



Board of Governors
Northeast Community College Area
Minutes of Regular Meeting
Thursday, November 9, 2023

ATTENDANCE

BOARD OF GOVERNORS

- Julie Robinson, Chairperson Present
Jeffrey Scherer, Vice-Chairperson Present
Donovan Ellis, Secretary Present
Del Ames Present
Steve Anderson Present
Dr. Terry Nelson Present
Dirk Petersen Present
Jeanne Reigle Present
Nicole Sedlacek Present
Carol Sibbel Present
Pat Wojcik Present

OTHERS PRESENT

- Dr. Leah A. Barrett, President
Scott Gray, Vice President, Administrative Services
Dr. Charlene Widener, Vice President, Educational Services
Dr. Tracy Kruse, Vice President, Development and External Affairs
Amanda Nipp, Vice President, Student Services
Jim Curry, Director, Public Relations
Jerry Guenther, Director, Public Relations
Lindsay Spiegel, Director, Institutional Effectiveness
Diane Reikofski, Executive Assistant to the President
Jessica Dvorak, Vice President, Human Resources
Paul Feilmeier, Vice President, Technology Services
Wendy Swensen, Spanish Instructor
Neila Muminovic, Norfolk Daily News
Pat Caveye, KEXL
Kerry Gustafsson, Dana F. Cole & Co.

The Northeast Community College Board of Governors met for its regular session Board Meeting on Thursday, November 9, 2023 via Zoom videoconferencing and in Suite 188 of the Lifelong Learning Center, located on the campus of Northeast Community College, 801 East Benjamin Avenue, Norfolk, NE. Chairperson Robinson convened the meeting at 1:30 p.m.

1. ADOPT AGENDA

MOTION by Del Ames, **SECONDED** by Dirk Petersen to adopt the Agenda of the November 9, 2023 Regular Meeting. Official Notice of the meeting was posted on the Northeast Community College website and published in the *Norfolk Daily News* on Friday, November 3, 2023.

Voting Yes: Ames, Ellis, Petersen, Reigle, Robinson, Sedlacek, and Sibbel

Voting No: None

Absent: Anderson, Nelson, Scherer, and Wojcik

MOTION CARRIED

2. OPEN MEETINGS ACT

A copy of the Nebraska Open Meetings Act is posted on the table at the back of the meeting room, along with a copy of the November 9th Board of Governors Meeting agenda and all printable supporting documents.

3. BOARD EDUCATION AND INFORMATION

3.1 Administrative Services Report

3.1.1 Northeast Community College Financial Statement

Kerry Gustafsson, Dana F. Cole & Co., provided a review of the Financial Statement Audit Report as of June 30, 2023 and 2022. This report includes the audit of the Schedule of Federal Awards, which is required due to the expending of more than \$750,000 of federally sourced grants and awards during the fiscal year. An unmodified opinion, or the highest level of assurance that can be given that the financial statements are fairly presented. She advised that no findings, no material weaknesses in internal controls, and no significant deficiencies were identified during the audit. No non-compliance with the grant provisions that were noted as part of their review of the grant awards and expenses.

Ms. Gustafsson advised that during the audit, there were no adjustments that were auditor driven. Any adjustments that were made were provided by management. There were also no incorrect or misstatements noted. No disagreements with management occurred during the audit process. There were also no significant issues discussed with the management and no difficulties encountered.

Ms. Gustafsson stated that excellent cooperation and courtesy were received from management and staff during the audit process.

Mr. Nelson and Mrs. Wojcik joined the meeting at 1:33 p.m.; Mr. Anderson joined at 1:35 p.m., and Mr. Scherer joined the meeting at 1:39 p.m.

3.1.2 Monthly Financial Report and Paid Bills

Review was given to the financial report for the period ending October 31, 2023. Significant changes within the Balance Sheet are a result of Northeast taking money out of regular checking and MMIA accounts that have lower interest rates and putting money into CDs and other short-term investments that have higher interest rates.

