A meeting of the Board of Governors of the Metropolitan Community College Area was called to order at 6:30 p.m., in Building #21, the Mule Barn, Fort Omaha Campus, 32nd Street and Sorensen Parkway, Omaha, Douglas County, Nebraska.

MEMBERS PRESENT
Erin Feichtinger
Roger Garcia
Steve Grabowski, Chair
Ron Hug
Phillip Klein
Linda McDermitt, Treasurer
Maureen Monahan, arrived at 7:00 p.m.
Angela Monegain
Dave Pantos, Secretary
Fred Uhe
Michael Young
Joy Schulz, Ex Officio Faculty
Tonya Glather, Ex Officio Student

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 at the back of the room. A copy was made available for public inspection.

The Chair asked for cell phones to be silenced or turned off.

Agenda Item 1e—Approval of Notice of Public Meeting

The Chair then reported on the Notice of Public Meeting and presented 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 September 6, 2019; and

2. Affidavit of College employee Rita Eyerly 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, during normal business hours. 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.

**MOTION:** Hug moved to excuse the absence of Monahan; Young seconded the motion.

Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monegain, yes
Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes

Motion carried.

**Agenda Item 2—Public Comments**

There were no public comments.

**Agenda Item 3—Public Hearing and Budget Action Agenda Items**

**Agenda Item 3a—Consideration of Resolution Amending the Proposed MCCA Board of Governors’ Budget for 2019-20, Board Doc. 7587**

BE IT RESOLVED, that in consideration of information that has become available since the budget was first prepared, the Board of Governors of the Metropolitan Community College Area does hereby amend the proposed MCCA Board of Governors’ Budget Statement for 2019-20 as follows:

<table>
<thead>
<tr>
<th>Proposed Budget</th>
<th>Amended Proposed Budget</th>
<th>Difference Increase/ (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>General Fund Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Aid Allocation</td>
<td>27,163,595</td>
<td>27,323,390</td>
</tr>
<tr>
<td>Property Tax Revenue</td>
<td>53,167,585</td>
<td>53,263,895</td>
</tr>
<tr>
<td>Tuition &amp; Fees</td>
<td>28,000,000</td>
<td>28,000,000</td>
</tr>
<tr>
<td>Other Income</td>
<td>1,600,000</td>
<td>1,600,000</td>
</tr>
<tr>
<td><strong>Total General Fund</strong></td>
<td><strong>109,931,180</strong></td>
<td><strong>110,187,285</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Assessed Valuations</strong></td>
<td>71,599,015,327</td>
<td>71,728,712,059</td>
</tr>
</tbody>
</table>
### Property Tax

#### General Fund

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Revenue</td>
<td>53,167,585.00</td>
<td>53,263,895.00</td>
<td>96,310.00</td>
</tr>
<tr>
<td>County Treasurer's Commission</td>
<td>531,675.85</td>
<td>532,638.95</td>
<td>963.10</td>
</tr>
<tr>
<td>Tax Requirement</td>
<td>53,699,260.85</td>
<td>53,796,533.95</td>
<td>97,273.10</td>
</tr>
<tr>
<td>Tax Rate (cents per $100)</td>
<td>7.500</td>
<td>7.500</td>
<td>0.000</td>
</tr>
</tbody>
</table>

#### Capital Fund

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Revenue</td>
<td>14,178,022.80</td>
<td>14,203,705.00</td>
<td>25,682.20</td>
</tr>
<tr>
<td>County Treasurer's Commission</td>
<td>141,780.23</td>
<td>142,037.05</td>
<td>256.82</td>
</tr>
<tr>
<td>Tax Requirement</td>
<td>14,319,803.03</td>
<td>14,345,742.05</td>
<td>25,939.02</td>
</tr>
<tr>
<td>Tax Rate (cents per $100)</td>
<td>2.000</td>
<td>2.000</td>
<td>0.000</td>
</tr>
</tbody>
</table>

#### Hazardous/Handicap Fund

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Revenue</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>County Treasurer's Commission</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Tax Requirement</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Tax Rate (cents per $100)</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
</tbody>
</table>

#### Total Tax

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Tax Revenue</td>
<td>67,345,607.80</td>
<td>67,467,600.00</td>
<td>121,992.20</td>
</tr>
<tr>
<td>County Treasurer's Commission</td>
<td>673,456.08</td>
<td>674,676.00</td>
<td>1,219.92</td>
</tr>
<tr>
<td>Tax Requirement</td>
<td>68,019,063.88</td>
<td>68,142,276.00</td>
<td>123,212.12</td>
</tr>
<tr>
<td>Tax Rate (cents per $100)</td>
<td>9.500</td>
<td>9.500</td>
<td>0.000</td>
</tr>
</tbody>
</table>

#### Total Unused Restricted Funds Authority

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>26,994,056.86</td>
<td>26,711,049.74</td>
<td>(283,007.12)</td>
</tr>
</tbody>
</table>

Grabowski stated this item is for the Board of Governors to consider amendments to the Proposed MCCA Board of Governors Budget Statement for 2019-20. He asked Schmailzl to explain further.

Schmailzl stated the resolution to amend the proposed budget for 2019-20 reflects the updated budget property tax revenues and state aid that have been finalized since the July Board meeting. The state revenue changes are based on enrollments at the Nebraska Community Colleges. This was a challenging year to project property tax revenues due to the spring floods and the valuation updates at the county level.

