



Southwest Virginia Higher Education Center Board of Trustees Executive Committee

Meeting Minutes

December 10, 2020

I. Call to order

Senator Todd Pillion, Acting Chair, called to order a meeting of the **Southwest Virginia Higher Education Center Board of Trustees Executive Committee** at approximately **4:40 p.m.** on **December 10, 2020**. Senator Pillion, the Board's Vice Chair, acted as Chair due to a current vacancy in that office created as a result of the incumbent's appointment to the Board having lapsed.

Senator Pillion explained that the meeting was being conducted electronically via Zoom in accordance with Section 2.2-3708.2 of the Code of Virginia and Item 4-0.01 of Chapter 1283 of the 2020 Acts of Assembly. The Acting Chair, in consultation with the Executive Director, had determined that it would be both impracticable and unsafe to assemble a quorum in a single location for this meeting due to the ongoing COVID-19 global health pandemic.

The stated purpose of the meeting was to discuss or transact the business statutorily required or necessary to continue operations of the public body and the discharge of its lawful purposes, duties, and responsibilities.

II. Roll call

The Secretary, **Steve Ahn**, called the roll. The following individuals were present: **Senator Todd Pillion, Steve Ahn, Brian Hemphill, and Donna Henry**, who are all members of the Executive Committee and constitute a quorum. Present from the Attorney General's Office were Deb Love and Ramona Taylor. Also present were Executive Director/Agency Head David Matlock, Kathy Hietala and Adam Tolbert.

III. Closed Session

The Chairman announced that the Board needed to go into closed session for the purpose of discussion of personnel matters and consultation with legal counsel; more specifically, the discussion of the Executive Director's performance and contract.

Steve Ahn made the motion, seconded by President Hemphill. The motion passed unanimously; whereupon, Kathy Hietala and Adam Tolbert departed. The Committee entered closed session, which was attended by Senator Pillion,

Steve Ahn, Brian Hemphill, Donna Henry, David Matlock, Deb Love and Ramona Taylor.

Upon conclusion of the business of the closed session, Steve Ahn moved that the Committee return to open session, seconded by President Hemphill. The motion passed without opposition.

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

Steve Ahn made a motion that the Chair work with the Attorney General's Office to draft a contract for the director; that the Chair have the authority to negotiate the terms of the contract; and that the contract be presented to the full board for consideration at a later date. Donna Henry seconded that motion, which passed by unanimous vote.

IV. Adjournment

Senator Pillion adjourned the meeting at approximately **4:55 p.m.**

Minutes submitted by: Kathy Hietala

Minutes approved by: Senator Todd Pillion

Southwest Virginia Higher Education Center

Executive Committee Meeting

December 10, 2020

MOTION for CLOSED SESSION:

I move that the Executive Committee of the Southwest Virginia Higher Education Center's Board of Trustees convene in a closed meeting pursuant to §§ 2.2-3711 (A)(1) and 2.2-3711 (A)(8) for discussion of personnel matters and consultation with legal counsel. More specifically, the discussion of the Executive Director's performance and contract.

WHO MADE THE MOTION? Steve Ahn

SECOND BY: Brian Hemphill

VOTE Unanimous

MOTION to RETURN TO OPEN SESSION:

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

WHO MADE THE MOTION? Steve Ahn

SECOND BY: Brian Hemphill

VOTE Unanimous

CERTIFICATION MOTION:

Whereas, the Executive Committee of the Board of Trustees of the Southwest Virginia Higher Education Center convened in closed meeting on December 10, 2020, 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? Steve Ahn

SECOND BY: Donna Henry

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

Member	Aye	No
1. Steve Ahn, Secretary-Treasurer (Citizen Member)	X	
2. Brian Hemphill (Radford)		
3. Donna Henry (UVa-Wise)	X	
4. Senator Todd Pillion, Acting Chair	X	

Hemphill was offline

Action by the Executive Committee:

Discussion and/or motion in open session

Motion that the chairman will work with the Attorney General's office to draft a contract for the director. The Chairman will have the authority to negotiate the terms of the contract. The contract will be presented to the full board for consideration at a later date.

If necessary:

WHO MADE THE MOTION? Steve Ahn

SECOND BY: Donna Henry

VOTE Unanimous