

**METROPOLITAN COMMUNITY COLLEGE AREA
BOARD OF GOVERNORS'
MEETING MINUTES
AUGUST 27, 2019**

A meeting of the Board of Governors of the Metropolitan Community College Area was called to order at 6:32 p.m., in Building #21, the Mule Barn, Fort Omaha Campus, 32nd Street and Sorensen Parkway, Omaha, Douglas County, Nebraska.

MEMBERS PRESENT

Erin Feichtinger
Roger Garcia
Steve Grabowski, Chair
Ron Hug
Phillip Klein
Linda McDermitt, Treasurer
Maureen Monahan
Angela Monegain
Dave Pantos, Secretary
Fred Uhe
Joy Schulz, Ex Officio Faculty
Marie Ouedraogo, Ex Officio Student

MEMBERS ABSENT

Michael Young, Vice Chair

Also Present: Randy Schmailzl, College President.

The Chair led the Board and guests in the Pledge of Allegiance.

MOTION: Pantos moved to excuse Young; McDermitt seconded the motion.

Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes

Motion carried.

Agenda Item 1d—Announcement of Posted Location of Open Meetings Act

The Chair reported that a copy of the Nebraska Open Meetings Act had been posted at the back of the room. A copy was made available for public inspection.

Agenda Item 1e—Approval of Notice of Public Meeting

The Chair then reported on the Notice of Public Meeting and presented the following:

- 1. Proof of Publication, pursuant to Policy 10503 of the Board of Governors, in the form of an affidavit of an employee of the Omaha World-Herald, to the effect that notice of this meeting was published in that newspaper on August 16, 2019; and*
- 2. Affidavit of College employee Rita Eyerly to the effect that a copy of the published Notice of Meeting was transmitted to each member of the Board of Governors in a manner specified by Policy 10503 of the Board of Governors.*

The notice of the meeting stated that an agenda for this meeting, kept continually current, was available for public inspection at the principal office of the Board of Governors, Building No. 30, 30th and Fort Streets, Omaha, Nebraska, during normal business hours. Without objection, the Chair of the Board ordered that the affidavits be attached to the minutes of the meeting and made a part of the official proceedings of the Board of Governors.

Agenda Item 2—Public Comments

Edgar Hicks, representing the Omaha Philatelic Society, spoke about the Omaha stamp show, traditionally held at the South Omaha Campus. He noted that hosting the show on a college campus differentiates it from the other 30 such shows in the United States.

He referenced the National Philatelic Stamp Show, recently held in Omaha, along with the celebration of the railroad sesquicentennial, supported by Union Pacific.

Hicks thanked the College administration for their support over the years. He noted the wide range of topics, interests and hobbies, and the educational and historic value illustrated in stamps. He is looking for support in encouraging students to attend the Omaha stamp show. He suggested holding the show during the school year and asked for ideas and support in promoting the stamp shows.

Grabowski directed Hicks to work with the president's office and Schmailzl concurred. Schulz noted that as a member of the MCC history faculty, she would be willing to promote the stamp show. Garcia thanked Hicks for his determination and work involved in getting the National show in Omaha and reminded him that the Board of Governors sets policy, which ensures he has access to space at MCC. Pantos suggested he contact the Omaha mayor's office to have a Philatelic day in Omaha, via proclamation.

Agenda Item 3—Special Report

Agenda Item 3a—SkillsUSA National Carpentry Champion – Bret Gleason

Schmailzl introduced Bret Gleason, MCC student, and the 2019 National SkillsUSA gold medalist in carpentry. He asked Bret's parents and grandmother to stand and be acknowledged. He then asked Will Kennedy, Construction Technology instructor, to talk about the competition.

Kennedy, who accompanied the MCC SkillsUSA team to Louisville, Kentucky, for the competition, thanked the Board for their support for the new buildings, the programming that happens in the Construction Education Center, and for everything involved in the MCC SkillsUSA chapter. Bret came to MCC through a high school career academy, is an outstanding student, and works full-time for a local contractor. Kennedy noted Bret exhibited diligence and humility, led his classmates in a service project and was an integral part of the construction of the first capstone house built in the CEC. This was Bret's second year competing in SkillsUSA. Kennedy explained that Bret competed against 23 other competitors and showed concentration and focus, in spite of cameras and judges, to be named the best college carpenter in the United States.

