

**WESTERN COMMUNITY COLLEGE AREA
BOARD OF GOVERNORS**

**REGULAR MEETING
MINUTES**

August 21, 2024

The Western Community College Area Board of Governors held a Regular Board meeting at 1:00 p.m. on Wednesday, August 21, 2024, at the Western Nebraska Community College Pioneer Residence Hall Conference Room, 1409 East 27th Street, in the City of Scottsbluff, in the County of Scotts Bluff, in the State of Nebraska, as per the publicized notice in the Star-Herald on Tuesday, August 13, 2024.

A current agenda was available in the Board Secretary's office on the Scottsbluff Campus at the time of the publicized notice.

AREA BOARD

Karen S. Anderson, Chairperson	Present
Linda A. Guzman-Gonzales.....	Present
F. Lynne Klemke.....	Present
Allan D. Kreman.....	Present
Lori J. Liggett.....	Present
William M. Packard.....	Present
Coral E. Richards	Present
R. J. Savely, Jr.....	Present
Marjorie A. Schmidt.....	Present
John P. Stinner, Vice Chairperson.....	Present

QUORUM

Chair Anderson declared a quorum was present for the transaction of business.

COMMUNITY COMMENTS

Chair Anderson asked for comments from the community. Pursuant to Board Policy BP-106, Chair Anderson reminded community members who wish to make comments will be limited to a five-minute presentation. There were no public comments.

BOARD CHAIRPERSON COMMENTS

Chair Anderson announced for public information there was a copy of the Nebraska Open Meetings Act available on the table at the back of the room.

Chair Anderson announced the Board reserves the right to enter into closed session if deemed necessary for any item on the agenda per Section 84-1410 of the Nebraska Revised Statutes.

REPORT FROM BOARD VACANCY AD HOC COMMITTEE

Mr. Stinner, Chair of the Board vacancy ad hoc committee reported they met the first week of August to interview applicants for the District Three Board vacancy. Applicants had impressive resumes and the committee was grateful for their interest in serving on the Board. Mr. Stinner thanked committee members, Ms. Marjorie Schmidt, Ms. Lori Liggett, and Ms. Karen Anderson for their assistance with the interviews. President Dart was also thanked for his presence at the interviews.

CONSIDERATION OF APPOINTMENT TO FILL DISTRICT THREE VACANCY

Mr. Stinner MOVED to approve the appointment of Ms. Starr Lehl to fill the Western Community College Area Board of Governors District Three vacancy, effective August 21, 2024. SECONDED by Ms. Schmidt. The vote was, Yes: Guzman-Gonzales, Liggett, Klemke, Kreman, Packard, Richards, Savely, Schmidt, Stinner, Anderson. No: None. Abstain: None. Absent: None. Motion carried.

OATH OF OFFICE

WNCC attorney, Mr. Jason Ossian administered the Oath of Office to newly appointed Board member Ms. Starr Lehl, District Three representative. Ms. Anderson and Board members welcomed Ms. Lehl and thanked her for her interest in serving as a member of the WCCA Board of Governors.

CONSENT CALENDAR

1. Review Contents of Consent Calendar
 - a. Agenda
 - b. Excuse Absent Board Member(s) all Board members were present
 - c. Minutes
 - i. July 17, 2024 Informal Meeting
 - ii. July 17, 2024 Regular Meeting
2. **Claims:** June and July 2024
 - a. WCCA Unrestricted Fund - \$4,105,140.07
 - b. WCCA Restricted Fund - \$131,176.46
 - c. WCCA Federal Fund - \$4,937.61
 - d. WCCA Agency Fund - \$3,935.20
 - e. WCCA Loan Fund - 0 -
 - f. WCCA Plant Fund - \$86,961.10
 - g. WCCA Auxiliary Fund - \$79,676.72
3. City Planning Commission Reports
 - a. City of Gering (Tax Increment Financing)
4. Approval of Consent Calendar
5. Consideration of Items Extracted from Consent Calendar

Chair Anderson inquired if there were any items on the Consent Calendar to be extracted for separate consideration. Ms. Guzman-Gonzales requested extraction of agenda item K(3)(a-b), Board policies B-102 Board Membership and Officers and B-109 Retention of Legal Counsel.

Ms. Klemke MOVED to approve the amended Consent Calendar. SECONDED by Ms. Schmidt. The vote was, Yes: Klemke, Kreman, Lehl, Liggett, Packard, Richards, Savely, Schmidt, Stinner, Guzman-Gonzales, Anderson. No: None. Abstain: None. Absent: None. Motion carried.

