

**Cowley College  
Board of Trustees Official Minutes**

**December 12, 2022**

**I. Call to Order**

The regular meeting of the Board of Trustees of Cowley College was called to order on December 12, 2022, at 12:00pm in the President's Dining Room inside the McAtee Dining Center, 206 S. 4<sup>th</sup>, Arkansas City.

**Trustees Present**

- Gary Wilson, Chair**
- Dr. Steve Abrams, Trustee**
- Brett Bazil, Trustee**
- Dr. Alan Marcotte, Trustee**
- Bob McGregor, Trustee**
- David Stanley, Trustee**

**Staff**

- Dr. Randy L. Smith, President**
- Tiffany Vollmer, Board Clerk**
- David Andreas, Legal Counsel**
- Dr. Michelle Schoon, VP of Academic Affairs**
- Holly Harper, VP of Finance and Administration**
- Paul Erdmann, VP of Information Technology**
- Debbie Phelps, Exec. Director of Institutional Effectiveness**
- Julie Rhoads, Director of Education/Faculty Liaison**
- Rama Peroo, Director of Institutional Communications and Public Relations**

**Guests**

- Craig Nelson, President and CEO, Conco Construction**
- Kyle Blasdel, Conco Construction**
- Christina Henson, Loyd Group, LLC**

The Invocation was presented by David Stanley.

**II. 2021-2022 Annual Audit Report**

Loyd Group, LLC. has completed the annual audit of all college funds for the year ended June 30, 2022. In performing the audit, the accountants examined the validity of financial transactions according to generally accepted accounting principles and State law. In addition, they have been instructed to apply the standards established by the policies of the Board of Trustees. Holly Harper, VP of Finance and Administration, provided the Management Discussion and Analysis (MDA) and Loyd Group, LLC. will provide the audit findings.

The 2021-2022 Audit may be viewed on the College web site upon approval by the Board of Trustees.

Gary Wilson introduced and moved the adoption of the following resolution:

**RESOLVED**, that the report of the audit of fiscal and management accounting of the college for fiscal year 2021-2022, is hereby approved and the Secretary of the Board is directed to file the report with the official records of the college.

The motion was seconded by Bob McGregor and the following votes were cast:

<b>Gary Wilson</b>	<b>Aye</b>	<b>Dr. Alan Marcotte</b>	<b>Aye</b>
<b>Dr. Steve Abrams</b>	<b>Aye</b>	<b>Bob McGregor</b>	<b>Aye</b>
<b>Brett Bazil</b>	<b>Aye</b>	<b>David Stanley</b>	<b>Aye</b>

**Motion carried.**

### **III. Awards and Reports**

#### **A. Dr. Smith provided a College Update**

- mentioned the progress being made on the fundraising for the construction of the CTE facility.
- Praised the work of the recent student activities held on campus.
- Dr. Smith also mentioned his recent meeting with representatives of Cowley First and the College's work they did in celebrating Native American Heritage Month.
- Lastly, Dr. Smith thanked the Board for their contributions and wished them a happy holiday season.

**B. Debbie Phelps provided an enrollment, recruitment and retention update.**

**C. Jessica Lucas provided a legislative update.**

**D. Brett Bazil provided a recap of the KACCT Quarterly Meeting, held December 2-3 at Coffeyville Community College.**

**E. Thank you to Cowley College from Kansas FFA Foundation**

**F. Thank you to Cowley College from Keysten Kirk**

**G. Thank you to Cowley College from Ark City Christian Academy**

**H. Thank you to Cowley College from Mulvane Education Association**

**I. Thank you to Cowley College from Abby Morris**

**J. Thank you to Cowley College from Jardine Middle School**

### **IV. Public Comment**

### **V. Standing Committee Reports**

#### **A. Trustee Academic Subcommittee –**

**Bob McGregor provided an overview of the December 5, 2022 meeting.**

#### **B. Trustee Finance Subcommittee –**

**Gary Wilson provided an overview of the December 5, 2022 meeting.**

#### **C. Trustee Policy Subcommittee**

**Brett Bazil provided an overview of the December 7, 2022 meeting and an overview of the policies presented for a first review.**

