

**NORTHWEST COLLEGE BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
January 14, 2013**

MEMBERS PRESENT: President MARK WESTERHOLD; Vice President/Secretary JOHN HOUSEL; Treasurer RICK LAPLANTE; and Trustees CAROLYN DANKO, PAUL FEES, NADA LARSEN and JIM VOGT.

OTHERS PRESENT: DR. PAUL PRESTWICH, President; DR. SEAN FOX, Vice President for Student Services; DR. GERALD GIRAUD, Vice President for Academic Affairs; MR. MARK KITCHEN, Vice President for College Relations; MR. KIM MILLS, Vice President for Administrative Services; MS. SHELBY WETZEL; DR. STEVE WALKER; MS. HOLLY BERRYMAN; MS. JILL ANDERSON; MR. SHELDON FLOM; DR. NEIL HANSEN; MS. MARNEE CRAWFORD; MS. ILENE OLSON, the *Powell Tribune*; and MS. CYNTHIA CICCI, Executive Secretary to the President and Board of Trustees.

CALL TO ORDER: The regular meeting of the Northwest College Board of Trustees was held on Monday, January 14, 2013, at 3 p.m. in the Trapper Room of the DeWitt Student Center (DSC).

A APPROVE THE AGENDA: A motion was made by Trustee Housel and seconded by Trustee Danko to approve the agenda as presented. Motion carried.

A EXECUTIVE SESSION: A motion was made by Trustee Larsen and seconded by Trustee Housel to move into executive session for a teleconference with Preston Pulliams of Gold Hill Associates in order to discuss references for the presidential candidate finalists.

The executive session was adjourned and the regular meeting resumed at 4:15 p.m.

A APPROVE MINUTES OF THE FOLLOWING MEETINGS: A motion was made by Trustee LaPlante and seconded by Trustee Vogt to approve the minutes of the regular meeting of December 3, 2012, the minutes of the special meeting and executive session of December 10, 2012, the minutes of the special meeting and executive session of December 17, 2012, the minutes of the special meeting and executive session of December 18, 2012, and the minutes of the special meeting and executive session of December 19, 2012.

**DECEMBER 3, 2012
REGULAR MEETING**

**DECEMBER 10, 2012
SPECIAL MEETING AND
EXECUTIVE SESSION**

**DECEMBER 17, 2012
SPECIAL MEETING AND
EXECUTIVE SESSION**

**DECEMBER 18, 2012
SPECIAL MEETING AND
EXECUTIVE SESSION**

**DECEMBER 19, 2012
SPECIAL MEETING AND
EXECUTIVE SESSION**

Trustee Danko noted that in the December 3, 2012 meeting minutes regarding the study session, the date of the regular January meeting referenced should be the 14th. The motion was amended to include the correction. Motion carried.

**CONSTITUENT GROUP
REPORTS:**

Faculty Organization (FO) President Steve Walker reported to the Board that the FO had worked with Dr. Giraud on developing assessment language for the *Faculty Employment Policies*. The faculty approved the final language by secret ballot vote. The FO also wrote a position paper on the faculty's view regarding dual and concurrent enrollment. The statement was approved by a secret ballot vote of the faculty and was sent to the administration and the Board President. Board President Westerhold did not recall having received the document which Dr. Walker will resend to the entire Board.

Professional Staff Organization (PSO) President Lisa Smith reported that Shaman Quinn was selected to serve on the Action Resource Planning (ARP) Review Committee. The PSO and Classified Staff Organization (CSO) Executive Committees will be interviewing the presidential candidates and are developing a list of questions.

There were no reports from the CSO, the Student Senate (SS) or the College Council (CC).

**OPEN MEETING LAW
CHANGES:**

Northwest College's attorney Tracy Copenhaver reviewed the Open Meetings Act with the Board and called attention to changes passed in the last legislative session. The overall tenant of the Open Meeting Law is that no state agency is to transact business other than at an open meeting with the public.

The definition of a "meeting" was tweaked to mean an assembly of at least a quorum of the governing body of an agency which has been called by proper authority of the agency for the expressed purpose of discussion, deliberation, presentation of information or taking action regarding public business. It's a misnomer that an assembly is not a meeting unless action is taken. If a quorum of the Board is present and called together by proper authority, it's considered a meeting.

A special meeting may be called by the presiding officer of a governing body by giving verbal, electronic or written notice at least eight hours prior to the commencement of the meeting. The notice shall specify the time, place, and the business to be transacted. No other business shall be considered at a special meeting. The change was made to address accidental meetings such as a dinner or party at which a quorum is present but no business is being discussed.

The definition of assembly means communicating in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously. Consequently, no electronic meetings can take place and emails cannot be used for the purpose of circumventing the meaning of the act.

