

Des Moines Area Community College

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Board of Directors Meeting Minutes

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1-9-1991

### **Board of Directors Meeting Minutes (January 9, 1991)**

DMACC

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Jan. 9, 1991

DES MOINES AREA COMMUNITY COLLEGE

Regular Board Meeting  
January 9, 1991  
Building 1 - Room 30 - Ankeny Campus

A G E N D A

1. Call to order - 4:00 p.m.
2. Roll call.
3. Consideration of tentative agenda.
4. Public comments.
5. Consideration of minutes of December 12, 1990, regular board meeting.
6. Consideration of resolution providing for the division of taxes levied on property where new jobs are created as a result of a new jobs training program, Wegner Manufacturing, Inc.
7. Consideration of appointments to program advisory committees for academic year 1990-91.
8. Consideration of renewal of lease of property for the Transportation Institute.
9. Consideration of Human Resources report.
10. Consideration of Payables.
11. Presentation of Financial report.
12. President's report.
13. Board members' reports.
14. Closed session - Evaluation of President.
15. Information Items:
  - A. January 19 - Saturday - Board Working/Planning Session - Holiday Inn Gateway Center, Ames - 11:00 a.m.
  - B. January 21 - HOLIDAY - Martin Luther King, Jr. Day - Offices Closed
  - C. February 13 - Regular Board Meeting - Ankeny
16. Adjournment.

DES MOINES AREA COMMUNITY COLLEGE  
2006 South Ankeny Boulevard  
Ankeny, Iowa

REGULAR MEETING  
JANUARY 9, 1991

The regular meeting of the Des Moines Area Community College Board of Directors was held in Building 1, Room 30, of the Ankeny Campus, on January 9, 1991. The meeting was called to order at 4:00 p.m., by Board President Sue Clouser.

ROLL CALL

Members Present:

Harold Belken	Eldon Leonard
DeVere Bendixen	Gerry Pecinovsky
Sue Clouser	Doug Shull
Lloyd Courter	*Nancy Wolf
Dick Johnson	

Others Present:

Joseph A. Borgen, President  
Helen M. Harris, Board Secretary  
Don Zuck, College Treasurer

APPROVAL OF  
TENTATIVE AGENDA

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

Motion passed unanimously.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

G. Pecinovsky moved that the minutes of the December 12, 1990, regular board meeting be approved as presented. Second by D. Johnson.

Motion passed unanimously.

\*DIRECTOR WOLF ARRIVES

APPROVAL OF HF623-  
WEGNER MFG. INC.

It was moved by D. Bendixen, seconded by H. Belken, that the board approve the resolution providing for the division of taxes levied on property where new jobs are created as a result of a new jobs training program, Wegner Mfg., Inc. Attachment #1.

Motion passed unanimously on a roll call vote.

APPROVAL OF ADVISORY  
COMMITTEE APPOINT-  
MENTS, FY1990-91

A motion was made by N. Wolf, seconded by E. Leonard, that the board approve the program advisory committee members for the 1990-91 academic year. A listing of the members is on file in the office of the Vice President, Educational Services, Ankeny Campus.

Motion passed unanimously.

- ITEM 8-LEASE/PROPERTY TRANSPORTATION INSTITUTE The renewal of the lease of property for the activities of the Transportation Institute was tabled and will be reviewed at the February meeting.
- APPROVAL OF HUMAN RESOURCES REPORT It was moved by E. Leonard, seconded by H. Belken, that the board approve the following personnel items:
- Contract Change Farmer, Stephanie - Program Assistant, Helath, Continuing Education. Change from temporary one-year position to permanent position. Annual salary \$24,725. Effective December 1, 1990. Employment agreement with professional staff.
- Early Retirement Bengtson, Leonard - Manager, Research, Planning & Reporting, District Administration. Effective July 1, 1991.
- Raymond, Roger - Manager, Information Systems, District Administration. Effective July 1, 1991.
- Ryan, William - Instructor, Botany/Zoology, Boone Campus. Effective July 1, 1991.
- Long Term Leave Without Pay Muehlenthaler, Shirley - Instructor, Medical Assisting, Health & Public Services. To begin January 14, 1991 and to end May 9, 1991.
- New Personnel Dunkin, Rita - Economic Development Coorinator, Area XI Regional Economic Development Center, Community Education. Annual salary \$26,638. Effective January 2, 1991. Specially funded through June 30, 1991. Employment agreement with professional staff.
- Motion passed unanimously.
- APPROVAL OF PAYABLES Approval of the payables as presented in Attachment #2 to these minutes was made by D. Bendixen, seconded by E. Leonard.
- Motion passed unanimously.
- FINANCIAL REPORT The December 31, 1991, Financial report was presented by Darrell Roberts, Vice President of Business Services. A copy of said report is Attachment #3 to these minutes.
- PRESIDENT'S REPORT Dr. Borgen reported on the following: 22 DMACC students who are members of the National Guard, have been called to duty in the Persian Gulf; DMACC will soon be embarking on a 'white paper re-cycle program'; the Carroll Campus facility planning is moving forward; a Professional Ethics Committee has been appointed and it will review complaints of violations of the professional ethics statement of DMACC;

