#### WESTERN COMMUNITY COLLEGE AREA

#### **BOARD OF GOVERNORS**

### PROPOSED AGENDA

- A. Call to Order, Ms. Walworth
- B. Roll Call
- C. Community Comments
- D. Board Chairperson Comments
  - Copy of Nebraska Open Meetings Act
     Available at Back of Room
- E. Re-Organization of Board for 2018
  - 1) Election of Chairperson
  - 2) Election of Vice Chairperson
  - 3) Appointment of Secretary
  - 4) Appointment of Treasurer

#### F. Consent Calendar

- 1) Review Contents of Consent Calendar
  - a) Agenda January 17, 2018
  - b) Excuse Absent Board Member(s)
  - c) Minutes
    - 1) Regular Meeting, December 20, 2017
  - d) Claims: (Enclosure)
    - 1) WCCA Unrestricted Fund \$1,829,747.48
    - 2) WCCA Restricted Fund \$28,754.00
    - 3) WCCA Federal Fund \$2,103.51
    - 4) WCCA Agency Fund \$2,023.59
    - 5) WCCA Loan Fund \$-0-

#### REGULAR MEETING

January 17, 2018

12:00 P.M. - LUNCH

John C. Bishop Dining Hall Pioneer Activity Center

Western Nebraska Community College

Scottsbluff Campus 1409 East 27<sup>th</sup> Street Scottsbluff, Nebraska

Scottsbiull, Nebraska

#### 1:00 P.M. - REGULAR MEETING

Conference Room Pioneer Activity Center

Western Nebraska Community College

Scottsbluff Campus 1409 East 27th Street Scottsbluff, Nebraska

(Pages 1 - 1u)

(Pages 1 - 9)

(Page 9)

(Page 9)

(Pages 9 - 10)

WCCA Board of Governors Page 2 Agenda – January 17, 2018

#### F. Consent Calendar - Cont.

- 1) Review Contents of Consent Calendar Cont.
  - d) Claims: (Enclosure) Cont.
    - 6) WCCA Plant Fund \$118,005.65

7) WCCA Auxiliary Fund - \$62,702.09

e) City Planning Commission Reports

- f) Reports and Proposals
  - 1) From the Students
  - 2) From the Faculty
  - 3) From the Administration
  - 4) From the Board
- 2) Approval of Consent Calendar
- 3) Consideration of Items Extracted from Consent Calendar
- G. Board Member Mileage and/or Expense Reimbursement

(Page 2)

(Page 10)

(Pages 10 - 12)

(Attachment)

1) R. J. Savely, Jr. - \$197.75

- H. Bid Consent Calendar
  - 1) Review Contents of Bid Consent Calendar None
  - 2) Approval of Bid Consent Calendar
  - 3) Consideration of Items Extracted From Bid Consent Calendar
- I. Personnel Consent Calendar
  - 1) Review Contents of Personnel Consent Calendar
    - a) Resignation(s):
      - 1) Dr. Ronda Kinsey, Nursing Instructor

(Page 3)

(Page 3a)

- b) Appointment(s):
  - 1) Mr. Tom Milstead, Admissions Counselor

2) Ms. Amy Zitterkopf, Admissions Counselor

(Pages 3b - 3g)

2) Ms. Pauline Newman, Accounting Services Assistance Director

(Pages 3h - 3k)

3) Ms. Amy Zitterkopf, Career Pathways Advisor

(Pages 3L - 3o)

WCCA Board of Governors Page 3 Agenda – January 17, 2018

- I. Personnel Consent Calendar Cont.
  - 2) Approval of Personnel Consent Calendar
  - 3) Consideration of Items Extracted from Personnel Consent Calendar
- J. Western Community College Area Board of Governors Ms. Walworth
  - 1) 2018 Election WCCA Board Members

(Pages 4 - 4a)

- K. Reports and Recommendations from Board Policy Committee Ms. Klemke, Ms. Ault
  - 1) Policy #415.2215.18 Safety Shoes

(Page 5)

L. Reduction-In-Force - Dr. Holcomb

(Enclosure)

- Final Recommendation of the WCCA President for Amendment of Contracts and Reduction of Staff Members for the 2018-2019 Academic Year
- M. Monitoring Reports
  - 1) Higher Learning Commission Dr. Dale

(Handout)

- a) Reaffirmation of Accreditation Update
- 2) Nebraska Community College Association -Dr. Gramberg, Dr. Perkins

(Page 6)

- a) State Legislative Day
- b) February 1, 2018, 9:00 a.m.
- c) Room 1126, Nebraska State Capitol Building, Lincoln, Nebraska
- 3) Association of Community College Trustees Dr. Perkins
- N. Western Nebraska Community College/Scottsbluff Campus Main Building Addition and Renovation Dr. Holcomb
  - 1) Update Re: Addition/Renovation Project
  - 2) Resolution Re: Lease Purchase Financing Agreement with Western States Bank (Handout)
- O. Board Member Comments

