

**BOARD OF TRUSTEES REGULAR MEETING**  
**ICC Administration Building**  
**August 15, 2013-5:30 P.M.**

**MINUTES**

**Members Present**

Norman Chambers  
Jay Jones  
Hoite Caston  
Phillip Fienen  
David Wallis  
Val DeFever

**Others Present**

Daniel Barwick, President  
Travis, Associate Vice-President for Career and Technical Education  
Misty Githens, Vice-President for Marketing and Resource Development  
Tammie Geldenhuys, Vice-President for Student Affairs and Athletics  
Sara Harris, Vice-President for Academic Affairs  
Keli Tuschman, Human Resources Coordinator  
Beverly Harris, Executive Assistant/Board Clerk  
Greg Eytcheson, Vice-President for Information and Operations  
Jan Fischer, Vice-President for Financial and Employee Services  
Debbie Phelps, Director of Institutional Research  
John Eubanks, Professor of Business/Accounting  
Isaias McCaffery, Professor of History/Geography  
Ben Seel, Professor of Political Science  
Janelle Null, Professor of Art  
Susan Thomas, Professor of Communications

**Guests**

Greg Lower, Reporter

**I. ROUTINE**

- A. Call to Order – Norman Chambers called the regular monthly meeting for August to order at 5:30 p.m.
- B. Approval of Amended Agenda – Phillip Fienen moved to approve the amended agenda as distributed. Jay Jones seconded the motion and the motion carried 5-0.
- C. Pledge of Allegiance – Beverly Harris led the group in recitation of the Pledge of Allegiance.

Val DeFever joined the meeting at 5:31 p.m.

- D. Character First – The Trustees devoted fifteen minutes to the Character First initiative; they watched the video and discussed “gentleness”, the Character First trait for the month of August.
- E. Welcome Guests – Norman Chambers welcomed the guests. Three requests were submitted for public comment on items pertaining to the agenda; however, discussion was reserved until the item appeared on the agenda.
- F. Mission Statement – Phillip Fienen read the College Mission Statement.

Due to the number of guests wishing to speak to the Board regarding items pertaining to the agenda, the minutes reflect a greater amount of detail than is typically observed.

- G. Vision Statement – Phillip Fienen read the College Vision Statement.
- H. Approval of Minutes – Jay Jones moved to approve the minutes of the July 18, 2013 meeting. David Wallis seconded the motion and the motion carried 6-0.
- I. September 13-14 Annual KACCT/COP Meeting Cowley Community College, Arkansas City – Norman Chambers and Dan Barwick stated intentions to attend the meeting; Jay Jones committed to attendance for the Saturday meetings, and Val DeFever will confirm availability to attend. Norman Chambers encouraged the Trustees’ RSVP to Beverly Harris regarding participation, as well as, inclusion in the College carpooling initiative.

## II. INSTITUTIONAL OPERATIONS

- A. Presentation of Appreciation Plaque – Norman Chambers presented Jay Jones a plaque in recognition of his service as Board Chair from 2011-2013.
- B. Suspend Early Retirement Plan for 2013-2014 and 2014-2015 – Dan Barwick noted alternative methods for funding an early retirement benefit plan that do not entail the long-term commitment for the College that our current benefit has. Dr. Barwick assured the group that funds were allocated in the 2013-2014 budget that satisfy any existing early retirement benefit obligations. Discussion followed regarding the potential number of employees seeking early retirement in the next few years; Keli Tuschman suggested that up to ten employees could be eligible for early retirement over the next two years. Jan Fischer noted that eligibility for early retirement benefits is contingent upon completion of ten years of service with the College and alignment with the Kansas Public Employees Retirement System (KPERs) criteria. Quoting an e-mail from Dr. Barwick that focused on economic issues, making cuts, and focusing monies saved more toward full-time enrollment-targeted activities and expenditures, Hoite Caston stated that the biggest full-time enrollment positive at ICC is the faculty. Mr. Caston cited examples of College recognition and stated that many occurred when the College was in leadership crises, with no President in position. Trustee Caston voiced the need to nurture the group where the rubber meets the road at ICC, the faculty and students, and expressed the need to correct the bit of confrontational atmosphere between faculty and administration that has been a long tradition at ICC. Trustee Caston stated that each time a move like this is made, and something is taken away from the faculty, another stone is thrown on the pile. Mr. Caston noted that when a change takes place, a transition period should exist and faculty should be included in the conversation for collaboration and teamwork, with the faculty being the most important part of the team. Mr. Caston stated that he would like to hear the faculty point of view regarding the early retirement benefit; he added that the most important way of increasing full-time enrollment is having a faculty that attracts students, and having the possibility of an early retirement benefit is the best way to attract better faculty. Phillip Fienen noted that the early retirement benefit is not a contract issue and should be addressed as a proposal that benefits both the College and employees. Norman Chambers sought clarification of the timeline associated with requesting the early retirement benefit; Dan Barwick agreed that two years, 2013-2014 and 2014-2015, should not have appeared on the agenda, as provision of the early retirement benefit is a decision made by the Board of Trustees on an annual basis. It was noted that requests for early retirement benefits for 2013-2014 should have been received by April 1, 2013; requests for 2014-2015 must be submitted by April 1, 2014. Val DeFever voiced concerns regarding KPERs structure and inadequate funding practices. Jay Jones requested detailed information of the financial impact of employees seeking early retirement benefits over the next nine years. John Eubanks referenced a section of the early retirement plan that states “beginning with the 1988-89 school year, and thereafter, the Board of Trustees shall direct the appropriate administrator to compute, on or before March 1, an estimated early retirement benefit for each Faculty Member between the ages 56 and 64.” and noted that the financial impact data should have been completed by March 1. Mr. Eubanks reiterated that the early retirement benefit is available for all employees and asked the Trustees to consider that any