(President's Report  
Continued)

Mercy Hospital has asked DMACC to offer science, math and English courses to students of their nursing program. This could be done at DMACC Urban Campus or Mercy.

Dr. Borgen met with Area XI superintendents at the Heartland AEA to discuss the post secondary option act, articulation and shared programming.

CLOSED SESSION -  
EVALUATION OF  
PRESIDENT

H. Belken moved that the Board of Directors hold a closed session as provided in Section 21.5(1)(i) of the Open Meetings Law to evaluate the professional competency of an individual whose performance is being considered to prevent needless and irreparable injury to that Individual's reputation, as that individual has requested a closed session. Second by D. Shull.

Motion passed unanimously on a roll call vote, and at 5:01 p.m., the board convened in closed session. A tape recording of the closed session for evaluation is in the DMACC safety deposit box at Ankeny State Bank, Ankeny.

DIRECTOR PECINOVSKY LEFT MEETING

RETURN TO OPEN  
SESSION

The board returned to open session at 5:28 p.m.

APPROVAL OF KEY MAN  
& SPLIT DOLLAR  
INSURANCE AMENDMENT

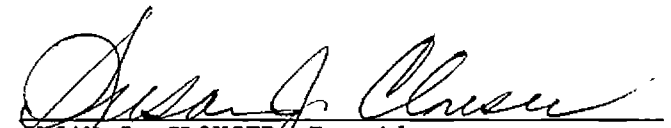
A motion was made by L. Courter, seconded by D. Shull, that the board approve the cost of living adjustment to the Key Man and Split Dollar Insurance Agreement of December 8, 1989, with Dr. Joseph A. Borgen, and the amendment as shown in Attachment #4 to these minutes. Appropriate personnel are hereby authorized to perform all actions, including payment of the initial and annual premiums necessary to implement the Agreement as amended.


Motion passed unanimously on a roll call vote.

ADJOURNMENT

A motion for adjournment was made by N. Wolf, seconded by D. Bendixen.

Motion passed unanimously, and at 5:32 p.m., Board President Clouser adjourned the meeting.

  
SUSAN J. CLOUSER, President

  
HELEN M. HARRIS, Board Secretary

Ankeny, Iowa

January 9, 1991

The Board of Directors of the Des Moines Area Community College met in regular session on the 9th day of January, 1991 at four o'clock p.m., in the Board Room of the Administration Building, in Ankeny, Iowa. The meeting was called to order and there were present Sue Clouser, President of the Board, in the chair, and the following named Board Members:

Harold Belken, DeVere Bendixen, Lloyd Courter, Dick Johnson,

Eldon Leonard, Gerry Pecinovsky, Doug Shull, Nancy Wolf

Absent: NONE


Matters were discussed concerning the new jobs training program involving the College and Wegner Manufacturing, Inc. Following a discussion, Board Member D. Bendixen introduced and caused to be read a resolution entitled "A Resolution Providing for the Division of Taxes Levied on Property Where New Jobs are Created as a Result of a New Jobs Training Program"; and moved its adoption. The motion was seconded by Board Member H. Belken. After due consideration of said resolution by the Board, the President put the question on the motion and, the roll being called, the following named Board Members voted:

Ayes: Belken, Bendixen, Clouser, Courter, Johnson,  
Leonard, Pecinovsky, Shull, Wolf


Nays: NONE

Whereupon, the President declared said Resolution, a copy of which is attached hereto, duly adopted and signed her approval thereto.

\* \* \* \* \*

  
\_\_\_\_\_  
President of the Board of  
Directors

Attest:

  
\_\_\_\_\_  
Secretary of the Board of  
Directors

## RESOLUTION

A RESOLUTION PROVIDING FOR THE DIVISION OF TAXES LEVIED ON PROPERTY WHERE NEW JOBS ARE CREATED AS A RESULT OF A NEW JOBS TRAINING PROGRAM.

