



**Annual Planning Retreat Minutes  
July 25 – 26, 2022  
Canaan Valley Resort and Zoom**

## **Monday, July 25**

### **MEMBERS PRESENT – In Person**

Amy Pitzer	Concord University
Jenna Derrico	West Virginia Northern Community College
Chris Gray	Southern West Virginia Community & Technical College
Dara Massey	West Virginia University Institute of Technology
John DeVault	Fairmont State University
Jane Fouty	BridgeValley Community and Technical College
Shirley Robinson	West Virginia University
Lindsay Morgan	West Virginia University at Parkersburg
Michele Lang	Glenville State University
Jamey Kesner	West Virginia University Potomac State College
Teresa Meddings	Marshall University

### **MEMBERS PRESENT – On Zoom**

Barb Sanders	West Virginia School of Osteopathic Medicine
Verne Britton	WVNET
Erin Trump	New River Community & Technical College

### **GUESTS**

Kristin Boggs	General Counsel, Higher Education Policy Commission
Tracey L. Morris	Director, Talent and Culture, West Virginia University
Ken Harbaugh	Emeritus
Robert Long	Emeritus

### **Meeting begins at 8:30 am**

- 1) Call to Order & Establish Quorum
  - a. Meeting called to order at 8:43 am. Quorum was established.
- 2) Ice Breaker
- 3) Approval of Minutes
  - a. Reviewed the minutes for the June 2022 meeting. Motion to approve June 22, 2022 minutes as presented. Teresa Meddings motioned and Dara Massey seconded. The motion passed.
  - b. Review the minutes for the December 2022 meeting. Motion to approve December minutes as presented. Dara Massey motioned and Jamey Kesner seconded. Motion passed.

#### 4) Open Meeting Laws

Kristin Boggs, Legal Counsel for the Higher Education Policy Commission

- Open Governmental Proceedings
  - Purpose is to give the public access to what the government is doing
  - Purpose
    - Benefits public
    - Benefits government
  - Applies to
    - Governing bodies such as an institutional Board of Governors
    - Standing committees
  - Beware of Serial Meeting
    - If you use any direct communication, personal intermediary, or technical device to develop a collective concurrence regarding action to be taken on an item, you are violating the Act.
    - Types of serial meetings
      - Daisy chain
      - Walking quorum
      - Hub and spoke
      - Email/text/IM/What's App/etc
    - Notice of Meeting
      - All meetings of any governing body shall be open to public
      - Must e-file a notice of any regular or special meeting with Secretary of State for publication on the SOS website
      - Each notice shall
        - Contain the date, time, place, and purpose of the meeting
        - Be filed at least five business days prior to the date of the meeting
        - Failure to provide notice of a meeting in accordance with the statute could result in invalidation of any action taken at that meeting
    - Posting the agenda three days prior to meeting (regular) and two days for special meetings
    - Public access
      - Reasonable access to the meeting
      - Anticipate large crowds for controversial topics
      - Proximity to public served
      - Public has to be able to hear the meeting
  - Emergency meetings
    - A meeting to address an unexpected event that requires immediate attention
    - Must e-file the notice with the SOS as soon as practicable prior to the meeting
    - Notice shall state the date, time place and purpose of the meeting and the facts
  - The Zoom/Smart Phone Age
    - Members may attend telephonically or via online platform but must be audible to members of the public and the media
    - No texting, emailing or IM'ing each other during the meeting

- Board members may text/email members of audience to get questions or assistance
- Agendas
  - Must give reasonable notice to the public of the issues to be addressed
  - Must list any matter on which the board will take official action
  - Must be specific enough for the public to be aware of the issue to be discussed
    - Avoid use of vague, imprecise headings
  - Board may not vote on an issue by referencing the number or letter on the agenda. Must say out loud what they are voting on
  - Do not have to have pre-written resolutions
- Reasonable Specificity
  - Not specific enough
    - Old Business
    - New Business
    - Personnel Matters
    - Discuss faculty concerns
  - Specific examples
    - Hiring office manager in legal
    - Review and act on policy amendments (then list them by title)
    - Review and consideration of pandemic staffing model
    - Consideration of tuition and fees
- Voting and Ballots
  - Always vote in open session
  - No proxy voting
  - No voting by secret or written ballot
  - Rollcall vote
- Meeting minutes
  - Governing body shall provide for the preparation of written minutes of all its meetings
  - Minutes shall be available to the public within a reasonable time after the meeting
- Executive session
  - Presumptively, meetings are open to the public
  - Definition of “exception” -- not often done, seen or happening
  - No exemption for embarrassing, difficult, sensitive, uncomfortable, or controversial topics
  - Executive sessions are not required
- Procedure for closing meeting
  - Convene in open session
  - A quorum must be present
- Conducting executive session
  - You may not:
    - Take any official action
    - Take straw vote
    - Discuss anything other than the matter listed on the agenda for which you voted to go into closed session
  - When you resume open session, be specific on the action being voted on

