

- Welcome to the February 20th meeting of the Johnson County Community College Board of Trustees. We always start our meeting by honoring our country with the Pledge of Allegiance. If you'd please join me.

- [Group] I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

- Thank you, the next item is roll call. In recognition of visitors, I will note that all members of the board are here, so we have a quorum.

- [Clerk] This evening's visitors include Cheryl Schroeder, Laura Greger, Nisha Benson, Laurie Slethaw, Cassie Woodworth, Lorene Danewood, Chris Hallmark, Val Ball, Sara Ruder, Ceilia Fritz Watson, Colleen Cunningham, Chris Rosell, Leetta Thelter, Susan Warren, Roxy Hammel, Andrew Ramey, Dennis Batliner, Melody Rail, Angela Schneller, Blake Coger, Bryan Batliner, Theresa Booker, and John Smith.

- Thank you, and I'll note that some of those individuals are in a different room for an overflow room where this meeting will be live streamed so that they can participate as well. We have honors awards of recognitions? Dr. Sopchich, or is it Karen, are you doing this?

- I'll do it, yes, thank you. Thank you Trustee Musil. I'm going to bring in some of the staff that are receiving awards tonight. We're going to be recognizing three of our different programs areas in continuing education tonight. At the National Council for Continuing Education and Training, this past November at their national conference, we were presented with three exemplarily program awards during their annual meeting. And so I'd like to recognize our various groups. And we now have the awards that have arrived, and they're quite large. If you would, we'll do the Encountering Innovation group first if you all would please come forward. The first award was for the Encountering Innovation Week. And I'd like to introduce the staff that worked on that particular project. First, I have Jack Harwell, who is one of our business advisors in the small business development center. Stephanie Landis, who is also one of our advisors in the small business development center. Jessica Johnson, who's the regional director of the small business development center. She's new to the position. Alisa Waldman, who's the dean of continuing education. And Johnna Dassy, who's also one of our advisors in the center. And the Small Business Development Center was recognized for their programming for hosting the Encountering Innovation Week last September. This event provided over 150 innovators from 10 different states on our campus with the opportunity to present and showcase their technology to federal technology scouts and the public. These scouts were from the Department of Defense, Department of Homeland Security, NASA, and various government agencies where they listened to 80 pitches and they also participated in a poster board session with another 85 poster displays. This allowed them to talk to them, network with the innovators during the lunches and the networking sessions. They gained feedback on their products, and were given direction, and also helped those things be socialized among government agencies to

help fast track the contracting process as well too. So they were honored for this program, and it being able to be replicated as well around the country and other colleges. So congratulations to you.

- Very modest, go ahead.

- Well we really appreciate the honor. This is a program that's in its third year. And you know, it's a great opportunity for innovators to get introduced to the DOD, and other federal agencies, and grow their business. So thanks.

- Congratulations.

- Our second group that was recognized was our ESL Welding Program. And I'd like to bring in John and Janice. If you all would come forward. This is John Littleton. John Littleton is a program director in Continuing Education of our trades, our logistics and supply chain. And this is Janice Flancet, who's the program director extraordinaire on campus, off of, both of our off site locations with our GED, ESL, and adult basic education program. And the ESL welding program fully immersed students in an English learning technical program. So what they did is the students actually completed an OSHA 10 hour general industry and MIG welding fundamentals layout and fabrication over a single semester period. The technical skills were taught by industry experts, but they were also coupled with ESL throughout the program. So the students were learning a technical language in English with the support of their ESL teacher, and then they also were able to apply those learned skills in the language to the welding and the training they were getting at the same time. The students worked in a team format in a lab setting, and they learned those skills. So they were also able to apply them by assembling things while they were there. They were given the opportunity to also test and receive their AWS welding certificate as well. So with that, congratulations. This is another program that they will be able to replicate, as well at other colleges. So we appreciate your work in that.

- Thank you very much.

- Thank you.

- It is a great honor to win this award. And it was so much fun to work with these students to meet this challenge. These are mid-level language learners. They are conversational, but they don't write particularly well. They don't read particularly well. So the bar was high. It was really difficult for them to achieve this completion that they did. And 100% of the students who started completed it. We're really proud of them. Thank you.

- And if the next group would come forward. This group received an award for the American Public Works Association Partnership. I'd like to introduce Debbie Rulo. She's the director of strategic partnerships and business development. Jennifer Winchester, who's the program director of Leadership and Business skills and process improvement. Zach Irglitz, who's the coordinator, boy this is gonna be a long title, Zach. Professional development, health care, also leadership, business skills, and process improvement. And then Jake Acres, who's the program director of our computer applications and IT. And this group worked with APWA when they held their mid-America Regional second annual training and big equipment rodeo, I always say that wrong, expo. This is the second year that we worked with them. And they serve professionals in all aspects of public works. We work with them to assist with the event, which included we built a program to take the registrations, collect the registration funds for them, schedule the equipment competitions, help score the competitions, and then we provided 13 different training programs to the people that were there. And everything from skin cancer prevention on the health care side, to some very technical skills, soft skills related things as well. We had 13 municipalities who participated locally this year, with 115 of their employees also participated in the event, which was also double the enrollment from the previous years. So we were really excited about this. This was a great way for our staff to not only meet those clients in one setting, but it also gave us an example to hear about additional needs that they have, and then tell other schools around the country, this is a way you can replicate working with those municipalities as well. So congratulations to you.

- The American Public Works Association, their national office is actually located locally, and we work with them. We actually had an article in their national magazine this year about some of the work we've been doing with them. And also, what the training programs that we've been working with, it's with the Midwest region, the local region. And as Karen said, it's given us an opportunity to work with a lot of different cities, and we do the two day training conference in the fall. We've done it for the last two years. Each year it doubles. Next year we are actually growing out of our venue. Throughout the year, it also give them the cities, and then the individuals an opportunity to do additional training with us with all of the various different programs. They're great to work with. They're absolutely wonderful group. So thank you very much.

- Thank you all for the efforts that lead to those kind of awards. They're not unusual, but I'm sure all of us, as trustees, can say we don't get tired of them. We love having those every meeting. One thing that I wanted to note is that we have a huge team on this campus working on enrollment, whether it's councilors, or faculty, or other students, our admissions office, our registration, our foundation to try to keep our enrollment as strong as it can be. And we all received an email this week indicating that for spring 2020, we have, we've increased the number of students on campus by 0.2%, and credit hours by 0.7% at a time when other community colleges, because of the strong economy and other things, are struggling for students. We are still the first choice for an awful lot of students in this county and beyond. And I think I wanna congratulate everybody that's on those teams that helps us recruit students and convince people that this is a place to come and further their education. So thanks to everybody that does that. The next item on the agenda is our open forum period. The open forum is a section of

the board agenda at every regular meeting where members of the community can provide comments to the board. There'll be one open board forum period for every regular board meeting. Comments are limited to five minutes, unless a significant number of people plan to speak. In that instance, the chair may limit a person's comments to less than five minutes. Tonight, we have, I believe, nine or 10 people speaking, so I'm going to impose a three minute limit. In order to be recognized, individuals must register at the door of the board meeting prior to the meeting. When addressing the board, registered speakers are asked to remain at the podium to be respectful and are encouraged to address individual personnel or student matters directly with the appropriate college department. As a practice, the college does not respond to matters in this setting when their personnel or student issues, or matters that are being addressed through the grievance process or otherwise being addressed by the board. With that said, we have a number of speakers that I mentioned. I will ask each of you to come to the podium. State your name and address, and then we will start your three minutes of time. I will endeavor to let you finish a thought, but we have a long agenda tonight. So if we can get done with three minutes, that would be awesome. The first speaker is Cheryl Schroeder. Cheryl? Oh. You not wanna speak, okay. Thank you. You beat the three minutes, Ms. Schroeder. The second person listed is Cassie Woodworth.

- [Cassie] Woolworth, like the store.

- Okay, I see that now. Woolworth like the store.

- [Cassie] Am I coming up here?

- Please come to the podium.

- [Cassie] I have not been here before.

- No.

- I appreciate that.

- [Mr. Musil] You can give your name and address. We'll be happy to hear your comments.

- All right, my name is Cassandra Woolworth. I live at 306 North Penion, Olathe, Kansas, 66061 for those who care. I'm here tonight because I understand that there have been some issues at Johnson County

Community College, and I would like to address my concerns. First and foremost, I'm a mother. I have three boys, 20, 18, and 16. 18's going to four years. 16's maybe coming here. 20 opted out. Okay. I'm also a board member. I am a vice president of an organization, so I do understand how board and minutes and meetings work. I understand how boards are supposed to be as transparent between the board members as I am typically with my family. There should be no hurdles within the board. Now outside the board, I completely understand that consumer facing, consumers may or may not have all of the information, but I think transparency really is a problem here. Being a board member, I took a look at the information that was handed out tonight. And one of the things that really shocked me was the inclusion of these paragraphs implies they were excluded priorly to that. So if I go through and I read what we need to do with say the ethics, the point being, it wasn't here before, and therefore it needs to be addressed now. It says to me there's a problem. I'm looking at a lot of this where it's saying we will be transparent. If you'd like to know, it's on page three. We will be transparent. We will pass information around. Everything will be labeled and marked. We will have dates and times, et cetera. Why isn't that happening now? What is wrong with this situation? Board members were elected. I voted, okay. I elected some of ya. I would like to at least get my vote's worth of transparency at Johnson County Community College, especially if you really want me to send my sons here, or my grandsons here. Hell, I came here. Okay, and a side note, there's also a decrease in credit tuition as a single mother who works, and has three boys to support, I will tell you that will get me here for cooking classes. That would get me here for dancing. That would get me here for a three credit class hour. But the hundred bucks an hour now, I can't sign up. I don't have that kind of money. My kids need food, hey, housing. So seriously, that makes perfect sense. I understand there's a point too. I think if you took the credit hours down and you offered more certificate programs, we could get that significantly over 1%, not 0.2. We need to be growing this college. You have money. You have a reserve. Why isn't it being spent? Why are we not spending it on things that could grow the college, grow the college? Thank you.

- [Mr. Musil] I had no idea that, I don't know how to do this.

- That's okay. I guess I'll dance off the stage now. Thank you.

- Thank you. Yeah, would you do the time. We're gonna turn this over to the vice chair, that scared me enough. I don't wanna do that again. I'm sorry, Cassie. The next speaker is Laurie, now I'm really gonna be nervous about names, Sledahah.

- [Laurie] You did pretty well with that.

- Okay. Please come forward, give your name and address. And we'd be happy to hear your comments.

- Hi, my name is Laurie Sledahah. And I live at 7615 Twilight Lane, Lenexa. Thank you so much for giving me the opportunity to speak tonight. So I wrote some thoughts down. Trustee Angeliina Lawson was elected in 2017 by a large margin. She won in such a decisive way because the voters trust her to fight for the students and faculty of the college and for transparency in government. She's doing the work that the people of Johnson County elected her to do. With a budget of over \$150 million, an important question we as taxpayers need to consider is do we really want only yes men on a board, that oversees one of the largest taxpayer funded budgets in our county? Or do we want someone who asks the difficult questions that no one else is willing to ask? Leaders should never feel threatened by those questions. They should work to eliminate suspicions by communicating clearly and asking how improvements can be made. Teamwork and collaboration isn't gained by punishing someone who's opinions are different from the majority. It only increases tension and silences independent thought. Every successful business leader knows that those who bring a different perspective should be valued in an organization, and invited in to decision making. For our county to have a forward thinking community college that is on the cutting edge, do we want board members who respond to suggestions of change with this is how we've always done things? It is human nature that when someone feels their concerns are being ignored, their responses become suspicious. When trustee Lawson asks questions about financial matters, and the response by other elected officials is to attack her publicly, instead of providing adequate answers, I think the taxpayers of our county should be very concerned. Thank you.

- Thank you for your comments. We had a history here of not having cheers or boos from the audience, and it would be helpful, I think professionally, if we could stick to that. But I understand the passion in the room. Our next speaker is Jay Moyer. Jay?

- Good evening. Jay Moyer, 7809 England Drive, Overland Park, Kansas, 66204. Mr. Chair, Mr. President, and members of the board, the definition of the word gaslight as a verb means to manipulate someone by psychological means into questioning their own sanity. It is a dangerous practice usually used when referring to a toxic relationship. I want everyone to stop and think for the next few minutes about a time they were manipulated into doing something, or believing something, that they either did not believe in, or did not want to do. You may not understand how the term gas lighting responds to the JCCC Board of Trustees, or why I'm speaking before you today, but one thing is very clear to me that the attacks on Angeliina Lawson are part of a massive gas lighting plan by members of this board that other board members, along with Johnson countians alike have bought into. This attempt is like a toxic relationship, the board, the gas lighter, the public, along with Trustee Lawson, the victim. There are certain people on this board who when I have had encounters or disagreements with them, they have retorted with a twist of the truth. One so convincing that even I can believe that they are correct. One example is when I bring up LGBTQ issues. The board states that they're progressive on human rights, but as I mentioned last December, this gives me pause. Myself as an LGBTQ activist and community member, members of this board who are currently in the middle of a battle for their metaphorical voice, and a petition with 252 signatures to date, all supporters of the LGBTQ plus community, have said the same thing. Circumstances here at Johnson County Community College are questionable at best. But those voices have been silenced by the powers that be under gas lighting techniques. And if you don't believe my word, then my best guess is that you've been affected by these efforts. My proof is sitting right in front

of me, here today, despite the community's cries to let you know that something insidious is happening here. The defense that pulls at your heart strings is always the same. Our opposition frames evidence negatively against us because they don't like us. Like or not, I would actually like to say I have had quite pleasant conversations with most, if not all of the people that sit on this board. I do not think of you as inhuman. I think there is an attempt at a grab for power because non-transparent and questionable practices have been so normal for such a long time that those that have power are now scared they'll lose it because those practices are finally being exposed. You may feel as though this is a truly strange predicament for a community college to be in at this moment in history. But I would argue that it is not. The fight that is been going on here is indicative of things happening in American politics all across the country. You may say that JCCC is not the place for talks of politics and speeches about power, but I would argue that is the very nature of the system here. You are all elected officials here to make decisions about taxpayer dollars. I will only be inclined to believe those who consistently fight for equality and transparency, and I apologize, but that is not the understanding I have from anyone on this board, except for Trustee Lawson. Trust is a hard thing to earn. And you have certainly not earned mine. Back off of Angeliina. Stop spewing mistruths to the public. And cancel this revolting censure vote. She represents what I and many others in Johnson County stand for, and that is not something you can take away from us, censure or otherwise. One thing is clear,

- [Mr. Musil] Wrap up, Jay.

- The people are watching, and they will be there in 2021. Thank you.

- Thank you, Jay. Next is Nisha Benson.

- Good evening everyone. My name is Nisha Benson. I live at 600 South Harrison Street in Olathe. I am here to speak in support of Angeliina. I am a graduate of Johnson County Community College. And reading Chairman Musil's biography last night, I found that we actually have a lot in common. We both grew up in small towns, although yours was a little smaller than mine.

- [Mr. Musil] Smaller than most.

- Yeah, true.

- 15 extra seconds.

- I believe we had similar childhood experiences, as my parents were active in social and educational groups as well. We were both raised to value civic and public service. We both know that holding office is an honor and a privilege. That is why I'm so disappointed with Chairman Musil's recent, unfair criticisms of Trustee Lawson in the public. I have no doubt that Chairman Musil thinks he's in the right in this situation, but this is where we have a large difference of opinion. My parents taught me that to be a good citizen is to speak out. I will not stand by and let Trustee Lawson's good name be tarnished by what seems to be a personal offense taken by Chairman Musil. Trustee Lawson asked questions and raised issues about the lack of oversight and official overreach regarding the accumulation of assets far in excess of the college's bylaws. These questions and issues were raised to fellow trustees as well as in direct correspondence with elected officials. The suggestion that she deserves censure by the board simply because of her correspondence was made public without her permission is absurd. Asking questions and raising issues are how problems get solved. Trustee Lawson's concern with the college's opaque priorities is why 33,204 Johnson County citizens voted for her to a voice of reform, more than any trustee. The move to silence and censure her makes me wonder what is really going on with this reserve fund. If there is nothing nefarious, the board needs to explain why it has accumulated reserves of more than double the 25% annual budget specified in the college's bylaws. We pay the taxes to double this rainy day fund. We deserve to know its purpose and why it has become a sinkhole of unspent revenue even while tuition is being hiked for struggling students. This unprofessional and politicized way of handling professional conflict is far more damaging than any leaked correspondence. I expect more from the members of any board, much less the board of trustees of JCCC, whose Code of Conduct specifies board members should not attack the integrity of an individual without factual foundation. Johnson County tuition has more than tripled from the time I went here. I'd really like to know why, honestly. If you believe tuition hikes don't matter, I call on this board to take a tour of Johnson County, the whole one. I have myself neighbors struggling to pay for rent, food, medication, let alone education that would help better their lives. I simply do not think most of the trustees grasp this problem, which is cause for concern to me. Chairman Musil, I believe you owe Trustee Lawson a public apology for intentionally and publicly misleading the public of Johnson County on her voting record. And until this apology is tendered, I question your professional standing to censure anyone for issuing criticism. As an alumni of JCCC, I know the professors and staff are here to assist the students. I truly would like to be able to say the same about the entire board of trustees.

- [Mr. Musil] You're over three minutes, if you could wrap it ma'am, please.

- I have two sentences left.

- Good job.

- Okay. The people of Johnson County are tired of being purposely misled surrounding Trustee Lawson's legitimate questions about the swelling reserve fund and the search for a new college president. We

simply do and to want the board to continue holding back resources to fund tax giveaways for property developers. Thank you.

- Thank you very much. Next speaker is Lorene Damewood. Lorene.

- I'm Lorene Damewood. I live at 1940 West 66th Street in Shawnee, 66216. My comments will be very brief. Two to three years ago, I was one of the people who was helping to get Angeliina Lawson elected to her position. And since then, I have only heard rather disturbing things about the community college. Why was the track ripped out to put in a new building when the track program served a huge number of students? But mostly, I am just concerned that we have too much dark politics taking over everything that we do, and I would like to see transparency. Thank you.

- Thank you, ma'am. Val Ball.

- 15 seconds to set my own timer, if you don't mind. All right. Why do we elect trustees if we can't trust them? Since Trustee Lawson was voted on to this board, I would add that was with the most votes anyone had ever received in an election for Johnson County Community College trustee. You have attempted to silence her. Watching what I saw in December was disgusting. Jerry, I'm looking at you, appreciate the same. It was literally our national politics playing out at a local level. This board agreed to punishment by taking away any ounce of power, any voice that Trustee Lawson had without any kind of evidentiary hearing, even refusing to pick up the phone as she was trying to call in due to a sick child without any evidence that Trustee Lawson sent that letter to KBOR, and specific denial of sending that letter to KBOR, you took her off every committee. And I quote Jerry Cook, "because she asked too many questions". This is just another example of why I called this board a rubber stamp and fought for transparency by running in the primary last year. This board has been more concerned with stifling dissent than addressing concerns raised in that dissent. Trustee Lawson is essentially a whistleblower about this college stashing money and art away as a tax shelter for rich Johnson County residents and businesses. She attempted to quietly contact people and gain bipartisan support for greater oversights of contracts at all community colleges in this state. And you have fabricated the claim she was damaging Johnson County Community College because you are the ones who sent that letter around to everyone, not her. What you are doing now is silencing her to make sure the new girl doesn't try this, anything like this, now that she's been elected. Yes, I love you Laura. Love you Trustee Smith-Everett. Hope you can raise your voice and not distance from Angeliina, Trustee Lawson, sorry. I gotta work on that. Okay, lost my, you got me all, all right. You were sending a message to faculty, staff, and citizens that whenever the president of this community college says goes. And I can tell you, people have suffered under Joe's reign, some may say wrath, and his stifling of dissent during his tenure, be it faculty, staff, but especially all those poor people he doesn't think exist at JCCC. He has refused to change the name of the Carlson Center because he refuses to admit that the former president and his friend sexually harassed women here. And at every turn, you have not only supported him, but encouraged him. I sat at meetings last year where your faculty tried to tell you they trust neither the administration nor the leadership of this

community college. And instead of being concerned about that issue, you have been more concerned about who are the disloyal people that said they didn't trust you. In closing, fascism is defined by authoritarian, dictatorial power and forcible suppression of opposition, which is what you are doing here. The board of trustees is meant to have oversight of our community college, and all of you, except Trustee Lawson have failed in that duty to the citizens of this county. We will not be silenced. And we will continue to show up and demand better leaders for our community college, instead of rubber stamps that hide rich people's money that make poor people pay. Thank you, good night.

- Thank you, Ms. Ball. Our next speaker is Chris Rosell. Chris. Welcome back to the United States.

- Thank you. It's nice to be back. Mr. Chairman, members of the board, members of administration, members of the community. My name is Chris Rosell. I live in Rolling Park, Kansas. I've got two points I'd like to raise. As some of you know, the last month, I've spent in a rural village in Uganda. And I set very high goals for what I would do in the rural village in Uganda. Many people told me that they were completely unfeasible. I achieved all my goals. My first point in this conversation is you know that I've talked about student civic engagement at the college. Given the Higher Education Act of 1965, and the school's, JCCC's, goals involving civic engagement of students, we have one great achievement, which is student registration at the college, voter registration of around 60%. In that, the college is doing fairly well, although the standard is that a good system achieves 97% of its goal, not 60% of it's goal. Another part is for civic engagement is voter education, and other part is voter turnout. This past year, and the election, I urge the board to use additional processes to inform students of the election and get them to vote, in the college wide. In the county, we had 18% of the population actually vote in the election. So some of the board members won with a 3% of the population voting for them. Congratulations. But that's not good enough. That is not the 97% performance that a good system achieves. And I urge the board, number one to set goals related to student registration, voter education, and voter turnout. And then to measure the goals. The measurement processes already in place, and I'm sure you know what they are. The second point is I'm very dedicated to democracy. Given that we are a government of law, not a government of people, I have searched for the bylaws that are allegedly, have allegedly been broken, and I have not found the bylaws that have allegedly been broken. Where are they? Second, where is the process of censure stipulated in the bylaws? I read through the bylaws. I'm sure I must have missed it because I didn't find it there. We're a government of laws, not a government of people who just come up with processes to do something. So please address these two concerns. One, massive voter turnout, goals and measures for it this year. And two, be a government of laws, not a government of people. Thank you.

- Thank you, Chris. We will certainly later, I'm sure, discuss 114.01 and 114.03, which are the Code of Conduct, and the board policies that govern what the expectations are of trustees. And they can be found on the JCCC.edu website under leadership and governance. The last speaker I have registered is Blake Coger. Blake with JCCC save the track. Is Blake maybe in the other room?

- [Woman] I have some people waiting outside for us there.

- Okay. Do you wanna see if Blake Coger. Blake has spoken before, so he knows the routine. Welcome.

