

MINUTES
REGULAR BOARD MEETING
of McHENRY COUNTY COLLEGE

The Regular Meeting of the Board of Trustees of McHenry County College was held on Thursday, June 25, 2015, in the Board Room, Room A217, in Building A on the Campus. Chair Smith called the meeting to order at 6:30 p.m. When Secretary Jenner called the roll, the following were present:

Mr. Memmen
Mr. Jenner
Ms. Kisser
Ms. Liddell
Mr. Parrish
Ms. Tirio
Ms. Walsh
Mr. Smith

Dr. Smith was also present. Attorney Nanci Rogers was present as legal counsel.

PLEDGE OF ALLEGIANCE

Chair Smith led the group in the Pledge of Allegiance.

COLLEGE MISSION STATEMENT

Student Trustee Memmen recited the Mission Statement.

ACCEPTANCE OF AGENDA

The agenda was accepted as amended; Ms. Kisser added Exception 120/2(c) #1, Personnel.

ACCEPTANCE OF MINUTES

Several revisions were noted. Ms. Liddell moved to accept the minutes, Mr. Memmen seconded the motion and a voice vote was taken. All were in favor; the minutes were accepted as revised.

OPEN FOR RECOGNITION OF VISITORS AND PRESENTATIONS

Ms. Sue Kirby, co-owner of Associated Electrical Contractors and current McHenry County College vendor, spoke in support of the Prevailing Wage Act and provided copies of a report for each Trustee. Ms. Rebecca Heisler and Ms. Ann Viger invited the Trustees to attend the Crystal Lake Chamber Ambassador Summit on August 13.

Mr. Joseph Monack spoke against the Prevailing Wage Act, and asked the Trustees to vote no on the Prevailing Wage Act and yes on the Resolution to state legislators.

Mr. Matt Canizzo spoke against the Prevailing Wage Act; he asked the Trustees to support the Resolution to state legislators.

PRESIDENT'S REPORT

Dr. Smith reported that on June 12, she met with presidents and representatives of four other community colleges and Northern Illinois University to sign a Business dual degree agreement. She noted that the July 14 Committee of the Whole meeting will be held at the Shah Center in McHenry, adding that DKA Architects will speak to the Board about the Board's perspective on Phase II of the Space Utilization Study, to gather information on what the Board views as needs, planning directions, and assumptions to be undertaken.

Mr. Parrish stated that a community member stopped him in a local restaurant, since he was wearing an MCC shirt. The gentleman stated he would be taking some courses. Mr. Parrish stated that brand awareness is significant.

PRESENTATION

Automotive Program Updates

Mr. Mike Albamonte, Instructor of Automotive Technology, presented the latest updates in the automotive program, with the help of instructor Mr. Nate Kivley. The department purchased a new air compressor with Perkins funds, to replace two older compressors which supply automotive and career and technical education classes in Building D. Newer cars will be purchased, and the older cars will be donated to high school programs. A women's car care class was added to the curriculum. An alternative fuel truck was built, which is used in three classes. Mr. Albamonte spoke about a list of local businesses that want to hire McHenry County College students. After the presentation, Mr. Albamonte received questions and comments from the Trustees. His presentation can be viewed at www.mchenry.edu/Board.

COMMUNICATIONS

A. Faculty Report

Ms. Humphrey passed out copies of her report, encouraged the Trustees to look at the entire report, and spoke about several faculty accomplishments.

B. Adjunct Faculty Report

There was no report.

C. Staff Council Report

There was no report.

D. Student Trustee Report

Mr. Memmen reported that summer session is halfway through, noting that students have been updated on the Space Utilization Study, and new student orientation is in full swing. He stated that McHenry County College is some students' first choice school, and is no longer seen as a stigma, but as a way to more success. He stated that student space is a primary concern for students, and repeated the mission statement, "Our Focus is Learning, Student Success is our Goal."

E. Comments from the Board

There were no comments.

F. Attorney Report

Attorney Rogers provided an update on the US Supreme Court development; the decision on the Affordable Health Care Act made today has a significant impact on MCC. The College is still subject to penalties if it does not comply with the Act; Illinois residents may go to a Health Exchange and get a tax credit or subsidy. There are many significant Internal Revenue Service reporting obligations, the first of which are due in January.