Changes within the Statement of Changes in Fund Balance Summary are a result of the receipt of ARPA funds that were then applied to the South Sioux City Phase I project. Plant related costs include payments to Hausman Construction for work on the Maclay Building. The Board of Governors budget reflects payment of more than \$21,000 that has been paid for the cost of the pink Truth in Taxation postcards. That amount will increase as we are waiting for invoices from five other counties. Scott Gray confirmed that the State of Nebraska does not reimburse entities for the cost of the pink postcards.

3.1.3 BP-6130, Building Maintenance Fund Policy

At some point, this policy will be converted to a procedure or incorporated into other policies. Today's discussions will provide guidance in the policy conversion.

Current policy states that 30% of the capital fund levy will be used for building maintenance and renovation projects. Following research on best practices for higher education and standards that should be used when creating the budget, Northeast's current policy is well below what is considered best practice for building maintenance and repair.

Consideration also needs to be given to the fact that there has been a lot of construction on campus over the past six years and possibly causing Northeast to sacrifice some of the maintenance and repair in order to complete new construction. Full review needs to be given to what the replacement value of buildings is and what will be needed to maintain college structures.

Preventative maintenance schedules will be implemented to allow for preplanning of maintenance and to avoid being reactionary. Additional suggestions were provided to identify software that would assist with predictive maintenance in addition to preventative maintenance.

It is recommended that the policy be rewritten to follow best practice.

- ### 3.1.4
- In receipt of a letter from the Faculty Association to be the negotiating agent for negotiations for this coming year. The first negotiating session will be held on November 30th. By mutual agreement, the only subject of the negotiation is compensation.

3.2 Development/External Relations Report

3.2.1 NCCA Report

The NCCA Annual Conference will be held in North Platte on November 5-6, 2023. Mid-Plains Community College hosted the meeting with the theme of 'Workforce Readiness'. Some members participated in a tour of North Platte which provided an opportunity to see what North Platte is doing versus the opportunities that are available in the area.

Casey Belitz, Director of the Nebraska Department of Economic Development, gave a presentation on what they are doing in economic development versus what the governor is doing for economic development.

NSWERS, the Nebraska Statewide Workforce & Educational Reporting System, was another great session and it was interesting to learn how the data is being

compiled and formulated. NSWERS is a collaboration between the Nebraska Department of Education (DOE), Nebraska’s community colleges, the Nebraska State College System (NSCS), and the University of Nebraska system.

Intern Nebraska session was also good in North Platte. The program is being elevated and the Aksarben Foundation is now marketing the program to get it out to more businesses. The Aksarben Foundation is partnering with the Teammates Foundation to create mentoring opportunities for the interns that will be working for our local businesses and industries. Their goal is to make it a positive experience for the interns.

The broadband session was interesting to learn about the money that was delegated to the State of Nebraska to improve the broadband to rural areas.

Northeast Community College will host the 2024 NCCA Annual Conference.

February 28th is the NCCA Legislative Day in Lincoln. Board members are encouraged to attend.

3.2.2 ACCT Report

Jeanne Reigle, Steve Anderson, and Pat Wojcik attended the Association of Community College Trustees (ACCT) Leadership Congress in October. Sessions are always very informative and board members are encouraged to take advantage of learning more about community colleges.

3.2.3 Foundation Board of Directors report

- During their October 19th meeting, the Foundation Finance Committee provided an in-depth review of the Consolidated Financial Statement for June 30, 2023 and 2022 as well as the 2022 Form 990.
- Foundation Board of Directors approved both documents during their October 24th meeting.
- Presentation on the College’s budgeting and tax levy process.
- Paul Havranek was approved to serve as Vice President and Matt Hoelsing approved to serve as secretary. Bill Tielke and Roy Miller continue to serve as president and treasurer.

4. **PUBLIC COMMENT on Board Education and Information**

Chairperson Robinson advised that individuals commenting on Board Education and Information items are allowed three minutes each. No constituents were in attendance to address the board with a public comment.

5. **COMMITTEE REPORTS**

5.1 Governance Committee

- The Governance Committee met on October 26th.
- Content review was conducted of EL-02, Access to Education, with recommendation to revise wording in Item #1 from “Cause or allow the setting of tuition, fees, etc...” to ‘Recommend the setting of tuition, fees, etc...’. The recommendation will come forth as first reading consideration during the December Board of Governors meeting.
- Content review of EL-00, General Executive Constraint, with no recommendations for revision.

