Board of Governors

June 3, 2008
Emergency Meeting
Agenda

Members

Kevin N. Fowler, Chair
James R. Sheatsley, Vice Chair
George Kostas, Secretary
Linda Q. Akers
Shelley T. Huffman
Dr. David R. Pierce

Terry R. Sammons
Glenn T. Yost
Wilma J. Zigmond
Michael Baldwin
Elston Johnson
George Morrison

Joanne Jaeger Tomblin
President
Dial 1-800-233-3638  
Access Code: 6125 followed by the pound sign (#)  

1. Call to Order and Role Call .................................. Mr. James Sheatsley  
   Board Vice Chair  

2. Action Item .............................................. Vice Chair Sheatsley  
   1. Sale of Real Property by the local Board of Governors of  
      Southern West Virginia Community and Technical College ...... Mr. Merle Dempsey  
      Executive Vice President  

3. Adjournment  

Interested parties in the Logan area may participate by coming to Southern West Virginia Community and Technical College, Center for Allied Health and Technology, Room 422.
ITEM: Sale of Real Property by the local Board of Governors of Southern West Virginia Community and Technical College

RECOMMENDED RESOLUTION: RESOLVED, That the Southern West Virginia Community and Technical College Board of Governors delegate to the President the authority to sell real property located at 300 Main Street, Logan, West Virginia and more commonly known as the Logan Downtown Annex.

FURTHER RESOLVED, the Board of Governors directs the President to comply with all laws of the State of West Virginia and the rules, regulations, and procedures of the West Virginia Higher Education Policy Commission, the West Virginia Council for Community and Technical College Education, and Southern West Virginia Community and Technical College regarding the sale of said property including the requirement that the sale price shall not be less than the average of the appraisals by two licensed appraisers.

BE IT FURTHER RESOLVED, that the Board of Governors authorizes the President to act on its behalf in negotiating said sale of the specifically designated real property and to sign all documents required for the sale of the described property.

STAFF MEMBER: Merle Dempsey

BACKGROUND:

The following citations of West Virginia State Code authorize the Board of Governors to sell property:

§18B-14-3. Southern West Virginia community college authorization to sell property; use of net proceeds.

Notwithstanding the provisions of article one-a, chapter twenty of this code, southern West Virginia community college, with the approval of the board of directors, is hereby authorized and empowered to sell any surplus real property and deposit the net proceeds into a special revenue account to be utilized for the purchase of additional real property or for capital improvements: Provided, That prior to such action the board of directors shall have the property appraised by two licensed appraisers and shall not sell the property for less than the average of the two appraisals: Provided, however, That the net proceeds which exceed the funds needed for the purchase of real
property or for capital improvements may be transferred to other accounts or funds and redesignated for other purposes by appropriation of the Legislature.

§18B-14-5. Authorization to sell property generally.

Notwithstanding any other provisions of this code to the contrary, the governing boards are hereby authorized and empowered to sell any surplus real property and deposit the net proceeds into a special revenue account in the state treasury to be appropriated by the Legislature for the purchase of additional real property or technology, or for capital improvements at the institution that sold the surplus real property: Provided, That prior to such action the appropriate governing board shall have the property appraised by two licensed appraisers and shall not sell the property for less than the average of the two appraisals: Provided, however, That before such action, the governing boards shall provide notice to the public by a Class II legal advertisement as defined in section two, article three, chapter fifty-nine of this code and shall hold a public hearing on the issue.