

# Southwest Virginia Higher Education Center Board of Trustees Executive Committee

## Personnel Matters

### *Meeting Minutes*

December 14, 2017

#### I. Call to order

**Senator Bill Carrico, Chairman**, called to order a meeting of the **Southwest Virginia Higher Education Center Board of Trustees Executive Committee** at approximately **2:00 p.m.** on **December 14, 2017**.

#### II. Roll call

The following persons were present in person: **Senator Bill Carrico, Gene Couch, Brian Hemphill** and **Donna Henry**, who are all members of the Executive Committee and constitute a quorum. Also present were David Matlock, Kathy Hietala and Adam Tolbert.

#### III. Executive Session

The Chairman announced that the Committee needed to go into closed session for the purpose of reviewing, discussing, and voting on certain personnel matters of the Southwest Virginia Higher Education Center.

Donna Henry made the motion, seconded by Brian Hemphill. The motion passed unanimously; whereupon, the Committee entered closed session. Closed session lasted for only a matter of seconds upon discovering the need to replace the original motion with a corrected motion. Thereupon, Donna Henry moved that the Committee return to open session, seconded by Gene Couch. The motion passed without opposition.

The meeting continued with a motion by Donna Henry certifying that the closed session had been conducted in accordance with Virginia law. Brian Hemphill seconded, and a roll call vote was taken. All present voted aye; none opposed. The motion passed unanimously.

Donna Henry then made the proper motion, seconded by Gene Couch. The motion passed unanimously; whereupon, the Committee again entered closed session.

Donna Henry moved that the Committee return to open session, seconded by Gene Couch. The motion passed without opposition.

The meeting continued with a motion by Donna Henry certifying that the closed session had been conducted in accordance with Virginia law. Brian Hemphill seconded, and a roll call vote was taken. All present voted aye; none opposed. The motion passed unanimously. The foregoing motions are attached hereto and made a part of these minutes.

#### **IV. Adjournment**

Senator Carrico adjourned the meeting at approximately **3:15 p.m.**

Minutes submitted by: Kathy Hietala

Minutes approved by: Senator Bill Carrico

Southwest Virginia Higher Education Center

December 14, 2017 Meeting

**MOTION for CLOSED SESSION:**

I move that, pursuant to Virginia Code § 2.2-3711(A)(1), the Board of Trustees of the Southwest Virginia Higher Education Center convene in a closed meeting for the purpose of addressing the performance and the employment status of one employee of the Center;

AND

that Elizabeth Griffin, legal counsel to Southwest Virginia Higher Education Center, as well as David Matlock, Executive Director/Agency Head, whose presence will aid in the Board's consideration of these matters, participate in the closed meeting.

WHO MADE THE MOTION?

*Donna Henry*

SECOND BY:

*[Signature]*

VOTE

**MOTION to RETURN TO OPEN SESSION:**

I move that the Board enter open session.

WHO MADE THE MOTION?

*Donna Henry*

SECOND BY:

*Jim C. Cook*

VOTE

**CERTIFICATION MOTION:**

Whereas, the Board of Trustees of the Southwest Virginia Higher Education Center convened in closed meeting on December 14, 2017 pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Virginia Code § 2.2-3712 requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law;

NOW, BE IT RESOLVED that the Board of Trustees of the Southwest Virginia Higher Education Center hereby certifies that, to the best of each member's knowledge:

(1) only public business matters lawfully exempted from open meeting requirements under Virginia law; and

(2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting of the Board of Trustees of the Southwest Virginia Higher Education Center.

WHO MADE THE MOTION? Donna Henry

SECOND BY: Brian Hemphill

VOTE - MOTION REQUIRES a second and a ROLL CALL VOTE of all members

Member	Aye	No
1. Senator Charles W. "Bill" Carrico, Sr.	✓	
2. Senator A. Benton Chafin, Jr.		
3. Delegate Terry G. Kilgore		
4. Delegate James W. "Will" Morefield		
5. Delegate Israel O'Quinn		
6. Delegate Joseph R. Yost		
7. Cheryl Carrico		
8. Steven Cochran		

9. Maria Colobro		
10. <del>Danny Dixon</del> NOT ATTENDING		
11. Joshua Ely		
12. Aviva Shapiro Frye		
13. <del>Christine Kinser</del> POSSIBLY RESIGNED		
14. <del>Jake Schrum</del> NOT ATTENDING		
15. Andy Casiello for ODU CALLING IN		
16. Brian Hemphill	✓	
17. <del>Peter Blake</del> NOT ATTENDING		
18. Steve Laymon CALLING IN		
19. Donna Henry	✓	
20. Cecil Drain for VCU		
21. Ron Proffitt		
22. Gene Couch	✓	
23. Susan Short for VT		

**Action by the Board of Trustees:**

Discussion and/or motion in open session

Southwest Virginia Higher Education Center

December 14, 2017 Meeting

**MOTION for CLOSED SESSION:**

I move that, pursuant to Virginia Code § 2.2-3711(A)(1), the Executive Committee of the Southwest Virginia Higher Education Center convene in a closed meeting for the purposes of addressing the performance and appointment of specific employees to include (i) the Executive Director's performance evaluation and (ii) the employment status of three other employees of the Center;

AND

that Elizabeth Griffin, legal counsel to Southwest Virginia Higher Education Center, as well as David Matlock, Executive Director/Agency Head, whose presence will aid in the Committee's consideration of these matters, participate in the closed meeting.

WHO MADE THE MOTION? \_\_\_\_\_

*Donna Henry*

SECOND BY: \_\_\_\_\_

*Gene Couch*

VOTE

**MOTION to RETURN TO OPEN SESSION:**

I move that the Executive Committee of the Board enter open session.

WHO MADE THE MOTION? \_\_\_\_\_

*Donna Henry*

SECOND BY: \_\_\_\_\_

*Gene Couch*

VOTE

**CERTIFICATION MOTION:**

Whereas, the Executive Committee of the Board of Trustees of the Southwest Virginia Higher Education Center convened in closed meeting on December 14, 2017 pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Virginia Code § 2.2-3712 requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law;

NOW, BE IT RESOLVED that the Executive Committee of the Board of Trustees of the Southwest Virginia Higher Education Center hereby certifies that, to the best of each member's knowledge:

(1) only public business matters lawfully exempted from open meeting requirements under Virginia law; and

(2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting of the Executive Committee of the Board of Trustees of the Southwest Virginia Higher Education Center.

WHO MADE THE MOTION? Donna Henry

SECOND BY: [Signature]

VOTE - MOTION REQUIRES a second and a ROLL CALL VOTE of all members

Member	Aye	No
1. Senator Charles W. "Bill" Carrico, Sr., Chair	✓	
2. <del>Saul Hernandez, Vice-Chair</del>		
3. Donna Henry, Secretary-Treasurer (UVa-Wise)	✓	
4. Gene Couch (VHCC)	✓	
5. Brian Hemphill for Radford	✓	

**Action by the Executive Committee:**

Discussion and/or motion in open session