- **407.00 – Student Organizations (Revision)**
- **411.00 – Student Travel (Revision)**
- **424.00 – Student Housing (Revision)**
- **452.00 – Varsity Athletics (Revision)**

**VI. Consent Agenda**

**A. Board Minutes -**

- November 21, 2022 regular Minutes

**B. Financial Reports –**

Copies of the Financial Reports for the month ending November 30, 2022 were provided for Board review. The reports have been reconciled by the Treasurer of the Board of Trustees and reflect an accurate accounting of the revenues and expenditures for the month.

**C. Bills and Claims -**

A list of the Bills and Claims for the month ending, November 30, 2022 was provided for Board review. Specific information concerning the vendor, purchase order, and cost was provided. The actual purchase orders with all supporting documents are available for inspection prior to the Board meeting in the Business Office.

<b>Cowley County Community College</b>				
<b>Accounts Payable Check Summary</b>				
<b>November 30, 2022</b>				
		<b>Total</b>	<b>Total</b>	<b>Net</b>
<b>Bank</b>	<b>Entity</b>	<b>Check Amount</b>	<b>Check Amount</b>	<b>Check Amount</b>
		<b>Written</b>	<b>Voided</b>	<b>Disbursed</b>
USB	Student Refund Checks	\$ 65,122.80	\$ 4,972.05	\$ 60,150.75
RCB	Student Refund Checks	\$ 8,330.98	\$ 8,330.98	\$ -
		\$ 73,453.78	\$ 13,303.03	\$ 60,150.75
<b>General Operating Activities</b>				
RCB	Operating Fund	-	-	-
USB	Operating Fund	1,360,138.90	128.30	1,360,010.60
USB	Federal Grants Fund	18,171.90	2,175.00	15,996.90
<b>Total General Operating Activities</b>		<b>\$ 1,378,310.80</b>	<b>\$ 2,303.30</b>	<b>\$ 1,376,007.50</b>

**Financial Aid Funds/Student Refund Check \$73,453.78 (net \$60,150.75).**

**General Operating Activities disbursements \$1,360,138.90 (net \$1,360,010.60).**

**Federal Funds \$18,171.90 (net 15,996.90); for a total written of \$1,378,310.80 (net \$1,376,007.50).**

Additionally, the Vice President of Finance and Administration has provided a reconciliation of the summary written checks of bills and claims to the detailed written checks of bills and claims report for the month ending November 30, 2022. The Vice President of Finance and Administration is, hereby, directed to file the purchase requisitions, purchase orders, and all supporting documents for audit according to the policies of the Board of Trustees, and the Statutes of the State of Kansas.

**D. Administrative Reports –**

The Board reviewed department updates provided by administration.

**E. Board Policy Approvals –**

The Board conducted the second and final review of the following policies presented for approval:

- 113.00 – Reserve Funds (Revision)
- 206.00 – Academic Freedom (Revision)
- 465.00 – Drug and Alcohol Abuse (Revision)

**F. Personnel Transactions -**

Dr. Smith has authorized the following personnel items for Board review:

**Retirements:**

- Julie Rhoads, Faculty-Director of Education, effective June 1, 2023

**Staff:**

- Stephanie Hopper, Admissions Recruiter, at an annual salary of \$32,327, plus staff fringe benefits, effective December 12, 2022.

Brett Bazil introduced and moved the adoption of the following resolution:

**RESOLVED**, that the Board of Trustees approve the consent agenda as presented.

The motion was seconded by Dr. Alan Marcotte and the following votes were cast:

Gary Wilson	Aye	Dr. Alan Marcotte	Aye
Dr. Steve Abrams	Aye	Bob McGregor	Aye
Brett Bazil	Aye	David Stanley	Aye

Motion carried.