- How's it going? I'm Blake Coger, 24853 West 148th Court, Olathe, Kansas. It's been some time since I've been here in this room. For those of you that don't know me, Blake Coger, I'm a JCCC alum. I ran cross country and track here at the college for two years back in 2004 to 2006. And I'm also a member of the core group that kinda started the save JCCC track movement. It's been really hard to get here throughout the last year and a half or so. There's a lot going on in a lot of our lives, obviously. But I'll just say an update on me. My wife and I, my wife came here and spoke a number of times. We now have a six month old daughter, and that's changed our world in the most amazing way. So that's obviously taken pretty much all of 2019 and now, so kinda the reason we're not here often. Addition to new jobs, Brian Batliner and myself, another founder of the save the track movement, had a bucket list goal to run in the 2021 Boston Marathon to qualify and get in. And we spent a lot of 2019 doing that. And accomplish that goal in December at the California National Marathon in Sacramento. So that was a ton of work too. So with all that said, there's a reason why you haven't seen us. Quite frankly, it got tiring. It's one of these things that we felt like we didn't have to defend the reason that the track program was cut. With that, we have been keeping track of issues at the college. I have to say, it's incredibly frustrating. I'm disappointed, and I'm embarrassed as an alum, and a taxpayer, and a citizen of this county that I mean the college couldn't have worse press if it tried over the last couple of years. I mean it's astonishing, really. But I have to say it's reflective and systemic of a lot of the issues we talked about early on, communication, openness, and transparency. I'm hoping that the next board elections go a little bit better, maybe we get a better pool of candidates, and those are a little bit more fruitful. But I have to say, reading an article just today about Trustee Lawson's issues. She mentioned that she senses impatience among the board. And when she asked questions, they say she's getting in the weeds, or made to feel stupid, or that she doesn't understand and stop asking questions. I have to say, I may disagree with Trustee Lawson on the vast majority of political issues, who knows. But our own experience, our own fact finding experience to get to the bottom of this short sighted, ill-founded decision to cut a 30 plus year, historic, successful by every measure, track and field program at this college, I felt the exact same way many times coming up here to speak, as had hundreds of other people that wrote in their stories, 1,500 plus people that signed a petition, 500 people that came and walked the track way back in March or April of 2018 felt the same way. That indignant disgust and disbelief that someone would disagree with your decision, the decision of this administration. I gotta say, I feel that. I understand it. So at the end of the day, you have to ask yourselves what positive comes from all this? Paying attorneys and all the fact finding missions, and all this stuff to who knows how many taxpayer dollars to stifle a trustee. Do you want open involvement and support of the college or not? Sometimes people disagree with you. Either way, they are engaged, and you need to take advantage of that engagement, and not stifle it. I'll finish with, I'll implore you to reconsider reinstating the track and field program at the college. But I think there are a lot of significant issues right now. That's about it.

- Thank you, Blake.

- [Blake] Thanks.

- That concludes the open comment period from the speakers who were signed up before the meeting started. Next item we'll move to is board reports. The first one is the student senate, and we have our vice president, Dalal Essa, who's here. Recent star of Washington DC visits with Trustee Smith-Everett, myself, and Dr. Sopcich visiting with our representative from Washington. Dalal, welcome.

- Thank you. I do have a handout for you all, so if you wanna grab that. Like Trustee Musil mentioned, my name is Dalal Essa. I'm the vice president of the student senate here at JCCC to present the student senate report. A few things on the agenda. First off, being new senators, as always, the goal for student senate is to fill out the seats. And at the moment, we have had eight new senators sign up. And we have three more to be sworn in at the next general assembly, and six students who have showed some interest in student senate. So we're really hoping that the semester will be a good semester for us to have a good amount of senators, and a full senate, hopefully. Next update is club updates. We have three new clubs that have been approved, and have joined the roster at JCCC. First is the volleyball club because there was a lot of interest for the volleyball net, and eventually students just wanted to form a club for it. Next was Bollywood Boulevard. They are a club focused on Bollywood dancing and just exposing students to that kind of culture and dance. And last but not least is Students for Life Club. They have recently been approved. And then finally, for the quiz bowl club that we have here on campus, they will be competing in nationals next Friday and Saturday. So their club advisor, Anthony and the team will be flying out to Orlando to compete. And we wish them the best of luck. For our budget, we have had one budget request so far for t-shirts and hoodies. That brought our total funds to \$11,696.29. We have had a recent club come in to the budget committee and request funds, but they have not yet been approved, so they are the IDSA Club. So we are looking forward to hearing their presentation next week I believe. And the finally for senate projects, some of the new initiatives we're starting to hopefully increase exposure and student engagement is tabling every Monday and Thursday. We are tabling in front of the Honors office with different activities every week to really just get students to know what we're all about, and what our mission is as a student senate, and to know that they have a voice with us. Next, we have the student senate, or student listening sessions for shared governance. That is something that I'm part of, as on the taskforce. And I have asked to have a student listening session to allow students to really know what shared governance is and how that is being affected, or changed on the JCC, at JCCC. We're really excited. It will be Wednesday, March 4th at 12 in Carlson Center, 211, and we will be providing pizza because how else are you gonna get students anywhere. And then finally, or the next item is the student senate elections. The entire executive team is leaving this semester. We are all graduating and moving on. So the application for that is open March 2nd, and we will hold the debate April 2nd. And the results will be announced April 9th. It'll be pretty quick turnaround. I'm really excited to see who the next executive team will be and who can continue our legacy at JCCC. And then finally, 2020 is the year for a census. I'm very excited. I'm going to be the lead on this project. We will be having tables and form completion stations across campus all throughout April, after the elections are complete. And so we, we're really gonna try to get students to fill out the census and make sure that we can reach as many students as possible because the census is very important in regards to financial aid

and how much the school can receive for that. And so I'm taking it on my own to really make sure that we get a good amount of students filled in. I don't think we can keep track of exactly how many students, but I'm hoping that it'll be a successful event. And then finally, to wrap things up, I wanted to say thank you for the opportunity to join you guys at Washington DC. Trustee Laura and Trustee Greg, and Dr. Sopchich, and Kate Allen, I see here somewhere, were an amazing tour guide, and I had a lot of fun. I had been in Washington DC in eight years, no seven years. And so it was very nice to go back and see it and see the state from your guys' perspective since you have lived in it, and had past experience. So thank you so much for having me, and I really did enjoy it. Thank you.

- Before you sit down, I wanna get some context to that. The American, or the Association of Community College Trustees has an annual legislative summit in DC, as most trade associations do. We're members of that, and that was last, was that just last week?

- [Dalal] Yeah, it was last week.

- Last week. Trustee Smith-Everett was there from Sunday through Wednesday. Dr. Sopchich was there. Kate Allen and Dalal flew in on Tuesday, and we all flew back on Wednesday. But on Wednesday, we had the opportunity to visit Senator Moran's office, Senator Robert's office, and then to meet with Congresswoman Davids, who is an alumnus of Johnson County Community College. And the star of each of those meetings was of course Dalal because of her enthusiasm, her knowledge.

- [Dalal] Thank you.

- And her advocacy for students. So is there anything else you want to add about your experience back there and meeting with the aides or the congresswoman to talk about students?

- Yeah, it was very exciting. I really just got to see what the whole feel of what happens at Washington DC, especially that day we were lucky enough to go in on a day where voting was happening, and a whole bunch of other things. So everyone was running around. And I got to go visit the House of Representatives and the House of Senate, and see that in person. I wish I could've gotten my phone so I could take pictures, but I could not. So you'll have to trust my word for it. It was a lot of fun. And it's not something you can really, you can read about it, but you have to be there to experience it and really understand what it's like to be in that atmosphere. So it was great.

- [Mr. Musil] You were a great ambassador. Trustee Smith-Everett, you wanna add anything to that?

- No, I would love to make a motion to forbid Dalal from leaving if that is possible, because you are what makes this place great.

- Thank you.

- And getting to know you even better was a wonderful experience. And we, this place will sorely miss you when you leave this semester.

- But I mean I live right around the corner. So I'll drop by sometime.

- [Trustee Smith-Everett] Come on over.

- Perfect.

- And you were planning to transfer to UMKC so you'll be close.

- Yes, I will be very close, I promise. But yes, thank you.

- [Mr. Musil] Any questions? Thank you very much.

- [Dalal] All right, have a great rest of your weekend.

- [Man] Have a good Weekend.

- Our next report on the agenda our College Lobbyist. Dick Carter is in a special house education community meeting that was scheduled at five o'clock today, so he can do much more good there than reporting to us. You have his written report in your packets. It was in the packet for the public as well. So we're gonna skip that tonight. The next one is Faculty Association, Dr. Harvey.

- Well, it's nice to be sent to the overflow room because there's so much interest from our community in our institution. But thanks for letting me talk tonight. So I just want to start by just saying, just give you a

little update on what's been going on with some of the faculty, and specifically the Faculty Association. I know the academic branch shared governance taskforce has been working on a model, and it was approved by faculty with a vote. And now they're kind of ironing out details. So it's you know, the details are like the critical part actually. But they're, I have colleagues from across campus that are working very hard on those details right now. Also, the OLAC, which stands for the Online Advisory Council, it's at the request of the deans, and I think the deans council, and I think the CAO, they're working right now on an evaluation form for our online classes. So they can evaluate a teacher in their teaching of an online course. And there's, we haven't had a standard way to do that. It hasn't been sort of standardized across the college. And it's always been this conversation of how is it different from a face to face course. Shouldn't the evaluation be the same? Or how should it be different? And there is some variation of opinion on that. But I think that we felt that they were gonna try to make them look as similar as possible, but address the things that should specifically be in an online course. It's very different from a face to face experience. And so they're working of course with the Faculty Association because that does have implications for evaluation. But they've been working on that. And so I think that's a thing worth mentioning. That I think we definitely value having some sort of consistent process for evaluating the quality of instruction. The last two days, I have had the honor of serving alongside 10 other search committee members, two trustees, Karen Martley, people from our community. I got to sit next to the superintendent of Olathe public schools for a couple of days. So that was really interesting. It's been, we interviewed presidential candidates the last two days. And I'm happy to say we did select finalists. So they'll be announced of course later next week. But I'd like to say that I was very pleased with the process, very pleased with the candidate pool. It's been a really good process, and I felt like we had a very diverse group of individuals that cared very deeply about choosing carefully our options for the next president. And I would say that we, we worked very hard, but we worked very well together. And I feel like it was, it was a very good process. And I think everyone felt good about that. So I'm hopeful for our future leadership. That's what I'll say. And I'd also like to just add now to kind of end with this maybe a little longer. After our last board meeting, I had a lot of conversations during collegial steering with numerous employees, with faculty, with administrators, with trustees about our last board meeting, and some of the comments that were made. One of the things I think that I can offer best is maybe just a little education. That's what I do. And so I know that the board has a lot of work that needs to be done among the board members. And going forward, you know, I think that's pretty evident. There's some work to be done in figuring out how this is gonna work and function, and your roll in sort of finding that, figuring out if you need some policies, some different policies in place. But I do know that you hire a president, and then the administration hires all the employees at the college. And we have some amazing employees. So I've heard a lot of different things said from this podium, but I wanna say that we have amazing employees here at every level. They have associates degrees that they're required to have for their job, bachelors degrees, masters degrees, PhD's, MD's, JD's, they have all kinds of education expertise and experience in whatever area they're working in. Whether it's in the financial area, in institutional research, whether it's in the academic side, or the student service side. And what I would like to see more of from the board, what I would like to ask you for is more, more care in respecting the work, the hard work of all the people that work at this institution to make this place possible. There are, I think, there's a very fine line between asking someone where you can understand how a decision was made, and what they do at their jobs so that you can learn how to support that work, which is what we need from, we do need support from the board. We need you to make it possible to do the amazing things we do with our students, and for our students. But there's a fine line

between that and then sort of micromanaging, or second guessing the experts that you've hired to do their work. And that's what we are. All over this campus, we're experts. And when you talk about innovation and why this place is innovative, and great leaders, it's because of the way that ideas come and the fact that this college has been so supportive of them. So just quickly, I'll just say that, I'll give an example from my area 'cause that's what I know. But I know this applies across the college. We spend time looking at, we do program review every year, and so, for our department. And this is across the college, everybody does this. But we look at trends. We look in our field. We look at trends in our community. We look at transfer, how their accepted, or how our courses are taken. We look at our enrollment numbers. We look at how full our classes. We're always asked to look at the efficiency of our course schedule. Are we filling our courses? If we're offering something that's not full, is it because there is a group of students that could never take it any other time, and we really have to have that? Is it meeting a need that has to be met that way? Or is the way that we can combine things and be more efficient with the use of taxpayer money, okay? So we go through all that process, and we also then, we set goals. And we dream about, so if we were gonna be like super awesome, what would we do for our students? What was that thing that we could use that would make us better? And then we set those goals. And we talk about does that require some equipment? Does that require new facilities? What does that require? Do we need another full time faculty member? Do we need a staff person? And so this happens across the college. And so then we use data from institutional research. We put that together. We submit that. Our dean then goes and talks to the other deans. And they set priorities with the CAO, for example. And again, you could go to any branch of the college and find that this kind of process happens. And it's based on, it's based on data. It's based on information. It's based on the people that are on the ground that know what they need to be able to provide opportunities for students, or help students succeed. And so our innovation is amazing here because we get yes a lot. We say we really need this. And we send it up, and you guys say yes a lot to us. And that's what makes this place great. So I just wanna say on behalf of the employees today that, and I know I recommend, I represent the full time faculty. That's the employees I represent. But I, on some level, represent any employee at this institution when I say that we work with great people. We work with experts. They've been hired to do their job. And we just want them to be treated with respect. So.

- [Mr. Musil] Trustee Cross.

- Yes, thank you. Professor Harvey, I think just to your point that you represent all the employees on some level, it's my understanding the last two we've negotiated that the staff has followed essentially the pay increase that you have negotiated as the Faculty Association. Is that right?

- [Dr. Harvey] Yeah, we get the same benefits and the same, yes, an average .

- We're at actually a historic low of full time faculty.

- I don't have those numbers in front of me. I think we may have gained just recently a few positions. So I don't think we're at a historic low. We're lower than we once were, but we are, we've made some gains.

- [Trustee Cross] Creeping back up.

- Creeping.

- [Trustee Cross] We've gained positions in the last two cycles. So we're, 12 to when I got here.

- So that's an interesting question--

- [Mr. Musil] Can I interrupt for just a minute and thank our two interpreters who came to help . Sorry about that.

- No, that's fine. No, appropriate. So I would say that, okay, so for my area-- We had, so for example, in my area, we did have, we have one less full time faculty member, actually by choice and by enrollment need because there were changes in requirements for nursing programs across the country. And that impacted our numbers. And so we actually needed less. But there are still parts of the college that rely heavily on part time employees, part time faculty, and it's very hard to do all of the innovative work and all of that, and push those programs forward when they don't have enough full time people. So I would say that it's, I could easily say that there's still a need for more full time faculty, absolutely.

- [Trustee Cross] And if I may, Mr. Chair.

- [Mr. Musil] You may. Of course you can.

- Thank you sir. Well, we have world class administration, faculty and staff. Just to demonstrate a point of disagreement that I've had with this board, and members of this administration. I think that I've campaigned twice, and I know the faculty has agreed that we need a higher rate of faculty, full time faculty to adjunct. I don't mean to put you on the spot. I'm just saying--

- No, absolutely.

- Point of disagreement, and there is disagreement within this board. And that is to say I do agree with you, and thank you for being here. I think for most of our students, you and the faculty, and everyone you represent is the primary experience our students have at this college. And so we appreciate you, and all of our employees.

- Yeah, and when I say all of our employees, I mean it really does, I spent the day today, I spent the afternoon with a student doing research, and she's not even my student, not even my research student. But it takes a village in every way, like it really does. And it takes a village here. It's like from our staff, our support staff to, I mean everyone that runs into a student, people in dining services. It takes all of those things to, to make the whole student experience. And so, I mean it really is all of us together.

- [Trustee Cross] Thank you Mr. Chair.

- [Mr. Musil] Anybody else? Thank you Dr. Harvey.

- Yep, thank you.

- Next item is the Johnson County Education Research Triangle. Mr. Cross.

- Yes, Mr. Chair, I don't really have anything new to report. We haven't met since our last meeting. Although we do meet again on April 20th at this little startup in Olathe called K-State Olathe. That'll be our next meeting. And that concluded my report.

- Thank you. Kansas Association of Community College Trustees. Trustee Ingram.

- Yes, it's a rather short report this evening, Chair. The Kansas Association of Community College Trustees will meet following the Phi Beta Kappa luncheon on Thursday, March 12th in Topeka. This years luncheon includes some changes as approved by the executive committee, but will remain student focused and student centered. Cost considerations and the number of guests the Ramada can accommodate there have driven some of those changes this year. A highlight this year, however, will be the student speakers as our featured guests. So we're very excited about that. Our executive director, Heather Morgan, continues to provide weekly updates to the presidents through our conference call to them. Feedback that I've received has been very positive to this new communication. Dick Carter's report reflects the work that is being done during the legislature, so I would encourage, excuse me,

everyone to read those reports that he has provided. President Sopcich, Greg Musil, and I attended the KBOR dinner for community college presidents and board chairs last night in Topeka. I arrived a little bit late due to the presidential search, so would welcome any comments from you if you have anything to share.

- The Kansas Board of Regents once a year hosts a dinner in Topeka in between the two days of their meetings, and they invite the chairman of the board of all the technical colleges, six of those?

- [Trustee Ingram] Yes.

- And 19 community colleges, as well as the CEO or president of those colleges. And it's a great opportunity to meet members of the board of regents who have some oversight responsibility over the college, and to talk about educational innovation, what's going on in the legislature, and other things. And I had Blake Flanders at my table, who's a CEO for the board of regents. I don't know who was at your table, Dr. Sopcich. and I'm glad Trustee Ingram, you were able to make it. It's a good social event and an opportunity to find out more and build some relationships about what the Kansas Board of Regents is going to do. They, the chairman, Shay Manger, from Dodge City, offered to have a member of the board or staff come and visit with our board. And I just suggested to the president today that maybe we try to fit that in on our retreat on March 7th. But we'll see about that. So we can kinda get up to speed about what the Board of Regents does. Sometimes we just know they're out there. Anything else, Dr. Sopcich on that?

- No, it was a great evening. Congratulations to the KBR for scheduling that. Didn't always used to happen. And it's really promoted more positive relationships between the community colleges, technical colleges, and the Board of Regents.

- [Trustee Ingram] And that concludes my report.

- I want to then have a chance, Trustee Smith-Everett, if you wanna say anything about the Washington, America, I keep saying America. The Association of Community College Trustees. The A should be for American. And that meeting, in your perspective, as a first time attendee?

- Sure. Yes, thank you very much to the community who sent me there, was able to send me there. I ended up being the one with the staying the longest because they offered a lovely new trustee academy that was a lot like breaking out of a fire hydrant, but it was really great. Excuse me. That association is the, they set the bar for those kind of trainings. So I walked away with several binders that I will add to my reading list, as well as a really nice, well rounded day that touched on several things. I think one of

the things that really stuck out to me was that the, our peer institutions are doing a lot with a couple different areas. Diversity, equity, inclusion came up in absolutely every single session that I attended by both presidents and trustees. And I think that people are tackling it in really interesting way and being very proactive about it. So what I took away is that as an industry community colleges are really on the front end of that. And I think we need to join that for whatever part that means. And I know that we're currently, we've got the vendor who's here helping us with that. But at some point, it will be incumbent on us as a board to set some policies that will really proactively seek out doing that. The other thing was, there was a really great session with a president from California, and I don't remember which community college she was. I wanna say the Bay area. But she did a great session on just metrics and how boards should use metrics, and how we should ask questions around metrics. So I learned a lot, and I really appreciated her sort of walking us through as newbies, and as new trustees, and thinking about metrics in a multitude of ways that I may not have thought of before. Other than that, I joined a great session on the present, on important tips for presidential searches. I found it very beneficial and interesting. And then all the keynote speakers were really great. And I just learned a lot about the legislative priorities of community colleges as a whole, which I really appreciated, so yeah.

- I was able, I got there Tuesday morning. And we were able, Tuesday about noon, and Trustee Smith-Everett and I were able to go to the community college forum where we heard from Senator Lamar Alexander, who chairs the Senate Education Committee, and then a little while later from Senator Patty Murray, who is the ranking minority member on the Senate Education Committee. The Higher Education Act is up for reauthorization again as it has been for years and years and years. It's just been continued by continued resolution. They actually seem both positive about the chances of getting major parts of it reauthorized, although doing the entire reauthorization might not happen. What was, I think, most interesting of that after what has been going on in Washington in the last couple months is to hear the Republican Chairman and the ranking Democrat on the committee talk nice about one another, about their ability to cooperate on areas of common interest, and to try to get something accomplished. We learned about the FAFSA simplification and I hate acronyms, but I can't tell you what free something something.

- [Man] Federal student aid.

- Free application for federal student aid, 120, 118 questions, and they're trying to get it down to 24. They reduced it and simplified it. Simple things like instead of you having to get last years tax return adjusted gross income, make the IRS do that. They've got your social security number and your parents. They will verify those numbers. That took away a whole bunch of questions. Pretty simple, took legislation to get it done. So that was helpful in both of them are clearly committed to community colleges. Tennessee is one of the states that is funded at the statewide level free community college. So they are kind of the experimental state. And so they both are very interested in making community colleges successful and understanding our circumstances that might be different in measurements and metrics than a four year school. So, Trustee Snider, you had a comment on Trustee Ingram.

- Yes, I was just gonna mention, I have seen Heather Morgan in action several times, both having conversations in the hallway, and I've seen her testify at least three or four times. I think she's doing an excellent job. I'm sure Mr. Carter would've mentioned that when he was here. But there's a lot of community college issues this year, and so its a good opportunity to have her, and no doubt she's being supported by a fine president of the board.

- Well thank you very much. But we have had really, really good feedback, and in terms of communication, I just spoke with Dick Carter earlier today and he said communication has been so much better than it has been in the past. So thank you for those comments. I will share them with her.

- Heather Morgan is the new chief executive president of the Kansas Association of Community College Trustees, which represents the 19 community colleges. So this is her first year in the legislature on our behalf. And I agree, she's doing, she's doing a very good job. Lots of energy.

- Right.

- Next thing is the Foundation. Trustee Ingram.

- Yes. The Foundation is extremely proud of the opportunities it has to partner with colleagues and departments across campus to help meet the needs of our students. The Foundation continues to work to help support important initiatives, such as meal share program, counseling center hardship grant for students facing immediate, specific financial hardships, the student basic needs center, and many others. With involvement in these programs, Foundations staff have also had many opportunities to interact with JCCC students and help them connect with the countless resources available on campus to meet their needs. To continue to expand the Foundation's ability to serve our students, multiple Foundation staff members recently completed a mental health first aid training offered by the Johnson County Mental Health Center. While the Foundation's role when interfacing with students facing possible mental health or substance use crisis is to help them connect with trained professionals in our counseling center. This training helped educate Foundation staff on how to recognize signs of mental health crisis, or substance use crisis in an effort to more quickly identify students in need and connect them with the resources they need. The Foundation's board development committee recently met to review recommendations that have been received over the last year for new Foundation board members. The committee reviewed more than a dozen recommendations and over the course of the next two months, will be meeting with seven individuals to discuss joining the Foundation board effective July 1, 2020. We encourage recommendations throughout the year, and appreciate all of those of you who recommended potential new board members. The Foundation investment committee held its quarterly meeting on February 18th to review the quarterly report of managed investments. We are

proud to report that the Foundation investments managed by Midwest Trust, FCIA advisors performed very well again in 2019. Investment earnings are used to support student scholarships, student programs, and countless departments and programs across the campus. The Foundation will host a Foundation's members social beginning at 4:30 p.m. on Thursday, February 27th. That will include a tour of the new student welcome center, and the new student basic needs center. As Foundation members, all trustees are invited to attend. The Foundation host occasional members social, for the purpose of helping it's more than 130 members continue to gain a better understanding and awareness of the wonderful student focused efforts happening at JCCC. And that concludes my report.

- [Mr. Musil] Questions on the Foundation?

- [Trustee Lawson] Just a comment. I'm just really pleased that the Foundation is continuing to break records in fundraising.

- That's great. Thank you.