Schmailzl invited Bret Gleason to share a little about his experience. Bret noted he started his career academy experience at age 16, knowing very little about carpentry, but, thanks to his instructors, he now knows "at lot." He feels his instructors helped him become a good communicator and a good carpenter. He thanked Trevor Secora, Construction Technology instructor, for inviting him to compete in SkillsUSA and his Dad for telling him, "to have fun, that life is not all about working." The Board and guests gave Bret a standing ovation.

Agenda Item 4—Budget Update

Agenda Item 4a—2019-20 Budget Discussion

- Review of 2019-20 Budget

Schmailzl called on Dave Koebel, Vice President for Administrative Services, to review revenue changes that have been confirmed since the July report. Koebel noted the state aid has been finalized based on enrollments reported by community colleges. MCC's aid was about \$160,000 higher than previously projected, which increases revenue for the College. Valuations have been received and are 7.11% higher than last year. The Business office is confirming with the counties before the public hearing in September. Pantos clarified that valuations are adjusted to reflect the spring flooding. Koebel noted that is why they will be checking with the counties.

Agenda Item 5—Public Hearing and Budget Action Agenda Items

Agenda Item 5a—Public Hearing for Proposed Metropolitan Community College Area Board of Governors' Budget Statement 2019-20

Grabowski entertained a motion to move into a public hearing for the Proposed MCCA Board of Governors Budget Statement for 2019-20.

MOTION: Feichtinger moved to open the public hearing; Pantos seconded the motion.

Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes

Motion carried.

Grabowski declared the public hearing open and asked Schmailzl to explain the hearing.

Schmailzl stated this public hearing is an opportunity for the public to address the Board about the budget, prior to the vote to finalize the budget in September.

Grabowski asked if there was anyone present who wished to talk about the budget. He explained that the Board will consider, after the hearing, the approval of an additional 1% restricted funds authority and carryforward to future years and the approval of possible amendments to the proposed budget at this meeting as well as at the September meeting.

Hearing no public input or comments, Grabowski asked for a motion to close the hearing.

MOTION: Hug moved to close the public hearing; McDermitt seconded the motion.

Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes

Motion carried.

The public hearing was considered closed.

Agenda Item 5b—Consideration of Resolution Approving an Additional 1% Restricted Funds Authority and Carryforward to Future Years, Board Doc. 7580

***BE IT RESOLVED** that, pursuant to Neb. Rev. Stat. Section 13-519(2), the Board of Governors of the Metropolitan Community College Area hereby authorizes and approves exceeding the limit set forth in Neb. Rev. Stat. Section 13-519(1)(a) for the fiscal year beginning July 1, 2019, and ending June 30, 2020, by an additional one percent.*

***FURTHER RESOLVED** that the amount corresponding to said additional one percent shall be carried forward as unused restricted funds authority to be used in future budget years as determined by the Board of Governors in accordance with applicable law.*

***FURTHER RESOLVED** that the budget statement of the College Area for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as finally adopted, shall incorporate and reflect all matters authorized and approved by this Resolution. Prior to filing and certifying the adopted budget statement of the College Area, the Secretary or Assistant Secretary of the Board shall be authorized to make such adjustments to the adopted budget statement and take such other actions as are necessary or appropriate to carry out the actions approved herein.*

Grabowski explained that this item is for the Board of Governors to consider approving an additional 1% restricted funds authority and carryforward to future years. Schmailzl asked Koebel to explain the resolution. Koebel explained that the College can increase restricted fund authority by 1%, to allow for future growth. This action allows the Board to manage the budget during revenue fluctuations, in light of the existing lid.

Grabowski called for a motion to adopt the resolution approving an additional 1% restricted funds authority and carryforward to future years.

Schmailzl clarified that the restricted funds reflect state aid to MCC and property tax collection. The resolution does not increase or decrease the budget, but allows room to collect any future windfalls, without pushing against our lid.

MOTION: McDermitt moved to approve the Resolution Approving the Additional 1% Restricted Funds Authority and Carryforward to Future Years; Pantos seconded the motion.

McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, Yes
Grabowski, yes
Hug, yes
Klein, yes

10 yes votes. Motion carried per required supermajority.

Agenda Item 6—Report Agenda

Agenda Item 6a—Ex Officio Board Members' Reports

- **Recognition of Student Ex Officio – Steve Grabowski**

Grabowski thanked Marie Ouedraogo for her time serving as student ex officio representative from December 2018 to August 2019.

