

The regular meeting of the Central Wyoming College Board of Trustees was held on Wednesday, March 23, 2011, in Room ITECC 116 of the Intertribal Center on the Central Wyoming College campus.

ATTENDANCE:

<u>Present:</u>	Caroline Mills	Scott Phister
	Charlie Krebs	Colton Crane
	Judy Pedersen	Roger Gose
	Frank Welty	
<u>Administration:</u>	Jo Anne McFarland	Jason Wood
	Mohammed Waheed	Jay Nielson
<u>Attorney:</u>	Frank Watkins	
<u>Recorder:</u>	Linda Bender	
<u>Guests:</u>	Charlotte Donelson	Bret Jones
	Barbara Bonds	Ruby Calvert
	Kelly Frank	Jane Warren
	Carolyn Aanestad	Chloé Skaggs
	Joshua Scheer	Dane Graham
	John Wood	Jackie Meeker
	Eric Heiser	Mark Nordeen
	Martha Davey	Wendy Davis

CALL TO ORDER: Board Chair Roger Gose called the meeting to order at 6:39 p.m. A roll call conducted by the board clerk indicated that all board members were present. A quorum of the board was declared present to conduct business. Chair Gose announced that the meeting was preceded by a 5:30 p.m. board executive session which was held per a formal motion at the board's last regular meeting on February 23, and in compliance with Wyoming Public Meetings law. The topic was personnel.

EXECUTIVE SESSION: No executive session was held at this point in the meeting.

WELCOME AND INTRODUCTION OF GUESTS: Chair Gose welcomed the guests present and reminded everyone that Community Input Forms were available at the door for visitors to use if they wished to speak to an agenda item.

APPROVAL OF  
AGENDA:

**ACTION:**

Mr. Krebs moved to approve the agenda as presented. Mr. Phister seconded the motion. Motion carried.

STUDENT,  
EMPLOYEE  
ASSOCIATION,  
WYOMING  
PBS, AND CWC  
FOUNDATION  
REPORTS:

Written reports from student and employee associations, Wyoming PBS, and CWC Foundation/Institutional Advancement were included in the board packet.

Professional  
Personnel  
Association

Ms. Jackie Meeker, President of the Professional Personnel Association, indicated that she had nothing to add to her written report which included information that John Wood has been invited by The Center for Digital Education to attend a leadership retreat for a small group of higher education CIOs in San Jose April 6-7. Mr. Wood was selected by the WCCC CIO Council to be their representative on the screening committee for the Commission's IT Manager position. He was also selected to serve as the technical representative of the seven community colleges on the evaluation committee for the RFP issued by the Governor's Video Task Force. The Office of the State CIO has been coordinating *LinkWyoming*, the study of broadband Internet access in Wyoming. The planning team for Region 5 includes Bob Connelly, Bob Spain, Jackie Meeker, and John Wood. John Wood and Martha Davey are meeting with the Statewide Longitudinal Database System Task Force set up by the Governor.

Jeremy Hughes completed online Datatel training in February called Colleague Studio: Batch Processes. Lance Goede hosted other college counselors at the 4th annual retreat of higher education counselors at Sinks Canyon Center February 25-27. Mr. Goede was reappointed for a new 3-year term on the Mental Health Professions Licensing Board by Governor Matt Mead. Ken Colovich has met the necessary training requirements for renewal of his "Level I Water Systems Operator" certification from the Department of Environmental Quality. Carolyn Aanestad along with the state PR/Marketing Council designed an advertising editorial regarding the benefits of Wyoming Community Colleges for the 2011 College Bound edition in the *Casper Star Tribune*. Marcia Himes attended a UN Commission on the Status of Women in New York February 20-24. Activities in the Jackson office included Tax Night February 8 and February 22, a presentation on Sudan sponsored by Refugees International,

a presentation to the Latino Services Network, and a trip to the National Elk Refuge Sleigh Ride.

Student Senate

Ms. Chloé Skaggs, Student Senate President, indicated that she had nothing to her written report which included information that during its February 14 meeting, the Senate approved the United Tribes Club, Student Wyoming Educators Association, and Science, Math and Engineering Club. The Music Club requested \$600 to start a fundraiser, which was approved. Student Senate member Kyle Poplin resigned, and his seat will be filled by the end of March. March activities include Unplugged on March 15, a Poetry Slam on March 22 hosted by the Library, Spring Fling Week March 24-31, the performance of a professional drag queen on March 25, magician/comedian Nathan Crane on March 28, Judson Laiply and the “Evolution of Dance” on March 29, and the Spring Fling Dance on March 31.