Another change is that a motion to hold an executive session must specify one of the reasons listed in Wyoming Statute 16-4-405. Also, if a Trustee objects going into executive session because they believe it's contrary to the law, they should refuse to participate and the objection must be part of the record.

Mr. Copenhaver also highlighted changes to the Public Records Act. The new definition of public records includes any physical or electronic information received by the College in the furtherance of business. Confidential information is not considered public record.

The law also changed the manner of requesting public records and timelines for responding. It requires public records to be available for inspection by an applicant during business hours. It also requires available public records to be released to the applicant immediately unless the release impedes the College's ability to carry out its duties. In that case, the College must notify the applicant within seven days that the public records are unavailable.

A CHECK REGISTER:

After a brief question and answer session, **a motion was made by Trustee Vogt and seconded by Trustee Danko to approve the check register as presented. Motion carried.**

A APPROVAL OF NEW COURSE FEES:

Vice President Giraud requested the Board approve a list of proposed course fees and pass-through fees. The form on which a course fee is requested includes a complete rationale; a summary was included in the Board materials.

Nursing Director Marnee Crawford responded to several questions regarding proposed course fees in the Nursing Program. The Department is mindful of the cost when determining course fees, but the charges are necessary in order to maintain equipment and technology. Fees incurred in the first semester are higher and decrease as the student gets further into the program.

In response to an inquiry by Trustee Vogt, Finance Director Flom said he's not certain how NWC's overall fixed fees compare with the other six community colleges.

A motion was made by Trustee Fees and seconded by Trustee Danko to accept the fee changes as presented. Motion carried with Trustees LaPlante and Vogt dissenting. Trustee LaPlante requested an analysis of NWC's fixed fees by program compared to the other six community colleges.

CITIZENS' OPEN FORUM:

Citizens' Open Forum convened at 5:15 p.m. There were no citizens present to address the Board, so Citizens' Open Forum adjourned.

A WACCT DUES FOR 2013:

Wyoming Association of Community College Trustees (WACCT) dues cover the cost of Executive Director Steve Bahmer's salary and expenses. Board members agreed that the Executive Director has brought cohesiveness among the seven community colleges. **A motion has made by Trustee Danko and seconded by Trustee Larsen to approve paying the 2013 WACCT dues in the amount of \$14,000. Motion carried.**

REPORTS:

Board President:

Board President Westerhold reported that the Presidential Search Committee has narrowed the list of candidates to three finalists. He asked constituent group representatives to encourage their colleagues to attend the presentations by the presidential candidates and to return the feedback forms to Human Resources. Board President Westerhold appointed Trustee LaPlante to replace former Trustee Hedderman on the WACCT Advocacy Committee.

Board Committees:

Trustee Vogt reported that he participated in the teleconference regarding the proposed tuition increase. He was pleased that the uniform tuition for 12-20 credits remained unchanged, but concerned about the 5% tuition increase that was approved. Most NWC students

come from Park County whose parents are already paying property and vehicle taxes. Only seven counties pay those extra fees while the other 16 counties only pay tuition. Trustee LaPlante explained that the WCCC is doing an analysis of where students come from (by school, by county). His bigger concern is that NWC has a significantly larger out-of-state population and is more affected as the tuition gap closes in neighboring states.

Trustee Danko reported there was little discussion in the WACCT legislative update teleconference in light of the budget cuts. WACCT Director Steve Bahmer hosts the forum on Fridays and anyone can participate.

Trustee LaPlante requested that the Board have a thoughtful discussion at next month's meeting regarding a proposed bill that would make it legal for permit holders to carry a concealed weapon on any college facility without the written consent of the college. He recommended the WACCT Advocacy Committee take a position and inform the Legislature.

College President:

President Prestwich reported that he and Vice President Kitchen met with each of the Big Horn Basin legislators regarding this year's legislative agenda. The College is still bracing for major budget cuts and the President's Advisory Council (PAC) has discussed some budget strategies proposed by Finance Director Flom. The budget planning process with the ARP Review Committee will begin shortly. The College's response to the Higher Learning Commission (HLC) report is nearly complete. The campus will have an opportunity to review the report and provide feedback before it is sent to the HLC in preparation for the focused visit on March 25 & 26. The Yellowstone Academic and Workforce Training Building is progressing on schedule.

In response to Trustee LaPlante's request for Board input in the budget planning process, President Prestwich suggested the Board's Finance Committee meet with the ARP Review Committee. Board members were asked to forward their input to Trustee Danko who will compile the information for the joint Finance Committee-ARP Review Committee meeting. President Prestwich also invited Board members to contact him directly with questions or concerns.