WHEREAS, the Des Moines Area Community College (hereinafter referred to as the "College"), is an area community college and a body politic organized and existing under the laws of the State of Iowa, and is authorized and empowered by Chapter 280B of the Code of Iowa, as amended (hereinafter referred to as the "Act"), to issue New Jobs Training Certificates and use the proceeds from the sale of said Certificates to defray all or a portion of the cost of a "New Jobs Training Program" as that term is defined in the Act, including the program costs, the purpose of which is to encourage industry and trade to locate and expand within the State of Iowa (the "State") in order to create jobs and employment opportunities and to improve the economic welfare of the residents of the State; and

WHEREAS, the College has previously undertaken negotiations with respect to a New Jobs Training Program with Wegner Manufacturing, Inc. (hereinafter referred to as the "Company"), pursuant to the provisions of the Act for the purpose of establishing a job training program (hereinafter referred to as the "Project") to educate and train workers for new jobs with the Company at its facilities located or to be located in the merged area served by the College, which Project will be beneficial to the Company and the College; and

WHEREAS, the College has financed the cost of the Project through the issuance of New Jobs Training Certificates of the College (the "Certificates"); and

WHEREAS, the Certificates are partially payable from and secured by incremental property taxes as provided by Section 280B.4 of the Iowa Code; and

WHEREAS, the Company has relocated certain of its facilities where certain of the new jobs are or are to be located; and

WHEREAS, in order to provide for a division of taxes levied on the new taxable business property where the Project will be located, the Board of Directors of the College must adopt a resolution to that effect; and

WHEREAS, the Project will be located, and the new jobs will be created, at the real property which is legally described on Exhibit "A" attached hereto and hereby incorporated herein;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DES MOINES AREA COMMUNITY COLLEGE, AS FOLLOWS:



Section 1. That all taxes levied on the Company's taxable business property located on and including the real property legally described on Exhibit "A" attached hereto each year shall be divided as provided in Section 403.19 of the Iowa Code, subsections 1 and 2, in the same manner as if the Company's business property was taxable property in an urban renewal project and this resolution was an ordinance within the meaning of those subsections, all in accordance with the provisions of the Act.

Section 2. That the County Auditor of the County where the property described on Exhibit "A" is located shall after the date of the adoption of this Resolution make the allocations provided for herein.

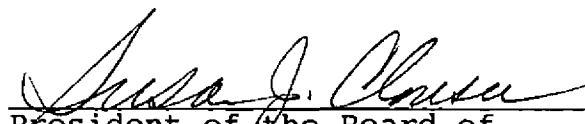
Section 3. The taxes received by this board of directors shall be allocated to and when collected be paid into a special fund of the College and shall be irrevocably pledged by the College to pay the principal of and interest on the Certificates issued by the College to finance the Project.

Section 4. That the Secretary of the Board of Directors shall certify a copy of this Resolution to the County Auditor of the County where the property described on Exhibit "A" is located.

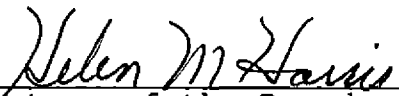
Section 5. That officials of the College are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of this Resolution.

Section 6. That all resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 9th day of January, 1991.

  
\_\_\_\_\_  
President of the Board of  
Directors

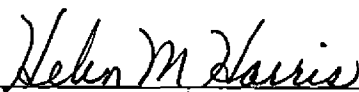
Attest:

  
\_\_\_\_\_  
Secretary of the Board of  
Directors

STATE OF IOWA )  
                  ) SS:  
COUNTY OF POLK )

I, Helen Harris, Secretary of the Board of Directors of the Des Moines Area Community College, do hereby certify that I have in my possession or have access to the complete corporate records of said College and of its Board of Directors and officers; and that I have carefully compared the transcript hereto attached with the aforesaid corporate records and that said transcript hereto attached is a true, correct and complete copy of all of the corporate records showing the action taken with respect to the matters set forth therein by the Board of Directors of said College on January 9, 1991, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that such meeting was duly and publicly held in accordance with the Notice of Meeting and tentative agenda, a copy of which was timely served on each member of the Board of Directors and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board of Directors (a copy of the face sheet of said agenda being attached hereto) pursuant to the rules of the Board of Directors and the provisions of Chapter 21, Code of Iowa, as amended, upon reasonable advance notice to the public and media at least twenty-four (24) hours prior to the commencement of the meeting as required by said law and with members of the public in attendance. I further certify that the individuals named in the attached proceedings were on the date thereof duly and lawfully possessed of their respective offices as indicated therein, that no Board of Directors vacancies existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the organization, existence or boundaries of the College or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand hereto affixed this 9th day of January, 1991.