WCCA Board of Governors Page 4 Agenda – January 17, 2018

- P. President's Comments
- Q. Upcoming Meetings and Events
  - 1) Association of Community College Trustees
    - a) 2018 National Legislative Summit
      - 1) February 11 14, 2018
      - 2) Washington, D. C.
    - b) 2018 ACCT Leadership Congress
      - 1) October 24 27, 2018
      - 2) Marriott Marquis, Times Square
      - 3) New York City, New York
  - 2) Nebraska Community College Association
    - a) 2018 Regular Meetings
      - 1) First Quarter Meeting
        - A) January 19, 2018
        - B) Lincoln, NE
      - 2) Second Quarter Meeting
        - A) May 7, 2018
        - B) Lincoln, NE
      - 3) Third Quarter Meeting
        - A) August 6, 2018
        - B) Lincoln, NE
      - 4) Fourth Quarter Meeting (Annual Meeting)
        - A) November 5 and 6, 2018
        - B) Norfolk, NE
    - b) State Legislative Day
      - 1) February 1, 2018, Lincoln, NE
- R. Next Regular Meeting: Wednesday, February 21, 2018, 1:00 p.m., Conference Room, Pioneer Activity Center, Western Nebraska Community College, Scottsbluff Campus, 1409 East 27<sup>th</sup> Street, Scottsbluff, Nebraska
- S. Adjournment

### MISSION STATEMENT:

"WNCC assures learning opportunities for all – enriching lives, invigorating communities, creating futures"

## MINUTES OF MEETING BOARD OF GOVERNORS WESTERN COMMUNITY COLLEGE AREA

TIME AND PLACE ROLL CALL NOTICE OF MEETING

A regular meeting of the Western Community College Area Board of Governors was held at 1:03 p.m., on Wednesday, January 17, 2018, in the Conference Room. Pioneer Activity Center, Western Nebraska Community College, located at 1409 East 27th Street, in the City of Scottsbluff, in the County of Scotts Bluff, in the State of Nebraska, as per the publicized notice in the Star-Herald, on Thursday, January 11, 2018, with the following members present: Karen S. Anderson, Merlyn L. Gramberg, Linda A. Guzman-Gonzales, F. Lynne Klemke, Kimberly A. Marcy, William M. Packard, M. Thomas Perkins, Thomas L. Perlinski, R. J. Savely, Jr., Richard G. Stickney, and Julienne K. Walworth, Chairperson. Absent: None. Student Representatives present: Sebastien Escudero, Scottsbluff Campus; Faculty Representatives present: Lorin R. King, Scottsbluff Campus. College staff present: Todd R. Holcomb, William D. Knapper, Coral E. Richards, Kathy A. Ault, Kimberly J. Dale, Evangeline K. Grant, Norman L. Coley, Ellen M. Dillon, Rosie Hernandez, Robyn R. Iossi, Allison Judy, Jennifer Sibal, Kristin Wiebe. College Attorney present: Philip M. Kelly. A current agenda was available in the College President's Office and the Board Secretary's office on the Scottsbluff Campus.

QUORUM

Ms. Walworth declared a quorum was present for the transaction of business.

COMMUNITY COMMENTS

Ms. Walworth asked for comments from the community. Pursuant to Board Policy #830.1000.79, Ms. Walworth reminded Community members who wish to make comments that each speaker will be limited to a five minute presentation. There were no community comments.

Ms. Walworth announced that for public information there is a copy of the Nebraska Open Meetings Act available on the table at the back of the room.

Ms. Walworth extended Happy New Year Wishes 2018 to Board members and College staff members.

RE-ORGANIZATION OF BOARD FOR 2018

Ms. Walworth announced the next item of business is the reorganization of the Board for the 2018 year.

## RE-ORGANIZATION OF BOARD FOR 2018 Cont. Election of Chairperson

Ms. Walworth called for nominations for Chairperson of the Western Community College Area Board of Governors for the 2018 year. She reminded Board members that nominations do not require a second.

Mr. Stickney nominated Ms. Walworth. Dr. Gramberg nominated Ms. Klemke

Ms. Richards asked Ms Hernandez to serve as Election Clerk. The ballots were gathered and counted with the following results: Ms. Klemke – 5; Ms. Walworth - 6.

Ms. Richards announced Ms. Walworth was elected Chairperson of the Western Community College Area Board of Governors for the 2018 year.

## Election of Vice Chairperson

Ms. Walworth called for nomination for Vice Chairperson of the Western Community College Area Board of Governors for the 2018 year.

Dr. Perkins nominated Mr. Stickney. There were no further nominations.

Ms. Guzman-Gonzales moved nominations cease and a unanimous ballot be case for Mr. Richard G. Stickney as Vice Chairperson of the Western Community College Area Board of Governors for the 2018 year. Seconded by Dr. Perkins. The vote was, Yes: Anderson, Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Walworth. No: None. Abstain: Stickney. Absent: None. Motion carried.

## Appointment of Secretary

Ms. Guzman-Gonzales moved the Board appoint Ms. Coral E. Richards as Secretary of the Western Community College Area Board of Governors through February 28, 2018. Seconded by Ms. Klemke. The vote was, Yes: Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Stickney, Anderson, Walworth. No: None. Absent: None. Motion carried.

## Appointment of Treasurer

Mr. Stickney moved the Board appoint Mr. William D. Knapper as Treasurer of the Western Community College Area Board of Governors for the 2018 year. Seconded by Dr. Gramberg. The vote was, Yes: Guzman-Gonzales, Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Stickney, Anderson, Gramberg. Walworth. No: None. Absent: None. Motion carried.

