

MINUTES  
REGULAR BOARD MEETING  
of McHENRY COUNTY COLLEGE

The Regular Meeting of the Board of Trustees of McHenry County College was held on Thursday, September 22, 2016, in the Board Room, Room A217, in Building A on the Crystal Lake Campus. Chair Smith called the meeting to order at 6:42 p.m. When Secretary Jenner called the roll, the following were physically present:

Mr. Worden  
Mr. Parrish  
Ms. Tirio  
Ms. Walsh  
Mr. Smith  
Mr. Jenner  
Ms. Kisser

Upon reaching a quorum, Chair Smith asked for a motion and a second to allow Trustee Liddell to participate in the meeting by telephone. Ms. Kisser so moved, and Mr. Parrish seconded the motion. Chair Smith asked Trustee Liddell to confirm that any closed session conversation would be kept confidential, and Trustee Liddell so confirmed. Chair Smith asked for a vote on the motion. Secretary Jenner called the roll; all physically present were in favor, and the motion carried.

Chair Smith asked Secretary Jenner to call the roll again, including the Trustee participating by telephone.

When Secretary Jenner called the roll, the following were present:

Mr. Jenner  
Mr. Worden  
Ms. Liddell  
Mr. Parrish  
Ms. Tirio  
Ms. Walsh  
Chair Smith  
Ms. Kisser

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

COLLEGE MISSION STATEMENT

Student Trustee Worden recited the Mission Statement.

ACCEPTANCE OF AGENDA

The agenda was accepted as revised; Exception #1, Personnel, was added to item #13, Closed Session.

ACCEPTANCE OF MINUTES

The minutes of the Regular Board Meeting, August 25, 2016, were accepted as revised. Ms. Kisser provided minor corrections, and Mr. Jenner asked that a clarification be made.

OPEN FOR RECOGNITION OF VISITORS AND PRESENTATIONS

No one signed in to address the Board.

PRESIDENT'S REPORT

Dr. Gabbard spoke about a reception and Town Hall Meeting for veterans, to be held October 4. He noted that today he welcomed those attending the Substance Abuse Coalition Government Day event. Dr. Gabbard reported on current events in the Workforce and Community Education division, and then provided a report on MCC's Culinary Management program. He met with the Chief Executive Officer of Dura-Bar and toured their facility. He noted that Dura-Bar is actively trying to use McHenry County College training for their line workers.

DISCUSSION OF NEW FAIR LABOR STANDARDS ACT REQUIREMENTS

Dr. Gabbard stated that the new Fair Labor Standards Act, effective December 1, 2016, doubles the salary threshold for employees classified as exempt. This means those employees will be eligible to receive overtime. The Department of Labor will review the threshold every three years. Ms. Castillo noted that the Human Resources Department has been working with sister colleges and College attorneys to make sure that McHenry County College is in compliance with this law. Human Resources will now work with a consultant to double check and confirm Department of Labor standards. The new requirements will be implemented the week before Thanksgiving. Dr. Gabbard added that each Cabinet member has been asked to estimate likely overtime costs so that essential services will continue. He noted that some employees, who are on alert during off hours as part of their jobs, will end up in classified positions and will be eligible for overtime. Ms. Kisser asked whether some people would be moving into or out of union

status; Ms. Castillo replied that both hourly and salaried (non-exempt and exempt) employees are in the union. Therefore, this would not affect any employees' Union membership status.

Ms. Castillo noted that positions must go through a duties test, which determines specifications they must meet to be exempt. Dr. Gabbard also stated that the College is looking to mitigate the effect on benefits. In response to Ms. Walsh's question, Ms. Castillo added that the consultant will be looking at the College's position classification system. Ms. Walsh added that if a position requires more than 40 hours, there should be some adjustment with salary. Dr. Gabbard stated that several presidents recently met with Congressman Hultgren on this issue.

#### INSTALLATION OF STUDENT GOVERNMENT

Chair Smith welcomed all student government representatives and thanked them for their willingness to serve. He administered the oath of office to the group, and they were greeted with applause. Afterward, students introduced themselves. Members of student government present were: Tristen Aspires, Angelina Damiano, Diamond Damiano, Jodi Doane, Micaela Evans, Sean Hurley, Kate Michie, Madison Patenaude, and Jennifer Russ.

