

**METROPOLITAN COMMUNITY COLLEGE AREA
BOARD OF GOVERNORS
MEETING MINUTES
JANUARY 25, 2022**

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

Chair Monahan asked Julie Lanxon to call the roll:

MEMBERS PRESENT

Brad Ashby
Erin Feichtinger – arrived 7:13 p.m.
Steve Grabowski, Treasurer
Ron Hug
Phillip Klein
Linda McDermitt, Secretary
Maureen Monahan, Chair
Angela Monegain
Zach Reinhardt, Assistant Secretary
Fred Uhe, Vice Chair
Joe Baker, Ex Officio Faculty
Bre Hounsougbins, Ex Officio Student, via Zoom

MEMBERS ABSENT

Adam Gotschall

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 January 14, 2022, and on the Omaha World-Herald website Omaha.com from January 14 - 20, 2022.*

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

There were no public comments.

Agenda Item 3 — Report Agenda

Agenda Item 3a — Ex Officio Board Members' Report

Student Ex Officio Representative Report

The student ex officio representative's written report was in the board packet. No comments. No questions were asked.

Agenda 3b — Chair of the Board's Report

Monahan noted this is her last meeting serving as the Board Chair. She reflected on the changes MCC has experienced during her two years as Chair, including the COVID-19 pandemic and continued growth. She shared the reason education is important to her is that her brother, who had a disabling condition, was denied a public education. Her father began his years of public service as a result and was instrumental in passing legislation to ensure every child has access to public education. Monahan stated it has been an honor to be chair and to help MCC get through the pandemic. McDermitt thanked Monahan for her leadership.

Agenda 3c — Board Members' Reports

Grabowski noted that Bernie Sedlacek, former Director of Facilities Management, retired from MCC after working here since 1979. Grabowski expressed his appreciation for all Bernie did to build the College and thanked him for doing a wonderful job. He also thanked Monahan for her work as chair.

Uhe commended Monahan on a good job.

Uhe and Hug recognized Bob Whitehouse, longtime OPS administrator and a member of the University of Nebraska Board of Regents, who passed away last week. Hug noted his association with MCC goes back to the early days and that Dr. Whitehouse

was one of the people who pointed him towards MCC. Hug called for a moment of silence in honor of Whitehouse.

Agenda 3d — Presidents' Report

The Path Forward initiative has finished its first year and is going well. Reports will be shared in the next several months.

Schmailzl mentioned the audit process is nearing completion. The financial audit has been completed and the short version has been filed with the state. The single audit, which reviews federal financial aid and COVID relief funding, is being finalized. COVID funding rules have changed continuously, which has contributed to the delay. The goal is to bring the complete report to the Board in February. Uhe asked if there is a filing deadline. Brenda Schumacher, College Business Officer, indicated the short audit has been filed with the state, and the full report is due in September, and will be filed before then.

Schmailzl thanked Monahan for her work as chair and for hanging in there with us.

Agenda 3e — Regular Reports

No comments. No questions were asked.

Agenda 3f — Quarterly Reports

No comments. No questions were asked.

Agenda 3g — Legislative Report

Schmailzl reminded the Board that the Nebraska Legislature is in a short session (60 days) this year, which will end on April 20. All bills have been introduced for this session. Schmailzl brought several legislative bills (LB) to the Board's attention, including:

- Governor Ricketts has submitted his plan to allocate Nebraska's \$1 billion from the federal American Rescue Plan Act (ARPA). As part of LB1014, the Governor allocated \$90 million for community colleges (\$15 million per community college) over two years for workforce development, capital, and equipment. Schmailzl feels good about the work done this summer on LB1014.
- LB1040 would redefine law enforcement officers under the In the Line of Duty Compensation Act, which was passed last year for officers killed in the line of duty. Dave Friend, Chief of Police, will testify on this bill.
- LB873 would remove the Board's authority to levy property tax and replace it with submitting requests to the appropriations committee. Schmailzl suggests an alternative in the form of a two-cent buy-down from the state, which would get us to the desired 40-40-20 balance – 40% property tax, 40% state aid, and 20% tuition. This mechanism was used back in 1999, using revenue from the motor

vehicle tax. The problem is that what goes down sometimes goes back up, such as when property taxes subsequently had to be raised. MCC will oppose this bill but will pursue the two-cent buy-down.

- LB902 would offer a career scholarship program for high-skill jobs.
- LB1087 would appropriate \$15 million to community colleges for dual enrollment tuition. Every high school student in MCC's four-county area could take classes at no cost.
- LB60 is a carry-over bill that would remove restrictions on community colleges' capital levy authorization, authorizing College's to use their entire levy at their own discretion. MCC is not in favor of this bill.