  
\_\_\_\_\_  
Secretary of the Board of  
Directors

IOWA STATE BAR ASSOCIATION  
Official Form No. 104

FOR THE LEGAL EFFECT OF THE USE  
OF THIS FORM, CONSULT YOUR LAWYER

RECEIVED  
1989 JUN -9 PM 2:41  
KENNETH W. SLOTHOUER  
AUDITOR  
AUDUBON COUNTY AUDITOR

REAL ESTATE TRANSFER	
TAX PAID <u>9.24</u>	
STAMP #	
<u>54.45</u>	
\$ <u>Lola Oakley R.B.</u>	
RECORDER	
<u>6/9/89</u>	<u>Audubon</u>
DATE	COUNTY

89-725  
State of Iowa as Inst. No. \_\_\_\_\_  
Audubon County  
Filed for record on June 9, 1989 11:15 AM  
Recording Fee # 15.00  
Lola Oakley, Co. Recorder



**WARRANTY DEED  
(CORPORATE GRANTOR)**

SPACE ABOVE THIS LINE  
FOR RECORDER

For the consideration of One and no/100-----  
Dollar(s) and other valuable consideration, Audubon Industrial Development Corporation  
a corporation organized and existing under the laws of Iowa  
does hereby Convey to Wegner Manufacturing, Inc.

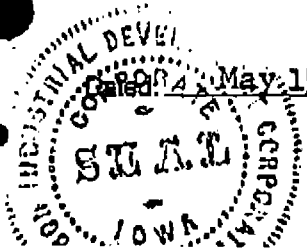
the following described real estate in Audubon County, Iowa:

Lot Four (4) of the Subdivision of part of the Southwest Quarter (SW 1/4) of Section Twenty-seven (27) and part of the Southeast Quarter (SE 1/4) of Section Twenty-eight (28), All in Township Eighty North (T80N), Range Thirty-five (R35), West of the Fifth P.M., Audubon County, Iowa, platted November 23, 1976, filed May 3, 1977 in the Audubon County Auditor's Office, recorded April 15, 1977 in Book 48 at Page 487 in the Audubon County Recorder's Office.

The Corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and it covenants to Warrant and Defend the real estate against the lawful claims of all persons, except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number; according to the context.

Audubon Industrial Development Corporation



May 15, 1989

By Duane Schmidt Pres.  
Duane Schmidt - President Title  
By John R. Krier Secretary  
John R. Krier - Secretary Title

**DC Memorandum**  
Des Moines Area Community College

ATTACHMENT #3  
Regular Meeting  
January 9, 1991

DATE: January 4, 1991  
TO: Darrell Roberts  
FROM: Irv Steinberg *ISW A*  
RE: Financial Report for Jan 9, 1991 Board Meeting

Cash flow for December was such that approximately \$1.1 Million of our FY91 Anticipatory Warrant monies was needed to cover expenditures for the month. Cash flow should improve during January, with the receipt of spring term tuition and fees which is due this month.

Short term interest rates dropped as of the end of December to a high of 7.2%, or a .3% reduction from previous month.

Our Fiscal Year 1991-92 proposed detailed budget is in the process of being prepared so that it will be ready for distribution to the Board no later than the February meeting date. The time, date, and place for a Public Hearing on this budget will need to be set at the February meeting (March 6th is planned as date, subject to Board approval).

A rough draft of our FY90 annual audit report was received from KPMG Peat Marwick, and the final report will be published and copies sent to Board members soon after an exit interview which is scheduled for Jan 10th.