- Content review of GP-15, Handling of Operational Complaints. Today's discussion included what should occur if a board member receives a complaint. Individuals with a complaint should be referred to the internal protocol applicable to the circumstances to make a proper report. Board members need to have the knowledge to refer an individual to the proper place to make the internal complaint. The Northeast website has a page that identifies where various types of complaints should be directed. The complaint process will be included as part of board member orientation. Item #4 in GP-15 is regarding a board member being contacted a second time regarding the complaint. A complaint should be handled operationally, and it is the president's responsibility to inform the board that the complaint has been handled. Complaints need to be documented and the board needs to be informed that a complaint has been handled. Due diligence will be done among Dr. Barrett, Scott Gray, Amanda Nipp, and Jessica Dvorak to provide training to the Board of Governors regarding the complaint process.
- The Governance Committee reviewed policies for first reading deletions. The committee reviewed to ensure that all policies being deleted are covered by another policy or in administrative procedures.

5.2 Ownership Linkage Committee

- Dr. Barrett has had an initial conversation with Todd Holcomb from Hawkeye Community College regarding how they connect with owners and what their approach is with engaging the Ownership Linkage Committee with advisory boards. She is waiting for additional information from Dr. Holcomb and will update the Ownership Linkage Committee during their next meeting.
- Will conduct a board meeting in West Point in 2024 and will connect with representatives of P2T.
- NCCA legislative priorities were discussed. One priority is to be removed from the pink postcards.

5.3 Election of Officers

In December, voting needs to take place for 2024 officers. Chairperson Robison suggested that Jeff Scherer should step into the Chairperson role, Donovan Ellis should step into to Vice-Chairperson role, and the Secretary position would be filled by Nicole Sedlacek. Chairperson Robison opened the floor for other recommendations. If any board member has another recommendation, they may also reach out to Chairperson Robison via phone or email prior to the December meeting. Officers would be elected in December and assume their responsibility during the January 2024 meeting.

6. **MONITORING REPORT**

6.1 EL-06, Asset Protection

This report is about the systems that we have in place to protect our assets and physical plant resources. There are a few areas noted where we are out of compliance, however, we have systems in place that will get us back into compliance. This is related to the risk management area, update to the Building Maintenance Fund Policy, and other areas of training.

Inquiry was made regarding cybersecurity insurance. Cybersecurity insurance is an important part of our insurance package, and it is discussed on an annual basis with the Nebraska Community College Insurance Trust (NCCIT) team to assure that best practices are being followed. In order to have cybersecurity insurance, certain requirements must

be met. Having systems in place to protect our data also gives us a better rate. Brief review was given to the cybersecurity coverages.

While there are areas of non-compliance that are noted, timelines have also been identified to accomplish compliance.

The monitoring report was accepted as presented.

6. PUBLIC COMMENT on Committee or Monitoring Reports

Chairperson Robinson advised that individuals commenting on Committee or Monitoring Reports are allowed three minutes each. No constituents were in attendance to address the board with a public comment.

7. CONSENT AGENDA

MOTION by Del Ames, **SECONDED** by Pat Wojcik to **APPROVE** the Consent Agenda as follows:

- 7.1 Minutes of the October 5, 2023 Regular Meeting as presented.
- 7.2 Monthly Financial Report for October 31, 2023 and claims paid in October 2023.

Voting Yes: Anderson, Ellis, Nelson, Petersen, Reigle, Sedlacek, Wojcik, and Ames

Voting No: None

Abstain: Robinson, Scherer, Sibbel

Absent: None

MOTION CARRIED

8. PUBLIC COMMENT – Open Meeting

Chairperson Robinson advised that individuals commenting on Items for Decision are allowed three minutes each. No constituents were in attendance to address the board with a public comment.

9. COLLEGE REPORTS

9.1 Student Leadership Association (SLA) Report

No report.

12.2 President’s Report

President Leah Barrett highlighted activities, events, and accomplishments of faculty, staff, students, and athletes that occurred during the past month. The complete copy of the President’s Report is available in the November 9th Board of Governors Teams site.