- Authorized executive session topics
  - Allowed
    - Personnel matters
    - Pending or anticipated litigation
    - Negotiations regarding purchase, sale or lease of real property
    - Student discipline
    - Investment of public funds or other matters involving commercial competition
  - But be careful
    - Unless employee requests open meeting
    - All final settlements are public
    - Details of final acquisitions are public
    - Unless student requests open meeting
    - Final expenditure of public money is public
- Broadcasting or recording
  - It's allowed
  - Any radio or tv station may broadcast all or any part of a meeting required to be open
  - You may regulate the placement and use of equipment
- Enforcement – Civil
  - Any citizen of this state can sue within 120 days after the action complained of was taken
  - Court can compel compliance or enjoin noncompliance with the Act
  - Court can annul a decision made in violation of the Act
  - Aggrieved party may get attorney's fee and expenses
- Enforcement – Criminal
  - Willful and knowing violation of the Act is a misdemeanor punishable by a fine up to \$500
- Help – WV Ethics Commission
- Kristin will send Jenna a copy of the PowerPoint to share with the group and post to the ACCE website

#### 5) New Employee Orientation – 11 am

Tracey L. Morris, Director –Talent Strategy, West Virginia University

- Hiring process/onboarding
  - WV Hire module used to complete paperwork once offer is accepted
- Department engagement before start date of new employee
  - Plan ahead before day one
  - Send welcome message
  - Inform existing staff
  - Customize proper checklist
- Send out New Mountaineer Orientation (NMO) email
  - Welcome
  - Link with instruction for securing WVU ID
  - How to secure a WVU parking permit if needed
  - Link to Virtual NMO session
  - Information regarding university response to COVID
  - Resources to get answers to questions (shared services)
  - Link to new employee guide to a successful first year
  - Flyers for different organizations

- Supervisor email
  - Link to virtual *New Mountaineer Orientation*
  - Link to *Supervisor Guide to Welcoming New Employees*
  - Link to new employee ID and what to do with that information
  - Guidance regarding new employee's work location (on site, hybrid or remote); this can impact city user fee and parking permit
- Virtual NMO
  - Self-paced module
- New Mountaineer concierge/MS Teams site
  - Dedicated resource to provide guidance to new hires
  - Microsoft Teams site for all new hires where relevant information available and they can ask questions or provide advice to one another
- First Day
  - NMO email provides information regarding when/where to report to work
- New Faculty Orientation
  - Specific to new faculty joining the organization
- Dual Career program
  - Helps trailing spouses or partners find employment
- First year resources
  - *Supervisor's Guide to Welcoming a New Employee*

Adjourned for lunch at 11:44 am

Returned from lunch and called to order at 1:11 pm

- 6) Review of Responsibilities as Staff Leaders and ACCE Tips by ACCE members for new ACCE members
- 7) Discussion on Bylaws Revision
  - a. Revisions are noted on updated, draft Bylaws
  - b. Code citations in draft Bylaws document were reviewed
  - c. Discussion about the language of Officer Recall
  - d. Added the definition of who makes up the ACCE Executive Committee
  - e. Worked to add new language to allow a non-classified staff to serve on ACCE, if the institution has no classified employees
  - f. Workshopping the emeritus and recall sections. The suggestions will be presented at the next ACCE meeting
- 8) Old Business
  - a. Employee survey
    - i. The group discussed Matt Turner's letter concerning the use of the HEPC SurveyMonkey account
- 9) Adjourn
  - a. Motion to adjourn made by Amy Pitzer and seconded by Dara Massey. The motion passed

## Tuesday, July 26

### MEMBERS PRESENT

Amy Pitzer	Concord University
Jenna Derrico	West Virginia Northern Community College
Chris Gray	Southern West Virginia Community & Technical College
Dara Massey	West Virginia University Institute of Technology
John DeVault	Fairmont State University
Jane Fouty	BridgeValley Community and Technical College
Shirley Robinson	West Virginia University
Lindsay Morgan	West Virginia University at Parkersburg
Michele Lang	Glenville State University
Jamey Kesner	West Virginia University Potomac State College
Teresa Meddings	Marshall University

### MEMBERS PRESENT – On Zoom

Verne Britton	WVNET
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### GUESTS

