

**METROPOLITAN COMMUNITY COLLEGE AREA
BOARD OF GOVERNORS
MEETING MINUTES
MAY 19, 2020**

A meeting of the Board of Governors of the Metropolitan Community College Area was called to order at 6:31 p.m., via Zoom Meeting.

Chair Monahan asked Rita Eyerly, Recording Secretary to the Board, to call the roll:

MEMBERS PRESENT

Erin Feichtinger, Assistant Secretary, *via Zoom Meeting*

Roger Garcia, *via Zoom Meeting*

Steve Grabowski, Treasurer, *via Zoom Meeting*

Ron Hug, *via Zoom Meeting*

Phillip Klein, *via Zoom Meeting*

Linda McDermitt, Secretary, *via Zoom Meeting*

Maureen Monahan, Chair, *via Zoom Meeting*

Angela Monegain, *via Zoom Meeting*

Dave Pantos, Vice Chair, *via Zoom Meeting*

Fred Uhe, *via Zoom Meeting*

Joy Schulz, Ex Officio Faculty, *via Zoom Meeting*

Gloria Chavez, Ex Officio Student, *via Zoom Meeting*

MEMBERS ABSENT

Michael Young

Also Present: Randy Schmailzl, College President, *via Zoom Meeting*

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

Following the Pledge of Allegiance, the Chair reported that a copy of the Nebraska Open Meetings Act had been posted on the MCC website as noted in Agenda Item 1d. A copy was made available for public inspection on the MCC Board of Governors webpages.

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 May 8, 2020; 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, by making prior arrangements by calling 531-622-2415.

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 1f—Statement Regarding Access to Meeting via Zoom Online Conferencing Service / State of Nebraska Executive Order No. 20-03

Monahan made the following announcement:

I would also like to announce that pursuant to **Executive Order No. 20-03** issued by the Governor of Nebraska on March 17, 2020 which provided a limited waiver of certain requirements of the Nebraska Open Meetings Act (a copy of such Executive Order is attached to these minutes) and in order to comply with government orders restricting public gatherings to not more than ten (10) persons in response to the COVID-19 situation, notice has been given that this meeting of the Board of Governors of the Metropolitan Community College Area is being made accessible to members of the Board, College administration, the general public, and members of the media via Zoom online conferencing service. Instructions for accessing the meeting via Zoom online conferencing service were included in the Meeting Agenda, were posted on the College website, and were posted on the entry of the building where the Board usually meets.

Agenda Item 2—Public Comments—Via Zoom

There were no public comments.

Chair Monahan called for a motion to excuse Young.

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

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

Motion carried.

Agenda Item 3—Report Agenda

Agenda Item 3a—Ex Officio Board Members' Reports

- **Student Ex Officio Report**

There was no student ex officio report this month.

- **Faculty Ex Officio Report**

Schulz introduced Nancy Conrad, Social Sciences Instructor, who reported on her sabbatical research on leadership programming for students. She reviewed the document in the Board material, stating her research found strong leadership among administration and faculty at MCC. She shared her finding that students desire leaders to listen and share their passion. She further noted her desire to see more leadership training built into course offerings at the College, referencing examples of need among students in the Culinary Program and Disability Support Services students.

Schulz introduced Ryan Newton, Psychology Instructor, who reported on his dissertation-related project on the impact of a growth mindset on community college students, during his recent sabbatical. During his research, he met with many areas at the College. He stated that the recent transition to online learning, due to the COVID-19 situation has caused him to modify and change his own thinking and style to meet the needs of his students, "growing his brain, in the process." He stated a renewed connection with students, learning of their challenges in parenting, working and attending MCC.

Feichtinger thanked Conrad and Newton for their reports and their dedication to students and willingness to meet the needs of students.

Agenda Item 3b—Chair of the Board's Report

Monahan commended the faculty and students who are adjusting to the challenging situation and maintaining continuity of learning. She noted that MCC offered a parking lot for COVID-19 testing and space for the unemployment office, as strong examples of how a public institution can support the community.

She stated the Board will be sending a letter of congratulations along with a box of mementos to all graduates, in lieu of a spring graduation ceremony. Monahan expressed hope that we might be able to have a celebration for graduates in the summer months.

Agenda Item 3c—Board Members' Reports

McDermitt noted her virtual attendance at the student art show and commended the visual arts department for setting up the virtual gallery and celebration event via Zoom.

