



**Haywood Community College  
Board of Trustees  
Special Called Minutes  
January 29, 2008**

The Haywood Community College Board of Trustees held its regular meeting on Tuesday, January 29, 2008 at 4:00 p.m. in the Board Room of the Administration Building. The following persons were present:

**TRUSTEES**

Lynne Barrett  
Charles Boyd  
Mark Bumgarner, Vice Chair  
Neal Ensley  
Donna Forga  
Ellene Francis  
Randy Herron  
Debbie Hyatt  
Peggy Melville, Chair  
Robert Morris  
Steve Sorrells  
Jim Stevens  
Amanda Wilkinson

**STAFF**

Debbie Davis  
Karen Denney  
Janice Gilliam  
Teresa Melton  
Bill Rhodarmer  
Annemarie Timmerman  
Debbie Trull  
Meg White

**VISITORS**

Pat Smathers, Attorney

Rose Johnson, President

Chair Melville called the meeting to order and determined that a quorum was present. She read the Ethics Statement, which is to be read at the beginning of all Board of Trustees meeting. A copy of this statement is on file with the minutes of this meeting. Ms. Forga gave the invocation.

**HCC Foundation Audits 2006 and 2007**

Ms. White stated that the HCC Foundation is to report their annual audits to the Board of Trustees on a yearly basis. The Foundation failed to report the 2006 audit to the Trustees, therefore there will be two audit reports included in today's packet, one for 2006 and one for 2007. Included in the packet is an independent auditor's report sheet for 2006 and 2007. The full audit reports have not been provided, but have been reviewed and approved by the Foundation Board of Directors and Ms. Denney, Treasurer. Both letters reflect an unqualified opinion, which means that no exceptions were found.

### **Access to College Facilities**

Mr. Ensley referenced the Access to College Facilities policy that was tabled at the last meeting. Dr. Johnson stated that there were a few changes based on employee and Trustee input. The highlighted items on the sheet reflect the changes. Some discussion took place. There was mention of the generators on campus and the importance of making sure they are working during snow or icy weather. Dr. Johnson stated that there are procedures in place to cover any situation regarding outages across campus, etc. due to snow or ice. There is a very good communications system set-up for this purpose. It was noted that the long-term lease language was changed to say three months to twelve months. **Mr. Ensley made a motion to approve the tabled policy.** Mr. Sorrells brought forward the statement in the policy that states “the agreement may go beyond one year with Board approval.” Discussion took place. It was agreed that the wording would be changed to read “the agreement may be renewed with Board approval.” **Mr. Ensley made a motion to approve the tabled policy as amended. Mr. Bumgarner seconded the motion and the Board unanimously approved.**

Mr. Smathers went over the changes that were made to the agreement form based on input from the last meeting. He stated that any reference to lease or rental was removed from the agreement. Some editing issues were made and the insurance indemnifying statement, along with a check box if the college determined to waive the liability requirements. Use regulations number seven regarding reserving the right to cancel the agreement and number eight the acknowledgement that the organization has read and agrees to the College’s procedure were also revised. Discussion took place regarding insurance and access hours. **Mr. Ensley made a motion that the Board of Trustees approves the tabled Facilities Use Agreement as presented. Ms. Forga seconded the motion and the Board unanimously approved.**

### **Facilities Use Agreement with Providence Church**

Dr. Johnson reported that this agreement is information that was brought to the Board at their December meeting and the Board agreed that the College would not bring forward an agreement until the Board had approved the Access to Campus Facilities policy and the Facilities Use Agreement. Now that those have been approved, the administration is bringing forward the use of the space at the Regional High Technology Center as so designated. The church will be using the facilities 26 days over a six month period. Discussion took place regarding security and custodial services. After discussion, it was noted that the contract should stipulate Sunday’s only, except for the March 21<sup>st</sup> date, which is a Friday. **Mr. Ensley made a motion to approve the contract with the addition of including Sunday’s only in the wording. Mr. Boyd seconded the motion and the Board unanimously approved.** There was mention that there is nothing in the agreement that states they cannot sublease. Mr. Smathers responded that the administration avoided the terminology of lease or rental, this is only an agreement. Therefore, subleasing would not apply.

### **President’s Position Description**

Dr. Johnson stated that the items to be presented for the remainder of the meeting are items that have to be updated for SACS purposes. One of the items the College is required to have is a formal position description for the president. The Board did not adopt a position description when the President’s position was previously advertised. Dr. Johnson stated that she took information from the literature when the position was advertised and she also drew other information pertinent to a president’s position and information directly from the Board of Trustees By-Laws. She is presenting today for consideration for Trustees to table the position

description until the next meeting and then to be voted on for action. The Board agreed to forgo bringing any information through committee due to the time constraints with SACS. **Ms. Francis made a motion to table the President's Position Description as presented until the February 12<sup>th</sup> meeting. Ms. Hyatt seconded the motion.** Chair Melville recommended that Trustees review the document and if there are any suggestions/changes to please bring forward to Ms. Melton. **The Board unanimously approved.**

#### **HCC Policies to meet SACS Criteria**

Dr. Johnson stated that the first item to bring forward is a motion waiving the steps in the procedure for policy development process which were discussed at the previous Board meeting. **Ms. Forga made a motion that the Board of Trustees accept the proposed changes to college policy for consideration of approval at the February 12<sup>th</sup> Board of Trustees meeting and in so doing, temporarily adjust the following steps in the procedure for policy development and adoption: 1) Reduce the review and input of faculty and staff from the ten day period to eight days; and 2) Submission of policy directly to the Board of Trustees, foregoing submission to Board committees. Mr. Herron seconded the motion and the Board unanimously approved.**