# CONSENT CALENDAR Review Contents

Ms. Walworth reviewed the contents of the Consent Calendar which include the following item(s):

- 1) Agenda, January 17, 2018
- 2) Excuse Absent Board Members None
- 3) Minutes
  - a) Regular Meeting, December 20, 2017
- 4) Claims
  - a) WCCA Unrestricted Fund \$1,829,747.48
  - b) WCCA Restricted Fund \$28,754.00
  - c) WCCA Federal Fund \$2,103.51
  - d) WCCA Agency Fund \$2,023.59
  - e) WCCA Loan Fund \$-0-
  - f) WCCA Plant Fund \$-0-
  - g) WCCA Auxiliary Fund \$62,702.09
- 5) City Planning Commission Reports Attachment A
- 6) Reports and Proposals
  - a) From the Students
  - b) From the Faculty
  - c) From the Administration
  - d) From the Board

Ms. Walworth inquired if there were any item(s) on the Consent Calendar which any Board member wished to have extracted for separate consideration.

Ms. Anderson requested one item in the amount of \$75.00 payable to the Scottsbluff/Gering United Chamber of Commerce for advertising b extracted from the WCCA Unrestricted Fund.

## CONSENT CALENDAR Approval

Ms. Klemke moved the amended Consent Calendar be approved. Seconded by Mr. Perlinski. The vote was, Yes: Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Stickney, Anderson, Gramberg, Guzman-Gonzales, Walworth. No: None. Absent: None. Motion carried.

# CONSENT CALENDAR Consider Items Extracted

Ms. Anderson reported she has a business relationship with the Scottsbluff/Gering United Chamber of Commerce. Because of this relationship, she is requested the advertising claim payable to the Scottsbluff/Gering United Chamber of Commerce be extracted for separate consideration to allow her to vote on the amended Consent Calendar.

Dr. Packard moved the \$75.00 claim for advertising payable to the Scottsbluff/Gering Chamber of Commerce be approved. Seconded by Ms. Marcy. The vote was, Yes:

# CONSENT CALENDAR Consider Items Extracted

Marcy, Packard, Perkins, Perlinski, Savely, Stickney, Gramberg, Guzman-Gonzales, Klemke, Walworth. No: None. Abstain: Anderson. Absent: None. Motion carried.

## BOARD MEMBER MILEAGE AND/OR REIMBURSEMENT Mr. Savely

Ms. Klemke moved the Board approve the mileage/reimbursement expense of Mr. R. J. Savely, Jr., in the amount of \$197.75. Seconded by Ms. Anderson. The vote was, Yes: Packard, Perkins, Perlinski, Stickney, Anderson, Gramberg, Guzman-Gonzales, Klemke, Marcy, Walworth. No: None. Abstain: Savely. Motion carried.

# BID CONSENT CALENDAR Review Contents

There were no items on the Bid Consent Calendar.

## PERSONNEL CONSENT CALENDAR Review Contents

Ms. Walworth reviewed the contents of the Personnel Consent Calendar which include the following resignation(s) and appointment(s):

### 1) Resignation(s):

- a) Dr. Ronda Kinsey, Nursing Instructor, effective August 31, 2018.
- b) Ms. Amy Zitterkopf, Admissions Counselor, effective January 15, 2018,

### 2) Appointment(s):

- a) Mr. Tom Milstead, Admissions Counselor, effective January 15, 2018, through June30, 2018 wage to be \$15.40 per hour.
- b) Ms. Pauline Newman, Accounting Services Assistant Director, effective January 10, 2018, through June 30, 2018, salary to be prorated from an annual salary of \$34,494.60.
- c) Ms. Amy Zitterkopf, Career Pathways Advisor, effective January 15, 2018, through June 30, 2018, salary to be prorated from an annual salary of \$39,441.15.

Ms. Walworth inquired if there were any item(s) on the Personnel Consent Calendar which any Board member wished to have removed for separate consideration. There were none.

## PERSONNEL CONSENT CALENDAR Approval

Dr. Gramberg moved the Personnel Consent Calendar be approved as submitted. Seconded by Mr. Savely. The vote was, Yes: Perkins, Perlinski, Savely, Stickney, Anderson, Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Walworth. No: None. Absent: None. Motion carried.

PERSONNEL CONSENT CALENDAR Approval Cont. Dr. Holcomb commented Dr. Kinsey has played an outstanding role in the Health Services Division. She will be very difficult to replace. Ms. Walworth remarked that Dr. Kinsey provides outstanding support and encouragement to nursing students.

PERSONNEL CONSENT CALENDAR Consider Items Extracted There were no items extracted from the Personnel Consent Calendar.

WESTERN NEBRASKA COMMUNITY COLLEGE AREA BOARD OF GOVERNORS 2018 Election Ms. Walworth referred Board members to the mailed packet which includes a listing of Board members whose term of office will expire in December 2018. Those Board members whose term will expire in 2018 are: District One – Merlyn L. Gramberg; District Two – R. J. Savely, Jr.; District Three – Thomas L. Perlinski; District Four – Julienne K. Walworth; and District Five – William M. Packard.

Ms. Walworth reminded Board members the deadline for incumbents (of any office) to file for re-election is 5:00 p.m., on February 15, 2018. The filing deadline for all others is 5:00 p.m. on March 1, 2018. The filings must be received by the Secretary of State's office no later than by the time and date designated. There is no filing fee.

Ms. Walworth reported the Primary Election is May 15, 2018, and the General Election is November 6, 2018. If there are two or less candidates seeking election to a community college board, their names will not appear on the primary election ballot.

Mr. Perlinski has filed for re-election to the Board. Mr. Savely will be submitting his filing the end of this week.

REPORTS AND RECOMMENDATIONS FROM BOARD POLICY COMMITTEE #415.2215.18 Ms. Klemke reported that at the December Board meeting, the Board Policy Committee presented a new Board Policy, #415.2215.18 – Safety Shoes, for Board member consideration.