Ms. Guzman-Gonzales reported changes have been made to Board policies BP-102 Board Membership and Officers and BP-109 Retention of Legal Counsel. Updated documents will be presented at the September Board meeting.

CONSENT CALENDAR (cont.)

Ms. Guzman-Gonzales MOVED for approval of extraction of items, BP-102 Board Membership and Officers and BP-109 Retention of Legal Counsel. SECONDED by Ms. Liggett. The vote was, Yes: Klemke, Kreman, Lehl, Liggett, Packard, Richards, Savely, Schmidt, Stinner, Guzman-Gonzales, Anderson. No: None. Abstain: None. Absent: None. Motion carried.

BOARD MEMBER MILEAGE AND/OR EXPENSE REIMBURSEMENT (June and July)

Mr. Savely MOVED to approve the following travel expenses: Ms. Misty Curtis for \$25.33 and Ms. Linda Guzman-Gonzales for \$73.16. SECONDED by Ms. Liggett. The vote was, Yes: Kreman, Lehl, Liggett, Packard, Richards, Savely, Schmidt, Stinner, Klemke, Anderson. No: None. Abstain: Guzman-Gonzales. Absent: None. Motion carried.

BOARD MEMBER MILEAGE AND/OR EXPENSE REIMBURSEMENT (June and July)

Ms. Liggett MOVED to approve the following travel expenses: Ms. Lynne Klemke for \$213.59 and Mr. Allan Kreman for \$79.86. SECONDED by Ms. Guzman-Gonzales. The vote was, Yes: Lehl, Liggett, Packard, Richards, Savely, Schmidt, Stinner, Guzman-Gonzales, Anderson. No: None. Abstain: Klemke, Kreman. Absent: None. Motion carried.

BOARD MEMBER MILEAGE AND/OR EXPENSE REIMBURSEMENT (June and July)

Ms. Guzman-Gonzales MOVED to approve the following travel expenses: Ms. Lori Liggett for \$96.35 and Mr. R. J. Savely for \$125.56. SECONDED by Ms. Richards. The vote was, Yes: Lehl, Klemke, Kreman, Packard, Richards, Schmidt, Stinner, Guzman-Gonzales, Anderson. No: None. Abstain: Liggett, Savely. Absent: None. Motion carried.

BOARD MEMBER MILEAGE AND/OR EXPENSE REIMBURSEMENT (June and July)

Ms. Guzman-Gonzales MOVED to approve the following travel expense: Ms. Marjorie Schmidt for \$171.52. SECONDED by Mr. Savely. The vote was, Yes: Packard, Richards, Savely, Stinner, Guzman-Gonzales, Klemke, Kreman, Lehl, Liggett, Anderson. No: None. Abstain: Schmidt. Absent: None. Motion carried.

PRESIDENT'S PERSONNEL REPORT

Resignation(s)

No resignations

Appointment(s)

Ms. Whitney Satur, Nursing Instructor, Effective August 12, 2024

The salary for this full-time appointment is \$55,200 per annum, based upon placement in the salary schedule of Track C.

Mr. Ryan Davis, Women's Head Basketball Coach, Effective August 22, 2024

The salary for this full-time position for the twelve-month fiscal year, i.e., July 1, 2024 through June 30, 2025 is \$56,000.

Chair Anderson entertained a motion for approval of the President's Personnel Report.

PRESIDENT'S PERSONNEL REPORT (cont.)

Ms. Schmidt MOVED to approve the President's Personnel Report as presented. SECONDED by Mr. Savely. The vote was, Yes: Richards, Savely, Schmidt, Stinner, Guzman-Gonzales, Klemke, Kreman, Lehl, Liggett, Packard, Anderson. No: None. Abstain: None. Absent: None Motion carried.

WESTERN COMMUNITY COLLEGE AREA BOARD OF GOVERNORS

**Affiliation Agreement for Guaranteed Early Admission
(Rural Pathway Program, UNMC and WNCC)**

Dr. Grant Wilson, Executive Vice President of Educational and Student Services discussed the agreement between UNMC CON and WNCC to promote a seamless progression for students attending WNCC. The agreement specifies responsibilities between UNMC CON and WNCC, including admission and progression requirements, advising, ongoing collaboration meetings, student tuition and fees. The parties agree that UNMC CON and WNCC will work together to facilitate academic advisement for students in the pre-nursing/undergraduate program at WNCC wishing to apply to the Bachelor of Science in Nursing (BSN) program at UNMC College of Nursing – West Nebraska Division in Scottsbluff (CON-S). This Agreement will be monitored and reviewed periodically by both parties.

