

MINUTES  
SPECIAL BOARD MEETING  
of MCHENRY COUNTY COLLEGE

A Special Meeting of the Board of Trustees of McHenry County College was held on Wednesday, May 28, 2014 in the Board Room, Room A217, in Building A on the Campus. Chair Parrish called the meeting to order at 6:00 p.m. When Ms. Walsh called the roll, the following were present:

Mr. Peters  
Mr. Jenner  
Ms. Kisser  
Ms. Liddell  
Ms. Miller  
Ms. Walsh  
Mr. Wilbeck  
Mr. Parrish

Attorney Nanci Rogers was present as legal counsel.

ACCEPTANCE OF AGENDA

Mr. Jenner read from the minutes of the April 25, 2013 First Meeting of the Newly Organized Board:

“Mr. Wilbeck stated the voters have spoken loudly and want transparency and honesty and asked whether the Board could look into rescinding the contract extension action passed tonight. Attorney Rogers responded to Mr. Wilbeck’s question, noting that the action was a valid act of the Board and is not something that can be rescinded at a subsequent meeting.” Mr. Jenner asked whether the Board was rescinding a valid action at tonight’s meeting. He stated he is struggling to understand why the Board could not do this thirteen months ago, and can do it tonight. Ms. Rogers stated that the Board has a general consensus to follow Robert’s Rules; she added that under Robert’s Rules actions can be rescinded at a subsequent meeting. Mr. Jenner replied that the Board could have done that thirteen months ago. Ms. Rogers replied that this Board does not have a policy that says Robert’s Rules is what is followed; she added that Robert’s Rules are parliamentary legislative guidelines, not necessarily appropriate for small governing boards. She added that the Board follows its own practices and procedures established by the

Board, many of which are in the Illinois Public Community College Act. Until changes are made, those are relevant.

Mr. Parrish stated it would be appropriate for the Evaluation and Policies Committee to review this. Mr. Jenner stated that it bothers him that the advice the Board received a year ago is completely opposite of what the Board is being told tonight. Mr. Jenner asked what is being rescinded at tonight's meeting; Ms. Kissler replied that the Board is voting on whether to rescind the vote taken on May 22, 2014 on Board Report #14-111. Ms. Rogers added that it was a failure to ratify something that was before the Board. She added that Robert's Rules talks about rescinding an action that was taken; the Board took action not to ratify the President's contract, goals and objectives.

Mr. Parrish asked whether all would accept the agenda as it sits; Mr. Peters, Ms. Kissler, Ms. Liddell, Ms. Miller and Ms. Walsh accepted the agenda. Mr. Wilbeck did not answer. Mr. Jenner stated he did not accept the agenda.

#### OPEN FOR RECOGNITION OF VISITORS AND PRESENTATIONS

Ms. Natalie Diversiev, former Student Trustee, stated that Dr. Smith as the school's president lives up to the mission statement, "Our Focus is Learning. Student Success is our Goal." Ms. Diversiev stated that because of Dr. Smith's interest and persistence, she is moving on with two associate degrees. She believes Dr. Smith has all the fine qualities to continue being McHenry County College's president.

Ms. Paola Rueda, former Student Trustee, stated that she has visited many college campuses and cannot stress enough how important it is for students to feel acclimated to spaces. She stated that the commons renovation looks and feels like a college. She stated that the College should continue supporting Dr. Smith's visions and goals. She asked the Board not to forget about students, who are here every day. She stated that taxpayers are important, and so are students. She stated that through her experience as Student Trustee, she learned that the college is composed of taxpayers, students and the state, and the focus cannot only be on taxpayers, but all three areas. She restated the mission statement, "Our Focus is Learning. Student Success is our Goal."

Dr. Mary Moltmann, Instructor Emeritus, thanked Trustees Parrish, Jenner and Wilbeck for not voting to ratify Dr. Smith's contract. She stated her belief that the atmosphere here remains toxic and gives Dr. Smith credit for that. She stated her concern with the fact that faculty negotiated a new contract for eighteen months, and her concern with the needed improvements outlined by the AQIP Systems Portfolio Feedback Report. She asked all Trustees to look at data in its rawest form to find out what is going on.

RESCISSION OF ACTION TAKEN ON MAY 22, 2014 RE: APPROVAL OF PREISDENT'S CONTRACT AND GOALS AND OBJECTIVES

Mr. Parrish announced at 6:14 p.m. that the Board will consider action on the rescission of Board Report #14-111. Ms. Kisser moved for rescission of the vote taken on May 22, 2014, regarding approval of the President's Contract and Goals and Objectives. Ms. Liddell seconded the motion. Mr. Parrish asked whether there was any discussion; there was none. The roll was called. Mr. Peters, Ms. Kisser, Ms. Liddell, Ms. Miller, and Ms. Walsh voted in favor; Mr. Wilbeck, Mr. Parrish and Mr. Jenner voted against. The motion carried.

APPROVAL OF PRESIDENT'S CONTRACT AND GOALS AND OBJECTIVES, Board Report #14-112

Ms. Kisser moved to approve President's Contract and Goals and Objectives, Board Report #14-112, and Ms. Miller seconded the motion. Mr. Parrish stated that a motion had been made and seconded and asked if there was any discussion.

Mr. Peters shared a story about Dr. Smith. When he took office as new Student Trustee, he was very fearful of talking to the President. He has learned since that she has always upheld the College's mission statement, "Our Focus is Learning. Student Success is our Goal." He stated that without a leader like Dr. Smith, the College may lose focus on student success. He stated she is the perfect example of what the College's mission statement is. She is focused on student success and wants to know what students are doing. He stated Dr. Smith is the perfect person for MCC's presidency.

Mr. Jenner stated that the two Board Reports are identical and asked if there was a limit on how many times the Board can vote on the same thing. He asked if there is another split vote, does the Board continue to vote until the report passes?

Ms. Miller apologized to her fellow Trustees for being absent at the May 22, 2014 meeting. She is hoping this action passes tonight so that the College can move on to more positive things instead of arguing over something already presented to Dr. Smith. She asked that the Board move on and take the vote. Mr.

Parrish replied to Ms. Miller that she did not need to apologize any more than he does, he almost missed tonight's meeting. He stated there are seven Trustees; decisions are made by the majority of the Board and we accept that.

Mr. Parrish asked Attorney Rogers to clarify the rescission issue for the record and for the Trustees. Ms. Rogers stated that the question was about renewal of a motion and bringing a new motion. Once rescinded, it is as if an action or a vote on the prior matter never existed, it is gone. A new motion, even if exactly the same, can be brought as it is no longer in existence. If not rescinded, a negative vote can be renewed at the next meeting, if it was not an action that was put in place and irreversible, which the denial of the ratification of the contract was not. That is not necessary in this case because of the approval of the rescinding of the prior vote. It is a new motion that can be brought and that is what was on the agenda.

Mr. Parrish stated that because of the conflict in this issue, he would encourage the Evaluation and Policies Committee to drill down and determine a strong and firm policy that the Board can reflect on later. He stated that Mr. Wilbeck's comments were illustrative, as were Ms. Miller's comments. He asked if there were no further comments or discussion, that the roll be called for a vote on Board Report #14-112.

The roll was called. Mr. Peters, Ms. Kissner, Ms. Liddell, Ms. Miller, and Ms. Walsh voted in favor. Mr. Jenner, Mr. Wilbeck, and Mr. Parrish voted against. The motion carried.

#### ADJOURNMENT

Hearing no further business, Chair Parrish adjourned the meeting at 6:24 p.m.

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Patricia Kriegermeier, Recording Secretary

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Molly Walsh, Board Secretary