- **Student Ex Officio Report – Marie Ouedraogo**

Ouedraogo reviewed the report in the Board material, highlighting Student Advisory Council activities, including planning for the school year and new student orientation. She thanked the Board for the experience, encouragement, and support through her term as student ex officio board member. She introduced Tonya Glather, who will serve as the student ex officio board member September through November 2019.

- **Faculty Ex Officio Report – Patricia Hollins**

Schulz introduced Patricia Hollins, Art instructor, who thanked the Board for their approval of her sabbatical, noting it was a great opportunity to engage with art through concentrated time. Hollins showed photos of the artwork she completed during her sabbatical, entitled "Intuitive Geometrics." She explained she works with abstracts with a focus on colors and shapes. Early in her sabbatical, she accessed the MCC Prototype lab, using the laser and vinyl cutters and then incorporated the shapes into her art.

Hollins invited the Board to an exhibit of her art at the Elkhorn Valley Campus Art Gallery, October 16 through November 13, 2019.

Feichtinger asked what Hollins was inspired to bring back to her students from her time on sabbatical. Hollins stated she feels reinvigorated and empowered to encourage her students to work and rework their ideas through problem-solving. She feels she can be more empathetic with her students as a result of this sabbatical.

Agenda Item 6b—Board Members' Reports

Monahan reported on The Association of Community College Trustees (ACCT) Governance Leadership Institute (GLI) she attend with Monegain, in Washington DC. They met with over 70 other trustees from across the United States. She was reminded of Board members' fiduciary duties and the duty to be prepared.

Monegain noted it was her first time to Washington DC and it was a wonderful experience. She was appreciative of the opportunity to attend the GLI and noted how advanced MCC is compared to other community colleges.

Agenda Item 6c—Chair of the Board's Report

Grabowski reported on his recent tour of the 180 Re-entry Assistance Program, and encouraged others to find time to tour. He remarked on the extremely enthusiastic team, led by Diane Good-Collins, Re-entry Program Director. He noted that his visit has given him a better understanding about the success of the program based on the quality of the staff.

He attended the quarterly MCC Foundation meeting and expressed thanks to the Foundation Board for the work they do to support MCC, particularly with the new Automotive Training Center. The MCC Foundation Board is enthusiastic about the upcoming South Omaha Automotive Training Center groundbreaking and encourages others to attend.

Agenda Item 6d—President’s Report

- Food Insecurity Update

Schmailzl referenced the report in the Board materials, noting that as the result of the hard work of a cross-section of administrators at the College, an exclusive agreement has been signed with the Food Bank of the Heartland to develop a one-of-a kind e-pantry. The agreement will allow students to order food online and pick it up at a MCC location. The Food Bank will deliver the food to the College and it will be distributed through MCC processes. The agreement is at no cost to the College. This is a one-of-a kind opportunity that demonstrates the value of teams working to figure out how to make something viable. MCC is the only higher education institution with such an agreement with the Food Bank. Work on the project is ongoing and includes SNAP outreach, pop-up community fairs, and a MCC webpage relating to food insecurity resources. There is also a group of MCC staff from various departments who will be attending a national convention on food and housing insecurity this fall.

Schmailzl expects the e-pantry to kick off later in the fall, after working through staffing, marketing, and storage matters. This pantry will also provide students and staff with service learning and volunteer opportunities. To date, approximately \$4,000 in donations have been collected, with other donors ready to assist as the details are finalized.

Feichtinger thanked Randy and the team for their work.

- City Sprouts Cultivator Award

Schmailzl showed the City Sprouts organization’s Cultivator Award plaque that was recently awarded to MCC for being a great collaborator. The award will be placed in the case in the Mule Barn. Schmailzl thanked the Board for creating the environment for these outreach activities.

- Building 6 Update, Fort Omaha Campus

Schmailzl shared that staff from the Facilities office, the President's office, administrative services, and others have been working on repairs and legal aspects relating to an incident where two automobiles being driven recklessly crashed into Building 6. The insurance trust will cover the expenses relating to the damage and will work with the drivers of the vehicles for reimbursement. The cost is expected to be over \$100,000 to repair the building, which will be managed under the guidance of an experienced historic contractor. This incident delays the College's goal to relocate its archives to Building 6, while moving to a more digital archiving format.

Agenda Item 6e—Regular Reports – Randy Schmailzl

There were no questions or comments.