Grabowski requested a motion and a second to approve the President’s proposed budget amendments for 2019-20.

**MOTION**: Young moved to approve the amended proposed budget for 2019-20; McDermitt seconded the motion.

Grabowski asked if there were any comments or other motions to further amend the resolution. Hearing none, the roll call vote was taken.

Roll call vote on Agenda Item 3a.
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monegain, yes
Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes

Motion carried.

**Agenda Item 3b—Special Public Hearing to Set final Property Tax Request for Fiscal Year 2019-20 at an Amount that Exceeds the Final Property Tax Request for Fiscal Year 2018-19**

Grabowski stated this special public hearing is to set the final property tax request for the fiscal year 2019-20 at an amount that exceeds the final property tax request for 2018-19. He stated he had before him the Notice of Special Public Hearing and the affidavit of publication of the Notice and directed they be made a part of the minutes of this meeting.

**NOTICE OF SPECIAL PUBLIC HEARING**

**METROPOLITAN COMMUNITY COLLEGE AREA IN DODGE, DOUGLAS, SARPY AND WASHINGTON COUNTIES, NEBRASKA**

PUBLIC NOTICE is hereby given, in compliance with Nebraska Statutes Section 77-1601.02, as amended, that the governing body of Metropolitan Community College Area will meet on the 17th day of September, 2019, at 6:30 p.m., on the Fort Omaha Campus, in the Mule Barn, Board Room #112, Building #21, 32nd Street and Sorensen Parkway, Omaha, Douglas County, Nebraska, to hold a special public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting a final property tax request for fiscal year 2019-20 to be considered by the governing board of the Metropolitan Community College Area at an amount that exceeds the final property tax request for fiscal year 2018-19.

The following information is provided pursuant to Nebraska statutes:

1) **Certified Taxable Valuation under Nebraska Statutes Section 13-509 for Prior Year (2018):** $66,965,756,065
2) **Certified Taxable Valuation under Nebraska Statutes Section 13-509 for the Current Year (2019):** $71,728,712,059
3) **Percentage Increase or (Decrease) in Certified Taxable Valuations from the Prior Year to the Current Year:** 7.1%
4) **Amount of Prior Year’s (2018-19) Tax Request:** $ 63,617,468
5) 2018-19 Property Tax Rate Necessary to Fund 2018-19 Tax Request: .095000

6) Property Tax Rate that would be Necessary to Fund Last Year’s (2018-19) Property Tax Request if Applied to Current Year’s (2019) Valuation: .088692

7) Proposed Property Tax Request for Current Year (2019-20): $ 68,019,064*

8) Property Tax Rate Necessary to Fund 2019-20 Proposed Property Tax Request if Applied to 2019 Valuation: .094828*

9) Proposed 2019-20 Property Tax Rate: .095000*

10) Percentage Increase or (Decrease) in the Property Tax Rate from the Prior Year (2018-19) to the Current Year (2019-20): 0.0%*

11) Percentage Increase or (Decrease) in the Total Operating Budget from the Prior Year (2018-19) to the Current Year (2019-20): 12.4%

*Since the final valuation of taxable property reported in August by Dodge, Douglas, Sarpy and Washington counties was different than the estimated valuation used in calculating the current proposed 2019-20 property tax request and rate, line 8 shows a different calculated tax rate than the current proposed 2019-20 property tax rate of 9.5 cents. Before the governing board of the Metropolitan Community College Area adopts a budget at this September meeting, it is anticipated the proposed 2019-20 property tax request will be amended to $68,142,276 and the tax rate will remain 9.5 cents.

Dave Pantos, Secretary
Board of Governors

Grabowski requested a motion and a second to open the public hearing.

MOTION: Hug moved to open the public hearing; McDermitt seconded the motion.

Hug, yes
Klein, yes
McDermitt, yes
Monegain, yes
Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Motion carried.

Grabowski declared the public hearing open and asked that Schmailzl explain this item.

Schmailzl explained for the current year, using the same levy rate, the adjusted final valuation will bring in $68,142,276 to the revenue side of the College budget. This is a 7.1% increase.

The total increase in the College budget for the 2019-20 fiscal year is 12.4% but the General Fund operating budget is only going up 4.1%. Schmailzl noted that capital expenditure budget reflects the projects supported by donations for the South Omaha Campus renovation project.

Grabowski asked if there were any members of the public who wished to be heard on the proposal. He also noted this public hearing fulfills legislative statute for public hearing for full transparency among public subdivisions.

Hearing no public input or comments, Grabowski asked for a motion to close the public hearing.

**MOTION:** Young moved to close the public hearing; Pantos seconded the motion.

Klein, yes
McDermitt, yes
Monegain, yes
Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes

Motion carried.

The public hearing was considered closed.