vote, or motion to table discussion, be based on lack of information. Dr. Barwick will provide a range of 8-10 worst-to-best case scenarios for further discussion and consideration. Isaias McCaffery, speaking on behalf of the Faculty Association, noted that as higher earners/faculty retire, the College saves money through replacement hiring at cheaper wage levels. Dr. McCaffery requested that estimated benefit numbers and potential financial obligations be made available to the public and that the Board of Trustees table any decision until more information is available. Ben Seel informed the Board that he would defer any comments unless a motion was made. Janelle Null spoke of her eligibility to draw the early retirement benefit, but decision to continue working. Discussion followed regarding the cost differential between retiring long-time faculty members and the cost of hiring a younger individual. Dan Barwick shared that his summary of worst-to-best case scenarios will show the vastly more expensive financial obligation associated with employment at the lower entry level position plus family medical coverage versus payment of early retirement benefit to a higher-level employee. David Wallis moved to table further discussion and action pending receipt of a summary of liability to facilitate making an informed decision. Hoite Caston asked to amend the motion to include information from the Faculty Association and participants' point of view. Following further discussion, David Wallis refused to accept amendment to the motion. Phillip Fienen seconded the motion made by David Wallis. The motion carried 4-2, with Trustees DeFever and Caston voting no. Hoite Caston moved that information be received from Keli Tuschman regarding the employee and faculty impact of early retirement benefit changes discussed. Val DeFever seconded the motion and the motion carried 5-1, with David Wallis voting no. Keli Tuschman will conduct an opinion survey of all College employees regarding impact of suspending the early retirement benefit. Norman Chambers asked Dr. Barwick to survey the other Kansas community colleges for possible alternatives to our early retirement benefit plan.

- C. The proposed 2013-2014 budget and notice of Capital Outlay levy were published according to statutory requirements; no comment was made during the public hearing.
- D. Approval of Budget Released for Publication – David Wallis moved to approve the 2013-2014 Budget. Hoite Caston seconded the motion and the motion carried 6-0.
- E. Allow Payables – Phillip Fienen moved to allow payables. Jay Jones seconded the motion and the motion carried 6-0.
- F. Overview of AQIP and Its Seven-year Cycle - Debbie Phelps presented an overview of the information included in the Board Agenda packets and noted that most institutions are utilizing an eight-year plan. Norman Chambers voiced 100% support for AQIP
- G. Additions to Personnel – The Personnel Report included employment of: Delia Northup in the position of Tutoring Center Coordinator and Advisor at an annualized salary of \$30,000 and College support toward employee participation in ICC's group health insurance plan; Timothy Lavoie in the part-time position of Assistant Men's Soccer Coach at \$500/month (\$5,000 for a 10-month contract); Seth Bell in the position of Head Athletic Trainer at an annualized salary of \$37,900 and College support toward employee participation in ICC's group health insurance plan; and, Sarah Plowman in the position of Assistant Athletic Trainer at an annualized salary of \$30,600 for a 10-month contract and College support toward employee participation in ICC's group health insurance plan. Also included in the Personnel Report were the voluntary terminations of: Alberta Smith from the position of Student Support Services Reading and English Specialist; and Karen Roush from the position of Professor of Office Technology.