Schmailzl added that MCC will be mentioned in other ARPA initiatives, such as workforce development and mental health as we are a good partner.

Klein asked if the Board would go away if the tax levy authority goes away. Schmailzl stated that financially the Board levies property tax and sets tuition which are two legs of the three-legged stool. The third leg is state aid which the Board does not control. Removing property tax authority takes away the local control.

Uhe asked when the legislative tracking chart is updated. Schmailzl responded that the tracking chart will be updated daily and sent out to the Board members regularly. Uhe stated that Senators he has spoken with appreciate the College's mission and workforce development.

Monahan asked about other workforce development programs seeking to partner with the College. Schmailzl said very few have approached us on this topic. The College's workforce development system has business partners in place which has made us successful.

Monahan sought clarification on the awarding process of the ARPA money. Schmailzl clarified there is a list of what one has to be able to do, what it is for, and whom will be served, and there is a compliance portion to the ARPA award.

Uhe asked Schmailzl if the smaller schools might have difficulty spending their portion of the \$90 million. Schmailzl stated schools will need to go through the Coordinating Commission and have to write grants to receive the funds and there will be a redistribution process if a school could not spend all of the funds awarded to it.

Agenda Item 4 — Consent Agenda Items

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

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

No agenda items were moved from the Consent Agenda.

Agenda Item 6 — Action Agenda

Agenda Item 6a — Consideration of Approval of Minutes of December 14, 2021 Board of Governors Meeting, Board Doc. 7808

Agenda Item 6b — Consideration of Resolution Approving Personnel Appointments and Separations, Board Doc. 7809

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>Name</u>	<u>Position</u>	<u>Contract Period</u>	<u>Contract Salary</u>
Magda Batiz Salazar	Concurrent Enrollment Navigator	01/31/2022-06/30/2022	\$22,969.57
Katrina Brooks	Assistant Director for Gateway to College	02/07/2022-06/30/2022	\$26,099.84
Karen Clements	Accountant	01/31/2022-06/30/2022	\$26,310.42
Eryleena Datuin	Education Specialist	02/01/2022-06/30/2022	\$20,697.84
Forrest Dew	IT Security Analyst	01/31/2022-06/30/2022	\$31,322.24
Emma Stokely	Public & Media Relations Manager	02/14/2022-06/30/2022	\$20,862.27

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

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>
Veronica Burgueno	Coordinator of Integrated Education and Training	02/01/2022
Heather Evans	Success Navigator	01/28/2022
Gordon Jensen	Coordinator of Budget Projects	03/07/2022
Susan Raftery	Project Coordinator	02/04/2022

Agenda Item 6c — Consideration of Resolution Appointing the 2021-22 College Auditor, Board Doc. 7810

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby appoints CliftonLarsonAllen LLP, as the auditor for the College's (1) Financial Statements and Single Audit Reports (Financial Aid Programs), (2) Statements of Reimbursable Full-Time Equivalent Student Enrollment and Reimbursable Educational Units, and (3) Metropolitan Community College Foundation, for the fiscal year 2021-22, per the bid documents.

Agenda Item 6d — Consideration of Resolution Accepting the Bids for the Purchase and Installation of Furniture for the Fort Omaha Campus, Building 10 Digital Express, Board Doc. 7811

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby accepts the bids for the purchase and installation of furniture at the Fort Omaha Campus, Building 10 Digital Express, and authorizes the President to negotiate, sign, and implement such agreements with AOI, Encompas, OID, and SBI for a total cost not to exceed \$350,000, with such modifications, changes

and amendments as the President, in consultation with College legal counsel, may deem appropriate and in the best interests of the College.

Agenda Item 6e — Consideration of Resolution Amending Provisions of the College's Employee Life Insurance Plan, Board Doc. 7812

***BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area hereby accepts and approves the proposed revisions to the College's employee life insurance plan through Mutual of Omaha, and authorizes the President to take such action, in consultation with College legal counsel, as he deems appropriate and in the best interests of the College.*

Agenda 6f — Consideration of Resolution Approving the Purchase of a Riverside Technologies, Inc. Data Storage Cluster for the Center for Advanced and Emerging Technologies Data Center on the Fort Omaha Campus, Board Doc. 7813

***BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area hereby approves the purchase of a Riverside Technologies, Inc. HPE Storage Cluster. The estimated cost is \$1,511,709.71 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.*

MOTION: Hug moved to approve the Consent Agenda; McDermitt seconded the motion.

Steve Grabowski, yes
Ron Hug, yes
Phillip Klein, yes
Linda McDermitt, yes
Maureen Monahan, yes
Angela Monegain, yes
Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes

Motion carried.