**Agenda Item 3c—Consideration of Resolution Adopting the MCCA Board of Governors’ Budget Statement, as Amended, Approving the Amount of Property Tax Required to Fund the Budget, and Setting of the Property Tax Levy for 2019-20, Including Levy for the Amount of Property Taxes for Capital Improvements, Board Doc. 7588**

**BE IT RESOLVED,** that the Board of Governors of the Metropolitan Community College Area does hereby approve the Budget Statement identified as MCCA Board Doc. No. 7572a for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as amended, including restricted funds, and the amount of unused restricted funds authority carried forward to future budget years necessary to
preserve total restricted funds authority, as set forth in 2019-20 CC Budget Form (the permissible additional 1% restricted funds authority per Nebraska Statutes Section 13-519(2) was considered and approved by separate resolution with the affirmative vote of at least 75% of the Board of Governors) and that the Secretary or Assistant Secretary of the Metropolitan Community College Area be, and hereby is, authorized and directed to certify a copy of said Budget Statement, attach copies of the Proofs of Publication of the Notices of Hearing thereon, and file same, together with the amount to be received from personal and real property taxation to fund the Budget, with the Boards of Equalization of Dodge, Douglas, Sarpy, and Washington Counties, Nebraska, on or before September 20, 2019, and with the Auditor of Public Accounts of the State of Nebraska; and

BE IT FURTHER RESOLVED, that the Board of Governors of the Metropolitan Community College Area does hereby set at $68,142,276 the amount of tax required to fund the Budget Statement, and that of such tax requirement, $0.00 shall be the amount levied for payment of principal and interest on bonds issued by the College Area and $68,142,276 shall be the amount levied for all other purposes, and further that the Secretary or Assistant Secretary of the Metropolitan Community College Area be and hereby is authorized and directed to file with and certify those tax requirements to the Boards of Equalization of Dodge, Douglas, Sarpy, and Washington Counties, Nebraska, on or before September 20, 2019, and file the same with the Auditor of Public Accounts of the State of Nebraska; and

BE IT FURTHER RESOLVED, that the Board of Governors of the Metropolitan Community College Area does hereby set the tax levy for said Area for its fiscal year beginning July 1, 2019, and ending June 30, 2020, at 9.50 cents per hundred dollars on the taxable valuation of all property subject to the levy within the Area; and, further, that 7.50 cents of said total tax levy shall be for the purpose of supporting operating expenditures of the Metropolitan Community College Area and 2.00 cents of said total tax levy shall be for the purpose of establishing a capital improvement fund and bond sinking fund or for other permissible purposes authorized by Neb. Rev. Stat. Section 85-1517; and further that the Secretary or Assistant Secretary of the Metropolitan Community College Area be, and hereby is authorized and directed to file a copy of these resolutions with the County Clerks and Boards of Equalization of Dodge, Douglas, Sarpy, and Washington Counties, Nebraska, and with the Auditor of Public Accounts of the State of Nebraska; and

BE IT FURTHER RESOLVED, that certified taxable values as provided by the County Assessors pursuant to Neb. Rev. Stat. Section 13-509 shall be used in setting or certifying the tax levy. The Board of Governors of the Metropolitan Community College Area hereby authorizes and directs the Secretary or Assistant Secretary of the Board, prior to certifying the levy to the respective Clerks and Boards of Equalization of the four counties within the College Area, to review, or cause to be reviewed, the certified valuations to determine that they do not vary sufficiently from the valuations used by the Board so as to require a levy of a different amount in order to raise the amount stated in the Board's Adopted Budget Statement—2019-20 to be raised by taxation, and if such a variance does exist, to adjust the Board's levy so that the Board's levy is consistent with certified valuations; and

BE IT FURTHER RESOLVED, that the Board of Governors of the Metropolitan Community College Area does hereby authorize and direct a designated member of the Board of Governors, or its representative, to appear and present the approved budget at the hearing of any represented county which requests in writing such an appearance and presentation; and

BE IT FURTHER RESOLVED, that the Secretary or Assistant Secretary of the Board is hereby authorized to direct and to take such other actions as necessary or appropriate to carry out budget-related Resolutions approved or unapproved at this meeting of the Board of Governors in accordance with applicable law.

Grabowski stated this item is for the Board of Governors to consider adopting the Proposed MCCCA Board of Governors Budget Statement for 2019-20 as amended, approving the amount of property tax required to fund the budget, and setting the
property tax levy for 2019-20, including the levy for the amount of property taxes for capital improvements.

Grabowski asked Schmailzl to explain the resolution. Schmailzl explained the resolution is to adopt the budget based on the numbers in the resolution and previous explanation.

Grabowski requested a motion and second to adopt the Resolution Adopting the Proposed MCCA Board of Governors Budget Statement for 2019-20 as Amended, Approving the Property Tax Required to Fund the Budget, and Setting the Property Tax Levy for 2019-20, Including the Levy for the Amount of Property Taxes for Capital Improvements.

**MOTION**: Hug moved to approve Agenda Item 3c; Young seconded the motion.

Grabowski asked if there were any further discussion on this item. Hearing none, he asked for roll call:

McDermitt, yes
Monegain, yes
Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes

10 yes votes. Motion carried.

**Agenda Item 3d—Consideration of Resolution Setting the Final Property Tax Request for Fiscal Year 2019-20 at an Amount that Exceeds the Final Property Tax Request for Fiscal year 2018-19, Board Doc. 7589**

**BE IT RESOLVED**, that the following information is provided:

(a) The name of the political subdivision: Metropolitan Community College Area;
(b) The amount of the property tax request for fiscal year 2019-2020: $68,142,276;
(c) The following statements:
   (i) The total assessed value of property differs from last year’s total assessed value by 7.1 percent;
   (ii) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be $0.088692 per $100 of assessed value;
   (iii) The Metropolitan Community College Area proposes to adopt a property tax request that will cause its tax rate to be $0.095000 per $100 of assessed value; and
   (iv) Based on the proposed property tax request and changes in other revenue, the total operating budget of Metropolitan Community College Area will exceed last year’s by 12.4 percent.