Ken Harbaugh	Emeritus
Robert Long	Emeritus

- 1) Meeting resumed at 8:41 am. Quorum was determined.
- 2) Unfinished Business from Day One
  - a. The additional sections for the Bylaws will be worked on by the Bylaws committee. Their draft will be presented to the full ACCE
- 3) Election of Officers (proxies cannot vote in elections)
  - a. No proxies were present, so all members in attendance were eligible to vote
  - b. Elections were conducted using Survey Monkey since we have members attending the meeting remotely (Zoom)
  - c. Bob Long and Jane Fouty volunteered to run the election.
  - d. Election for Chair
    - i. Dara Massey nominated Lindsay Morgan. Amy Pitzer seconded nomination. Lindsay Morgan accepted the nomination.
    - ii. Lindsay Morgan nominated Dara Massey. Jamey Kesner seconded the nomination. Dara Massey declined the nomination.
    - iii. Motion to close nominations made by Teresa Meddings. The motion was seconded by Dara Massey. The motion passed.
    - iv. Michele Lang made a motion to elect Lindsay Morgan by acclamation. Teresa Meddings seconded the motion. Motion passed.
    - v. Lindsay Morgan was elected Chair by acclamation.
  - e. Election for Vice Chair
    - i. Jenna Derrico nominated Michele Lang. Motion was seconded by Teresa Meddings. Michele Lang accepted the nomination.
    - ii. Lindsay Morgan nominated Shirley Robinson. The motion was seconded by Amy Pitzer. Shirley Robinson accepted the nomination.
    - iii. Dara Massey nominated herself. Jenna Derrico seconded the nomination.
    - iv. Amy Pitzer moved to close nominations. Lindsay Morgan seconded the motion. The motion passed.

- v. Election for Vice Chair was conducted using Survey Monkey.
  - vi. Michele Lang was elected Vice Chair.
  - f. Election for Secretary
    - i. Amy Pitzer moved to open nomination for secretary. Dara Massey seconded motion.
    - ii. Jenna Derrico nominated herself. Dara Massey seconded the nomination.
    - iii. Michele Lang nominated Teresa Meddings. Lindsay Morgan seconded the nomination.
    - iv. Amy Pitzer moved to close nomination. Dara Massey seconded the nomination. The motion passed.
    - v. Election for Secretary was conducted using Survey Monkey.
    - vi. Jenna Derrico was elected Secretary.
  - g. Election Results
    - i. Chair – Lindsay Morgan
    - ii. Vice Chair – Michele Lang
    - iii. Secretary – Jenna Derrico
      - 1. Teresa Meddings agreed to serve as Jenna Derrico’s backup in the event Jenna is unable to attend.
- 4) Committee Assignments
- a. ACCE Chair is on all committees
  - b. Committees
    - i. Benefits
      - 1. Barb Sanders, Co-Chair
      - 2. Dee Preston, Co-Chair
      - 3. John DeVault
    - ii. Legislative
      - 1. Amy Legislative, Chair
      - 2. Jenna Derrico
      - 3. Chris Gray
      - 4. Verne Britton
      - 5. Shirley Robinson
      - 6. John DeVault
    - iii. Web and Communications
      - 1. Verne Britton, Chair
      - 2. Jenna Derrico
      - 3. Jane Fouty
      - 4. Shirley Robinson
      - 5. Amy Pitzer
      - 6. Dara Massey
    - iv. Student Advocacy
      - 1. Yodev Ocasio, Chair
      - 2. Michele Lang
      - 3. Teresa Meddings
      - 4. John DeVault
      - 5. Jamey Kesner
    - v. Special Events and Retreat
      - 1. Shirley Robinson, Chair
      - 2. Chris Gray
      - 3. Jane Fouty
      - 4. Deirdre Guyton
      - 5. Dara Massey
      - 6. Erin Trump

## vi. Bylaws Review

1. Teresa Meddings, Co-Chair
2. Jenna Derrico, Co-Chair
3. Jane Fouty
4. Dara Massey
5. Amy Pitzer
6. Jamey Kesner

## 5) 2022-2023 Meeting Calendar

- |                       |              |                                      |
|-----------------------|--------------|--------------------------------------|
| a. August 26, 2022    | 9 am to 1 pm | Virtual                              |
| b. September 19, 2022 | 9 am         | Potomac State College                |
| c. October 17, 2022   | 9 am         | WV Northern Community College        |
| d. November 14, 2022  | 9 am         | WVU at Parkersburg                   |
| e. December 7, 2022   | 9 am         | WVU Institute of Technology          |
| f. January 25, 2023   | 9 am to 1 pm | Virtual                              |
| g. February 20, 2023  | 9 am         | Marshall University Graduate College |
| h. March 10, 2023     | 9 am         | Marshall University Graduate College |
| i. April 14, 2023     | 9 am         | Concord University                   |
| j. May 19, 2023       | 9 am         | Marshall University                  |
| k. June 16, 2023      | 9 am         | WV School of Osteopathic Medicine    |
| l. July 24 – 25, 2023 |              | Possible Locations                   |
|                       |              | i. Twin Falls State Park             |
|                       |              | ii. Pipestem State Park              |
|                       |              | iii. Chief Logan State Park          |
|                       |              | iv. Canaan State Park                |

6) Adjourned for lunch at 11:29 am

7) Returned from lunch and called to order at 1:09 pm

8) Review Legislative Agenda / Create Plan of Action

- a. Discussion about the legislative agenda from last year and what needs to be changed or added

9) Jenna Derrico turned the meeting over to new Chair Lindsay Morgan

10) Jane Fouty made a motion to adjourn. Jenna Derrico seconded the motion.

Submitted by,  
Chris Gray, ACCE Secretary