



**WEST HILLS COMMUNITY COLLEGE DISTRICT**

**Board of Trustees**  
9900 Cody Street  
Coalinga, CA 93210  
(559) 934-2100

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**MINUTES OF THE REGULAR MEETING OF THE GOVERNING BOARD**

**March 9, 2009**



**CALL TO ORDER / OPEN SESSION**

President McKean called the meeting of the Board of Trustees to order at 3:01 p.m.

Board members present:

Mark McKean, President  
Bill Henry, Vice President  
Nina Oxborrow, Clerk  
Jeff Levinson  
Edna Ivans  
Jack Minnite

Board members absent:

Jaqueline DePue, Student Trustee  
Steve Cantu

Administrators present:

Frank Gornick, Chancellor  
Ken Stoppenbrink, Vice Chancellor of Business Services  
Willard Lewallen, President, West Hills College Coalinga  
Jana Cox, Director of Human Resources  
Frances Squire, Director of Marketing  
Darlene Georgatos, Director of Enrollment Services  
Richard Larson, Director of Farm of the Future, West Hills College Coalinga  
Dave Bolt, Vice President of Educational Services, West Hills College Lemoore  
Jill Stearns, Dean of Student Learning, West Hills College Coalinga  
Susan Whitener, Dean of Learning Resources  
Marcel Hetu, Director of North District Center, Firebaugh  
Kathy Watts, Director of Child Development Centers  
Carlos Diniz, Dean of Student Learning, West Hills College Coalinga  
Pedro Avila, Director of Institutional Effectiveness and Planning  
Barbara Caganich, Executive Director of West Hills Community College Foundation  
Cathy Barabe, Director of Grants  
Carole Goldsmith, Director of Workforce Development/Title V/VTEA  
Allen Moore, Director of Maintenance & Operations and Auxiliary Services  
Dolores Smith, Director of Financial Aid

President McKean reported that several individuals have requested time to speak during public comments. He referred to Board Policy 2350 and asked that comments be limited in length and not be repetitive.

### **Introduction of Guests**

Ms. Frances Squire, Director of Marketing, introduced the following guests in attendance: Ms. Nancy Oliveira; Mr. Kevin Cobb; Mr. Bill Pucheu; and Mr. Brad Gleason.

### **Public Comments**

Mr. Brad Gleason read the following remarks (typed as written) which were also distributed to the Board Members:

*Dear Members of the West Hills College Board of Trustees,*

*I wanted to take a moment to discuss an item that you are to decide upon in closed session later on this afternoon. I am speaking to you today from a view as a board member of the West Hills College Foundation and my concerns also represent the views of the following board of director's for the Foundation:*

- 1) *Ann Stone*
- 2) *William Gundacker*
- 3) *Sheileh Kreyenhagen*
- 4) *Nancy Olivera*
- 5) *Nina Oxborrow*
- 6) *Bill Pucheu*

*The remaining seven Community Director's have not been contacted as of yet, but I would certainly not count them out as being supportive of our deep concerns regarding the future choice that the Board of Trustees will make regarding the contract renewal of our Executive Director, Barbara Caganich.*

*There are also four District employees who are "Staff Directors" that have not been contacted nor polled regarding the issues about to be described. The four Staff Directors do not include Dr. Gornick, who I understand has recently resigned from the Foundation Board due to a conflict of interest. Thru the same legal council that advised Dr. Gornick, we would ask the Board to review various angles that may create potential conflicts of interest for other Staff Directors as well. As an example, we think it may problematic having Mr. Stoppenbrink serve as the Chief Financial Officer for the Foundation Board while at the same time serving as Vice Chancellor of Business Services for West Hills College.*

*So that the Board of Trustees are aware, at my own expense, I have engaged Mr. Rex Haught who is our company's lawyer to review the existing By Laws of the Foundation in an effort to*