Vice Presidents:

Vice President Mills reported that the State of Wyoming Construction Manager and CTA Associates will present an update on the design of the Yellowstone Academic and Workforce Training Building at next month's Board meeting. He also gave an update on the Bid and Contract Issuance Report and requested Board approval for four new projects: (1) replacement of the kitchen hood system in the DeWitt Student Center at a cost not to exceed \$220,000 (which includes the \$49,000 already spent on asbestos removal); (2) replacement of the Colter Hall roof at a cost not to exceed \$165,000; (3) the first phase of the pavement repair project (repair ADA ramp and concrete steps) at a cost not to exceed \$140,000; (4) upgrade of the HVAC control system in the Frisby Building and the Nelson Performing Arts Center at a cost not to exceed \$130,000. Funding for the four projects would come from major maintenance funds. **After a brief discussion about**

the Facilities Master Plan, a motion was made by Trustee LaPlante and seconded by Trustee Danko to approve the projects as presented. Motion carried.

HR Director Anderson gave an update on the Personnel Status Report. *Employment Handbook* revisions will be considered by the College Council at its January 22nd meeting. After PAC approval, the revised policies will be presented to the Board at its March meeting. Ms. Anderson explained that the professional development trainings are being consolidated and will be a good resource for supervisors in the performance management system.

In response to a couple of questions on last month's Administrative Services report, Vice President Mills reported on several Computing Services projects that have been completed including the wireless Internet upgrade and self-registration process for guests.

In addition to his written report in the Board materials, Vice President Kitchen reported that he has activated the Alumni Legislative Relations Network. In response to an inquiry by Trustee Vogt, President Prestwich explained that Board members were not asked to participate in their meetings with Big Horn Basin legislators since the legislative agenda was light. It was suggested the WACCT Advocacy Committee arrange for Trustees to meet with legislators throughout the year so they're not being inundated just prior to the beginning of the legislative session. One of the things specific to this time of year are the legislative requests. Cultivation is the key so legislators are familiar with the college when they receive the request.

In addition to his written report in the Board materials, Vice President Giraud highlighted that the NWC Music Department was reaccredited by the National Association of Schools of Music Commission. In response to an inquiry by Trustee Vogt, Dr. Giraud explained that the reason for the large enrollment decrease in ITV courses is because they have become less popular and are being replaced with online classes. In response to Trustee Danko's inquiry regarding the student assessment piece for the HLC, Dr. Giraud said the College needs to show that it is collecting assessment in a systematic way and using the information to make decisions. NWC now has a Web page dedicated to its assessment efforts.

Vice President Fox reported that his area is gearing up for spring semester and that many athletes, Resident Assistants, and other students are already on campus. He offered to respond to questions on his written report in the Board materials.

In addition to her written report in the Board materials, Foundation Executive Director Wetzel reported that the Foundation is receiving a better return on its investments this year and that they have surpassed \$400,000 in fund raising for the Yellowstone Academic and Workforce Training Building.

Other Business

Trustee Vogt reported that he has received questions and concerns why the College is sending the Women's Basketball Team to Florida in the face of budget cuts. Foundation Executive Director explained that it's a planned activity funded by the Booster Club as described in its brochure. The "special team travel" rotates among the teams and has proved useful in recruiting.

In addition to reminding Board members to attend the upcoming first annual Yellowstone RoboRumble Tournament and the Spring Roundup, Trustee LaPlante reported that he was invited to speak to Cody High School and Cody Middle School staff regarding the importance of a post-secondary education. He'll be going back to speak with the entire senior and junior class, and he congratulated them for being proactive.

A EXECUTIVE SESSION:

At 6:55 p.m. **a motion was made by Trustee LaPlante and seconded by Trustee Larsen to move into executive session to discuss an employment matter. Motion carried.**

The executive session was adjourned and the regular meeting resumed at 7:20 p.m.

A VOLUNTARY EARLY RETIREMENT APPLICATIONS:

Board President Westerhold reported that the College received Voluntary Early Retirement Program (VERP) applications from one faculty member and two staff members. **A motion was made by Trustee Fees to accept and fund the requests as presented with the understanding that the current system is unsustainable and that the Board will develop a policy for future non-faculty VERP requests. The motion was seconded by Trustee Danko.** In further discussion, Trustee Vogt voiced concern that it's discriminatory to offer early retirement to one constituent group and not another.

Trustee Housel amended the motion to read: accept and fund the requests as presented with the understanding that the Board will study the non-faculty early retirement program. Motion carried.

NEXT MEETING:

The next regular Board of Trustees meeting is scheduled for Monday, February 4, 2013, in the DSC Trapper Room.

A ADJOURNMENT:

On a motion by Trustee Housel and seconded by Trustee LaPlante, the meeting adjourned at 7:26 p.m.

JOHN HOUSEL, Vice President/Secretary

Date