Ms. Klemke MOVED to approve the Affiliation Agreement for Guaranteed Early Admission (Rural Pathway Program) between WNCC and UNMC. SECONDED by Mr. Savely. The vote was, Yes: Savely, Schmidt, Stinner, Guzman-Gonzales, Klemke, Kreman, Lehl, Liggett, Packard, Richards, Anderson. No: None. Abstain: None. Absent: None Motion carried.

Cheyenne County Property Tax Correction (\$976.09)

Ms. Koski received a letter from the Cheyenne County Treasurer serving as notification of corrections made on parcels of real estate for the tax year 2023 to our political subdivision required by Neb. Rev. Stat. 77-1736-06) of refunds due to property owners as a result of these corrections.

Ms. Schmidt MOVED to approve WNCC's share of a refund (\$976.09) to property owners due to corrections made by Cheyenne County on parcels of real estate for the tax year 2023. SECONDED by Ms. Liggett. The vote was, Yes: Schmidt, Stinner, Guzman-Gonzales, Klemke, Kreman, Lehl, Liggett, Packard, Richards, Savely, Anderson. No: None. Abstain: None. Absent: None Motion carried.

Reports and Recommendations from the Board Policy Committee

First Read: BP-102 Board Membership and Officers

First Read: BP-109 Retention of Legal Counsel

**Due to policy changes, these items were extracted and revised copies will be presented at the September 18, 2024 Board meeting.

**Reports and Recommendations from the Board Finance and Facilities Committee
 Bids/Contracts**

Pioneer Tower Updates

Ms. Koski, Vice President of Administrative Services, reported bids were received for the Pioneer Tower update project on August 6, 2024. Plans and specifications were placed with plan holder entities. In addition, contractors representing all disciplines received advertisements. WNCC received one (1) bid that met the requirements of the bid opening, as indicated below.

	Price	Recommendation	Notes
Base Bid	\$1,623,258.00	accept	
Alternate 1	\$ 38,645.00	accept	Southwest stairwell – new LED light fixtures, new flooring and stair tread covers, ceiling patch/paint, paint handrails and sprinkler piping
Alternate 2	\$ 14,593.50	accept	Scrape existing popcorn ceiling in each room, patch/repair ceiling
Alternate 3	\$ 35,889.66	decline	Additional lighting installed in each dormitory room closet
Alternate 4	\$ 10,782.98	decline	Additional light switch to control closet light and dormitory room light separately
Alternate 5	\$ 29,486.00	accept	Provide back-up/redundant heating water pump and associated VFD
Grand Total	\$ 1,752,655.14		
Alternate Total	\$ 1,705,982.50		

It was the recommendation of the Finance and Facilities Committee to accept the alternate bid total from Anderson Shaw Construction in the amount of \$1,705,982.50.

Mr. Savely MOVED to approve the Pioneer Tower alternate bid from Anderson Shaw Construction for \$1,705,982.50. SECONDED by Dr. Packard. The vote was, Yes: Stinner, Savely, Schmidt, Guzman-Gonzales, Lehl, Liggett, Klemke, Kreman, Packard, Richards, Anderson. No: None. Abstain: None. Absent: None Motion carried.

Aviation Engine Start Room

Ms. Koski reported August 1, 2024, bids were received for the Aviation Engine Start Room project. Plans and specifications were placed with plan holder entities. In addition, contractors representing all disciplines received advertisements. WNCC received four (4) bids that met the requirements of the bid opening, as indicated below.

TABULATION:

Company	City/State	Total Amount
KL Wood & Co., LLC	Alliance, NE	\$255,000.00
Anderson Shaw Construction	Scottsbluff, NE	\$417,729.00
Kingery Construction Co.	Lincoln, NE	\$480,000.00
Paul Reed Construction & Supply, Inc.	Gering, NE	\$508,976.00

It was the recommendation of the Finance and Facilities Committee to accept the bid in the amount of \$255,000.00 from KL Wood and Company, LLC.

Aviation Engine Start Room (cont.)