Classified Staff Association

Mr. Kelly Frank, President of the Classified Staff Association, stated that he had nothing to add to his written report which included information that Retha Reinke, Carol Kraft, Jan Jenson, and Barbette Hernandez answered phones for the Wyoming PBS pledge drive on March 3. Barbette Hernandez is cooking dinners to help raise money for the RHS multicultural Club. Judy Hubbard and Barbette Hernandez answered phones for the Wyoming PBS call-in program on February 24. Linda Bender and Diana Clark attended a Robert’s Rules Lunch and Learn presentation on February 10.

The Faculty

Ms. Jane Warren, President of The Faculty, indicated that this would be her last board meeting and that Eric Heiser would be taking over as President of The Faculty. In regard to Adjunct Faculty Appreciation Week, Ms. Warren stated that there are over 150 adjunct instructors at CWC, and they make a difference at this college. A breakfast and lunch is being planned for adjunct faculty to talk to them about the results of a survey that is being sent to them. The Classroom Wing remodel begins in May, and faculty will be packing everything up and moving out before that time. Help from staff members has been requested, and Serol Stauffenberg indicated that his athletes will fill in any time slots that are not covered.

Ms. Warren submitted a written report which included information that Buck Tilton has accepted an invitation to the Wyoming Writing Project’s Invitational Summer Institute. Jennifer Cole and the CWC Equine Club

held their spring community service project on February 16 at the Good Samaritan Homeless Shelter. Patti Stalley and her students held the last Jackpot of the series on February 26 and the last clinic for the season on February 27. Sharon Dalton organized a residency and performance with Cheyenne Harpist Dave Shaul January 20-21. Robert Hussa attended the American Choral Directors National Convention March 12-18. Jim Thurman led a statewide International Studies articulation meeting on February 25. Matt Flint will show his newest artwork at Gallery MAR in Park City, Utah, in a show that will open on March 25.

Jeff Hosking has been selected by the Rural Policing Institute, Federal Law Enforcement Training Center, U.S. Department of Homeland Security, Office of Community Oriented Policing Services, and the U.S. Department of Justice to be part of a national survey about the needs of law enforcement personnel serving the rural areas and Indian Country. Steve McAllister supervised the INBRE Undergraduate Research Team in the collection of blood samples from volunteers on the CWC campus on February 25. A letter from Jewel Dirks entitled "What I Would Die For" was selected by the *Casper Star-Tribune* as an op-ed. The letter was originally printed in *The Ranger*. The Jackson outreach office held a "Saturday U" seminar on February 25 at the Wildlife Art Museum. Amy Madera and the Jackson campus culinary and hospitality students prepared and served a four-course dinner the evening prior to the event for the collaborating partners.

#### Wyoming PBS

Ms. Ruby Calvert, Wyoming PBS General Manager, reported that the latest pledge drive raised almost \$71,000 in the 16 days of pledge. The Freedom Riders Outreach event will be held at UW on April 28 and will include a black studies professor along with Representative Byrd from Laramie County. Ms. Calvert will be attending Capitol Hill Days next week, and it doesn't look really good for CPB funding. The House passed a bill last week that defunded National Public Radio. Ms. Calvert has invited the board chair, Dr. Roger Gose, to attend the PBS Annual Meeting on May 16. Focus groups will be conducted on the *Wyoming Chronicle* series.

Mr. Welty asked what the impact would be on WPBS if federal funding is lost. Ms. Calvert replied that \$700,000 was received for FY 11 along with a CPB distance service grant of \$138,000, and these funds have not been spent. FY 11 funds will be spent in FY 12. She doesn't know how much they would get for FY 12. However, if CPB was completely defunded, it

would be difficult. PBS dues are \$420,000. The situation is dire and affects a lot of stations. Public television is seen in a different light than National Public Radio because it provides educational children's programming.

Ms. Calvert submitted a written report which included information on administrative, production, promotions, engineering, and development activities at Wyoming PBS. The Wyoming PBS production endowment will have \$557,707 restored to it on July 1, and the period of the match has been extended for five years. The station also received its request for \$412,000 to finish the transition of the production truck to HD. The next PBS board meeting will be held April 1-2 in Washington, D.C., with dues being a very big issue. Current membership is 3,474, with renewal letters going out to 900 people in March.

