

**BOARD OF TRUSTEES REGULAR MEETING**  
**Cessna Learning Center**  
**CLC 104 (West Classroom)**  
**July 9, 2015-5:30 P.M.**

**MINUTES**

**Members Present**

Jana Shaver  
Val DeFever  
Jay Jones  
Norman Chambers  
Sam Forrer

Cynthia Sherwood (Once selected, Cynthia Sherwood joined the Trustees after stating the Oath of Office)

**Others Present**

Daniel Barwick, President  
Keli Tuschman, Human Resources Coordinator  
Wendy Isle, Controller  
Tammie Geldenhuys, Vice-President for Student Affairs and Athletics  
David Smith, Dean of Instruction  
Eric Montgomery, Director of IT  
Debbie Phelps, Director of Institutional Research  
Taylor Crawshaw, Associate Dean for Academic Support Services  
Kara Wheeler, Associate Dean for On-line and Continuing Education  
Beverly Harris, Executive Assistant/Board Clerk  
John Eubanks, Professor of Business/Accounting  
Brian Southworth, Professor of Developmental Math  
Isaias McCaffery, Professor of History  
Ben Seel, Professor of Political Science

**Guests**

Lisa Montgomery, Candidate for Board Vacancy  
Lori Palmer, Candidate for Board Vacancy  
Cynthia Sherwood, Candidate for Board Vacancy  
Kassie Sanderson, Reporter  
Clete Hudson, Kansas Communication Services, Inc.  
Jon Lamendola, Kansas Communication Services, Inc.  
Hoite Caston, Community Member

**I. ROUTINE**

- A. Call to Order – With a quorum present, Norman Chambers called the meeting to order at 5:37 p.m.

Incoming Trustees Sam Forrer and Jana Shaver read the Oath of Office as the official start of their service on the Board of Trustees.

- B. Approval of Agenda – Jana Shaver moved to approve an amendment to the agenda that moved Item I. Bids for IT Networking Project from the Consent Agenda for consideration as the first item of business under Institutional Operations. Jay Jones seconded the motion and the motion carried 5-0.
- C. Pledge of Allegiance – John Eubanks led the group in recitation of the Pledge of Allegiance.

- D. Welcome Guests – Norman Chambers welcomed the guests and provided an overview of options for public comment on items pertaining to the agenda.
- E. Mission Statement – Jana Shaver read the College Mission Statement.
- F. Vision Statement – Jana Shaver read the College Vision Statement.
- G. Approval of Minutes – Jana Shaver moved to approve the minutes of the special meeting held June 1, 2015, the June 10, 2015 regular meeting, and the June 30, 2015 special meeting. Val DeFever seconded the motion and the motion carried 5-0.

## II. INSTITUTIONAL OPERATIONS

- (L. From the Consent Agenda) – Bids for IT Networking Project. Jana Shaver moved to approve the bid submitted by Dave’s Phone Service, DPS in the amount of \$69,300 plus the additional subcontracting bid of \$7,800 for a total bid cost of \$77,100. Sam Forrer seconded the motion and the motion carried 5-0.
- A. Interview Candidates for Board Vacancy – Jay Jones, expressing no disrespect to the Board Chair or the applicants for the vacancy on the Board of Trustees, excused himself from the room during the interview and selection process for filling the vacancy on the Board of Trustees. Candidates Lori Palmer, Lisa Montgomery, and Cynthia Sherwood were individually interviewed in Open Session for approximately fifteen minutes each; only one applicant for the vacancy remained in the meeting room at a time.

Board Applicant Selection – The three candidates for the Board vacancy returned to Open Session; Norman Chambers thanked them for applying for the position. Jana Shaver moved to select Cynthia Sherwood to fill the vacancy on the Board of Trustees. Val DeFever seconded the motion and the motion carried 3-1, with Norman Chambers voting no and Jay Jones absent.

- B. New Trustees Oath of Office/Indemnity Agreements – Cynthia Sherwood read the Oath of Office as the official start of her service on the Board of Trustees.

Jay Jones returned to Open Session.

- C. Annual Board of Trustees Elections and Appointments
  - Nominate and Elect Board Chair – Val DeFever nominated Jana Shaver as the 2015-2016 Board Chair. Sam Forrer seconded the motion and the motion carried 4-2, with Norman Chambers and Jay Jones voting no. Jana Shaver assumed duties as Board Chair for the remainder of the meeting.
  - Nominate and Elect Board Vice-Chair – Sam Forrer nominated Val DeFever as the 2015-2016 Board Vice-Chair. Cynthia Sherwood seconded the motion and the motion carried 4-2, with Norman Chambers and Jay Jones voting no.
  - New Chair Appoints Audit Committee – Dr. Barwick, Norman Chambers, and Sam Forrer will serve as the College Audit Committee for 2015-2016.
  - New Chair Appoints Kansas Association of Community College Trustees Representative – Jay Jones will serve as the Kansas Association of Community College Trustees Representative for 2015-2016.
- D. Designate Official Newspaper for 2015-2016 – Following discussion, Val DeFever moved to designate the Montgomery County Chronicle as the College’s official newspaper for 2015-2016. Jay Jones seconded the motion and the motion carried 4-2, with Norman Chambers and Sam Forrer voting no.
- E. Designate College Legal Counsel for 2015-2016 – Jay Jones moved to designate Jeff Chubb as the College legal counsel for 2015-2016. Norman Chambers seconded the motion and the motion carried 6-0.
- F. Identify Date/Time for 2015-2016 Monthly Meetings – Jay Jones moved that monthly meetings take place at 6:00 p.m. on the second Thursday of each month. Val DeFever seconded the motion and the motion carried 6-0.