**BE IT FURTHER RESOLVED** that, after notice and special public hearing as required by law, the Board of Governors of the Metropolitan Community College Area does hereby set the final property tax request
for fiscal year 2019-20 in the amount of $68,142,276. Such request as set herein shall exceed the request for fiscal year 2018-19 and shall override any deemed request, levy decrease, or adjustment pursuant to Nebraska Statutes Section 77-1601.02, as amended.

BE IT FURTHER RESOLVED, that the Board of Governors does hereby authorize and direct the Secretary or Assistant Secretary of the Board to certify and forward a copy of this resolution to the County Clerks of Dodge, Douglas, Sarpy and Washington Counties, Nebraska, on or before October 13, 2019.

Record Vote: Motion by Hug, seconded by Young to adopt Resolution Document Number 7589 SETTING THE FINAL PROPERTY TAX REQUEST FOR FISCAL YEAR 2019-20 AT AN AMOUNT THAT EXCEEDS THE FINAL PROPERTY TAX REQUEST FOR FISCAL YEAR 2018-19. Voting yes were Monegain, Pantos, Uhe, Young, Feichtinger, Garcia, Grabowski, Hug, Klein, and McDermitt. Voting no were none.

Grabowski explained this item is for the Board of Governors to consider setting the final property tax request for fiscal year 2019-20 at an amount that exceeds the final property tax request for fiscal year 2018-19.

Grabowski asked Schmailzl to explain. Schmailzl stated this resolution sets the final property tax request at an amount that exceeds the final property tax request of the prior year. He referenced the process that requires all political subdivisions to hold a special public hearing and asked Dave Hohman, Legal Counsel to the Board, to confirm the College administration has followed legislative requirements. Hohman confirmed that the College is in compliance with the statute, including both the letter and the intent of the law.

Schmailzl stated this transparency is something the College has done for years.

Grabowski called for a motion and a second to set the final property tax request for fiscal year 2019-20 at an amount that exceeds the final property tax request for fiscal year 2018-19.

MOTION: Hug moved to approve the Resolution to Set the Final Property Tax Request for Fiscal Year 2019-20 at an Amount that Exceeds the Final Property Tax Request for Fiscal Year 2018-19; Young seconded the motion.

Grabowski asked if there was any discussion. Young thanked administration for their transparency and efficiency in the budget process. Grabowski also noted the College has been consistently transparent, beginning in February, when work began on the budget. He thanked Dave Koebel, Vice President for Administrative Services, and his staff.

Roll call vote on Agenda Item 3d.

Monegain, yes
Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes

10 yes votes. Motion carried.

Agenda Item 4—Report Agenda

Agenda Item 4a—Ex Officio Board Members’ Reports

• Student Ex Officio Report

Tonya Glather introduced herself as the student ex officio representative. She reviewed the document in the Board materials, noting she is a communication major and plans to transfer to earn a bachelor’s degree in political science.

Feichtinger asked why she chose MCC. Glather responded that she is on a journey to make internal changes and finds the MCC instructors and staff to be helpful and supportive.

• Faculty Ex Officio Report

Schulz introduced members of her government class who came to observe a Board meeting.

Schulz then introduced Dr. Bill Jefferson, Accounting and Finance instructor, to present on some recent activities. He briefly shared his dissertation subject of “Benefit Corporations.”

He shared photos noting his recognition as the 2019 Innovation in Accounting Education Winner at the Teachers of Accounting at Two Year Colleges conference. The poster depicted, “Diversifying Your 2-Year Accounting Program Using Data Analytics.”

He also shared that he has been serving as a member of the MCC diversity/inclusion team within the Business Department. In this role he has developed a QUERY acronym to help gather data.

Q-question identification;
U-use relevant data;
E-execute strategy;
R-review and update findings;
Y-yield & report outcomes.
He shared statistics relating to the demographics in a variety of professions and related job placement.

Pantos asked if Nebraska has any Benefit Corporations. Jefferson stated there is one, Firespring, which is a technology company.

Feichtinger asked what a diverse student classroom means in his teaching. Jefferson noted in his experience, each student is different. It is his responsibility to meet their needs based on where they are coming from. He stated he often has international students and he has the students introduce themselves and tell about where they are from, so classmates have a better understanding of each other’s differences and where they all come from.

Hug asked how Jefferson ended up at MCC. Jefferson noted he was part-time instructor at MCC while working at Union Pacific and another corporation. He became full-time faculty at the request of a Dean, in 2006.

Agenda Item 4b—Board Members’ Reports

Young reported on a meeting with a local contractor who is seeking to engage with MCC’s trade programs, perhaps including some training.

McDermitt noted her attendance at the Elkhorn Valley Campus art show for Agustin M. Delgado J., who is a MCC student and talented clothing designer. She stated his designs are amazing.

Feichtinger shared that along with Grabowski and McDermitt, she attended the MCC Scholarship reception and was impressed with the increase in scholarships. She felt it was tangible evidence on how the College and staff support students.

Agenda Item 4c—Chair of the Board’s Report

Grabowski also attended the MCC Scholarship reception, noting it showed students a positive welcome.

He reminded Board members of the September 24 GED graduation and the September 25 South Omaha Campus groundbreaking, and encouraged attendance.

Agenda Item 4d—President’s Report

Schmailzl stated he had no report this month.