APPROVAL OF CONSENT AGENDA

Chair Smith asked for a motion to approve the Consent Agenda. Ms. Liddell moved to approve the agenda, and Ms. Walsh seconded the motion. There was no discussion. The roll was called and all were in favor; the motion carried.

For Approval

- A. Executive Summary, Board Report #15-63
- B. Financial Statements
 - 1. Treasurer's Report, Board Report #15-64
 - 2. Ratification for Accounts Payable Check Register, Board Report #15-65
- C. Requests to Authorize/Purchase/Renew/Lease
 - 1. Annual Extreme Networks Maintenance, Board Report #15-66
 - 2. Ellucian Annual ERP Software Maintenance, Board Report #15-67
- D. Destruction of Closed Session Recordings, Board Report #15-68
- E. Fiscal Year 2017 Resource Allocation Management Program (RAMP), Board Report #15-69
- F. Addendum to Joint Educational Agreements Gateway Technical College and William Rainey Harper College, Board Report #15-70
- G. Personnel
 - 1. Salary Adjustment/Advance Placement, Board Report #15-71

ACTION ON ITEMS REMOVED FROM CONSENT AGENDA

No action was needed.

COMPENSATION ADJUSTMENT FOR NON-BARGAINING UNIT EMPLOYEES, Board Report #15-59, Tabled

Ms. Walsh moved to move this item off the table for further discussion, and Ms. Liddell seconded the motion. A voice vote was taken, and all were in favor. The motion carried.

During discussion, Ms. Walsh stated this is a very diverse group, which makes it difficult to figure out what is equitable and fair. Dr. Miksa provided a summary of which groups have and have not received increases. After extensive discussion, consensus was reached that those employees who have not received a raise in the last three years, other than those at the top of their ranges, will receive 5% the first year, and 3% each year the next two years. Ms. Walsh moved that the Board Report be amended to give everyone covered in this group a 3% increase, except for those that have not received an increase in the last three years, who would get a 5% increase the first year. Mr. Parrish seconded the motion. The roll was called; Ms. Tirio voted against, and all others voted in favor. The motion carried.

RESOLUTION TO URGE THE ILLINOIS STATE ELECTED OFFICIALS REPRESENTING THE McHENRY COUNTY COLLEGE ATTENDANCE AREA TO CREATE AND PASS LEGISLATION TO REPEAL ILLINOIS' PREVAILING WAGE ACT

Mr. Jenner moved to approve the resolution to urge the Illinois state elected officials representing the McHenry County College attendance area to create and pass legislation to repeal Illinois' Prevailing Wage Act, and Ms. Tirio seconded the motion. Ms. Liddell announced that she would abstain from voting on this matter since she did not receive enough detail on it. Mr. Smith stated that the objective, as he interprets it,

is for the Board of Trustees to collectively decide whether or not to present this resolution to legislators with the intent to send them to Springfield to create and pass legislation to repeal this law. Ms. Walsh spoke at the Committee of the Whole that she is not in favor of repealing the Prevailing Wage Act. If the intent is to reduce the cost of McHenry County College construction projects, she is very skeptical of some of the projections. Mr. Parrish stated he is in favor of the resolution. Mr. Memmen asked his fellow Trustees to peruse the document provided by Ms. Kirby with a non-partisan outlook; he did not see the Board being in favor of the resolution. Ms. Kisser stated she is in favor of the resolution, as she resents being dictated to by Springfield by a government that is running the state so badly. She added that she is not unsympathetic to the intent and philosophy behind the resolution; rather, she would fulfill her duty as a Trustee regarding the current law. Ms. Tirio stated the Prevailing Wage Act is an oppressive law. Mr. Jenner stated he sent a spreadsheet to the Trustees, containing statistics from the Bureau of Labor Statistics website and the Illinois Department of Labor website. He added that the Prevailing Wage is on average 30% higher than the average wages shown by the Bureau of Labor Statistics. Mr. Smith stated he opposes the Prevailing Wage Act; he struggles with the concept of breaching fiduciary duty as a Trustee and putting the College at risk by violating a state law. He supports the resolution as presented. The roll was called; Ms. Liddell abstained and Ms. Walsh voted no. All others voted in favor and the motion carried.