*discover what powers and responsibilities we have or don't have as Directors. This action was taken by me following a conversation I had with Mr. Mark McKeen, President of the West Hills College Board of Trustees. In that conversation, I discussed my and other board member concerns about Dr. Gornick's failure to follow the vote taken at our December 10, 2008 meeting in which the Board voted unanimously to recommend renewing Ms Caganich's upcoming employment contract. In my conversation with Mr. McKeen he told me that there were serious personnel issues surrounding Ms. Caganich which he could not disclose to me. He raised the issue that there might even be potential litigation matters to the District from former subordinates of Ms Caganich. He asked whether or not I would continue to be supportive of Ms Caganich in the event that a lawsuit was directed only to the Board of Directors of the Foundation. As a director of this organization and from past experience serving in similar capacities as a board member of other organizations, I take legal matters very seriously. In cases such as these, I seek the council of people such as my attorney in order to try as be as sure as possible that I am not exposed to undue risk. After his review is completed, I plan to present a summary of his findings to any Foundation Director who may be interested. If there are inconsistencies between the layout of the By Laws and current procedures I will have a fiduciary duty to raise such concerns at the Board level. I also plan to inquire with the Foundation as to whether or not the By Laws are being properly reviewed from time to time by the Foundation's council to insure that they are up to date with any new pronouncements issued through governing State and Federal governmental agencies.*

*Quite frankly, the seven of us are puzzled by Dr. Gornick's desire to terminate Ms Caganich. During her tenure, and while he was a Foundation Staff Director as well as her boss, he did not indicate anything to suggest to the Foundation that he had a problem with her performance. If we are not given the complete picture regarding Ms. Caganich's performance, how will we be able to make an informed vote such as the one taken this past December in which we voted to extend her contact? As soon as possible, we believe that the Executive Director should report to the Foundation Board as well as provide a summary of monthly activity to the District Board of Trustees.*

*I contacted Ms Caganich after hearing of her dismissal by Dr. Gornick. I learned from her that four past employees had expressed various frustrations to the District about Ms. Caganich's communication style. Ms. Caganich also explained that Dr. Gornick has refused her access to her personnel file in order for her to see letters that were written. So that you are aware, his action is not in accordance with the law as stated in the California Labor Code under section 1198.5 I learned this thru recent consultation with Howard Sagaser, a very seasoned labor law lawyer that serves our company from time to time. I have mentioned to Mr. McKeen that he will be providing further council as other issues may arise.*

*Dr. Gornick also told her that current subordinates have expressed unhappiness in Ms Caganich's personality and communication style. For easy reference, I have attached a copy of the page from the District's employee handbook regarding what policies are when such a circumstance exists. Note that there is to be a meeting in which the supervisor, subordinate and human resource director participate. The district has not followed this procedure and has not given Ms. Caganich a chance to hear or respond to what is being charged against her. As*

*Foundation Directors, we wish to know if district policy is being followed in her case and why Dr. Gornick is allowed to violate the labor code in not allowing Ms. Caganich access to her personnel file.*

*The second attachment to this presentation is a memo from Neil N. Koenig, PhD to Dr. Gornick regarding Ms. Caganich. So that we all understand, Dr. Koenig was hired by Dr. Gornick to evaluate and work with Ms. Caganich to create effective working relationships. I will read it for the record.*

*(At this time Mr. Gleason read the following correspondence from Dr. Neil Koenig)*

*Thank you for referring Barbara. I have met with her on four occasions from late December 2007 to last week. I can see why you are investing in her effectiveness. Her role with the Foundation can impact students for decades to come. And she brings considerable professionalism, experience, and intelligence to West Hills.*

*Our coaching sessions have taken two parallel tracks. The first has been empathy. I see Barbara not only having to be effective with donors to the Foundation, but also having to be a change agent within the Foundation itself. I doubt Barbara has had much experience as a change agent. I empathize with her on this challenge. It has surprised her that her high standards, her punctuality, her accounting precision, her no-nonsense work ethic, and her urgent sense to get the job done “right” were not shared by staff she inherited. Or not shared on occasion by peers. It has been baffling to her to be perceived as arrogant, dismissive of what’s been accomplished before her arrival, and having a difficult personality. It was even more baffling to have people reject her by leaving the Foundation, even though she tried to be patient, understanding, and even generous with one of the staff who had stressors in her personal life.*

*This has all been humbling for Barbara. And she admits it. I wanted to be empathetic towards her. Without feeling understood Barbara could not mature as a change agent. She can see how your career, Frank, as Chancellor, parallels her career – introducing the change of high standards to the status quo. Your success at West Hills is a valid role model for her at the Foundation.*