Agenda Item 6f—Ombudsperson Update – Julie Langholdt

Langholdt, Dean of Student Advocacy and Accountability, reviewed her annual report. She thanked people from all over the college for working together to provide students with support on complex challenges. Two process improvements have been made this last year: a) a cross-college committee meeting regularly to address trends, processes, and preventative measures; and b) the purchase of a software system (Maxient) for managing the confidential cases. She has entered all the 2019 cases to date, to start the software implementation. April flooding brought an increase in need for services. She also noted that only the first six months of 2019 were included in the current report and that most of the complaints revolve around customer service or system navigation.

Board members thanked her for her work. Garcia specifically noted some complex concerns from community members that came to him directly, that have been successfully resolved.

Agenda Item 6g—Report on General Education Changes for the 2020-21 Catalog – Dr. Tom McDonnell

McDonnell, Vice President for Academic Affairs, provided an overview of changes to the general education requirements, which are more significant than those in most recent revisions. He noted that the general education requirements start with Board Policy 40103, Coordinating Commission for Postsecondary Education (CCPE) comprehensive statewide plan, and Higher Learning Commission (HLC) criterion 3B.

McDonnell said our SkillsUSA champion summed up the purpose of general education requirements: "MCC helped me become a good carpenter and a great person." McDonnell formed a General Education Committee that has worked together and recommended reducing the Associate of Science requirements from 27 to 22.5, increasing the Associate of Arts (transfer program) requirements from 27 to 36 credits, and incorporating a revised list of general education competencies in both sets of requirements that will provide a well-rounded blend of general education courses.

Next steps will include a resolution for Board approval in September, to allow time to get

the new information into the 2020 catalog.

Staff are working on the general education assessment process, to ensure students are learning the competencies established. They are also looking at a systematic, rigorous approval process to align the competencies to the courses offered by MCC, to make them eligible as a general education course.

Monegain stated it would be nice if the College could ensure that all credits earned are lifetime credits, so they transfer wherever you land. McDonnell stated he believes MCC is good at reviewing and accepting transfer credits.

Schulz noted that McDonnell has done a great job in involving faculty and communicating through this process.

Agenda Item 7—Consent Agenda (Items#) 9a, 9b, 9c, 9d, 9e, 9f

Items remaining on the consent agenda are 9a, 9b, 9c, 9d, and 9e.

Agenda Item 9—Action Agenda

Agenda Item 9a—Consideration Minutes of July 23, 2019 Board of Governors' Meeting, Board Doc. 7581

Agenda Item 9b—Consideration of Resolution Approving Personnel Appointments and Separations, Board Doc. 7582

***WHEREAS**, Per board policy (60205) the Board of Governors shall have final approval of all full-time contracts for administrative, support and faculty personnel.*

***NOW THEREFORE BE IT RESOLVED** that the following appointments and employment contracts be approved and/or ratified by the Board of Governors:*

<u>Name</u>	<u>Position</u>	<u>Contract Period</u>	<u>Contract Salary</u>
Karen Dean	Adult Education Program Facilitator	09/03/19-06/30/20	\$38,482.56
Mary Gibilisco	Grant Writer	09/03/19-06/30/20	\$43,692.48
Kevin Hand	Assistant Director of Foundation & Grants Accounting	09/09/19-06/30/20	\$48,755.76
Stacey Mapp	Enrollment Navigator	09/02/19-06/30/20	\$43,894.76
Michelle Miller	Human Services Instructor	08/26/19-05/22/20	\$58,105.00
Yolanda Robinson	Manager of the Sarpy Center	09/02/19-06/30/20	\$52,212.37
Anna Somers	Enrollment Navigator	09/03/19-06/30/20	\$42,368.40
Corey Woods	Construction Technology Instructor	08/26/19-08/15/20	\$74,884.00
Elizabeth Vazquez	Outreach Specialist for Veteran Upward Bound (VUB)	09/02/19-06/30/20	\$38,708.46

***BE IT FURTHER RESOLVED** that the following separations be acknowledged and accepted by the Board of Governors:*

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>
Floyd Freney	Business Process Analyst	08/30/19

Patrick Leddy Plumbing Instructor
Gary Richter Project Manager

11/22/19
09/13/19

Agenda Item 9c—Consideration of Resolution Amending the Proposed MCCA Board of Governors’ Budget for 2019-20, Board Doc. 7583