*Approved for  
Board agenda  
Darrell Roberts*

REC-  
JAN 08 1990  
BUSINESS UNIT 100

CASHPOS  
DISK #1

DES MOINES AREA COMMUNITY COLLEGE  
CASH POSITION REPORT  
December 31, 1990

	COMBINED FUNDS (Funds 1,2,3, 4,5,& 6)	PLANT FUND (Fund 7)	NEW JOB TNG PROJECTS * (Fund 2)
	-----	-----	-----
CASH IN BANK/CHECKING:			
-----			
Balance Forward Dec 1, 90	(\$49,275)		\$55,632
PLUS: Dec Receipts	3,247,093		99,786
LESS: Dec Disbursements	3,203,078		135,591
	-----		-----
Cash Balance Dec 31, '90	(\$5,260)		\$19,827
INVESTMENTS:			
-----			
Savings Accounts:			
First Natl Bank/Ames	98,260	226,963	
Investments at Norwest for NJTP			14,894,523
Certificates of Deposit:			
Health Ins Bond Ret/FNB	150,000		
Gen Fd at First Natl Bk	2,000,000		
Gen Fd at 1st Interstate	550,000		
Gen Fd at Statesman	1,000,000		
NJTP at UFS			2,465,000
Early Retirement FNB	13,292		
Alumni at HAWKEYE B&T	33,000		
Plant Fund at First Natl Bk		1,300,000	
Arch Draftg Club at FNB	2,000		
Boone Athlet at Haw Fed	19,476		
	-----	-----	-----
Total Cash/Investments	\$3,860,768	\$1,526,963	\$17,379,350
	=====	=====	=====

FOOTNOTES:

- Included in the Combined Funds investments is portion of \$5 Million FY91 Anticipatory Warrant currently on hand. Repayment date for this Warrant is July 31, 1991.
- \* Combined Funds Checking Account includes Funds 1 thru 6 except for Fund 2 NJTP Accounts which are maintained separately.
- Deficit cash balance shown for Combined Funds off-set by outstanding checks.

BUDREP  
DISK #1

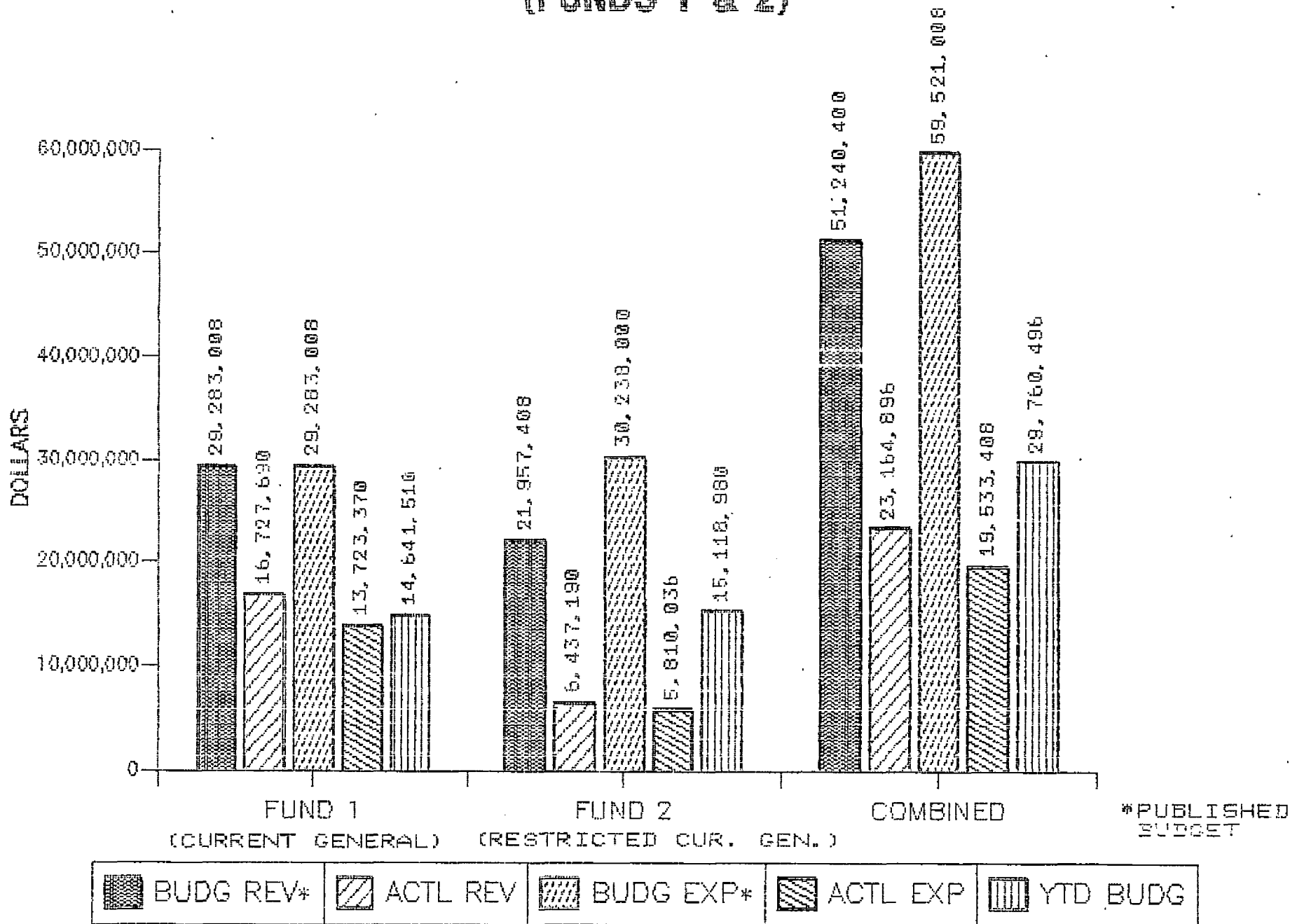
DES MOINES AREA COMMUNITY COLLEGE  
BUDGET REPORT

