

BOARD OF GOVERNORS
BRIDGEVALLEY COMMUNITY AND TECHNICAL COLLEGE
MINUTES
APRIL 11, 2022

A meeting of the BridgeValley Community and Technical College Board of Governors (BOG) was held on Friday, April 11, 2022, at 1:00 p.m. at the Advanced Technology Center located at 1201 Science Park Drive, South Charleston, WV.

Board members present: Megan Callaghan Bailey, Mark Blankenship, Ashley Deem, Jeff Ginther, Barry Holstein, Andrew Kennedy, Andrea Petry, and Rhonda White. Board members absent: Barry Crist, Katrina Howell, and Larry Pack, Jr.

Also in attendance were BridgeValley President Casey Sacks, Suttle & Stalnaker and BridgeValley faculty and staff.

I. Call to Order

Chair Deem called the meeting to order at 1:08 p.m.

II. Roll Call

Roll was taken by Amber Brawley; a quorum was present.

III. Approval of Minutes

MOTION: Vice Chair Blankenship moved to approve the minutes of April 1, 2022. Ms. Bailey seconded the motion. Motion passed.

IV. Presentation

FORENSIC AUDIT – SUTTLE & STALNAKER

The Board voted to undergo an audit in June 2021. The additional audit looked at purchasing and facilities more in depth than a normal annual financial audit.

First Procedure

Mr. Deweese said this was about inquiry and understanding of how the finance department operates. Suttle & Stalnaker auditors looked at finance agreements and contracts to make sure the department understood that area, written policies the College has in effect, and the Higher Education Policy Commission policies and procedures. They also looked at competitive bidding and processes including those that required

competitive bidding. They looked at purchases below \$50,000 and p-card processes and how those functions work at the college. There were no exceptions identified to this procedure.

Second Procedure

Suttle & Stalnaker team looked at samples of contracts and procurement-based agreements and the documentation that related to those. Eleven purchase orders were selected, six of the 11 were greater than \$50,000 while five of the 11 were under \$50,000. Five vendors were chosen from the APO-26 Report. Three were greater than \$50,000 in purchases and two were under \$50,000 in purchases.

There were three exceptions identified in the sampling:

- 1) A wrecker service contract issued as an emergency order. There were quotes received between \$70,000 to almost \$154,000. The lowest bid was selected but it was documented as an emergency purchase order and there was no documentation as to why this was classified as an emergency action. Based upon the review, unless there was something else excluded from the purchasing file, this purchase should have been a competitive bid based on it being over the \$50,000 amount.
- 2) This was related to safety-utility equipment used in the classroom. There were multiple purchases made totaling over \$50,000 during the year for different classes. When you add it all up, the purchases should have been competitively bid. There was no documentation as to why the equipment was not competitively bid.
- 3) Twenty-Fifth Hour Communications marketing quote. There were multiple quotations, requisitions, and invoices in a single year. The amounts were over the bid requirement amount. Two of the invoices were \$49,800. This should have been competitively bid, as there were other State contracts for similar type services. There was no documentation as to why it was sole sourced with this vendor.

Chair Deem asked if this was intentional wrongdoing? Mr. Deweese said he wasn't a lawyer, but the findings were at a level that indicate additional documentation should have been in the file.

Vice Chair Blankenship asked if there was an itemization on the invoice for the services rendered for \$49,800? Mr. Deweese believes there was an itemized list.

Mr. Holstein asked if there were 15 total files reviewed and three that had some issues, did Mr. Deweese consider that a high rate? Mr. Deweese agreed that it was a high rate of error.

Chair Deem asked if anyone had asked any specific questions regarding the safety-utility items? Mr. Deweese said they did. For the safety-utility, there were classes in two different semesters.

Chair Deem asked Mr. Deweese if there was any explanation or rationale for these three

exceptions found. Mr. Deweese responded that they were told it was an emergency on the hutch. On the American Safety Utility these purchases were made on an as-needed basis. The vendor was selected by the instructor in that instance and it was necessitated based on the specific needs of the program. There may be a chance that it could be a matter of just needing additional documentation in the file that this is the only company that makes this item but the documentation wasn't there. Related to the Twenty-Fifth Hour Communications finding, there was no justification provided to them.

Third Procedure

This audit related to the occupation to the 161 Fayette Pike house, when it occurred and what was going on there as far as maintenance, payment of utilities, was rent being charged or a lease executed once the previous President moved into that facility. The dates were 2016 to 2021. There were some maintenance costs related to Ratliff Hall and the President's House, the audit did not go into detail in looking at specific invoices. The President's House repairs were about \$5,000 during that time. There were some utility charges, part of which were reimbursed by Dr. Bellinger from August 2020 through July 2021.