*This brings up our other coaching track: change of approach. Barbara and I embrace your two goals for her:*

- *becoming user-friendly*
- *creating effective working relationships*

*Regarding becoming user-friendly, we are emphasizing listening without interruptions; courteous manners; warmth and a sense of humor; interest in others as persons rather than only as task implementers; thank you notes within 24 hours; less harsh, preachy voice tone; and professional responses (phone answered within a couple rings, e-mails and phone calls returned within 24 hours).*

*Regarding creating effective working relationships, we are emphasizing reaching out to other departments offering help; continuing to meet jointly with the two campus presidents (even though both no-showed last meeting); meet once a week with key people across the district starting with those involved with the 75<sup>th</sup> Anniversary Reunion, the golf tournament, and the scholarship committee; meeting with department heads to create more relationships like Barbara has established with the Farm of the Future leader; and coaching her new employee and others regarding the donor data base.*

*Barbara is not resistant to these challenges. She is seeing that being user-friendly and creating effective working relationships does not compromise her professionalism and high standards. They make them possible.*

*In our coaching sessions I have seen Barbara progress from being frustrated to baffled, then from being humbled to being relaxed and eager to meet her new challenge. I invite your feedback, Frank, on our progress. With your permission I would like to have four more sessions with Barbara, monthly through June. I would welcome the three of us meeting anytime between now and June to further invest in Barbara's West Hill's career.*

*Thank you for this opportunity.*

*(Mr. Gleason continued reading his remarks at this time)*

*I have also attached and will read a letter of recommendation written by Dr. Koenig. The reason she requested a letter of recommendation was due to Dr. Gornick's insistence that she pursue other job opportunities. For an unexplained reason, Dr. Gornick has also requested that she write him a letter of resignation.*

*(At this time Mr. Gleason read the following letter of reference from Dr. Neil Koenig)*

*I've had the opportunity to work with Ms. Caganich for the past year and a half. During this time I served West Hills College of Coalinga and Lemoore, California, as Management Consultant. Ms. Caganich was the Director of the West Hills Foundation.*

*I list my reasons for being enthusiastic about Ms. Caganich's professional future:*

- *She's bright*
- *She's sociable with a good sense of humor*
- *She has an admirable work ethic*
- *She seeks excellence in her work, and from others with whom she works, owing to high professional standards*
- *She understands the big picture, and yet has remarkable attention to details*
- *She's computer savvy*
- *She's financially literate*
- *She's not too proud to admit mistakes and is flexible enough to make changes*
- *She has good values like respect and trust, as well as allegiance to her family*

- *She's committed to the real, human purpose of philanthropic giving*

*This list fairly and accurately reflects my views of Ms. Caganich as a professional. I hope it serves her well by introducing her strengths to anyone considering a professional association with her.*

*(Mr. Gleason continued reading his remarks at this time)*

*When Ms. Caganich was hired, the financial records and internal control policies were in need of significant change. Unfortunately, the district was lacking in many areas of expertise on a host of issues and Ms. Caganich's credentials and professionalism suited what the Foundation needed. As Dr. Koenig describes in his March 5, 2008 memo, "It has surprised her that her high standards, her punctuality, her accounting precision, her no-nonsense work ethic, and her urgent sense to get the job done "right" were not shared by the staff she inherited"*

*I have some expertise in which to speak about the need to have technically competent employees to deal with accounting issues. I graduated from the University of Pacific with a degree in Business and concentrated in accounting. Following college I passed the CPA exam and worked in that arena for 4 years prior to coming to work for the Allen Ranch as their controller and eventually their President. In addition to owning my own farming company, I consult to various agricultural operations on accounting procedures, budgeting, and creating long term financial strategies. I have also testified as an expert witness in the Superior Courts of Fresno, Merced and Stanislaus Counties involving various civil litigation matters having to do with agricultural accounting. Given this experience, I have seen first hand that change is rarely embraced by those employees who have been trained in the work environment that supported faulty policies and procedures. Often, employees attempting to undergo change will become defensive, trying justify the previous practices and procedures sometimes taking criticism of old policies personally.*

