

MINUTES
VICTOR VALLEY COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

Regular Meeting
Performing Arts Center, Victor Valley College
18422 Bear Valley Road, Victorville, California

March 8, 2005

4:00 p.m.

CALL TO ORDER: The Board of Trustees of Victor Valley Community College District met in Open Session on March 8, 2005, in the Board Room of the Administration Building. Mr. Joe Range, Board President, called the meeting to order at 4:04 p.m.

PLEDGE OF ALLEGIANCE: Mr. Dennis Henderson led the audience in the Pledge of Allegiance to the flag.

MEMBERS PRESENT: Mr. Joe Range, Board President; Dennis Henderson, Vice President; Dr. Bettye Underhill, Clerk; Thomas M. Elder II, Trustee; and Dr. Dorothy Franke, Trustee. (ASB President and Student Trustee Eddie Miro arrived for Open Session at 5:40 p.m.)

MEMBERS ABSENT: None.

STAFF/GUESTS PRESENT: Dr. Patricia A. Spencer, Mr. Jeff Cooper, Mr. Bruce Baron, Dr. Willard Lewallen, Dr. William Schmidt, Mr. Bill Greulich, Dr. Tom O'Neil, Mr. Richard Porter, Mr. Nick Parisi, Mrs. Penelope Majeske, other staff, and members of the public.

CLOSED SESSION Mr. Range recessed the Open Session at 4:05 p.m., and the Board met in Closed Session from 4:05 p.m. to 6:08 p.m. to discuss the following:

1. CLOSED SESSION

- (a) Government Code Section 54956.9:
CONFERENCE WITH LEGAL COUNSEL —
EXISTING LITIGATION: four (4) cases
 - Gloria Henderson vs. Victor Valley Community College,
Bettye Underhill, Nick Halisky, VCVVS 030263;
 - Nicholas Halisky and Cathleen Halisky vs. Victor Valley
Community College District, Dennis Henderson, et. al, VCVVS 026112;
 - Laymon Jordan vs. Victor Valley Community College District, VCVVS 034629;
 - Chris Wagenseller vs. Victor Valley Community College District, VCVVS 035285
- (b) Government Code Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Bill Schmidt,
Willard Lewallen, Jeff Cooper, Thomas O'Neil;
Employee organizations: CSEA, CTA

- (c) Government Code Section 54957:
DISCIPLINE/DISMISSAL/RELEASE OF A PUBLIC EMPLOYEE:
two (2) positions
- (d) Government Code Section 54957:
PUBLIC EMPLOYEE EVALUATION:
Superintendent/President
Review of Probationary Faculty Evaluations
- (e) Government Code Section 54956.9(b):
CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION:
one (1) case
- (f) Government Code Section 54957:
HEARING OF CHARGES OR COMPLAINTS AGAINST A PUBLIC EMPLOYEE
[NOTE: This item will only be heard in Closed Session if it is not heard in Public
Session as provided in Section 3.4.]

Break 6:08 p.m. to 6:10 p.m.

OPEN SESSION The Board reconvened to Open Session at 6:10 p.m.

ACTION AS A RESULT OF CLOSED SESSION Mr. Range reported that there were no actions taken by the Board in Closed Session.

GOVERNING BOARD MSC (Underhill/Franke, 5-0) to approve the minutes of the February 8, 2005, regular Board meeting.

Mr. Range announced that persons may speak to agenda items if the Agenda Discussion Form has been completed.

AGENDA ADDITIONS, REVISIONS: Dr. Spencer reported that there were no additions. She also reported that agenda **Item 3.4, Public Hearing, will be withdrawn** because the affected individual did not request that the matter be heard in public.

REPORTS:

Superintendent/President

Dr. Spencer welcomed back Trustee Thomas Elder. In addition, she welcomed the members of the Accrediting Site Team. She also congratulated the faculty members who are on this evening's agenda for the Board to consider approval of their tenure.

Instruction

Mr. Cooper joined Dr. Spencer and the Board in recognizing Dr. John Rude for being inducted into a prestigious group of educators titled *Regional Fellows* and for being honored with the *Excellence in Theatre Education Award* from the Board of Governors of the Kennedy Center American College Theatre Festival, Region VIII, at the Regional Theatre Festival held in

Phoenix, Arizona. Dr. Rude was also the recipient of the Kennedy Center's *Lifetime Achievement Award*. Scenes from the *Glass Menagerie* were performed by VVC's Theatre Arts department at the Regional Theatre Festival, and two of the cast members, VVC students Cathi Pumphrey and Bernadette Myers-Guzman, along with Dr. Rude, were congratulated for their awards from the Kennedy Center.