10. ITEMS FOR DECISION

10.1 **MOTION** by Donovan Ellis, **SECONDED** by Nicole Sedlacek to **ACKNOWLEDGE** the Northeast Community College Financial Audit of June 30, 2023 and 2022.

Voting Yes: Ellis, Nelson, Petersen, Reigle, Robinson, Sedlacek, Sibbel, Wojcik, and Ames

Voting No: None

Abstain: Scherer

Absent: Anderson

MOTION CARRIED

11.2 **FIRST READING** for the **DELTION** of:

11.2.1 BP-3030, Ownership of Intellectual Property and Patent. Content is covered in AP-3030, Ownership of Intellectual Property and Patent and EL-06, Asset Protection, items 4., 4.1 and 12.

11.2.2 BP-3070, Records Management. Content is covered in AP-3070, Records Management and EL-06, Asset Protection, item 12.

11.2.3 BP-6180, Sale of Books and Supplies to Students–Copyrights and Royalties. Content has been incorporated into AP-6180, Sale of Books and Supplies to Students–Copyrights and Royalties.

11.2.4 BP-7410, Employee Leave Policy. Content has been incorporated into administrative procedures AP-7410.1, Annual Leave; AP-7410.2, Bereavement and Emergency Leave; AP-7410.3, Family and Medical Leave; AP-7410.4, Jury and Court Leave; AP-7410.5, Leave of Absence; AP-7410.6, Military Leave; and AP-7410.8, Sick Leave.

11.2.5 BP-3010, Use and Scheduling of College Facilities and Property. Content has been incorporated into AP-3010.0, Use and Scheduling of College Facilities and Property.

11.2.6 BP-6410, Obligations. Content has been incorporated into AP-6420.0, Contracts Administration.

11.2.7 BP-6710, College Property. Content has been incorporated into AP-3010.0, Use and Scheduling of College Facilities and Property, item 3.1.13.

11.2.8 BP-3110, Management Rights. Content is covered in BPD-03, Delegation to the President, Section 4.1.

11.2.9 BP-7710, Employee Grievance. Content is covered in AP-7710.0, Employee Grievance.

11.2.10 BP-7622, Employee Tuition Waiver. Content is covered in AP-7622.0, Employee Tuition Waiver.

11.2.11 BP-7552, Retirement Age. Content is covered in AP-1010.0, Nondiscrimination.

11.2.12 BP-7050, Disabilities and Accommodations Concerning Employment. Content is covered in AP-7050.0, Disabilities and Accommodations Concerning Employment.

- 11.2.13 BP-7325, Employment Probation. Content is covered in AP-7325.0, Employment Probation.
- 11.2.14 BP-7322, Positive Discipline. Content is covered in AP-7322.0, Progressive Discipline for Non-Faculty Employees and AP-7322.1, Progressive Discipline for Faculty Employees.

11. MOTION by Del Ames, SECONDED by Jeff Scherer, to ACCEPT the resignation of Jeanne Reigle effective January 1, 2024, announce the vacancy of the District IV seat, and direct the President’s Office to proceed with filling the vacancy pursuant to Board Policy, GP-11, Investment in Governance.

Voting Yes: Petersen, Reigle, Robinson, Scherer, Sedlacek, Sibbel, Wojcik, and Ames, Ellis, and Nelson

Voting No: None

Absent: Anderson **MOTION CARRIED**

Mrs. Reigle stated that making the decision to leave the Board of Governors was a very, very difficult decision because she absolutely loved the experience and has learned so much. She indicated that she will always be an advocate for Northeast Community College.

- 12. In other business, Chairperson Robinson acknowledged birthdays for the month of November.
- 13. A self-evaluation of today’s meeting was conducted and is recorded in the November 9th Board of Governors Teams site.

14. ADJOURNMENT

At 3:50 p.m., there being no further business to discuss, it was **UNANIMOUSLY PASSED BY VOICE VOTE** to **ADJOURN** the meeting.

Minutes prepared by Diane Reikofski, Recording Secretary.

Julie Robinson, Chairperson
Northeast Board of Governors

Donovan Ellis,
Northeast Board of Governors