- Thank you. We're ready for committee reports. The first committee report is the Audit Committee by our policies, the chair and the vice chair are the members of the Audit Committee. Trustee Snider and I appeared with the committee at 10 o'clock on Friday, February 7th. A number of people were available. Initially, one of the first things we did, it took us a given amount of time, was a review of the audit, internal audit, of the athletics department, and review the recommendations and the priorities for that, and some time tables for implementing recommendations that the internal audit and advisory services that we have here on campus had put in place. We reviewed the biannual travel and expense review, which is done of trustees and select senior staff. And all of those were found to be clean, if you will. The policies of the college have been followed with respect to travel reports and expense reports. That quarterly project updates from Justin. Dr. Sandra Warner provided a report on the mission of continuity program, which are about 18 months into that process to try to figure out if we have a major catastrophe on campus, fire, tornado, hack, how do we continue to provide our services. And individual departments are practicing and trying to identify if that happened here, whether it's people or technology, or facility, or other things that weren't available, how would we continue to perform the mission of the college. We also had our quarterly report on the Ethics Report Line, which is the anonymous or identified report line that has been in place for at least the nine years that I've been on the board where people can call in or make reports. There were four reports received anomalously between October 1 and December 31. Four of those were received, identified themselves. Five have been reviewed and addressed, and three are still as of the date of the Audit Committee were still under work. We always look at the followup matrix, which shows in previous audits where we are in implementing those recommendations. And the next meeting will be May 7th, beginning at 8:00 a.m. The Audit Committee meets quarterly. Any questions of myself or Trustee Snider, since he left?

- [Trustee Smith-Everett] I do.

- Yes ma'am.

- [Trustee Smith-Everett] I have a question about the ethic line.

- Yes.

- So is there any way to get sort of a general category of ethic line calls to have a sense, as trustees, what category of issues people would be calling about?

- Absolutely. Is that not in the packet for the committee?

- [Man] It should be. It's the second page of that ethics report.

- [Trustee Smith-Everett] Oh, I got it in my second.

- [Man] There should be a grid showing, there's about 25 categories. And it's over about the last nine or 10 years.

- Okay, I probably didn't look at the second.

- [Man] That's on your packet.

- Okay, thank you.

- It is an interesting thing to review. And then do we still do every year or two years, measure our benchmarks against national statistics as far as how many we get, what categories, how fast their cleared, those types of metrics.

- [Man] We do that yearly in May, and that will be in our .

- Okay. Good question. All right.

- Chair.

- Yes sir?

- I'd just like to make a comment. There were several speakers tonight that referenced that this college is not very transparent. And I'm reminded again by the Audit Committee report that we're one of few colleges that have an internal audit process that works very diligently with all departments across this campus. That certainly is not a secret as to what work they do. When it deals with personnel, there are responsibilities we have to protect employees and staff with certain federal and state laws, to protect those people. But the process itself is very transparent. We have an external auditor that comes in on a regular basis, audits this campus in a variety of ways. Those reports are available at board meetings, and are public record. So I don't want the public watching from the television tonight to think that we're not a very transparent. In the 11 years I've been here, the activities that this board does, and I just say it now through the Audit Committee, Mr. Chair, I feel very comfortable about the transparency we have. The information is there. It's how we go about accessing it that seems to be an issue, and that it's not available and it is. So thank you for the time.

- I'll thank Justin, and Rochelle. I should mention Rochelle Boyd who's not here tonight, but is an integral part of that team. So the next item on the agenda is Human Resources Committee. Trustee Ingram.

- Yes. It's a rather lengthy report this evening, Mr. Chair. The Human Resources Committee met at 8:00 a.m. on Friday, February 7th in the board room, in the conference room, excuse me. Mr. Jerry Zimmerman, manager of benefits introduced Matt Wheeler and Michelle Oldie of Holmes Murphy who presented a high level renewal summary of the JCCC medial plan renewal. Mr. Zimmerman reviewed the following recommendations to be presented to the board of trustees for approval at the February board meeting. First was dental insurance. Do you want me to go ahead and read all the information prior to that, or read the recommendations? How would you like that?

- [Mr. Musil] Why don't we read the recommendations and see if there are questions.

- Okay. I'd be happy to do that. It is the recommendation of the Human Resources Committee that the Board of Trustees accept the college's administration recommendation to authorize the president to negotiate a contract with Cigna Health Care, subject to review by college council, for the provision of employee group managed dental coverage for a period beginning June 1st, 2020 through May 31st, 2021. The monthly subscriber rates are as follows. Employee only, 27.97. Employee plus one, 52.68, and family, 81.17. The proposal includes the option to renew the contract for two additional years at no change to premium provisions. These rates represent no increase from the 2019/2020 benefit plan year cost. And I so move.

- We have a motion. Is there a second?

- [Trustee Smith-Everett] Second.

- It's been moved by Trustee Ingram, and seconded by Trustee Smith-Everett to approve the recommendation found on page five of the packet for Cigna Health Care dental, group managed dental coverage. Are there any questions or is there any discussion? Trustee Lawson?

- Thank you, Mr. Chair. I have a question. On page 10 has the outlines of the preferred care blue, blue saver HDHP blue PPO--

- We will get to those. This is just, we're just taking them one at a time, trustee. And this is just the dental.

- Okay.

- On page five. The first recommendation on page five, okay.

- Okay, we're good.

- Okay. All in favor of the recommendation as stated by Trustee Ingram? Motion by Trustee Ingram, second by Trustee Smith-Everett? Signify by saying yes.

- [Group] Yes.

- Opposed? Say no. Motion carries unanimously.
- Mr. Chair, it was just brought to my attention, and I apologize for the oversight, that both of those first two recommendations are actually one recommendation.
- [Woman] For dental.
- For dental.
- All right, why don't you read the second one and we'll take them both in one motion.
- Okay. The recommendation, the second one, is, well the second part of this is the Human Resources Committee recommends that the Board of Trustees accept the college's administration recommendation to authorize the administration to renew the contract, for the employee group Passive PPO dental insurance with Delta Dental for a period beginning June 1, 2020 through May 31, 2021. The monthly subscriber rates are as follows. Employee only, 35.40. Employee plus one, 69.80. And family, 124.
- You are moving both of the recommendations for dental. The one with Cigna Health Care for the employee group managed dental coverage, and the one with Delta Dental for Passage PPO dental insurance. Is that right?
- Yes, yes.
- Trustee, second?
- [Trustee Smith-Everett] Second.
- Okay. So we're working on both of the recommendations on page five. Any further discussion? If not, all in favor say yes.

- [Group] Aye.
- Opposed, no. Motion carries unanimously.
- Okay, the next one as to do with vision insurance. The recommendation is the Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize the president to renew the contract, subject to review by College counsel, for the provision of the employee group vision insurance with Eye Med for the period June 1, 2020 through May 31, 2021. The monthly subscriber rates for the vision plan are: employee only, \$10.48, employee plus one, 19.90, and family, 29.24. And I would add that this represents no change to those premiums.
- Motions?
- Yes, so moved.
- So moved.
- Trustee Ingram moved, would you like to second, Trustee Cross?
- Aye.
- Okay. Moved by Trustee Ingram, seconded by Trustee Cross to approve the vision insurance, employee group vision insurance with Eye Med found on page six of the board packet. Is there any discussion? Trustee Lawson?
- Mr. Chair, my question is actually relevant for each one of these. So the monthly plan, the subscriber rate that we see here, is there anything, is this all what the employee pays out of their check, or is there anything that the employee is contributing to?
- [Mr. Musil] Ms. Centlivre.

- [Becky] It depends on what group they're in.

- Okay.

- [Becky] Group one, employees have flex funds they can use for these. And then group two of the vision, employee pays all of that.

- [Jerry] I would add however that you're being asked to approve this evening are the gross premiums payable to the vendors and does not reflect necessarily how much the employee pays.

- Due to the benefit they may have.

- When you mentioned group two, we're talking about group two, or tier two employees who are those that were hired after July 1, 2014. Is that right? Okay.

- I have a question then.

- [Chair] Yes, ma'am.

- Are there, is there a chance that some of these rates might be higher for employee, or is this the highest, and it would just go down from there?

- [Jerry] This is the maximum amount it could be. But Becky's thought, the college can use to subsidize both medical and dental, but not vision. So the vision premium you see here is actually what the employee's going to pay. But basically, the college is subsidizing medical and dental. Gross, not net. And because your point, Chairman Musil, group two pay a different amount for dental than an employee in group one employee does.

- Thank you.

- If there's no further discussion, all in favor say yes.

- [Group] Yes.

- Opposed, no. The vision insurance passes unanimously.

- Okay, number three is life insurance. This renewal is for the period June 1, 2020 through May 31, 2021. The second year of the contract represents no change to the annual premium provisions. The Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize the president to renew the contract, subject to review by College counsel, for the provision of the employee group life insurance with the Standard for a period beginning June 1, 2020 through May 31, 2021. The monthly life insurance rates are as follows. Basic life insurance is 13 cents per \$1,000 worth of coverage. Two cents per \$1,000 of coverage for accidental death and dismemberment. Optional life insurance is 24 cents per \$1,000 of coverage. And two cents per \$1,000 of coverage for accidental death and dismemberment. Dependent life insurance, it says the subscribe premium of \$6.82. And I will make that motion.

- [Trustee Smith-Everett] Second.

- Moved by Trustee Ingram and seconded by Trustee Smith-Everett to approve the life insurance quotes on page six of the board packet. Is there any discussion or questions? If not, all in favor say yes.

- [Group] Yes.

- Opposed, no. Motion carries unanimously.

- Okay, number four is short-term disability insurance. This renewal is for the period June 1, 2020 through May 31, 2021. The second year of the contract and represents no change to the annual premium provisions. The Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendations to authorize the president to renew the contract, subject to review by College counsel, for the provision of short-term disability insurance with the Standard for a period beginning June 1, 2020 through May 31, 2021. The monthly rate for The Standard short-term disability coverage is 10 cents per \$10 of benefit. And I will make that motion.

- [Trustee Smith-Everett] Second.

- Moved by Trustee Ingram, seconded by Trustee Smith-Everett to approve the recommendation for short-term disability found on page seven of the packet. Any questions or discussion? If not, all in favor, say yes.

- [Group] Yes.

- Opposed, no. Carries unanimously.

- Number five is investment consulting services. This renewal is for the period July 1, 2020 through June 3, 2021. The third year of the contract and represents no change to the annual fee provisions. The Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize the administration to renew the contract, for the provision of investment consulting services with Two West Advisors LLC for the period beginning June 1, 2020 through May 31, 2021, at a total expenditure not to exceed \$1,000. And I will make that motion.

- Moved by Trustee Ingram, and seconded by Trustee Smith-Everett to approve the investment consulting services recommendation on page six of the board packet. Is there any discussion or are there any questions? Trustee Snider.

- Thank you, Mr. Chairman. I'd just like to acknowledge that one of the principles with Two West is a neighbor of mine. I'm not aware of any conflicts of interest, but did want to note that.

- Thank you. If there are no questions or discussions, all in favor of the recommendation to approve Two West Advisors LLC as found on page seven, please signify by saying yes.

- [Group] Yes.

- Opposed? Motion carries unanimously.

- Number six, flexible spending account and HRA administration. This renewal is for the period June 1, 2020 through May 31, 2021, and represents no change to the annual fee provisions. The Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize the president to renew the contract, subject to review by College counsel, for the provision of flexible benefit and health reimbursement account administration with ASIFlex for

the period beginning June 1, 2020 through May 31, 2021 at a total expenditure not to exceed \$16,000. And I so move.

- [Trustee Smith-Everett] Second.

- Moved and seconded. Moved by Trustee Ingram, and seconded by Trustee Smith-Everett to approve the flexible spending acct and HRA administration recommendation on page eight. Any discussion or questions? If not, all in favor, say yes.

- [Group] Yes.

- Opposed, no. Motion carries unanimously.

- Okay, number seven, flex benefit funding, such benefit to be payable to any full time benefit eligible staff member with a benefit eligibility date prior to June 1, 2014 who elects to receive flex credits. This amount represents no increase in flex credit funding. The Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize, pursuant to the provisions of the Johnson County Community College Flex Benefit Plan, a flex-credit amount of \$1,108.94 per member per month for the period June 1, 2020 through May 31, 2021. And as I mentioned earlier, this amount represents no increase in flex credit funding. And I so move.

- Second.

- Moved by Trustee Ingram, second by Trustee Smith-Everett to approve the flex benefit funding. Amount is found on page eight of the board packet. Any questions or discussion? If not, all in favor say yes.

- [Group] Yes.

- Opposed, no. Motion carries unanimously.

- Okay, number eight, employer 403 plan contribution. The Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize a

contribution, for full-time benefit-eligible staff members to their individual Johnson County Community College 403 Plan account for the period June 1, 2020 through May 31, 2021. This is equal to 7% of a benefit-eligible staff members' base salary for each full-time position, with a benefit eligibility date prior to June 1, 2014, and in which, the member elects to receive flex-credits, or Equal to 8% of a benefit-eligible staff members' base salary for each full-time position, with a benefit eligibility date on or after June 1, 2014, or with a benefit eligibility date prior to June 1, 2014 and the member has irrevocably elected to no longer receive flex-credit. And I will make that motion.

- [Trustee Smith-Everett] Second.

- Moved by Trustee Ingram, and seconded by Trustee Smith-Everett. That was a mouthful on those. That represents our tier one, tier two. Tier one, we matched 7% of their salary in the 403 , and tier two, we match 8%. Is that right Jerry?

- [Jerry] We don't match. We make a contribution.

- We make the contribution.

- [Jerry] Yes sir.

- They get it whether they put it in or not. So, okay, that's important to people. All right. Any discussion or questions about the 403 plan contribution? If not, all in favor, say yes.

- [Group] Yes.

- Opposed, no. Motion carries unanimously.

- Okay, medical insurance. The recommendation is the Human Resources Committee recommends that the Board of Trustees accept the College administration's recommendation to authorize the resident to renew the contract, subject to review by College counsel, for the provision of the employee group medical insurance with Blue Cross and Blue Shield of Kansas City for a period beginning June 1, 2020 through May 31, 2021. The monthly medical plans subscribe rates are listed. Do you want me to go ahead and read through those?

- [Mr. Musil] Why don't we read through them just so the public hears it.

- I'm happy to do that. Preferred Care Blue EPO, employee only is \$982.48. Employee plus one is \$1,801.40. Family is \$2,469.70. Preferred-Care Blue, Blue Saver HDHP, employee only is \$860.31. Employee plus one is \$1,577.41. Family is \$2,162.56. Blue Select Plus HDHP, employee only is \$757.08. Employee plus one is \$1,388.10. Family is \$1,903.05. Preferred-Care Blue PPO, employee only is \$963.23. Employee plus one is \$1,766.08. And family is \$2,421.29. And finally, Blue Select Plus PPO, employee only is \$847.64. Employee plus one is \$1,554.15. And family is \$2,130.75. This proposal represents an approximate 7.2% increase in premiums. The contract is renewable for two additional years, upon the approval of both parties. And I will make that motion.

- Did I hear 7.2%? 17.2%.

- You said seven.

- Oh, I'm sorry, 17.2%, thank you. A little too much. Okay.

- Moved by Trustee Ingram.

- I will second, but I also wanted to discuss this one a little bit.

- Moved by Trustee Ingram, and seconded by Trustee Smith-Everett. Trustee Smith-Everett, you have the floor.

- At the committee, the HR Committee meeting, we had a robust discussion about this as our advisor service recommended continuing to go with Blue Cross and Blue Shield despite the premium increase. As a Shawnee Mission employee, the school district that I work for also had a large premium increase, and it was a concern of mine that we were sort of stuck in this situation where we have an insurance provider that's hiking costs on us, and we are just subjected to going with it because there's nothing else. But through the committee process, the team shared the attempt to get several other people, or several other insurance companies to bid and give comparisons, and there really is not anybody with comparable benefits right now to employees. And so I am comfortable with going with the recommendation despite the very large premium. The answer I got that I felt like was the most, I don't know, reassuring was that Blue Cross and Blue Shield's underwriting seems to have gotten a little tighter, and so we have not only had increased costs, specifically here at JCCC, was some very expensive

medical claims, yeah. But also that Blue Cross and Blue Shield, as a whole, seems to be tightening their underwriting right now and putting the cost back on us. So just wanted to say that for clarification, transparency that this seems to be a larger issue with Blue Cross and Blue Shield. And the committee felt very comfortable that this was still a really good value for our employees.

- Trustee Cook.

- Thank you, Mr. Chair. While the 17.2 is a pretty significant increase, I would say that for the last several years, we've been the beneficiary of having very low increases or no increases at all. And I think that the work that Murphy, Holmes, Murphy and associates do to help us with this plan is very effective. And I would just say that we've been waiting for the day, I think, for this kind of an increase, and it is based upon claims. And so we've been getting by for a long, long time with little or no increases. So I will support the motion.

- I was thinking the same thing, Trustee Cook, that we've been, each year, we've been wow, we didn't get nailed. And we knew it was coming, I guess. It's probably the fault of the chair. Trustee Lawson.

- Thank you, Mr. Chair. Can you help me explain, I think you mentioned prior, but what is the cost to the employee with this expense? Subsidized, right? You said the medial was subsidized.

- [Jerry] Let me start at a high level just for a second, if I may. A group two employee, pursuant to our current--

- Jerry, why don't you come to the podium. This is complicated. And that way you'll be on camera and on record.

- [Woman] I know.

- Let me just speak to what Dr. Cook just said for a second ago. And I make no apology. I do make apologies for the 17.2% increase. But for the last 10 years, this college has enjoyed an average of a 5.6% increase in its medical premium, which is almost unprecedented. Even at 17.2, by adding another year at the average over the last 11 years, is only been 6.7%. The challenge with medical is we never know when the bad year's coming. And this year was the bad year. With respect to Trustee Lawson to your question, remind the board that the faculty agreement to group two people provides a couple of things. First of all, that the two high deductible health plans that you see here tonight and the premiums for

those, if you're a group two employee, the college subsidizes 100% of that cost across the employee, employee plus one and family. So if you're a group two employee, and you're on a high deductible health plan, you pay no premium, okay. The corollary to that is under the agreement that the maximum amount that the college will contribute for a group two person in either of the PPO's or the EPO is the maximum amount that the college is willing to pick up as terms of subsidy for the high deductible health plan. So when I look at averages, Trustee Lawson, I would tell you that first of all, as a percent, if you're a group two employee, and you're in a PPO or EPO, you're gonna see a 17.2% increase in the premium you pay, all right. So that's not insignificant. But on average, that is for, it's about \$18 a month for employee only coverage, about \$30 a month for employee plus one coverage, and approximately \$40 a month for family coverage if you're a group two employee. Okay. That works out to 17.2%. Group one's more problematic because of the flex credits which historically the college has provided to the group one people. And you already approved the \$1,108.94 a month to those people. So because of the way the plan has been subsidized, and I would point back to the faculty agreement just for a second again to remind the board that this year, and the faculty agreement where historically the board has agreed with the faculty to subsidize 75% of the increase. This year, the board and the faculty agreement provides that the board will only pick up 50% of the increase. So that subsidy, which has been building year over year over year means that the average increase, I will say, for a group one employee is going to be between 15 and 16%, not quite 17% just because of the way the plan's been subsidized historically. But the corresponding number, if you will, so for employee plus one, that employee is gonna see about a \$70 a month increase. Employee plus one is gonna see about \$130 a month increase, and family coverage, somewhere between \$170 and \$175 a month. But I would remind you again that they're getting \$118 a month in flex credits to help offset that cost. Is that helpful?

- Jerry, would you tell us who you are and what you do here so the viewing audience, they understand. You just stayed at a Holiday In Express last night or something.

- I wish I had. It's been my really distinct pleasure for the last 10 years to be the manager of benefits here at Johnson County Community College.

- [Mr. Musil] Thank you. Other questions for Jerry.

- [Dr. Sopcich] Becky, could you give us the absolute amount, dollar amount that's gonna hit the budget as far as the increase in benefit cost?

- Would you like to know what that 17.2 equates to, Dr. Sopcich? About \$900,000 in additional subsidy that the college will have to absorb. And I've included \$50,000 in there of additional dental plan subsidy.

- [Dr. Sopcich] Okay.

- [Mr. Musil] Trustee Lawson.
- Have you received any feedback from staff about this?
  - I had the great pleasure, and I mean that sincerely, of meeting with Dr. Harvey, some faculty association earlier this week, and I think generally, nobody's happy about 17.2%. But the reality is, and I appreciate Trustee Laura Smith-Everett having been able to hear Holmes Murphy tell the story. The real reality is, we've got 70 people that generated \$2.4 million more in claims this year than what we anticipated. That's 18% of our total spend. And the real challenge, and while I've been here for 10 years, I've been doing this for 40 some odd years now, I just never know when the bad year of claims is coming. And we were having a claims year where the claims are running well in excess of what we anticipated. And to your point, underwriting's a little more sticky at Blue Cross and Blue Shield than it has been historically where we might have been able to get down to maybe 10 or 12%.
- And is there any options that people bring forward that we can do to help soften this?
- Help me understand your question, I'm sorry.
- So when people come forward with feedback, is there any options or suggestions that they offer?
  - Well, I you know, I would say to people that you always have the option, although high deductible means high deductible. Let's just be clear about that. It's a \$2,800 deductible for an individual if you choose that plan. Albeit there's no premium on a group two. But beyond that, we don't offer anything other than your ability to switch between plans. And so as you saw here, we have five different plans. Each one of them has a different premium. Some of them are lower because they are what, in my vernacular, we deem limited network plans, which means that they're smaller group of doctors, smaller group of hospitals, which means you can get a better premium. So that would be the option that I would typically offer up if somebody came to talk to me about what can I do. Consider one of our other medical plan options than the richest one, which is our EPO, and I would just share with you about 85% of our employees choose to participate in the EPO.
- [Becky] And on , the original bid that came back from Blue Cross Blue Shield was closer to 23%, and Holmes Murphy did go back out and , and they were able to bring that. But part of that RSP process, we had faculty members that are very knowledgeable about health care, very involved in that, and so they were there to hear the RFP's and hear the presenters. So we do have employees involved when we do

these things. And they look at all the different options, and they can tell, you know, even though the increase was 17.2, that you know, there was no better offer out there.

- [Mr. Musil] Trustee Snider.

- [Trustee Snider] Thank you. When is open enrollment?

- April 13th to April 24th.

- And so when would employees start to experience these cost changes.

- Their June 15th paycheck.

- [Trustee Snider] Thank you.

- Uh huh.

- [Mr. Musil] Trustee Cross.

- [Trustee Cross] I withdrawal. Thank you, Mr. Chair.

- [Trustee Smith-Everett] Can I ask--

- [Man] Chair.

- [Mr. Musil] You may.

- [Trustee Smith-Everett] I just wanted a clarification. 85% of faculty and staff participate in which plan again?

- In the EPO.
- Thank you.
- Yes, ma'am.
- [Mr. Musil] Trustee Cook.
  - Mr. Chair, I know we're concerned about cost and increase, but I'm just pleased that those people that had the medical claims they had this past year, and those that will continue to have claims have a plan that helps them in their time of need. So I want to put in perspective the reason why we have these plans in the first place. Thank you.
- [Mr. Musil] Thank you very much, Jerry.
- My pleasure.
- Any other questions or discussion about the health insurance recommendation found on pages nine and 10 of the board packet? If not, all in favor say yes.
- [Group] Yes.
- Opposed, no. Unanimously approved. I might wanna ask one more question Becky or Jerry. These are optional plans for employees. Vision--
- [Becky] They have to have medical. If they don't select ours, they have to have medical somewhere else.
- Right. But if you have medical through a spouse, you don't have to take it. You don't have to take vision. You don't have to take dental. You don't have to take life. So these are optional benefits offered to employees.