Mr. Cooper also introduced Neville Slade, who reported on the Mojave Sustainability Project, which was launched to pull together all of our natural resources programs, conservation programs, and our horticulture programs. It is a community collaborative, including initial partnerships with Specialty Minerals, Mojave Water Agency, Mitsubishi Cement, and U.S. Borax.

Student Services

Dr. Lewallen explained that the college recently implemented a new registration system and that Student Services is exploring what needs to be done to improve the performance and availability of the system.

Administrative Services

Mr. Bruce Baron reported that the college is still projecting a \$800,000 shortfall for next year. Unless things change dramatically at the state level between now and when the legislature approves a budget for the new fiscal year, the District will need to go into a cost-savings mode. The State Teachers Retirement System (STRS) issue is still a major concern, and there is still a huge statewide deficit. In addition, Mr. Baron stressed his enthusiasm about the new budget and planning and development process that is being discussed in the shared governance structure, which will prioritize needs based on goals.

Human Resources

Dr. Schmidt reported on recruitments and grievances. The classification and salary study has come to the Board as a recommendation for approval, and the committee that worked with this process is supporting the recommendation. The Board will be considering approval of the structure, which classifies the various jobs into particular grade levels. The salary portion of the study is not a part of this recommendation. Salaries will be determined for classified employees through the negotiations process and for management employees through the meet-and-confer process. Another item the Board will be considering is the abolishment of the position of network engineer. Dr. Schmidt clarified that we are adding a new management position in the technology area; it is our expectation to fill a vacant network manager position and add a second network manager. Finally, Dr. Schmidt mentioned the status of negotiations; the mediation process will begin soon with both bargaining units.

Governmental Relations

Bill Greulich reported on proposed legislation: SB 337, AB 589, and SB 509. He also pointed out that if a balanced state budget is not received on time, a 10% reduction in funding may be imposed for all areas funded by the state.

Foundation

Ms. Diana O'Malley, President of the VVCCD Foundation, reported on the Foundation's activities and invited the Board, students, faculty, staff and community partners to attend the Foundation's upcoming annual retreat, May 13 and 14. She also announced that the Foundation has met its \$2.1 million legacy campaign goal and is planning for the future. Ms. Malley also

reported on the Foundation's Faculty Mini Grant program and the development of a Classified Mini Grant program. Lastly, through the efforts of Foundation Board Member Melanie Ajanwachuku, H&E Lumber recently donated all of the building materials and Valley Collision donated a \$7,500 HVAC system for the photography department's new darkroom facility.

Board of Trustees

Trustee Elder noted that he was very pleased to be in attendance.

ASB

Eddie Miro, ASB President, reported regarding the ASAAC conference in Washington, D.C., support for the nursing department, ASB's visit with the Accreditation Team, and his personal support for the summer theater program.

CCA

Ms. Debby Blanchard reported regarding union concerns, contractual issues regarding load and payment amounts, and hiring practices.

CSEA

Arlene Greene, Lacy Gillespie, Kevin Crowley, Julie Tremblay, and Margaret Kagy spoke on behalf of CSEA. They thanked all those who worked on the accreditation self study. Ms. Greene read a resolution from CSEA to withdraw from the Budget Resource Identification Committee (BRIC). They reported on the union's concerns regarding the process for the president's evaluation; impasse in negotiations; agenda items 11.8 and 11.9; a CSEA unfair labor practice; agenda item 11.4; feedback from students who call the on-line help desk; the registration process; WebAdvisor; the Upward Mobility Plan; interpreters; the Child Development Center; a fair contract; and concerns over a billboard on Range RV property.

Faculty Senate

Ms. Blanchard said that the Faculty Senate is completely separate from any union. She expressed her appreciation to the sign language interpreters, Rhiannon Aragues and Debbie Chesser. She encouraged the Board to approve the faculty members listed on agenda items 11.1, 11.2, and 11.3, for first, second, and third-year tenure. Ms. Blanchard read the Faculty Senate's resolution to withdraw from the BRIC. (A copy of that resolution will be kept on file in the President's office.)

AFT Part-Time Faculty United

No report.

Management

No report.

Public Comments

Steve Chism expressed his concerns about counseling, Datatel, the registration system, and encouraged the Board to provide more interpreters.

Scott Humpal and Lynn Crowley also urged the Board to improve interpreter services.

Ed Heuberlin supported the summer theatre program.

Mitchell Greene spoke about the IT department, the network engineer position, and the implementation of the classification study.

