

Des Moines Area Community College

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Board of Directors Meeting Minutes

10-10-1994

Board of Directors Meeting Minutes (October 10, 1994)

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October 10, 1994

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DES MOINES AREA COMMUNITY COLLEGE
Board of Directors

Organizational & Regular Meeting - October 10, 1994
Room 200 - Boone Campus, Boone

A G E N D A

1. Call to order - 4 p.m.
2. Roll call.
3. Consideration of tentative agenda.
4. Review of official results of election for Directors to the Des Moines Area Community College Board of Directors, September 13, 1994.
5. Administration of Oath of Office to newly elected Board members.
6. Election of Board President.
7. Election of Board Vice President.
8. Administration of Oath of Office to newly elected officers.
9. Consideration of appointment of Board Secretary.
10. Consideration of appointment of College Treasurer.
11. Consideration of regular board meeting dates for the period of November 1994 through October 1995.
12. Boone Campus update, Kriss Philips, Executive Dean, Boone Campus.
13. Public comments.
14. Consideration of minutes of the September 12, 1994, public hearing and regular board meeting.
15. BOARD REPORT NO. 94-075. Consideration of appointment of Mark A. Gustafson to the DMAACC Boone Campus Foundation Board of Directors.

16. BOARD REPORT NO. 94-080. Consideration of payment of the final five percent retainage to Neumann Brothers, Inc. for construction of the Advanced Technology Center.
17. BOARD REPORT NO. 94-088. Consideration of lease for Iowa Energy Center facility.
18. BOARD REPORT NO. 94-087. Consideration of resolution adopting the form of a General Agreement pursuant to Section 403.21, Code of Iowa, and authorizing the College President to execute such an agreement with any jurisdiction within combined Area XI.
19. BOARD REPORT NO. 94-075. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$355,000 aggregate principal amount of new jobs training certificates (Allied Group, Inc., Project #4) of the Des Moines Area Community College and providing for the division of taxes levied on property where new jobs are created as a result of a new jobs training program.
20. BOARD REPORT NO. 94-081. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$165,000 aggregate principal amount of new jobs training certificates (Burke Marketing Corporation, Project #2) of the Des Moines Area Community College.
21. BOARD REPORT NO. 94-082. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$195,000 aggregate principal amount of new jobs training certificates (C.E. Software, Inc. Project) of the Des Moines Area Community College.
22. BOARD REPORT NO. 94-083. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$105,000 aggregate principal amount of new jobs training certificates (Dee Zee, Inc., Project #3) of the Des Moines Area Community College.

23. BOARD REPORT NO. 94-086. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$300,000 aggregate principal amount of new jobs training certificates (Deflecta-Shield Corporation Project) of the Des Moines Area Community College.
24. BOARD REPORT NO. 94-084. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$140,000 aggregate principal amount of new jobs training certificates (E.I. DuPont De Nemours and Company Project) of the Des Moines Area Community College.
25. BOARD REPORT NO. 94-085. Consideration of a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$80,000 aggregate principal amount of new jobs training certificates (Pella Plastics, Inc., Project #4) of the Des Moines Area Community College.
26. BOARD REPORT NO. 94-079. Consideration of Human Resources report.
27. Consideration of payables.
28. Presentation of financial report.
29. President's report.
30. Board members' reports.
31. Closed session - litigation
32. Closed session - evaluation.
33. Consideration of appointment to fill the vacancy created by resignation of District VII Director.
34. Administration of Oath of Office to newly appointed Board member.
35. Information Items:
 - A. November 14 - Proposed regular Board meeting - 4 p.m. - Ankeny
36. Adjournment.

**BOARD OF DIRECTORS
DES MOINES AREA COMMUNITY COLLEGE
2006 South Ankeny Boulevard
Ankeny, Iowa**

ORGANIZATIONAL/
REGULAR MEETING,
OCTOBER 10, 1994

The organizational/regular meeting of the Des Moines Area Community College Board of Directors was held in Room 200 of the Academic Building, DMACC Boone Campus, October 10, 1994. Board President Doug Shull called the meeting to order at 4 p.m.

