



Yavapai College District Governing Board

Regular Board Meeting
Approved Minutes of Regular Meeting
Tuesday, June 9, 2015

1:25 PM
Prescott Campus - Rock House
1100 E. Sheldon Street
Prescott, Arizona

District Governing Board meeting recordings may be viewed on CableOne Access 13 or the Yavapai College Website. CableOne Access 13 records all regular board meetings for subsequent broadcast and the schedule is available on the Access 13 website at http://www.access13.org. The District Governing Board agenda, packet materials, handouts, and minutes are on file in the District Office and posted on the College website along with regular board meeting recordings posted approximately 12 days after each meeting at http://www.yc.edu/v5content/district-governing-board/.

Members Present:

- Dr. Patricia McCarver, Chair
Mr. Steve Irwin, Secretary
Mr. Albert Filardo, Board Member
Mr. Ray Sigafoos, Board Member
Ms. Deb McCasland, Board Member

Administration Present:

- Dr. Penelope H. Wills, President
Lynne Adams, Board Attorney
Christina Rubalcava, Legal Counsel
Other staff attending are on file in the District Office

1. CALL TO ORDER - HEADING

2. Call to Order – PROCEDURAL

Chair McCarver called the Yavapai College District Governing Board meeting to order at 1:25 p.m.

3. Pledge of Allegiance – PROCEDURAL

The Pledge of Allegiance was led by Member Sigafoos

4. Welcome to Guests and Staff – PROCEDURAL

Chair McCarver welcomed all guests and staff with special recognition of the Verde Valley Board Advisory Committee.

5. Approval of District Governing Board May 19, 2015 Budget Workshop and Regular Meeting - DISCUSSION AND/OR DECISION

Member Sigafoos moved, seconded by Member Irwin, to approve the District Governing Board May 19, 2015 Budget Workshop Minutes as amended on page 1 and Regular Meeting Minutes as amended to reference the Campus Master Plan April 2015 Revision. Motion carried unanimously.

6. Adoption of Agenda – DECISION

Member Sigafoos moved, seconded by Member Filardo, to adopt the agenda as written. Motion carried unanimously.

7. CONSENT AGENDA – HEADING

Member Filardo moved, seconded by Member Irwin, to approve the Consent Agenda as written with the removal of item # 8. Motion carried unanimously

8. Receipt of Report on Revenues and Expenditures – Month of May 2015 - RECEIPT, DISCUSSION, AND/OR DECISION (refer to Board agenda, pgs. 13-22)

Member McCasland asked what was included in the restricted fund scholarships. Mr. D'Angelo, Controller, explained that PELL Grants, federal, and Foundation scholarships were included in this category.

Member McCasland moved, seconded by Member Filardo, to approve the Report on Revenues and Expenditures - Month of May 2015. Motion carried unanimously.

9. Receipt of President's Monthly Monitoring Report - Executive Limitation 2.3.1 - Budget Deviation – May 2015 - RECEIPT, DISCUSSION, AND/OR DECISION (refer to Board agenda, pgs. 23-25)

The President reported compliance.

10. Receipt of President's Monthly Monitoring Report: Executive Limitation 2.3.2 - Reserves – May 2015 - RECEIPT, DISCUSSION, AND/OR DECISION (refer to Board agenda, pgs. 26-28)

11. POLICY - HEADING

12. For Consideration For Approval of Public and Charter School Dual Enrollment Intergovernmental Agreements with Yavapai Community College District - RECEIPT, DISCUSSION AND/OR DECISION (refer to Board agenda, pgs. 30-52)

The attached Intergovernmental Agreements (IGA's) will enable Yavapai College to provide Dual Enrollment Courses from July 1, 2015 through June 30, 2016, to eligible students for the following School Districts:

- Ash Fork Joint Unified School District No. 31
Bagdad Unified School District No. 20
Camp Verde Unified School District No. 28
Chino Valley Unified School District No. 51
Humboldt Unified School District No. 22
Mayer Unified School District No. 43

Mingus Union High School District No. 4
Mountain Institute Joint Technology Education District No. 2
Northpoint Expeditionary Learning Academy
Prescott Unified School District No. 1
Sedona-Oak Creek Joint Unified School District No. 9
Tri-City College Preparatory High School

Exhibit B - Type of Instruction Dual Enrollment Courses, identifies specific courses being offered with each institute.
Member Irwin moved, seconded by Member Sigafoos, to approve the Public and Charter School Dual Enrollment Intergovernmental Agreement as written. Motion carried unanimously.