Veronica Manriquez spoke about the Child Development Center (CDC).

Theresa Robillard spoke about the value of the CDC to the students, the parents, and the children.

Students Kyle Barker, Jillian Van de Merghel, Victor Khalil, Johan Mohd-Yusef, Eugena Olivas, Ryk Sheppard, Eugina Olivas, and Paul Lawrence voiced their concerns about two chemistry classes.

Kevin (no last name given) spoke about the problems he experienced using WebAdvisor.

Jennifer Lariva spoke regarding the CDC, the on-line held desk, RamTalk, the registration process, and the asbestos removal project in the LA building.

5. CONSENT AGENDA

MSC (Elder/Underhill, 5-0) to approve Consent items 5.a through 5.l.

- a. Notice of Completion, Air-Ex Air Conditioning, Inc.
Consider approval of acceptance of the work, under the contract as complete, of Air-Ex Air Conditioning, Inc. for the replacement of the air conditioning unit at the Music building and direct the District to file the Notice of Completion.
- b. Out-of-State Travel, Model United Nations Conference
Consider approval of out-of-state travel for Faculty Advisor Dino Bozonelos and the Model United Nations Club Members to attend and compete at the 2005 National Model United Nations Conference in New York City, March 21-27, 2005. Fiscal Impact: None to the District. The trip is to be paid through donations.
- c. Out-of-State Travel, National Student Nurses' Association Annual Convention
Consider approval of out-of-state travel for Nursing faculty member Maggie Keil, and the California Nursing Student Association of Victor Valley College members to attend the National Student Nurses' Association Annual Convention in Salt Lake City, Utah, April 5-10, 2005. Fiscal Impact: None to the District. Each participant is responsible for the \$400 trip cost.
- d. Out-of-Country Travel, Victoria, BC, Canada
Consider approval of out-of-country travel to Victoria, B.C., Canada, April 1-4, 2005, for music instructor Dr. Thomas Miller and the Victor Valley College Singers to participate in a performance tour organized by Classic Concerts International. Performances with the Victoria Symphony Orchestra and at Butchart Gardens have been scheduled. Fiscal Impact: None to the District. The cost of \$750 per person is to be paid by members of the group, assistance from ASB, and through fund raising.

- e. Student Travel, Women's Varsity Softball Team, UNLV, Las Vegas, NV
Consider approval of staff members (Rudy Aguilar, Head Coach; and Shawn Austin, Assistant Coach) to travel Las Vegas Nevada, with the VVC women's varsity softball team for a tournament at UNLV, April 8-9, 2005. Fiscal Impact: \$1,531.
- f. Employee Out-of-State Travel
Consider approval of out-of-state travel for Jim Murray, Financial Aid Specialist and Veterans Certifying Official, to attend the National Association of Veterans Program Administrators (NAVPA) Board of Directors annual meeting in Washington, D.C., March 16-19, 2005. Fiscal Impact: None to the District. The total cost of the trip (approximately \$900) will be paid through the Department of Veterans Affairs.
- g. Board of Trustees Transfers and Payment Report
Consider approval of the transfers and payments as listed.
- h. Non-Classified Employees
Consider approval of the non-classified appointments as listed.
- i. Temporary Academic
Consider approval of the temporary academic appointments as listed.
- j. Academic Ratification of Eminence Requests
Consider ratification of the eminence requests, as listed, for Mary Goborko, Child Development; and for Matthew Bullock, Head Coach – Men's Tennis.
- k. Agreements
Consider ratification of the agreements as detailed below:

Vendor/Consultant	Service	Amount
Liebert, Cassidy Whitmore	Discrimination/Harassment Awareness	\$ 3,000.00
Robert R. Yghoian Co., Inc.	Pavement Repair/Bus Stop/Jacaranda Avenue	4,500.00
Securitech	Install Card Reader System, Bus Stop sliding door	4,927.44
TOTAL		\$12,427.44

- l. TANF-CDC Grant Agreement Modification #05-054-1
Consider approval of the agreement modification with the Foundation for California Community Colleges to receive the grant award of \$25,988 for the 2004-2005 Temporary Assistance for Needy Families-Child Development Centers (TANF-CDC). The total (grant amount and payment) has been changed from \$20,385 to \$25,988. Fiscal Impact: Revenue to the District, an additional \$5,603.

ACTION AGENDA

6. BOARD OF TRUSTEES

6.1 Excused Absence of Trustee

MSC (Franke/Henderson, 5-0) to adopt a resolution, excusing the absence of Trustee Thomas M. Elder II from the February 8, 2005, regular meeting of the Board and allowing him to be compensated for that meeting.