ROLL CALL

Members Present:

Harold Belken	Naomi Neu
Dale Froehlich	Gerry Pecinovsky
Dick Johnson	Doug Shull

Members Absent:

Lloyd Courter
Madelyn Tursi

Others Present:

Joseph A. Borgen, President/CEO
Helen Harris, Board Secretary
Don Zuck, Treasurer
Anita Micich
Other interested DMACC staff and community residents

APPROVAL OF
TENTATIVE AGENDA

A motion to approve the tentative agenda as presented was made by H. Belken, seconded by N. Neu.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

INTRODUCTIONS/
UPDATE

Kriss Philips, Executive Dean of DMACC Boone Campus, introduced George Maybee, Mayor of the City of Boone, Jeff Anderson, President of Boone Rotary and Lisa Sebring, President of the Boone Chamber of Commerce. Each welcomed the Board and DMACC staff to Boone. Mr. Philips updated the Board on Boone fall enrollment and other statistics, and the progress of the current remodeling project.

REVIEW OF ELECTION
RESULTS,
SEPTEMBER 12, 1994

Board President Shull reported that the Polk County Board of Supervisors had canvassed the results of the September 12, 1994, school election with the following report:

Director District III - Naomi Neu - 2,175 votes, Other - 24.
Director District IV - Doug Shull - 2,565 votes, Other - 99.
Director District V - Gerald Pecinovsky - 2,755 votes, Other - 28.

RECEIVE & FILE
OFFICIAL RESULTS OF
ELECTION

The official results of the election held on September 12, 1994, have been received and filed and made a matter of record. A copy of the Abstract of Election is attached hereto and made a part of these minutes as Attachment #1.

ADMINISTRATION OF
OATH OF OFFICE

H. Harris, Board Secretary, issued the Oath of Office to Naomi Neu, Doug Shull, and Gerald Pecinovsky, newly elected directors from Districts III, IV and V respectively.

A Certificate of Election was presented to each.

ELECTION OF BOARD
PRESIDENT AND VICE
PRESIDENT

Board President Shull announced that nominations for President of the DMACC Board of Directors were in order. D. Johnson moved the nomination of Doug Shull for president; second by G. Pecinovsky. No further nominations received.

Motion passed unanimously and D. Shull was declared Board President for the 1994-95 term. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

Board President Shull announced that nominations for vice president were in order. D. Johnson moved the nomination of Lloyd Courter for vice president; second by D. Froehlich. No further nominations received.

Motion passed unanimously and L. Courter was declared Board Vice President for the 1994-95 term. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

OATH OF OFFICE TO
BOARD PRESIDENT

Board Secretary H. Harris issued the Oath of Office to D. Shull, newly elected Board president. Due to Mr. Courter's absence, the Oath of Office will be issued to him at the November 14, 1994, board meeting.

APPOINTMENT OF
BOARD SECRETARY

It was moved by H. Belken, seconded by N. Neu, that H. Harris be appointed Board secretary for the 1994-95 term, and that she be compensated an increase of 4.5% for responsibilities to the Board.

Motion passed unanimously, and H. Harris was appointed Board secretary for the 1994-95 term. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPOINTMENT OF
BOARD TREASURER

A motion was made by H. Belken, seconded by N. Neu, that D. Zuck be appointed Board treasurer for the 1994-95 term, and that he be compensated an increase of 4.5% for responsibilities to the Board.

Motion passed unanimously, and D. Zuck was appointed Board treasurer for the 1994-95 term. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF BOARD MEETING DATES

G. Pecinovsky moved that the regular board meetings be held at 4 p.m., on the second Monday of the month, unless otherwise noted, as shown in Attachment #2 to these minutes. Second by H. Belken.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Having no corrections, additions or deletions to the minutes of the September 12, 1994, public hearing and regular board meeting, President Shull declared the minutes approved as presented.