There were three primary items to note:

- 1) It's not possible to determine the specific expenditures that were incurred without coordinating with WVU regarding the detail of the invoices to drill down into the general maintenance and repairs accounts.
- 2) There should have been an established lease with Dr. Bellinger, like regular rental property. The lease should have established who was responsible for utilities, maintenance, repairs, and insurance costs.
- 3) There are implications as it relates to payroll, given that Bellinger was provided with housing. There are W-2 implications for housing and how it gets reported to the IRS as part of her payroll and compensation.

Chair Deem said there was obviously a breach of protocol that there wasn't a Facilities Use Agreement in place. She asked if there was any discussion with anyone as to why there wasn't a Facilities Use Agreement in place? Mr. Deweese stated his team learned that the CFO suggested a lease be put in place and Dr. Bellinger declined. He doesn't know who made the decision for her to move in, whether it was through the Board or if it was made without Board knowledge.

Chair Deem asked if Dr. Bellinger was ever offered a lease or told to enter a lease and refused? Mr. Deweese said they did not speak to her specifically.

Chair Deem asked if they spoke with any employees that said anything about Dr. Bellinger's living arrangement? Mr. Deweese's partner said they did speak with someone, and Dr. Bellinger was asked about a lease moving forward and she believes Dr. Bellinger said she didn't want a lease.

Chair Deem asked if there were findings that any board member or the board was aware of her living in the home. His partner said they did not make any inquiries to previous board members.

Vice Chair Blankenship asked if they did make inquiries to employees of hers or the College who were aware of her living in the house? Mr. Deweese said yes, they did.

Mr. Holstein asked about the timeline Suttle & Stalnaker had laid out for them, as it indicates Dr. Bellinger was living in the residence prior to the transference of that property? Mr. Deweese felt there was some question to that timeline. He didn't think they ever got a specific date range. His partner said the date range was that Bellinger likely moved into the property in question sometime between 2017 to 2019.

Dr. Sacks asked if he had any recommendations for them? Should they go back to payroll taxes, or IRS and report housing? Mr. Deweese said they probably need to look at that and see what the rules and implications are to see if there is anything that should have been reported differently to make sure that it's addressed from your perspective.

Fourth Procedure

This was to look at revenue outside of tuition and fees, such as sales and services, rental income, other operating revenue, etc. There were no exceptions in this area.

Chair Deem asked if we should undergo any further audit or analysis regarding the three exceptions? Mr. Deweese said that would be up to the Board. They could look at the current year to see if there have been any emergency purchase orders or contracts, anything over \$50,000 and that it had been competitively bid and documentation as to why they weren't competitively bid if they weren't.

Vice Chair Blankenship asked if it would be wise to spot check? Mr. Deweese said yes.

Chair Deem asked if we had a comprehensive snapshot of the audit moving forward? Mr. Deweese said that to remember that their scope was limited, but it did hit on the concerns they had in specific areas and how to fix them.

Ms. Bailey asked if there was a policy where we have an audit like this every two years? Dr. Sacks said there is an annual audit, but that audit does not look at this detail. Ms. Bailey asked what the typical timeline is with other clients Suttle & Stalnaker have? Mr. Deweese said normally two years.

Chair Deem asked if we might have a missing policy? Mr. Deweese stated just looking at exception type vendors, emergency type purchases, have that given to the President or Board to look at periodically. Look at vendors over \$50,000 and are they competitively bid.

There was more discussion regarding processes to put in place. Dr. Sacks put a second level approval for purchases on place when she started this spring that impacts all purchase requisitions with additional approvals required.

V. Reports

a. EMPLOYEE PAY PROPOSAL AND ASSOCIATED POLICY REVISIONS – KATRINA WHITT

The Board is asked to approve the revisions of the following:

- **BOG Policy B-1 – Academic Freedom, Professional Responsibility, Promotion and Tenure** – Faculty members are to receive a salary increase of at least ten percent when promoted in rank. The faculty member will receive a salary increase equal to the difference between the minimum salaries for their former rank and the rank to which they are being promoted. The promotional increase will be no less than 10% up to 25% to reach the minimum of the level to which they are promoted.

Remove the term “Instructional Specialist”. BridgeValley will recognize appointments to one of the following faculty ranks:

- 1) Professor
- 2) Associate Professor
- 3) Assistant Professor
- 4) Instructor

- **BOG Policy B-13 – Salary Policy** – Update the authority to the pertinent WV Codes citing 18B-4-2a; 18B-7; 18B-8; 18B-9A; 18B-9b and the West Virginia Higher Education Policy Commission – Series 55 Human Resources Administration.