13. For Consideration for Approval of the First Amendment to Lease for Property located at Joslin-Whipple Subdivision - RECEIPT, DISCUSSION, AND/OR DECISION (refer to Board agenda, pgs. 53-67)

For consideration for approval of the First Amendment to Lease for property located at Joslin-Whipple Subdivision (also known as Building 11; Building 12; and Building 20). This amendment to lease is entered into by and between Yavapai County Community College District and Yavapai College Foundation and is for the period from July 1, 2015 through June 30, 2020. The original lease was entered into on September 2, 2005 for the period from July 1, 2005 through June 30, 2010 and extended via mutual agreement and purchase order on July 12, 2011 through June 30, 2015.

Member Sigafoos moved, seconded by Member Irwin, to approve the First Amendment to Lease for Property located at Joslin-Whipple as written. Motion carried 4 yes votes; 1 no vote from Member McCasland.

14. INFORMATION - HEADING

15. Presentation of Recommendations by the Verde Valley Board Advisory Committee (VVBAC) – INFORMATION AND DISCUSSION (refer to VVBAC Recommendation handout)

Mr. Randy Garrison, member of the VVBAC, provided a recommendation summary from the VVBAC to be considered for inclusion into the Yavapai College Strategic Plan currently in development. The VVBAC recommends the importance of focusing on three objectives: Access; Sustainability; and Structure.

16. Information from the President to Include: Yavapai College Baseball; Top-Ranked Arizona Community College Affordable Online Classes; DK Ranch Proposal: College For Kids; College Highlights; Facilities Management News; and Other Related Issues - INFORMATION AND/OR DISCUSSION (refer to Board agenda, pgs. 74-93)

Dr. Penny Wills reported on the following topics with discussion from the Board:

- Yavapai College Baseball 2014-2015 season results
- Top-ranked Arizona Community College for affordable online classes and Yavapai College is ranked 24th in the country
- DK Ranch Proposal Update
- College For Kids will have two sessions: June 1 - 18 and July 6 - 23
- College Highlights - June 2015 - Attached - Information Only
- Yavapai College Staff Association Update (YCSA) - June 2015 - Attached - Information Only
- Facilities Management News - Attached - Information Only

17. Information from Instruction and Student Development to Include: Update on Lead Program; and Other Related Issues- INFORMATION AND/OR DISCUSSION (refer to Board agenda, pgs. 94 – 99)

Dr. Stuart Blacklaw, Provost and Vice President for Instruction and Student Development, presented the following:

- Lead Program is a summer bridge program for Yavapai County with 30 students attending.

18. SHORT RECESS – PROCEDURAL

No recess was taken.

19. MONITORING REPORTS – HEADING

20. Receipt of President's Monitoring Report - Executive Limitation 2.3 - Financial Management - MONITORING, DISCUSSION, AND/OR DECISION (refer to Board agenda, pgs. 101-105)

Executive Limitation 2.3 - Financial Management

The President shall not cause or allow annual financial planning and budgeting that deviates materially from the Board's Ends' priorities, jeopardizes financial solvency, or fails to be part of a multi-year strategic management plan, or violates applicable statutes.

President reports compliance.

Member Filardo provided comments on the monitoring report and requested that the Financial Management report include multi-year strategic management plan.

Member Filardo moved, seconded by Member McCasland, that we have read the President's Monitoring Report regarding Policy 2.3, and believe that the interpretation of these policies provided are reasonable, but we do not believe that there is sufficient evidence to support the conclusion of compliance with these policies. Therefore, I move that we not accept the Monitoring Report for Policy 2.3. I move that the President provide the Board with a new Monitoring Report for Policy 2.3 to include the 2015-2019 Strategic Plan at the October 2015 District Governing Board meeting that provides sufficient evidence to support the conclusion of compliance. Motion carried unanimously.

The President will re-submit the President's Monitoring Report - Executive Limitation 2.3 - Financial Management at the October 2015 District Governing Board Meeting and include the new 2015-2019 Strategic Plan.