This proposed policy was recommended by the Safety Committee as a way to be pro-active in avoiding accidents and preventing Workmen's Compensation claims. The proposed policy will provide up to \$150.00 per twelve calendar months to employees for one pair of safety shoes. The shoes would be provided for those employees that regularly work in an area that necessitates safety shoes, such as the kitchen. The selected shoes must meet the stand-

REPORTS AND
RECOMMENDATIONS
FROM BOARD POLICY
COMMITTEE
#415.2215.18
Cont.

ards of the American National Standard Institute or American Society for Testing and Materials. Payment for the shoes will be taken from the appropriate division budgets.

Ms. Klemke reported neither the Board Policy Committee nor College administration have received any comment concerning this proposed new policy. Therefore, the Board Policy Committee is recommending Board Policy #415.2215.18 – Safety Shoes be adopted as presented.

Ms. Klemke moved the Board approve the recommendation of the Board Policy Committee to adopt Board Policy #415.2215.18 – Safety Shoes as presented. Seconded by Dr. Perkins. The vote was, Yes: Perlinski, Savely, Stickney, Anderson, Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Perkins, Walworth. No: None. Motion carried.

(A copy of the approved policy is attached in the official minute book.)

REDUCTION-IN-FORCE Final Recommendation of the WCCA President for Amendment of Contracts and /Reduction of Staff Members for the 2018-2019 Academic Year Dr. Holcomb reported the Reduction-In-Force Advisory Committee was appointed to study programs in question and provide recommendations to the President on program initiatives, change of staffing for programs or change of contract for specific faculty positions. Dr. Holcomb reported he has reviewed and has considered the Committee's recommendations in his final recommendations to the Board of Governors while taking into consideration criterion specified in Nebraska Statutes. Dr. Holcomb reported there are four program recommendations for the 2018–2019 Academic Year: – Art; Foreign Language; Journalism; and Theatre.

Art Program

Dr. Holcomb reported that he concurs with the Advisory Committee recommendations to utilize the remainder of the 2017-2018 school year to evaluate the options for the Art Program in order to improve the program and increase student enrollment.

In response to a question from the Board, Dr. Holcomb reported that no students will be affected the evaluations.

Mr. Savely moved the Board accept the recommendation of Dr. Holcomb to use the remainder of the 2017-2018 school year to evaluate the options for the Art Program in order to improve it and increase student enrollment. Seconded by Ms. Guzman-Gonzalez. The vote was, Yes: Savely, Stickney, Anderson, Gramberg, Guzman-Gonzales,

REDUCTION-IN-FORCE Final Recommendation of the WCCA President for Amendment of Contracts and /Reduction of Staff Members for the 2018-2019 Academic Year Foreign Language Klemke, Marcy, Packard, Perkins, Perlinski, Walworth. No: None. Absent: None Motion carried.

Dr. Holcomb reported the Reduction-In-Force Advisory Committee is recommending the Foreign Language Program be reviewed again during the 2018-2019 year to address unresolved issues and/or challenges and to make recommendations to improve student numbers in classes.

Dr. Holcomb further reported he agrees with the recommendations of the Advisory Committee to discontinue French courses and explore offering conversational Spanish courses.

In response to comments and questions from the Board, Dr. Holcomb reported efforts will be made to offer Spanish courses to students in Health Care, Law Enforcement, Paramedics and First Responders. He commented twenty-eight percent of the people who live in the panhandle are of Latin descent.

Mr. Stickney moved the Board accept the recommendation of Dr. Holcomb to review the Foreign Language Program again next year in 2018-2019 in order to address unresolved issues and/or challenges and to make recommendations to improve student numbers in classes. Second by Ms. Guzman-Gonzales. The vote was, Yes: Stickney, Anderson, Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Walworth. No: None. Absent: None. Motion carried.

Dr. Holcomb reported the Reduction-In-Force Advisory Committee is recommending the Journalism Program use the remainder of the 2017-2018 school year to continue to research whether journalism or some permutation of the program could be viable. President Holcomb further reported that because of the changes in the profession and shifts in today's communication, the Advisory Committee will be evaluating the Journalism Program to research what meets the needs of today's industry.

Dr. Packard moved the Board accept the recommendation of Dr. Holcomb to use the remainder of the 2017-2018 school year to evaluate Journalism Program in order to make improvements increase student enrollment, and determine program viability. Seconded by Ms. Anderson. The vote was, Yes: Anderson, Gramberg, Guzman-Gonzales,

Journalism

REDUCTION-IN-FORCE Final Recommendation of the WCCA President for Amendment of Contracts and /Reduction of Staff Members for the 2018-2019 Academic Year Theatre Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Stickney, Walworth, No: None, Absent: None, Motion carried.

Dr. Holcomb reported he concurs with the recommendation of the Reduction-In-Force Advisory Committee for the Theatre Program to use the remainder of the 2017-2018 school year to evaluate the options for the Theatre Program in order to improve the program and increase student enrollment.

Board members commented the creation of a new Theatre will create excitement and positively impact enrollment. Additionally, Board members recommended a two-year re-evaluation, rather than one year.

Dr. Perkins moved the Board grant the Theatre Program a two-year re-evaluation in order to make improvements and increase student enrollment. Seconded by Ms. Klemke. The vote was, Yes: Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Perkins, Perlinski, Savely, Stickney Anderson, Walworth. No: None. Absent: None. Motion carried.