SUMMARY BY FUND (ALL FUNDS)

DECEMBER 31, 1990

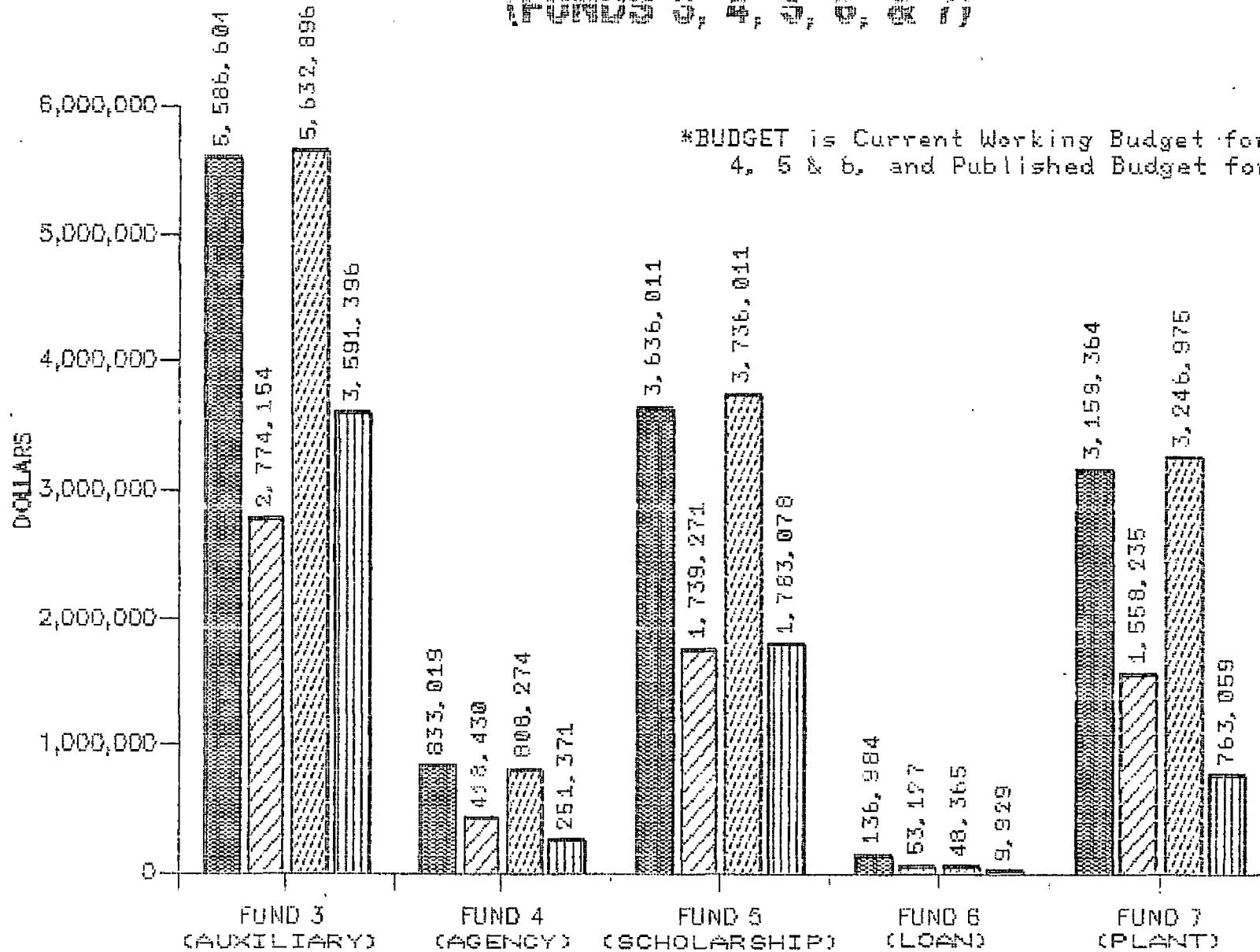
FUND NAME	FUND NO.	BOARD APPROVED BUDGET	WORKING BUDGET	AMOUNT EXPENDED/ RECEIVED	AMOUNT ENCUMBERED	WORKING BUDGET BALANCE
<b>REVENUE:</b>						
GEN FUND CURRENT	1	\$29,283,011	\$30,014,779	\$16,727,685		13,287,094
RESTRICTED CURR	2	21,957,383	22,010,863	6,437,190		15,573,673
AUXILLIARY	3	5,381,717	5,586,604	2,774,154		2,812,450
AGENCY	4	803,631	833,019	418,430		414,589
SCHOLARSHIP	5	3,591,123	3,636,011	1,739,271		1,896,740
LOAN	6	131,984	136,984	53,127		83,857
PLANT	7	3,159,364	2,982,927	1,558,235		1,424,692
<b>TOTAL</b>		<b>\$64,308,213</b>	<b>\$65,201,187</b>	<b>\$29,708,092</b>		<b>\$35,493,095</b>
<b>EXPENDITURES:</b>						
GEN FUND CURRENT	1	\$29,283,011	\$29,987,105	\$13,723,372	\$7,031,942	\$9,231,791
RESTRICTED CURRENT	2	30,237,952	30,780,288	5,810,036	734,291	24,235,961
AUXILLIARY	3	5,312,436	5,632,896	3,591,396	537,672	1,503,828
AGENCY	4	779,163	808,274	251,371	11,049	545,854
SCHOLARSHIP	5	3,691,123	3,736,011	1,783,078	0	1,952,933
LOAN	6	43,365	48,365	9,929	0	38,436
PLANT	7	3,246,975	3,287,274	763,059	463,332	2,060,883
<b>TOTAL</b>		<b>\$72,594,025</b>	<b>\$74,280,213</b>	<b>\$25,932,241</b>	<b>\$8,778,286</b>	<b>\$39,569,686</b>