Agenda 7 — Action Agenda: Election of Officers

Agenda 7a — Election of Chair

Monahan reviewed the election process using secret ballots, as needed.

Monahan asked for nominations for Chair.

Grabowski nominated Uhe for Chair.

Hearing no other nominations for Chair of the Board, nominations were closed and Monahan called for a vote by acclamation.

Ron Hug, yes
Phillip Klein, yes
Linda McDermitt, yes
Maureen Monahan, yes
Angela Monegain, yes
Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes
Steve Grabowski, yes

Uhe was elected as Chair of the Board. Monahan transferred the gavel to Uhe.

Agenda 7b — Election of Vice Chair

Uhe called for nominations for Vice Chair.

McDermitt nominated Reinhardt for Vice Chair. Hug nominated Ashby for Vice Chair.

Hearing no other nominations for Vice Chair, nominations were closed and a secret ballot vote was taken.

Reinhardt received 5 votes, and Ashby received 4 votes.

Reinhardt was seated as Vice Chair of the Board

Agenda 7c — Election of Treasurer

Uhe called for nominations for Treasurer.

Hug nominated Grabowski for Treasurer.

Hearing no other nominations for Treasurer, nominations were closed and Uhe called for a vote by acclamation.

Phillip Klein, yes
Linda McDermitt, yes
Maureen Monahan, yes
Angela Monegain, yes
Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes
Erin Feichtinger, yes
Steve Grabowski, yes
Ron Hug, yes

Grabowski was elected as Treasurer of the Board.

Agenda 7d – Election of Secretary

Uhe called for nominations for Secretary.

Reinhard nominated McDermitt for Secretary.

Hearing no other nominations for Secretary, nominations were closed and Uhe called for a vote by acclamation.

Linda McDermitt, yes
Maureen Monahan, yes
Angela Monegain, yes
Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes
Erin Feichtinger, yes
Steve Grabowski, yes
Ron Hug, yes
Phillip Klein, yes

McDermitt was elected as Secretary of the Board.

Agenda 7e — Election of Assistant Secretary

Uhe asked for nominations for Assistant Secretary.

Hug nominated Monahan for Assistant Secretary.

Hearing no other nominations for Assistant Secretary, nominations were closed and Uhe called for a vote by acclamation.

Maureen Monahan, yes
Angela Monegain, yes
Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes
Erin Feichtinger, yes
Steve Grabowski, yes
Ron Hug, yes
Phillip Klein, yes
Linda McDermitt, yes

Monahan was elected as the Assistant Secretary of the Board.

Agenda Item 7f — Consideration of Resolution and Order Electing and Approving Officers of the Metropolitan Community College Area Board of Governors and Establishing Terms of Office, Board Doc. 7814

BE IT RESOLVED, by the Board of Governors of the Metropolitan Community College Area (the “Board”), as follows:

1. That Fred Uhe be, and he/she hereby is, elected to the position of **Chair of the Board** for a term of office beginning January 25, 2022, and ending at the first regular meeting of the Board following January 1, 2023, or until his/her successor is elected and qualified; provided, however, that if Fred Uhe ceases to be a qualified member of the Board during such term of office, or if he/she resigns as Chair of the Board during such term, then in either of those events the Vice Chair hereinafter named, or his/her qualified successor, shall become Chair of the Board and serve as Chair until the expiration of the term of office described above.
2. That Zach Reinhardt be, and he/she hereby is, elected to the position of **Vice Chair of the Board** for a term of office beginning January 25, 2022, and ending at the first regular meeting of the Board following January 1, 2023, or until his/her successor is elected and qualified; provided, however, that if Zach Reinhardt ceases to be a qualified member of the Board during such term of office, or if he/she resigns as Vice Chair of the Board during such term, then in either of those events the position of Vice Chair of the Board shall become vacant.
3. That Steve Grabowski be, and he/she hereby is, elected to the position of **Treasurer of the Board** for a term of office beginning January 25, 2022 and ending at the first regular meeting of the Board following January 1, 2023, or until his/her successor is elected and qualified; provided, however, that if Steve Grabowski ceases to be a qualified member of the Board during such term of office, or if he/she resigns as Treasurer of the Board during such term, then in either of those events the position of Treasurer of the Board shall become vacant.
4. That Linda McDermitt be, and he/she hereby is, elected to the position of **Secretary of the Board** for a term of office beginning January 25, 2022 and ending at the first regular meeting of the Board following January 1, 2023, or until his/her successor is elected and qualified; provided, however, that if Linda McDermitt ceases to be a qualified member of the Board during such term of office, or if he/she resigns as Secretary of the Board during such term, then in either of those events the position of Secretary of the Board shall become vacant.
5. That Maureen Monahan be, and he/she hereby is, elected to the position of **Assistant Secretary of the Board** for a term of office beginning January 25, 2022, and ending at the first regular meeting of the Board following January 1, 2023, or until his/her successor is elected and qualified; provided, however, that if Maureen Monahan ceases to be a qualified member of the Board during such term of office, or if he/she resigns as Assistant Secretary of the Board during such term, then in either of those events the position of Assistant Secretary of the Board shall become vacant.
6. That Brenda Schumacher be, and she hereby is, appointed to the position of **Assistant Treasurer of the Board**, to serve in such position at the absolute and unqualified discretion of the Board.
7. That Julie Lanxon be, and she hereby is, appointed to the position of **Recording Secretary of the Board**, to serve in such position at the absolute and unqualified discretion of the Board, provided, however, that her sole and only duties as Recording Secretary shall be to assist the Secretary or the Assistant Secretary, as the case may be, in the taking of minutes of meetings of the Board, and to perform such other duties as may be assigned to her by the President of the College; and provided further, that the President of the College is hereby authorized and directed to name a temporary replacement to serve as the Recording Secretary if the Recording Secretary named above is absent.