(A copy of the "Final Recommendation of the WNCC President for Program Standing, Amendment of Contracts, and Reduction of Staff Members for the 2018-2019 Academic Year" is attached in the official minute book.)

MONITORING REPORTS
Higher Learning
Commission
Reaffirmation of Accreditation Update

Dr. Dale referred Board members to the handout material, which contains a packet of information regarding the College's Higher Learning Commission Reaffirmation of Accreditation. Dr. Dale reported the date for the Higher Learning Commission site visit is February 24-25, 2020.

Dr. Dale reviewed each of the criteria that must be met to obtain reaccreditation, and stated that everyone in the College, in one way or another, will have a role in the preparation for the site visit. The criteria are: 1) Mission; 2) Integrity, Ethical and Responsible Conduct; 3) Teaching and Learning: Quality, Resources and Support; 4) Teaching and Learning: Evaluation and Improvement; 5) Resources, Planning and Institutional Effectiveness.

Dr. Dale explained the role of the five criterion teams and the responsibilities of everyone involved in the accreditation process. Dr. Dale reported training will take place and about fifteen Staff members will be attending the Higher Learning Commission Conference on April 6 – 10, 2018 in MONITORING REPORTS
Higher Learning
Commission
Reaffirmation of Accreditation Update

Chicago, Illinois. Dr. Holcomb will be attending the President's Workshop at the Conference. Dr. Dale explained only Dr. Holcomb, as President of the College, and she, as Higher Learning Commission Accreditation Officer, are authorized to contact the Higher Learning Commission.

Dr. Dale reported in preparation for the site visit a consultant from the Higher Learning Commission will be visiting the College to perform mini audits. Dr. Dale further explained some of the changes that have occurred with Higher Learning Commission visits. One of the things the College will undergo is a mock Peer Review process. This is intended to prepare the campus for the official visit.

Dr. Dale reported there are three pathways to Higher Learning Commission accreditation: (1) Standard; (2) AQIP; and (3) Open. During a Peer Review Training she attended, Dr. Dale learned the College is in the Open Pathways system, which means the College is deemed to be a solid institution in good standing. Dr. Dale accredits this to the mobilized strong group of individuals working in the College. The Open Pathways system is not available to all colleges, only to those in good standing.

Dr. Dale explained during the site visit, if a criterion is not met, the Higher Learning Commission may require the College to submit a written report. She further explained that when the Higher Learning Commission visited the College in 2010, there was a recommendation to conduct a focus visit to examine specific aspects of the College; however, a written report was deemed adequate at the time.

Dr. Holcomb stated besides student retention and success, the visit from the Higher Learning Commission is the highest priority in the College. Dr. Holcomb explained that if the College is successful in obtaining reaccreditation, it will be in good standing for the duration of ten years, which is the standard cycle for the Open Pathways system to accreditation. He stated the work that Dr. Dale is doing is very important to the College.

Dr. Dale reported she will continue to keep the Board apprised of the progress. She encouraged the Board members and College staff to visit the Higher Learning Commission's website to learn more about their specific requests and expectations. Dr. Dale asked for questions. There were none.

MONITORING REPORTS Nebraska Community College Association State Legislative Day Dr. Perkins reported the Nebraska Community College Association Board of Directors will meet on January 19, 2018, in Lincoln. The purpose of the meeting will be to review and take a position on Legislative Bills that could affect Nebraska Community Colleges. Dr. Perkins reported the Association Board will also finalize plans for the State Legislative Day, which will be held on February 1, 2018. He referred Board members to the mailed packet which contains a draft of the arrangements for the State Legislative Day. The purpose of the State Legislative Day is to provide an opportunity for Board members from the community colleges to meet with their respective State Senators, share information about their college, develop a relationship with their senators, and request the senator's support of community colleges.

Dr. Perkins encouraged Board members to consider attending this function and make arrangements to meet the senators face to face. Dr. Perkins remarked that he believes the Western Area senators will be impressed with the efforts of Board members to drive some 400 miles to meet with them. He commented it is very important for Board members to become acquainted with their senators

Ms. Walworth reported Ms. Richards has scheduled meetings on February 1, 2018, with Senator Erdman at 8:00 a.m. and with Senator Brewer at 8:30 a.m. Ms. Richards needs to know who from the Western Area Board will be attending the meetings so she can advise the Senators. She also needs to make room reservations. A meeting with Senator Stinner is yet to be scheduled.

Dr. Perkins, Mr. Stickney and Ms. Walworth will represent the Western Area Board. Dr. Holcomb and Dr. Dale will also attend the State Legislative Day activities.

Dr. Perkins remarked Governor Rickett's budget is proposing to reduce funding for community colleges by three percent for Fiscal Year 2019. This is in addition to a two percent reduction for Fiscal Year 2018, and a four percent reduction for Fiscal Year 2017. The Governor is also proposing a four percent cut for the University of Nebraska.

Dr. Holcomb remarked the funding from state aid the College is receiving is nearly the same as in 2010. The College has reduced staff and made other reductions to the budget. Dr. Holcomb remarked continued reductions in

MONITORING REPORTS Nebraska Community College Association State Legislative Day the College budget cannot continue without affecting student success.

Board members suggested that the College prepare a clear graphic showing the reductions, which can be shared with the senators to show the results of the reduction in state aid.

MONITORING REPORTS Association of Community College Trustees There was no report from the Association of Community College Trustees.

**RECESS** 

Ms. Walworth declared a fifteen minute recess at 2:18 p.m.

**OPEN MEETING** 

Ms. Walworth declared the Open meeting in session at 2:31 p.m.