7. SUPERINTENDENT/PRESIDENT

No items.

8. INSTRUCTION

No items.

9. STUDENT SERVICES

9.1 Agreement, San Bernardino County Wide Area Network

MSC (Elder/Franke, 5-0) to approve the agreement with San Bernardino County for Wide Area Network (WAN) information services. This is an electronic network that provides countywide data, voice, and video. The system particularly supports Campus Police operations enabling communication and sharing of data for law enforcement agencies. Fiscal Impact: Budgeted item, \$8,788 for 2004-2005 due to one-time setup fees; \$3,888 for subsequent years 2005-2006, 2006-2007, and 2007-2008.

10. ADMINISTRATIVE SERVICES

10.1 Agreement, G&K Services

MSC (Henderson/Underhill, 5-0) to approve an agreement with G&K Services to supply and service uniform shirts for the Maintenance & Operations departments. The cost of this service will be partially offset by the cost of buying new shirts each year. Fiscal Impact: \$4,344 annually.

10.2 Agreement, Hi Desert Alarm

MSC (Underhill/Elder, 5-0) to approve the agreement with Hi Desert Alarm to install burglar alarm monitoring equipment, which will allow campus police to directly monitor this alarm system on campus. While the initial cost to install this system is \$9,000, it will save the District \$9,000 annually. Fiscal Impact: \$9,000.

10.3 Agreement, Cal K-12 Construction, Inc. (for Construction Management services for the Speech/Drama Studio Addition)

MSC (Underhill/Elder, 5-0) to accept the proposal from Cal K-12 Construction, Inc. to provide Construction Management services for the Speech/Drama Studio Addition. Fiscal Impact: \$537,450. (This project is State-funded and will be 100% reimbursable to the District.)

- 10.4 Agreement, Cal K-12 Construction, Inc. (for Construction Management services for the Auxiliary Gym)
 MSC (Franke/Underhill, 5-0) to accept the proposal from Cal K-12 Construction, Inc. to provide Construction Management services for the seismic retrofit of the Auxiliary Gym. Fiscal Impact: \$216,374.40. (This project is State-funded and will be 100% reimbursable to the District.)
- 10.5 Agreement, Nesdoor Automatic & Manual Door Services
 MSC (Henderson/Underhill, 5-0) to approve the agreement with Nesdoor Automatic & Manual Door Service to furnish and install front and back doors at the scooter barn bus stop. Fiscal impact: \$7,325 to be charged to local redevelopment funds available for this type of project.
- 10.6 Agreement, Gale/Jordan and Associates, Inc.
 MSC (Underhill/Elder, 5-0) to approve the agreement with Gale/Jordan and Associates, Inc. for the on-site hygienist and air monitoring of the abatement and reconstruction of the Liberal Arts Building. Fiscal Impact: Fund 71 expenditure, not to exceed \$20,000 (reimbursed by the Chancellor's Office through the Hazardous Substances program).
- 10.7 Donations
 MSC (Underhill/Elder, 5-0) to accept the donations as listed for the period 12/31/04 through 01/31/05 as college property. The Victor Valley College Foundation has made expenditures from cash donations in the amount of \$6,732.56 to specific funds as listed for Victor Valley College.

11. HUMAN RESOURCES

11.1 Academic First Year Contract Recommendations

MSC (Henderson/Underhill, 5-0) to enter into a contract for the following academic year with the first-year contract employees listed below:

James Comer, History	Sharon Satchell, Nursing
David Gibbs, Biology	Brian Hendrikson, Paramedic
Tom Turner, Fire Technology	

11.2 Academic Second Year Contract Recommendations

MSC (Elder/Underhill, 5-0) to enter into a contract for the following two academic years with the second-year contract employees listed below:

Traci Marin, Respiratory Therapy	Bryce Campbell, English
Alice Ramming, Nursing	Joseph Estephan, Math
Steve Nelle, Media Arts	Kelley Beach, Counseling
Sandy Thay Visser, Child Development	Fonella Grimes, EOPS Counseling
Diane Wollan, Counseling	W. Patrick Mauch, Math
Scott Jones, Paramedic	

11.3 Academic Tenure Recommendations

MSC (Henderson/Franke, 5-0) to employ the third consecutive contract probationary employees listed below as tenured employees for all subsequent academic years.