BE IT FURTHER RESOLVED, that a copy of this Resolution and Order be certified by the Secretary or Assistant Secretary of the Board and placed on file at the Office of the Board; and

BE IT FURTHER RESOLVED, that copies of this Resolution and Order be certified by the Secretary or Assistant Secretary of the Board to the Secretary of State of Nebraska and to the County Clerks and Treasurers of Dodge, Douglas, Sarpy, and Washington Counties in Nebraska, and to the Banks of Record.

MOTION: Reinhardt moved to approve Resolution item 7f; Monahan seconded the motion.

Angela Monegain, yes
Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes
Erin Feichtinger, yes
Steve Grabowski, yes
Ron Hug, yes
Phillip Klein, yes
Linda McDermitt, yes
Maureen Monahan, yes

Agenda Item 8—Adjournment

MOTION: Reinhardt moved to adjourn the meeting; Grabowski seconded the motion.

Zach Reinhardt, yes
Fred Uhe, yes
Brad Ashby, yes
Erin Feichtinger, yes
Steve Grabowski, yes
Ron Hug, yes
Phillip Klein, yes
Linda McDermitt, yes
Maureen Monahan, yes
Angela Monegain, yes

Motion carried. The meeting was adjourned at 7:21 p.m.

Linda McDermitt, Secretary, Board of Governors

Date

**AFFIDAVIT OF TRANSMISSION OF NOTICE OF
MEETING OF BOARD OF GOVERNORS OF
METROPOLITAN COMMUNITY COLLEGE AREA**

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

Julie Lanxon, 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 MEETINGS

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area will meet on Tuesday, January 25, 2022, commencing at 6:30 o'clock P.M. at the Fort Omaha Campus, 32nd & Sorensen Parkway, in the Institute for the Culinary Arts, Building #22, Room #201, 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.

Maureen Monahan
Chair, Board of Governors

PUBLISH on Friday, January 14, 2022

to be published in *Omaha World-Herald* on **January 14, 2022**; and that the order to said newspaper was made by electronic transmission on **January 12, 2022**.

- 1. That on January 12, 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.

Julie Lanxon

SUBSCRIBED AND SWORN TO before me this 13th day of January, 2022

Jolynn Emery

Notary Public

State of Nebraska – General Notary
JOLYNN EMERY
My Commission Expires
November 30, 2022



Date: January 14, 2022

Affidavit of Publication

METROPOLITAN COMMUNITY COLLEGE
PO BOX 3777
OMAHA, NE 68103

Date	Category	Description	Ad Size	Total Cost
01/20/2022	Legal Notices	NOTICE OF MEETING Notice is hereby given that	1 x 0 L	175.62

NOTICE OF MEETING

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area will meet on Tuesday, January 25, 2022, commencing at 6:30 o'clock P.M. at the Fort Omaha Campus, 32nd & Sorensen Parkway, in the Institute for the Culinary Arts, Building #22, Room #201, 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.

Maureen Monahan
Chair, Board of Governors
ZNEZ

**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:


01/14/2022

The First insertion being given ... 01/14/2022

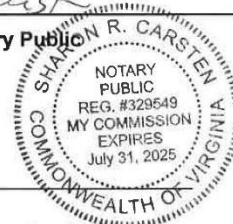
Newspaper reference: 0000283647


Billing Representative

Sworn to and subscribed before me this Friday, January 14, 2022



Notary Public



State of Virginia
City of Richmond
My Commission expires _____

E-mail

jianxon@mccneb.edu