

**Minutes of the Special Meeting of the KCKCC Board of Trustees**  
**December 13, 2016 – 9:00 a.m.**  
**KCKCC Board Room**

Consent Agenda – Item # A1.

The purpose of this meeting:

- To hear presentations, for the proposal of legal services, by attorneys representing: McAnany, Van Cleave & Phillips, P.A. and Spencer Fane, LLP

The Meeting was called to order at 9:00 a.m. by Board Chairman Wendell Maddox.

Roll Call indicated the following present: Trustees Ash, Brown, Daniels, Maddox, and Rios. Trustees Breidenthal and Townsend were unable to attend. Administration present: Drs. Givens, Lindahl, and Kremer.

Chairman Maddox asked, since he needed to leave early for another meeting, for a motion to amend the Agenda from that of each law firm presenting and then responding to questions and/or comments to both firms presenting and then to ask for questions. Trustee Rios moved to amend the Agenda. Trustee Brown seconded and the **Motion Carried**.

Chairman Maddox asked the representatives from McAnany, Van Cleave & Phillips to present first. Mr. Greg Goheen introduced the other MVP attorneys: Brian Dink and Theresa Mata.

- Mr. Goheen stated that MVP had been in existence for over one hundred years and have always been in Wyandotte County.
- MVP has served KCKCC for over fifteen years and beyond with legal cases as they've handled a variety of litigation cases involving the college.
- Mr. Goheen stated they have represented a variety of educational institutions, community colleges, public entities and municipalities.
- Mr. Goheen stated they have worked with over 150 Kansas School Districts as well as Missouri and Oklahoma.
- Mr. Goheen spoke of concurrent enrollment between KCKCC and other colleges and that MVP has represented many of those entities.
- Mr. Goheen stated their educational expertise included, but was not limited to, Title IX, student rights, Kansas Open Meetings Act, Planning and zoning, litigation, Civil Rights litigation, interlocal cooperation, etc.

Chairman Maddox asked the representatives from Spencer Fane to present next. Mr. Nathan Orr stated he was representing the firm on behalf of Mr. Joe Hatley. Mr. Orr introduced Brian Peterson and Angus Dwyer.

- Mr. Orr stated that Spencer Fane had originally begun working with KCKCC over employment issues.
- Spencer Fane has been in existence since the 1870's and has now expanded to six states.
- Spencer Fane has over two hundred attorneys having grown quickly in the 1940's representing companies dealing with unfair labor practices.

- Mr. Orr stated that Spencer Fane has a “deep bench” with regard to educational groups and that this is a specialty of Mr. Joe Hatley. Mr. Orr also stated that Mr. Hatley would be the point of contact for KCKCC and would also represent during Board of Trustees meetings.
- Mr. Orr stated that Spencer Fane had represented a variety of educational issues, i.e. Title IX, Sunshine Law, student records, Human Resources issues, and discipline termination. Their firm is also current on issues relating to the LGBTQ community.
- Mr. Orr also reminded that Spencer Fane had represented the college regarding the Leavenworth lease agreement and was able to save the college hundreds of thousands of dollars.
- Mr. Orr stated that Spencer Fane would come to KCKCC with a “fresh set of eyes and a deep bench.”

At this point, Chairman Maddox asked if anyone had questions for attorneys from either firm.

- Trustee Rios asked MVP attorneys if they felt there is a conflict of interest representing different entities at the college that since they represent different entities at the college, would there be the perception of conflict of interest. Attorney Dink stated that any entity that may be involved with the U.G., the U.G. has its own separate council.
- Chairman Maddox asked about training for staff especially employee related issues that may arise as a result of a legal issue. Mr. Orr stated that Spencer Fane had extensive Human Resources training but could also tailor its representation to the particular entity...staff management, etc. Mr. Orr also addressed the “conceal carry” issue and stated they could certainly work with the college to develop a policy. Chairman Maddox asked if that would be by suggestion or requirement. Mr. Orr stated that whether required or suggested that a list would be e-mailed with the updates. Mr. Orr also stated that KCKCC has many policies needing updating with many pertaining to EEOC.
- Trustee Rios asked of both MVP and Spencer Fane attorneys, what their commitment to Wyandotte County would be. Mr. Orr responded that Spencer Fane has many attorneys in their firm who live and are involved in the community in Wyandotte County. Mr. Goheen responded that MVP has a commitment to the students and that their “heart and soul” is in WyCo.
- Chairman Maddox asked about their involvement in charities in Wyandotte County. Mr. Goheen, of MVP, responded they were involved in United Way of WyCo, the Hall of Fame...with involvement being time and monetary, WyCo Health Group., Providence Hospital Foundation, WMCA, the Education Foundation and Board of Public Utilities. Mr. Orr, of Spencer Fane, responded that their firm has an umbrella foundation which sponsors several charities, i.e. Arts & Education, with dollars geared toward the study of the arts, Cross Roads Foundation, KCAI (Kansas City Art Institution), Arts KC. Mr. Orr stated that he, himself, is on the Board of the Salvation Army and Harbor Lights Village, which is Wyandotte County based.
- Trustee Rios asked each firm how they thought the Board of Trustees should evaluate them. Mr. Orr responded that, “legal manages risk.” Are you getting value in the risk? Is what “we’re” doing giving and keeping you from getting into trouble? Mr. Orr stated that the Board’s evaluation should be a “straight up, honest evaluation.” Mr. Orr also mentioned that Spencer Fane had worked with the Missouri schools a number of years ago with their school desegregation policy. Mr. Goheen, of MVP, stated that it’s how well you work with your attorney...the relationship. How accessible is the attorney. Are you getting the advice requested?

*At 10:05 a.m. Chairman Maddox announced he needed to leave for another meeting and turned the meeting over to Trustee Donald Ash, previous Board Chair.*

Trustee Ash asked that the questioning continue with the attorney relationship question. Mr. Goheen stated that "you want your attorney to be accessible and to respond quickly.

- Trustee Rios asked the question about minority recruiting. Mr. Orr stated that Spencer Fane does its best to recruit minority attorneys as long as they are qualified as such.
- Trustee Brown wanted to mention that this was a new experience for her and was glad she had the opportunity to be involved in the process.
- Trustee Daniels stated that he did not have any questions but noted that both law firms are certainly qualified and thanked them both for their presentations and for being interested in KCKCC.
- Trustee Ash thanked attorneys from both firms and stated this would be an Agenda item on the December 20<sup>th</sup> Board Meeting and asked for a motion to adjourn. Trustee Rios moved to adjourn. Trustee Brown seconded and **Motion Carried.**

The Special Meeting of the Board of Trustees adjourned at 10:10 a.m.

Attest:



Chairman, Wendell Maddox



President, Dr. Doris Give