*A finding in the Foundation's December 31, 2007 audit report speaks to accounting deficiencies on page 23 which is attached for your review. It is apparent that staff was unaware of some basic accounting principals which guide "Fund Accounting". It is worth noting that 3 of the 4 former staff moved on to other job opportunities that in some cases provided as much as a 50% pay increase. As Trustees, we would simply ask that you take your past business experiences into account when trying to sort personnel vs. personal issues and be sure that accusations against Ms. Caganich are factually based having had a thorough investigation from both sides.*

*We have a strong suspicion that Ms. Caganich has ruffled a few feathers by insisting that administrators and other people of authority adapt to the changes she has been required to implement in order to fulfill her job duties. As explained to me by Ms. Caganich thru her role as executive director, Dr. Gornick asked her to write a check from the Foundation for an amount of around \$10,000 to be used to cover printing costs for the District's 75<sup>th</sup> anniversary book. She refused his request because there was not prior Foundation Board approval for such a disbursement. She described to me his anger toward her and actually feared that she would be fired by him even though she was following proper procedure.*

*We want to also share with you our concern regarding the approximate \$16,000 in membership dues, assessments and meals that have been paid to Dr. Gornick over the past several years from the Foundation. A portion of payments were made while he served as Executive Director. A copy of these expenditures excluding amounts for the golf fundraiser is attached. I have spoken with our company's CPA and he points out those payments are reportable with a 1099 from the Foundation. I have reviewed IRC 62 and IRC 162 and it appears that in order to be excludable from income, the employer must have a documented policy supporting such payments for activities and that any excess benefit be reported as taxable. We would ask that the tax advisors within the firm used to audit the books of the Foundation look to see whether or not we are in compliance with both the Internal Revenue Code, Franchise tax Board and laws enforced by the State Attorney Generals office governing proper practices for fringe benefits paid by Foundations such as ours that happen to be tax exempt.*

*I have heard an argument made that Dr. Gornick needs to be a member of Kings Country Club in order to hold the Foundation golf fundraiser annually held in May. This argument misses an important point in that other Foundation members are also members of the same country club and enjoy the same rights to hold the tournament. Beyond that, the tournament is held in for 1 day in May. We are having trouble linking the proper documentation describing benefits to the Foundation during the other 364 days of the year.*

*Most high level positions of leadership insist its executives promote and serve the best interests of the organization in most if not all public appearances such as a golf outing as part of an overall compensation package. In the future, we would suggest that you add his golf membership dues and assessments to his District compensation package and not risk the issue of inurement to the Foundation.*

*This letter is intended to let the Board of Trustees know the level of seriousness that we are giving the above mentioned issues. It would seem logical to us that Ms. Caganich's contract be renewed for another year and that we structure a reporting arrangement that provides accountability and clear lines of communication between Foundation and the Board of Trustees. Such an arrangement could be documented thru a memorandum of understanding that would address any concerns that are between the parties involved. We appreciate a chance to be heard this afternoon and hope for the chance to work together in the future.*

At this time Mr. Allen Moore addressed the Board of Trustees and distributed a document with exhibits titled "Request for Renewal of Contract for Allen Moore-Director of Maintenance, Operation & Auxiliary Services". Mr. Moore stated that he is assigned to various responsibilities in his job as the Director of Maintenance and Operations for West Hills College Lemoore. He stated that he was hired on October 22 in an interim position and became permanent in June 2008. He stated that he enjoys his job at West Hills College Lemoore and feels that many improvements have been made in his department including the lawn, yard, custodial services, snack bar, etc. Mr. Moore stated that being at the meeting today to address the Board is difficult and embarrassing. He reported that Mr. Don Warkentin informed him that his contract is recommended not to be renewed and asked that that Board reconsider this

recommendation. He stated that when the position was started as interim, he was told that one of the responsibilities of a former employee was to account for the use of district vehicles and credit cards and was assured that all was okay. He trusted that what he was told was the truth. Mr. Moore stated that he has heard the employee discuss a settlement and a large sum of money and the employee has often stated that she is untouchable. Mr. Moore stated that he was extremely careful not to do anything that would put the college through financial burden. He reported that in early summer other problems began to surface. The employee was using a college rental vehicle. Mr. Moore stated that he used a verbal warning, not knowing her history. When it didn't work, he dealt with the issue in a timely manner and the use of the vehicle was put to a stop. During a district investigation it was brought out that he (Mr. Moore) used a district vehicle. He referred to exhibit C of the handout. Mr. Moore stated that today his career is being judged on these incidents and not his overall capabilities as evidence. He also discussed Exhibits A and B and commented on his positive evaluation. He stated that he knows he has done a good job and he apologized and asked for continued employment at West Hills. He stated that as a general contractor he is knowledgeable in all building trades. He stated that he will be a great help in the future as buildings progress and asked that the Board reconsider their decision.