***BE IT RESOLVED**, that in consideration of information and further discussion since the proposed budget was first prepared by the administration and approved by the Board of Governors of Metropolitan Community College Area, that the Board of Governors amends the proposed MCCA Board of Governors’ Budget for 2019-20 as follows:*

<i>Proposed Budget</i>	<i>Amended Proposed Budget</i>	<i>Difference Increase/ (Decrease)</i>
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Agenda Item 9d—Consideration of Resolution Accepting the Bid for South Omaha Campus Automotive Training Center Building Package, Board Doc. 7584

***BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area hereby accepts the bid for South Omaha Campus Automotive Training Center building package and authorizes the President to negotiate, sign and implement such agreement with Sampson Construction Company, Inc., in an amount not to exceed \$24,476,000 plus associated fees, as the President in consultation with College legal counsel may deem appropriate and in the best interests of the College.*

Agenda Item 9e—Consideration of Resolution Approving the Purchase of Help Desk Software, Board Doc. 7585

***BE IT RESOLVED**, that the Board of Governors of the Metropolitan Community College Area hereby approves the purchase of Help Desk software from Cherwell Service Management for a period of three years for a projected total cost of \$153,750 utilizing consortium contract pricing with such modifications changes, and amendments, as the President in consultation with the College legal counsel, may deem appropriate and in the best interests of the College.*

Agenda Item 8—Items removed from the Consent Agenda (If Any)

MOTION: Pantos moved to approve the Consent Agenda without Agenda Item 9f; Monahan seconded the motion.

Monahan, yes
Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes

Motion carried.

**Agenda Item 9f— Consideration of Resolution Revising Board Policy 10103
(Procedure for Filling Vacancies on the Board of Governors), First Reading,
Board Doc. 7586**

***BE IT RESOLVED** by the Board of Governors of the Metropolitan Community College Area that Board Policy 10103 is amended to read as follows (deleted matter is stricken; new matter is underlined):*

10103 Procedure for Filling Vacancies on the Board of Governors

- (1) A vacancy on the Board shall exist in the event of:
 - (A) Resignation of the incumbent;
 - (B) Death of the incumbent;
 - (C) Removal of the incumbent from office;
 - (D) Decision of a competent tribunal declaring the office of the incumbent vacant;
 - (E) Incumbent ceasing to be a resident of the Area or, for an incumbent representing a district, a resident of ~~their~~ his or her district;
 - F) Failure to elect at an election when there is no incumbent to continue in office until his or her successor is elected and qualified;
 - (G) The candidate who received the highest number of votes is ineligible, disqualified, deceased, or for any other reason is unable to assume the office for which he or she was a candidate;
 - (H) Forfeiture of office as provided by law;
 - (I) Conviction of a felony or of any public offense involving the violation of the oath of office of the incumbent; or
 - (J) Incumbent assumes another high elective office;
 - ~~(K) —~~ After notice and hearing, a vacancy shall also exist when any member is absent from more than three consecutive regular meetings of the Board, unless such absences are excused by a majority of the remaining Board members.
- (2) In the event of a vacancy from any of such causes or otherwise, such vacancy shall be filled by the remaining Board members for the balance of the unexpired term. The person appointed to a vacancy must possess all qualifications required by law for the appointment, including the residency requirements for appointment. When filling a vacancy, the remaining Board members shall consider the diversity of the area the College serves. Such appointment shall be made in writing and certified to the Office of the Secretary of State. If, after a primary election, there shall be through any cause whatsoever a vacancy upon the ballot, such vacancy shall be filled by a petition candidate pursuant to Nebraska statute section 32-625 or other applicable state statute or as otherwise required by law. An incumbent shall not be permitted to hold over the term, but such office shall automatically become vacant and an appointment shall be made within one calendar month to fill such vacancy for the ensuing term. If there are vacancies in the offices of a majority of the members of the Board, there shall be a special election conducted by the Secretary of State to fill such vacancies.

