1.0 CALL TO ORDER 5:30 p.m.
President JoAnn Busenbark called the meeting to order at 5:30 p.m.

2.0 CLOSED SESSION (5:30 p.m.): As there were no public comments regarding closed session items, the board went immediately into closed session to consider and/or take action upon any of the following items:

With respect to every item of business to be discussed in closed session pursuant to Section 54957.6, CONFERECE WITH LABOR NEGOTIATORS
Name of agency negotiators: Kevin Luckey, Laura Ecklin, Faye Smyle
Name of organization representing employees: NVCFA/CTA/NEA
Name of agency negotiators: Laura Ecklin, Judie Walter-Burke
Name of organization representing employees: NVC-ACP/SEIU
Name of agency representatives: Chris McCarthy
Name or organization representing employees: NVC Administrative Senate

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Employee Evaluation
Evaluation of Superintendent/President

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Approval/Ratification of Full-Time Employment
1) Associate Dean, Admissions and Records

With respect to every item of business to be discussed in closed session regarding CONSIDERATION OF LIABILITY CLAIM
Claimant: Rico Nel
Agency Claimed Against: Napa Valley Community College District

(From Addendum)
With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Consideration of Appointment of Interim Superintendent/President
3.0 RETURN TO PUBLIC SESSION

3.1 **Members Present:** JoAnn Busenbark, Charles Meng, Steven Reinbolt, Tom Andrews, Michael Baldini, Bruce Ketron, Brenda Knight, Robert Holst

**Members Absent:** None

Board president JoAnn Busenbark announced that Dr. Chris McCarthy’s chair has been left empty in his memory. The audience observed a moment of silence.

**Staff Present:** Sue Nelson, Oscar DeHaro, John Nahlen, Laura Ecklin, Sue Nelson, Dr. Robyn Wornall, Diane Van Deusen, Shawna Bynum, Jan Schardt, Kate Benscoter, Walt Unit, Amy LaPan, Dianna Chiabotti, Faye Smyle, Kevin Luckey, Bonnie Thoreen, Karen Taylor, Judie Walter-Burke, Patty Morgan, Dan TerAvest, Jerry Somervile, Maria Villagomez, Mario Fernandez, Katelyn McLeod, Betty Malmgren, Betty Malmgren

**Guests:** Verna Steinhauer, Kathleen Lucier, Barbara Nemko, Olivia Callahan

3.2 **Pledge of Allegiance**

The audience recited the pledge of allegiance.

3.3 **Introduction of Visitors, Guests, and New Staff**

3.4 **Announcement of Items from Closed Session**

*As required by Government code Section 54957.1, a roll call vote is required for any personnel decision coming out of closed session to appoint, employ, or dismiss an employee.*

The board announced the following items from closed session:

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Approval/Ratification of Full-Time Employment

1) Javier Associate Dean, Admissions and Records

AYES: Busenbark, Meng, Reinbolt, Knight, Andrews, Baldini, Ketron

NOES: None

With respect to every item of business to be discussed in closed session regarding CONSIDERATION OF LIABILITY CLAIM

Claimant: Rico Nel

Agency Claimed Against: Napa Valley Community College District

M/S (Meng/Andrews) to reject of the claim by Rico Nel against the Napa Valley Community College District.

(From addendum)

With respect to every item of business to be discussed in closed session pursuant to Section 54957, PUBLIC EMPLOYMENT, Consideration of Appointment of Interim Superintendent/President

Board president JoAnn Busenbark announced that the Board of Trustees delegated authority to a subcommittee consisting of the president and vice president of the board for the purpose of appointing an interim president and gathering information for the purpose of starting a search process for a permanent president.
3.5 **Adoption of Current Agenda**

The board adopted the current agenda, with the postponement of agenda item 9.1 Report On Napa Valley College Student Life.

3.6 **Announcement of Future Meetings** (5:30 p.m. closed session, 6:30 p.m. public session)

Board President JoAnn Busenbark announced the following upcoming meetings:

- **October 20, 2009 Regular Meeting** (rescheduled to coincide with Accreditation Site Visit);
- JoAnn Busenbark announced that she had spoken with the chair of the accreditation team who will visit in October, and the decision has been made to move forward with the accreditation site visit as planned rather than postponing it.

