

KANSAS CITY KANSAS COMMUNITY COLLEGE

Board of Trustees Meeting

January 13, 2009

The regular monthly meeting of the Board of Trustees was called to order at 12:30 p.m. in the Board Conference Room at the College by Chairman J.D. Rios. Roll call indicated the following Trustees present: Donald Ash, Ray Daniels, Nolen Ellison, Karen Hernandez, Mary Ann Flunder, J.D. Rios, and Clyde Townsend.

1. Dr. Burke presented the following amendments to the agenda:

Changes:

X. Finance

C. Recommendations:

6. (Project #1 requests \$1,100,000 (**instead of \$750.000**) to reroof the Flint, social Science, Administration, Fine Arts **and Science (added)** buildings. . .

Additions:

X. Finance

C. Recommendations:

7. Authorization for the BOT Chairman and College President to sign an additional loan application to the State of Kansas to be funded by the deferred maintenance, interest free loan program (Project #3 requests the State re-examine their decision to deny funding for the security system portion of the fire alarm/security system project).

Trustee Ellison noted that he had a communication he wished to add, and Trustee Flunder stated that she also had a communication regarding the meeting with the Mayor. Trustee Townsend moved to approve the amendments to the agenda as presented. Trustee Ash seconded and the motion carried.

2. Trustee Townsend moved to approve the minutes of the December 9, 2008 Board of Trustees meeting. Trustee Ellison seconded and the motion carried.
3. The Chairman asked if there were any Patrons or Petitioners wishing to address the Board at this time. Mr. Richard Mabian, 2035 Oakland, Kansas City, KS spoke to the board and thanked them for supporting the upcoming conference "Breaking the Silence" at the college. He noted that the other sponsors involved were the United Government, Board of Public Utilities, Neighborhood groups and Wynadotte High School. He also noted that the conference in 2010 would be the subject of spirituality. The Board thanked Mr. Mabian for his comments.
4. The next item was the presentation of the College Audit for 2007 & 2008. Trustee Daniels spoke as chairman of the Audit Committee regarding the audit responsibilities of the Board and deferred to legal counsel, Attorney Wynn for further guidelines. Attorney Wynn spoke of the three duties of the Board of Care, Loyalty and Obedience. The review of the report of

audit would fall under the duties of care for the Board. Following legal counsel's description of board duties, Trustee Daniels further noted that some of the guidelines of responsibilities of the Board as described in Sarbanes & Oxley guidelines Trustee Daniels deferred to Mr. William Schmidt of the college auditing firm. Mr. Schmidt gave a detailed summary of the audit materials presented and the status of compliance of the college. Following questions following the audit, Dean Brian Bode noted that he concurred with everything stated in the Management Letter to the college regarding items of suggested improvement even though there were no official deficiencies noted. Trustee Ellison distributed his audit recommendations and requested that it be made part of the board record. Following questions and discussion regarding the audit report Trustee Daniels moved to accept the audit report for 2007 and 2008. Trustee Townsend seconded. At this time it was decided that approval of the audit report should include the Federal Awards portion of the audit so it was given at that time. The following roll call vote was taken to approve the audit as presented:

Trustee Ash	yes
Trustee Daniels	yes
Trustee Ellison	no
Trustee Flunder	yes
Trustee Hernandez	yes
Trustee Rios	yes
Trustee Townsend	yes

Six yes votes and one no vote was made and the motion carried.

5. Under Communications, trustee Ellison distributed a resume with an attachment letter announcing his intention to run for a seat on the Board of Trustees in the upcoming election in April of 2009. Trustee Flunder also reported on a telephone communication she had recently had regarding the Dotte Promise project and the Police Academy setting meetings up for February 4th for Trustees at Rios and Ash 10:30 a.m., and Trustees Daniels and Ellison at 11:15 a.m. There was brief discussion regarding the appropriateness of Trustee Flunder setting up these meetings instead of the Board Chairman. Trustee Rios explained that he had authorized her to do so.
6. Under the President's Report Dr. Burke spoke briefly on the following:
 - KCKCC's Debate Team being ranked #1 in the nation at present
 - Various community projects that college personnel were involved in (i.e. Dr. Collins and Elizabeth Kaskow in the curbside recycling study/project in Basehor; and the KCKCC Phi Theta Kappa chapter's success with Christmas in the City in December 2008)
 - The new Executive Director for KACCT, Linda Fund, taking Sheila Frahm's place and both of them being on campus January 16th
 - Kansas Board of Regents Meeting in Topeka on January 14 & 15th
 - State Budget/Funding for community colleges still undecided at this point
 - The award he would be receiving on behalf of KCKCC for the work the college has done to further the opportunities for Hispanic students in education
7. Under the Provost's Report Dr. Ardebili introduced Dr. Agha-Jaffar to give a report on the Revised Integration Plan for the ATS Merger. It was explained that the plan was not only

completed six months ahead of schedule (May 2009) but progress was taking place on the implementation. They will submit the plan to the Workforce Development Committee and then finalized form in May to the Higher Learning Commission. The deadline for the completion of implementation is May 2010.

