



# Victor Valley Community College District Board of Trustees Special Meeting

## Minutes

Board Room, Victor Valley College  
18422 Bear Valley Road, Victorville, California

August 23, 2005

5 p.m.

**CALL TO ORDER:** The Board of Trustees of Victor Valley Community College District met in Open Session on August 23, 2005, in the Board Room of the Administration Building. Mr. Range, Board President, called the meeting to order at 5:01 p.m.

**PLEDGE OF ALLEGIANCE:** Kevin Crowley led the audience in the Pledge of Allegiance to the flag.

**MEMBERS PRESENT:** Mr. Range, Board President; Mr. Dennis Henderson, Vice President; Dr. Bettye Underhill, Clerk Thomas M. Elder II, Trustee. (ASB President and Student Trustee Kimberlee Kelly arrived for Open Session at 6:03 p.m.)

**MEMBERS ABSENT:** Dorothy Franke, Trustee

**STAFF/GUESTS PRESENT:** Dr. Patricia A. Spencer, Mr. Jeff Cooper, Mr. Bruce Baron, Dr. Willard Lewallen, Dr. William Schmidt, Dr. Tom O'Neil, Mr. Nick Parisi, Steve Garcia, Jack Thomas, John Rude, Robert Sewell, other staff, and members of the public.

**CLOSED SESSION** Mr. Range recessed the Open Session at 5:01 p.m., and the Board met in Closed Session from 5:022 p.m. to 6:07 p.m. to discuss the following:

### 1. CLOSED SESSION

- (a) Government Code Section 54956.9:  
CONFERENCE WITH LEGAL COUNSEL —  
EXISTING LITIGATION: eight (8) cases
- (1)Gloria Henderson vs. Victor Valley Community College, Bettye Underhill, Nick Halisky, VCVVS 030263;
  - (2)Nicholas Halisky and Cathleen Halisky vs. Victor Valley Community College District, Dennis Henderson, et. al, VCVVS 026112; consultation with legal counsel per Government Code Section 54956.9(a)
  - (3)Laymon Jordan vs. Victor Valley Community College District, VCVVS 034629;
  - (4)Chris Wagenseller vs. Victor Valley Community College District, VCVVS 035285
  - (5)Carissa M. Warren, Gaye L. Giarmo, and Karen E. Salazar v. Victor Valley Community College District, Larry Boutcher and Does 1 through 100,

VCVVS 027382

(6)Lynn Puckett vs. Victor Valley Community College District, Ron Krimper  
Nick Halisky, Bettye Underhill, Dennis Henderson, Maxine Moore,  
and Does 1-1000; VCVVS 037295

(7)Lynn Puckett vs. Victor Valley Community College District, Ron Krimper  
Nick Halisky, Bettye Underhill, Dennis Henderson, Maxine Moore, and Does 1-  
1000; VCVVS 036483

(8)Victor Valley Community College District vs. Nicholas Louis Halisky, Lynn Puckett,  
and Does 1 through 100, VCVVS 036483

- (b) Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Bill Schmidt, Willard Lewallen, Jeff Cooper, Thomas  
O'Neil; Willie Davis Pringle, Bruce Baron. Employee organizations: CSEA, CTA
- (c) Government Code Section 54957:  
DISCIPLINE/DISMISSAL/RELEASE OF A PUBLIC EMPLOYEE:  
Three (3) positions
- (d) Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE  
EVALUATION
- (e) Government Code Section 54956.9  
POTENTIAL LITIGATION: Student Complaint

## 2. RECONVENE TO OPEN SESSION

6 p.m.

- 2.1 Action as a result of Closed Session  
No action

## 3. GOVERNING BOARD

- 3.1 It was MSC (Underhill/Elder, 4-0, Franke absent) to approve the minutes of  
the August 9, 2005, regular Board meeting and the July 27-28, 2005 board  
retreat meeting.

- 3.2 Announcement that persons may speak to agenda items if the Agenda  
Discussion Form has been completed.

Information

- 3.3 Agenda Additions/Revisions

YES \_\_\_ NO \_\_\_

## 4. REPORTS

Information

- 4.1 Superintendent/President

Dr. Spencer announced that the staff have working hard to get students  
scheduled for classes. She officially thanked everyone in the audience for their  
efforts and asked them to extend her appreciation to all of their staff. Dr.  
Spencer thanked Starla Underwood for the wonderful scholarship ceremony that  
honored both the donors of the scholarship fund and the recipients.

- 4.2 Instruction

Mr. Cooper reported that enrollment was down from where it was last year. He is working with the deans to open additional sections in the strong areas.

