

**METROPOLITAN COMMUNITY COLLEGE AREA
BOARD OF GOVERNORS
MEETING MINUTES
APRIL 25, 2023**

A meeting of the Board of Governors of the Metropolitan Community College Area was called to order at 6:30 p.m.

Chair Uhe asked Julie Lanxon to call the roll:

MEMBERS PRESENT

Brad Ashby, Vice Chair
Kristen DuPree
Adam Gotschall, Secretary, arrived 6:39 p.m.
Ron Hug, arrived at 7:19 p.m.
Phillip Klein
Theresa Love-Hug
Linda McDermitt, Assistant Secretary
Maureen Monahan, Treasurer
Zach Reinhardt, Vice Chair
Fred Uhe, Chair
Tammy Wright
Zach Pechacek, Faculty Ex Officio
Conrad Cusick, Student Ex Officio

Also Present: Randy Schmailzl, College President

Agenda Item 1d — Announcement of Posted Location of Open Meetings Act

Following the Pledge of Allegiance, the Chair reported that a copy of the Nebraska Open Meetings Act had been posted in the rear of the room.

Agenda Item 1e — Recording of Notice of Public Meeting

The Chair then reported on the recording of the Notice of Public Meeting and stated the following:

- 1. Proof of Publication, pursuant to Policy 10503 of the Board of Governors, in the form of an affidavit of an employee of the Omaha World-Herald, to the effect that notice of this meeting was published in that newspaper on April 14, 2023, and on the Omaha World-Herald website Omaha.com from April 14-20, 2023.*
- 2. Affidavit of College employee Julie Lanxon, to the effect that a copy of the published Notice of Meeting was transmitted to each member of the Board of Governors in a manner specified by Policy 10503 of the Board of Governors.*

The notice of the meeting stated that an agenda for this meeting, kept continually current, was available for public inspection at the principal office of the Board of Governors, Building No. 30, 30th and Fort Streets, Omaha, Nebraska, by making prior arrangements by calling 531-622-2415.

Without objection, the Chair of the Board ordered that the affidavits be attached to the minutes of the meeting and made a part of the official proceedings of the Board of Governors.

Agenda Item 2 — Public Comments

Rick Sandvig, MCC Foundation staff member, announced that the 14th annual MCC golf tournament will be held on Sunday, June 11 at Tiburon Golf Club. This fundraiser supports SkillsUSA students competing at Nationals SkillsUSA Championships this summer. A range of sponsorship levels are available. The event includes dinner, raffle tickets, and an auction to follow the golf outing. Sandvig is looking for auction items and will pick them up. Last year there were 94 golfers. To register go to mccneb.edu/Golf.

Agenda Item 3 — Report Agenda

Due to a technical issue, the report agenda items were adjusted to allow time for the issue to be rectified.

Agenda Item 3b — Ex Officio Board Members' Report

Student Ex Officio Representative Report

Cusick shared highlights from his written report, which featured updates on the Student Advisory Council (SAC) and various MCC student organizations and clubs. This month several MCC staff members introduced themselves to SAC and answered questions. In mid-April five Phi Theta Kappa (PTK) members attended the annual PTK All Nebraska Academic Student Luncheon in Lincoln, and PTK held their annual induction ceremony. Monahan asked what the students thought about meeting with MCC staff. Conrad said students were receptive of meeting staff and were able to get questions answered. He added that staff attending meetings is a good way to recruit more students to attend and participate in SAC meetings.

Faculty Ex Officio Representative Report

Pechacek introduced Laura Chambers, Humanities Instructor, and Susan Trinkle, Dean of Humanities and the Arts, who presented on happenings in the Humanities and the Arts department. Chambers provided an overview of actions taken to improve outreach with and efforts to digitize the African Art Collection, gifted to MCC by Dr. Natalie Hahn. The collection is located on the Fort Omaha Campus in Building 23. The department was awarded a grant to catalog MCC's public art collection, conduct interviews with Dr. Hahn about her experiences with the art, conduct research on the art collections, and other tasks. Chambers explained the African Art Collection is a working collection allowing student involvement in ways such as conducting research on the pieces, African students sharing personal stories about their experiences, writing essays on various works of art, and culinary students who are interested in the food scenes