- [Becky] Right.
- Okay. Thank you. Trustee Ingram, you're still up.
- Ms. Centlivre resented an overview of salary increases proposed for fiscal year 2021. The recommendation includes a 3% salary increase for full time and part time non bargaining unit employees, and a 3% increase in adjunct faculty table. It is the recommendation of the college administration that the Board of Trustees authorize, effective July 1, 2020 a 3.0% salary increase for all non-bargaining unit salaried and full-time and part-time hourly employees employed as of June 30, 2020 and a 3.0% increase in the adjunct faculty salary table. And I so move.
- [Trustee Smith-Everett] Second.
- Moved by Trustee Ingram, seconded by Trustee Smith-Everett to adopt the recommendation for salary increases for the fiscal year 2021, effective July 1, 2020. Any questions or discussion?
- [Trustee Lawson] Mr. Chair.
- Trustee Lawson.
- Is this at the same rate as the bargaining unit, because this year they go up too. I just don't see them on here, and I just want to make sure that--
- [Becky] Their increase is shown in the master agreement.
- So this is just continuing to match--
- This is everybody that's not a member of the bargaining unit full time faculty. Okay.
- Okay.

- Any other questions? If not, all in favor, say yes.

- [Group] Yes.

- Opposed, no. It's unanimous.

- Finally, Mr. John Clayton, executive director of Institutional Effectiveness Planning and Research presented an estimated five year liability model for the volunteering employment retirement benefit, or VERB, and Ms. Becky Centlivre, vice president of Human Resources, gave an update on the presidential search. The search committee has selected 10 semifinalists who will be interviewed. The finalist will be on campus the first week of March. The presidential search timeline has been updated online. The next Human Services Committee meeting is scheduled for Friday, April 3, 2020 at 8:00 a.m. in the Lytle Conference Room. And that concludes my report.

- Anybody dare have questions for Trustee Ingram? Thank you. Thank you, and Trustee Smith-Everett. This annual effort for all these benefit packages is huge. Becky, Jerry, Rachel, I'm sure you're involved in that. Thank you all, because there's a lot that goes into this to try to keep it reasonable as we can benefit our employees. So thank you very much. The next item is Learning Quality, Dr. Cook.

- Thank you, Mr. Chair. Learning Quality met on February 3rd in this room at 8:30. Several people were in attendance, including Trustee Laura Smith-Everett on the committee. And you can see all the people there that were listed. First item, Theresa McChesney gave a report on behalf of Educational Affairs on a number of curriculum modifications. By the way, the report is on pages 13 through 17 of your packet. So in a variety of departments, these are changes that are made on a routine basis, either name change. I talked a little bit about the name change need last year in terms of communications. But these all go through Ed Affairs and have extensive vetting, unless you have questions, I'm not going to deal with listing all of those items. Aaron Prater gave a report on his sabbatical leave. Aaron is in our culinary academy, and he had a little trip to St. Lucia. No, that's probably Lucia. Lucia? Lucia. I'm not that familiar traveling throughout that part of the country, or the world, so I don't know the terminology as well as I should. But Aaron had, Chef Prater had a really great experience in terms of helping their culinary school actually create a culinary school. Travel and tourism, hotel and lodging, food and beverage management are really important to that area. And he helped them set up that program. So one might say, well what's the benefit to our college? And I think the cultural exchange in itself, for him to bring back that piece of culture to our campus, whether it be in recipes or just cultural approaches to those three areas, travel, tourism, hotel and lodging, and food and beverage, which is part of our hospitality management team included in the Culinary Academy, I think, is very beneficial. So it was very, very interesting to hear about that sabbatical. Sherri Barrett and James Hopper gave a report on the General Education Learning

outcomes. A lot of committee work has taken place. The six general education learning outcomes presented to faculty were overwhelmingly approved with more than 50% of the faculty voting. Beginning in Spring 2020, departments will map their curriculum to a primary SLO. Additionally, documentation across multiple systems. And in fact, I think Dr. Everett spoke, or Dr. Harvey spoke a little bit to the program reviews. And I'm not sure that that's part of the student learning outcomes, but it's a totally different thing. Okay. But certainly another example of how we evaluate programs and move ahead. Dr. Edwards and Dr. Leiker, along with two students, Rianne Pritchard and Susan Elliot, gave a report on the history internship program, and was quite interesting. I think I'll have, Laura can speak to that a little bit as well. In terms of the impression that I got, Dr. Leiker's in the audience, was that these two students said we've turned from being students of history to historians. And the internship program, and they're listed there. One was the Kansas Studies Institute, and the other at the Kansas Business Hall of Fame. But it gave these two students an opportunity to understand history from, like I say, becoming a historian. And I believe that, what do we have, 15, Dr. Leiker, why is 15 in my mind? It was a goal to have 15 interns. We have two interns now in this program. Did we wanna have 15? What?

- [Dr. Leiker] I think that came up as part of the compensation discussion.

- Yeah, okay. I have 15's in my mind. But when we look at career and tech ed, and we talk about apprenticeships, and then we look at our comprehensive courses and talk about internships, it gives the students, I think, a really deeper experience into studying what they're studying. And I was very impressed with both reports. Again, the detail of that you can find in your, in your packet. Gurbhushan Singh gave a update on an affiliation agreement with North Kansas City High School. And that is found in the consent agenda for your approval. Laura Smith, do you have anything, Everett, anything to add to that meeting?

- No, I don't. I really enjoyed the history internship just because we do hear a lot about apprenticeship and internships on the other side. But when it comes to our core offerings in humanities, I think it really allows students to turn book knowledge into real knowledge. And for us, it actually gave us a big benefit here at the college, with the 50 year anniversary monuments that were a product of that internship.

- [Mr. Musil] Trustee Cross, do you have anything to add?

- Yes, Mr. Chair, thank you. I'd like to ask you and both Trustee Laura Smith-Everett, it's my understanding that Mr. Prater was picked in part because from the Paris to the plains, they came to us to help start that program. Is that right? The Culinary department?

- [Dr. Cook] I think that's, in part, yes, yes. Dr. McCloud, do you have anything to add to that?

- Yeah.

- Did I oversell it?

- No, Professor Prater actually was a part of a full bright exchange conversation that actually led to the project that he undertook in St. Lucia.

- Thank you.

- Thank you.

- Any other questions for Dr. Cook, or Trustee Smith-Everett, or Trustee Cross about Learning Quality? If not, we'll move on to the Management Committee. Dr. Cook.

- Thank you, Mr. Chair. The Management Committee met at 8:01 on February 6th here in the board room. The information for that committee runs on pages 18 through pages 33. We had several reports from staff. Dr. Weber, interim executive vice president of finance administration presented information on the agreement with the University of Wisconsin Stout. That information and detail can be found on page 52. Susan Rider, director of Accounting Services and Grants gave a presentation on the college's fiscal health using financial ratios based on financial statements for the most recent year, fiscal year 2019. Those ratios, there's a ratio for primary reserves, net operating revenues, return on net assets ratio and viability ratio. And we benchmark against a specific colleges. I would say that in each of those four areas, our ratio is well above the benchmark area. And so, again, there was issue in public comment, we'll talk about that a little bit later, about transparency and budget. We do have healthy reserves. We are in the process of building a budget. We are in the process of putting that plan together. And our reserves are very healthy, but that ratio really gives us a good, healthy indicator. So on the one hand, I really wanna compliment the staff administration for placing the college in that position. And on the other hand, as a Board of Trustees, we'll have a board retreat in March, on March 7th, and we'll have good discussions about those reserves. We just heard from the Human Resources Committee that we'll be spending about another million dollars on a medical plan. So it's important to have reserves that we can handle those items. Rachel Lierz, Associate Vice President of Financial Services, CFO, gave the monthly budget update. She said budget development continues for the 20/21 year. And again, I've referenced the March 7th board retreat. That will include information shared by both Dr. Weber and Rachel Lierz in response to recent trustees inquiry regarding reserve levels and budget prioritization. Rachel Lierz will give a brief update on the fiscal year 20/21 budget status, opportunity for feedback from trustees on those two topics will be provided at the conclusion of the reports. A detailed budget

report will be made to the Management Committee at the meeting on April 1st, in advance of the annual budget workshop, which will be held during the board meeting on April 16. Additionally, Mrs. Lierz provided information on the cash disbursement report and ratification process at the January 16, 2020 board meeting. The trustees discussed the cash disbursement report, which is part of the regular monthly reports and recommendations in the consent agenda of the board packet. The report includes the daily subtotals and system generated control numbers of disbursements made by accounts payable check, transfer wire. The report states that supplement A to the monthly board packet contains the detail of such disbursements. With Supplement A is on file in the financial services department and is available upon request. Current JCCC policies and procedures related to cash disbursements were included in Ms. Lierz' report, which included in its entirety in the board packet beginning on page 20. The administration does not recommend modification to either the content or distribution method of the cash disbursement report, or the current process for the monthly ratification of cash disbursements by the Board of Trustees at this time. Management Committee discussed that in some length, and we support that motion. I believe any, any member that wants to look at those cash disbursements, as I've indicated, are on file in the Vice President of Finance's office and can go review those accordingly.

Janelle Vogler, Associate Vice President Business Services presented the single source purchase report in the summary of awarded bids between 50,000 and 150,000. And that is found on page 23. Contract renewal found on page 24. Tom Hall, Associate Vice President of Canvas Services gave the monthly update on capital infrastructure program, and that's found on page 26 of the packet. He also reported on current progress of the construction projects on campus, then reviewed the report on the financial status of facilitates master plan projects. And that plan is found on page 27 of your packet. We do have one recommendation tonight regarding solar panels. It is the recommendation of the Management Committee that the Board of Trustees accept the recommendation of the college administration to approve the proposal from Altenergy, for RFP 20-037, Rooftop Solar PV Design & Installation, for a total expenditure not to exceed \$499,997 for the design and installation of a rooftop solar photovoltaic, PV, system to be installed on the roofs of the General Education Building, GEB, Police Academy, PA, and Olathe Health Education Center, OHEC, Building. I'll make that motion.

- [Trustee Cross] Second.

- And this solar--

- Say it's been moved by Trustee Cook and seconded by Trustee Cross.

- And this solar installation is part of our ongoing project to become a little more sustainable on this campus. And we did have discussion about that particular bid, and that particular reasoning. So we moved that recommendation, we approve that, and would move that recommendation forward.

- I'm sure if Dr. Antle were here, he would say we're a lot more than a little sustainable.

- [Trustee Smith-Everett] I was gonna correct the trustee on that, yes.
- This will get us even closer to sustainability. Any questions?
- 2030, 2030.
- Any questions or discussions on the bid for the rooftop solar PV design installation? Trustee Lawson?
- So I've noticed that we're switching solar companies. The last time around, one of the other vendors on here is what I recognize. And a lot of the differences in price seem to be so minimal. So I'm just curious, the reason for this particular one doesn't give me the impression to really understand, other than they've done a lot of installations. Is there any other purpose in choosing this one over the last one that we had?
- [Mr. Musil] Dr. Weber, do you wanna take a shot at that?
- Yeah, so a couple times when we do bids, we have a max amount of dollars and we ask that all vendors or bidders to say what can you give us for this amount of money. And so all bidders know that we had up to \$500,000 for this project. So on bids like that, what we do then is compare what they're giving us for that money. And in this case, the bidder who provides the most PV, return on our investment over time, so we're saving the most solar energy over time is the one that was selected because they were all given essentially the \$500,000 allotment to make that happen. So in this case, it was the return on investment.
- [Trustee Lawson] Thank you.
- [Mr. Musil] That was the closest bid package I've ever seen, so that's a great explanation to know why that happened. Any other questions or discussion?
- [Trustee Smith-Everett] I would just add that I also asked during the committee meeting about why we weren't going with the local vendor. Because one of the ones, one of the companies that bid was the local, and it was explained that they, the company that we're recommending tonight just offered a lot

more support for that, and I think that's important to know that it was made because we can get more for the money from this other vendor tonight.

- Great. Any other questions or discussion. If not, all in favor of the bid, say yes.

- [Group] Yes.

- Opposed? It passes unanimously.

- Mr. Chair, I have some questions about just the committee.

- About the--

- The Management Committee report.

- All right.

- So the cash disbursements, I don't think this explanation that was given in that committee when I was there understands the question that I had in the last board meeting in January. I do understand the prior approval, the 208 page supplement A that requires me of course, I would have to take off time of work to come in and review those. But I think it's really, and of course, the FERPA, but I think what I was asking is not the ratification, but I'm asking for labeling so I think sometimes some of these amounts like tonight in the consent agenda 2.2 million, 1.1 million, I think something that could reference to what was already voted on, what budget were they referencing here. I think that could be something simple and helpful for the constituents who might not have access to the Supplement A.

- So maybe another column that just says the budget category that it comes out of?

- Just some kind of a reference of hey, this was the construction project, reference line 178, voted on, just so there's some way that I can go okay, if I wanted to look more into this, or a constituent.

- [Mr. Sopcich] That's a good point. Dr. Weber, could you maybe, or Rachel, provide a little bit of an explanation what's behind, like a big number like 2.2 million.

- So what happens is that's a run of payments, whether it's wires, transfers, checks, and they come from multitude of funds and budgets and orgs. So that run would have meant to that amount. So it can include things from purchases on P-cards from employees, or supplies in an office, to paying a construction vendor. So that run has a lot of different payments in it. So for example, our January run is a significant one because it includes financial aid payments to students. So in that one, there's a lot from one source to it, but that run wouldn't include just financial aid payments to students. It would also include all the other business of the college that we did through accounts payable. So one of the things that we wanna look at and talk about here that's come up some questions is the confusion that's done here. But it's not, those are, those are all the runs for all the funds and orgs at that point in time. So it wouldn't be as simple as saying this is 1.2 million for construction, or this is \$80 for supplies. That 1.8 million could come from literally over 100 budgets.

- How many checks do we disperse? That might be a tough question. But how many checks do we disperse a year?

- [Woman] I just looked that up recently because we're doing an RFP for banking services, and so provide about 23,000 checks every year out of our main operating account.

- So 23,000 checks. So the challenge then would be to identify every one of those 23,000 checks as to what it was written for.

- Well, I mean there's things that can be automated, but yeah, the trick is that those runs include from so many different funds that it wouldn't be there. I mean the comprehension would be to put it all out there, excuse me, and making that transparent. The challenge with that Supplement A is obviously it's always a record that can be requested by either trustees or community members through CORA. But it would require redaction because of identifiable information in order to do so.

- [Mr. Musil] Did you say exhibit A is a 208 page, this month for instance, did I hear 200 plus pages?

- That's probably about right for this month.

- So basically, you can't take the \$2.2 million amount, which is shown as the date of 1/9 of 2020. You can't put a budget number next to that for a category or department or line item?

- [Mr. Weber] No.

- All of these have been approved and authorized by the budget, approved by budget officers and then authorized to go through Rachel's office to be issued?

- Subject to internal audit and other policies, yes.

- And they're available to the public or a trustee member so long as they are reviewed first for redaction so that personalized information, or federal ID numbers, that type of stuff is not disclosed.

- [Mr. Weber] That's correct.

- So my question was, so why is it reported in the format we get it? Or what is the manpower that is put in place to get it in the format we get it, and why does it come to us like it does?

- Yeah, and that's, so it comes that way because that's the way it's labeled and automated in our information system banner.

- [Trustee Smith-Everett] Okay.

- So anything beyond that would take a certain level of customization, and that's to that run, again, as for, you know, when we say we're gonna run payments at this time, it's for all payments submitted for all those funds in that. So anything beyond that would take, would take some effort. And it's not to say that we would be opposed to do it, but I think more importantly, if we were to do it, to what end, and more importantly what benefit. I mean, and so, the budgets, the budgets that people are allowed to spend from are published. The up to date spending for those budgets is shared monthly. And so this process is a ratification that, as we've looked at it, isn't required by statute, but is recommended by Attorney General opinion. And so we would like to do some looking. We brought this up a couple months ago. It seems like we're discussing it again at what's in the board packet and how we can provide information in the board packet that might be a little less confusing to any reader. And I think

that what we would like to do is have a little bit of time to huddle up and come forward with a recommendation so we didn't have such confusing information in the packet.

- [Mr. Sopcich] And if I can ask one more question. I hate to belabor this, but wasn't that changed so many years ago as far as what was presented in the board packet?

- Yeah. I think we had a process similar to this. I think we had accessible on the website, the report, and we had issues with security on it.

- [Mr. Musil] So this could be a continuing discussion with the Management Committee.

- Well, it can. I would just say, Mr. Chair, that I think the Management Committee really feels comfortable with the process we have in place. I understand it may be inconvenient for a constituent or a trustee to go to the office to see that detail. Again, I would remind us all that, in fact, Dr. Harvey spoke to it. We have very talented staff on this campus. And I believe that with our internal audit, our external audit, all the processes we have in place with budget approval and budget development, the innuendos tonight in the public forums were that we're not transparent with our budget or with our dollars. It's all there, it's just a matter of a person going in to see it in the office if they so desire. I was on this board when we would, as Chair would sign all of these checks, page after page after page, and wondering why am I doing this because it's all been preapproved and it's gonna be all audited. It was a step we were going through. So I appreciate certainly the interest, but I think we have a process in place where that information can be found if there's interest to find it.

- I've had questions since my first time as chair. I went through the same thing where I electronically approved every, you know, the checks once a week. It's not a useful process unless I'm gonna walk, look at every check and ask everybody what that check is for.

- [Man] Mr. Chair.

- That is why I trust, I have to trust the people, the president and everybody on down to have done it. I feel, frankly, the same way about the Human Resources report that we get every month where we were, we approve everybody getting 25 cent an hour raise. And I'm interested in reviewing whether that this a required function of the board, or our required function is to hire a president who hires a chief financial officer, and hires a vice president for business, who then follows the budget that we approve, and it's audited by our external and internal auditors, and that's the way it's handled. Because for us to, anybody up here to say I know exactly what this particular employee ought to be doing at this amount per dollar is just not reasonable. We don't know that. And we don't know that a \$9 million whether one

dollar of it or a million dollars of it has been spent other than in accordance with the policies and all the checks and balances, and the multiple people we have watching it. So I'd like, I'd still like to continue Dr. Weber's thoughts about how we can look at our consent agenda and revamp it so. This board ought to be setting policy and implementing policy, and holding staff accountable to that policy, and not trying to approve, see if this \$1,000 check is appropriate or not. That's my personal view. Trustee Cross, you.

- [Trustee Cross] Yes, thank you Mr. Chair. Mr. Cook, or Trustee Cook, or Vice President Weber, Vice President Lierz, I mean are we aware of any impropriety? I mean is there any, any allegations something's been mishandled?

- I think when you look at the internal audit system that we have, when you look at the external audits that we have, we always get glowing remarks, glowing comments.

- Okay, I just wanted to ask.

- For our systems and the whole deal.

- Trustee Smith-Everett.

- I think the issue is not a daily signing of things, I think it's a really a format issue which leads to a perception that big chunks of money are being spent and we don't really know what they are because this format is not conducive to understanding what this is. So I think it would be, behoove us really, to have this discussion whether at the retreat or not, on the formatting and what we're trying to present by doing that. I don't want to every put more on staff to have them do a whole nother part-time job so that I can have numbers every week that I frankly am not gonna keep track of. And I understand that. But I also think there's something to be said about this is in a packet, and there's some rather large numbers in it, and it leads to real speculation about what is going on. So I think we need to really have a discussion about the purpose of it, but also formatting. And if it's the software that's producing that, then the discussion needs to be if we need to go back to that vendor and say this is how we want it customized so that it'll produce transparency in a way that makes sense for us and constituents. So that's my argument. And then I think Trustee Lawson had a--

- Yeah, I think whatever format the staff put together, I just think the labeling of something, I'm not, I haven't been talking about ratification. I've been talking about labeling. I think constituents can easily understand what is happening. And sometimes just being able to have a quick label, a reference to something, whatever the system is, I think that's up to the staff since they're in the trenches doing that. But I think that that's a pretty reasonable request when constituents bring that forward. And then the

other thing that I had that I noticed in the Management Committee 'cause I was attending, Trustee Cook mentioned that there's a oil company that was bid for 21 cents per gallon, but the question that he asked was actually pretty interesting. And I wanted to see if he could explain it a little bit more. You asked about whether this was the rate at the pump, or this was the rate in the barrel, or the pipe?

- I asked if it was the pump price or the pipe price because a company that I used to be with, we bought fuel priced on through the pipe, through the bulk, it was a different rate. So I was just kinda curious as to see if we were buying through the pipe or the pump. And I don't recall Dr. Weber.

- [Dr. Weber] I think the answer--

- Well, go ahead.

- Well I can answer it only because our team in Business services is amazing, and they remembered your request. So the contractor is with McAnany Oil, and they provide pricing to us at 21 cents per gallon over the oil price of the OPUS daily rank. So it's an information services. So while it fluctuates, at the time the college last received an invoice earlier this month, we were paying \$1.94 per gallon for unleaded, \$1.70 per gallon for fuel, and 24 cents per gallon for state tax, for state gas tax. \$1.88 per gallon for diesel. State fuel tax is only being charged to the unleaded price per gallon. So we have, I received an answer on that prior to the meeting. It's lower than market rate, and what we're charged, obviously we depend on what the OPUS rate is at any given time, but our rate is 21% over that. That's the locked rate. We pay 21 cents over whatever market is saying.

- So we don't know right now--

- Yeah, it seems to me that because we're below market, we're probably getting a pipe rate, or we're getting a bulk rate.

- Yes.

- But I don't want to misrepresent that we have a pipe--

- Yeah, I don't know.

- Somewhere to our--

- It's a little annoying.

- To our campus, and we just pull up to the pipe. It was probably not a good question to ask, but I was just curious because I know when we bid fuel for 34 states, we ran a lot of buses. And so we had the pipe price rather than the pump price. Sorry to create--

- I appreciated the question because I think you have a special interest in this, and to be able to ask a question, it was a little bit more into detail than I had expected. But it's nice to be able to have that forum to ask question that you have an interest in, and to be able to get some understanding of, you know, is this a good rate. So I appreciate, I was proud of the question actually. The other question that I had was the report that was given. I thought it was pretty interesting that they labeled saying that in fiscal year 2019, we'd have enough reserves to last us 11 months of expenses. I thought that was pretty interesting. And then the College of Illinois is a is the one that we were compared to for the benchmarking of the CFI. And that actually took in 2015 did a major cut in tuition and a major rollback, and it looks like it proves that there was a four year track record of success while they had a governor who was threatening, at that time, to cut funding. So I think that is pretty, a good marker showing that those are options for us. And the dark store, that was an interesting conversation that I was listening to. I think people have the perception, the same way they look at a city. So the city of Merriam could loose two Walmarts, but as a county, we might see four more Walmarts pop up in Olathe and De Soto, so our net gain actually is different than a loss that a city might incur. So I think, or do we have a tracking system of the growth that we're experiencing in Johnson County versus some of the discussion and dialog that we're hearing from the city level? Because I think that we have a different birds eye view.

- We have a report from the county appraiser on a frequent and routine basis. That report will come in March. It will be worked into our April budget workshop, as it is every single year. The county appraiser knows what's going on at the county level, and at the city levels. And the county has been the one to express concern about the dark store theories, specifically Chairman Isler. So yes, I mean I think you can answer this, I think we certainly know what's going on at the county level, and I think the appraised value level.

- [Trustee Lawson] But the growth?

- It includes the growth. It includes last years base, and it includes the growth every year about what new growth, what's new on the tax roll, whether my house went up 1% or 10%.