Joseph Pendleton, Reading Specialist
Brent Wood, Photography
Leslie Huiner, Librarian
Robert Feddersen, CIT
David Rodriguez, Dance
Shuron Taylor, Graphic Design
Jeff Ridge, Math
Ann Weis, Math
Jacqueline Augustine-Carrerira, Speech

Neville Slade, Horticulture
Bonnie Weathersby, Counseling
Melody Ricci, Biology
Lynn Guardado, Dance
Patricia Teel, English
Claude Oliver, CIDG
Patricia Jennings, Psychology
Robert Carlson, Math

The Board congratulated and welcomed the newly tenured academic employees.

11.4 Abolishment of Classified Position

Moved by Franke and seconded by Elder to adopt the resolution to abolish the position of network engineer, and authorize and direct the superintendent/president to give notice of layoff to the incumbent in the network engineer position. Discussion and Public Comments: Mitchell Greene and Arlene Greene spoke in support of the position. The motion carried (4-1, Henderson voted no).

11.5 Classification and Salary Study

Moved by Franke and seconded by Elder to approve the classification study results presented by the Hay Group as listed. Discussion and Public Comments: Arlene Greene quote the agenda item, "The Classification and Salary Study Committee, in an effort to maintain equity and fairness, recommends that the implementation of changes to salary occur at the same time and in the same manner for both classified and management groups." The motion carried (5-0).

11.6 Change of Signatories

Moved by Franke and seconded by Elder to approve the signatories for the Keenan Select 401a profit-sharing plan: Dr. William Schmidt, administrator/trustee, and Mary Pringle, who replace Lois Kobz and Dr. Jim Williams. Discussion and Public Comments: Kevin Crowley questioned the profit-sharing plan. Dr. Franke responded that it is part of a fringe benefit (like a retirement plan and has nothing to do with profit-sharing) for certain employees. The motion carried (5-0).

11.7 Agreement, School and College Legal Services of California

Moved by Elder and seconded by Underhill to approve an increase of an additional \$5,000 to the expenditure amount budgeted for the agreement with School and College Legal Services of California to provide limited, specialized legal consultation. Fiscal Impact: Fund 01 budgeted item, not to exceed \$10,000. Discussion and Public Comments: Kathy Mata spoke on agenda items 11.7, 11.8, and 11.9, and expressed her concerns against expenditures on attorneys and investigators. Trustee Henderson

responded that attorneys must be hired to recover the money that was stolen from the District. The motion carried (5-0).

11.8 Agreement, Law Offices of Dennis J. Walsh

MSC (Elder/Franke, 5-0) to approve an increase to the expenditure amount budgeted for the agreement with the Law Offices of Dennis J. Walsh to provide limited, specialized legal consultation. The Board approved expenditures of \$5,000 on October 12, 2004. The District is requesting an additional \$50,000. Fiscal Impact: Fund 01 budgeted item, not to exceed \$55,000.

11.9 Revised Agreement, Norman A. Traub Associates

MSC (Underhill/Elder, 5-0) to approve the revised agreement and increase the expenditures for Norman A. Traub Associates not to exceed \$21,000. A previous agreement and expenditures of \$6,000 were approved by the Board on January 13, 2004. The District is requesting approval of a revised agreement and additional expenditures in the amount of \$15,000. Fiscal Impact: Fund 01 budgeted item, not to exceed \$21,000.

12. **FOR INFORMATION ONLY**

12.1 Academic Resignations

The following academic resignations have been received and accepted by the superintendent/president per Board Policy 7350 and are included for the Board's information:

1. Allan Kumlin, cooperative work experience instructor, has submitted his resignation for retirement purposes effective June 15, 2005.
2. Andrew Hufford, biology instructor, has submitted his resignation effective June 10, 2005.

Dr. Spencer expressed her appreciation for Mr. Kumlin's many years of commitment and service to the District and to the college.

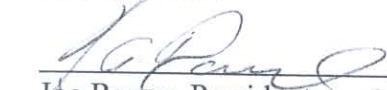
12.2 Monthly Financial Statements

Financial reports are being presented for the period ending December 31, 2004, for the General Fund (01), Debt Service Fund (29), Capital Outlay Projects Fund (71), Child Development Center Fund (72), Student Center Fee Fund (73), Health Trust Fund (75), Insurance Trust Fund (78), Bookstore, Auxiliary Services, and the ASB Fund.

13. **ADJOURNMENT**

The meeting was adjourned at 8:28 p.m.

APPROVED:



Joe Range, President



Bettye Underhill, Ph.D., Clerk

Respectfully submitted,
Patricia A. Spencer, Ph.D.
Secretary

4-12-2005

Date Approved