Agenda Item 4e—Regular Reports – Randy Schmailzl

There were no comments.

Agenda Item 5—Consent Agenda Items
Items remaining on the consent agenda are 7a, 7b, 7c, 7d, 7e, 7f, 7g

Agenda Item 6—Items Removed from Consent Agenda (If Any)

No agenda items were removed from the Consent Agenda.

Agenda Item 7a—Consideration of Approval of Minutes of August 27, 2019 Board of Governors’ Meeting, Board Doc. 7590

Agenda Item 7b—Consideration of Resolution Approving Personnel Appointment and Separations, Board Doc. 7591

**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 and/or ratified by the Board of Governors:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Contract Period</th>
<th>Contract Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angela McGraw</td>
<td>Assistant Director of Secondary</td>
<td>10/14/19-06/30/20</td>
<td>$43,752.39</td>
</tr>
<tr>
<td></td>
<td>Partnerships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seth Woodke</td>
<td>Business Administration Instructor</td>
<td>08/26/19-06/30/20</td>
<td>$61,954.00</td>
</tr>
<tr>
<td>Jeffrey Hall</td>
<td>College Success Navigator</td>
<td>09/30/19-06/30/20</td>
<td>$40,713.99</td>
</tr>
<tr>
<td>Edith Pignotti</td>
<td>Director of Administrative Computing</td>
<td>10/01/19-06/30/20</td>
<td>$68,825.40</td>
</tr>
<tr>
<td>Colleen Morrissey</td>
<td>IT Process Optimization Analyst</td>
<td>10/01/19-06/30/20</td>
<td>$39,646.88</td>
</tr>
<tr>
<td>Jermaine Ballard</td>
<td>Student Resource Specialist</td>
<td>09/30/19-06/30/20</td>
<td>$39,849.16</td>
</tr>
<tr>
<td>Stefanie Emrich</td>
<td>Workforce Instructional Designer</td>
<td>10/14/19-06/30/20</td>
<td>$50,671.39</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neil Volker</td>
<td>Director of Advising</td>
<td>09/23/19</td>
</tr>
<tr>
<td>Lisa Goodwin</td>
<td>Executive Director of the Career &amp; Academic Skills Center</td>
<td>09/06/19</td>
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Agenda Item 7c—Consideration of Resolution Establishing the College’s Academic Calendar for 2020-21, Board Doc. 7592

**BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area approves the 2020-21 College’s Academic Calendar; same being identified as Board Document 7592a.

Agenda Item 7d—Consideration of Resolution Establishing Board of Governors’ Meeting Dates and Changes for 2019, Board Doc. 7593

**BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area hereby changes the dates of its regular meeting for the months of May, September, November, and December 2020 in accordance with provisions of Board Policy 10501 (Time and Place of Regular, Special, and Emergency Board Meetings).
BE IT FURTHER RESOLVED, that the Board of Governors will hold its regular September, October, November, and December 2019 meetings as follows:

6:30 p.m., Tuesday, May 19, 2020 – to allow for scheduled holiday break
6:30 p.m., Tuesday, September 15, 2020 – to meet College budget filing requirements
6:30 p.m., Tuesday, November 17, 2020 – to allow for scheduled holiday break
6:30 p.m., Tuesday, December 15, 2020 – to allow for scheduled holiday break

Agenda Item 7e—Consideration of Resolution Approving General Education Requirement Modifications, Board Doc. 7594

WHEREAS, Board of Governors Board Policy 40103 (General Academic Transfer Education) calls for general education courses to “encompass the common information, skills, and attitudes needed by every individual to be effective as a person, a member of a family, an employee, a consumer, and a citizen of a multicultural world;” and,

WHEREAS, the Higher Learning Commission policy for accreditation eligibility sets the expectation that Associated of Applied Science (AAS) degrees maintain a minimum of 22.5 quarter credits of required general education and Associate of Arts (AA) or Associate of Science (AS) degrees maintain a minimum 36 quarter credits of required general education; and,

WHEREAS, a College committee recommends changes to reflect the HLC expectations; and,

NOW, THEREFORE, BE IT RESOLVED, that The Metropolitan Community College Area Board of Governors hereby accepts and approves the credit program modifications as set forth in Board Document 7594a, and directs that they be sent to the Nebraska Coordinating Commission for Postsecondary Education for its review and approval.

Agenda Item 7f—Consideration of Resolution Accepting the Proposal for Construction of a New Fiber and Copper Communication Distribution System on the Fort Omaha Campus, Board Doc. 7595

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby accepts the proposal for construction of a new fiber and copper communication distribution system on the Fort Omaha Campus and authorizes the President to negotiate, sign and implement such agreement with Miller Electric, in an amount not to exceed $495,000 plus associated fees, as the President in consultation with College legal counsel may deem appropriate and in the best interests of the College.

Agenda Item 7g—Consideration of Resolution Revising Board Policy 10103 (Procedure for Filling Vacancies on the Board of Governors), Second Reading, Board Doc. 7596

BE IT RESOLVED by the Board of Governors of the Metropolitan Community College Area that Board Policy 10103 is amended to read as follows (deleted matter is stricken; new matter is underlined):

10103 Procedure for Filling Vacancies on the Board of Governors

(1) A vacancy on the Board shall exist in the event of:
(A) Resignation of the incumbent;
(B) Death of the incumbent;
(C) Removal of the incumbent from office;
(D) Decision of a competent tribunal declaring the office of the incumbent vacant;
(E) Incumbent ceasing to be a resident of the Area or, for an incumbent representing a district, a resident of their his or her district;
(F) Failure to elect at an election when there is no incumbent to continue in office until his or her successor is elected and qualified;
(G) The candidate who received the highest number of votes is ineligible, disqualified, deceased, or for any other reason is unable to assume the office for which he or she was a candidate;
(H) Forfeiture of office as provided by law;
(I) Conviction of a felony or of any public offense involving the violation of the oath of office of the incumbent; or
(J) Incumbent assumes a high elective office.