Uhe reminded everyone about Omaha Gives!, scheduled for Wednesday, May 20, where people can contribute to the MCC Foundation and any other charity of their choice.

Grabowski concurred about Omaha Gives! He referenced how much the MCC Foundation has done to help our students during this difficult time.

Agenda Item 3d—President’s Report

Schmailzl provided a brief overview of the items in his report.

- **Elkhorn Valley Campus Easement for Water Main Relocation**

Schmailzl reviewed the need for an easement at EVC on the southwest edge of the campus to relocate a water main, per a notification from Metropolitan Utilities District (MUD). When engineers complete a survey, there will be a resolution for the Board to approve. There will be no cost to the College.

- **Legislative / Federal Update**

In addition to the written materials in the packet, the Speaker of the Nebraska legislature announced that the body would reconvene from July 20, 2020 through August 13, 2020. The budget, property tax, and biocontainment dollars will be key topics. Revenue projections are uncertain, but more information is expected by July 15. Schmailzl reminded the Board that this is year two of the biennium.

Monahan clarified that the Legislative dates will align with MCC’s need to complete and approve a budget for 2020-21.

Klein inquired about any preliminary property tax collections due to COVID-19. Schmailzl stated he hopes by the July 2020 meeting the College will have some preliminary numbers.

- **South Omaha Campus Parking Lot Update**

The SOC parking lot project continues in pending status. Schmailzl noted he expects to have a resolution for Board approval at the June Board meeting.

Agenda Item 3e—Regular Monthly Reports—Randy Schmailzl

There were no questions or comments.

Agenda Item 3f—COVID-19 Update

Schmailzl invited Dr. Almquist, Executive Director of the MCC Foundation, to provide an update about emergency funding. Since the pandemic hit, MCC has used a variety of funding sources to provide over \$1.1 million (to date) to students, including \$250 emergency grants, and money for tuition, hot spots, laptops, and living expenses.

Feichtinger thanked Dr. Almquist for her service to MCC. She asked how students can request needed assistance. Almquist referenced a brief COVID-19 form on the MCC website, as well as staff who are guiding students in need of assistance.

Dr. Vazquez, Vice President for Student Affairs, noted there is a MCC team from a variety of departments making phone calls to check in with students.

In response to Hug's question, Vazquez confirmed that ESL/ABE/GED students have access to hot spots and laptops.

Monahan thanked Dr. Almquist for her work and noted the MCC Foundation was able to step up and assist students early in the pandemic.

Agenda Item 4—Consent Agenda Items

Items remaining on the consent agenda are 6a, 6c, 6d, 6f, 6g

Agenda Item 5—Items Removed from Consent Agenda (If Any)

Agenda items 6b and 6e were removed from the Consent Agenda.

Agenda Item 6—Action Agenda

Agenda Item 6a—Consideration of Approval of Minutes of April 28, 2020 Board of Governors' Meeting, Board Doc. 7645

Agenda Item 6c—Consideration of Resolution Accepting the Bid for Applied Technology Center Pavement Rehabilitation, Board Doc. 7647

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby accepts the bid for Applied Technology Center pavement rehabilitation and authorizes the President to negotiate, sign and implement such agreement with Daedalus Construction, in an amount not to exceed \$1,307,400 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 6d—Consideration of Resolution Approving the Purchase of Data Protection Hardware and Software, Board Doc. 7648

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby approves the purchase of data protection hardware and software from Dell Financial Services, LLC., for a period of three years for a projected total cost of \$296,977 using 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 6f—Consideration of Resolution Approving Program Review Reports for 2019-20, Board Doc. 7650

BE IT RESOLVED, that the Board of Governors of the Metropolitan Community College Area hereby approves the program review reports for the following programs:

- Apprentice-Related Technology (Electrical and Plumbing Apprenticeship Programs)
- Art
- Construction and Building Science
- Creative Writing
- Critical Facilities Operations
- Electrical Mechanical Maintenance
- Electrical Technology
- General Studies
- Liberal Arts
- Precision Machine Technology
- Theatre

The program reviews are described in the document entitled “Metropolitan Community College, May 2020, Program Review Overview,” which document is identified as Board Document No. 7650a.