CWC Foundation/  
Institutional  
Advancement

Mr. Dane Graham, Dean for Institutional Advancement, reported that the CWC Alumni Slot Tournament will be held on April 2 at the Wind River Casino. CWC Foundation Board member and Jackson trust and estate-planning lawyer C. David Clauss will conduct a public seminar on planned giving on May 12 on campus. The official dedication ceremony for the Intertribal Education and Community Center will be held on March 25.

Mr. Graham submitted a written report which included information that funds received by the CWC Foundation in February 2011 totaled \$23,498. The unmatched endowment gift total for future state match is \$222,291. The 2011 Wyoming State Legislature passed the amendment to provide additional funds for the endowment matching program, which makes the CWC Foundation eligible to have \$500,000 in additional matching resources. Agenda items considered at the March 10 meeting of the CWC Foundation included committee reports, the ratification of Part 1 of the CWC Foundation Board Manual, and the presentation of the draft budget for FY 12.

CONSENT  
AGENDA:

Chair Gose indicated that adjunct faculty have a critical place at this college. He read the proclamation for Adjunct Faculty Appreciation Week which is April 18-22.

Chair Gose asked if there were any objections to the consent agenda which included the approval of the minutes from the February 23, 2011, regular

meeting; the acceptance of bills for February 2011; the board travel budget; and the Adjunct Faculty Appreciation Week Proclamation.

**ACTION:**

Ms. Mills moved to approve the consent agenda as presented. Ms. Pedersen seconded the motion. Motion carried.

Acceptance of Bills The acceptance of bills includes payment of the following bills which includes salaries and benefits in the amount of \$1,467,070.60 for the month of February 2011: Operations in the amount of \$1,835,668.70; Student Grants and Loans in the amount of \$1,296,865.23; and Bank Transfers in the amount of \$834,863.64 for a grand total of all payments in the amount of \$3,967,397.57.

UNFINISHED

BUSINESS:

Board Policy

Revisions

New Policy:

IV.D.2 Board

Code of Conduct

Chair Gose indicated that the proposed new policy IV.D.2. Code of Conduct was being proposed for second and final reading by the board for placement in the *Policy Governance Manual* after Code of Ethics, with necessary number changes to accommodate insertion of this new policy. At the February 23 board meeting, the board attorney was asked to do some legal research on issues raised at that time. Board Attorney Frank Watkins reported that the proposed code of conduct was patterned after the ACCT Standards of Best Practices for effective board management and for students. The code requires that the board conduct its business in public so that the public and media can hear the board's opinions and learn about the issues.

Mr. Watkins indicated that he had reviewed Wyoming case law of *Phelan v. LCCC* in which LCCC had a code of conduct similar to the one under consideration by the board. The LCCC code indicated that board members would abide by and uphold a majority decision of the board. The LCCC board passed a bond issue, and one of the board members took out an ad in opposition to the bond issue. This action was against the board's policy, so the board member was publicly censured for this action. This board member filed suit against the board and the LCCC president, claiming that she had been deprived of her constitutional right of freedom of speech. The federal court looked at the board's code of conduct and ruled that the

code did not violate that board member's freedom of speech. The board member violated the board's code of conduct, and the court upheld it.

Mr. Watkins recommended that the sentence which follows #15 and states that "failure to follow this code of conduct constitutes cause for removal from the board" be removed. The Enforcement of Code of Conduct section which follows that sentence includes a range of actions available to the board including informal resolution, sanctions, and removal from the board.

Ms. Mills stated that the board is here for the students and that is what it should always keep in mind. Chair Gose pointed out that the board received an opinion about the code of conduct during the March 14 WACCT/ACCT videoconference from Dr. Narcisa Polonio, ACCT Vice President for Research, Education and Board Leadership Services. Chair Gose said that he personally found this discussion helpful. After a decision is made by the board, if a board member as a private citizen is approached as a private citizen, that board member can say he or she opposed an issue, but that the motion carried. The board speaks with one voice. As a private citizen, a board member can say that a decision wasn't what he or she wanted. Chair Gose doesn't see this as a violation of freedom of speech.

Mr. Phister stated that this issue could be split up a thousand different ways. If a board member is acting in a way that seems detrimental to the board, that is all that matters. The bottom line is that if a board member is doing something that is out of line, the board should be able to act on that. He asked why any of the board members should be afraid of that.