**VII. Procurement**

**A. Fresh Ideas Dining Services Contract -**

Fresh Ideas presented the College with a proposal to take over the dining services operations.

The proposal includes:

- Management and operations of Cafeteria and catering
- Management and operations of Tiger Deli with extended hours (college operates currently)
- Management and operations of Tiger Eatery (Wellington)
- Mobile app for advanced ordering, reviewing menu and providing feedback on food options
- 10-year commitment includes:
  - \$500K investment to renovate the cafeteria and Tiger Deli
  - \$90K Great Western Dining Services Contract buyout
- Fresh Ideas will honor current summer camp and conference pricing
- The rates listed below will be in effect for the Spring semester. We will negotiate new terms for the 2023-2024 school year in the next few months.

	Daily Rate	
	19 Meal Plan	14 Meal Plan
Current Daily Rate	10.63	10.15
Proposed Daily Rate	12.95	11.62
Yearly Increase to Meal Plan	512.72	324.87

\*Fresh Ideas, a subsidiary of Chartwells, has a current contract with E&I Cooperative. The agreement with the Cooperative completes all competitive bidding requirements from the State. Administration requested the Board of Trustees contract with Fresh Ideas for Dining Services with the terms stated in the attached agreement.

Gary Wilson introduced and moved the adoption of the following resolution:

**RESOLVED, that the Board of Trustees approves the contract with Fresh Ideas for dining services based on the terms of the agreement, as presented.**

**The motion was seconded by Bob McGregor and the following votes were cast:**

<b>Gary Wilson</b>	<b>Aye</b>	<b>Dr. Alan Marcotte</b>	<b>Aye</b>
<b>Dr. Steve Abrams</b>	<b>Aye</b>	<b>Bob McGregor</b>	<b>Aye</b>
<b>Brett Bazil</b>	<b>Aye</b>	<b>David Stanley</b>	<b>Aye</b>

**Motion carried.**

- B. American Rescue Plan Act (ARPA) State Fiscal Recovery Funds Requirements**  
**In April of this year, The State of Kansas, through the Department of Commerce, awarded Cowley College matching grant of \$4,000,000. Per the language adopted by the State:**

**Provided, that all moneys in the Cowley County CC project grant account shall be for building a career and technical education facility in Arkansas City to expand carpentry and construction trades, welding, electromechanical maintenance and other high-wage, high-demand programs. Provided further, that all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for\$1 basis from either the college or private industry partner.**

**The College Board of Trustees needed to complete the two tasks listed below to submit grant paperwork to the Department of Commerce to begin receiving funds for the project:**

- a. The Board of Trustees shall adopt the Community College Property Management Policy.**
- b. The Board of Trustees shall authorize administration to pledge non-state college reserves of \$2,245,000.00 as matching funds for the project. The pledge amount may be reduced by further fundraising efforts.**

**Gary Wilson introduced and moved the adoption of the following resolution:**

**RESOLVED, that the Board of Trustees adopts the Community College Property Management Policy as presented, and authorizes College administration to pledge non-state College reserves in the amount of \$2,245,000.00 as matching funds for the CTE project.**

**The motion was seconded by Dr. Steve Abrams and the following votes were cast:**

<b>Gary Wilson</b>	<b>Aye</b>	<b>Dr. Alan Marcotte</b>	<b>Aye</b>
<b>Dr. Steve Abrams</b>	<b>Aye</b>	<b>Bob McGregor</b>	<b>Aye</b>
<b>Brett Bazil</b>	<b>Aye</b>	<b>David Stanley</b>	<b>Aye</b>

**Motion carried.**

- C. CTE Building – Matching American Rescue Plan Act (ARPA) Funds**  
**An RFPQ was issued on 11/14/22 to find a Construction Manager At-Risk to build the CTE building with matching funds through the State of Kansas. The responses were due on 12/05/22. The College received four respondents that proposed their fees for the estimated construction of a \$7,750,000 building. These responses were reviewed by College administration and the Trustee Finance Subcommittee. The fee proposal results are listed below:**