WESTERN NEBRASKA
COMMUNITY COLLEGE/
SCOTTSBLUFF CAMPUS
MAIN BUILDING ADDITION
AND RENOVATION
Update – Re: Addition/Renovation Project

Dr. Holcomb reported the exterior Construction Zones have been established and the fencing has been installed to designate the construction area. The former main entrance to the building is within the construction zone and no longer available for use. The entire south parking lot and a portion of the east parking lot are also within the construction zone and unavailable. The southwest parking lot will remain open for use.

Dr. Holcomb reported the new main entrance is now located on the west side of the building and signage should be in place when the Spring Semester begins. The new entrance is designated as Door 6.

The interior Construction Zone has also been established. The east hallway used to access the bathrooms, Little Theatre, Human Resources, Music Department and the President's office are no longer accessible. A wall has been constructed on the south side of the Commons area to eliminate access to the library and the front foyer. The elevator is available for use, as is the hallway for access to faculty offices, Information Technology, and Adult Education offices. Testing and tutoring has been relocated to D pod. The faculty/staff mailboxes are located in room G162.

Dr. Holcomb reported the Library has been relocated to the Harms Center, Room B120 and B121. During normal business hours, students and the public will have access to the library through Door 12 located on the northwest side WESTERN NEBRASKA
COMMUNITY COLLEGE/
SCOTTSBLUFF CAMPUS
MAIN BUILDING ADDITION
AND RENOVATION
Update – Re: Addition/Renovation Project
Cont.

of the Harms Center. Evening access to the Library will be through the main entrance of the Harms Center.

Dr. Holcomb reported Theatre Instructor, Mr. Thompson, and theatre classes are locating in the Lower Bays of the Harms Center. The Theatre Department is working hard to get their location established and finalized. Everyone is support each other and working together to share the space during the transition period.

Dr. Holcomb reported the demolition portion of the project is on schedule. It is anticipated the demolition will be completed by the end of January.

Resolution: Re Lease Purchase Financing Agreement with Western States Bank Mr. Kelly reported the Resolution the Board will consider to-day is to authorize the execution of Lease-Purchase agreement and related documents with Western States Bank for the purpose of financing the Scottsbluff Campus Main Building Addition and Renovation. The Resolution has been prepared by Bond Counsel. Mr. Kelly explained the terms of the Lease-Purchase Agreement whereby the Bank will lease the Project to the College. The College will become the tenant and will pay rent. At the time as the rent has been paid in full or provision made thereof, the Project shall become the property of the College.

Mr. Kelly reported it is legal and appropriate to utilize a Lease-Purchase Agreement to fund the project. The Lease exists as a vehicle to pay for the project.

Mr. Knapper reported a Lease Purchase Agreement is a unique legal concept that allows the College to fund the Renovation Project. Mr. Knapper reported since Western States Bank was selected Financial Institution to complete the Lease-Purchase Financing of the Renovation Project, he has been working with the bank to finalize the Lease-Purchase Agreement.

Mr. Knapper reported pursuant to the terms of the Agreement, the College will draw down funds as needed to avoid interest accrual. He reported the first \$2.7 million will be a Donor Bridge Amount used as a back stop for pledges made to the College Foundation. The interest rate is 3.34 percent, and Mr. Knapper anticipates the payoff of this amount will be made quickly. The remaining \$5.3 million will be paid from future Capital Improvement and Bond Fund tax levies over a twenty year period. The interest rate will be 3.49 percent and will be adjusted every five years in

accordance with the most recently published Wall Street Journal Prime Rate. The payoff on this on this amount will also be made as quickly as possible. Under the terms of the Agreement there is no prepayment penalty after five years.

Mr. Knapper reported the College has \$8 million in the bank, which will be used for the Renovation Project. The balance of the cash funds needed for the Project will be raised by the 2018-2019 Capital Improvement and Bond Fund Levy.

Mr. Perlinski moved a Resolution Authoring a Lease-Purchase Agreement with Western States Bank, Scottsbluff, Nebraska, relating to infrastructure improvements including construction and equipping of an addition to and renovation of the Main Building on the College's Scottsbluff Campus and related improvements and approving the execution of documents with respect to said Lease-Purchase Agreement be adopted as follows:

BE IT RESOLVED BY THE BOARD OF GOVERNORS OF WESTERN COMMUNITY COLLEGE AREA, as follows:

<u>Section 1</u>. The Board of Governors (the "Board") of Western Community College Area (the "College") do hereby find and determine as follows:

- (a) The College is a body corporate and political subdivision duly organized and existing under the laws of the State of Nebraska (the "State"), and pursuant to Chapter 85, Article 15, Reissue Revised Statutes of Nebraska, as amended (the "Act"), is authorized, subject to coordination by the Coordinating Commission for Postsecondary Education, to construct, lease, purchase, purchase on contract, operate, equip, and maintain facilities.
- (b) It is necessary for the College to finance various infrastructure improvements, including construction and equipping of an addition to and renovation of the main building on the College's Scottsbluff campus, and related improvements (collectively, the "Improvements") as described in the Lease Agreement presented herewith and in the Western Nebraska Community College Main Building Addition and Renovation Project Statement dated January, 2017.

(c) The College and Western States Bank, Scottsbluff, Nebraska (the "Bank") have proposed to enter into a Lease-Purchase Agreement in substantially the form presented with this resolution (the "Lease Agreement") among the College as Lessee, and the Bank as Lessor to finance the Improvements.