(K) After notice and hearing, a vacancy shall also exist when any member is absent from more than three consecutive regular meetings of the Board, unless such absences are excused by a majority of the remaining Board members.

(2) In the event of a vacancy from any of such causes or otherwise, such vacancy shall be filled by the remaining Board members for the balance of the unexpired term. The person appointed to a vacancy must possess all qualifications required by law for the appointment, including the residency requirements for appointment. When filling a vacancy, the remaining Board members shall consider the diversity of the area the College serves. Such appointment shall be made in writing and certified to the Office of the Secretary of State. If, after a primary election, there shall be through any cause whatsoever a vacancy upon the ballot, such vacancy shall be filled by a petition candidate pursuant to Nebraska statute section 32-625 or other applicable state statute or as otherwise required by law. An incumbent shall not be permitted to hold over the term, but such office shall automatically become vacant and an appointment shall be made within one calendar month to fill such vacancy for the ensuing term. If there are vacancies in the offices of a majority of the members of the Board, there shall be a special election conducted by the Secretary of State to fill such vacancies.

(3) As required by Nebraska statute section 32-574567, the Board will fill a vacancy within forty-five (45) days after the vacancy occurs unless otherwise provided by law or unless good cause is shown that the forty-five day requirement imposes an undue burden.

(4) As used in this policy, "Former Member" means the former member of the Board whose position on the Board has become vacant, and "Appointee" means the person appointed to the Board to succeed the Former Member.

(5) Whenever the Board declares a vacancy on the Board to exist as a matter of law or a vacancy otherwise is known to exist, the Board shall meet as soon as may be practicable and establish a calendar schedule for the filling of the vacancy. The calendar schedule shall fix:
(A) The date(s) or approximate date(s) for advertising the vacancy and solicitation of applications to fill the vacancy.

(B) The date and time by which applications for the vacancy must be submitted to the Office of the Board. Applications not received on or before the date and time so fixed will not be further considered.

(C) A date, time and place at which the Board shall meet to review the applications of persons seeking to fill the vacancy and to select applicant finalists to be interviewed by the Board for consideration of appointment to fill the vacancy. The Nebraska Open Meetings Act (the "Act") requires open roll call voting and does not permit a closed meeting for discussion of the appointment or election of a new member to the Board. Except as otherwise allowed by the Act, the meeting of the Board to select applicant finalists to be interviewed for consideration of appointment to fill the vacancy shall be conducted in open public session. The votes of the members of the Board for inclusion of applicants in the group of applicant finalists to be interviewed shall be by open roll call vote. The selection of applicant finalists to be interviewed will be based upon submitted application materials and applicants will not be allowed to address the Board or committee at this stage of the process.

(D) A date, time and place at which the Board shall meet to interview the selected applicant finalists and select an applicant finalist to fill the vacancy. Except to the extent otherwise allowed by the Act, such meeting and selection shall be conducted in open public session. The votes of the members of the Board on the selection of an applicant finalist to fill the vacancy shall be by open roll call vote.

(6) Whenever the Board declares a vacancy on the Board to exist as a matter of law or a vacancy otherwise is known to exist, the College legal counsel, in consultation with the Board Chair, shall prepare a summary of the required legal qualifications for appointment to the vacancy (including applicable residency requirements) and an application form upon which applicants may apply to fill the vacancy. Once the calendar schedule for filling the vacancy has been established as above provided, the Board recording secretary shall make the qualifications summary and application form reasonably available to persons requesting them. The Board recording secretary shall arrange for the advertising of the vacancy in the Omaha World-Herald and any other newspaper of general circulation as determined by the Board, and the submission to for the receipt at the Board Office of applications to fill the vacancy. A notice of the vacancy, the qualifications summary and the application form shall also be published on the College’s web site.

(7) When an application to fill the vacancy is received in the Board Office, the College legal counsel shall confirm that the applicant meets the required legal qualifications for the appointment sought (including any residency requirements) and may cause a criminal background check to be performed on each candidate by a qualified law enforcement agency if requested by the Board.

(8) Upon expiration of the time established for submission of applications, the Board recording secretary shall provide a complete copy of each submitted application (and all material submitted with the application) to each member of the Board. Any application received at the Board Office after the deadline established for submission of applications to the Board Office shall also be provided to each member of the Board, with a clear indication that the application was not received by the established deadline and therefore ought not be considered by the Board. The Board recording secretary shall also inform the members of the Board of any disqualifying circumstance concerning any applicant and any criminal conviction history of any applicant that becomes known to the College legal counsel.