- **November 12, 2009 Regular Meeting**
- **December 10, 2009, Regular Meeting**

4.0 **PUBLIC COMMENTS — GENERAL**

At this time, the board will devote a total of up to fifteen minutes for comments to the Board of Trustees regarding any subject NOT APPEARING AS AN AGENDA ITEM FOR THIS MEETING but over which the board has jurisdiction. The public may ask the board to place an item on a future board agenda. No action or discussion will occur at this time on such items. Individuals will be limited to a five-minute presentation.

5.0 **APPROVAL OF MINUTES**

M/S/C (Holst/Andrews) to approve the following minutes, with the correction noted below for the minutes of August 13.

5.1 **Approval of Minutes of August 1, 2009**

5.2 **Approval of Minutes of August 13, 2009**

Rob Holst announced that he would attend the Student Trustee Conference on August 14 and 15.

6.0 **CONSENT CALENDAR**

M/S/C (Meng/Reinbolt) to approve the following items on the consent calendar:

6.1 **Ratification of Financial Documents**

6.1.1 **Approval of Warrants for August, 2009**

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<th>Amount</th>
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<tr>
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<td>Child Care Fund</td>
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<td>Capital Outlay Projects Fund</td>
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6.1.2 **Approval of Total Gross Payroll for August, 2009**

$2,232,003.27

6.2 **Approval of Personnel Document of September 17, 2009**
6.3  **Proposed Change Orders – Library and Learning Resource Center**
The Board of Trustees ratified acceptance of Edge Development, Inc. proposed change orders numbered 34R1, 44R2, 53R2, 66R1, 72R1, 74R1, 84, 95R1, 98R1, 100, 106, 111, 120, 122, 126, 127R1, 141, 144, and 145 as given in attached Proposed Change Order Log dated September 11, 2009. The net INCREASE for these proposed change orders is $172,404.00.

6.4  **Proposed Change Orders – North Gym**
The Board of Trustees ratified acceptance of Broward Buildings, Inc. proposed change orders numbered 12, 14, 15, 17, and 18 given in attached Proposed Change Order Log dated September 11, 2009. The net INCREASE for these proposed change orders is $46,256.26.

6.5  **Proposed Change Orders – New Ceramics Building**
The Board of Trustees ratified acceptance of SW Allen Construction, Inc. proposed change orders numbered 15R, 17R, 34, 36, 41R, 43, and 45R as given in attached Proposed Change Order Log dated September 11, 2009. The net INCREASE for these proposed change orders is $30,542.00.

6.6  **Proposed Change Orders – the Performing Arts Center**
The Board of Trustees ratified acceptance of Broward Builders, Inc. proposed change orders numbered 43, 44, 56, 47, and 48 as given in attached Proposed Change Order Log dated September 11, 2009. The net INCREASE for these proposed change orders is $23,752.08.

6.7  **Approval of an Agreement with Calistoga Family Center**
The Board of Trustees approved an agreement with Calistoga Family Center for the purpose of providing internships to eligible students in the Human Services Program. The term of the agreement is from August 21, 2009 until terminated by either party. There are no financial obligations for either party.

6.8  **Approval of Agreement with Laurel Creek Health Center at Paradise Valley Estates**
The Board of Trustees approved an agreement with Laurel Creek Health Center at Paradise Valley Estates for the purpose of providing health occupations students experience in a variety of clinical settings. The term of this agreement is from September 1, 2009 until terminated by either party. There are no financial obligations for either party.

6.9  **Approval of Agreement with the San Ramon Valley Fire Protection District for Paramedic Student Field Experience**
The Board of Trustees approved an agreement with the San Ramon Valley Fire Protection District for field experience for paramedic students. The agreement is from September 1, 2009 until terminated by either party. There is no cost to the District.

7.0  **APPROVAL OF QUARTERLY FINANCIAL STATUS REPORT, CCFS-311Q, FOR THE PERIOD ENDING JUNE 30, 2009**
(Andrews/Meng) to approve the quarterly financial status report, CCFS-311Q, for the period ending June 30, 2009.
8.0 CONSTITUENT GROUP REPORTS
Due to the recent loss of college president, Dr. Chris McCarthy, reports were eliminated, with the exception of the announcement that the Scholarship Fund has been set up in Dr. McCarthy’s name to honor his invaluable contributions to Napa Valley College.