Ms. Pedersen indicated that she had contacted several attorneys about this issue. One of them said that the code of conduct is very offensive and that it seeks to limit freedom of speech. It is the ultimate gag order and has no place in a public system or an elected board. Another attorney suggested talking with the board chair and then reprimanding the member in closed session as an alternative. Censuring, which is a public reprimand, could open the board up to being sued. The board would be publicly saying that the actions are not supported by the board. The board would ask the member to resign in open session. A third attorney advised Ms. Pedersen that the code of conduct was very limiting, intrudes on freedom of speech, and was not enforceable. If it goes into the board policy governance manual, it will not stand up in court. The concern was that removing an

elected official doesn't allow the citizenry of the area to be represented by someone they have elected. A fourth attorney indicated that the code of conduct was a very questionable document and a definite violation of freedom of speech depending on how it is interpreted. Those who disagreed with it would have to file a lawsuit.

Dr. Crane indicated that he wished he had seen the ACCT Code of Conduct first because it is a much better document. He stated that he had been contacted by a couple of people who had concerns about the fact that the code of conduct could be perceived as limiting individuals as to what they can say. It needs to be clearer that a board member can say they don't agree with something even if the board has voted.

Chair Gose stated that in the March 14 videoconference, it was pointed out that the board is a corporate entity. It is the board of trustees for Central Wyoming College, and it has a policy of governance. The point is that the board is here for the students and the community. He asked what impression it makes on the students and the community about what this board is all about when a board member disagrees. If the board operates under the fear of litigation, it is a terrible way to operate. The board is transparent and has media and the public present to hear the debate.

Ms. Mills pointed out that in the policy governance manual, the last item listed under Standards of Good Practice indicates that the board "honestly debates the issues affecting its community and speaks with one voice once a decision or policy is made." Another statement in this same section says "that its trustee members come to each meeting prepared and ready to debate issues fully and openly." Board members need to listen to others' opinions even if they differ from their own and then do what is best for the institution.

Ms. Pedersen indicated that she has researched many more codes of conduct, and there is a better way to say all these things. The board talked about the wording on #7 and #8 last month. She has a problem with #15 which says "maintain personal integrity in aspects of life outside of college as poor behavior reflects on CWC." She asked how the code of conduct came up as something the board should have in its policy manual. Chair Gose replied that the code of conduct was discussed during a good part of the board retreat last fall. It is important that the board have the code of conduct not for punitive reasons, but to set a standard of behavior. It is important for the board to understand that there are expectations of

behavior in a of a code of conduct. If there is a pattern of conduct, then actions need to be taken.

Ms. Pedersen asked if all board members received a call from the retreat facilitator before the retreat. All board members indicated that they did receive a call. Ms. Pedersen asked if all board members received a call after the retreat. She received a call and an apology.

Mr. Welty indicated that he received a call from Pam Fisher, the retreat facilitator, and that the focus of the second day of the retreat was on the alleged behavior of Ms. Pedersen. Mr. Welty stated that Dr. Fisher called him to apologize because she found out it was not true. Mr. Welty finds it disturbing that a board member was treated this way. He said that Ms. Pedersen was accused of using the "F word" and that it turned out not to be true. Dr. Fisher's behavior and professionalism was egregious, and it set a board precedent on how it was handled which led to the discussion of the code of conduct. Ms. Pedersen noted that this is the reason that if anything came from the second day of the retreat, it was very tainted.

Mr. Krebs indicated that he had no knowledge of this situation. The biggest point of the second day was talking about the code of conduct and about how most community colleges have a code of conduct. Ms. Pedersen stated that the ACCT is not infallible and that Dr. Fisher made a huge mistake which set the board on a course. What the board has done with the code of conduct is too harsh and strict. In regard to #15, Mr. Krebs indicated that he also serves on the Fremont Counseling Services Board, and this board is also working on a code of conduct which matches up almost exactly with this board's code of conduct. He stated that how a board member acts in his or her personal life has a bearing on this board and this college. The code of conduct is very good, and the board has not eliminated freedom of speech. Mr. Phister indicated that, based on the discussion, the board needs this more than ever.

**ACTION:**

Mr. Phister moved to pass the Code of Conduct on second and final reading as written with the elimination of the sentence which follows #15. Mr. Krebs seconded the motion.