8. Ms. Lori Trumbo, Dean of Continuing Education & Community Services then gave an update report for the second quarter of the Department of Education Federal Grant H.E.A.R.T. Project. Following discussion there was an additional report on the Department of Labor Grant status.
9. The next item was the Personnel Report at which time Dean Leota Marks presented the following Personnel Information items:
 - Retirement of Ahmad Ali Sultani as Audio Visual Distribution Specialist in the Media Services Dept. effective December 31, 2008
 - Resignation of Cindy Otts as Director of Title III effective January 22, 2009
 - Resignation of Regina Smith from the position of part time Evening Information Center Position effective December 18, 2008
10. Dean Marks then presented the following Personnel Recommendations:
 - Approval of early retirement for Kenneth Dugger as Custodian at the Leavenworth Center effective April 30, 2009
 - Approval to employ Damian P. Wilson as Substitute Teacher at the Technical Education Center effective January 12, 2009 at the hourly rate of \$20.72
 - Approval to employ Reece L. Gibson as part time Machine Tool Instructor at the Technical Education Center effective January 12, 2009 at the hourly rate of \$20.72Trustee Townsend moved to approve the recommendations as presented. Trustee Daniels seconded and the motion carried.
11. Under the Finance Report Dean Brian Bode requested payment of the bills as presented. Trustee Ash moved to approve payment of the bills as presented. Trustee Townsend seconded and the motion carried.
12. Dean Bode requested approval of the Financial Report as presented. Trustee Daniels moved to approve the Financial Report as presented. Trustee Townsend seconded. Dean Bode noted that even though the electric usage had decreased from last year the rates had increased by approximately \$41,000.00. He then noted that the Buildings & Grounds Personnel were always working on keeping energy costs down across the campus. The vote was taken and the motion carried.
13. Dean Bode made recommended the following items for approval:
 - Approval of payment of \$263,957.64 to Commerce Bank for Visa credit card purchases for November 2008 (Various Funds)
 - Approval of payment of \$13,038.91 to USD 500 Transportation Department for NYSP transportation services for Summer 08 (Youth Sports Program Fund)

- Approval of Change Order #1 to KC Mechanical contract for HVAC upgrade by \$11,762.00 to furnish and install additional flexible connectors to water condenser connections, vibration isolators on existing water pumps, and butterfly isolation valves on water pumps (State of KS Loan Funds in Capital Fund)
- Approval of Change Order #2 to KC Mechanical contract for HVAC upgrade by \$21,627.00 to support changed design of foundation for water chiller at Print Shop (State of KS Loan Funds in Capital Fund)
- Approval of reduction in mileage reimbursement from \$0.585 to \$0.55 effective January 1, 2009 to meet new IRS guidelines
- Authorization for the BOT Chairman and College President to sign loan applications to the State of Kansas for 2 projects to be funded by the deferred maintenance, interest free loan program (Project #1 requests \$1,100,000 to re-roof the Flint, Social Science, Administration, and Fine Arts and Science buildings. Project #2 requests \$300,000 for resurfacing of the motorcycle training courses that support the KS Motorcycle Training Program. Applications due January 16, 2009.)
- Authorization for the BOT Chairman and College President to sign an additional loan application to the State of Kansas to be funded by the deferred maintenance, interest free loan program (Project #3 requests the State re-examine their decision to deny funding for the security system portion of the fire alarm/security system project.)

Trustee Daniels moved to approve the recommendations as presented. Trustee Townsend seconded and the motion carried.

14. Trustee Daniels moved to recess for a period of five minutes. Trustee Townsend seconded and the motion carried. The meeting recessed at 2:50 p.m.
15. The Board reconvened at 2:55 p.m. at which time Trustee Hernandez presented the college with an original painting of President Elect Barak Obama to be displayed on the campus as soon as possible. The Board thanked Trustee Hernandez for her gift to the college.
16. Trustee Daniels moved to enter executive session for a period of 20 minutes for the purpose of discussing faculty negotiations and to discuss matters subject to attorney-client privilege to protect the privilege and the board's position in possible litigation. Trustee Hernandez seconded and the motion carried.

Trustee Ash left the meeting at this time. Executive session commenced at 3:00 p.m.

17. Executive session recessed for Trustee Townsend to move to extend executive session until 4:00 p.m. Trustee Flunder seconded and the motion carried and executive session reconvened.
18. At 4:00 p.m. the Board reconvened in regular session at which time there was discussion regarding the breach of conduct and ethics on the Board. Following this discussion Dr. Morteza Ardebili, Provost requested to continue discussion in executive session to the sensitive nature and necessary naming of personnel in order to protect the privacy of those involved and the privilege of the board's position in potential litigation for a period of ten

minutes. Trustee Daniels moved to approve the request as stated by Provost Ardebili. Trustee Townsend seconded and the motion carried. Executive session commenced again at 4:01 p.m.

19. Regular session reconvened at 4:10 p.m. at which time the Board Chairman stated that he was willing to take any action regarding the items discussed in executive session. Legal counsel communicated that Provost Ardebili wished to speak to the Board in executive session at that time as a co-defendant with the college. Trustee Daniels moved to enter executive session for a period of ten minutes to protect the privacy of those involved and the privilege of the board's position in potential litigation. Trustee Townsend seconded and the motion carried. The Board reconvened in executive session at 4:15 p.m.
20. Regular session reconvened at 4:25 p.m. at which time brief discussion took place before legal counsel recommended that the Board adjourn the meeting at once. The Chairman moved to adjourn the meeting. Trustee Townsend seconded and the motion carried.

The meeting adjourned at 4:30 p.m.

ATTEST: _____ Chairman

_____ Secretary