RATIFICATION OF APPOINTMENT TO BOONE FOUNDATION BOARD

BOARD REPORT #94-075. A motion was made by H. Belken, seconded by N. Neu, that the Board ratify the appointment of Mark A. Gustafson of Boone, to the DMACC Boone Campus Foundation Board of Directors.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF FINAL 5% PAYMENT TO NEUMANN BROS., FOR ATC CONSTRUCTION

BOARD REPORT #94-080. G. Pecinovsky made a motion that the Board approve the payment of the final five percent retainage in the amount of \$113,361.65 to Neumann Brothers, Inc. for construction of the Advanced Technology Center. Final payment will be made after 30 days on condition that all punch list items have been completed as listed with the office of the director of Physical Plant. A Certificate of Substantial Completion has been issued by the architectural firm (Attachment #3). Second by D. Johnson.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF LEASE IOWA ENERGY CENTER FACILITY

BOARD REPORT #94-088. On September 12, 1994, the Board awarded the contract for construction of the Iowa Energy Center Facility on the Ankeny Campus, subject to the IEC Board's final approval of funding. The IEC Board gave final approval to funding on September 16, 1994. A motion was made by D. Johnson, seconded by D. Froehlich, that the Board approve a lease with IEC and authorize the Board President to execute said lease. A copy of the lease is Attachment #4 to these minutes.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

GENERAL
AGREEMENT FORM
PURSUANT TO IOWA
CODE, SECTION 403.21

BOARD REPORT 94-087. Several developments have occurred since the October 10, 1994, Board meeting regarding a general agreement form pursuant to Section 403.21, Code of Iowa i.e., 1) the independent legal review of the proposed form has been commenced, but not completed, 2) the possibility of efforts to coordinate such protocols on a state wide basis, and 3) we recently received notice of proposed administrative rules which may affect how these protocols will need to be structured. H. Belken made a motion that the Board defer consideration of the proposed resolution adopting a form for such general agreements until such time as all questions and developments have been resolved; second by N. Neu.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING
AGREEMENT-ALLIED
GROUP, INC.

BOARD REPORT NO. 94-075. Moved by G. Pecinovsky, seconded by D. Johnson, that the Board approve the resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$355,000 aggregate principal amount of new jobs training certificates (Allied Group, Inc., Project #4) of the Des Moines Area Community College and providing for the division of taxes levied on property where new jobs are created as a result of a new jobs training program. Attachment #5.

Motion passed unanimously on a roll call vote. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING
AGREEMENT-BURKE
MARKETING

BOARD REPORT #94-081. Moved by D. Johnson, seconded by G. Pecinovsky, that the Board approve the resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$165,000 aggregate principal amount of new jobs training certificates (Burke Marketing Corporation, Project #2) of the Des Moines Area Community College. Attachment #6.

Motion passed on a roll call vote. Aye-Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-Belken.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING
AGREEMENT-C.E.
SOFTWARE, INC.

BOARD REPORT #94-082. Moved by G. Pecinovsky, seconded by H. Belken, that the Board approve the resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the

publication of a notice of intention to issue not to exceed \$195,000 aggregate principal amount of new jobs training certificates (C.E. Software, Inc. Project) of the Des Moines Area Community College. Attachment #7.

Motion passed unanimously on a roll call vote. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING
AGREEMENT-DEE ZEE,
INC.

BOARD REPORT #94-083. Moved by D. Johnson, seconded by D. Froehlich, that the Board approve the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$105,000 aggregate principal amount of new jobs training certificates (Dee Zee, Inc., Project #3) of the Des Moines Area Community College. Attachment #8.

Motion passed on a roll call vote. Aye-Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-Belken.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING
AGREEMENT-
DEFLECTA-SHIELD

BOARD REPORT #94-086. Moved by G. Pecinovsky, seconded by D. Froehlich, that the Board approve the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing publication of a notice of intention to issue not to exceed \$300,000 aggregate principal amount of new jobs training certificates (Deflecta-Shield Corporation Project) of the Des Moines Area Community College. Attachment #9.

Motion passed on a roll call vote. Aye-Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-Belken.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING
AGREEMENT-E.I. DU
PONT DE NEMOURS

BOARD REPORT #94-084. Moved by H. Belken, seconded by G. Pecinovsky, that the Board approve a resolution approving the form and content, execution and delivery of a new jobs training agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing publication of a notice of intention to issue not to exceed \$140,000 aggregate principal amount of new jobs training certificates (E.I. DuPont De Nemours and Co. Project) of the Des Moines Area Community College. Attachment #10.