<u>Section 2</u>. The Board finds and determines that the College shall enter into the Lease Agreement for the purpose of financing the Improvements and that the documents for such financing should be approved and their execution authorized.

<u>Section 3</u>. The College hereby pledges a portion of moneys derived from annual taxes levied as necessary, after application of other funds available for the purpose, for rental payments under the Lease Agreement (and other outstanding obligations for which the College is obligated to provide funds to pay debt service) as authorized pursuant to Section 85-1517, R.R.S. Neb. 2014, as amended. The Board hereby covenants and agrees, so long as rental payments are due under the Lease Agreement, to make and continue to make for so long as permitted by law an annual levy on all the taxable property within its geographical area pursuant to Section 85-1517, R.R.S. Neb. 2014, as amended, which will be sufficient, along with any other funds available for the purpose, to enable the College to pay rental payments under the Lease Agreement as and when the same become due, and to take all actions required to provide funds to make such payments as may be required.

Section 4. The President of the College (the "College Area President") is hereby authorized and instructed to enter into the Lease Agreement for and on behalf of the College, whereby the College will lease and acquire the Improvements from the Bank. The Lease Agreement, in the form presented to this meeting, is hereby approved, together with such changes and modifications as the College Area President deems necessary, desirable or appropriate on behalf of the College.

<u>Section 5</u>. The License and Easement (the "License"), dated the date of the execution and delivery thereof, in the form presented to this meeting, is hereby approved, together with such changes and modifications as the College Area President deems necessary, desirable or appropriate on behalf of the College. The College Area

President is hereby authorized and instructed to enter into the License for and on behalf of the College, in connection with the Lease Agreement and the Improvements.

<u>Section 6</u>. The College Area President, and such other officers of the College as may be required, are hereby authorized and directed to execute and deliver on behalf of the College the Lease Agreement and the License, including necessary counterparts, both in substantially the forms and contents as presented to this meeting but with such changes and modifications therein as to them seem necessary, desirable or appropriate, as well as any and all other documentation related to the Lease Agreement and the License and Easement for and on behalf of the College, and said College Area President is further authorized and directed to execute and deliver, or cause to be executed and delivered, all such documents or certificates and do, or cause to be done, all other things necessary or appropriate to carry out the terms and intent of said Lease Agreement and License and Easement.

Section 7. The Board does further state that it is the intention of the College that the interest component of the rental payments payable under the Lease Agreement shall be excludable from gross income under the federal income tax by virtue of Section 103(a) of the Internal Revenue Code of 1986, as amended, and the College Area President is hereby authorized and directed to take all actions necessary and appropriate to carry out said intention and for obtaining such interest exclusion. The Lease Agreement is hereby authorized to be designated by the College Area President as the College's "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code, and such officers are hereby authorized to make any representations and warranties in connection therewith. The College hereby covenants, as and to the fullest extent that it may lawfully do so, to take all actions necessary to preserve the tax-exempt status of the interest payable with respect to the Lease Agreement.

Section 8. Without in any way limiting the power, authority, or discretion elsewhere herein granted or delegated, the College hereby (1) authorizes and directs all of the officers, employees, and agents of the College to carry out, or cause to be carried out, and to perform such obligations of the College and such other actions as they or any one of them shall consider necessary, advisable, desirable, or appropriate in connection with this resolution, and

the Lease Agreement including, without limitation and whenever appropriate, the execution and delivery thereof and of all other related documents, instruments, certifications, and opinions; and (2) delegates, authorizes, and directs the College Area President the right, power, and authority to exercise his or her own independent judgment and absolute discretion in determining and finalizing the terms, provisions, form, and contents of each of the documents related to the Lease Agreement and other documents described above. The execution and delivery by the College Area President and his or her approval of all changes, modifications, amendments, revisions, and alterations made therein shall conclusively establish their absolute, unconditional, and irrevocable authority with respect thereto from the College and the authorization, approval, and ratification by the College of the documents, instruments, certifications, and opinions so executed and the action so taken.

Section 9. In order to promote compliance with certain federal tax and securities laws relating to the Lease Agreement herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 10. If any one or more of the provisions of this resolution should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed severable from the remaining provisions of this resolution and the invalidity thereof shall in no way affect the validity of the other provisions of this resolution or of the Lease Agreement and the Bank shall retain all the rights and benefits accorded to them under this resolution and under any applicable provisions of law. If any provisions of this resolution shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid in any particular case in any jurisdiction or jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstances, or of rendering any other provision

or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

<u>Section 11</u>. This resolution shall take effect as provided by law.

### **Policy and Procedures**

Federal Tax Law and Disclosure Requirements for Tax-exempt Bonds and/or Build America Bonds

ISSUER NAME: <u>Western Community College Area, in the State</u> of Nebraska

COMPLIANCE OFFICER (BY TITLE): <u>Vice President of</u>
Administrative Services

#### **POLICY**

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds (or as direct pay build America bonds, as applicable) to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with its bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

#### **PROCEDURES**

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

<u>Training</u>. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <a href="http://www.irs.gov/taxexemptbond">http://www.irs.gov/taxexemptbond</a>, or

elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <a href="http://www.emma.msrb.org">http://www.emma.msrb.org</a>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

### Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the "Authorizing Proceedings"),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the "Tax Documents"):
  - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - (ii) Form 8038 series filed with the Internal Revenue Service;
  - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and

- (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.
- (c) the Issuer's continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the "Continuing Disclosure Obligations"), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer's bonds or relating to the Issuer's Continuing Disclosure Obligations.