(9) At the meeting at which the Board meets to select the applicant finalists to be interviewed by the Board for consideration for appointment to fill the vacancy, the following process shall be followed:
(A) The Board Chair shall publicly declare that prior to the meeting each Board member received complete copies of the applications submitted by applicants whose qualifications were confirmed by College legal counsel to meet the required legal qualifications for the appointment sought;

(B) The Board Chair will publicly state those applicants’ names and residence addresses in order to acknowledge for the record those applications that the Board is further considering;

(C) If any of those applicants are present at the meeting, they may be invited to stand and state their names, but applicants will not be allowed to address the Board at this stage in the process;

(D) Each Board member will be provided with an interview preference form which will list the applicants in alphabetical order and which will include blanks for the Board member to write his or her own name and to nominate four (4), and not more or less than four (4), applicants to be interviewed by the Board for the vacancy; provided, however, if there are fewer than four (4) applicants for the vacancy, the Board Chair may propose an alternate number of applicants to be listed by each Board member on the interview preference form;

(E) Each Board member will then complete his or her interview preference form and submit the completed form to the College legal counsel present at the meeting;

(F) Upon receiving the completed interview preference forms, the College legal counsel will publicly read each form stating the name of the Board member and the names of the applicants the Board member has nominated to be interviewed. If video screen(s) are available in the meeting room, the nomination results may be tallied on the video screen(s) as the nominations are read so that the vote totals for each applicant are visible. The process shall continue until all of the interview preference forms completed by Board members have been publicly read;

(G) After the preference vote tally has been completed, the Board shall determine the number of applicants to be selected for interviews by open roll call vote;

(H) After the Board has determined the number of applicants to be selected for interviews, the Board, by a separate open roll call vote or votes, shall determine by resolution the applicants to be interviewed by the Board for the vacancy; and

(I) Within three business days following the meeting, the College legal counsel shall transmit written notice to the applicants advising them whether they were selected as a finalist to interview for the vacancy.

(10) If a vacancy on the Board is to be filled at a meeting at which officers of the Board are to be elected for the year pursuant to Board Policy 10301, or at which memberships on or officers of one or more committees of the Board are to be appointed or elected, the vacancy on the Board shall be filled at such meeting before those items of business are considered.

(101) A majority vote of a quorum of the members of the Board present and voting is sufficient to fill a vacancy.

(142) The statutory oath of office will be administered to the Appointee and subscribed by the Appointee immediately following his or her selection to fill the vacancy, and the Appointee shall then be seated with the Board. As soon as practicable thereafter, the Secretary of the Board or his or her delegate shall file the written and subscribed oath of office with the Secretary of State of Nebraska.
The occurrence of a vacancy on the Board shall automatically also create a vacancy in each committee membership, Board office, Board committee office and Board-appointed position (hereafter, "Board Organizational Assignments") that had been held by the Former Member. The Appointee shall not succeed automatically to any vacancies in the Board Organizational Assignments of the Former Member. Following selection of the Appointee, the Board may fill any vacancies in the Board Organizational Assignments of the Former Member in the same manner and by the same processes by which the Board customarily makes or approves such Board Organizational Assignments in the usual course under Board policies 10301, 10302, and 10603. Any vacancies in any Board Organizational Assignments of the Former Member not covered by those listed Board Policies (including any assignments to the Metropolitan Area Planning Agency (MAPA), the Metropolitan Community College Foundation Board of Directors, and any other external boards, agencies or associations on which the Board is represented) may be filled by action of the Board.

This policy is for the use and guidance of the Board and the College Administration only. It does not confer any rights on any applicant for a vacancy or any other person. Any noncompliance with any of the provisions of this Policy or informality in its application shall not invalidate any appointment of any person to the Board that is otherwise in compliance with the provisions of law.

**MOTION**: Young moved to approve the Consent Agenda; Klein seconded the motion.

Pantos, yes
Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes *(joined the meeting at 7:00 p.m.)*
Monegain, yes

Motion carried.

**Agenda Item 8—Adjournment**

**MOTION**: Young moved to adjourn the meeting; Monahan seconded the motion.

Uhe, yes
Young, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes
Motion carried. The meeting was adjourned at 7:05 p.m.

Dave Pantos, Secretary, Board of Governors  Date
OMAHA WORLD HERALD

Date: September 06, 2019

AFFIDAVIT OF PUBLICATION

METROPOLITAN COMMUNITY COLLEGE
ACCOUNTS PAYABLE
PO BOX 3777
OMAHA, NE 68103-0777

Date
Category
Description
Ad Size
Total Cost
09/12/2019
Legal Notices
NOTICE OF SPECIAL PUBLIC HEARING METROI
2 x 0.1
901.80

NOTICE OF SPECIAL PUBLIC HEARING
METROPOLITAN COMMUNITY COLLEGE AREA IN DODGE, DOUGLAS, JERSEY AND JEFFERSON COUNTIES, NEBRASKA

PUBLIC NOTICE is hereby given, in compliance with Nebraska Statutes Section 77-984.02, as Amended, that the governing body of Metropolitan Community College Area will meet on the 7th day of September, 2019, at 6:00 p.m., on the first floor campus of the Multi Bank, Room MP-190, Omaha, NE 68102, for the purpose of holding a public hearing on the tentative budget for the fiscal year ending June 30, 2020. This public hearing will be held for the purpose of hearing protests, opposition, objections, suggestions or observations of taxpayers relating to setting a final property tax request for fiscal year 2019-20 to be conveyed by the governing body of the Metropolitan Community College Area in an adopted budget and to receive the final property tax request for fiscal year 2019-20.