- (3) As required by Nebraska statute section ~~32-574567~~, the Board will fill a vacancy within ~~forty-five~~ (45) days after the vacancy occurs unless otherwise provided by law or unless good cause is shown that the forty-five day requirement imposes an undue burden.
- (4) As used in this policy, "Former Member" means the former member of the Board whose position on the Board has become vacant, and "Appointee" means the person appointed to the Board to succeed the Former Member.
- (5) Whenever the Board declares a vacancy on the Board to exist as a matter of law or a vacancy otherwise is known to exist, the Board shall meet as soon as may be practicable and establish a calendar schedule for the filling of the vacancy. The calendar schedule shall fix:
 - (A) The date(s) or approximate date(s) for advertising the vacancy and solicitation of applications to fill the vacancy.
 - (B) The date and time by which applications for the vacancy must be submitted to the Office of the Board. Applications not received on or before the date and time so fixed will not be further considered.
 - (C) A date, time and place at which the Board shall meet to ~~review the applications of persons seeking to fill the vacancy and to~~ select applicant finalists to be interviewed by the Board for consideration of appointment to fill the vacancy. The Nebraska Open Meetings Act (the "Act") requires open roll call voting and does not permit a closed meeting for discussion of the appointment or election of a new member to the Board. Except as otherwise allowed by the Act, the meeting of the Board to select applicant finalists to be interviewed for consideration of appointment to fill the vacancy shall be conducted in open public session. The votes of the members of the Board for inclusion of applicants in the group of applicant finalists to be interviewed shall be by open roll call vote. The selection of applicant finalists to be interviewed will be based upon submitted application materials and applicants will not be allowed to address the Board ~~or committee~~ at this stage of the process.
 - (D) A date, time and place at which the Board shall meet to interview the selected applicant finalists and select an applicant finalist to fill the vacancy. Except to the extent otherwise allowed by the Act, such meeting and selection shall be conducted in open public session. The votes of the members of the Board on the selection of an applicant finalist to fill the vacancy shall be by open roll call vote.
- (6) Whenever the Board declares a vacancy on the Board to exist as a matter of law or a vacancy otherwise is known to exist, the College legal counsel, in consultation with the Board Chair, shall prepare a summary of the required legal qualifications for appointment to the vacancy (including applicable residency requirements) and an application form upon which applicants may apply to fill the vacancy. Once the calendar schedule for filling the vacancy has been established as above provided, the Board recording secretary shall make the qualifications summary and application form reasonably available to persons requesting them. The Board recording secretary shall arrange for the advertising of the vacancy in the Omaha World-Herald and any other newspaper of general circulation as determined by the Board, and ~~the submission to for the receipt at~~ the Board Office of applications to fill the vacancy. A notice of the vacancy, the qualifications summary and the application form shall also be published on the College's web site.
- (7) When an application to fill the vacancy is received in the Board Office, the College legal counsel shall confirm that the applicant meets the required legal qualifications for the appointment sought (including any residency requirements) and may cause a criminal

background check to be performed on each candidate by a qualified law enforcement agency if requested by the Board.

- (8) Upon expiration of the time established for submission of applications, the Board recording secretary shall provide a complete copy of each submitted application (and all material submitted with the application) to each member of the Board. Any application received at the Board Office after the deadline established for submission of applications to the Board Office shall also be provided to each member of the Board, with a clear indication that the application was not received by the established deadline and therefore ought not be considered by the Board. The Board recording secretary shall also inform the members of the Board of any disqualifying circumstance concerning any applicant and any criminal conviction history of any applicant that becomes known to the College legal counsel.
- (9) At the meeting at which the Board meets to select the applicant finalists to be interviewed by the Board for consideration for appointment to fill the vacancy, the following process shall be followed:
- (A) The Board Chair shall publicly declare that prior to the meeting each Board member received complete copies of the applications submitted by applicants whose qualifications were confirmed by College legal counsel to meet the required legal qualifications for the appointment sought;
- (B) The Board Chair will publicly state those applicants' names and residence addresses in order to acknowledge for the record those applications that the Board is further considering;
- (C) If any of those applicants are present at the meeting, they may be invited to stand and state their names, but applicants will not be allowed to address the Board at this stage in the process;
- (D) Each Board member will be provided with an interview preference form which will list the applicants in alphabetical order and which will include blanks for the Board member to write his or her own name and to nominate four (4), and not more or less than four (4), applicants to be interviewed by the Board for the vacancy; provided, however, if there are fewer than four (4) applicants for the vacancy, the Board Chair may propose an alternate number of applicants to be listed by each Board member on the interview preference form;
- (E) Each Board member will then complete his or her interview preference form and submit the completed form to the College legal counsel present at the meeting;
- (F) Upon receiving the completed interview preference forms, the College legal counsel will publicly read each form stating the name of the Board member and the names of the applicants the Board member has nominated to be interviewed. If video screen(s) are available in the meeting room, the nomination results may be tallied on the video screen(s) as the nominations are read so that the vote totals for each applicant are visible. The process shall continue until all of the interview preference forms completed by Board members have been publicly read;
- (G) After the preference vote tally has been completed, the Board shall determine the number of applicants to be selected for interviews by open roll call vote;
- (H) After the Board has determined the number of applicants to be selected for interviews, the Board, by a separate open roll call vote or votes, shall determine by resolution the applicants to be interviewed by the Board for the vacancy; and

(I) Within three business days following the meeting, the College legal counsel shall transmit written notice to the applicants advising them whether they were selected as a finalist to interview for the vacancy.