- [Trustee Lawson] Sure. Population growth?

- So all of that comes from the county appraiser.

- [Trustee Lawson] New construction.

- Right.

- That's all presented as part of the budget workshop. And that's presented in a way that that's how the trustees historically have considered mill levee reductions or gross as the amount of overall revenue from assessed valuation throughout the county.

- But I think there'd be more than just assessed valuation. If we have an increase in population, the vacant homes are now tax payers. So that just by itself gives us more money. But then new construction starts higher price, so that brings more money.

- But the assessed valuation, the assessed valuation has rates that factor into all that. But that's the tax rate that we get from the county. So when we give you a revenue projection from the county appraiser, it includes all those metrics, and all those calculations. But we're gonna bring forward what our mill levee, our current mill levee rate is assumed to generate for the college. And then we use kind of the bad payments, and all that in there, but that will come in the April budget workshop. But we do that annually.

- [Trustee Lawson] Okay, thank you.

- Anything else on the Management Committee report? If not, thank you Trustee Cook. We're now ready for the President's recommendations. First thing is the Treasurer's report. Trustee Cross.

- Yes, thank you Mr. Chair. The Treasurer's report can be found on pages 34 through 45 of the board packet. It is for the month ended December 31st, 2019. The state operating grant payments of \$11 million and an ad valorem property tax distribution of 55.9 million were received during January and will be reflected in next month's report. Expenditures in the primary operating funds are within approved budgetary limits. And therefore, Mr. Chair, it is the recommendation of the college administration that the Board of Trustees approve the Treasurer's Report for the month of December 2019, subject to audit.

- [Trustee Snider] Second.
- Moved by Trustee Cross, second by Trustee Snider to accept the Treasurer's Report for the month end of December 31, 2019 subject to audit. Any questions? Trustee Lawson?
- Yes, on page 42, I don't know if Rachel wants to come up and explain a little bit. On page 42, I'm not finding those numbers on this, it might be some place else. I just kinda wanna find out, I was able to cross reference the majority of all the cash roll forward, beginning balances, the expenses, but there's just a few that two showed up here that I can't find. And there's one, two, three, four, five, six, seven that are not on here. So I'm just curious maybe they're some place else and I just haven't had a chance to--
- [Man] Could we maybe, which ones weren't on that page?
- We have the commons, industrial training center, actually is listed for 376,514. Something close to that is 362,375. So I'm curious about that. Then there's the Arts building construction fund, Career Tech construction fund, ATB renovation fund, Outdoor sites and athletic improvement, motorcycle garage construction. Everything else is on here. I just thought that maybe was there another page that I could get directed to?
- [Dr. Sopchich] Rachel, could you maybe help explain some of these?
- Cause that's about 9.5 million.
- What is the question?
- Yeah, I'm not sure I understand the question.
- On page 42 that Trustee Lawson can't tie back to anything else is what I gather. I don't know if they're tie back-able or not because they're different accounts.

- [Rachel] I mean we have hundreds of different funds within the system at the college. They're not all individually listed on this report. I guess I have to more specifically understand the question.

- Yeah. Come on up, Rachel.

- [Woman] Okay.

- Sorry for the .

- Rachel, do you have the page ?

- [Rachel] I do have it, uh huh.

- [Mr. Musil] We're looking at page 42 of the Treasurer's report.

- Right.

- [Mr. Musil] Page 42 of the board packet, which is the Treasurer's report titled "Plant and Other Funds Continued". That actually starts on page 41.

- Yes. Okay. I'm there. So the question is--

- Well, so the commons, I cross referenced on page 44, is that the COM repair and placement reserve fund, or the ITC repair fund, that ITC repair fund lists 362,375, but what's listed here is 376--

- Yes, it's those two added together. It's the 14,000 for the one that says COM repair and replacement plus the ITC one right below it, so the 14 plus the 362 gets you to the 370.

- [Mr. Musil] So on page 41, both of those funds are combined--

- We combined them on the other presentation.
- [Mr. Musil] They're separate line items.
- Because the one is so small, only 14,000.
- Okay, and that COM is not on here, but it's on here. I haven't found the 14,000.
- [Rachel] Yeah, the COM of 14,000 plus the 362 of ITC sums to the COM plus the ITC on the other page.
- Okay, okay. I don't know how I would have known that, so I'm glad that you are here to--
- [Mr. Musil] Well it says Commons and Industrial Training Center repair and replacement, and ITC repair and replacement reserve funds.
- I just don't see the 14,000. So I feel like it--
- They're added together. It says Commons and Industrial Training Center, ITC repair, so.
- [Trustee Lawson] Okay.
- Two line items on page 44 are combined into one line item on page 41.
- Correct.
- And they're listed that way on page 41 to include both funds.
- Okay, so the ones on 42, they're not listed on here at all.

- Because there are so many, again we have it, see at the bottom where it says all other funds? We have many others that we subtotal.

- Got that accounted for. I see the other funds for 2.5 million, but the sum of these come close to 9.5 million. So I just think that's not a small amount. I just would've thought there itemized here that those additional five would've been here too. So I'm sure they're somewhere, I just don't know. Can you point to me in the Treasurer Report where they're listed?

- Yeah, I mean I'll have to get, I would have to refer to the detail of the all other funds, and tie them out individually to prove that back.

- Okay, so page 42. And then the other question with that, so when I calculated all the balance forward, it states that it's 103 million, but that's not--

- Where are we, I'm sorry?

- The number I got.

- Where are we, Mr. Chair?

- I don't now. You've got to identify the page number and the line if you can if we're gonna make any progress here.

- Where are we?

- 35.

- Page 45.

- [Trustee Lawson] I said 35.

- 35, I'm sorry.

- Thank you, thank you.

- So the total budget is, beginning balance is 103. But when I added up these amounts, I got 24 million.

- [Rachel] Right, so the beginning balance of--

- 78 million.

- The beginning balance of 103 million on page 35 is just the general and post-secondary technical education fund. And that is the beginning balance at the beginning of the fiscal year. So July 1st of 2019, the beginning of the fiscal year. That's what that represents.

- [Trustee Lawson] Okay.

- So that number doesn't tie anywhere else into this report. It would tie back to the last number on the June 30th Treasurer's report for last fiscal year end.

- How would I know that?

- It's the beginning balance of the general post-secondary technical education fund.

- Okay. Would there be a way to explain this in some other way that helps constituents know where the 78 million difference is, 'cause if they calculate, they're only getting 24 million.

- Well, that's, they're not, that's not comparing two like things. This is just the general fund. There's no difference of 78 million.

- [Trustee Lawson] Okay.

- The general fund is simply one of the funds that we have to acct for under state law--
- The number matches back--
- and under FASB accounting standards.
- That number matches back exactly to the ending number at the end of fiscal 19.
- Right, so then on page 44, it lists the ending balance at 48 million. So it's subtracting from the 103, so that's why I wanna just kinda see what's the difference, the 78 million from what's being added that you've listed here. And the difference I'm seeing 78 million, so I'm just curious. There's a track record somewhere, so I just wanted to know where that is in the report.
- And I guess I'm not following what you're calling the difference of 78 million. To get to the 48 million ending balance, it's simply the beginning balance less the change in revenues over expenses for the year to date, and then the encumbrances and other activities, the math right there on the page.
- Okay. So I see something different. But it sounds like is there any way for me to get a reference where this is, how these are connecting?
- If you wanted to tie back the \$103 million, you would look back in the board packet to the final Treasurer's report from June 30th of 2019.
- [Trustee Lawson] So June 30th.
- And I can send you the information if that would be easier.
- It would also be available on the website in the board packet for our fiscal year is July one through June 30th of each year.
- It is, and the colleges audit report is also on the college website.

- Right. But sometimes you might know where to look and sometimes that's not so clear in a report. So on page 43, when it lists the current investments that are right now with UNB Bank, Capital Federal for some, it looks like some T-bills.

- Yes.

- Is that 87 million separate from?

- Where are we?

- From the--

- Page 43.

- [Man] Thank you.

- All right, I mentioned page 43. So 87 million, is that in addition to our reserves?

- [Rachel] No, those are the reserves.

- So all our, all of our reserves are put into T-bills?

- No, these, there are different kinds of investments on the page. There are certificates of deposit. There are treasury bills. There's investments in the Kansas Municipal Investment Pool, the KMIP, all those things listed on the page and then in addition to that, \$87.4 million we have money on deposit in the colleges operating accounts at US Bank.

- So the last month, they stated that our reserves was 68 million, and so here it's 87 million.

- This \$87 million is the fair market value of those securities. I think what you're probably referring to on the next page. It was what you're talking about from last month was the total reserve balance at the end of the previous month, which was November 30th.

- Yeah, I was told that this column is the reserves. And last month, it was 68 million. Now it's 58, but you're saying 87 million is our reserves. So you can see how there's a little bit of some confusion.

- So the way that works is the \$87 million on the investment page plus the amount in our depository accounts gets you to what is in the book balance column on page 44, market value where the book balance. Then we subtract the outstanding encumbrances or commitments to get to the unencumbered balance.

- So our unencumbered balance of reserve funds to date, as of the end of the month was 58.869 million?

- Yes in all funds.

- What does that mean?

- The general and PTE fund is 48.7 of that.

- [Mr. Sopcich] What does that mean, unencumbered balance?

- Page 35, on page 35 where it says activity to date, ending balance, that is where your policy is set to. So your policy, say the threshold does not fall below 25%, your math would be 48 million at the end of December 31st, divided by the expense of 173, so our reserve balance was 28% December 31st, 2019. That's 3% over the policy threshold.

- And why do we use December as kind of the benchmark for the reserve?

- That's the low point in the fiscal year for the cash on deposit.

- Okay.

- And when does it go up? Is it June month?

- We do have a significant cash influx during January, as Trustee Cross just mentioned in his report. We receive tuition payments in January at the start of the semester. We received and ad valorum property tax distribution from the Johnson County treasurer. And we receive the second half of our state funding in January. So we have a low point in December, and then have a cash influx in January that kind of tides over, if you will, until June.

- Okay. And then last year, I looked up at the June board packet, and it showed our incumbent, I'm sorry, our reserves at 89 million. So you're saying there's quite a gap between when it's the low and the high. But that's quite large. So is that normal for a college to have--

- This, we're doing the treasurer's report for tonight. We're gonna talk about budget and reserves at the retreat on March 7th. I would suggest that we save that discussion for March 7th, and then the April budget workshop instead of going into broader policy questions when we're approving a Treasurer's report for a single month.

- I think I'm trying to understand where the numbers are, and--

- I think she's explained where the numbers are, now we're getting into what you think the reserve policy oughta be, which is a legitimate discussion, but it's not a legitimate discussion during a treasure's report.

- It wasn't a policy. These are actual facts. I mean in the budget, it stated 68 million, and then in June of last year, it was 89. That's not a policy.

- It's showing on the graph on page 44 that's in every month's treasurer's report. And if we wanna get into a discussion about what the policy ought to be, or what the highs and lows are, or what the averages are, we should do that on Saturday March 7th, or at our budget workshop in April on April 16th, instead of belaboring a treasurer's report, which is before us tonight. That would be my suggestion. And I'm ready to call the question, unless you have something to relate specifically to the treasurer's report.

- Your meeting, Mr. Chair.
- Well, you will accuse me of cutting you off, and I'm simply saying there's a board process where we adopt treasurer's report. And when we talk about budgets and policies, we talk about budget and policies. This is not the forum to do that. And you know there's one coming up on March 7th, and there's one coming up in April. And I'm sure we will cover in detail the budget revenues, costs, tuition, and our reserves. And I look forward to that discussion.
- I think I was just asking for numbers.
- And I think you got them.
- [Trustee Lawson] I don't think so.
- Any further discussion on the treasurer's report? Trustee Snider?
- Thank you Mr. Chairman. Rachel and Jerry before you, you did a great job kind of answering question on the spur of the moment. In September or October of last year, former executive vice president, Dr. Larson, spoke to this board in a somewhat unprecedented way during the open comment forum and suggested that we not put staff in a position such as this, even though you performed outstanding in my opinion. I think a best practice, all board members should strive to achieve is we get the board packet a week ahead of time. I had several questions in this board packet, some of which Trustee Lawson asked of our HR policy, but I sent that on Sunday night, I believe. By Monday, I had a response that answered those questions. Eliminates very skilled people like you having to get up and take up time. So I just encourage all board members, when you get the packet, read it. If you have questions, submit those so that Rachel could've come prepared, and probably could've outlined every single question that was asked.
- [Trustee Lawson] This is a public meeting, right?
- [Trustee Snider] Absolutely.
- That's what I thought.

- [Mr. Musil] All right, is there, all in favor of adopting the Treasurer's report, say aye.

- [Group] Aye.

- [Mr. Musil] Opposed, no.

- No.

- [Mr. Musil] That is six to one, with Trustee Lawson voting against. Thank you Rachel for--

- Yes, thank you.

- Your report.

- Great job, Rachel. Thanks for--

- Thank you, Rachel.

- All right, monthly report to the board, Dr. Sopchich.

- Wasn't gonna say much tonight. Obviously, we have a long night ahead. I always talk about the president report to the president board. I would like to point out something on page 19, and that's the chart down there that talks about the success advocate pathways touchpoints. But before I get there, Val, I always like it when, when Val comes to the podium. First time, her comments, and your a great orator. Your oratorical skills I'm envious of. That was a rousing, rousing speech. The first time you spoke about the mystery behind my retirement. And that was your prerogative to say that. This time, you called me a fascist. And I just want you to know that I lived in a fascist country for almost a year when I was in college. And I saw a side of fascism which was kind of notorious around the world. It's been fortunate that we have gotten to that point where names like that are tossed around. Also, I have to say with as far as I know, any factual support. So I think the challenge we have is to talk a little bit, or a lot, or perhaps focus on student success here at Johnson County Community College, and the way that everyone here is working for that end. I really admired Professor Harvey's comments today because she pointed out that it's a collaborative team effort across this campus that results in student success. And

that was really, very insightful of her to say so. I wanted to point out that when Trustee Musil talked about increase, the increase in our numbers, albeit less than 1%, most of that was driven by retention, which means that students are coming back to take more classes. Students are here are taking more classes. And they're doing that because of the incredible effort of faculty, staff, everybody on this campus works so hard. I pointed this chart out because one of the reasons that's happening is because of our success advocates and how often they reach out to students. If I look at this, the numbers for this time of year versus the past couple years have increased anywhere, it looks like between 60 to almost 80,000 touchpoints. That's an increase of 20,000. That's about a 25% increase, or my math could be off there because I know, I don't wanna be called on that. But probably, maybe closer to 20%, which is an incredible effort that staff has done to try to work for student success. You know, we were just in Washington, well we were just in Topeka last night, and when we walked into the building where the KBOR was holding their dinner, we ran into a former student. And she was so excited to see us because she misses Johnson County Community College. She misses the effort that everybody points, or gives here, gave her to her success. And you know what the best news was, she's doing fantastic at Washburn because of the effort that everybody did here to give her the tools to succeed. We were so gifted to be able to go to DC and watch the law steal the show. What an incredible demonstration of student success. I would venture that perhaps, probably when she first came here, I don't know if she could've done that, to be that confident and that assertive. But thanks to the efforts of everybody on this campus that results in student success, we're able to watch that and take great pride and joy. There's so much to celebrate here on this campus. The success stories are every single day. And that's a tribute to everybody around this table, and to the people who work here. So you can get up there and you can call me names, and you can call me a fascist, and I'll explain to my family why I'm being a fascist, because I don't, that's kind of incredible. So I wanna just say on behalf of my office thanks to everyone here who dedicates themselves to student success. That wraps up my report.

- Thank you. Well said. Dr. Cook.

- I will say again, president and staff go to a lot of effort to put in the President's report. And there are some 35 pages. And it supports what Dr. Sopcich has just said. It supports what Dr. Harvey has said. And I, you know, in terms of transparency, my hope, my desire is that the community can understand all these positive stories. Karen, the continuing ed piece you have here at the beginning of this report is absolutely remarkable. The client and prospecting contacts we have out in the neighborhood, the networking and partnering, I mean it's incredible. And to have the perception, and I'm not being critical of the people that spoke, other than we probably haven't done a very good job explaining all this good news outside the walls of the college. And I wanna say to the public that, as Dr. Sopcich has said, and I'm gonna speak more to that during the presidential search report coming up, but I'm always amazed at this report. And this takes time of staff to put this together as a result of the work they do every day. And we get bogged down on other issues where we spend a lot of time chasing issues that can be easily explained. So anyway, thank you Mr. President for putting together this report and all the staff that puts this together 'cause it's incredible.

- Not aware of any new business. It's time for the consent agenda. The consent agenda is a grouping of routine matters that have been vetted through committees and through the administration. They're usually handled in one motion. Each trustee has a right to remove any items, specific item from the consent agenda and have it considered separately. Is there a motion to approve the consent agenda?

- [Trustee Cross] Moved.

- [Trustee Snider] Second.

- Moved by Mr. Cross, and seconded by Mr. Snider. Are there any items that anybody wants to remove? Trustee Lawson?

- [Trustee Lawson] I'd like to remove the cash disbursement report.

- Item A two, the cash disbursement report, pages 46 through 48 will be removed and considered separately. Anything else? If not, all in favor of approving the consent agenda, in its totality, except for A two, signify by saying yes.

- [Group] Aye, yes.

- All opposed, no. That motion passes unanimously. We'll now get to the cash disbursement report. First is there a motion to approve the cash disbursement report?

- So moved.

- Trustee Cross, and a second?

- Second.

- Trustee Snider. Trustee Lawson, you have questions.

- I would just vote no.
- Okay. All in favor of approving the cash disbursement report, pages 46 to 48, signify by saying yes.

- [Group] Yes, aye.
- Opposed, no.
- [Trustee Lawson] No.
- Six to one with Trustee Lawson voting no. We've been here for two hours and 45 minutes. Let's take a 10 minute break. We will start at five til eight by the clock in the back of the room, which actually looks like about a 12 minute break, but please come back so we have a lot left on the agenda. We have reconvened after about a 12 minute break to continue the rest of the agenda for this February 20th meeting. The next item on the agenda is old business. And the first item of old business is an update on the presidential search committee, from the chairman of the committee, Trustee Cook.
- Thank you, Mr. Chairman. Just a quick update on the presidential search. And Dr. Harvey, who was on the search committee, referenced that in her remarks at the beginning of the meeting. The search committee has been very, very active and busy. We have interviewed semifinalists. And AGB, our search consulting firm, is in the final vetting and reference check and background checks. That will take a few days. But we expect to have the finalists to you a week from tomorrow, first thing in the morning on Friday morning, which I believe is the 28th. Then later that day, that list will be submitted to the public, to the campus, and the candidates will be known. Becky Centlivre is going to email you either tonight or tomorrow morning. We'd like to have each trustee come up with two questions. For the search committee, we had the search committee each do one question. Becky collected those, and then edited them for duplication. But we had each search committee ask their question during the interview because there were 11 of us. We had time for one question each, and a little time for question and answer after that. So we would like for you to come up with two questions you would like to ask the candidate. Like to have you submit those to Becky by Wednesday. She'll do the edit, and she'll have those questions back to you Friday. So we'll all know questions that are being asked by all the trustees. A schedule is going to be published tomorrow regarding the campus visits. Those campus visits for the candidates will take place March two, three, four, five. And that schedule will also be released. We've asked you to save the dates of the time for those dates in the evening. I think we're gonna change that time from five til nine. We'll have more detail about that. But we will begin here in open session as a board, and move into executive session for those interviews late in the day. But the campus visits for the candidates are scheduled, and will include several different groups. We would ask that the trustees attend the interview in the evening. And we've had some feedback when we did the AGB search, for

example, that if trustees were in the room, it kind of hindered other people's viewpoints. When the candidates are with the students, we expect that'd be for the students. When they're with the faculty, they'd be with the faculty and the staff to staff. We do have an open community slot scheduled for later in the afternoon. And of course, all trustees would be invited to attend that because it's open to the community. But we would like to respect the time for students, faculty, and staff to be for those groups. And we'll have plenty of time to interact with the candidates. You will get information about the candidates on Friday, as well as who they are. I would say this to support what Dr. Harvey said, the committee, the committee really came together well, and we had more than one candidate that, that we interviewed. Again, I will say we had 71 applicants, 16 sitting presidents, and we had 10 semifinalists come in. But two things jumped out at me. One of the items that jumped out so clearly was they're proud to apply at this campus. They're honored to be a candidate at this campus. And I guess people wouldn't apply for a job and come to organization and say it was a lousy organization. But they, time and again, referenced the reputation this college has across the country in our short 50 years. And some of them said this is the only, this is the only institution they've been interested in to become president. So I'm encouraged by that. The other encouraging thing regarding our search committee is the number of candidates thought wow, you have a student on the committee. You have a K through 12 superintendent of schools on the committee. You have a veteran on the committee. In a couple of instances, Donny Witten became a hero in terms of his questions and his interaction with the candidates, as did Anne Keat Persi. So I believe that just to support what Dr. Harvey said, the committee functioned very well. Much of their work is done, other than they'll be serving as escorts, in part, when the candidates come to the campus. And that'll be up to the board to interview and make the final selection. We feel we're, we're advancing four candidates, pending all other checks that need to take place in the next few days for you to have a hopefully difficult decision in selecting the next president of this college. And so with that, our biggest challenge for you next is to come up with two questions to submit to Becky Centlivre and she'll have that emailed to you by morning so you can just respond right to her.

- [Mr. Musil] Trustee Ingram, you have anything to add?

- I would add that I think you did a superb job of chairing that. Not having been a part of, you know, I've done hiring before in different situations, but just the way we moved through those interviews was really impressive. And you're right, Anne Keat and Donny, and everyone there just really added something to it. I think we should be very proud of the reputation that this college has, because that's what they spoke to. I was with Becky and one of the folks from AGB. We had a little exit interview with them as they were leaving, and the first question that we said is are you still interested in this job, and in every case, it was absolutely. I mean they know what a great school this is, and the reputation of our faculty, staff, administration, students, our community. You know, we have so many positives in our favor. And so it was really an honor to serve. But again, thank you for the work that you did because I know you and Becky, thank you, it's a lot of work. It's a lot of work, so thank you.

- We intend to, my goal is to have this search committee all here at the March meeting so we can recognize them publicly because these are volunteers. Every one of you is a volunteer who spent hours and hours, and days and days going through 71 applications, narrowing it down to 10, interviewing those 10 over two days, and then we'll continue that through the process of them being on campus. Remind the board of a couple other dates. We have our evening interviews with each candidate March 2nd, 3rd, 4th, and 5th. We've set aside March 10th from five to nine, and March 12th from five to nine to have special board meetings to select the next president out of those four finalists, presumably. And if we get it done on March 10th, we won't have March 12th. But in order to make sure we have plenty of time to make what is really the biggest decision, I think, we make as trustees, we have two days. And we well, in my opinion, we will not rush it. If we are still uncertain after March 12th, we'll have another meeting before we select. Although we hope to announce a contract in our next president, the March board meeting. So that's kind of the schedule we're looking at. Any questions about that schedule? Trustee Snider?

- Not about the schedule necessarily, but Dr. Cook, when we started this selection process, was it intended that four finalists would be presented to the board? And if not, why do we have four versus three versus two? Just curious.

- Well, I think we have talked with the board about that in meetings, and I think the agreement was we'd go to 10, and advance four to the board.

- Fair enough point. Didn't recall those conversations, but thank you.

- Well, that process began back in August when Dr. Sopcich indicated his retirement in July. And we did the search with AGB. And then selected them in October. And that's when we began to even talk about the 10, the four, the search committee, which I think the records will show the board approved those actions.