The following information is provided pursuant to Nebraska statutes:

1) Certified Timely Valuation under Nebraska Statutes, Section 13-929 for Prior Year (2018): $66,955,565,685
2) Certified Taxable Valuation under Nebraska Statutes, Section 13-929 for the Current Year (2019): $113,728,712,889
3) Percentage (rounded or obscene) as Certified Taxable Valuation from the Prior Year to the Current Year: 71.1%
4) Amount of Prior Year’s (2018-19) Tax Request: $63,517,480
5) 2019-20 Property Tax Rate Necessary to Fund 2019-20 Tax Request: 3.03
6) Property Tax Rate that would be necessary to fund last year’s (2018-19) Property Tax Request if Applied to Current Year’s (2019) Valuation: 0.98802
7) Proposed Property Tax Request for Current Year (2019-20): $68,918,864
9) Proposed 2019-20 Property Tax Rate: 0.95960
10) Percentage Increase or Decrease in the Property Tax Rate from the Prior Year (2018-19) to the Current Year (2019-20): 9.16%
11) Percentage Increase or Decrease in the Total Operating Budget from the Prior Year (2018-19) to the Current Year (2019-20): 12.4%

*After the final valuation of taxable property reported in August by Douglas, Sarpy, and Lancaster counties was different than the intermediate valuation used in distributing the current proposed 2019-20 property tax request and rate, the 1.05% increase as a differential property tax increase has lowered the proposed tax rate to 3.03 cents. Before the governing board of the Metropolitan Community College Area adopts a budget at this September meeting, it is anticipated the proposed 2019-20 property tax request will be amended to 3.04 cents and the tax rate will remain 3.03 cents.

Dave Penrose, Secretary Board of Governors

PUBLISHER OF THE WORLD HERALD

I, (the undersigned) an authorized representative of the World Herald, a daily newspaper published in Omaha, Douglas County, Nebraska; do certify that the annexed notice NOTICE OF SPECIAL PUBLIC was published in said newspapers on the following dates:

09/06/2019

The First insertion being given ... 09/06/2019

Newspaper reference: 0100075728

BILLING REPRESENTATIVE

Sworn to and subscribed before me this Friday, September 6, 2019

SHERON R. CARTEN

Notary Public
Sharon R. Carten
COMMONWEALTH OF VIRGINIA
State of Virginia Notary Registration Number 329649
City of Richmond Commission Expires July 31, 2021

This is not a bill. Please pay from invoice. Thank you.
AFFIDAVIT OF TRANSMISSION OF NOTICE OF MEETING OF BOARD OF GOVERNORS OF METROPOLITAN COMMUNITY COLLEGE AREA

STATE OF NEBRASKA
COUNTY OF DOUGLAS

SS

Rita Eyerly, being first duly sworn upon oath deposes and states as follows:

1. That pursuant to direction received from the Chair of the Board of Governors of the Metropolitan Community College Area, I caused the following Notice to wit:

NOTICE OF MEETING

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area will meet on Tuesday, September 17, 2019, commencing at 6:30 o’clock P.M. at the Fort Omaha Campus, 32nd & Sorensen Parkway, in the Mule Barn, Building #21, Board Room #112, Omaha, Douglas County, Nebraska, which meeting will be open to the public. An agenda for such meeting, kept continually current, is available for public inspection at the principal office of said Board of Governors, 30th & Fort Streets, Building #30, Omaha, Nebraska, during normal business hours.

Steve Grabowski
Chair, Board of Governors

...to be published in Omaha World-Herald on September 6, 2019; and that the order to said newspaper was made by electronic transmission on September 5, 2019.

1. That on September 5, a copy of such Notice was addressed and sent by e-mail or, if so requested, by personal delivery to each member of the Board of Governors.

Further affiant sayeth not.

Rita Eyerly

SUBSCRIBED AND SWORN TO before me this ___ day of September, 2019

PAULINE R. LAUGHLIN
Notary Public

State of Nebraska- General Notary
My Commission Expires
October 22, 2022
<table>
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<tr>
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<th>Category</th>
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<td>09/12/2019</td>
<td>Legal Notices</td>
<td>NOTICE OF MEETING Notice is hereby given that</td>
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**NOTICE OF MEETING**

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area would convene a Board Meeting at 6:30 p.m., September 17, 2019, commencing at 6:30 p.m., at the Fort Omaha Campus, 32nd & Sorensen Parkway, in the Mule Barn, Building #21, Board Room #112, Omaha, Douglas County, Nebraska, which meeting will be open to the public. An agenda for such meeting is attached. A copy of the agenda may be obtained for public inspection at the principal office of said Board of Governors, 30th & Fort Streets, Building #30, Omaha, Nebraska, during normal business hours.

Steve Grabowski  
Chair, Board of Governors

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**Publisher of the World Herald**

I, (the undersigned) an authorized representative of the World Herald, a daily newspaper published in Omaha, Douglas County, Nebraska; do certify that the annexed notice NOTICE OF MEETING Notice was published in said newspapers on the following dates:

09/05/2019

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The First insertion being given ... 09/06/2019

Newspaper reference: 0000076229

Billing Representative

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Sworn to and subscribed before me this Friday, September 6, 2019

Notary Public

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Sharon R. Carsten  
NOTARY PUBLIC  
Commonwealth of Virginia  
Notary Registration Number 328549  
Commission Expires July 31, 2021

This is not a bill. Please pay from invoice. Thank you.