OMAC BUDGET STATUS DECEMBER 31, 1990  
(FUNDS 1 & 2)



# DMACC BUDGET STATUS DECEMBER 31, 1990

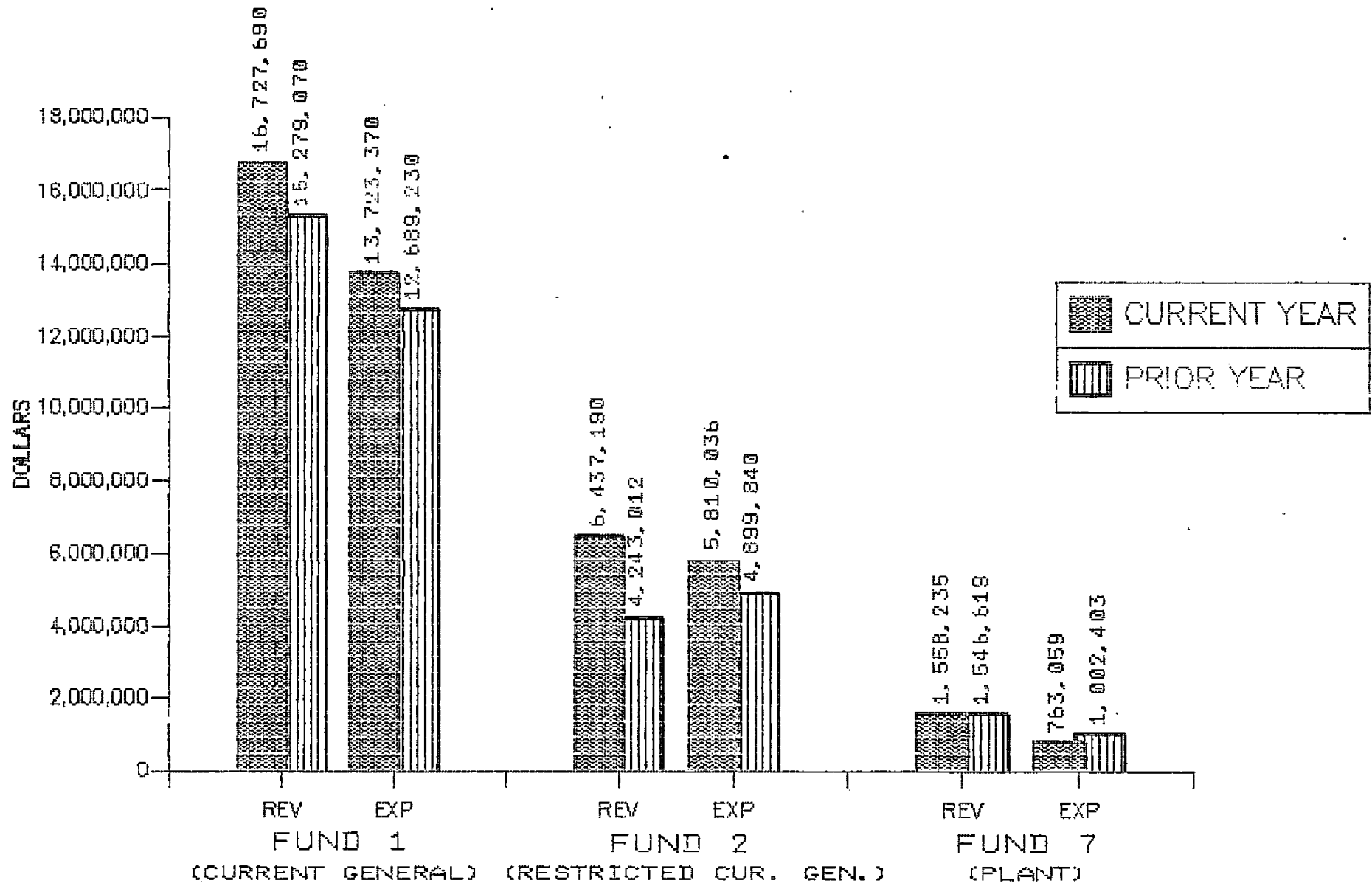
## FUNDS 3, 4, 5, 6, & 7



■ BUDG REV*	▨ ACTL REV	▩ BUDG EXP*	▧ ACTL EXP
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# DMACC REVENUES AND EXPENDITURES YEAR-TO-DATE THROUGH DECEMBER 31, 1990



Attachment #4  
January 9, 1991

AMENDMENT TO KEY-MAN AND  
SPLIT-DOLLAR INSURANCE AGREEMENT

This Amendment to the KEY-MAN AND SPLIT-DOLLAR INSURANCE AGREEMENT of December 8, 1987, ("Agreement"), by and between Des Moines Area Community College ("DMACC" or "Employer") and Dr. Joseph A. Borgen ("Employee"), WITNESSETH:

WHEREAS, the Employer and Employee entered into an Agreement and now desire to amend that Agreement to recognize certain cost of living adjustments; and

WHEREAS, the original reasons for entering into the Agreement continue to exist; and

NOW, THEREFORE, in consideration of the services heretofore rendered and to be rendered by the Employee and in consideration of the mutual covenants in the Agreement, the parties agree to amend the Agreement as follows:

1. Paragraph 1 is amended to provide for an increase in the amount of the insurance policy to reflect three cost of living adjustments to take effect in 1991, 1994 and 1997.

2. Paragraph 4A is amended to provide that the Employer's interest in the policy shall be the lesser of the amount shown below or the total cash value.

1990 - \$170,709  
1991 - \$175,211  
1992 - \$179,713  
1993 - \$184,215  
1994 - \$200,839  