depicted in the artwork. Chambers said they have a goal to educate more faculty on what the art means so they can use it with their classes. Wright asked if the art collection is open to the public. Chambers said it is. Trinkle shared they have been working with community groups and local schools to share the art collection. Ashby asked what Dr. Hahn's connection is to MCC. Trinkle stated that Dr. Hahn is a donor from Central City, Nebraska, who worked for the United Nations in Africa in the 1960s. Referring to the African Art Collection brochure, Wright asked Chambers and Trinkle to elaborate on the empowerment Hahn mentions in her biography. Chambers stated the video interviews provided an opportunity to record Dr. Hahn's career working in Africa, interactions with the African women, and how she brought her 4-H background into agricultural communities in Africa. Dupree asked if the African Art Collection is permanent. Chambers confirmed this is a permanent collection and will continue to grow. Wright asked if there are other art collections on campus that illustrate a story. Trinkle stated the majority of the work on campus is student artwork that is narrative, including the African art. Trinkle invited the Board members to attend the 23rd annual student art exhibition on April 26 at the Gallery of Art and Design on Elkhorn Valley Campus beginning at 6:00 p.m. Several scholarships will be awarded at the exhibition. Trinkle added that 12 of the 44 MCC medals recently received at Nebraska SkillsUSA were awarded to students in the Department of Humanities and the Arts in the areas of digital cinema, advertising design, photography, and tv/video production. Luke Achterberg, an artist from La Crosse, Wisconsin, was selected for the public art call for the Automotive Training Center. He was recently on campus to deliver phase one of the piece, which will be painted by MCC automotive students and faculty. Trinkle thanked the Board for passing a resolution to budget for art in public buildings and for supporting the arts.

Agenda Item 3a — Fiscal Year 2021-22 Audit Report

Brenda Schumacher, College Business Officer, introduced Brenda Scherer, Signing Director, and Chelsey Wegner, Senior Auditor, with CliftonLarsonAllen, LLP, who presented on the audit findings for the fiscal year 2021-22 via Zoom.

The audit presentation was included in the board packet materials. The full audit report and management letters were included with the resolution in agenda item 6g. This year's audit was completed later than originally scheduled due to the implementation of a new governmental accounting standard regarding leases.

MCC received an unmodified opinion for the financial statements and single audit, which is the highest level of audit report. There were two single audit findings with significant deficiencies, and the recommendation is to regularly conduct financial aid check reviews and make the HEERF reporting website accessible on one webpage instead of multiple webpages. Management has a corrective action plan in place for both findings. Two other matters that are opportunities to strengthen internal control and improve efficiency of operations were also provided to governance but not to the Department of Education. The recommendations are to tighten user restriction access and to have the return of Title IV (R2T4) review process more fully documented.

Scherer stated the 2023 audit plan is to conduct the full-time equivalent (FTE) and single fund audit (SFA) audit in July and the financial audit statement and single financial audits in September.

DuPree asked if peer institutions had similar findings regarding HEERF funds. Scherer responded that 80% of their clients had reporting issues because regulations were changing often and if a deadline was missed it was reported as a finding. Uhe asked Schumacher to summarize the management plan to rectify the findings. Schumacher responded that there is a process in place for the financial aid checks that were over 240 days old but they ran out of time to get the documentation of that process finished before the audit began. Regarding the HEERF website, Schumacher stated that HEERF reporting was to be on one webpage instead of two pages which was not an issue in previous years; however, HEERF funding expires and this will no longer be an issue.

Agenda 3c — Chair of the Board's Report

Uhe mentioned the list of upcoming MCC activities Board members are invited to attend. He thanked Sandvig for sharing about the golf tournament. Uhe thanked the Board members who joined him at the first spring GED graduation held earlier this month.

Agenda 3d — Board Members' Reports

Dupree thanked the staff for planning and hosting the Earth Day Celebration at Yates Illuminates, which was centered on sustainability and STEM.