#### 4.3 Student Services

Mr. Lewallen reported on the successful scholarship event that was held last week. He reported on the welcome booth that has been established to assist students during the busy registration period.

#### 4.4 Administrative Services

Mr. Baron provided an informative presentation on the 2005/06 budget. He provided the Board of Trustees a guidebook detailing the 2005/06 budget. He pointed out the negative impacts that were experienced last year that affected the budget. He reported that the reserve fund was at 3.5% and that the Chancellor's Office expects the reserve fund to be at 5%.

#### 4.5 Human Resources

Dr. Schmidt reported that this was an extremely busy time in Human Resources. 467 contracts for part time assignments have been processed. He reported that the CSEA leadership along with legal counsel were revisiting the CSEA settlement agreement regarding short-term, hourly, substitute employees to iron out some kinks that were found this past year.

#### 4.6 Governmental Relations

None

#### 4.7 Foundation

None

#### 4.8 Board of Trustees

Mr. Elder reported that the scholarship ceremony was nicely done. Dr. Underhill reported on the celebration of life that was recently held for Maxine Moore

#### 4.9 Constituency Representatives

##### a) ASB

Ms. Kelly introduced Heene Mehra ASB Secretary, Jessika Guran, ASB Arts/Music Senator and Michael Koenig, Business Senator. She reported on the upcoming events that included Rush Week, the tailgate barbeque, the soccer tournament and the first home football game.

##### b) CCA

None

c) CSEA

None

d) Faculty Senate

None

e) AFT Part-Time Faculty United

Mr. Kelsey , newly elected treasurer of AFT part-Time Faculty United announced that they recently concluded the first elections for AFT. Don Peavy, Sr. has been named the new president, Mike Mellow, Vice President and Carol Backofner, Secretary and Neil Kelsey, Treasurer. He said that the union was looking forward working with district on their contract.

f) Management

Mr. Sewell thanked Dr. Spencer for the recent Leadership Team New Year party. He said that several managers have pulled together to assist students with registering for classes.

#### 4.10 Public Comments

This is the time for the general public to address the Board. State law prohibits the Board from addressing any issue not included on the agenda. Please limit comments to three minutes per individual and a total of 15 minutes per topic. Discussion of personnel matters is inappropriate for open session. The Board is committed to protecting the privacy interests of District personnel. Should any member of the public wish to discuss a personnel matter, it must first be brought to the attention of the director of human resources. Speakers are cautioned that under California law, no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because those comments are made at a public meeting.

### 5. CONSENT AGENDA

It was MSC (Underhill/Elder, 4-0 Franke absent) to approve Consent items 5.a through 5.g)

a. Amended Agreement – Student Services

Consider approval of the name change from Apple Valley Stationers to Court Square Leasing Corporation. Fiscal Impact: None

b. Agreement – Student Services

Consider approval of the agreements as detailed below. Fiscal Impact:  
as listed

Vendor/Consultant	Service	Amount
William Garrison	Serve as external evaluator for Student Support Services (TRIO) Program for the period of August 24, 2005 through September 6, 2005.	\$2,600.00
		\$2,600.00

c. Classified Bargaining Unit Appointments, Promotions, and/or Transfers

Consider approval of the appointments as listed. Fiscal Impact: Budgeted  
Item

d. Temporary Academic

Consider approval of the appointments as listed. Fiscal Impact: Budgeted  
Item

e. Non-Classified Employees

Consider approval of the appointments as listed. Fiscal Impact: Budgeted  
Item

f. Academic Ratification of Eminence Requests

Consider ratification of the eminence request as listed. Fiscal Impact: None

g. Academic Ratification of Equivalency Requests

Consider ratification of the equivalencies as listed. Fiscal Impact: None

## **ACTION AGENDA**

### **6. BOARD OF TRUSTEES**

#### **6.1 Excused Absence of Trustee**

It was MSC (Underhill/Elder, 4-0 Franke absent) to adopt the resolution, excusing the absence of Trustee Dorothy M. Franke, Ph.D., from the August 9 regular board.

### **7. SUPERINTENDENT/PRESIDENT**

(It was unanimously agreed that items 7.1-7.12 would be voted as one group)

It was MSC (Henderson/Elder, 4-0, Franke absent) to accept proposed board policies in items 7.1-7.12 for second reading.

