executive Session convened at 1:02 p.m.

The Board returned to Public Session at 2:35 p.m.

Possible Action RE: United States ex rel. Daniel Hamilton v. Yavapai County Community College District, CV12-08193-PCT-PGR - INFORMATION AND DISCUSSION. Member McCasland moved, seconded by Member McCarver, to instruct our attorneys to act in accordance with the instructions provided to them in Executive Session. Motion carried unanimously (Sigafoos, McCarver, Irwin, McCasland all voted aye).

Member Irwin moved, seconded by Member McCasland to adjourn the meeting at 2:37 p.m. Motion carried unanimously (Sigafoos, McCarver, Irwin, McCasland all voted ave).

Respectfully submitted:

Heather Scott, Recording Clerk

Date: July 11, 2019

Mr. Ray Sigafoos, Chair

Mr. Steve Irwin, Secretary

Presenter : Ray Sigafoos

## Proposed By : Ray Sigafoos

Proposed : 7/8/2019

# Start Time : 1:02 PM Time Req : 120 Item Type : Discussion

Item No: 3

Policy No.	Description	Ref No
2.8	The President shall not permit the Board to be uninformed or unsupported in its work.	764197
	Further, without limiting the scope of the above statement by the following list, the President shall not:	

- Description : EXECUTIVE SESSION Pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4) -Receive Legal Advice from Legal Counsel and discuss settlement position regarding United States ex rel. Daniel Hamilton v. Yavapai County Community College District, CV12-08193-PCT-PGR - INFORMATION AND DISCUSSION
  - **Details :** Pursuant to A.R.S. §38-431-03(D) Legal action involving a final vote for decision shall not be taken at an executive session, except that the public body may instruct its attorney or representatives as provided in subsection A, paragraphs 4, 5, and 7 of this section. A public vote shall be taken before any legal action binds the public body.

# Attachments :

No Attachments

Presenter : Ray Sigafoos	Start Time: 3:02 PM	Item No:4
Proposed By : Ray Sigafoos	<b>Time Req :</b> 5	
Proposed : 7/8/2019	Item Type : Decision Item	

Policy No.	Description	Ref No
3.4	To accomplish its job products with a governance style consistent with Board policies, the Board shall follow an annual agenda which (a) completes a re- exploration of Ends policies annually; and (b) continually improves Board performance through Board education and enriched input and deliberation.	558881

- Description : Convene in Public Session with Possible Action RE: United States ex rel. Daniel Hamilton v. Yavapai County Community College District, CV12-08193-PCT-PGR - DISCUSSION AND/OR DECISION
  - **Details :** Pursuant to A.R.S. §38-431-03(D) Legal action involving a final vote for decision shall not be taken at an executive session, except that the public body may instruct its attorney or representatives as provided in subsection A, paragraphs 4, 5, and 7 of this section. A public vote shall be taken before any legal action binds the public body.

Attachments :

No Attachments

**Presenter :** Ray Sigafoos

# **Proposed By :** Ray Sigafoos

Proposed : 7/8/2019

# Time Req: 1

Item Type : Procedure Iter	n
	Def Ne

Policy No.	Description	Ref No
3.4	To accomplish its job products with a governance style consistent with Board policies, the Board shall follow an annual agenda which (a) completes a re- exploration of Ends policies annually; and (b) continually improves Board performance through Board education and enriched input and deliberation.	558881

# **Description :** ADJOURNMENT OF REGULAR MEETING - PROCEDURAL

Details :

## Attachments :

No Attachments