Daniel Barwick informed the group that slight revisions had been made to the 2015-2016 budget proposal; he also shared that a Budget Workshop was scheduled for the new Trustees to explain the budget process. Dr. Barwick asked that a Board member move to go into Executive Session to discuss non-elected personnel matters associated with the outcome of the 2015-2016 budget proposal.

EXECUTIVE SESSION: Sam Forrer moved to enter Executive Session for fifteen minutes, to include Daniel Barwick, Keli Tuschman, David Smith, and Kara Wheeler, to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed. Norman Chambers seconded the motion and the motion carried 6-0. The Board entered Executive Session at 7:05 p.m. The Board returned to Open Session at 7:20 p.m. Sam Forrer moved to enter Executive Session for an additional ten minutes, to include Daniel Barwick, Keli Tuschman, David Smith, and Kara Wheeler, to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed. Norman Chambers seconded the motion and the motion carried 6-0. The Board entered Executive Session at 7:20 p.m. The Board returned to Open Session at 7:30 p.m. Jana Shaver moved that the Board enter Executive Session for an additional five minutes, to include Daniel Barwick, Keli Tuschman, David Smith, and Kara Wheeler, to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed. Sam Forrer seconded the motion and the motion carried 6-0. The Board entered Executive Session at 7:31 p.m. The Board returned to Open Session at 7:36 p.m.

- G. 2015-2016 Board Budget Proposal – Dr. Barwick shared that the 2015-2016 Board Budget Proposal was discussed entirely during Executive Session, and no action would be taken.
- H. Allow Payables – Norman Chambers moved to approve payables. Jay Jones seconded the motion and the motion carried 5-0-1, with Cynthia Sherwood abstaining.
- I. Additions to Personnel Report – The Personnel Report included employment of: Ben Corbett-Smith in the position of Theatre Arts Instructor at an annualized salary of \$48,000 plus College support toward employee participation in ICC’s group health insurance plan; Brad Henderson in the position of Marketing Director/Instructor at an annualized salary of \$55,000 plus College support toward employee participation in ICC’s group health insurance plan; and, Jaicey Littau in the position of Academic Affairs Assistant at an hourly wage of \$12 plus College support toward employee participation in ICC’s group health insurance plan. The report also included voluntary terminations of Judith Maxwell from the position of AS400 Database Administrator, and Jim Papan from the position of Assistant Women’s Basketball Coach.
- J. Athletics Cost Report – Daniel Barwick provided the background information that the draft report being presented was based on the same model as the Athletic Cost Report presented to the Board of Trustees three years previously. Tammie Geldenhuys presented the draft report and answered various questions. Norman Chambers noted that the report did not reflect the effect of Athletics on the budget. Sam Forrer requested a fantasy scenario in which the possibilities associated with excellence in Athletics was portrayed for all sports. Tammie will develop an Athletics prospectus using three baselines: meeting safety requirements; ability to compete successfully; and dreams for what the program can be to achieve excellence in Athletics.

Hoite Caston was given the opportunity to speak to the Board of Trustees regarding the Athletics Cost Report. Mr. Caston stated that he specifically referenced the previously presented color-coded spreadsheet, listing each sport with respective expenses and revenues, when he made the request for the Athletics Cost Benefit Report. Mr. Caston added that the current report did not identify which sports were cost efficient and which were not.

Tammie will develop a final version of the Athletics Cost Report for the Board of Trustees’ review.

K. Admissions Process Changes – The Admissions process changes presentation will be delivered during the regularly scheduled meeting in August.

III. CONSENT AGENDA – After referencing an error and asking for clarification on the two student insurance items, Jay Jones moved to approve the consent agenda which included receipt of the financial and personnel reports. The following fiscal year appointments were also on the consent agenda: College President, Daniel Barwick, as the Board Secretary; Controller, Wendy Isle, as the College Treasurer; and Executive Assistant to the President, Beverly Harris, as the Board Clerk. Included in the consent agenda were approval for payment of 2015-2016 dues for: Kansas Association of School Boards/KJUMP in the amount of \$3,200; Kansas Association of Community College Trustees in the amount of \$10,135; and, Kansas Jayhawk Community College Conference in the amount of \$8,000. Bids were included in the consent agenda for: Crossroads travel for out-of-town football games in the amount of \$14,700; and, premiums obtained from Dissinger Reed Insurance Services, LLC for student athletic insurance through United States Fire Insurance Company in the amount of \$66,630; and, catastrophic insurance coverage through Zurich in the amount of \$16,763. Payment to Greg Eytcheson in the amount of \$29,000 for a one-year contract for maintenance of the Student Information System; a Fitness Center Fee of \$10/semester for all students except high school students for membership to the Cornerstone Fitness Center; and, a Student Accident Insurance Fee in the amount of \$25/semester for \$3,000 in coverage (mandatory for all resident students and optional for all other students) were also in the consent agenda. Val DeFever seconded the motion and the motion carried 5-0-1, with Cynthia Sherwood abstaining.