Agenda Item 6g—Consideration of Resolution Approving Lease with Ashton Building Master Tennant, LLC, Board Doc. 7651

***WHEREAS**, administration has identified a need for additional space to house and operate the College’s code school; and,*

***WHEREAS**, administration has located space in Omaha, in the north downtown area, that is ideal for location of the code school, both in terms of its proximity to existing College operations and because other tenants in the building are engaged in the high tech cyber industry and will be able to partner with the College in various activities; and,*

***WHEREAS**, administration has negotiated a ten (10) year Lease Agreement with Ashton Building Master Tennant, LLC, for 3500 ft² of space at the Ashton Building at 1229 Millwork Avenue, with base rent starting at \$10.50 ft², with a 3% annual increase, and common area maintenance (CAM) charges initially set at \$9.00 ft², with actual costs to be reconciled annually. Landlord is providing a tenant improvement allowance of \$25.00 per ft². The College shall have the right to terminate the lease annually, without penalty, by providing the Landlord with at least four months notice of its intent to terminate.*

***WHEREAS**, administration believes that approval of this Lease Agreement is in the best interest of the College and recommends that this Board approve the Lease.*

***NOW, THEREFORE, BE IT RESOLVED** that this Board hereby approves the Lease Agreement with Ashton Building Master Tennant, LLC, Board Document No. 7651a, and authorizes the President to execute said Agreement, with such modifications, changes, and amendments as the President, in consultation with College legal counsel, may deem appropriate and in the best interests of the College.*

MOTION: Hug moved to approve the Consent Agenda without Agenda Items 6b and 6e; 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 6b—Consideration of Resolution Approving Personnel Appointments and Separations, Board Doc. 7646

***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 by the Board of Governors:*

| <u>Name</u> | <u>Position</u> | <u>Contract Period</u> | <u>Contract Salary</u> |
|----------------|---|--|-----------------------------|
| David Friend | Chief of Police / Director of Emergency Management | 06/01/20-06/30/20 07/01/20-06/30/21 | \$ 9,204.36 \$109,615.00 |
| Mary Kunkle | Application Systems Analyst | 06/01/20-06/30/20 07/01/20-06/30/21 | \$ 6,297.72 \$ 75,000.00 |
| Laela Williams | Enrollment Supervisor | 06/01/20-06/30/20 07/01/20-06/30/21 | \$ 4,237.20 \$ 50,461.00 |

***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> |
|---------------------|--|-----------------------|
| Jacqueline Almquist | Executive Director of the MCC Foundation | 08/31/20 |
| Geoffrey Horejs | Electrical Mechanical Design Instructor | 08/15/20 |
| French Mackes | Application Systems Analyst | 06/30/20 |
| Mary Pleas | Information Technology Instructor | 08/15/20 |

MOTION: Hug moved to approve Agenda Item 6b; Grabowski seconded the motion.

Grabowski welcomed Dave Friend's return as Chief of Police and thanked Don Thorson for his service. He thanked Dr. Almquist for her dedication and service to the MCC Foundation, to which Pantos, agreed.

Hug, yes
Klein, yes
McDermitt, yes
Monahan, yes
Monegain, yes
Pantos, yes
Uhe, yes
Feichtinger, yes
Garcia, yes
Grabowski, no

Motion carried.

Agenda Item 6e—Consideration of Resolution Approving Renewal Purchase of Recruit and Advise Software, Board Doc. 7649

BE IT RESOLVED, that this Board hereby approves the renewal purchase of Recruit and Advise Software from Ellucian for an additional three years for the estimated cost of \$570,935 and authorizes the President to execute said Agreement, with such modifications, changes and amendments as the President, in consultation with College legal counsel, may deem appropriate and in the best interests of the College.

MOTION: Hug moved to approve Agenda Item 6e; McDermitt seconded the motion.

Feichtinger asked how the software system supports the student advising process. Dr. Vazquez, explained that Advise CRM is an early alert system which reports on students who have dropped, so follow-up may be done. It also allows faculty to engage advisors to obtain assistance for students in need.

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

Motion carried.

Agenda Item 7—Adjournment

MOTION: Hug moved to adjourn the meeting; Pantos seconded the motion.

McDermitt, yes
Monahan, yes

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

Motion carried. The meeting was adjourned at 7:20 p.m.