Motion passed unanimously on a roll call vote. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF
RESOLUTION, NEW
JOBS TRAINING

BOARD REPORT #94-085. Moved by D. Froehlich, seconded by D. Johnson, that the Board approve a resolution approving the form and content, execution and delivery of a new jobs training

AGREEMENT-PELLA
PLASTICS, INC.

agreement, instituting proceedings for taking of additional action for the issuance of new jobs training certificates, directing the publication of a notice of intention to issue not to exceed \$80,000 aggregate principal amount of new jobs training certificates (Pella Plastics, Inc., Project #4) of the Des Moines Area Community College. Attachment #11.

Motion passed on a roll call vote. Aye-Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-Belken.

APPROVAL OF
HUMAN RESOURCES
REPORT

BOARD REPORT #94-079. G. Pecinovsky moved that the Board approve the following personnel items; second by N. Neu:

New Personnel

Ewing, Jon B., Educational Advisor/Ethnic/Multicultural Programs, Urban Campus. Annual salary \$25,000; effective October 3, 1994. 12-month position. Employment agreement with professional staff.

Hansen, Barbi N., Instructor, Special Needs, Ankeny Campus. Annual salary \$27,478 (FY94); effective September 2, 1994. Nine-month position; specially funded contract with faculty - probationary.

Resignations

Baker, Trudy, Educational Advisor, Ankeny Campus; effective October 11, 1994.

Weinstein, Elizabeth A., Coordinator, Regional Planning Board, Ankeny Campus; effective August 31, 1994.

Contract Changes

Hansen, Barbara A., Instructor, Commercial Horticulture, Ankeny Campus. To correct initial placement-from Lane 203 to Lane 225. Annual salary \$28,464 (FY1994); effective August 29, 1994.

Robinson, Jon, Instructor, Academic Achievement Center, Urban Campus. Change from nine-month position to 12-month position. Annual salary \$51,881 (FY1994); effective July 1, 1994.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

APPROVAL OF
PAYABLES

Approval of the payables as presented in Attachment #12 was made by H. Belken, seconded by D. Froehlich.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Pecinovsky, Shull. Nay-none.

FINANCIAL REPORT

The September 30, 1994, monthly Financial Report (Attachment #13) was presented by Darrell Roberts, Vice President of Business

Services. The DMACC Financial Statements for year ended June 30, 1994, was distributed and will be discussed at a future meeting.

CLOSED SESSION-
LITIGATION

No closed session for litigation was held.

CLOSED SESSION-
EVALUATION OF
PRESIDENT

A motion was made by D. Johnson that the Board of Directors hold a closed session as provided in Section 21.5(1)(c) of the Open Meetings Law to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable

injury to that individual's reputation and that individual requests a closed session. Second by G. Pecinovsky.

Motion passed unanimously on a roll call vote and at 4:45 p.m., the board convened in closed session.

Director Pecinovsky left the meeting at 5 p.m.

RETURN TO OPEN
SESSION

The Board returned to open session at 5:15 p.m. A tape recording of the closed session is in the safety deposit box at Community State Bank, Ankeny.

A motion was made by H. Belken, seconded by D. Johnson, that a three-year contract (July 1, 1994-June 30, 1997) be granted to President Borgen; that his annual salary be increased effective July 1, 1994, by 3.9% plus \$180; and additional benefits be granted as discussed.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Shull. Nay-none.

APPOINTMENT OF
DISTRICT VII
DIRECTOR

Board President Shull appointed a nominating committee (Courter, Froehlich, Shull) to interview nominees for the vacancy in DMACC Director District VII. The recommendation of the Committee is to appoint Anita Micich to fill this vacancy to serve until the next regular school board election (September 12, 1995). It was moved by D. Froehlich, seconded by D. Johnson, that the Board appoint Anita Micich to represent DMACC in Director District VII.

Motion passed unanimously. Aye-Belken, Froehlich, Johnson, Neu, Shull. Nay-none.

OATH OF OFFICE TO
ANITA MICICH

H. Harris, Board Secretary, issued the Oath of Office to Anita Micich, newly appointed director from District VII.

ADJOURNMENT

A motion for adjournment was made by A. Micich, seconded by D. Froehlich.

Motion passed unanimously and at 5:25 p.m., Board President Shull adjourned the meeting.



DOUG SHULL, Board President



HELEN M. HARRIS, Board Secretary