Mr. Welty stated that the basic principle is that if a board member votes against a motion, that board member should be able to voice his or her opinion as an individual, but this does not give the board the right to

dismiss that member. The majority should not be able to annihilate the minority. Mr. Phister noted that the code of conduct does not say that a board member will be dismissed from the board if that member disagrees with a decision. Mr. Welty pointed out that members of Congress regularly disagree with decisions that have been made. Ms. Mills stated that Dr. Polonio addressed this during the videoconference. Chair Gose indicated that Dr. Polonio is recognized as an authority. She put in it in words that communicate what this board is all about. The issue of freedom of speech seems to be a problem. Board members may not agree with a decision, but the board goes forward.

Board Attorney Frank Watkins stated that the federal court has dealt with a surprisingly similar provision in the LCCC code of conduct. He looks for legal guidance from the courts. This case talks about abiding by the majority decision of the board. What the board did in this case was not a violation of freedom of speech.

Ms. Pedersen suggested taking this item off of the agenda and refining it in the way that has been proposed. She would like to see this policy changed before it is finalized.

Mr. Phister called for the question.

Chair Gose called for a vote on the motion currently on the floor. Motion carried with Mr. Welty and Ms. Pedersen voting no.

Revised Clean-up  
Policies

Standards of Good Practice, Nepotism, College Employment, and WPBS Editorial Mission Policy were policy number/location changes only. Policy IV.F.2 Duties of the Chairperson of the Board and Policy IV.D.2.g Standards of Good Practice contained minor wording changes.

**ACTION:**

Ms. Mills moved to pass on second and final reading the proposed revised clean-up policy language for inclusion in the CWC Board of Trustees Policy Governance Manual. Dr. Crane seconded the motion. Motion carried with Mr. Welty and Ms. Pedersen abstaining from the vote.

**NEW BUSINESS:**

Revised Clean-Up  
Policies

Dr. McFarland explained that a few policies are in need of review based on new titles and structures. These policies can be brought to the board for first reading at the April 20 meeting or held for consideration in

conjunction with the overall policy review that occurs at the May 20-21 Board Retreat. These policies include II.C.4.b. Treatment of Staff, II.D. Acting President, and IV.G. Board Meetings.

Mr. Welty asked who drafted the changes to these policies. Dr. McFarland replied that the changes were drafted by the Human Resources office and for the most part reflect current titles. Titles are being referenced in the policy that are no longer used. The board agreed that they would like to wait to consider these policies in conjunction with the overall policy review that occurs at the May 20-21 Board Retreat.

Legislative Update Dr. McFarland provided a written legislative update in the board packet. Chair Gose asked about SF144/SEA67 State Funded Construction and the note that the WCCC has advised the college that CWC will be using the same process that was used with Casper College on its Gateway Building for the construction process itself. Dr. McFarland explained that the college will be working with the state construction office. This same process was used with the Intertribal Center. SF 67 will require quite a few additional reporting and monitoring requirements for hiring contractors, subcontractors, and design firms. Whether or not the state construction office can give the college much direction is questionable, since it is a new law. Board legal counsel will be needed to interpret that law and to work with the state construction office in filing the necessary reports. The college has been advised by the WCCC to work with the state construction office because the commission does not feel they have clear direction on how to oversee the project.

Mr. Welty asked about the phrase “temporarily modifies provisions” in regard to SF144. Dr. McFarland replied that the law is not permanent and is in force for a very specific time. Mr. Welty asked if the college will have to hire Wyoming contractors even if their costs are higher than contractors outside the state. Dr. McFarland replied no, but the residency criteria are strengthened in some respects. Some restrictions only apply if the college would be using Construction Manager at Risk, but not if a straight bid were used.

Mr. Nielson explained that SF144 is a temporary law which sunsets before the beginning of the 2012 legislature. It does create some problems for the college. Architects are subject to a residency requirement that is not defined. CWC has selected the final five architectural firms for the Health and Science Center, and several have partnerships in Wyoming. He is

currently in discussions with the construction management office regarding this, as it will be a complicating factor. Mr. Nielson must make sure that the state construction office is comfortable with the way CWC's project is handled.