21. OWNERSHIP LINKAGE - HEADING

22. Reports from Board Liaisons - Arizona Association for District Governing Boards (AADGB); Verde Valley Board Advisory Committee (VVBAC); and Yavapai College Foundation – INFORMATION AND/OR DISCUSSION

- Arizona Association for District Governing Boards (AADGB) – No Report
- Verde Valley Board Advisory Committee (VVBAC) - Member Filardo notified the Board that he is currently working to replace two VVBAC members for Camp Verde and Yavapai-Apache Nation. The candidates will be interviewed by Tim Carter, Superintendent for Yavapai County, followed by his recommendation.

The Board will request Linda Buchanan to connect with the Yavapai-Apache Nation regarding a replacement representative.

- Yavapai College Foundation - Chair McCarver reported that the next meeting will be August 2015.

23. OTHER INFORMATION - HEADING

24. Correspondence to the Board – RECEIPT

Correspondence received included: Audit announcement from the Auditor General, State of Arizona.

25. Proposed Dates and Places of Future Meetings for the Remainder of 2015 - RECEIPT, DISCUSSION AND/OR DECISION (refer to Board agenda, pgs. 108-109)

The Board will discuss the Proposed Dates and Places of Future Meetings for:

- Remainder of 2015

26. EXECUTIVE SESSION - A.R.S. §38-431.03(A)(3), Receive Legal Advice Regarding Policy 2.1.1 Due Diligence Review; and A.R.S. §38-431.03(A)(1), Review of President's Annual Evaluation, Compensation, and Employment Agreement - PROCEDURAL

Pursuant to A.R.S. §38-431.03(A)(1), Review and consideration of President Wills' annual evaluation, compensation, and employment agreement (the employee has been notified in writing).

Member Sigafoos moved, seconded by Member Irwin, to convene into Executive Session pursuant to Arizona Revised Statutes §38-431.03(A)(3) seek Legal Advice regarding Policy 2.1.1 Due Diligence Review; and A.R.S. §38-431.03(A)(1) for the review of the President’s Annual Evaluation, Compensation, and Employment Agreement. Motion carried unanimously.

Executive Session convened at 2:34m.

Executive Session recessed at 4:00 p.m.; Regular session reconvened at 4:05 p.m.

27. Convene in Public Session with Possible Action RE: President's Evaluation, Compensation, and Employment Agreement as a Result of Executive Session – DECISION

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.

Dr. McCarver announced that Legal Counsel has provided a Public Summary of the Policy 2.1.1 Due Diligence Review that includes the purpose, scope, and findings of the review. Dr. McCarver stated that Legal Counsel reported that the review findings did not substantiate any of the allegations; each of the seven allegations were without merit and lacking in factual support. In each case, the underlying facts confirmed that no illegal or unethical conduct took place.

Member Sigafoos moved, seconded by Member Irwin, that based on the Board’s evaluations and discussions regarding Dr. Wills’ performance during the past fiscal year, the Board agrees to extend the President’s employment agreement for one (1) year (2018), and that the terms of the amended contract should also include a compensation increase equal to a 1.7% increase in base salary, with the expense account and other benefit provisions to remain as set forth in the current contract. The Board also authorizes Chair McCarver to work with legal counsel to prepare the necessary contract amendment to reflect the Board’s decision. Motion carried 4 yes votes; 1 no vote from Member McCasland.

Member McCasland does not support the motion and would like the contract to remain with current terms and conditions.

28. ADJOURNMENT OF REGULAR MEETING - PROCEDURAL

Member Sigafoos moved, seconded by Member Irwin to adjourn the meeting. Motion carried unanimously.

Regular meeting adjourned at 4: 07p.m.

Respectfully submitted:

_____/S/_____
Ms. Karen Jones, Recording Secretary

Date: August 10, 2015

_____/S/_____
Dr. Patricia McCarver, Chair

_____/S/_____
Mr. Steve Irwin, Secretary

Board agenda, packet materials, handouts from meeting are on file in the District Office and posted on the College website: www2.yc.edu. The mission of Yavapai College is to provide cost-effective, convenient learning opportunities for the diverse populations of Yavapai County.