RENEWAL OF RESOLUTION FOR PREVAILING WAGE, Board Report #15-72

Ms. Kisser moved to approve Board Report #15-72, Renewal of Resolution for Prevailing Wage, and Ms. Walsh seconded the motion.

During discussion, Mr. Parrish stated he will be voting against this resolution. Ms. Walsh stated she felt the Board has a legal responsibility to pass this resolution; she would not want the Board to open the College up to any legal risk. Mr. Memmen echoed Ms. Walsh's statement and asked Ms. Rogers to explain what would happen if the College does not pass this resolution. Attorney Rogers stated that the Prevailing Wage Act states all public bodies must pass a prevailing wage resolution during the month of June, publish it in the newspaper, and file it with the Illinois Department of Labor by July 15. Statute says the ordinance will be given to all contractors and included in any project specifications. The statute also specifies what contractors must do to comply with the Act. If the College does not pass a resolution, it is liable, not the

contractors, for any violations of the Act that could cause penalties, interest, or punitive damages, as well as attorney's fees and a 2% difference. Ms. Rogers stated that undue risk may be created if the College is deemed uncompliant with state statute. Ms. Kisser stated she does not feel the members of this Board have a right to put the rest of the Board at risk; she urged all to vote in favor. Mr. Jenner stated that the Act states each public body must ascertain the local prevailing wage, which is made impossible to do. Mr. Jenner added that several local public bodies have not had a resolution each year, and have not been fined. Attorney Rogers stated that the Trustees do not act individually, but as a Board. The College would not be able to do a construction project without risk. The roll was called. Mr. Parrish, Ms. Tirio, and Mr. Jenner voted no. Mr. Memmen, Ms. Walsh, Mr. Smith, Ms. Kisser, and Ms. Liddell voted in favor; the motion carried.

APPROVAL OF FISCAL YEAR 2016 TENTATIVE BUDGET, Board Report #15-73

Ms. Kisser moved to approve the Fiscal Year 2016 Tentative Budget, Board Report #15-75, and Ms. Walsh seconded the motion. During discussion, Mr. Jenner stated he had heard the budget hearing was scheduled for September 24. Mr. Tenuta replied that the budget must be adopted by the end of the first quarter of the new fiscal year. If approved tonight, Mr. Jenner noted, the budget would be put on display tomorrow, adding that if the budget hearing were held in August there would be time to adjust if issues with the budget were brought up. Mr. Tenuta replied that if adjustments were made to the budget, it would not have to go on display again for 30 days. Mr. Jenner was fine with this response. No other Trustees commented. The roll was called. All were in favor and the motion carried.

BOARD COMMITTEE REPORTS

A. Committee of the Whole

Ms. Liddell reported on the June 9, 2015, Committee of the Whole meeting. Highlights include: Phi Theta Kappa awards, Shah Center parking lot, review of College Master Plans, preliminary financial statements, a tentative date for the Board Retreat (August 29, 2015), discussion on selection of the search firm for a new president, explanation of the 2017 RAMP document and projects, tentative budget discussion, resolution for the Prevailing Wage Act, a legislative report from Dr. Smith and community events attended

by Trustees. Ms. Liddell mentioned the Chamber summit announced earlier in the meeting, and noted that a presentation on the welding program is to be placed on a future agenda.

ICCTA REPORT

Ms. Liddell handed out a document containing the ICCTA meeting schedule for the rest of the year, noting the seminar series in September and November, where Trustees may receive credit for training. She reminded all of the October, 2015 ACCT Leadership Congress and the February, 2016 National Legislative Summit. Mr. Parrish noted that he attended the summit last year and stated it was phenomenal. Ms. Walsh noted that she and Ms. Tirio attended the Foundation Board meeting two weeks ago. She added that the Foundation received 399 scholarship applications, which are now being reviewed to be awarded for fall. The golf outing was held June 12, 2015; 118 golfers participated and \$55,000.00 was raised for the Foundation. Executive Director McGuire is working on a retreat so that the Foundation Board may plan for the year.