#### **7.1 Second Reading: Proposed Board Policy No. 2105 – Election of Student Members**

To accept for second reading the proposed Board Policy No. 2105,  
Election of Student Members

- 7.2 Second Reading: Proposed Board Policy No. 2220 – Committees of the Board  
To accept for second reading the proposed Board Policy No. 2105,  
Committees of the Board
- 7.3 Second Reading: Proposed Board Policy No. 2310 – Regular Meetings of the Board  
To accept for second the proposed Board Policy No. 2310, Regular Meetings of the Board
- 7.4 Second Reading: Proposed Board Policy No. 2320 – Special and Emergency Meetings  
To accept for second the proposed Board Policy No. 2320 –Special and Emergency Meetings
- 7.5 Second Reading: Proposed Board Policy No. 2330 – Quorum and Voting  
Consider acceptance for second reading the proposed Board Policy No. 2330,  
Quorum and Voting
- 7.6 Second Reading: Proposed Board Policy No. 2340 – Agendas  
To accept for second the proposed Board Policy No. 2340, Agendas
- 7.7 Second Reading: Proposed Board Policy No. 2345 – Public Participation at Board Meetings  
To accept for second the proposed Board Policy No. 2345, Public Participation at Board Meetings
- 7.8 Second Reading: Proposed Board Policy No. 2360, Minutes  
To accept for second the proposed Board Policy No. 2360, Minutes
- 7.9 Second Reading: Proposed Board Policy No. 2431, Superintendent/President Selection  
To accept for second the proposed Board Policy No. 2431, Superintendent/President Selection
- 7.10 Second Reading: Proposed Board Policy NO. 2432, Superintendent/President Succession  
To accept for second the proposed Board Policy No. 2432, Superintendent/President Succession
- 7.11 Second Reading: Proposed Board Policy No. 2716 – Political Activity  
To accept for second the proposed Board Policy No. 2716, Political Activity.
- 7.12 Second Reading: Proposed Board Policy No. 7131 – District/College and Community Relations (Stipends)  
To accept for second the proposed Board Policy No. 7131 District/College and Community Relations (Stipends)

## 8. INSTRUCTION

None

## 9. STUDENT SERVICES

### 9.1 Agreement – Annual Maintenance Agreement Renewal, HP

It was MSC (Elder, Underhill, 4-0, Franke absent) to approve the agreement as indicated. Fiscal Impact: Budgeted item, \$21,672.00

## 10. ADMINISTRATIVE SERVICES

### 10.1 Agreement – Excelsior Education Center

After a short discussion, it was MSC (Henderson/Underhill, 4-0, Franke absent) to approve the agreement with Excelsior Education Center for lease of a portion of the college site per the contract. Fiscal impact: Income \$6,900

### 10.2 Agreement – Community Auto Display

After a short discussion, it was MSC (Henderson/Underhill, 4-0, Franke absent) to approve the agreement with Community Auto. Fiscal Impact: Minimum annual income of \$18,000

### 10.3 Agreement – S&B Foods

It was MSC (Henderson/Underhill, 4-0, Franke absent) to approve the agreement with S& B Foods. Fiscal Impact: Year one revenue guaranteed at \$11,500 with opportunity for additional revenue on percentage of sales.

### 10.4 Public Hearing and Adoption for the 2005-2006 Budget

Pursuant to section 58301 of the California Code of Regulations, the Board of Trustees must adopt a budget for the operation of the college. Fiscal Impact: formally establishes the budget.

It was MSC (Underhill/Elder, 4-0, Franke absent) to hold a public hearing for the adoption of the 2005-06 budget. The public hearing was opened. Being there were no public comments, it was MSC (Elder/Underhill, Franke absent) to close the public hearing.

## 11. HUMAN RESOURCES

### 11.1 VVC Faculty Association Initial Labor Proposal

Consider initial proposal as indicated

1. The board president hereby declares the hearing open
2. The public may now comment on the initial proposal no comments
3. The board president hereby declares the hearing closed

It was (Henderson/Underhill, 4-0, Franke absent) to hold a public hearing on the VVC Faculty Association initial labor. The public hearing was opened. Being there were no public comments it was MSC (Henderson/Underhill, 4-0, Franke absent) to close the public hearing.

**12. FOR INFORMATION ONLY**

12.1 Classified Resignation

Carole Musso, Administrative Secretary I, has been received and accepted, as indicated.

12.2 Emeritus Status

Emeritus status is presented as an information item.

**13. ADJOURNMENT**

The meeting was adjourned at 7:04 p.m.

APPROVED:

\_\_\_\_\_  
Joe Range, President

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Bettye Underhill, Ph.D., Clerk

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

\_\_\_\_\_  
Date Approved