Agenda 3e — Presidents' Report

Legislative Update

Dave Friend, MCC Chief of Police, explained that LB 77 (carry a concealed weapon without a permit), which was recently signed into law, will not impact MCC. Friend highlighted some definitions and significant changes to the bill for carrying a concealed weapon without a permit. Friend noted this bill specifically states that carrying a concealed weapon on a community college campus is prohibited unless it is an approved activity. Klein asked if this bill addresses other intoxicants other than alcohol. Friend explained that it does; however, the person has to be tested and there is language about prescribed dosages. Monahan asked if MCC has had any policy violations related to firearms. Friend stated that some students have self-reported to the MCC Police Department that they have a conceal to carry permit and have the weapon locked in their vehicle.

Schmailzl explained that LB 616 and 617, bills related to the CHIPS for America Act, have been packaged together as AM 1379 to LB 92 which is a "Christmas tree" bill for the Banking, Commerce and Insurance Committee. As part of AM 1379, MCC would be awarded \$20 million to assist with workforce development in the microchip field. The other intent is to get 25% state matching funds for microchip companies coming to

Omaha for a total of \$1 billion. The things that could hurt the chances of this bill successfully being passed are the budget discussion and the potential for the legislature timing out. Schmailzl stated he has meetings scheduled with the US Commerce Department to make sure Nebraska is in line for the CHIPS Act funds. More to come. Maureen asked if this bill was on final reading. Schmailzl replied the bill is headed to select file next.

Schmailzl mentioned LB 783 (eliminate the levy authority of community college areas) is now part of LB 243 as AM 655. The amendment was approved 41-0. Among its provisions, the amendment ensures community colleges would still have levy authority, however 7.5 cents' worth would be replaced with state appropriations while the current 2-cent capital rate could still be levied by the elected community college Boards. The amendment also incorporates guaranteed annual increases and safeguards continuing levy authority if needed. LB 243 will not go to the floor until the budget is approved in early May.

Gotschall asked what problems could be faced with the CHIPS bill. Schmailzl stated the legislature running out of time is the biggest concern. He stated there is more confidence with this bill being part of the package because the CHIPS bill and LB 92 is too important not to move forward. Another problem would be the state not having enough funds to support the 25% match for companies to build microchip factories. Schmailzl stated he will keep the Board updated. Klein asked if all 50 states are applying for the CHIPS Act. Schmailzl stated seven to ten states are applying, with Kansas and New York being two of the big players. Klein asked if it helps or hurts that the federal administration and Nebraska's administration are different political parties. Schmailzl stated party lines are not a factor. Gotschall asked if the recent infrastructure upgrades put Nebraska ahead of other states. Schmailzl stated that the natural resources, low costs (water, natural gas, electricity), open spaces, work ethic, and reputation give Nebraska competitive advantages.

Budget Calendar

Schmailzl noted that administration is working towards providing the Board a draft of the budget at the June 27 Board meeting to allow the Board extra time to discuss and ask questions before the final President's budget is presented in July. Uhe added that getting the Board as much information early allows members more time to ask questions for the administration and discuss as a group to stay on track to meet the State's filing deadlines.

Agenda 3f — Regular Reports

No comments. No questions were asked.

Agenda 3g — Quarterly Reports

No comments. No questions were asked.

Agenda Item 4 — Consent Agenda Items

Items remaining on the consent agenda are 6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6k.

Agenda Item 5 — Items Removed from Consent Agenda (if any)

Removed from the consent agenda item 6j with a motion to approve by Reinhardt. Hug amended to remove agenda item 6i from the consent agenda. Reinhardt agreed to the amendment to remove both 6i and 6j from the consent agenda.

Agenda Item 6 — Action Agenda

Agenda Item 6a — Consideration of Approval of Minutes of March 25, 2023, Board of Governors Workshop, Board Doc. 7933

Agenda Item 6b — Consideration of Approval of Minutes of March 28, 2023, Board of Governors Meeting, Board Doc. 7934

Agenda Item 6c — Consideration of Resolution Approving Personnel Appointments and Separations, Board Doc. 7935

WHEREAS, Per Board Policy 60205, the Board of Governors shall have final approval of all full-time contracts for administrative, support, and faculty personnel.