Linda McDermitt, Secretary, Board of Governors

Date

**AFFIDAVIT OF TRANSMISSION OF NOTICE OF
MEETING OF BOARD OF GOVERNORS OF
METROPOLITAN COMMUNITY COLLEGE AREA**

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

Pauline Laughlin, being first duly sworn upon oath deposes and states as follows:

- That pursuant to direction received from the Chair of the Board of Governors of the Metropolitan Community College Area, I caused the following Notice to wit:**

NOTICE OF MEETING

Notice is hereby given that the Board of Governors of the Metropolitan Community College Area will hold a virtual meeting electronically as permitted by Governor Ricketts' Executive Order No. 20-03, with this meeting to be held on Tuesday, May 19, 2020, commencing at 6:30 o'clock P.M. Because this meeting will be held electronically, and no quorum of the public body will be physically present together, there will be no public in-person attendance. Members of the public and media may attend the meeting electronically by calling 312-626-6799; Meeting ID: 962 2743 8857.

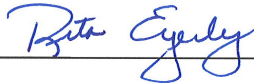
An agenda for such meeting, kept continually current, is available for public inspection at the principal office of said Board of Governors, 30th & Fort Streets, Building #30, Omaha, Nebraska by making prior arrangements for public inspection by calling 531-622-2415.

Maureen Monahan
Chair, Board of Governors

to be published in *Omaha World-Herald* on May 8, 2020; and that the order to said newspaper was made by electronic transmission on May 6, 2020.

- That on *May 6*, a copy of such Notice was addressed and sent by e-mail or, if so requested, by personal delivery to each member of the Board of Governors.**

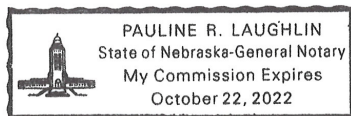
Further affiant sayeth not.



SUBSCRIBED AND SWORN TO before me this 8th day of May, 2020



Notary Public





Date: May 08, 2020

Affidavit of Publication

METROPOLITAN COMMUNITY COLLEGE
ACCOUNTS PAYABLE
PO BOX 3777
OMAHA, NE 68103-0777

| Date | Category | Description | Ad Size | Total Cost |
|------------|---------------|---|---------|------------|
| 05/14/2020 | Legal Notices | NOTICE OF MEETING Notice is hereby given that I | 1 x 0 L | 232.95 |

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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 by making prior arrangements for public inspection by calling 531-622-2415.

Maureen Monahan
Chair, Board of Governors

**Publisher of the
World Herald**

I, (the undersigned) an authorized representative of the World Herald, a daily newspaper published in Omaha, Douglas County, Nebraska; do certify that the annexed notice NOTICE OF MEETING Notice was published in said newspapers on the following dates:

05/08/2020

The First insertion being given ... 05/08/2020

Newspaper reference: 0000140626

Billing Representative

Sworn to and subscribed before me this Friday, May 8, 2020

Notary Public

Kimberly B. Harris
NOTARY PUBLIC
Commonwealth of Virginia
Notary Registration Number 356753
Commission Expires January 31, 2021

State of Virginia
City of Richmond
My Commission expires _____



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 20—03
CORONA VIRUS – PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER

WHEREAS, In order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

WHEREAS, the State of Nebraska is committed to providing seamless government operations to the people of Nebraska throughout the state of emergency; and

WHEREAS, state and local governmental boards, commissions and other public bodies must comply with the Open Meetings Act so that citizens may exercise their democratic privilege of participating in meeting of public bodies; and

WHEREAS, for public health purposes, meetings and gatherings have now been limited to no more than 50 people and may be further limited if the presence of COVID-19 warrants;

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this limited waiver of certain requirements of the Nebraska Open Meetings Act.

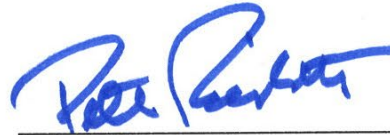
Pursuant to this declaration, I hereby order the following:

1. This executive order applies to all governing bodies as defined in Neb. Rev. Stat. §84-1409 (1) and to all public meetings as defined in Neb. Rev. Stat. § 84-1409 (2).
2. All governing bodies may meet by videoconference or by telephone conferencing or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media.

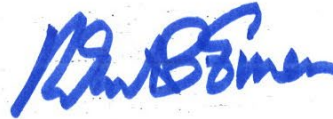
3. The advanced publicized notice and the agenda requirements for meetings that are set forth in Neb. Rev. Stat. §84-1411 and the remaining provisions of Nebraska's Open Meeting Act shall continue to be complied with by all governing bodies and are not waived by this executive order.
4. This waiver shall apply to all public governing body meetings that occur from today through May 31, 2020.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 17th day of March, 2020.

ATTEST:



Pete Ricketts, Governor



Robert B. Evnen, Secretary of State