#### PRESENTATIONS

##### 2016 NISOD Award Recipients

Dr. Brock Fisher introduced the 2016 NISOD award winners, Ms. Chris Glans, Ms. Pat Stejskal, and Mr. David White, and then spoke about the annual conference attended by the recipients. He shared stories about each winner.

##### Capital Campaign Update

Ms. Haggerty announced the names of the Steering Committee and those offering College support, then spoke about the campaign's next steps and revealed the name of the anchor donation, Mr. Charles Liebman and his entire family. She unveiled initial renderings of the Liebman Science Center, and Dr. Gabbard spoke about Mr. Liebman, his commitment to education in McHenry County, and his generous support for McHenry County College. This announcement was greeted with applause by the audience.

The presentation can be viewed at [www.mchenry.edu/board](http://www.mchenry.edu/board).

## COMMUNICATIONS

### A. Faculty Report

Ms. Humphrey provided copies of the Faculty Report and highlighted the Learning Communities program. Her presentation can be seen at [www.mchenry.edu/board](http://www.mchenry.edu/board). After Ms. Humphrey's report, Chef Tina Drzal gave a presentation on the Culinary Management program, providing details on the program, the student restaurant, Slàinte, extra experience for students, and future program ideas. Ms. Drzal's presentation can be viewed at [www.mchenry.edu/board](http://www.mchenry.edu/board).

### B. Adjunct Faculty Report

Ms. Shuman reported that the McHenry County Adjunct Faculty Association held its first annual meeting last Friday, with great participation. She added that Vice President Marybeth Linse resigned, and a new Vice President will be appointed. Ms. Shuman and Ms. Kahl will attend a higher education conference in October. Ms. Shuman noted also that to honor the passing of adjunct instructor Juliana Eimer, a \$250.00 scholarship will be established in Dr. Eimer's name.

### C. Staff Council Report

Ms. Trimble was unable to attend; there was no report.

### D. Student Trustee Report

Student Trustee Worden announced he is trying to do something different with his monthly report, reporting on one topic each month. He spoke about the FOCUS and EXCEL programs (information available at [www.mchenry.edu/Multicultural/index](http://www.mchenry.edu/Multicultural/index)). Mr. Worden noted that student surveys will be conducted. The first survey is scheduled for October 5 and 6, to find out how students feel about textbook prices and current tuition rates. He asked that Trustees send him any questions they would like answered by the student body. Ms. Kisser stated she would like to see information in the Student Trustee Report on campus events as well.

F. Attorney Report

Attorney Rogers noted that the gist of the Local Government Travel Expense Control Act is to regulate permitted travel expenditure reimbursements for elected officials, administrators, and employees. This requires the Board to adopt a resolution or ordinance, prepare a policy and have a resolution that adopts the policy. The law leaves it up to each community college district to decide for itself what acceptable and permissible expenses are, for what purposes, set maximum limits, and provide a form that all seeking reimbursement would use to account for the expenses.

Ms. Rogers noted that her firm has created a draft policy for community colleges to use; she added that the Board would want to discuss this soon, as the new law is effective January 1, 2017. She noted that a first deadline of March 1, 2017 has been set; the Board would not be able to approve expenses over the maximum amount unless a policy is in place and the form is used. A second deadline of July 1, 2017, would provide that no Trustee expenses could be approved without the policy in place and use of the form. Ms. Rogers recommended that the Board conduct serious discussion, which could occur at the Committee of the Whole meeting, and adopt a policy and pass a resolution at a Regular Board Meeting.

Mr. Jenner summarized the discussion, stating that a discussion of reimbursable rates and a definition of company business could be held at the October Committee of the Whole meeting, after which input could be taken from the entire Board. This could then be discussed at the November Evaluation and Policies Committee meeting, preparing a draft policy for a first reading at the November Board meeting and a second reading at the December Board meeting. He noted this would bring the Board to where it needs to be before the law takes effect. He added that in the short term, this topic could be placed on the agendas for the October Evaluation and Policies Committee and the October Committee of the Whole. Ms. Rogers added that the internal committee might research historical costs for the Board by October so they could work from that information.