NOW THEREFORE BE IT RESOLVED that the following appointments and employment contracts be approved by the Board of Governors:

<u>Position</u>	<u>Name</u>	<u>Contract Period</u>	<u>Contract Salary</u>
Career Skills Coach	Tylynda Lewis	05/01/2023-06/30/2023	\$ 9,741.60
		07/01/2023-06/30/2024	\$56,500.00
Career Skills Coach (Earn and Learn)	Alyssa Olvera	05/15/2023-06/30/2023	\$ 7,643.65
		07/01/2023-06/30/2024	\$57,000.00
Coordinator of Federal Work- Study Programs	Zohal Mahmoodi	05/01/2023-06/30/2023	\$10,086.30
		07/01/2023-06/30/2024	\$58,500.00
Director of Adult Education	Deana Tsabak	05/16/2023-06/30/2023	\$11,268.28
		07/01/2023-06/30/2024	\$86,500.00
Director of STEM Community and Program Engagement	Pamela Petersen	06/19/2023-06/30/2023	\$ 3,352.50
		07/01/2023-06/30/2024	\$87,500.00
Information Technology Instructor	Steven Saunders	08/28/2023-05/23/2024	\$66,527.00
South Express Operations Coordinator	Claudia Cano	05/01/2023-06/30/2023	\$11,709.00
		07/01/2023-06/30/2024	\$67,912.00

BE IT FURTHER RESOLVED that the following separations be acknowledged and accepted by the Board of Governors:

<u>Position</u>	<u>Name</u>	<u>Effective Date</u>
Associate Registrar	Fallon Watts	04/12/2023
Chef de Cuisine	Erik Rickard	03/24/2023
Reading and Learning Skills Instructor	Christopher Watson	05/03/2023
Workforce Training Manager	Samuel Dickson	04/26/2023

Agenda Item 6d — Consideration of Resolution Approving Reappointment of Exempt (Administration/Professional) Staff for 2023-24, Board Doc. 7936

BE IT RESOLVED, that Board Doc. No. 7936a entitled, "Reappointment of Administrative/Professional Staff for 2023-24" be, and hereby is, officially adopted by the Board of Governors; and

BE IT FURTHER RESOLVED, that those Professional employees who have submitted written notification of their intent to separate from College employment will be listed on the May 2023 resolution of Personnel Separations.

Agenda Item 6e — Consideration of Resolution Approving Reappointment of Faculty for 2023-24, Board Doc. 7937

BE IT RESOLVED, that Board Doc. No. 7937a entitled, "Reappointment of Faculty for 2023-24" be, and hereby is, officially adopted by the Board of Governors; and

BE IT FURTHER RESOLVED, that those Professional employees who have not signed and returned their 2023-24 Notice of Appointment will be listed on the May 2023 resolution of Personnel Separations.

Agenda Item 6f — Consideration of Resolution Approving Reappointment of Academic Advisors and Counselors for 2023-24, Board Doc. 7938

BE IT RESOLVED, that Board Doc. No. 7938a entitled, "Reappointment of Academic Advisors and Counselors for 2023-24" be, and hereby is, officially adopted by the Board of Governors; and

BE IT FURTHER RESOLVED, that those Professional employees who have not signed and returned their 2023-24 Notice of Appointment will be listed on the May 2023 resolution of Personnel Separations.

Agenda Item 6g — Consideration of Resolution Accepting the Independent Auditors' Reports on the Financial Statements and Single Audit Reports; and the Statements of Reimbursable Full-Time Equivalent Student Enrollment and Reimbursable Educational Units for the Year Ended June 30, 2022, Board Doc. 7939

BE IT RESOLVED, that the Board of Governors of Metropolitan Community College hereby accepts the Independent Auditors' Reports on the Financial Statements and Single Audit Reports; and the Statements of Reimbursable Full-Time Equivalent Student Enrollment and Reimbursable Educational Units for the year ended June 30, 2022, Board Doc. No. 7939a, as presented by CliftonLarsonAllen, LLP.

Agenda Item 6h — Consideration of Resolution Approving the Renewals of Microsoft Campus Agreement, Student and Campus Desktop with Enterprise Client Access License, Office 365, and Azure Cloud Services, Board Doc. 7940

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby approves the renewals of Microsoft Campus Agreement, Student and Campus Desktop with Enterprise Client Access License, Office 365, and Azure Cloud services in the amount of \$427,211.47 using consortium contract pricing with such modifications, changes, and amendments, as the President, in consultation with the College legal counsel, may deem appropriate and in the best interests of the College.