Mr. Welty asked if there is a possibility that this law could noticeably increase the cost of the building. Mr. Nielson indicated that there is that chance. The college still has the ability to select contractors that best meet its needs but part of the selection has to be residency. Dr. McFarland explained that the 5 percent in-state contractor preference could not be applied to the Intertribal Center because it had some federal funds associated with it. The Health and Science Center does not involve any federal funding. This law requires a lot of reporting so the legislature will have information on whether the law needs some fine tuning.

Bond Resolution  
and Bond Purchase  
Agreement

Mr. Bret Jones of George K. Baum & Company, bond underwriter, explained that the bond sale occurred on March 22. Mr. Nielson was present for the sale which added to the transparency of the process. The pre-pricing call was held on March 21. The board was provided bound copies of the Preliminary Official Statement dated March 10, 2011. This document is used by investors for information in regard to purchasing the college bonds. It contains all the final information on the bonds.

Mr. Jones reviewed all the major events which led to the closing and transfer of the bond proceeds. The notification of the "AA-" rating by Standard & Poor's was very important. He explained that under Wyoming law, the college is required to deposit 7 percent of bond proceeds into a Maintenance and Repair Fund for the Health and Science Center. The college will initially levy a bond and interest mill levy of 1.3 mills to fund debt service payments on the bonds, which is consistent with what was communicated to voters during the election process.

Mr. Jones explained that the "AA-" rating on the college's 2011 General Obligation Bonds reflects a strong financial profile with consistently positive operating results and strong reserves in the unrestricted operating fund; a history of levying an optional one-mill levy, which provides additional liquidity and funding for facilities and capital requirements; and limited capital needs and very low debt burden. An offsetting factor is demand that is highly sensitive to economic cycles resulting in a history of fluctuating enrollment which is a driver of state funding and tuition revenue. Comparable ratings in Wyoming higher education include a

Standard & Poor's "AA+" rating for the State of Wyoming; a Standard & Poor's "AA-" rating and a Moody's "AA2" rating for the University of Wyoming revenue bonds; and a Standard & Poor's "AA" rating for Casper College's general obligation bond as well as a Standard & Poor's "A+" rating for Casper College's revenue bonds.

Current market conditions are down over the last 4-5 weeks. Mr. Jones presented a chart which showed the 10-year bond buyer 20-bond G.O. index vs. 10-year treasury from March 2001 through March 17, 2011. The final pricing summary included information that the par amount is \$11,500,000; the fixed maturity is June 15, 2026; the all-in-cost is 3.67 percent which is a fixed rate that will not change; the annual payments will average approximately \$1,052,835; the principal payments are due June 15 annually commencing June 15, 2012, with interest due June 15 and December 15 annually; bonds are callable on December 15, 2020, at par; the project fund is \$11,072,871; the maintenance and repair fund is \$805,000; and the cost of issuance is \$61,800.

In regard to the distribution of bonds, the market is thin which means there is not a lot of investor demand. Yields are low. The distribution included \$3,120,000 purchased by Bond Fund; \$2,205,000 purchased by Bank Trust Departments; \$1,010,000 purchased by Wyoming Retail; \$2,595,000 purchased by GKB Stock; and \$2,570,000 purchased by Investment Advisor. Mr. Jones indicated that the amount of local interest in the bonds is a credit to the investors in Fremont County.

Ms. Barbara Bonds, bond counsel for the college, indicated that the bond resolution and bond purchase agreement draft were submitted two weeks ago. She reminded the board that since this bond issue is over \$5 million, it is subject to rebate by the Internal Revenue Service. The IRS does not want the college to issue tax exempt bonds at a low rate and then sell them at a higher rate and reinvest the proceeds. A detailed tax certificate will be provided as to how to handle these issues. The board received copies of the final documents. After the meeting, Chair Gose, Dr. Crane, Mr. Watkins, and Mr. Nielson will need to sign the documents. The official statement will be taken to the printer on Friday. A link to the website will be provided so the official statement can be viewed when it is posted. The closing will be held over the phone on March 30.

Mr. Nielson reported on his experience on March 22 with the sale of the bonds. The goal was to obtain the lowest interest rate for the taxpayers.

The staff did a good job of structuring the deal so that it met the college's needs. Working with professionals who care about their clients helped the college keep the promises that were made to the voters. They stayed with 15 years and 1.3 mills. He feels comfortable moving forward with this recommendation.

Dr. McFarland recommended that the board approve the bond resolution and bond purchase agreement as advised by bond counsel, Barbara Bonds.