Further discussion followed on the requirement for a roll call vote on expenses; Ms. Rogers spoke about two options: 1) approve these expenses as part of the normal approval of bills on the consent agenda,

and 2) approve with the normal bills, separating out Trustee and employee expenses over the maximum for approval.

#### APPROVAL OF CONSENT AGENDA

Chair Smith asked whether there were any items to remove from the Consent Agenda. Mr. Jenner asked for an explanation in simple language of the Memorandum of Understanding, Board Report #16-102.

Attorney Rogers explained that the adjunct faculty association filed a majority interest petition with the Illinois Educational Labor Relations Board (IELRB) to increase the number of members and add some adjunct faculty members teaching English as a Second Language, Adult Basic Education, and General Educational Development courses to the bargaining unit. A process occurred where the union provided information to the IELRB that a majority of this group wanted to be included in the bargaining unit. Mr. Jenner asked whether all members of that group had to join the union; those instructors are covered in terms of support, do not have to pay dues, but do pay a "fair share" cost.

Chair Smith asked for a motion and second to approve the Consent Agenda. Ms. Walsh moved that the Consent Agenda be approved as presented, and Ms. Tirio seconded the motion. There was no discussion.

The roll was called and all voted in favor, with Ms. Kisser voting yes on advice. The motion carried.

#### **For Approval**

- A. Executive Summary, Board Report #16-95
- B. Financial Statements
  1. Treasurer's Report, Board Report #16-96
  2. Ratification for Accounts Payable Check Register, Board Report #16-97
- C. Destruction of Closed Session Recordings, Board Report #16-98
- D. Memorandum of Understanding Between the Board of Trustees of McHenry County College and McHenry County College Adjunct Faculty Association, Board Report #16-102
- E. Personnel
  1. Request for Retirement, Board Report #16-99

#### ACTION ON ITEMS REMOVED FROM CONSENT AGENDA

No action was necessary.

CONSTRUCTION MANAGEMENT COMPANY SELECTION FOR SCIENCE CENTER PROJECT, Board Report #16-100

Ms. Kissler moved to approve Board Report #16-100, Construction Management Company Selection for Science Center Project, and Ms. Walsh seconded the motion. During discussion, Mr. Jenner asked how much of the expense was budgeted in Fund 03; Mr. Tenuta replied that this was built into the total cost of the Science Center, as part of the total package. He added that two construction management companies worked with DKA to refine those numbers. Mr. Jenner noted no number was specified, and asked if there would be another vote to approve the cost; Mr. Tenuta replied that work is in progress on a contract with Pepper Construction, who will be provided a guaranteed maximum price, and the Board will vote on this. Mr. Jenner stated that he did not think it was good practice to have a close relationship with a vendor and was surprised that more firms are not doing this type of work. Mr. Tenuta noted that a second firm came in a much higher price per square foot. Ms. Kissler noted that this project must be gotten right the first time; she could not remember any major headache or problem with the use of Pepper Construction in the past. She noted that given the fast track this project has been placed on, it makes sense to go ahead. Ms. Tirio asked whether anyone had looked into Solarcrete, in Union, Illinois. Dr. Gabbard asked if this was a construction firm, or construction management firm, and Ms. Tirio noted they have insulated panels for energy efficient buildings. Ms. Kissler noted that this firm would not fit for what we want, a construction management firm. Mr. Parrish stated that he has no problems with Pepper Construction. Ms. Liddell noted that Pepper Construction comes with a solid reputation.

Mr. Jenner noted there was a motion and second to approve Board Report #16-100, Construction Management Company Selection for Science Center Project, authorizing the College to negotiate a contract with Pepper Construction. Ms. Tirio asked what would happen if the vote did not pass; Ms. Kissler replied that two to three months would be lost on the schedule. Mr. Tenuta added the decision cannot be based on dollars, but on qualifications. Mr. Jenner noted that however the vote results, the message is that some of the Board wants to see more rigorous selection. When the roll was called Mr.

Worden, Ms. Walsh, Mr. Smith, Ms. Kisser and Ms. Liddell voted in favor; Ms. Tirio, Mr. Jenner, and Mr.

Parrish voted against. The motion carried.

LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) CERTIFICATION FOR MCC SCIENCE CENTER PROJECT, Board Report #16-101

Chair Smith asked for a motion and second. Ms. Kisser moved to approve Board Report #16-101, Leadership in Energy and Environmental Design (LEED) Certification for MCC Science Center Project, and Ms. Walsh seconded the motion. During discussion, Mr. Worden stated he wants the school to be something that students are proud of, and he would like to see the College get LEED certification. Ms. Walsh noted that she supports this and asked if LEED classes were offered at the College; Dr. Berryman replied there is a special topics course in Building Construction Trades. Ms. Walsh asked if those students could gain experience with involvement on the project. Dr. Berryman replied that one of the instructors has asked if students could be involved with this project; she will be working with Pepper Construction to see how students might be involved. Ms. Walsh added she would like to see the project go for LEED Silver and asked whether DKA could come back to report after the design; Mr. Tenuta will make sure that happens. Ms. Walsh expressed her support for LEED Silver. Ms. Kisser stated she supports LEED Silver and noted in the end it is cost-saving. Mr. Jenner agrees with the previous statements and would like to see students get as much as possible out of this project. He noted that so everyone is clear, the Board is voting to authorize the College to add scope to include LEED up to Silver, which would cost \$266,100.00. Mr. Smith also supports the concept of going to LEED; he would like to hear more on the difference between LEED Certification and LEED Silver. Mr. Tenuta explained the point systems and fees related to LEED. The roll was called. Ms. Tirio voted against, and all others voted in favor. The motion carried.

ICCTA REPORT

Ms. Liddell reported that the Association of Community College Trustees National Leadership Congress will be held October 6-8, 2016, at which McHenry County College will give a sustainability presentation. She also announced the next ICCTA meeting will be held in Naperville November 11 and 12 and hoped



that many Trustees would be able to attend for a legal and legislative update. She added that ICCTA is accountable as the sole provider of training offered to all trustees.

FOR INFORMATION

- A. New Employees
- B. Resignations
- C. September 2016 Committee Meeting Summary
- D. Friends of McHenry County College Foundation Report
- E. Office of Marketing and Public Relations Update
- F. Office of Resource Development Update
- G. Sustainability Center Update

Ms. Kisser commented that the Sustainability Center Update contained a lot of good information.

SUMMARY COMMENTS BY BOARD MEMBERS

Mr. Parrish apologized for his absence at the Committee of the Whole meeting, and noted he will probably miss a few more due to his duties at another organization.

Ms. Tirio spoke about an upcoming event. Student Democrats and Student Conservatives will meet September 26 to host a debate watching party in the Scot Room.

Mr. Worden thanked retiring reference librarian Ms. Janet Scott for her service to the College.

Ms. Walsh stated she liked Student Trustee Worden's idea of highlighting topics for his report; she wondered if there could be a presentation on the outcome of the mentoring he spoke about. Ms. Patrick noted that the FOCUS program has been around several years, and has had a mentoring component added for student success. Ms. Walsh also praised the presentation on the capital campaign, thanking Ms. Haggerty for a great job, and Dr. Gabbard for his leadership.

Ms. Kisser congratulated the NISOD award recipients, and expressed her appreciation for the wonderful news about the Liebman family's ongoing support and interest in the College's goals.

FUTURE AGENDA ITEMS

Future agenda items include the following: 1) Ms. Liddell would like to hear more about what the College is doing for veterans, and more about drug abuse control in the county. 2) Ms. Tirio asked that the Green

Guide be truly green, offered online instead of in print. Ms. Haggerty responded that plans are already underway to make the next edition online.

#### CLOSED SESSION

At 8:53 p.m., Ms. Kissler 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*. Ms. Tirio seconded the motion. There was no discussion. The roll was called and all were in favor; the motion carried. A short break was taken and closed session began at 9:04 p.m.

At 9:20 p.m., Mr. Worden moved to come out of closed session, and Ms. Walsh seconded the motion. There was no discussion. A voice vote was taken and all were in favor; the motion carried. Closed Session ended at 9:20 p.m.

#### ACCEPTANCE OF CLOSED SESSION MINUTES, Regular Board Meeting, August 25, 2016

Mr. Parrish moved to accept the closed session minutes of the Regular Board Meeting, August 25, 2016, and Ms. Walsh 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 9:21 p.m.