Ms. Frances Squire reported that several students have arrived and one of the students, Ms. Lisa Carrana, would like to make public comments.

Ms. Carrana stated that she is a student at West Hills College Coalinga and is at the meeting to address the transfer of Mr. Scott Sutherland to the North District Center in Firebaugh. She stated that the students want him to stay. He has touched the lives of many students and other students in Coalinga cannot benefit from him if he is moved. Ms. Carrana stated that Mr. Sutherland has taught many classes, is a good instructor and speaks up for student rights. He is opinionated but has good opinions. She thanked the Board for allowing her to speak and distributed a petition from the students, stating that the students want him to stay.

Mr. Bill Pucheu addressed the Board. He stated that he is a member of the Foundation Board and agrees with everything that Mr. Gleason stated. He stated that, speaking as a Foundation Board, they recommended a three year extension for Ms. Barbara Caganich's contract. He stated that perhaps an extension of 30 days could be used to work things out.

#### **REPORTS FROM ORGANIZATIONS / COLLEGES / DISTRICT OFFICE**

Academic Senate Report – Ms. Stephanie Droker, Academic Senate President for West Hills College Lemoore, reported that the Senate will continue workshops on revising their constitution and bylaws. The goal is to finish by the end of the semester and have a draft ready to go out to the faculty for a vote. They would like to implement the changes in the fall. Professional development lunches will continue and the next one is

scheduled for April 24. Ms. Droker stated that it is exciting to have the faculty bring in their best practices. In closing, Ms. Droker reported that the Senate continues to work on Board policies and procedures.

Ms. Anita Bart, Academic Senate President for West Hills College Coalinga, was not present to report at this time.

WHCFA Report – Ms. Marty Ennes, WHCFA President, reported that she recently spent some time with Dr. Beverly Smith and Ms. Faye Mendenhall and they send their regards. She reported that the Faculty Association has recently had two meetings with Mr. Ken Stoppenbrink and have been discussing the Memorandum of Understanding with regard to Student Learning Outcomes. She stated that they hope to have a draft soon. Ms. Ennes reported that the Faculty Association has also met with Mr. Stoppenbrink and Ms. Tammy Weatherman regarding the transition to the new payroll system, pay stubs, etc. She stated that they very much appreciate the time taken to explain the new system. They hope to have some sessions soon for faculty. Ms. Ennes reported that March is moving quickly and she is looking forward to mid-terms. In closing, she reported that she will be attending the CCA conference in San Diego later in the spring.

CSEA Report – Mr. Mark Millett, CSEA President, was not present to report at this time.

Student Government Association (SGA) Report – Ms. Jaqueline DePue, Student Trustee, was not present to report at this time.

West Hills College Coalinga and North District Center, Firebaugh – Dr. Willard Lewallen, President, distributed a flyer on the upcoming Valley Fever Forum. He explained that two speakers will be conducting a presentation and members of the community, employees and students are invited to attend. Dr. Lewallen commented on the water usage on campus and stated that progress is being made. A master plan for dealing with water issues has been discussed. It is a fairly costly endeavor but the college feels they need to commit to it and address the issues. Dr. Lewallen reported that exciting news was received last week from the System Office with regard to degrees in the liberal arts area. The programs have been approved. Dr. Lewallen reported that his staff have been extensively discussing plans for commencement. They have outgrown the current location (the quad), and cannot accommodate all of the people who wish to attend the ceremony. The other alternative for this year is to host the commencement at the high school football stadium. He stated that in the midst of all the current construction, this is the best option for this year.