FOR INFORMATION

- A. New Employees
- B. Resignations
- C. Office of Marketing and Public Relations Update
- D. Office of Resource Development Update
- E. Office of Sustainability Center Update
- F. Chargeback and Joint Agreement Summary Report for Fiscal Year 2015
- G. Roosevelt University Dual Degree Program Agreement
- H. Northern Illinois University Dual Degree Program Agreement
- I. Upcoming Events

Mr. Memmen announced that the Patriot Run will be held June 28, 2015 and encouraged all to register for the event. Ms. Walsh asked for a list of dual degree program agreements; Dr. Miksa stated he can provide the list.

SUMMARY COMMENTS BY BOARD MEMBERS

Mr. Memmen spoke about cuts to Pell grants and asked whether the College has assessed how this would affect us. Mr. Memmen asked for copies of the College's strategic plans.

Mr. Tenuta announced that R. H. Perry & Associates has agreed to every one of the Board's requests and only s one correction in the contract needs to be clarified.

FUTURE AGENDA ITEMS

Ms. Walsh asked what the next steps with the presidential search firm would be; Dr. Smith replied that Chair Smith and Ms. Kriegermeier will participate in a conference call next week and work that out. Mr. Smith would like to distribute notes to the Board after the call.

CLOSED SESSION

At 8:40 p.m., Ms. Kisser moved to go into Closed Session to discuss matters covered under the Illinois Open Meetings Act, 120/2(c), Exception #1, *The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity*, and 120/2(c), Exception #21, *Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06*. Mr. Memmen seconded the motion.

There was no discussion. The roll was called and all were in favor; the motion carried. A break was taken at 8:41 p.m. and Closed Session began at 8:47 p.m.

At 9:28 p.m., Ms. Liddell moved to come out of Closed Session and Mr. Memmen seconded the motion.

There was no discussion. A voice vote was taken and all were in favor; the motion carried. Closed Session ended at 9:29 p.m.

ACCEPTANCE OF CLOSED SESSION MINUTES: Regular Board Meeting, May 28, 2015

Ms. Liddell moved to accept the closed session minutes of the Regular Board Meeting, May 28, 2015 and

Ms. Walsh seconded the motion. There was no discussion. The roll was called; the motion carried.

APPROVAL OF MOTION TO RELEASE CLOSED SESSION MINUTES AS A RESULT OF THE SEMI-ANNUAL REVIEW OF CLOSED SESSION MINUTES

Ms. Kisser moved that McHenry County College, having this date conducted the semi-annual review of its closed meeting minutes required by the Open Meetings Act, approve making public the minutes of its closed meetings held during the Board meetings identified by the dates below:

12/9/14 Committee of the Whole

12/18/2014 Regular Board Meeting

1/13/2015 Committee of the Whole (Note that part 2 of 3 should be removed from what is released, parts 1 and 2 can be released.)

2/26/2015 (1st closed session), Regular Board Meeting
3/26/2015 (1st closed session), Regular Board Meeting
3/26/2015 (2nd closed session), Regular Board Meeting

Ms. Kisser further moved that the following closed meeting minutes be found to continue to require confidentiality, and not be released at this time. Minutes of closed meetings held during the:

10/13/2014 Committee of the Whole
8/28/2014 Regular Board Meeting
6/17/2014 Committee of the Whole
11/12/2013 Special Board Meeting
10/15/2013 (2nd closed session) Special Board Meeting
Closed meeting minutes or parts thereof, which McHenry County College previously determined to require continued confidentiality pursuant to semi-annual reviews previously conducted by the Board of Trustees.

Mr. Jenner seconded the motion. There was no discussion. The roll was called and all were in favor; the motion carried.

ADJOURNMENT

Hearing no further business, the meeting was adjourned at 9:34 p.m.

Patricia Kriegermeier, Recording Secretary

Chris Jenner, Board Secretary