Mr. Savely MOVED to approve the Aviation Engine Start Room Project bid from KL Wood & Co., LLC for \$255,000.00. SECONDED by Mr. Stinner. The vote was, Yes: Guzman-Gonzales, Klemke, Kremen, Lehl, Liggett, Packard, Richards, Savely, Schmidt, Stinner, Anderson. No: None. Abstain: None. Absent: None Motion carried.

Audit Engagement Letter

Ms. Koski referenced the audit engagement letter from Dana F. Cole and Company included in the meeting information. Dana F. Cole and Company are certified accountants conducting the audit for the College. The letter received from the company outlines the services they will provide for the year ending June 30, 2024. This information was presented for review and did not require approval by the Board.

INSTITUTIONAL REPORTS

National Association of College and University Attorneys (NACUA) Conference Update

Mr. Jason Ossian, WNCC attorney, attended the NACUA'S 2024 Annual Conference to stay current on developing issues in Higher Education Law, as part of his commitment to the Board and President Dart. NACUA is the National Association of College and University Attorneys.

The conference was located in Columbus, Ohio, June 26 through June 29, 2024. NACUA has about 1,650 institutional campus members and 5,000 attorney representatives. When an issue of concern hits one region, the information is disseminated to all members. When problems are solved by one member, it is often disseminated to the membership via the message boards, materials, or video conferences throughout the year.

Group sessions were aimed at issues specific to community college members. These sessions included break-out and small group sessions comprised of attorneys specifically representing community colleges. Attorneys discussed how they work through problems and shared ongoing issues they have in common.

College practice has been to send contracts to legal counsel for review. Contract updates included indemnification (compensation for harm or loss) and limitation of liability, and termination of rights and insurance.

April of this year the U.S. Department of Education released its final Title IX regulations effective August 1, 2024. The final rule protects all students and employees from sex discrimination prohibited under Title IX. The rule clarifies the steps a school must take to protect students, employees, and applicants from discrimination based on pregnancy or related conditions. The rule also protects against discrimination based on sex stereotypes, sexual orientation, gender identity, and sex characteristics. Central provision newly defines sex discrimination to include discrimination on the basis of sexual orientation and gender identity (gender identity is not expressly defined within the regulations).

National Association of College and University Attorneys (NACUA) Conference Update (cont.)

In the preamble, regulations are not regulating transgender participation in athletics (that is reserved for later), but where institution subjects to more than de minimis (used in the legal system to refer to certain facts or issues that are so minor as to be undeserving of the court's attention) harm, could still subject a college to a complaint.

July 24, 2024, the United States District Court for the Eastern District of Missouri issued an injunction in favor of plaintiff states, that included Nebraska, enjoining the Department of Education from implementing or enforcing the 2024 rules against the plaintiff states. There are similar cases with State Plaintiff groups in different parts of the country.

As of July 31, 2024, pursuant to Federal court orders, the Department is currently enjoined from enforcing the 2024 Final Rule in 26 states (Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming); the Department is also currently enjoined from enforcing the 2024 Final Rule at the schools on the list located at <https://www2.ed.gov/about/offices/list/ocr/docs/list-of-schools-enjoined-from-2024-t9-rule.pdf>. Per court order, this list of schools may be supplemented in the future. The final rule and this resource do not currently apply in those states and schools. Pending further court orders, the Department's Title IX Regulations, as amended in 2020 (2020 Title IX Final Rule) remain in effect in those states and schools.

Other major topics at the annual conference included: accommodations of employees and students and athletics, First Amendment issues; including those institutions involved with protests, reduction in force, FERPA, and data breaches.

Student Report

No Report

Faculty Report

Ms. Howton reported instructors Jeff Downey and Holly Boomer have developed two new humanities classes. *Film as Literature* (ENGL-2180), offered this semester on the Scottsbluff Campus. In this class, students will examine and write about the world of cinema, a medium that rivals traditional literature in its ability to tell stories, develop characters, convey themes, experiment with form, deliver social commentary, and captivate an audience.

Spring 2025 semester, *Villains/Heroes/Antiheroes* (ENGL-2900B) will be offered. This course will explore the cultural concepts of villains, heroes/heroines, and antiheroes/heroines in literature, popular culture, graphic novels, and film.

Instructor Patrick Newell was the lead faculty for the Nebraska Global Leadership Taskforce trip to Italy, "Italian Arts and Culture." Forty-three students from WNCC and faculty from Mid-

Plains Community College visited historic cities and towns in the Po River Valley, northern Tuscany, and Liguria. Students received humanities credit, which counts towards graduation.