Jana Shaver provided Isaias McCaffery, Professor of History, an opportunity to address the Board concerning Ratification of the 2015-2018 Negotiated Agreement. Dr. McCaffery shared that earlier that day a majority of the Faculty Association members voted not to accept the current contract offered and read a statement outlining the reasons for rejection. Dr. McCaffery read the following letter, and copies were subsequently distributed:

Dear BOT,

Today a majority of our members voted not to accept the current contract offer. Collectively, they felt that overall the document on the table reflects a negative and punitive stance by the Board's representatives. The underlying assumptions are that Faculty members don't work hard enough, that they must be compelled or threatened to perform their duties and that the best way to communicate with teachers is through a hired lawyer. Rather than working together to serve our students, the clear presumption is that the Faculty will not act out of professionalism. Because some theoretical individual may not be stepping up-the thinking goes -- all instructors must be treated like the weakest link (even if this person exists only in the imagination). We believe that this is a woeful approach to human relations that lowers morale, damages trust and violates the basic principles of good management.

After informing us that we work only 21 hours a week -- which ignored course preparation, grading, committee meetings, and a lot of other routine duties -- Mr. Rasmussen's final offer contained an additional two weeks each year, open-ended summary firing, a more punitive disciplinary process, erosion of Faculty voice and shared governance, and a considerable list of newly mandatory duties. No effort was made to explain why these changes are good or necessary for ICC. At best this suggests that presently ICC Faculty provide an inadequate service to our students and institution, and it ignores the consistently high accolades that instructors have earned. These reasons are among several expressed by the Faculty in rejecting the presented terms. Our members believe what was offered does not come close to balancing what is being asked for.

The Association is still willing to honor our proposal made in March. This offer continues the existing contract as is with only step and column movement for the next two years -- representing approximately a 1% raise over the two year period. We request the Board consider this offer when it takes action later in the meeting. We are willing to answer any questions posed this evening by the Board.

Jana Shaver sought clarification and shared that her understanding was that an agreement had already been reached during mediation sessions. Ben Seel stated that two parties were present during mediation; John Rasmussen, lawyer, and the faculty negotiation team which was appointed by the total membership. Jana Shaver repeated that she understood that an agreement had been reached during mediation sessions, and sought further clarification. Ben Seel responded that, yes, an agreement was reached, but when the negotiation team of four members took the offer on the table that was agreed to by the negotiation team and Mr. Rasmussen back to the membership, the membership rejected the offer. When Jana Shaver asked if that meant the Faculty Association did not ratify the agreement, Ben Seel agreed. Jana Shaver thanked Isaias McCaffery and Ben Seel for sharing.

In consideration of the faculty members present, Dr. Barwick suggested switching the order of the two Executive Sessions and discussing negotiations first in the event any action was taken (although none was anticipated) following Executive Session .

IV. EXECUTIVE SESSION: Val DeFever moved to enter Executive Session for fifteen minutes, to include Daniel Barwick, David Smith, and Keli Tuschman, for the purpose of discussing negotiations to protect the district's right to confidentiality of its negotiating position and the public interest. Sam Forrer seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:55 p.m. The Board returned to Open Session at 9:15 p.m. Val DeFever moved to enter Executive Session for an additional ten minutes, to include Daniel Barwick, David Smith, and Keli Tuschman, for the purpose of discussing negotiations to protect the district's right to confidentiality of its negotiating position and the public interest. Sam Forrer seconded the motion and the motion carried 6-0. The Board entered Executive Session at 9:15 p.m. The Board returned to Open Session at 9:25 p.m. Val DeFever moved to enter Executive Session for an additional five minutes, to include Daniel Barwick, David Smith, and Keli Tuschman, for the purpose of discussing negotiations to protect the district's right to confidentiality of its negotiating position and the public interest. Sam Forrer seconded the motion and the motion carried 6-0. The Board entered Executive Session at 9:27 p.m. The Board returned to Open Session at 9:32 p.m.

Ratify 2015-2018 Negotiated Agreement – No action was taken.

V. EXECUTIVE SESSION – Jana Shaver informed the group that no action would be taken following Executive Session. Val DeFever moved to enter Executive Session for fifteen minutes, to include Daniel Barwick, to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed. Sam Forrer seconded the motion and the motion carried 6-0. The Board entered Executive Session at 9:35 p.m. The Board returned to Open Session at 9:50 p.m.

VI. ADJOURN – Norman Chambers moved that the meeting adjourn. Jay Jones seconded the motion and the motion carried 6-0. The meeting adjourned at 9:52 p.m.

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Beverly Harris  
Board Clerk

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