- I understand it was gonna be no more than four. That's kinda what we talked about. And how it shook out, and it shook out that you guys think there're four high quality candidates. So it's a lot of work for us, but.

- Well, I have great confidence in the selection committee. And if they've narrowed it to two, I'd be okay with that too.

- [Mr. Musil] Anything else on the presidential search?

- [Trustee Smith-Everett] Yes.

- Oh, yes, Trustee Smith-Everett.

- Couple things. So let's say we all submit our questions. And there are several that are the same. Will there be a time or an opportunity to will that just go through you in terms of how, like for example, I wanna really wide, I wanna cover a whole bunch of different categories and make sure that we're not going in one, you know, really stuck on one issue and we don't look at the other. The other thing is, I kind of, for me personally, need a little bit of a resume before I develop those questions because I mine is gonna be dependent on the person's experience. And I know we're gonna try to ask the same questions of all four candidates, so I understand that. Maybe that's just me, but for example, are we talking about an experienced presidents, or are we talking about somebody for whom this would be their first presidential experience? So those kind of things would change the way, or what kind of question I would ask.

- Let me, those are great questions. The answer to your first question is that the purpose of getting those by Wednesday is if we have duplication, our intent is that we'll have, how many are there of us, seven, and I can't speak for Trustee Ingram, but I don't know that I need two, two questions. I can probably get by with one because I've listened to all of the candidates with 11 questions that were pretty broad range. But our intent would be if we each had two, we'd have 14 different questions. And the reason to get those in, if we've got duplication, you maybe come back to you and say hey, we need a different question from you because three other people have that question.

- It my understanding is you will have, so you want the questions by next Wednesday, but we won't get the resumes until next Friday.

- Right, right.

- That's the timing dilemma.

- But here's to answer that, that's a good question, Trustee Smith-Everett. Go to the profile. It's on the website, the presidential search website. And the search committee, I've commended the search committee because they came up with the profile. And I believe that's why we had such a great response from all over the country was because of that profile in the college. But that profile explains what we're looking for in a president.

- Right.
- And so it would be helpful for you to look at that and choose your questions off of that profile.
- I understand that. And I was recommending Trustee Ingram too, which I will do, I guess I'm needing to know if the person, if this is the first time or if this is, in other words, the question might be tell me a time when you have versus--
- [Trustee Cook] We won't be able to advance that til Friday morning.
- Okay. So if I can, one more question, or one more, at the ACCT session that I went to on picking your next president or important tips, they made a really interesting point about meeting the spouses. That it gave you a really well-rounded picture of the person, but also gave the spouses an opportunity to really know what they were getting themselves into. This is quite a commitment, I'm sure as Dr. Sopcich would attest to. And gone long, long hours. So I don't know if there's an opportunity or we just gonna wait until our pick before--
- [Trustee Cook] The answer is yes.
- Before.
- Partners, spouses will be invited to attend. So they'll be with us. And if they come, then they'll be, there'll be activities for them during the day, and they'll be with us for dinner that night.
- Okay, thank you.
- Good question.
- It is a family decision. And we have to remember they're interviewing us, just as we're interviewing them.

- Okay, thank you for the update and the leadership on the search committee. With that, we'll move into the next item of old business, which is the consideration of the items arising from our December meeting with respect to the investigation and potential consideration of censure of Trustee Lawson. I sent out, it was part of the board packet a procedural outline of the time that we would spend on the various sections here. For the purpose of the public, our policy 1.14, or 114.01 sets out a Code of Conduct that are the expectations of trustees. Our policy 114.03 states that if the majority of the board votes to do so, they may censure an employee for violations of the Code of Conduct only after the adoption of written findings and fact. So what we've been doing since December is that fact finding process. The college engaged Allan Hallquist, and attorney here with extensive experience in exactly this type of thing, in employment and education. And he has presented, and is in the board's packet for this meeting, his report and his written findings of fact. Once those are presented and questions are asked of those, then we will ask if there is a motion to adopt this findings of fact. If a motion is made and seconded, and passes to adopt findings of fact, then we will move into a discussion as to whether or not those findings of fact should result in a resolution of censure of the trustee. That will require a motion and a second, and a majority vote as well. The timeframe set out will take us two or three hours if all of the time is used. It is important discussion that we're going to have. I tried to put some framework around it to make sure everybody had sufficient amount of time. Let me just run through the timing that I've set out. First 15 minutes, we'll have Mr. Hallquist do his report of his factual findings. I've allotted 30 minutes to Trustee Lawson to question Mr. Hallquist about his factual report. And then 30 minutes for the rest of the board to ask any questions about the facts, with an additional five minutes of supplemental questions for Trustee Lawson, once all the other board members have exhausted their questions. If we then have a motion to adopt those facts, we will move into a period of 15 minutes with respect to that motion, and then 60 minutes to debate the resolution of censure for the entire board of which 30 minutes will be allotted to Trustee Lawson. As chair, I will reserve the right to extend those as appropriate, assuming we're on task, but understanding also that it is a quarter after eight now and there's only so much that can be said about this, about this process. So any questions from trustees about that time table? Trustee Lawson?

- Mr. Chair, rather than waste the time, I'm sure the staff can go home as well as we, so I call the question. I'm not gonna change my opinion. And I think you guys are ready where you are. So why don't we just take a vote?

- Do you want to vote on the motion to adopt the findings of fact without a report? Is that the consensus of the board? I believe, it seems important to me since this, what we heard in our public comments tonight was about transparency, and the allegation that we're not transparent. I've seen, I think, all the media reports about this process, none of which have been complete, many of which have been misleading. I think we ought to hear the report of the findings of fact and we can move as quickly from that into adoption of 'em and a discussion of whether there's a resolution of censure or not. But I don't believe we need to short circuit this. You're certainly welcome to waive your time frames that I have presented to you to make sure you had what you've referred to as due process before and sufficient time to respond to any of the questions or the facts, or the discussion of the board. So I'm gonna go ahead and ask Mr. Hallquist if he'll make his report and we'll move forward from there.

- Good evening. I'll explain my process in conducting this. As Chairman Musil said, to Board of Trustees 30 years ago adopted a Code of Conduct policy to govern their own behavior in carrying out their duties. And that was adopted by the board in 1990. The board unanimously revised and approved revisions in 2018, just two years ago. The policy does provide, 114.03, that if a board member violates the board's Code of Conduct, the majority of the board may censure that board member only after an investigation and the board adopting findings of fact. On December 12th of this last year, 2019, the board passed a resolution initiating the investigation required by the policy. And I was asked to conduct the investigation. You have, board members, before you in the packet and available to the audience my proposed findings of fact. The resolution did not tell me what to investigate. It was sort of open ended, just go out and conduct the investigation to determine whether a board member should be censured. So I looked at it, and was present at the November board meeting, at the December board meeting, and it was my sense that the concerns leading up to the motion to conduct the investigation pertain to this letter that ended up being forwarded back to the college from the Board of Regents. So I limited my investigation to the circumstances around and the facts contained in that letter. I didn't get, to the extent there's other issues, and some of them addressed tonight about transparency or request for information, I didn't get into that. Just dealt with the letter and the information that was contained into it. I interviewed Trustee Lawson on two occasions for 3 1/2 hours at the beginning, and the as promised, I circled back to her at the end for another two hours, and met with her and her attorney to ask questions and obtain information, and discuss the issues. I interviewed the persons listed on page three. All but one were Johnson County Community College employees, and then I interviewed two trustees briefly. I met with Dr. Cook to understand the circumstances regarding when the letter was originally received by the college, and then I met with Chairman Musil too. With both of them, I conveyed that my intent and my plan was to conduct a narrow investigation. When I received information from various sources, trustees and employees, and in meeting with employees, I had the sense that there was an expectation or a hope that I might be broadening my investigation, and dealing with other issues and other concerns. So I conveyed to Dr. Cook and Mr. Musil that I was not doing that. I was gonna focus solely on the letter and the facts related to that letter. Consequently, I didn't talk to four of you trustees. And the other four trustees, other than Dr. Cook, Mr. Musil, and Ms. Lawson, I didn't, although I said I was gonna meet with all trustees, I didn't feel it was necessary to deal with the letter. You're supposed to be coming up with the findings of facts, so to keep you out of the process, and for the appearance of the investigation, I had no communications with the other four board members. The basis of my findings of fact are in the notebook. The facts, or the rationale, or what I relied on is in parenthesis behind each of the sentences of my proposed findings of fact. With regard to section C, and items two through nine, and 12 through 14, which really pertain to the Nerman Museum and statements regarding that, I had Trustee Lawson on the one hand saying these statements were made to me during a tour of a third party site where some works are stored. And then I had the other five people who were in the tour saying that absolutely was not said. The sentences in the letter are flatly incorrect. So I don't know. I then focused on what the actual facts are. The board Code of Conduct policy does talk about a factual foundation. So I did not make an assessment as to whether Trustee Lawson, or the other individuals who were present. It was a, I will say this, the space at Monarch Fine Arts services is not that big. And the five individuals who took Trustee Lawson there and met with the principal of that company, they spent three or 3 1/2 hours. Everybody said it was a cordial, friendly discussion. They basically stood around and talked about the art, and the processes and procedures, and were forthcoming. And

everybody who was there said we had a good discussion. There was mutual respect, and appreciation, and the questions were answered, and the information was provided. There was a followup request from Trustee Lawson for documents pertaining to the value of the works. And there were three documents that were promptly provided, I believe the next week by the Nerman Museum saying here's the request that you, or the information that you requested. With regard to the other statements or concerns regarding the Nerman Museum and its practices. There's no documentation that those issues were ever raised, that they were, that there was any followup with the people who were there saying I'm critical of this. There was no further request for information, other than values. It was never brought to the board. And the people who were present during that tour, the first time they became aware of the criticisms or the negative statements were when they saw the letter. So I'm happy to answer questions that you have about my proposed findings of fact.

- You've submitted a report that is on pages 66 through 78 of the board packet, 13 pages. Trustee Lawson, I had set aside a timeframe for you to ask question of Mr. Hallquist if you have any.

- Yes, Mr. Chair, thank you. Okay. So I'd like to start with just a little cleanup and address some first items on the paper about some additives. Let's see. So the first one. So you would agree, I think probably in the essence of time, just I'm gonna ask yes or no questions. And if you can answer that, I think that would be probably move us along. Would you agree that the definition of current is serving at this moment and former means someone not serving? Correct?

- I don't understand your question.

- So currently means people serving on this board right now. And former means not serving right now.

- If you're going to use it in that context, I would accept that.

- Okay. So in your report, you noted all current members of the board are part of the JCCC Foundation. Can I ask you how many former trustees, that is individuals who are no longer elected, did you interview?

- Say that, no, I did not interview prior trustees of the college.

- Okay. So if you did not interview any former trustees, how can your statement be valid? I clearly did use an adjective known as a, you know, modifier or a noun, but to say that I wrote a former board member, which would be clearly different than saying currently serve.

- [Mr. Musil] Would you please just, and the question--

- No, I understand your question--

- Excuse me sir. Refer us to the page number that your referring to, otherwise nobody is able to follow any of this.

- [Trustee Lawson] Okay. Do you have that page number on here?

- I'm looking at his report. If there's a specific reference, maybe we could follow along.

- [Trustee] What page is that on?

- Page 74 of the packet talks about seven members of the JCCC board or members of the board of Foundation, the JCCC Foundation. Is that the reference?

- Right, so, it's quoting that, I mean I can pull up the original. Where is the original?

- Okay.

- Okay.

- [Mr. Hallquist] You're referring to question 15 on my report.

- Yes. So it's parenthesized though, so I'm just wanting to get the actual words.

- Your letter referred to an individual. I'll just state, I used the word prior trustee just to keep the name of somebody out of it. Your letter, which is public also, referred to a person, and then you continued after naming him a former trustee referred to this practical, practice as unethical. So that's the section. And in putting in brackets, a prior trustee, that was my way of just not naming the person in my particular report.

- So I didn't make this public. So when I'm referring to a former trustee, but then you're stating that I was talking about current trustees, that's where I just wanted the clarification because I wrote former trustee.

- And I referred to him as a prior trustee.

- But then you stated in your description, all seven board members are members of the Foundation. So I'm, but I wasn't talking about currently serving.

- Your letter referred to a prior trustee's criticism of the Foundation. And I set it out in quote, we do not receive, my focus was on your sentence, we do not receive access to what they are doing. And I pointed out that the seven trustees, you are members of the Foundation board, and the two members of the trustees are members of the Foundation's executive committee.

- So I think when we come to technical, which is what I'm being marked for, I think it's appropriate to note that I wrote former trustee, and you're taking this into current members. And so I'm not understanding your statement then, because that doesn't make, it doesn't go together.

- You did refer to an individual, and then you put comma, a former trustee. In lieu of putting his name, I put brackets, and put a prior trustee. I could've said a former trustee. But that's fine.

- But then how is your statement valid?

- I think it's accurate regarding the trustees being members of the Foundation, and two members of the trustees being on the executive committee of the Foundation. To the point you were making, that we as trustees of the Johnson County Community College do not receive access to what the Foundation is doing, I found that to be flatly incorrect. It's a fact. It's a proved fact.

- So I was talking about a former trustee who referred to this practice as unethical, so you're stating as if I was talking about this board. So I think that's pretty wrong.

- I can't answer it any better than I have tried to do.

- Okay, so I don't see that as a valid answer to the statements if they're doing a fact finding thing. And then if you didn't interview to former trustee, I'm just not understanding how you're getting the facts off of what I wrote, and not--

- That was the, the intent was to research the accuracy of the facts that you wrote. And you wrote "we do not receive access "to what they are doing", referring to the Foundation. That's a factual statement you made to state Kansas state legislatures about alleging that the Board of Trustees of Johnson County Community College do not receive access to what the Foundation is doing. You had a number of criticisms of the Foundation, that they received special access into the presidential search. And I responded, as a proposed fact, that your statement that the Board of Trustees does not receive access to what the Foundation is doing is incorrect.

- I appreciate that. Thank you. So I got my answer for number 15. I specifically wrote former. Let's say in your point number one here, you have in quotes, anonymous letter. But I never wrote anything anomalously. So where did you get that? Where are you fact finding on those?

- At the letter that was forwarded to Dr. Sopcich, your letter that was forwarded to Dr. Sopcich, had your name deleted. Purportedly, Mr. Flanders decision to delete. I don't know who deleted it. But it came deleted. And it was addressed at the November board meeting in a public forum here where the board members were asked who wrote it. Six of them denied writing it. You did not respond. You were on the phone. I was present sitting here. At the December meeting, again, they dealt with whether or not you wrote the letter. You delivered an affidavit saying that was your sworn statement that you did not send a letter to the Kansas Board of Regents, but you did not answer direct questions, multiple direct questions, as to whether you wrote the letter. So I did in quotes, as a beginning point say, dealing with the anonymous letter. And I state that you told me, frankly, that you wrote the letter, and you sent it in October, and to whom you sent it.

- Right, so, but I never wrote anything. You put in quotes, and there's nothing quoted in my letter that says anonymous letter. So you'd have to then talk to Blake Flanders. And so CORA shows that Blake Flanders sent Dr. Sopcich this email at October 15th at 12:34 p.m. by cellphone. And then two days later, Dr. Sopcich sends it to himself on October 17th at 10:34 a.m. by his phone, and that's what got the JCCC footer that was not understanding where this came from. So--

- [Mr. Hallquist] Yeah, I did not--

- This board packet came out, these headers were scrubbed off. There's nothing erroneous about the fact of these two exchanges. Why was this taken off? So I think when you state in quotes, anonymous letter, that's, I never said anything in here that you can site that I've said anonymous letter.

- That's correct.

- Yet your facts are disputing Dr. Cooks' letter.

- When you and I met, you candidly admitted that you wrote the letter. I believe you sent it at around 10 something p.m. on October 16th, October 6th to two current state representatives and a former one. And that you sent it from your personal email address, and that you signed it. And I pointed out to you that you wrote it as a trustee of Johnson County Community College. It's the first sentence. And I'm an elected trustee of Johnson County Community College. And you signed it as a trustee--

- [Trustee Lawson] But I never said anonymous letter, right.

- When it came to Dr. Sopcich, the name had been, your name had been deleted. And Mr. Flanders, who referred it, didn't say we got this letter from Trustee Lawson. So my first question was dealing with the investigation of an anonymous letter. And I put it in quotes. But then I stated proposed findings of fact that you candidly admitted that you wrote the letter. So then it's no longer anonymous is my point.

- So I'm not seeing how these answers even apply to my letter because those, I never stated anonymous letter. And that's Dr. Cook, might have used that in his letter, but that's something that you'd have to go into a fact finding for that.

- My characterization.

- [Trustee Lawson] Well you quoted it. So that's showing that there's an anonymous letter words in my letter, and that didn't happen.

- Yeah, I did not mean to imply that you wrote the letter or sent it anomalously, or included the word anonymous. I put it in quotes saying the anonymous letter, the letter unsigned that came from Mr. Flanders to Dr. Sopcich.

- So, let's see, I have an email on November 21st at seven, no, excuse me, November 21st at 2:34 p.m. So that was the day of the November board meeting.

- [Mr. Hallquist] That's correct.

- That I sent an email to Dr. Cook, who we had previously been emailing before, and I showed you these emails.

- Okay.

- Stating that I have, I have read through the HR addendum, which you know covers a private email to state legislature. They forwarded it on. And then I continued to talk about that basically, if we do an executive session, I'd like to be prepared. If we do this in public, I'd like to be prepared. And there was nothing on the agenda that listed anything in new business, or the consent agenda. So I wasn't sure how this was gonna come forward. And typically, in new business, that is something that's brought up for the next month. But that is not what happened. So that was out of order for Robert's Rules. This letter had a JCCC footer, which I didn't understand because I didn't do anything with the college, so how in the world is this JCCC footer on here? And this whole top half is scrubbed off. So I asked the question in that meeting is it possible that this email was spoofed, because how do you validate this? And that was not an answer that I had received any evidence for until I got a CORA. So that's how, there was never a denial. There was never, it was a lot of confusion as to what in the world was being presented. And so having an email that already before this that meeting even started, Dr. Cook knew who wrote this letter, and yet why did that Soviet show trail take place? So those were questions that, and then the next question, they're wanting two days later after that November board meeting on November 6th, Trustee Cook talks about authorship. Authorship is different than writing. And so that is a distinct, making sure that we are on the same page, and there is no way for me to author because I did not generate the information. Staff generates all the data. And if staff are providing misinformation, how do I know that. And I'm not saying that they did, I'm just explaining the difference between authorship and writing. So having in the November 26th, that was the next exchange.

- Let me respond to the points, your questions or your points so far. You did in our first meeting tell me that--

- [Trustee Lawson] I haven't asked a question yet.

- Prior to the November 21 meeting--

- [Trustee Lawson] I'd like to ask a question.

- An email to Dr.--

- [Mr. Musil] Just let him answer the points you made.

- [Trustee Lawson] I haven't asked a question.

- [Mr. Musil] You made points, and if we're gonna get to the findings of fact, I think he oughta be able to respond.

- You did tell me in our first meeting that prior to the November 21 meeting, you sent an email to Dr. Cook saying that you had written the letter. So I obtained that email afterwards. And you wrote on November 21, 2019 at 2:34, "Jerry, I have read through the HR addendum, "which as you know covers a private email "to a state legislature they forwarded on. "I remain in disagreement "with some of the college responses." You came close to saying you wrote it. And at that meeting, in public, on November 21, you were asked, while you were on the phone, did you write the letter. You didn't respond. And in December, you delivered an affidavit saying I did not write a letter, or send a letter to the Kansas Board of Regents. Again, were asked if you sent the letter. And you did not respond. So maybe you suggested, or at least you wanted to talk about it in executive session, which would not be an appropriate topic for discussion by the board in a closed meeting under the Kansas Open Meetings Act.

- I think I stated in there that it was either public or, right, I said executive session is fine. If there's a desire to do so in the public. I said I'd like to basically provide information. And then while I have a conflict tonight because of work engagement. Yeah, so--

- You said.

- I was pretty fine with public or executive session.

- You said I would ask for the ability to play audio recordings of those at the caves. And I asked you and your lawyer if you have audio recordings, that would help me answer the questions as to who said what. And to date, I have not received any audio recording.

- So I have no problem providing information. And posting anonymous letter, and then writing facts about what you are stating about Dr. Cook's email is not, not representative, or representative of my letter. And the rest of these questions, in your point one, you contend that my argument of I have spent a year, and you note my statement said warehouse. And then you stated that my paragraph said caves. Can we acknowledge that caves is not the same thing as warehouse.

- If you look at the emails that are attached as exhibit A, they originally assumed that you were asking to see the warehouse. And you said that, you specifically said no, I mean the caves.

- And so I mentioned the meeting that I had with Dr. Barbara Larson in the beginning of my term where I met with Kate Allen. The insurance, I think his name was Tom Clayton, and Bruce Hartman. We all talked, and I told you about that meeting. And that was the first initial time where I had asked questions about the warehouse because they said that there was different places around campus for it. So when I'm explaining that it took me a year, I think I was pretty accurate.

- You did have a meeting in 2018 with Bruce Hartman, and the prior executive vice president of finance, and the risk manager to get information about the Nerman. It was a year later, at this time in August of 2019, when you made a request to tour the art in storage. And they promptly responded to you. And they did say it was a warehouse, and you say no, mean the caves.

- So when I had a meeting with the internal auditor, I did not know that there was caves. And I think he explained that. And so my understanding has always been warehouse, storage unit of some sort based on my original meeting with Dr. Barbara Larson and Kate Allen and Bruce, and Tom, or John Clayton. And so, I'm sorry.

- [Man] It's Tom.

- Tom. Sorry, John. Sorry. So the next one I wanna talk about is the November and December meetings. Because you just mentioned that also. So the meeting specifically asked if anyone had authored this email and sent it to KBOR. After your research, I had provided you a copy of the CORA email. And I it is clear that I did not send any email on my JCCC account. But in fact, that was Dr. Sopcich that would put

the JCCC footer on this email, and take off the top, I don't know what this email, to correspondence here. And it contained no JCCC footer at any point, correct?

- The JCCC footer, as the letter that had your name deleted, came into the college and was sent around the college to obtain factual responses, which are noted in red. As the email was being forwarded, the JCCC footer, email footer, showed.

- [Trustee Lawson] To himself.

- There was nothing nefarious about that. In fact, you and I discussed that at the second meeting.

- I don't remember that conversation. But I showed you the CORA that showed him sending it to himself, and so I think that's kind of interesting. And then that's removed from the board packet. So in 2009 in a radio interview, as well as an online piece, a trustee serving at that time, but now a former trustee, made significant accusations regarding the college. His radio interview intended from the beginning to reach as many people as possible. As you know, my letter was addressed to only two people. The trustee in question, of course, was not brought up for censure. I'm wondering about the precedent that was set. So what is the difference here?

- You're gonna have to ask me that question again. You're asking about something other than my proposed findings of fact.

- [Trustee Lawson] So my letter was sent in private. And there is a precedent with a former trustee, who I would've appreciated you interviewing because I stated who that was, and that they were former. So I thought that that is something that you would've done.

- You did not ask me to interview a former trustee, and--

- [Trustee Lawson] You're doing witnesses.

- This sending a letter to two Kansas State legislators is not, I mean that's putting the statements out in public.

- [Trustee Lawson] No, it's not.

- All right, we disagree on that.