In June, as part of his sabbatical project, Patrick Newell led and taught the first Sweetland Singing Institute, located in Popiglio, Italy. Students and teachers worked together for ten days. Students varied in age from fifteen to sixty-eight and included individuals from across the U.S. and Belize. Mr. Newell plans to continue the Institute, possibly in London in 2026.

Faculty Report (cont.)

Last year, instructor Dr. Erandi Gunapala worked with Dr. Wei-Zhen Liang and Dr. Xin Qiao from UNL Panhandle Research and Extension Center to collaborate on a proposal they were submitting to the National Science Foundation (NSF). In September, they received the NSF ExLENT Award titled "Experiential Learning on Digital Agriculture and Plant Phenotyping Technologies (DAPPT)". As part of this project, Dr. Liang and Dr. Qiao recruited four interns from WNCC. The students received a stipend of \$5,760 over the summer for completing the internship.

Nebraska Community College Association

Mr. Stinner reported the NCCA third quarter meeting included a Strategic Planning workshop. Discussion focused on the recent Legislative Special Session and the outcome of the Governor's tax proposal. Dialog also included review of bills that need to be monitored during the next Legislative session.

Western Nebraska Community College Foundation

Ms. Jennifer Reisig, Foundation Executive Director, disclosed annual reports for the Nebraska Math Readiness Grant (NMRP) were recently submitted. The grant is funded by the Susan and Walter Scott Foundation and the Peter Kiewit Foundation. This begins the seventh year of the grant, the first four years were a consortium grant for all the community colleges; however, this is year three of the grant going directly to the WNCC Foundation. Facts about NMRP and the impact it has on panhandle high school students' college math preparation, is in the WNCC Foundation and Alumni Annual Report, which should be in mailboxes in the next couple days. A lot of great information is in the annual report focusing on the Foundation and Alumni areas.

Student Emergency Fund (SEF) requests are coming in quickly this semester. The Foundation staff work with departments on campus and organizations around town to identify additional ways students in need can be helped. The annual Back to School fundraising letter goes out this week and will raise money for the Greatest Need fund that supports SEF requests.

President Dart and Ms. Reisig will be meeting with health care industry partners over the next few months to offer them an opportunity to fund the portion of the renovation project that requires funding by non-tax dollars. Some equipment needs can be funded through donor naming of spaces have been identified. There are some potential matching funds with the hope that those could double local donations.

The Monument Marathon is thirty-seven days away. Currently, 380 runners have registered, two from other countries and thirty-three U.S. states. There is still time to sign up to volunteer or run at monumentmarathon.com and click the Register tab or Get Involved tab.

President Comments

President Dart reported faculty and staff have been busy with the start of the fall semester, and enrollment numbers are good. Anytime there are enrollment increases at colleges, there are a number of challenges that go along with that growth. A number of classes are over-enrolled, and faculty have welcomed those students and helped find solutions.

While FAFSA simplification was a nightmare across the country, and although FAFSA completers fell as much as 12 percent throughout the state of Nebraska, WNCC was the first institution to issue Institutional Student Information Records (ISIRs) and package aid, and was accomplished by the smallest staff in the state! Through the hard work and dedication of so many, WNCC assisted students in getting financial aid without the frustration.

Board Member Comments

Chair Anderson thanked Board members for their presence and input at the retreat scheduled as part of the Informal Board meeting this morning.

Upcoming Meetings and Events

1. 2024 ACCT Leadership Congress
October 23-26, 2024
Arch/Washington State Convention Center
Seattle, Washington
2. NCCA Fourth Quarter Meeting and Annual Conference
November 3 and 4, 2024
Northeast Community College
Norfolk, NE
3. 2025 Community College National Legislative Summit
February 9 – 12, 2025
Marriott Marquis
Washington D.C.
4. 2025 Governance Leadership Institute
March 16-18, 2025
Windward Community College
Oahu, Hawaii
5. 2025 ACCT Leadership Congress
October 22-25, 2025
New Orleans Marriott and Sheraton New Orleans
New Orleans, Louisiana

Next Regular Meeting: Wednesday, September 18, (following the Budget Public Hearing, approximately 1:30 p.m.) Western Nebraska Community College, Scottsbluff Campus, 1601 East 27th Street, Scottsbluff, NE.

Adjournment

The meeting was adjourned by unanimous consent at 2:53 p.m.

Karen S. Anderson, Chairperson

Susan L. Verbeck, Secretary