West Hills College Lemoore – In the absence of Mr. Don Warkentin, President, Mr. Dave Bolt, Vice President of Educational Services reported. He stated that Mr. Warkentin is at Berkeley City College for an accreditation visit. Mr. Bolt briefly announced current and upcoming events at West Hills College Lemoore.

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Chancellor's Report - Dr. Frank Gornick, Chancellor, thanked Mr. Warkentin and his staff for hosting the recent accreditation self study workshop. He reported that many staff from West Hills College Coalinga, West Hills College Lemoore and the District Office were in attendance. Employees from Merced College also participated. Dr. Gornick reported that he and Dr. Lewallen met with Phil Larson last week regarding ongoing activities in the northern part of the district. They discussed the plans for a library. In closing, Dr. Gornick reported on a milestone for the district, stating that last week the 7,000<sup>th</sup> student was registered for classes.

### **CONSENT AGENDA**

The following consent agenda items were approved on a motion by Trustee Ivans, seconded by Trustee Henry, and carried unanimously:

- CA-42**      Minutes - The minutes of the February 17, 2009 Board of Trustees meeting were approved as submitted.
- CA-43**      Warrants - The warrants were approved as submitted.
- CA-44**      Out of State Travel - The following out of state travel request was approved as submitted:
- 9 history/performing arts students traveling to New York for New York City Tour, April 4-9, 2009
- CA-45**      Personnel Transactions - The list of personnel transactions were approved as submitted.

### **CHANCELLOR'S OFFICE**

- CO-43**      Resolution - Child Care Programs - The following resolutions were adopted on a motion by Trustee Minnite, seconded by Trustee Oxborrow, and carried unanimously:
- Infant Toddler Grant Contract
  - School Age Resource Grant Contract

### **FISCAL SERVICES**

- FS-42**      Fiscal Services Report - Mr. Ken Stoppenbrink, Vice Chancellor of Business Services, distributed a preliminary simulation of payments based on P1. He stated that he does not have a fiscal services report at this time because of the timing of the early meeting. Mr. Stoppenbrink reported that the district normally would have received a payment of \$4,034,717 by

this time, but will not receive it until July. This will also hinge on the election in May. He commented on the note at the bottom of the handout which states that simulation includes estimated payments for the 2008-2009 fiscal year only, showing the impact on districts' payments of the \$540 million in deferrals included in the recently enacted budget. Note that a new July to October deferral of \$200 million will be required for the 2009-2010 fiscal year; this new deferral is not included in the simulation.

Trustee Levinson left the meeting at this time.

Mr. Stoppenbrink commented on still being in a cash crunch; however, he is confident that we will make it through April. May is uncertain at this time and the district may have to freeze some payments to vendors. President McKean questioned how much is behind on payments with regard to capital projects. Mr. Stoppenbrink responded that it is approximately \$1 million.

Trustee Levinson returned to the meeting at this time.

**FS-43**      Withdrawal from VIP/JPA – Mr. Stoppenbrink provided a presentation on the district's VIP/JPA, stating that it was formed in 1986 and the West Hills Community College District was one of the founding members. The current members consist of the West Hills Community College District, State Center Community College District, Merced Community College District and the Yosemite Community College District. Mr. Stoppenbrink commented on information related to the Statewide Association of Community Colleges (SWACC) which provides the same services as the district's VIP/JPA. He explained that there are several reasons to consider a change to SWACC.

Discussion took place concerning training and safety and claims processing, where they meet, etc. Mr. Stoppenbrink reported that over 100 programs are currently available online. The annual Board meeting is held in Palm Springs and the committees meet on a quarterly basis as well and are rotated. Mr. Stoppenbrink reported that he has talked to six of the districts for input and they have all been very positive. He is following up on the workers compensation training accessibility and Company Nurse will also be included in this program. He stated that it is ready to roll out should we decide to go forward. This will be a seamless transition and is a great tool to have. Mr. Stoppenbrink reported that SWACC has already informally accepted our application. They wanted 10 years of claims history and 10 years of employment and salary information. They have committed to us in writing on their premiums.

President McKean questioned the risk if we drop out of the VIP/JPA and the new company doesn't accept us. Discussion took place concerning this potential scenario. It was suggested that we withdraw with the right to rescind. Mr. Stoppenbrink stated that he will get a commitment letter from SWACC.