1995 - \$217,464  
1996 - \$234,089  
1997 - \$261,384  
and  
thereafter

The Employee shall no longer be required to execute a non-interest-bearing promissory note to the Employer to the extent of the lesser of the cash value or the amount shown immediately above. However, the Employer's interest remains unaffected by the lack of a note and the interest in the policy shall still be paid to the Employer upon termination of the Employee's employment or termination of the Agreement. There shall be no further obligation under this Agreement if the Employer receives the death benefit.

3. Paragraph 4A is further amended to provide that the amount of the Employer's interest in the policy shall equal the amount of cash value necessary to maintain \$426,750 of insurance after the Employee reaches age sixty (60).

4. Paragraph 14 is amended to provide that there may be additional amendments to the Agreement to provide for future cost of living adjustments as the parties may agree.

DES MOINES AREA COMMUNITY COLLEGE



By: Susan J. Clouser  
Dr. Joseph A. Borgen

STATE OF IOWA )  
                  ) ss:  
COUNTY OF POLK )

Subscribed and sworn to before me by Susan J. Clouser,  
of Des Moines Area Community College  
this 26th day of February, 1991.

Helen M. Harris  
Notary Public in and for the  
State of Iowa

STATE OF IOWA )  
                  ) ss:  
COUNTY OF POLK )

Subscribed and sworn to before me by Dr. Joseph A. Borgen  
this 26th day of February, 1991.



Helen M. Harris  
Notary Public in and for the  
State of Iowa