Update a footnote to remove reference to Operating Policy No. B OP 01 09. This Policy could not be found to be in existence.

Update the footnote to include that merit pay increases for faculty, classified and unclassified employees can be found in Salary Administration Policy.

A chart about compensation adjustments will be modified or adjusted by Human Resources dependent upon authorized approval and available resources. An employee that exceeds the maximum of the range is considered to be red lined and will not be granted an increase that would cause the base salary to exceed the maximum of the range for that position. Employees that are red lined are not eligible for additional pay increases until the range maximums are increased.

- **Proposed Adoption of Salary Administration Policy, BOG Policy B-22**
 - This policy outlines fundamental and compensation adjustments such as:
 - Annual Salary Increases which may include cost of living, across the board awards
 - Merit Pay/Performance Adjustments

- Off-Cycle/Other Salary Increase
 - Market Adjustment
 - Critical Retention Adjustment
 - Internal Equity/Benchmarking Adjustment
 - Recognition Pay
 - Counteroffer
- It also proposes a salary schedule for both staff and faculty.

MOTION: Vice Chair Blankenship moved for the adoption of the Employee Pay Policy, Salary Policy, and Salary Administration Policy. Mrs. Bailey seconded. Motion passed.

b. CARES ACT BUDGET – CATHY AQUINO

CARES Act Budget informational update

The US Department of Education has extended the end date of the CARES awards until June 30, 2023. Below is a summary of the spending to date and an anticipated budget for the remainder of the funds.

Final stages of awarding the student funds as of March 18, 2022 \$3,433,401
 Remaining Balance \$522,032 (will be disbursed in Spring 2022).

Quarterly and Annual Reports are posted on the BridgeValley Website under the Coronavirus Information Page.

Proposed budget for remaining institutional funds

➤ **Campus Safety and Operations:**

Remove existing carpeting and install floor tile for several hallways and classrooms. Floor tile will be easier to clean. \$630,000

Purchase cleaning supplies and masks for the summer term and the next fiscal year terms. \$100,000

➤ **Faculty/Staff Training:**

Provide training for Board of Governors members in October 2022 about leading after a pandemic. Provide training for faculty and staff about best practices in student success after the pandemic. \$25,000

➤ **Purchase additional equipment/software to enable distance learning:**

Purchase additional IT hardware for both campuses. \$375,000

Continue to improve IT infrastructure with CISCO telephone sets to improve communications and distance learning. \$155,000

Provide annual software licenses for testing and simulations for students in online learning environments. \$120,000

➤ **Lost Revenue**

Possible recoup of lost revenue for FY22 if the new guidance allows.

c. CONSTRUCTION BID FOR NURSING PROGRAM EXPANSION – CATHY AQUINO

MOTION: Vice Chair Blankenship moved to approve the bid from The Neighorgall Construction. Ms. Bailey seconded. Motion passed.

d. PROPOSAL TO NAME THE NEW NURSING WING – DR. CASEY SACKS

MOTION: Mr. Ginther moved to approve nursing wing, The Booker T. Washington Health Wing. Ms. Bailey seconded the motion. Motion passed.

e. PRESIDENT’S REPORT – DR. CASEY SACKS

1. Student success

- A. Military friendly institution, gold star status
- B. SWIM student and counselor focus groups – May feedback expected
- C. Nursing expansion project
 - WV Board of Nursing approved 16-month nursing; Vo-Tech to RN program
 - Construction pre-bid meeting for contractors and furniture provider
 - Four bids submitted for remodel
- D. AIM grant in IT apprenticeships, learn and earn support
- E. Ad Astra, CLC demonstration
- F. Dual Enrollment
 - Extension on Benedum grant through Spring 2024 – focus on nursing, AMT, cybersecurity
 - Early college high school in nursing exploratory group; parent survey results
 - Kristi increased our Spring 2022 dual enrollment to 45 high school enrollments (compared to 8 in Spring 2021).
- G. D2L from Blackboard

2. Institutional success and sustainability

- A. CLC budget and personnel management
- B. Employee evaluations
- C. CARES/ARP extension granted through 2023
- D. Marketing – AGD new partner agency
- E. Bookstore move to SC in summer 22
- F. Student affairs leadership retreat

G. Foundation receptions

H. Upcoming grant applications

- State LPN funds – Kent
- DOL Strengthening CC application in partnership with WVUP ASCEND and nursing support - Calisa
- EDA grant for GreenPower Motor – Laura
- Congressional earmark requests for Montgomery site development and for the ASCEND project