9.0 INFORMATION ITEMS

9.1 Report on Napa Valley College Student Life
This report was postponed for a future meeting.

9.2 Program Evaluation and Planning Process and Integrated Planning
Judie Walter-Burke, Dean, Research, Planning, and Development, provided an overview and update of the Program Evaluation and Planning (PEP) process. She explained the importance of Program Evaluation and Planning as it supports the planning and budgeting process. She stated that board members have been provided a file folder of informative materials regarding the PEP process. She explained that the process was developed in response to an accreditation recommendation. A task force worked hard over a long period of time to develop this process. The process operates on a six-year cycle and covers all three areas of the college: instruction, student services, and administration. Dr. Robyn Wornall, Director, Institutional Research provides support in the analysis of data and assists faculty and staff as they move through the process. She reminded the board of the relatively recent change from a rollover budget. Anything over 90% of the previous year’s budget has to be justified. This additional money would be used for new needs.

Board members agreed to study the informational packet and flow charts distributed to them in order to better understand the significance of the Program Evaluation and Planning Process and how it has contributed to the success of effective management of college resources to maximum benefit for quality education.

Ms. Walter-Burke also noted that the PEP process is evaluated every year to determine what worked well and what did not. There have been lots of improvements to the process, and it is a living process.

9.3 Report on Public Property Development – North Corner
At its board meeting of October 9, 2008, the board discussed its interest in agendizing an informational item over upcoming months regarding the development of college property, including ideas for development of college property, including land at the corner of Imola and Soscol Avenues. There were no public comments.

9.4 Community College Update
Charles Meng stated that he would be attending a Community College League meeting and would talk about Dr. Chris McCarthy and his impact on community college education. He said he would report on the California Community College Trustees meeting at the board’s next meeting.
9.5 **Review Calendar of Upcoming Campus and Community Events**

The board will review upcoming campus events and identify which board members will attend to ensure effective communication and visibility. As appropriate, the board will also be informed of relevant community events. The board will be sent this information via email.

9.6 **Report on Status of Board of Trustees Goals and Objectives for 2009-2010**

The Board of Trustees identified goals and objectives for 2009-2010 as part of its self-evaluation during Spring, 2009. The status of these goals and objectives reflect that the board has conscientiously taken action on what it determined to be its top goals and objectives in its self-evaluation.

The board had two primary goals for the 2009 – 2010 Academic year related to:

a) communication with college staff and the community and clarification of its role and b) continuing board education. In both areas, the board has taken significant action to realize these goals, as noted below:

**Communication and Clarification of Role:**

a) Development of Speaking Points for board members on important issues, to be reviewed/developed each semester and as issues arise. 
b) Review of calendar of events at each board meeting;  
c) Coordination of program presentations for each board meeting;  
d) Adoption of procedure that communication with the college at large will be coordinated through the president;  
e) Implementation of standing item, “Community College Update” for each agenda.

**Continuing Education:**

a) Assigned attendance at conference and training sessions, based on need, interest, and funds available; b) One member will attend the Annual Trustee Conference and report back to the board; c) One board member will actively participate in the accreditation self-study process and ensure other board members are apprised of need action. d) The board completed a training on effective and appropriate communication with the media. 

e) In fall, 2009, the Dean, Human Resources will poll the board to select a workshop provided by the college’s Employee Assistance Program.

The board also has completed one of the two study sessions it planned during 2009: a study session on state and college budget issues was held on August 1, 2009. A second study session related to remaining bond funds will be scheduled.

10.0 **ACTION ITEMS**

10.1 **Adoption of the 2009 – 2010 Final Budget**

10.1.1 **Public Hearing on the 2009 – 2010 Final Budget**

M/S/C (Meng/Baldini) to open the public meeting. 
This hearing is held to allow for public comment on the proposed budget as required by California Title 5 Administrative Regulations, Section 58191. The proposed budget is available for public inspection in the President’s Office during normal business hours after September 17, 2009. There were no public comments.

10.1.2 **Adoption of the 2009 – 2010 Final Budget**
Vice President, Business and Finance John Nahlen explained that this is the final version of the 2009 – 2010 budget, and he distributed handouts. To date, the college has reduced its budget by $3.49 million. He further explained that the federal stimulus funds that had been expected have been severely cut. Only 28% of what the community college system had expected will be received. Walt Unit, faculty co-chair of the Budget Committee, said that a great deal of work has gone into this document from all across the campus, as well as from the Budget Committee and the President’s Cabinet. He thanked John Nahlen, Vice President, Business and Finance, for all his work. He said he was pleased the District had met its goal of a 5% reserve, though he regretted that adjunct faculty were hard hit by class reductions. He thanked the college community for pulling together during this process.