- The state legislator was also with the same understanding that this was in confidence. So how do we set a common standard? So I certainly didn't go on a radio program and put anything out in public. So that was the college, and from what I gathered from Trustee Musil that Dr. Cook was the one who authorized the dissemination of this letter before we even had the board meeting, and before we even got the information. So, when I look at some of the other notes on page four, our point four, you noted I say I was led to believe. You would agree that this statement is not an assertion of fact on my part, nor any accusation? It is a statement of feeling about a conversation, which are a matter of interpretation. Correct?

- You said you were led to believe, and that's presumably by the five people who were at tour, Monarch Fine Arts Services, and the rest of your sentence in quotation is disputed by all five of the other people who were present. That nothing was said that would cause you to believe that. That nothing was every said about the Nelson that they have a room with Monarch Services, and that the Nerman's Art is stored with Nelson. The Nelson at one time at this business center had over 17,000 square feet in its own warehouse space. In 2018, it moved out to a different facility. There is, perhaps, there is art stored by, at the time of your tour, by the Kansas City Museum, and perhaps you may have thought that Mr. Churchill used to work years ago for the Nelson. The Nelson had separate warehouse space in the, in the underground caves, unrelated to Mr. Churchill's space at Monarch. I don't know, I just set out the facts--

- I drew a map.

- The fact that you set out saying I was led to believe that other art from the Nelson is stored in this room. And you told me that you believed that. Then you drew a map saying they told me that this is where the Nelson art is. And everybody else said nice drawing, but that's not, that's not true. I don't know. But as a fact, the Nelson has never stored its art with Monarch, which is a relatively small, private business. And the Nelson has a little over 17,000 square feet in its own warehouse that it doesn't share with anybody.

- [Mr. Musil] We have five minutes left in your time period, Trustee Lawson.

- Okay. So this would be saying I was led to believe my high school football team would win state, and then when they don't, we don't say that was used as a threat against facts. Correct?

- You said you were led to believe at that meeting, and then I set out the quoted part, and the people who were there said nothing like that at all was said. I don't know, so I went on and set out the facts that the Nelson, and it doesn't matter, but the Nelson does not store its art at Monarchs facility.

- So finally, I have a few followups. I wanna ask about the community standards. I recognize at this point you have read our rules of the board of conduct, and hope you have hit some knowledge of it, of course. There's a situation that took place recently, and let's say a board member attacks another board member with the assertions about how they voted. And then when it is pointed out that they are incorrect, they double down and say well, facts are facts, opinions are opinions. When confronted by the Shawnee Mission Post, this trustee acknowledges that they were in the error, but did not apologize for promoting this in public. Would you consider this in the spirit of harmony? Would this establish a violation of Code of Conduct? If not, why not?

- This is not related to my proposed findings of fact. I've set out my proposed findings of fact related solely to the letter. I said that at the very beginning. I'm not getting involved in board versus board issues. You may make your own statement on that, but it's not related to my proposed findings of fact.

- So the anonymous letter that you quoted was not part of my letter, but yet it's somehow stated in here as findings of fact?

- Your letter was what I characterized initially as the anonymous letter, which you acknowledged.

- But where are those words as quoted?

- What?

- [Trustee Lawson] Where are the words that you quoted, anonymous letter? Can you please show me those?

- I've answered, I've answered the questions about that to the best of my ability.

- [Trustee Lawson] Okay. And, okay. At any point in this letter are malicious words used? Are there any accusations made against individuals? Or are they just questions?

- The statements about wrongful or improper, or negligent conduct by the Nerman, the Foundation, the purchasing department. I will say you have excellent employees whom I interviewed. I understand why other presidential candidates are interested in this community college. They were very upset, very hurt, felt they'd been stabbed in the back after meeting with you and providing you with information. So no, I don't see malicious words.

- [Trustee Lawson] Okay.

- I can't underestimate the feelings of the employees that I interviewed.

- But I never made any accusations. So in your report, how do you show any intent to harm?

- I'm not saying you intentionally sent false information, or stated false facts. I'm stating that many of the facts that you stated in your letter were flatly incorrect.

- And this letter was sent privately and not made public. Would that not establish a clear intent not to harm?

- I don't know your intent. I don't know, actually, I don't know your intent in stating so much of your statements about what the Nerman does wrong, what the Foundation does wrong, purchasing, your statements about purchasing and disposal of property are, as I state, flatly incorrect. Your statement that you spent a year trying to get access, I showed the emails that showed they promptly responded to you. I don't know your intent in stating that you advised me that your intent was to seek a Kansas law that says any board member acting by themselves is entitled to get whatever information they want from the college. Whereas presently, the law and the policy--

- [Trustee Lawson] Several of these questions--

- [Mr. Musil] Please let him answer. Let him answer, and then you get one more. You got one more question.

- Okay.

- Under Kansas law and board policies, a majority of the board can act on behalf of the board. You, individually, have no legal authority. You and I discussed this. You said you wrote the legislators saying, in a desire to say, I'd like a law that says I'm entitled to get whatever information I want as an individual. And that could be done in a paragraph. I don't know why you stated the information that you did. I don't know your intent in adding all the other information about the Nerman Museum and the value of art. When the document showed you were provided information that you requested.

- [Mr. Musil] We'll extend the 30 minutes please. Have one more question.

- So there has not been any showing of any sort of malicious intent.

- I don't know your intent.

- [Trustee Lawson] Thank you.

- Okay. Do other trustees have questions of Mr. Hallquist regarding the factual report? Oh, Trustee Snider.

- Thank you, Mr. Chairman. Mr. Hallquist, on page 68, you referenced that Trustee Lawson had an attorney at your second meeting. Was that attorney procured to her on her own, or did the college supply that attorney?

- I'm not aware of the college supplying the attorney. She told me that she would be bringing an attorney to the meeting. I know the attorney. He's a very good attorney, and he showed up. I assume Trustee Lawson retained him, if he charged here, on her own. Or I don't know who paid him if he is being paid.

- Okay, thank you. On page 69 B2, you referenced that the letter was sent to two legislators and a former legislator. Do we know to whom the letter was sent? Who those legislators and ex-legislators are?

- I know who Trustee Lawson told me she sent them to.

- Is that something you can apprise us of?
- I left their names out of it just to keep them out of it. I can if you want me to tell you. I can tell you who she said she sent them to if you want me to.
- I would like that information.
- Trustee Lawson said that she sent her letter to Kristey Williams, a Republican, and Tim Hodge, a Democrat. She did not receive a response from Mr. Hodge. She also sent a copy to Jim Ward, whom she characterized as a good friend who used to be house minority leader. She wanted to keep him in the loop. However, she told me that Ward did not receive her letter. I didn't contact any of the legislators myself.
- Thank you.
- That's based on what she told me.
- On page 70, you referenced that Trustee Lawson had audio recordings of her visit to the caves, which have not been, have not surfaced. I guess a general legal question. Are there any legal restrictions from having audio recordings in a non-public meeting? For instance, if you and I were just in the hallway. Is it legal for me to tape record our conversation without your knowledge?
- Yes.
- It is.
- In Kansas it is. It's not legal for you to tape a telephone call between Trustee Lawson and me without us knowing. You can tape your own, secretly tape your own conversation with somebody. In Trustee Lawson's email to Dr. Cook on November 21, she said I would ask for the ability to play audio recordings. So when I met with her and her lawyer, I said here's the dispute. Here's the conflict I have. I don't, I started to go down the sentence saying here's the sentence. They said they didn't say that, and she said that's what they told me. And I said I would like to see, hear the audio recordings to resolve this, or if you have a transcript. And her lawyer, as I was sitting there, he was across the table, said Angeliina, if

you've got tape recordings, provide them to the lawyer to forward to me or to me. And I have not received tape recordings.

- Thank you. Just a clarification on, on page 69 B5, you referenced the affidavit that Trustee Lawson, I think it's described that she presented it, or delivered it. I just wanna make clear that it was never presented to me. I recall it being referenced in the board meeting. But I never saw it or had a copy of it just for disclosure if anyone had questions about that.

- I received it at the December board meeting.

- And then my final question, and I think you started to answer this, but in your conversations with Trustee Lawson, is there an explanation for the misinformation in her letter?

- With regard to the Nerman? With regard to the sentences in C two through nine, and 12 through 14, Trustee Lawson said that's what she was told by the five people during the tour of Monarch Fine Arts Services. She said that's what was told to her. And the other five individuals state that that's flatly incorrect, that that was not told to her, that perhaps she misunderstood. Did I answer your question?

- Mostly, I guess on a finer point. But the discrepancy on the, the access to the warehouse, or caves, the one year versus the two to three weeks that actually took. Is there an explanation how that happened? Was that just embellishment, or misunderstanding, or other?

- I don't know.

- Okay, thank you. Thank you, Mr. Chair.

- Other question with respect to the findings of fact report? Trustee Ingram?

- I would like to ask a couple of questions. And I really ask them on behalf of KCCT, but they were listed in her letter. She refers to several colleges around the state that have suffered negative impact, not doing enough to keep up the risks in information technology, fiduciary problems are not the only issue that face our colleges. Ethical issues need to be addressed as well. The systemic effort to stifle oversight in our community colleges should trouble the legislature. And then finally, when trustees only show up for photo ops and rubber stamp administration plans, the public risk being taking for an expensive ride.

For example, Dodge City's helicopter program and Veteran's Administration, or scandals in other schools around the state, like Independence. I just would like to share my concern about that not being included as President of KCCT, those have been very offensive to our organization. And they weren't included. I completely understand it, but I wanna go on record as sharing that.

- Yeah, I did not contact--

- That's fine.

- Dodge City, or Independence.

- That's fine.

- To see if they would say that they are providing oversight.

- It's fine, I just--

- I mean there were negative statements about other community colleges. I did not.

- That's fine.

- Deal with that.

- I have a couple--

- I think they provided, or there was some response from--

- And there was one from KCCT. Thank you very much.

- Strongly objecting to--

- Denouncing the letter. Absolutely. And it was voted on by all 19. Or those that were present.

- [Trustee Lawson] I voted on it.

- Mr. Hallquist, I wanna confirm, I think it's in your report that none of these legislators requested a letter, a report, an evaluation, an analysis or anything like that from Trustee Lawson as to Johnson County Community College.

- That's correct. And Trustee Lawson confirmed that in my second meeting with her.

- Did Trustee Lawson tell you why she picked Kristey Williams, a representative from El Dorado, to get a letter? Or the email?

- She probably did, but I don't, she wanted to send to one republican and one democrat. But I don't remember that. I don't know Kristey Williams or Mr. Hodge, or who they are, or what their interests are.

- So my understanding is that the meeting at the cave occurred on September 11th?

- [Mr. Hallquist] 2019, yes.

- And the email was sent on October 15th?

- [Mr. Hallquist] Sixth.

- October 6th. So about 3 1/2 weeks later. In your factual investigation, did you determine whether or not Trustee Lawson made any effort in those 3 1/2 weeks to get back to college staff and say did I misunderstand you when you said we're sharing space with the Nelson Adkins? Did I misunderstand you when you said that we're throwing away everything under \$50,000? Is there any evidence that she attempted to clarify any of the alleged misstatements in her email?

- Trustee Lawson was making her request through the internal auditor, who was then conveying them to the Nerman, or to the Foundation. And the requests were for documentation of value. Nothing else was, there were no followup questions, which has led to the strong feelings from those who participated in the tour that were kind enough to meet with her for three or 3 1/2 hours and give her the tour. They strongly insisted that none of these concerns were raised, that there were no questions for followup, nothing was addressed at board meetings. And there is no documentation of followup questions regarding that.

- The only thing she requested then in the email was the valuation of art objects, which she received, I think, two days later.

- All five who were there said her primary questions over and over was how much is that worth, how much is that worth, trying to get an understanding for the value of the art.

- I have nothing further. Any other questions? Trustee Lawson, do you have any followup questions for five minutes?

- So, both of these legislators were listed as ones that were looking into oversight and review. And the names were mentioned to me at the summer meeting for KCCT. I will grant that when I originally began asking about some of these questions, they may be have been formed incorrectly, which could leave me saying one year, true for me, because I remember Barbra Lawson's meeting, and remember asking about more information about the arts. And at the time, it was in art storage, or I think a warehouse, there was several different places. And that was something that was concerning because the track was an issue there. I wanted to understand more about what the art was about, can it be sold, can trustees have access to selling it. And if that's the case, I wanted to understand more about the insurance policy, with the contracts around it. And that's where that meeting took place, long time ago, but there was an active interest in knowing, wanting to see this. So for me, that's the timeframe. And talking to the internal auditor and finding out that there's actual, it's not the warehouse. Those are getting now moved because they put together an RFP for the Missouri Caves. And there was discussion about an email that went out from Barbara Lawson to say, hey, you need to move out all the storage from all the different places around the campus, and just move it to the caves. So that's my understanding and recollection of how things went. But, but that, to me, that's just an issue that doesn't go into intent. That's not saying that I'm, my questions are suddenly accusatory, or causing harm. It's different. There's a difference between purposely causing harm, and asking questions about it. So I think, as I can see and receive a process, a way a different meanings for people than others, and so I think that's kinda where I'm at right now.

- Yeah, art was not stored at the warehouse, or around campus. There was a room next to the police station in the Carlson Center where art that was not on display was, some art was stored, and the

internal auditor did an audit of the police offices, and determined there was a need for more space for secure, a secure room for property and handguns. And so the art that was in storage next to the police office in Carlson needed to be moved. Purchasing did an RFP in August of 2019. A contract was awarded to Monarch Fine Arts Services, and the roughly 400 pieces of art that were in the storage, in the Carlson Center in the room next to the police department were moved to Monarch Fine Arts Services.

- Right. So because the internal auditor works for the board, and the organizational chart lists that it's a direct line from the board to the auditor, that was when I asked questions. Sometimes I don't know who or what to ask, so a lot of that becomes where staff provide me information. Staff provide me charts, spreadsheets, all those aspects. And the information that I did not get yet is the full inventory of all the pieces of art, which Whitney was, she was also there, and I'd never met her before. But she said she has the full inventory spreadsheet. And that's still the one thing that I have not received. So in my mind, that was something that I really wanted. The others were compiled later on, but that wasn't something that was really discussed in that, in that cave.

- Your request through the internal auditor after the tour of the art storage facility were for documents showing the value of the art, so they provided you with the documents that are in, I think, exhibit B or A, B. And there's, and I interviewed the internal auditor, and looked at emails. There was no followup request from you saying but I still want a complete listing of every painting, or ceramic piece. There's no documentation of requests for you for followup information. Your letter that I investigated said you didn't receive anything, whereas you did receive the three documents and you provided two of them with your letter to the state legislators. But there's no, there's at least no documentation that you also wanted documentation showing the value of each piece that Johnson County Community College owns.

- So--

- But you may have. And you may have, and if you wanted it--

- Email, it's a lot of times face to face discussions. So there's a lot of understanding that because it's not something in an email, and that's the only form of communication that I have.

- The documentation suggests that when you asked the internal auditor to see the case, he said the same thing to you. He was talking to you and said something about the caves, and you said caves, we have art in the caves. And they had some large pieces in the caves at the time. Other works from storage have been moved there. The documentation is that when you ask to see a tour of the caves, and when you ask for followup information, staff promptly gave it to you. And the executive director of the museum showed up personally. And the number two person at the Nerman showed up personally.

- I did not know they were gonna be there. The original plan was just for me and the auditor to be there with the person who was running the caves. So to have people there was surprising. And that was not communicated. And we weren't standing around in an empty cave with nothing there. There, things were pointed out. I drew a map of where the Nelson stuff was, where the pieces of the JCC were, that there were for a couple years, I'd have to go back to exactly what I stated, but that the college had housed specific pieces of art. And then there was a separate room, which I drew a map, and we explained, and I showed where everyone was. So it's interesting if someone is saying that we were standing in an empty room for 3 1/2 hours, that doesn't really make any sense, now does it.

- Your email, you told me that you asked the internal auditor to take you to the caves to tour Monarchs facility, and that you didn't expect the executive director and Ms. Williamson to be there, and Ms. Allen to be there. Also, to answer your questions about the Foundation and the art. And I explained to you that they were being nice to you, that they were trying to convey information to you. The emails that I included as an exhibit, there's one where you asked the internal auditor why he copied his boss, Dr. Larson's the name, and he replied that when dealing with a trustee, his boss asked him to give her a courtesy notice of his communication. So he'd copied her. And your response was where's that in the org chart. Where's courtesy in the org chart, because you indicated you wanted to control who got your information. So in dealing with--

- Can you tell me the tone of how I write an email?

- [Mr. Hallquist] What?

- Can you tell a tone of how I write an email 'cause?

- Yeah, I did in that case.

- Okay. So how do you explain my intent.

- I see that you called, you called out the internal auditor for CC'ing his boss. He said I do it, I've been asked to provide it as a courtesy to my supervisor when a trustee, when a communication with a trustee. And your response was where is courtesy in the org chart? I think that sets out a tone.

- We've been going 10 minutes now. If you've got one more question, Trustee Lawson we'll certainly entertain it.

- I think we should just call the question, because where I stand isn't gonna change. And I think the questions where the board is is not gonna change. And we can just go home and take a vote.

- Anybody else wanna talk anything about, ask any questions of Mr. Hallquist? Are we done with Mr. Hallquist? If we are, it would be appropriate to have a motion as I outline in my procedural thing a motion to adopt findings of fact either as presented, or amended, or supplemented. Do I hear such a motion?

- I move we adopt the finding of fact as presented.

- Second.

- Moved by Trustee Snider, and seconded by Trustee Cook to adopt the findings, the written findings of fact as presented by Mr. Hallquist. Is there any discussion about that motion? If not--

- So the board is going to decide that there was an anonymous letter, words in my thing, so I'm just stating. So blatant --

- I'll speak to that, if we're gonna get down to that. If we're gonna get down to those kinda questions--

- The board is going to decide that this is accurate?

- Mr. Hallquist put that in quotes.

- Yeah.

- Because it turned out not to be an anonymous letter. But we referred to it as anonymous letter at the November meeting because it was an anonymous letter then. We didn't know who wrote it. Nobody acknowledged it. In December at the meeting, we didn't know who wrote it. It was an anonymous letter.

So he put it in quotes not because you said it in your letter, but because that indicates that at one point it was referred to as that. I think our English composition professors would indicate that that's a normal way to do it.

- Quoted statement from my letter. And you're saying that that's somehow supposed to be something different. Number one, number two, all have quotes directly coming from my letter. But I've proven that there's no words that came from my letter that said anonymous letter. I did not do any of that. And you guys are gonna vote on something that says that that's true. And that a former trustee isn't somehow a currently serving trustee. And you're gonna vote on that as facts. Just so we're clear, right?

- [Mr. Hallquist] For clarification, my proposed findings of fact for the numbered sections, and that not the heading. But the proposed findings of fact are where I said fact, underlined, quote.

- There are quotes. So you quoted anonymous letter. Anonymous letter was never in that.

- All right, any other discussion on the motion?

- [Trustee Ingram] I have time to make any comments at all.

- Well, if we, if this motion passes, we will move into the resolution of censure and we'll have it. This is simply adopting the facts, the factual record that will then be used to determine whether or not there is a Code of Conduct violation, which is sufficient for this board to pass a resolution of censure.

- The point of order, as far as Trustee Smith-Everett, she wasn't a part of this. Is she recusing herself? I believe there was an email that said that the members of the board would only include Dave Lindstrom, Trustee Lindstrom, so I wanted to understand that.

- [Mr. Musil] Trustee Smith-Everett is a member of the board, fully authorized by the state and can decide for herself whether she wants to participate in this or not. And when we vote, we will find that out.

- So there's no recusal?

- [Mr. Musil] I don't know.

- Okay.

- All in favor of the motion signify by saying yes.

- [Group] Yes.

- Opposed?

- No.

- Any recusals?

- I abstain.

- Abstain.

- So it's five, with one opposition, Trustee Lawson, and one abstention, Trustee Smith-Everett. The next appropriate motion, if a board member wants to do it, is to move to adopt a resolution of censure. I have prepared a draft motion that is in the format of such a resolution that I would pass out if somebody makes such a motion.

- Mr. Chairman, I'm not ready to make a motion, necessarily. I think I'd like to review your proposed resolution, if that would be appropriate before doing so. Also, I have broader questions about the effect of a censure resolution.

- Our policies are not specific other than to say it is a censure. We have no power to remove Trustee Lawson from office. That would require an ouster petition. A censure, in my mind, is a statement of the board that the conduct of a trustee is sufficiently serious to violate the Code of Conduct, and to require a public recognition of that fact.

- So, if whether this or a similar resolution were to be adopted, would that change anything going forward for Trustee Lawson?

- It would, her status as a member of the board would stay the same.

- If we choose not to move forward, would anything happen with her status, in particular visa vie serving on committees for this calendar year?

- Not that I'm aware of.

- Okay, thank you. I need two minutes to read this please.

- [Mr. Musil] I will read this.

- Oh, okay.

- For the audience, and we do have some copies. This is proposed, and not the subject of a motion yet. The Board of Trustees of Johnson County Community College, duly organized pursuant to K.S.A. 71.201 et seq., and pursuant to the Board's authority under Kansas statute and College Policies, hereby adopts the following Resolution of Censure. Whereas, the Board of Trustees of Johnson County Community College has custody of and is responsible for the property of the college and is responsible for the operations, management and control of the college, K.S.A. 71-201 a, and whereas, the Board of Trustees has the authority and responsibility, among other things, to make and promulgate such rules and regulations as necessary and proper for the administration and operation of the College and for the conduct of the business of the trustees, K.S.A. 71-201 b-13 and to exercise all other powers which may be reasonably necessary or incident to the establishment, maintenance and operation of a community college K.S.A. 71-201 b-14, and whereas, pursuant to the authority set forth above, the Board of Trustees established College Policies for the benefit of the College. And whereas, the Board of Trustees on August 6, 1990 established the Code of Conduct of Trustees Policy 114.01 setting forth the expectations applicable to each individual trustee, and on May 26, 1993 established College Policy 114.03 regarding censure of an individual member of the Board of Trustees for violation of the Code of Conduct. And whereas, College Policies 114.01 and 114.03 were both amended and unanimously approved on January 18, 2018, and whereas, College Policy 114.03 expressly authorizes the Board of Trustees, after investigation and upon the adoption of written findings of fact, to adopt, by majority vote, a resolution of censure with respect to any trustee who violates the provisions of the Board's Code of Conduct or Code of Ethics, and whereas, on December 12, 2019, the Board of Trustees unanimously approved the onset of the investigation required by JCCC Policy 114.03 preceding a motion to censure

Trustee Angeliina Lawson for violation of JCCC Policy 114.01, Code of Conduct of Trustees, and whereas, following an investigation, the Board of Trustees has approved and adopted written findings of fact as required by College Policy 114.03, which findings of fact shall be attached to and made a part of this Resolution, and whereas, the Board of Trustees has determined that the findings of fact demonstrate and constitute one or more material violations of the Code of Conduct of Trustees by Trustee Lawson. Now, therefore, be it resolved that, pursuant to JCCC Resolution of Censure Policy 114.03, the Board of Trustees of Johnson County Community College hereby censures Trustee Angeliina Lawson for violating the JCCC Code of Conduct Policy 114.01. This Resolution and attached findings of fact shall be delivered to Trustee Angeliina Lawson by certified mail and shall be published on the Leadership and Governance page of the Johnson County Community College, should say website, for a period of sixty days. Resolved this 20th day of February, 2020. That is a starting point for a resolution.

- [Trustee Cook] To move further discussion, I'll move adoption of the resolution.

- Moved by Trustee Cook. Is there a second?

- Second for discussion.

- Okay. Moved by Trustee Cook, seconded by Trustee Snider. Resolution is up for discussion. Trustee Snider.