Contractor	Estimated Cost of Construction	Pre-Construction Services Fee	General Condition Fee OR %	General Condition Fee \$	Overhead & Profit Fee %	*Estimate of Contractor Cost
Commerce	\$ 7,750,000	\$ 20,000	1.50%	\$ 116,250	4.50%	\$ 485,000
Conco	\$ 7,750,000	\$ -	1.50%	\$ 116,250	4.00%	\$ 426,250
Hutton	\$ 7,750,000	\$ 5,000	n/a	\$ 138,000	3.95%	\$ 449,125
Icon Structures	\$ 7,750,000	\$ 9,000	n/a	\$ 246,000	6.00%	\$ 720,000

Administration requested Board approval to proceed with Conco Construction to construct the new CTE Building on our main campus, in conjunction with matching ARPA funds, at the stated 1.50% General Condition Fee and 4.00% overhead and profit fee.

Dr. Steve Abrams introduced and moved the adoption of the following resolution:

**RESOLVED**, that the Board of Trustees authorize the College to proceed with Conco Construction to construct the new CTE Building on our main campus with matching ARPA funds, at the stated 1.50% General Condition Fee and 4.00% overhead and profit fee.

The motion was seconded by Bob McGregor and the following votes were cast:

Gary Wilson	Aye	Dr. Alan Marcotte	Aye
Dr. Steve Abrams	Aye	Bob McGregor	Aye
Brett Bazil	Aye	David Stanley	Aye

Motion carried.

### VIII. Election of Officers

Chair Wilson accepted nominations for the Board Chair and Board Vice Chair Officer positions for the 2023 calendar year.

Dr. Alan Marcotte nominated Brett Bazil to serve as Board Chair.

Bob McGregor nominated Dr. Steve Abrams to serve as Board Chair.

Chair Wilson moved the nominations for Board Chair cease.

By vote of raised hands, Brett Bazil was selected as Chair with the abstention of Dr. Steve Abrams in a vote of 3 (Bazil) -2 (Abrams) -1 (Abstain).

Chair Wilson nominated Dr. Steve Abrams to serve as Board Vice Chair.

Dr. Alan Marcotte moved nominations for Board Vice Chair cease and that Dr. Steve Abrams be approved as Board Vice Chair through acclamation.

By a vote of raised hands, Dr. Steve Abrams was selected as the Vice Chair with the abstention of Dr. Abrams in a vote of 5-1.

Gary Wilson introduced and moved the adoption of the following resolution:

RESOLVED, that the Board of Trustees approves the slate of Board officers for the 2023 calendar year as presented.

- A voting delegate to KACCT (Kansas Association of Community College Trustees): David Stanley
- An alternate delegate to KACCT (Kansas Association of Community College Trustees): Dr. Alan Marcotte
- A Trustee representative for professional negotiations: Glennis Zimmerman
- A Trustee representative designated to open bids: Gary Wilson
- A Trustee representative to the Cowley College Foundation: Bob McGregor
- A Trustee representative to the Tiger Booster Club: David Stanley

Three Trustees to serve on the Finance Sub-Committee:

- Gary Wilson
- Bob McGregor
- Dr. Steve Abrams

Three Trustees to serve on the Academic Sub-Committee:

- Dr. Alan Marcotte
- David Stanley
- Bob McGregor

Three Trustees to serve on the Board Policy Sub-Committee:

- Gary Wilson
- Brett Bazil
- Dr. Alan Marcotte

The motion was seconded by Dr. Alan Marcotte and the following votes were cast:

Gary Wilson	Aye	Dr. Alan Marcotte	Aye
Dr. Steve Abrams	Aye	Bob McGregor	Aye
Brett Bazil	Aye	David Stanley	Aye

Motion carried.

### VIII. Adjournment

With no other business to be considered, Chair Wilson declared the meeting adjourned at 1:14pm.



Tiffany Vollmer  
Board Clerk