## H. President's Report

- Enrollment Update –Misty Githens distributed handouts and noted that enrollment numbers are dropping across the board in other institutions. Ms. Githens informed the group that Admissions personnel are only allowed to visit High Schools for recruitment purposes once per semester; however, coaches, faculty members, and other personnel have unlimited visitation privileges. Hoite Caston stressed coordinated efforts and inquired about means of supporting recruitment initiatives; Isaias McCaffery noted that faculty members would participate, if a coordinated plan was developed. Misty Githens stated that meetings have happened with faculty members, student e-mails which identify areas of interest are forwarded to the appropriate faculty member, and recruitment efforts continue through participation in area community events. Dr. Barwick referred meeting attendees to the handout that displayed the power faculty members have toward generating total enrollment and noted the impact faculty have on recruitment and retention. Discussion followed regarding recruitment of International students. Hoite Caston referred to a statement made by Dr. Barwick and asked if our faculty were not retaining students. Dr. Barwick clarified that he did not say our faculty are not retaining the students; he noted the power faculty have to retain.
- KBOR Performance Agreements – Sara Harris provided an overview of the Kansas Board of Regents Performance Agreements and highlighted the relationship between the Higher Learning Commission and Federal government requirements associated with Federal Financial Aid eligibility.

I. First Reading of Revision to PSL-714 – Norman Chambers read the first reading of revisions to PSL-714; the second reading and approval will take place during the regularly scheduled Board of Trustees meeting in September.

J. First Reading of Revision to STU-801 – Norman Chambers read the first reading of revisions to STU-801; the second reading for approval will take place during the regularly scheduled Board of Trustees meeting in September.

III. CONSENT AGENDA – Jay Jones moved to approve the consent agenda which included: receipt of the financial and personnel reports, and payment to Service Solutions in the amount of \$6,500 for additional work on the ICC West façade project with funds allocated for fiscal year 2012. Phillip Fienen seconded the motion and the motion carried 6-0.

IV. EXECUTIVE SESSION – Val DeFever moved the Board enter into Executive Session, to include Dan Barwick, for five minutes to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed and that the Board return to Open Session at 8:15 p.m. in the Board Room. David Wallis seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:10 p.m. The Board returned to Open Session at 8:15 p.m. Jay Jones moved the Board enter into Executive Session, to include Dan Barwick, for an additional five minutes to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed and that the Board return to Open Session at 8:21 p.m. in the Board Room. Val DeFever seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:16 p.m. The Board returned to Open Session at 8:21 p.m. Phillip Fienen moved the Board enter into Executive Session, to include Dan Barwick, for an additional five minutes to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed and that the Board return to Open Session at 8:26 p.m. in the Board Room. Norman Chambers seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:21 p.m. The Board returned to Open Session at 8:26 p.m. Dan Barwick left Executive Session at 8:26 p.m. Jay Jones moved the Board enter into Executive Session for an additional twelve minutes to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed and that the Board return to Open Session at 8:40 p.m. in the Board Room. Phillip Fienen seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:28 p.m. The Board

returned to Open Session at 8:40 p.m. Jay Jones moved the Board enter into Executive Session for an additional five minutes to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed and that the Board return to Open Session at 8:45 p.m. in the Board Room. Val DeFever seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:40 p.m. The Board returned to Open Session at 8:45 p.m. David Wallis moved the Board enter into Executive Session, to include Dan Barwick, for an additional five minutes to discuss non-elected personnel in order to protect the privacy interests of the individuals to be discussed and that the Board return to Open Session at 8:50 p.m. in the Board Room. Norman Chambers seconded the motion and the motion carried 6-0. The Board entered Executive Session at 8:45 p.m. The Board returned to Open Session at 8:50 p.m.

Dr. Barwick stated that, in accordance with State Statutes, the Board of Trustees are required to vote on any decision to reopen negotiations. Isaias McCaffery stated that Faculty Association members approved reopening negotiations on the grievance procedure. To avoid future issues, it was noted that Faculty Association President, Isaias McCaffery, and Association members, Ben Seel and John Eubanks (both delegated by KNEA Representative, Tony White), were present and agreed that all parties agreed to reopen negotiations and will address the grievance procedure. Phillip Fienen moved to reopen negotiations on the grievance procedure in the negotiated agreement. David Wallis seconded the motion and the motion carried 6-0.

V. ADJOURN

Phillip Fienen moved to adjourn. The motion was seconded by Jay Jones and carried 6-0. The meeting adjourned at 9:12 p.m.

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Beverly Harris  
Board Clerk

Independence Community College is committed to a policy of nondiscrimination on the basis of race, sex, national origin, religion, age, and handicap in admissions, educational programs or activities, and employment, all as required by applicable laws and regulations under the Title VI Civil Rights Act of 1964, Title IX regulations of 1972, Section 5 of the Social Rehabilitation Act of 1973, and the Americans With Disabilities Act of 1990.