Agenda Item 6k — Consideration of Resolution Accepting Bid for Control Upgrades at South Omaha Campus, Including Mahoney, Connector, Library, and South Express Buildings, Board Doc. 7943

***BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area hereby accepts the bid for control system upgrades for South Omaha Campus, including Mahoney, Connector, Library, and South Express Buildings, and authorizes the President to negotiate, sign, and implement such Agreement with Woodman Electrical Contractors, Inc. DBA Woodman Controls Company, in an amount not to exceed \$748,182 plus associated fees, as the President, in consultation with College legal counsel, may deem appropriate and in the best interests of the College.*

MOTION: Reinhardt moved to approve the consent agenda without agenda items 6i and 6j; Gottschall seconded the motion.

Kristen DuPree, yes
Adam Gotschall, yes
Ron Hug, yes
Phillip Klein, yes
Theresa Love-Hug, yes
Linda McDermitt, yes
Maureen Monahan, yes
Zach Reinhardt, yes
Fred Uhe, yes
Tammy Wright, yes
Brad Ashby, yes

Motion carried.

Agenda Item 6i — Consideration of Resolution Recognizing the 2023 Metropolitan Community College Distinguished Alumni Award Recipient, Board Doc. 7941

***WHEREAS**, the College annually honors and celebrates the achievements of an outstanding MCC graduate with the Distinguished Alumni Award; and,*

***WHEREAS**, the Distinguished Alumni Award is for someone who has demonstrated the value and importance of an MCC education, and has given back to the College and to the community in significant ways; and,*

***WHEREAS**, Marie Ouedraogo, MCC Class of 2019, has used her Associate in Applied Science – Prototype Design and Career Certificate – Computer Aided Drafting (2018) to transfer to the University of Nebraska-Omaha, and is now a senior majoring in Electrical and Computer Engineering; and,*

***WHEREAS**, Ms. Ouedraogo volunteers in the community to empower kids to develop in mathematics, science, and technology by making these concepts easier for children to understand;*

***WHEREAS**, Ms. Ouedraogo helps create projects to develop children’s motor and social skills and help them in their studies; and*

***WHEREAS**, as a former student ex-officio of the Metropolitan Community College Board of Governors (2018-2019), she remains connected to and supportive of student services; and,*

NOW THEREFORE BE IT RESOLVED that the Metropolitan Community College Board of Governors hereby recognizes Marie Ouedraogo, MCC class of 2019, as the 2023 MCC Distinguished Alumni Award Recipient.

MOTION: Hug moved to approve agenda item 6i; Reinhardt seconded the motion.

Hug removed this resolution from consent to take a moment to recognize the Distinguished Alumni Award recipient. Tom McDonnell, vice president for academic affairs, shared that Ms. Ouedraogo is a former Board student ex-officio representative, and she will be recognized at the upcoming MCC Foundation Scholars Reception. Board members are invited to attend and congratulate her in person. This resolution is so the Board can officially recognize her.

Adam Gotschall, yes
Ron Hug, yes
Phillip Klein, yes
Theresa Love-Hug, yes
Linda McDermitt, yes
Maureen Monahan, yes
Zach Reinhardt, yes
Fred Uhe, yes
Tammy Wright, yes
Brad Ashby, yes
Kristen DuPree, yes

Motion carried.

Agenda Item 6j — Consideration of Resolution Approving the Tuition and Fee Schedule for 2023-24 and 2024-25, Board Doc. 7942

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area approves continuing the current Nebraska resident tuition rate for 2023-24 at \$68 per quarter credit hour, and the non-resident rate at 150% of the resident rate, \$102 per quarter credit hour; and,

BE IT FURTHER RESOLVED, that the Board of Governors of the Metropolitan Community College Area approves increasing the Nebraska resident tuition rate for 2024-25 to \$70 per quarter credit hour, and increasing the non-resident tuition rate to \$105 per quarter credit hour, 150% of the resident tuition rate, such rates to remain in effect until otherwise directed by the Board of Governors; facility fees will remain unchanged at \$5 per quarter credit hour; and,

BE IT FURTHER RESOLVED, that in addition, this resolution will continue allowing Nebraska high school students taking classes at MCC to enroll tuition free until further notice by the Board. Tuition for Nebraska high school students will be paid for by a combination of American Rescue Plan Act (ARPA) funds, state funds, and College institutional funds. The \$5 per quarter credit hour facilities fee will be waived for Nebraska high school students, but they will be responsible to pay for books and any required course specific fees, when applicable; and,

BE IT FURTHER RESOLVED, that upon termination of the free tuition for Nebraska high school students program by the Board of Governors, Nebraska high school students enrolled in College classes will be responsible to pay the then current high school student rates for tuition and fees.