#### **Policies to Repeal**

Dr. Johnson stated that there is a policy guide in front of the packet of policies. The first group of policies to be reviewed will be the policies to repeal and reasons for repeal. A lot of the policies being brought forward today are policies that the Board had previously approved as policy but should have been procedure. Some of the policies had procedures embedded and therefore, those policies have had the procedure removed and some policies are for items that are being removed that no longer exist at the College. She requested input from the Trustees on how to handle the repealed policies. Mr. Sorrells suggested tabling all the repealed policies at one time. Ms. Melton requested that Trustees include one more policy to be repealed. This policy is the Nine Month Faculty Compensation and the reason for repeal is the wording in the policy is no longer in line with the way administration is writing contracts. Contracts are either a 9 month or a 9 + 2 or 3 month. **Mr. Sorrells made a motion to table the policies to be repealed until the next meeting. Mr. Boyd seconded the motion and the Board unanimously approved.** Chair Melville reminded Trustees that if there are any questions/suggestions to please call Ms. Melton.

#### **Policies to Revise**

Dr. Johnson informed Trustees that the next section is policies to be revised. She stated that changes to these policies have been brought about by either changes in the Administrative Code, N.C. General Statutes, System Office, etc. The highlighted items are changes to the policy and the strikethrough is wording that did exist but which will be removed. Dr. Johnson with the assistance of staff went through each policy to explain the changes to each. There was discussion regarding the summer term policy. After discussion, it was determined that the policy should not be revised. Trustees were asked to remove the Summer Term Policy from the revised policy list. It will remain a policy as is. **Mr. Bumgarner made a motion to table the revised policies as presented until the next meeting. Mr. Boyd seconded the motion and the Board unanimously approved.**

#### **New Policies Created**

Dr. Johnson informed Trustees that all the policies under this section are new policies that have been created. She stated that she brought forward a list to the Executive Committee of possible

policies that are needed in order to be in compliance with SACS criteria. Dr. Johnson went through each new policy with the assistance of staff and explained the reason for the creation of the policy. There was some discussion regarding the Definitions of Employment Classifications and Applicable Benefits policy. The discussion pertained to the probationary period of 90 days for existing employees who enter a new position as a result of any type of personnel action. It was suggested to change the wording of the second paragraph second sentence under probationary to read "During the probationary period, an employee may be terminated at will." Some discussion took place on the Ethics and Undue Influence policy and the requirement for a refresher session every two years. It was suggested to change the wording of the Leave Transfer policy under Annual/Bonus Leave first sentence should be changed from "another" to "a" North Carolina Agency. **Mr. Sorrells made a motion to table the new policies as presented until the February 12<sup>th</sup> meeting. Ms. Hyatt seconded the motion.** Mr. Sorrells wanted to know about the contract for employees and if they have to undergo a new probationary period every time a new contract is signed. Ms. Trull responded that if they have a contract renewal they do not have a probationary period. Further discussion took place on the probationary period. **The Board unanimously approved.** Dr. Johnson stated that the College also allows employees to serve in an interim basis as an opportunity for that person to grow in the position first, before that person is put in the position on a permanent position.

#### **Revision of Board of Trustees By-Laws**

Dr. Johnson stated that the next item on the agenda is revisions to the Trustee By-Laws. **Mr. Bumgarner made a motion that the Board of Trustees temporarily waives section 1 under Article VIII that stipulates the by-laws shall be presented to the membership in a regular meeting at least one month prior to their adoption. Mr. Boyd seconds the motion.** Mr. Bumgarner wanted to know if the vote regarding approval of the by-law changes would take a vote of two-thirds of the Board before approval. Chair Melville read Article VIII section 1(b) that states "By an affirmative vote of a majority of the members, the Board of Trustees may adopt the by-laws." **The Board unanimously approved the motion.**

Dr. Johnson informed Trustees that there is a guide to the proposed by-law changes included in today's packet. She explained that anything shaded in gray is new and things that are being suggested as removal have strikethroughs. She went through the guide and the by-laws to clarify the proposed changes. There were a few changes that needed to be included per Trustees input. **Mr. Bumgarner made a motion to table the proposed by-law revisions as presented until the February 12<sup>th</sup> Board of Trustees meeting. Ms. Forga seconded the motion and the Board unanimously approved.**

#### **Other Information**

Mr. Smathers informed Trustees that he received a sponsorship agreement today to review on behalf of the College. He feels that overall the contract is a good contract. The sponsorship will be between STIHL Inc. and Haywood Community College for a STIHL TIMBERSPORTS collegiate event that will take place on campus in the spring. Mr. Smathers went over the agreement, but stated that he didn't see any major adjustments that needed to be made. He stated that he will contact STIHL and request a few minor changes. Discussion took place as to possible sponsorships and any restrictions to sponsorships. The administrative staff will pull together pertinent information and provide to the Trustees and Mr. Smathers.

There being no further business, **the meeting was adjourned following a motion by Mr. Stevens and seconded by Ms. Boyd.**

Documents on file with the minutes of this meeting:

- Ethics Statement
- HCC Foundation Audit Reports 2006 and 2007
- Access to Campus Facilities Policy
- Facilities Use Agreement
- Agreement with Providence Church
- President's Position Description
- HCC Policies: Repeals, Revised and New
- HCC Board of Trustees By-Laws

Respectfully submitted,

Teresa S. Melton, Secretary  
Board of Trustees