- I think this would be directed to you, Mr. Chairman. Can you restate the specific violations to our code that this--

- [Mr. Musil] I will.

- And I guess I would piece this out. But where I find the unacceptable and egregious action here is that this board was misled by Trustee Lawson for a period of roughly 80 days. But that's not necessarily something that's been brought up in reference to this resolution.

- [Woman] That's a good point.

- Can you provide some scope or context sir?

- I will, I think it's up to each trustee to review the Code of Conduct, and decide whether any of the factual findings that we just adopted constitute a material violation, whether it's one or more. I intended to listen, but I'll go ahead and go first. There's a Code of Conduct expectation that we not engage in deception. I think that gets to your point. We sat here through two meetings where it seemed obvious who had written the email because there was only one trustee that went to the caves. But instead, we not only were did not get that acknowledgement, we heard a suggestion that somehow it had been hacked, the word denied, I think, was spoofed. So for two meetings, this board didn't know who had sent the letter. I'm gonna start with I guess with what I started out to say because I, I think that you mentioned very egregious conduct. I wanna talk about a couple things this isn't. This isn't a vengeful, spiteful attack on Trustee Lawson. I don't care what you nod about, Ms. Ball. If I had sent a secret letter to legislators impugning the college, impugning college identified employees, impugning other community colleges, and I did that with the expressed intent that it never become public, that my engagement of legislators to oversee and pass legislation governing this college is now okay to be a secret email, referenced to, I think it was probably Trustee Hodge in 2009 who did a radio interview. If Trustee Lawson had brought that exact letter to a public meeting of this board, we could've discussed it, and staff in this room would've responded to it just as they did once they got the anonymous one. So this is not about an individual trustee. This is about trustee conduct. It's about trust. It's about deception. It's about intimidation of employees. It's about calling out employees without a factual foundation. It's about not going back to verify where you think you have questions. And it's about sending secret emails and then telling the press, and telling this board it's about transparency. This is about hiding information from the public. Hiding information from this board. Hiding information from faculty, staff and students. That's what this is about in its first and most obvious role. So it's not about transparency, it's about secrecy. A secrecy that was intended from the start, and reiterated tonight. I didn't intend anybody to see my email because I want more transparency. It's not about responsiveness, because on August 14th she asked to see the caves, and on August 15th, there was a response and she toured on September 11th. On September 11th, she requested a list of all of the art pieces. It was received on September 13th. So this isn't about responsiveness, or failure of somebody in the staff, and our professional staff to respond. What we have in the findings of facts are actually facts. And they're not meeting reports. They're not social media postings. They're facts. Here's what I think are problems when you look at our Code of Conduct. Our Code of Conduct requires, expects of trustees that you entertain this with quote thought and study, unquote. That's in the second bullet point in the Code of Conduct. I believe that means when I have a question about something that's going on in Dr. Weber's department, I'm gonna use thought and study and I'm gonna ask him. And if I'm confused about it, I'm gonna go back. I'm not gonna send an anonymous letter, a secret letter, to legislators. The second thing we talked about is a board working in harmony and cooperation. When one board member seeks legislation on her own, in secret, in violation of the local control spirit that this board has had for nine years that I've been on it, and for 50 years since the Board of Trustees said we want to run our community college to the extent we possibly can. That doesn't promote mutual respect. Our professional staff is mentioned in several cases about intimidating, or harassing, or bullying our employees. Our staff, when they are named in a private, secret document to legislators are intimidated. They're not just hurt, as Mr. Hallquist said. They're intimidated. They're scared. Every time there is another engagement between a trustee who does that and a professional staff member, that professional staff member can be less candid, less helpful, and less productive because they cannot trust the trustee that they're talking to. You're not supposed to use deception or influence to affect either a

board vote or an employee. And what you talked about, the fact that we ask in a "Soviet show trial" as it's represented, a simple question. Mr. Musil, did you write the email? I did not. Ms. Ingram, did you write the email? I did not. All the way down, seven trustees, and one trustee doesn't answer that for two meetings in a row, leaving really no choice but to institute an investigation as to where it came from. Under the expectations under the Code of Conduct, you're supposed to use existing procedures to go through the college president or the chair when you have questions about employees. You don't raise those questions with legislators in a secret email. I've underlined a bunch of places in our Code of Conduct that I think are at issue here, and that are a problem here. And my problem here is that we are out of alternatives. I said at the December meeting what I would hope for is some contrition, some acknowledgement, at least a sense that maybe I shouldn't have sent a secret email to legislators about college policy and named employees, and named other community colleges. I offered that personally to Trustee Lawson after I was elected chair. All those overtures have been rejected. I don't know, I don't know where to go from here. Does our Code of Conduct mean anything? Do the college policies mean anything? I have no idea where this changes any activity or conduct of any member of this board. But I can tell you, if I had sent this kinda letter, with this kind of false and misleading statements, implying that our college is engaging in unethical and inappropriate, and maybe illegal activity, and naming two employees, you should censure me 'cause I didn't follow our Code of Conduct. And I guess what, to close it, all of this was done with a pre-determined intent that it never be public. And so when we send something and talking about transparency, in secret, covertly, and then get upset because it comes public, this isn't about transparency. The goal of this was that the public, and this board and faculty, staff, and students would never know it was sent. We would get a piece of legislation introduced that said, hey Topeka, come put your thumb on Johnson County Community College. And we wouldn't know where it came from or why. So those are the reasons I see no alternative at this point, but to stand up for our Code of Conduct, and to indicate that there are actions of any trustee that are beyond the boundaries of spirit, harmony, debate, discussion, argument, and that should not be done.

- Thank you, Mr. Chairman. I appreciate the, the information and answer. I agree with everything you said. I will support this motion, but want to make clear that while I think the letter was unfortunate, that alone would not be grounds for me to go down this path. That is her right, as ill-advised as it might have been, as an elected official of this board, I believe. I mean it's probably a gray area with some of our, our Code of Conduct. But again, as I mentioned, I think the fact that she purposely misled and deceived this board for a extraordinarily long period of time, and put us in a situation of what I find the offense that needs to be reconciled.

- Other discussion?

- I'll defer to Nancy. You wanted to--

- Trustee Ingram.

- Well, I did want to say a few words. And I think what has been unfortunate to me was that the interpretation that this is the only thing that I feel like we have dealt with. And it's not. It's not. And for me, unfortunately, there were some communication earlier this week, and I received earlier this week that really has been amongst the most disturbing to me. May I go ahead and share that? Is that all right? The vote, you voted with us in support of our presidential search, the timeline, and the process. And I was made aware earlier this week that you had contacted the search company asking for the four finalists names.

- [Trustee Lawson] No I did not. Do you have an email to prove it?

- Yes, I've seen emails.

- No, that specific statement?

- Prior to this evening's board meeting, it was explained repeatedly the sensitivity and confidentiality of the search, and yet you reached out.

- [Trustee Lawson] I have not asked for any names. You just stated that I asked for names. So can you please prove it?

- Let me put it this way--

- [Trustee Lawson] I'm asking her. I would like an answer--

- [Mr. Musil] We don't wanna get too far off track here.

- [Trustee Lawson] She just stated something--

- I did.

- Accusing me, so please provide the evidence.

- [Trustee Ingram] I did.
- [Trustee Lawson] But please provide the evidence.
- She doesn't want me to answer. She wants you to answer.
- The evidence please?
- I was told by our chair.
- So you didn't see it, but your stating something.
- [Trustee Ingram] Correct, I am.
- [Trustee Lawson] An accusation.
- Yes.
- [Trustee Lawson] You do not have--
- I will answer that question. One of the search consultants showed me the email that you had sent to a research person for AGB asking for information about the finalists. Did you ask for the names of the finalists? I'm not clear on that. But you did submit an email to a research staff person at AGB, not even the consultants themselves. So you caused some angst among the AGB staff of what am I supposed, how am I supposed to respond to this. You did get a respond email from them, by the way, that day.
- I never asked for names. You need to please retract that.
- I'm sorry that I did not, I'm repeating what I felt like I was told. So I apologize.

- Isn't that interesting. Should you be censured then?

- You have other information, I think, other comments.

- What?

- Do you have other comments?

- No, I just, I think where I was really coming from with KCCT was very unfortunate. The things that you implied about our state system, I just, I feel like there have been things throughout the past year and a half that we have dealt with with our staff. I've understood some of the requests that you have made. I'm just shocked by.

- I really wanna keep this to the findings of fact that we've adopted. That's the basis for this resolution of censure. If there are other facts that come forward, or otherwise we would have to go through this process again.

- I'll leave it at that.

- I expect that on March 7th at our retreat that we spend 45 minutes to an hour talking about board governance. And we've not had an issue before where we had to have specific policies governing every communication from a trustee, we probably have to have that now. We'll adopt those as a board through another process.

- I'd like to make a comment if I could, Mr. Chair.

- Mr. Cook.

- So I made the motion to approve the resolution. And I will support the resolution. I found it interesting with the testimony tonight in the public forum we heard things like transparency, ethics, toxic environment. We heard about fascism, which the president has already spoken to. References to the things you referred to, Mr. Musil, in the code of ethics, and I have pulled that out here in the spirit of

harmony and cooperation, I won't read that whole paragraph again. In the question answer period, Trustee Lawson indicated that I sent a letter out prior to the investigation, and that I knew who wrote the letter on November 21. I did not know who wrote the letter on 21 because no one had acknowledged that they had. The reason I wrote the letter on November 14 was damage control, because KACCT had received this information. There were innuendos in that letter that you had referred to, Mr. Musil, about a representation of the college by an individual trustee that the governance of community college in Kansas needed to have legislative oversight, two specific colleges that things were going awry. Specifically, Dodge City was mentioned and Independence in that letter. And so that letter was basically to defend the great work that's going on on this campus from faculty, from staff, administration, because the public image had really been distorted by that letter. and I don't apologize for writing that letter on the 14th. I did not insinuate who wrote the letter. I said it was written by a trustee at Johnson County Community College. But we were beginning to receive references from our fellow colleges around the state, and within the community. I think I'd pointed out at that board meeting that elected officials locally and the community locally were saying what's going on there. So when we talk about the viewpoint tonight, and I appreciate the people coming forward and speaking on your behalf, that we have a toxic environment, we do. Are we as transparent and everything? No because there are items that you have done with the letter itself that weren't transparently representing this college, and misrepresented the college. And we heard Dr. Harvey tonight again say what great work is done by all people on this campus, and that letter really distracted from the reputation of this campus, and all the work that's been done here for 50 years. I believe we had a good example tonight of this miscommunication and misinterpretation. I will also be fair to the people that spoke on your behalf. They said we should ask difficult questions. You ask good questions. We should ask difficult questions. We should pursue areas that we don't know about. But I would also say to this board that Angeliina has had, Trustee Lawson has had as much training as anybody on this board of how to be a trustee, whether that's ACCT, governance institutes, KACCT, our own training. We're governed by state statute, as Trustee Musil had says, recommendations by HLC, the Higher Learning Commission, and our own code of ethics. And there are several examples that are in the fact finding, that's why I approved of it, that supports censure. I'm with Trustee Musil. If I had done this, I would expect that you wouldn't, you would censure me, and would really wonder about the trust factor. One of the candidates made a great statement in his interview. He said trust is the currency of relationships. Trust is the currency of relationships. And it was implied again we don't trust. Well, when we send out misinformation, when we ask questions that seem to confuse the facts of the issue, trust is diminished. That's why I'm supporting this resolution.

- Trustee Lawson.

- So the policy that I just see today that you passed out and created, is this in any way changing the original policy about censure?

- No, it's simply, it informs that it is a resolution to censure pursuant to the existing policy.

- So nothing here is different than what we already have, but you've written this out.
- This is a resolution of censure setting forth the authority to do it, how we created our policies, what our policies are, that we adopted written findings of fact, and that based on those findings of fact, under policy 114.03, we are going to vote on whether or not censure should occur to you.
- So when you write policy, how do you unilaterally write, and then without this going through the board, or the committees that are supposed to be set up? This did not go through any committees. This did not go through any edits or it's just up and down vote on something, and Kansas state statutes say that you can't follow this state law, which would still prevent any kind of ex post facto changes. So you're asking for a vote on a new policy that's going to put in order a specific guideline that you're writing. But yet who had input in this? I never even knew that this was gonna be presented?
- I didn't know if this would be presented tonight either. Trustee Lawson, let me, let me respond.
- Followed through Roberts Rules of Order, so it is already outlined how this process is going go. It hasn't been followed. So you're putting something forward and expecting an up and down vote for it to be implemented now for this vote, which Kansas state law says you can't do that. And for Trustee Cook to admit that he disseminated this, my email that I copied of staff, and staff's information that they presented to me, data, constituents have explained things to me, and their meetings. There's a lot of information that I cannot claim authorship of. And there's a lot of in confidence why people came and talked to me. So you made a unilateral decision as a chair to disseminate information across the state, national, donors, without the board even seeing this because we didn't meet for the board meeting until November 21st. And we didn't even see this come through the board packet. And it wasn't in the board packet. It was actually in an amendment that was sent the day before, so on November 20th. So you acted unilaterally without a board vote, without a board discussion. And that's not censurable? So I just think that that's pretty interesting, but I appreciate you admitting that because that is a piece of the puzzle. That I think--
- What I sent Angeliina Lawson was a letter abutting and positioning the college that the college did not support the activity of that letter that you sent out.
- But you never told anybody that you were gonna do that until it was already in an amendment, and already passed out.

- It wasn't an amendment.
- But it was passed out to all public.
- That's correct. Because the public was responding to say what's going on.
- But nobody can vote.
- College feels, and that was a statement of defending the college.
- But no one single person can act on behalf of the board, and yet here you are acting on the board by yourself without a vote to do that. That is against our state statute.
- We're gonna--
- So.
- Back and forth, let's keep--
- Email is not secret. It's a conversation.
- We're not gonna do back and forth between trustees.
- I am gonna be able to talk at this--
- We're gonna get--
- I am talking right now. So in some ways--

- Trustee Lawson, please--

- Why are you interrupting me?

- Because I'm going to state the rules that I intend to follow as chair. Because the chair has authority of this board to run the meeting.

- [Trustee Lawson] Not to write policy by themselves.

- It's not policy, it's a resolution. But I'm going to ask that trustees not engage in back and forth between trustees, that each trustee will have the chance to have their say. You will get 30 full minutes if you want them. I've already outlined that so that you have 30 minutes and the rest of the board has 30 minutes, which the board has taken. So you have the floor. But we're not gonna have back and forth among trustees. Fair enough?

- [Trustee Lawson] Okay. So that applies to everyone, not just me, right?

- Absolutely.

- Okay. Are you gonna enforce that to make sure if other trustees talk directly at me?

- I'll do my best to enforce this meeting and run it appropriately. I'm not very successful sometimes.

- I can tell. So, the personal email is not a secret, as you claimed. And it is a conversation. In some ways, I view this like what happens to women. Women get shamed over what's going on here as far as vengeance porn. And that is something that is pretty interesting. I did not hide. I notified Dr. Cook when I read that, the HR packet, or the addendum that came out, and I specifically sent an email to that. But that is not something that I disseminated anywhere. He's already explained that he has disseminated that without board decision. He acted by himself. And what's important in transparency is that we have the ability to seek information. And an organization is responsible for showing the public how policy is crafted. There's also, I disagree with the facts that you guys have voted on, and I've stated the issues with those. And there's others. I object to the subjective way we are handling adjectives, period. I think that's pretty interesting. But I wanna make this clear, I believe in and love our staff. I believe and love the staff members of this college. There has never been any harm or intent to do anything that's been

discussed tonight. I've been a repeated donor several times. And continue to ask for donations. So the email that was presented to the board provided a completely false narrative as though this was sent on a public format, which it was not. And then this keeps coming back around as if it was. So that is not accurate. I do love our staff. I love the people and the students and the faculty here. I believe they are working in their best capacity to provide and gather information. I ask questions because if I don't know, I ask questions, period. My son said this the other night, you can never ask too many questions. And I thought that was pretty insightful. And in classrooms, that is the encouragement is to ask questions. So that is what I grew up doing is asking questions and it's not seen, it's not meant to be seen as an accusation. It's not meant to be seen as an attack. It's just the fact that if you have questions, you should be able to ask them. I've made no implications. I've never said anything about ethics or maligning, or malicious intent. I've never been implied, but those words have never been appeared in any of these documents that this is what I wrote, and this is what I compiled, and all these other aspects of what people are making their own intentions on is to their own. I do love Kate and Bruce Hartman. I wrote a very nice letter to them and just in giving them the intent that I had. And I appreciate their work that they do at the college here. And they are as public representatives of the college. I know they serve us well. I never made any effort to mislead. I informed Trustee Cook with this email before the meeting in November. But I cannot acknowledge something that is not my authorship. I did not create data, so I cannot say that these numbers came from me. These numbers can only come from staff, who provide me the information, period. We have to acknowledge that I can't take credit for something that I did not do. So I wanna make sure that that's acknowledged. I believe that they do, the staff and faculty, that they do fantastic, incredible work, and I ask because I value their intelligence and their ability to show up every day and manage a very large organization. And there are things that aren't always so clear. And I think tonight's board meeting was really telling as to some, when you're looking at it from your lens, you might not be seeing it from where I sit, or where a constituent sits. And to be able to have the openness to ask questions. But that does not mean that anybody can decide what my intent is, and I'm just kinda fathomed by the way this is going. And then what's presented in front of me, we already have a process put forward which states in Robert's Rules, and now the chair is coming together and writing his own thing, and the accepting on an up and down vote is pretty telling. So yeah.

- Any other comments, Trustee Snider.

- [Trustee] I don't wanna step in front of you..

- Yeah, Mr. Chair, if I may, I think, I always wanted to do this having read the appellate decisions for a career, I think I'm going to concur in the censure, but not in the resolution. And if I may explain. Other than my wife, the state of Kansas, this nation, being a Christian, and frankly just a participant in humanity, I love this college. With all my heart, and with all of its people, I love it and I'd do anything to protect it. I think it was Trustee Cook that just said trust is the currency of any, I think successful society.

- Relationships.

- Relationships. It was David Gergen that I remember, the great White House aid with Ronald Reagan, Bill Clinton talking about how trust is the coin of the realm. And without it, things are just not possible. So, you know, quite frankly, I appreciate the chair, your effort in this. It's relatively uncharted waters. I don't think, with all due respect, Angeliina had the most votes in the history of this college. In fact, I believe it was Ben Hodge, and any number of the people that ran in 2005 that had more votes than Angeliina does, just to clear a record. I admire her. I support her passion. I support the fire in her belly. I support her as a public official. I have worked to work with her. But with all due respect, this just ain't it. This is not everything that has gone on. I, I supposed I support the findings of fact, but to put this in a resolution we've limited here. It was a great complaint I had with how the interested candidates treated Mark Mingino. You know, there was so many incidents that went into what they had a problem with prior to, they approved a contract. So they approved a contract knowing what had happened, and then claimed that they didn't know. And with all due respect, I just don't think you pay that kinda money and not know those things. Although that's my institution, my alma mater, and I love it deeply. I'm just saying, there's so many things have gone on here that this is the tip of the iceberg. I had a lot of people reach out to me this week, wanted me not to say anything. Wanted me to vote no. Wanted me to abstain. And being third in seniority, and having had disagreements with this board, and I will again. You know, the Code of Conduct is everything. I think the chair said it. Either it means something or it doesn't. Mr. Musil and I know that when we walk into a court, we're required to know layers of rules before we ever walk in. Whether it's federal, state, each local court has its own set of rules, and frankly, each judge has its own set of rules for his or her courtroom. So I supposed it's unusual for a non-lawyer to know that or to know that a Code of Conduct applies, but there are fiduciary duties independent of our Code of Conduct and bylaws. And so I applaud everyone's role here. The people who were baselessly attacked have become my friends, allies, and people who've helped me learn what goes on here. So to sit quite is not one in my nature, two is it just. And I had hoped for some contrition. I had hoped that we can move past this. The reality and the depressing thing for me is we have two more years of figuring out how to develop trust in this situation. And I don't have an answer. I do agree with the chair that we're out of options. We just, we don't have any options except to tell the public as we discussed at the Chair's Academy in San Francisco, that by taking this measure, we're stating to the public that we don't approve of this conduct. Writing a letter to a trustee, to a state rep, I don't care. But picking the trustees that you picked, including a state representative who wants nothing more than to adopt a state wide mill levee, I mean somebody's gotta say it. So I'm happy to say it. The state representatives are not random, and two of them, I count as friends, Representative Ward and Hodge. Mr. Chair, I thank you for the time. David Gergen's statement worked for two different administrations of two different parties. Just looms large. I remember it as honesty and loyalty are the coins of the realm. But when you go back, and it's an old West Wing episode, it's trust. And that echoes what Trustee Cook said, and I agree wholeheartedly with Professor Dr. Harvey said earlier tonight. Like it takes a village to do this. Trustee Lawson is a part of this village. I look forward to working with her. But we must hold ourselves as trustees of this wonderful world class institution to the Code of Conduct that we adopt. Thank you Mr. Chair.

- [Mr. Musil] Trustee Snider.

- Thank you, Mr. Chair. First, I'd just like to thank you, and acknowledge your work. I think you set up a very fair and thorough process for us to move through this. This is not an easy issue for any of us, and also would say the same for Dr. Cook during his remaining tenure last year. With regard to this motion, I think that, or hope that Dr. Cook would be amenable to just making the technical correction on the back to specify that we're referring to the Johnson County Community College website for the posting of the censure resolution.

- That acceptable to you? Move it. And to the seconder, okay. I wanna respond to this. This is a resolution in complete accord with 114.03. This is not setting a new policy for the college. It is noticed in the agenda that was put out, pursuant to Kansas Open Meetings Act as old business, roman numeral 11, section B, board members censure investigation findings, findings of fact and consideration of resolution of censure. So there's nothing that we're doing here that is in any way surprise or violative of Kansas statutes. I tried to put something in a resolution that demonstrated why a college has the right to do this, how we have used our obligations and authority to create policies, how that policy was adopted at the college, the fact that we, everybody here except Trustee Smith-Everett voted in favor of the Code of Conduct in January 2018. And we adopted findings of fact, and one or more of those findings of fact constituted a violation of the Code of Conduct. I did not, I'm not trying to force any particular violation on any trustee. If you don't think there were any violations of the Code of Conduct, or any material ones, you are free to vote against the resolution. If you think there were material violations, I hope you'll support the resolution and the indication that it means something when we put it down, and when we adopt it ourselves, as our expectation and our standard, that we actually live up to it. Any further discussion?

- I will just add to that that when I took the oath of office to become a trustee, that meant that it was providing leadership for faculty, staff, students within our community, and ultimately that means amongst us as fellow trustees, quite frankly. And you know, that means even with there's a decision that goes against my beliefs, or something that I would like to see happen. But you know, we need to be a part of a group that works together. I can't defend this, and I won't. So.

- I'm gonna call for the vote. All those in favor of the resolution as presented with the one technical correction, please signify by saying yes.

- [Group] Yes.

- No's?

- [Trustee Lawson] No.

- Any abstentions? It is five in favor, one against, Trustee Lawson, and one abstention, Trustee Smith-Everett. This is not the college's finest hour. And I hope everybody here takes it as an opportunity to find better ways to find common ground in the future, and to have open and public discussion of any issues that arise at the college to protect our professional staff, whether they be faculty, staff, to protect our students, and to find ways to focus on those instead of on the types of things that were discussed tonight. We are ready for a motion to adjourn.

- So moved.

- Second.

- Moved by Trustee Cook, seconded by Trustee Cross. All in favor, say aye.

- [Group] Aye.

- Opposed? That's unanimous.