(10) If a vacancy on the Board is to be filled at a meeting at which officers of the Board are to be elected for the year pursuant to Board Policy 10301, or at which memberships on or officers of one or more committees of the Board are to be appointed or elected, the vacancy on the Board shall be filled at such meeting before those items of business are considered.

(101) A majority vote of a quorum of the members of the Board present and voting is sufficient to fill a vacancy.

(112) The statutory oath of office will be administered to the Appointee and subscribed by the Appointee immediately following his or her selection to fill the vacancy, and the Appointee shall then be seated with the Board. As soon as practicable thereafter, the Secretary of the Board or his or her delegate shall file the written and subscribed oath of office with the Secretary of State of Nebraska.

(123) The occurrence of a vacancy on the Board shall automatically also create a vacancy in each committee membership, Board office, Board committee office and Board-appointed position (hereafter, "Board Organizational Assignments") that had been held by the Former Member. The Appointee shall not succeed automatically to any vacancies in the Board Organizational Assignments of the Former Member. Following selection of the Appointee, the Board may fill any vacancies in the Board Organizational Assignments of the Former Member in the same manner and by the same processes by which the Board customarily makes or approves such Board Organizational Assignments in the usual course under Board policies 10301, 10302, and 10603. Any vacancies in any Board Organizational Assignments of the Former Member not covered by those listed Board Policies (including any assignments to the Metropolitan Area Planning Agency (MAPA), the Metropolitan Community College Foundation Board of Directors, and any other external boards, agencies or associations on which the Board is represented) may be filled by action of the Board.

(134) This policy is for the use and guidance of the Board and the College Administration only. It does not confer any rights on any applicant for a vacancy or any other person. Any noncompliance with any of the provisions of this Policy or informality in its application shall not invalidate any appointment of any person to the Board that is otherwise in compliance with the provisions of law.

MOTION: Hug moved to approve Agenda Item 9f; Garcia seconded the motion.

Garcia referenced the Resolution, at (1), (J), line 60, asking for clarification on the phrase, "incumbent assumes another high elected office." He asked if changing "another" to "a" would be a stronger statement.

Feichtinger asked about "high elective office."

Dave Hohman, Legal Counsel to the Board, indicated that the term "high elective office" is indicated in state statute and that the word, "high" is a designation used in statute.

MOTION: Garcia moved to amend the resolution by striking the word "another" on line 60 and replace it with, "a"; The line would read: (J) Incumbent assumes a high elective office;. Uhe seconded the motion.

Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes

Motion carried.

Grabowski stated that there will be another reading of the Board Policy revision, including the amendment at the next meeting. Hohman confirmed the process.

Vote on Agenda Item 9f as amended.

Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes

Motion carried.

Agenda Item 9—Adjournment

MOTION: Feichtinger moved to adjourn the meeting; Monegain seconded the motion.

Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, yes
Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes

Motion carried. The meeting was adjourned at 7:56 p.m.

Dave Pantos, Secretary, Board of Governors

Date



Omaha World-Herald

Date: August 16, 2019

Affidavit of Publication

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NOTICE OF MEETING

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area will meet on Tuesday, August 27, 2019, commencing at 6:30 o'clock P.M. at the Fort Omaha Campus, 32nd & Sorensen Parkway, in the Mule Barn, Building #21, Board Room #112, Omaha, Douglas County, Nebraska, which meeting will be open to the public. An agenda for such meeting, kept continually current, is available for public inspection at the principal office of said Board of Governors, 30th & Fort Streets, Building #30, Omaha, Nebraska, during normal business hours.

Steve Grabowski
Chair, Board of Governors

Publisher of the World Herald

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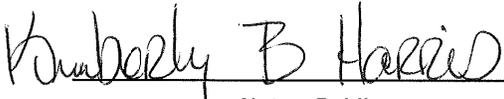
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