

**West Liberty University
Board of Governors**

**Minutes
March 11, 2015**

Attendance:

Beverly Burke, Joe Carey, Richard Carter, Sandra Chapman, George Couch, Les DeFelice, Patrick Ford, Brian Joseph, Patrick Kelly, Evan Newman, Frank Noble, Ann Thomas

Administration/Faculty/Staff:

Mary Ann Edwards, John Gompers, Robert Kreisberg, John McCullough, Jim Stultz

Visitors:

Jack Adams, Pat Duffy, Ryan Eldredge, Nate Fluharty, Carol Frum, Jim Frum, Chuck Jeswilkowski

1. Call to Order/Roll Call/Quorum and Mission Statement

Chair Couch called the meeting to order at 4:01 p.m. A quorum was present and a roll call taken of those participating by conference phone. On the phone were Joe Carey, Patrick Kelly, and Frank Noble. There were no requests to speak during the public comment period.

II. Executive Session

a. Personnel Matter – Ethics Charges Filed Against President Capehart

On motion by Richard Carter and seconded by Sandra Chapman, pursuant to WV Code §6-9A-4, it was unanimously adopted by the West Liberty University Board of Governors to move to executive session at 4:02 p.m.

The Board exited executive session at 4:58 p.m. and reconvened. No action was taken during the executive session.

III. Actions Emanating from Executive Session

Brian Joseph made a motion that the Agreement dated March 11, 2015, between Robin Capehart and the Board of Governors of West Liberty University, accepting the resignation of President Capehart, effective March 15, 2015, and re-positioning him as a Legislative Liaison and Consultant to the University through December 31, 2015, with all of its terms and provisions, be approved by the West Liberty University Board of Governors and that the Chairperson, George Couch, be authorized to sign the Agreement on behalf of the Board of Governors.

Chair Couch asked if there was any discussion. Patrick Kelly asked if in reviewing the President's contract with the University; is it true that in order to terminate the contract cause must exist. Mr. Gompers stated that this is true. Mr. Kelly asked if, in his opinion, cause exists at this time. Mr. Gompers stated that it may or may not, but in order to get to that point WLU would need further proceedings and investigations and we are not there yet. Mr. Kelly then asked that, in all likelihood, if the agreement were terminated, that a lawsuit could ensue. Mr. Gompers stated that yes, in all likelihood there would be a lawsuit. There was no further discussion.

On motion by Brian Joseph and seconded by Beverly Burke, it was unanimously adopted by the West Liberty University Board of Governors, that the Agreement dated March 11, 2015, between Robin Capehart and the Board of Governors of West Liberty University, accepting the resignation of President Capehart, effective March 15, 2015, and re-positioning him as a Legislative Liaison and Consultant to the University through December 31, 2015, with all of its terms and provisions, be approved by the West Liberty University Board of Governors and that the Chairperson, George Couch, be authorized to sign the Agreement on behalf of the Board of Governors.

Patrick Kelly made a motion that the Chair appoint or designate a committee to review all WV48's, contracts, faculty and at-will stipends, and teaching load reduction in hours. It was stated that the Finance Committee could do this. Chair Couch asked Mr. Gompers if the Board can take this action

at this meeting. Mr. Gompers stated that the Chair has the ability to refer this matter to the Finance Committee without a motion being made. The motion can be acted on at the next meeting but the Chair has the power to refer anything to the Finance Committee. Mr. Kelly withdrew the motion and encouraged the Chair to make such a designation and to look into those contracts.

Chair Couch will call a special Finance Committee meeting to review all contracts for at-will employees and WV48's.

Richard Carter noted that with the motion that has been passed releasing President Capehart as President of West Liberty University, he would like to move that John McCullough be appointed as Acting/Interim President of West Liberty University, effective March 15, 2015, subject to approval by the HEPC. Chair Couch asked Dr. McCullough if he would be willing to accept this position, to which he stated he would accept.

On motion by Richard Carter and seconded by Leslie DeFelice, it was unanimously adopted by the West Liberty University Board of Governors, that John McCullough be appointed as Acting/Interim President of West Liberty University, effective March 15, 2015, subject to approval by the HEPC.

A search committee will be appointed as soon as possible and begin the effort to identify candidates for the next president of West Liberty University. Chair Couch appreciates the time of the Executive Committee and of the full Board and hopes the University can now move forward and do what is needed to make sure the students, faculty, and staff have a bright future and confidence in the University.

One other business matter dealing with housekeeping; a member of the Board is appointed annually to serve on the Program Review Committee. At the request of Brian Crawford, Chair Couch asked that Patrick Ford be approved to serve on the Program Review Committee.

On motion by Leslie DeFelice and seconded by Ann Thomas, it was unanimously adopted by the West Liberty University Board of Governors, that Patrick Ford serve on the Program Review Committee.

III. Next Meeting Date – Wednesday, April 15, 2015

The next regular meeting is scheduled for April 15, 2015.

IV. Adjournment

On motion by Beverly Burke and seconded by Richard Carter, it was unanimously adopted that the meeting adjourn at 5:09 p.m.

George Couch

Chair

Sandra Chapman

Secretary