BE IT FURTHER RESOLVED, that the Board of Governors of the Metropolitan Community College Area directs that the \$5 per quarter credit hour facility fee continue to be directed to the Capital Fund and to remain in effect until otherwise directed by the Board of Governors; and,

BE IT FURTHER RESOLVED, that the Board of Governors of the Metropolitan Community College Area authorizes the College President to adjust tuition and fee charges for special programs and corporate and workforce training based on market conditions and customer needs.

MOTION: Hug moved to approve agenda item 6j; Gotschall seconded the motion.

Ashby stated he removed this resolution because he feels this is not the time to increase tuition for students, due to the economy and receiving a windfall on property tax. Board members discussed this item at length and looked at different options. Schmailzl reminded the Board that this is a two-year proposal and they could always come back the second year and re-evaluate tuition and offer a resolution to adjust the tuition rate. Hug asked if anyone wanted to consider making a motion to amend the current resolution to a \$1 increase for 2023-24 and a \$1 increase for 2024-25. Hug then corrected himself to suggest no raise for 2023-24 and a \$1 increase for 2024-25. No one motioned to amend the resolution. Uhe called the question on the original resolution.

Ron Hug, yes
Phillip Klein, yes
Theresa Love-Hug, yes
Linda McDermitt, yes
Maureen Monahan, yes
Zach Reinhardt, yes
Fred Uhe, yes
Tammy Wright, yes
Brad Ashby, no
Kristen DuPree, yes
Adam Gotschall, yes

Motion carried.

Agenda Item 7 — Adjournment

MOTION: Hug moved to adjourn the meeting; Klein seconded the motion.

Phillip Klein, yes
Theresa Love-Hug, yes
Linda McDermitt, yes
Maureen Monahan, yes
Zach Reinhardt, yes
Fred Uhe, yes
Tammy Wright, yes
Brad Ashby, yes
Kristen DuPree, yes

Adam Gotschall, yes
Ron Hug, yes

Motion carried. The meeting was adjourned at 7:55 p.m.

Adam Gotschall, Secretary, Board of Governors

Date



AFFIDAVIT

State of Colorado, County of Denver, ss:

I, Samuel Stern, being of lawful age, being duly sworn upon oath, hereby depose and say that I am agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Omaha World Herald, a legal daily newspaper printed and published in the county of Douglas and State of Nebraska, and of general circulation in the Counties of Douglas, and Sarpy and State of Nebraska, and that the attached printed notice was published in said newspaper on the dates stated below and that said newspaper is a legal newspaper under the statutes of the State of Nebraska.

PUBLICATION DATES:
14 Apr 2023

NOTICE NAME: 04 25 23 Board notice

PUBLICATION FEE: \$39.10
Samuel Stern

(Signed) _____

VERIFICATION

State of Colorado
County of Denver

BO-SHAN XIANG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224021973
MY COMMISSION EXPIRES JUNE 2, 2026

Subscribed in my presence and sworn to before me on this: 04/14/2023

Notary Public

Notarized online using audio-video communication

NOTICE OF MEETING

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area will meet on Tuesday, April 25, 2023, commencing at 6:30 o'clock P.M. at the Fort Omaha Campus, 32nd & Sorensen Parkway, in the Mule Barn, Building 21, Room 112, Omaha, Douglas County, Nebraska, which meeting will be open to the public. An agenda for such meeting, kept continually current, is readily available for public inspection at the principal office of said Board of Governors, 30th & Fort Streets, Building 30, Omaha, Nebraska, during normal business hours.

Fred Uhe
Chair, Board of Governors
2023, (4) 14 - Fridays, ZNEZ