Use and Timely Expenditure of Bond Proceeds. Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

Arbitrage Yield Restrictions and Rebate Matters. The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the "Code") and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

Use of Bond Financed Property. Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay

contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

Continuing Disclosure. Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

<u>Record Keeping</u>. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

<u>Incorporation of Tax Documents</u>. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

<u>VCAP and Remedial Actions</u>. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

Seconded by Ms. Anderson. The vote was, Yes: Perkins, Perlinski, Savely, Stickney, Anderson, Gramberg, Guzman-Gonzales, Klemke, Marcy, Packard, Walworth. No: None. Absent: None. Motion carried.

(A signed copy of the Resolution is attached in the official minute book.)

Ms. Richards reported she has a draft copy of the Lease Purchase Agreement and the License and Easement available for inspection.

# BOARD MEMBER COMMENTS

Ms. Walworth asked for Board member comments.

Ms. Anderson reported she attended the ribbon cutting ceremony for the Tri-City Roadrunner, which began service on January 10, 2018. There are two bus routes with more than 130 stops in Scottsbluff, Gering, and Terrytown. She thanked the College for providing free transportation for students.

Mr. Stickney highly recommended Board members read the book "The Vanishing American Adult." The book is written by Nebraska Senator Ben Sasse.

### PRESIDENT'S COMMENTS

Ms. Walworth asked for President's Comments.

Dr. Holcomb reported the Higher Learning Commission site visit to the College is scheduled for February 24-25, 2020. He remarked that although two years seems like a long time into the future, the visit is really just around the corner. He reported more than eighty College faculty and staff members will be involved in the preparation for site visit. Dr. Holcomb remarked he is looking forward to working with everyone as the College heads toward reaffirmation of Higher Learning Commission accreditation in 2020.

Dr. Holcomb announced the College has been awarded a \$20,000 grant from the Truth Initiative's Tobacco-Free College Program. Truth Initiative is America's largest non-profit public health organization dedicated to making tobacco use a thing of the past.

Dr. Holcomb reported College students will once again be preparing and filing tax returns at no cost. The College will begin offering "Free Filing Fridays" in the Williams Building on the Scottsbluff Campus.

## PRESIDENT'S COMMENTS Cont.

Dr. Holcomb reported Sidney Campus staff members have coordinated Entrepreneur/Business resource meetings in Sidney and Kimball. The purpose of these meetings is to connect State resources for funding and business start-up with potential or current business owners. He reported over fifty people attended these meetings. Another resource meeting will be held on January 19, 2018, in Sidney, NE.

Dr. Holcomb referred Board members to the handout materials which include three copies of the 2016-2017 Annual Report for the College. The information contained in the report will be helpful to Board members when they are visiting with their constituents, elected officials and other about how the College serves the Western Community College Area.

Dr. Holcomb asked for questions. There were none.

## UPCOMING MEETINGS AND EVENTS

Ms. Walworth reminded Board members of the following upcoming meetings and events:

- 1) The Association of Community College Trustees 2018 National Legislative Summit to be held on February 11 – 14, 2018, in Washington, D. C.
- 2) The Association of Community College Trustees 2018 ACCT Leadership Congress to be held October 24 27, 2018, at the Marriott Marquis, Times Square, in New York City, New York.
- 3) The Nebraska Community College Association 2018 Regular Meetings to be held as follows: a) First Quarter Meeting, January 19, 2018, in Lincoln, NE; b) Second Quarter Meeting to be held on May 7, 2018, in Lincoln, NE; c) Third Quarter Meeting to be held on August 6, 2018, in Lincoln, NE; and d) Fourth Quarter Meeting (Annual Meeting) to be held on November 5 and 6, 2018, in Norfolk, NE. 4) The Nebraska Community College Association State Legislative Day to be held on February 1, 2018, in Lincoln, NE. Ms. Walworth reminded Board members planning to attend this event to advise Ms. Richards as soon as possible.

**NEXT REGULAR MEETING** 

The next Regular meeting of the Western Community College Area Board of Governors will be held on Wednesday, February 21, 2018, at 1:00 p.m., in the Conference Room, Pioneer Activity Center, Western Nebraska Community College, Scottsbluff Campus, 1409 East 27th Street, Scottsbluff, Nebraska.

**ADJOURNMENT** 

The meeting was adjourned by unanimous consent at

2:49 p.m.

Julienne K. Walworth, Chairperson

Coral E. Richards, Secretary

#### CITY PLANNING COMMISSION REPORTS

- 1) Notice of a Public Hearing by the City Council of the City of Alliance to be held on January 16, 2018, to consider the following:
- a) Obtain comment prior to the consideration of a resolution of the City council approving a Redevelopment Plan for the below described area of the City which has previously been declared by the City Council as blighted and substandard and in need of redevelopment pursuant to the Nebraska Community Development Law. The area to be redeveloped is described as the north portion of Block 3, Syndicate Addition to the City of Alliance, in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska.
- 2) Notice of a Public Hearing by the City of Gering Planning Commission to be held on January 16, 2018, to consider the following:
- a) A conditional Use Permit/Special Exception application for a community facility in an AGG Zone (General Agricultural District) that will be used for indoor therapeutic horseback activities arena on a parcel pending a proper land survey. The property shall be described as a parcel approximately 200 feet x 200 feet and was the site of a former residence located west of 14th Street and South of Floral Street in the City of Gering, Scotts Bluff County, Nebraska.