I. ARP and BBB support letters:

- American Association for Community Colleges is partnering with Intel and Dell to offer programs to build Artificial Intelligence Incubator Networks in both virtual and physical spaces
- EDA/EAA application of the West Virginia Higher Education Policy Commission for an expansion and retention project at the West Virginia Regional Technology Park (WVRTP)
- West Virginia Department of Economic Development’s proposal, Revitalizing Economic Security for Communities Utilizing Innovative Next Generation Industries (RESCUING Industries)
- “Appalachian Climate Technologies” or “ACT Now Coalition” proposal to the Economic Development Administration (EDA) Build Back Better Regional Challenge
- West Virginia Department of Economic Development-led Resilient West Virginia coalition’s Build Back Better Regional Challenge proposal
- Thomas Health for the Recovery Ecosystems (INSPIRE) Initiative that requests funding to help individuals in recovery access the support services and training they need to maintain recovery and successfully obtain sustainable employment.

3. Industry and community success

A. Learn and earn expansions and coordination/monitoring support

- Matric Process Tech
- Health Sciences Right at Home
- AEP Utility Line Service
- Gritts Midway
- Bell Chemical
- WV Office of Technology
- Associated Systems
- Mountain State Oral
- Digital Relativity
- C2G Engineering
- WV Regional Tech Park
- KC Logistics
- Ashworth Heating and Cooling

B. Corporate Contracts

- PLC courses for Clearon and Charleston Electrical
- Phlebotomy class for Thomas Hospital
- Patient Care Tech class for Thomas Hospital
- Supervisor training, Confined Spaces, Fall protection, and NCCER Industrial Maintenance training for Belle Chemical
- Gestamp Maintenance and Tool & Die apprentices

C. Partner meetings

- Senator Capito
- Bill Bissett from Capito's office
- WV Southern Alliance's quarterly presidents meeting
- Skillpointe foundation board
- WGU leadership meeting
- Kanawha County Commissioner Lance Wheeler
- Kanawha County Schools Tom Wilson and George Aulenbacher
- Luke Tabit and associates re mining bitcoin
- Congressman French Hill's legislative assistant re CC and workforce
- Credential as you go Board meeting
- Terrell Ellis Advantage Valley and entrepreneurship
- Fayette County Superintendent Gary Hough and Principal Robert at FIT in Fayette County
- Foundation Board meeting
- Evaluation team screenings for SCC
- Nursing program advisory board
- Jo Harris, history of the college
- David Pittenger Marshall partnerships
- Jobs and Hope partner meetings
- Workforce WV State Board meeting

D. Outreach

- Coffee with Casey
- Podcast facilities master plan
- Promote the college and 5k on Jim Strawn's show
- Road Trippin to promote the college
- Interview with WCHS re early college high school
- Tech Park promotional video
- Shamrock Shuffle 5K

4. **Upcoming Events**

- A. Council meeting April 21st
- B. Administrative professionals lunch April 26th sponsored by Business division
- C. AACC Conference
- D. Commencement May 15th at 2:00pm (line up at 1).
 - Year-end ceremonies
 - PTK induction May 3rd at 6:00 pm
 - Nursing May 6th
 - Sonography May 10th
 - Lab Tech May 12th
 - Dental Hygiene May 13th

- E. CTCS President's Retreat
- F. CCA presentations from student affairs

VI. Executive Session Pursuant to W. V. Code §6-9A-4 for the Following:
a. Personnel

MOTION: Vice Chair Blankenship proposed to move to Executive Session. Ms. Bailey seconded. Motion passed. 3:13 p.m.

MOTION: Vice Chair Blankenship proposed to exit Executive Session. Ms. Bailey seconded. Motion passed. 4:16 p.m.

VII. Additional Board Action and Comments

- a. Summer Policy Review Schedule – Policy Board, Barry Holstein and Barry Crist
- b. Election of Vacant Board Position(s) – Ashley Deems steps down as Board of Governors Chair.

MOTION: Chair Deem suggests Vice Chair Mark Blankenship take over as Chair. Mr. Holstein nominates Mr. Blankenship for Chair. Ms. Bailey seconded. Motion passed.

MOTION: Mr. Blankenship nominates Ms. Bailey as Vice Chair. Mr. Ginther seconded. Motion passed.

VIII. Announcements/Upcoming Events

- a. Last day of classes for Spring 2022 Term – Thursday, May 5, 2022
- b. Commencement – Sunday, May 15, 2022

IX. Next Meeting

Friday, June 24, 2022 – Annual Meeting
9:00 a.m.
Location: ATC 131, 132, 134

Adjournment

MOTION: Vice Chair Blankenship motioned to end the meeting. Ms. Bailey seconded. Motion passed. The meeting ended at 4:26 p.m.

There were no other additional action or Board comments.

Ashley N. Deem

Ashley Deem, Chair

Barry Holstein

Barry Holstein, Secretary