Trustee Charles Meng thanked everyone for their efforts and was pleased that the ending balance was more positive than previously anticipated. He cautioned that mid-year cuts could cause additional problems in the near future.

M/S/C (Meng/Baldini) to adopt the 2009 – 2010 Final Budget.

10.2 Adoption of Final Draft of Facilities Master Plan Volume IV
Dan TerAvest, Director, Campus Planning and Construction, presented information on the Final Draft of Volume IV of the Facilities Master Plan. He said it is the plan that was circulated last spring as part of a very inclusive process. Volume IV includes updated project information sheets and budgets for future projects, updated campus maps, and project phasing and scheduling requirements. He said that there will continue to be the need for adjustments. He noted that most of the significant projects will be completed soon, with one remaining project, the North Bay Regional Center for Health Occupations Training that could be built in North Campus, should funding become available. Some projects are still tied up in the Department of State Architecture for review of plans, etc. Mr. TerAvest noted that the new plaza and green under development by the Library and Learning Resource Center may provide the possibility of an outdoor graduation in the future.

M/S/C (Andrew/Baldini) to adopt the Final Draft of the Facilities Master Plan Volume IV.

10.3 Award of Bid for the Performing Arts Center/North Gym Backbone Cabling System
Two competitive quotes were received for running fiber and phone to the Performing Arts Center and North Gym projects. The low quote of $76,900.00 was received from Royal Electric.

M/S/C (Andrews/Holst) to award the bid for the Performing Arts Center/North Gym to Royal Electric.

10.4 Approval of Revision for Advanced Placement Test Policy
This policy establishes the award of credit for College Board Advanced Placement (AP) examinations. The revised policy stipulates that students will be awarded units by achieving the required score on Advanced Placement examinations. However, they will not receive credit for specific classes. This revision is consistent with the practice at the CSU and UC systems. The policy has been signed into mutual agreement.
M/S/C (Andrews/Knight) to approve the revised Advanced Placement Test Policy (Second Reading).

11.0 OTHER REPORTS: Note that no action can be taken regarding any report item.

11.1 Staff Reports
- Dean, Human Resources
  Laura Ecklin said grief counseling has been made available to faculty and staff.
- Vice President, Business and Finance
  John Nahlen said he was committed to the college, its great team and staff in the face of the loss of Dr. McCarthy. He advised the board to take its time and get broad input in the days ahead.
- Vice President, Student Services
- Vice President, Instruction
  Sue Nelson acknowledged what everyone was going through.

11.2 Superintendent/President’s Report

11.3 Reports from Board Members
- JoAnn Busenbark said she had exchanged emails daily with Dr. McCarthy since she became board chair and said that he regarded each staff member highly as part of his team. Even though he had been heavily recruited by other colleges, Napa Valley College was his home. She expressed condolences to his wife, Carol, and his parents, Dr. John and Andrea McCarthy.
- Robert Holst stated that students have lost a leader who was always very encouraging and supportive of students.
- Michael Baldini said everyone was blessed to have worked with Dr. McCarthy and that his work will continue.
- Tom Andrews expressed how much everyone will miss Dr. McCarthy.
- Bruce Ketron said that words did not seem adequate in this time of loss. He said he appreciated the kind comments in the face of this shocking loss.
- Brenda Knight, newest board member, said she knew firsthand how highly regarded Dr. McCarthy was at the state and national levels. She told the story of the last time she saw Dr. McCarthy at a musical event in American Canyon. She expressed appreciation for his attendance.
- Steve Reinbolt said he felt a special bond with Dr. McCarthy. He thanked JoAnn Busenbark and Charles Meng for their leadership.
- Charles Meng reported that, after the last CORE Group Meeting, he said he had a conversation with Chris about the upcoming accreditation process and how proud he was of the college community. He said he was passionate about students and wanted to help their dreams come true. He praised him as a poet who became a great leader of Napa Valley College and in the educational world.
- JoAnn Busenbark announced that, upon adjournment, faculty and staff would meet in the glade to light candles and walk together through campus in appreciation of the transformation of campus facilities under Dr. McCarthy’s leadership.

12.0 FUTURE AGENDA ITEMS
12.1 Board Listening Session

12.2 Update on Bonding of College Winery and Viticulture and Winery Technology Program

12.3 Development of Corner Property/Housing

13.0 ADJOURNMENT
Board president JoAnn Busenbark adjourned the meeting in honor and memory of beloved college president, Dr. Chris McCarthy.