The district's withdrawal from the VIP/JPA and move to SWACC (Statewide Association of Community Colleges) was approved on a motion by Trustee Levinson, seconded by Trustee Ivans, and carried unanimously. The Board further directed Mr. Ken Stoppenbrink, Vice Chancellor of Business Services, to send the required six month letter of intent to withdraw from the VIP/JPA, with the option to rescind.

### **BOARD REPORTS / COMMENTS / REQUESTS AND ANNOUNCEMENTS**

Trustee Minnite had no comments at this time.

Trustee Ivans thanked everyone for their reports and thanked the Foundation Board members for their comments. She expressed her congratulations on the milestone enrollment.

Trustee Henry echoed the comments made by Trustee Ivans.

Trustee Oxborrow thanked everyone for their attendance at the meeting.

Trustee Levinson echoed the comments made by his fellow Board members.

President McKean commented that it is not easy to make decisions, but someone has to do it.

President McKean announced that the next meeting of the Board of Trustees is scheduled for April 21, 2009.

President McKean stated that the Board of Trustees will hold a closed session pursuant to Government Code Section 54957 and will be discussing personnel matters.

### **CLOSED SESSION**

The meeting was adjourned to closed session at 4:29 p.m.

- Potential Litigation (as per Government Code Section 54956.9). Number of potential cases: 2
- Public Employee Discipline/Dismissal/Release (as per Government Code Section 54957)

- Discussion of Land Acquisition/Disposition of Property (as per Government Code Section 54956.8). Property: Coalinga, California; Firebaugh, California; Lemoore, California

**RECONVENE TO OPEN SESSION**

The meeting was reconvened to open session at 6:31 p.m.

President McKean announced that the Board of Trustees has agreed to authorize the opening of escrow on the Rubio property in Firebaugh.

President McKean announced that on a motion by Trustee Minnite, seconded by Trustee Ivans and carried on the following roll call vote, the Board of Trustees approved a notice of unprofessional conduct to be served on an academic employee pursuant to Education Code section 87734:

Trustee Cantu	Absent
Trustee Minnite	Aye
Trustee Ivans	Aye
Trustee Henry	Aye
Trustee Oxborrow	Aye
Trustee Levinson	Aye
President McKean	Aye

President McKean announced that on a motion by Trustee Levinson, seconded by Trustee Minnite, and carried on the following roll call vote, the Board of Trustees has taken action authorizing the Chancellor to serve notice pursuant to Education Code Section 72411 and contract on an administrative employees (Director of Maintenance & Operations and Auxiliary Services, West Hills College Lemoore), as defined by Title 5, Section 53402 of the California Code of Regulations and Government Code Section 3540.1:

Trustee Cantu	Absent
Trustee Minnite	Aye
Trustee Ivans	Aye
Trustee Henry	Aye
Trustee Oxborrow	Aye
Trustee Levinson	Aye
President McKean	Aye

President McKean announced that on a motion by Trustee Levinson, seconded by Trustee Ivans, and carried on the following roll call vote, the Board of Trustees has taken action authorizing the Chancellor to serve notice pursuant to Education Code Section 72411 and contract on an administrative employees (Executive Director of West

Hills Community College Foundation), as defined by Title 5, Section 53402 of the California Code of Regulations and Government Code Section 3540.1:

Trustee Cantu	Absent
Trustee Minnite	Aye
Trustee Ivans	Aye
Trustee Henry	Aye
Trustee Oxborrow	No
Trustee Levinson	Aye
President McKean	Aye

**ADJOURNMENT**

There being no further business before the Board of Trustees, the meeting was adjourned at 6:33 p.m.

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Nina Oxborrow  
Clerk of the Board of Trustees

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## Personnel Transactions

### 1. Resignations / Retirements / Releases During Probation / Terminations

<b>Name</b>	<b>Title &amp; Location</b>	<b>Effective Date</b>
Garcia, Angela	Child Development Center Associate Teacher West Hills College Lemoore	2/27/09
Rodriguez, Maria	Child Development Center Associate Teacher San Joaquin	11/18/08
Rowden, Jodee	Secretary West Hills College Coalinga	1/28/09