**ACTION:**

Mr. Krebs moved to approve the bond resolution and bond purchase agreement as advised by bond counsel, Barbara Bonds. Mr. Phister seconded the motion. Motion carried.

**BREAK IN MEETING:**

A break in the meeting was called at 8:30 p.m. The meeting resumed at 8:38 p.m.

Renewal of  
BOCHES 1/2 Mill  
Levy for FY 12 and  
FY 13 (Notice of  
Intent)

Mr. Nielson indicated that the CWC BOCHES Board approved a preliminary budget at its meeting on March 9. This budget will be presented to each of the participating school boards, and the CWC Board simultaneously needs to start the process to levy the 1/2 mill. The CWC BOCHES Board recommended the levy of the full 1/2 mill since assessed valuation and associated tax collections in Fremont County vary greatly.

Dr. McFarland recommended that the board issue its notice of intent to levy a one-half mill within Fremont County Community College District as authorized by Wyoming Statute 21-20-110(h) for up to two years to maintain cooperative post secondary educational programs through authorizing the administration to place the proposed advertisement included in the board meeting packet for a May 18, 2011, public hearing, with board action to be scheduled immediately following the public hearing.

**ACTION:**

Dr. Crane moved to issue a notice of intent to levy a one-half mill within Fremont County Community College District as authorized by Wyoming Statute 21-20-110(h) for up to two years to maintain cooperative post secondary educational programs through authorizing the administration to place the proposed advertisement included in the board meeting packet for a May 18, 2011, public hearing, with board action to be scheduled

immediately following the public hearing. Mr. Phister seconded the motion. Motion carried.

CWC BOCHES  
Fiscal Year 2012  
Budget Ratification

Ms. Jackie Meeker, CWC BOCHES Program Director, made a presentation to the board which included information on BOCHES history, the benefits of concurrent/dual enrollment, enrollment statistics, the statewide consensus group, positive impact anecdotes, and fun facts. The CWC BOCHES was formed in 2005 and is funded by a 1/2 mill levied by CWC in Fremont County and a 1/4 mill levied by Hot Springs County School District in Hot Springs County. The benefits of concurrent/dual enrollment include promoting the efficiency of learning and helping to avoid the senior slump; enhancing admission to and retention in college; allowing students to test the waters of college and building self-confidence; improving student access to college; and saving parents and students time and money. The resources from the half mill have served the county well. Almost half of all juniors and seniors in the county are currently taking at least one college credit course.

The majority of the funds generated from the half mill go directly for dual enrollment support. The value of the half mill for the 2012 budget is estimated at \$469,774 which will be combined with \$106,331 in carry-forward funds to balance the budget. Of this amount, 21 percent is allocated to operational costs, and 79 percent is directed to student benefits.

Dr. McFarland recommended that the board ratify the proposed Fiscal Year 2012 CWC BOCHES Budget as presented.

**ACTION:**

Mr. Krebs moved to ratify the proposed Fiscal Year 2012 CWC BOCHES Budget as presented. Dr. Crane seconded the motion. Motion carried.

ACCT Award  
Nomination

Dr. McFarland indicated that Board Chair Roger Gose, recipient of the WACCT 2010-2011 Trustee Leadership Award, is routinely nominated for the ACCT regional competition for Trustee Leadership as the sole nominee for the state. The board must make this nomination, which must be received by ACCT no later than June 24, 2011. The board also indicated that they wished to nominate Board Clerk Linda Bender for the ACCT Professional Board Staff Member Award. Dr. McFarland recommended that the board formally agree to nominate Dr. Roger Gose

for the ACCT Trustee Leadership Award and Board Clerk Linda Bender for the ACCT Professional Board Staff Member Award and to authorize her to submit these two nominations on behalf of the board.

**ACTION:**

Mr. Phister moved to nominate Dr. Roger Gose for the ACCT Trustee Leadership Award and Board Clerk Linda Bender for the ACCT Professional Board Staff Member Award and to authorize the president to submit these two nominations on behalf of the board. Ms. Mills seconded the motion.

Dr. McFarland noted that an award to consider in the future is the Equity Award. She believes that CWC has made great strides in better serving its diverse population.

Chair Gose called for a vote on the motion currently on the floor. Motion carried.

Personnel  
11-12 Faculty/  
Professional  
Letters of Intent  
For Continuing  
Contract  
Employees

Dr. McFarland recommended the following individuals for subsequent continuing contract effective 2012-2013:

Helsha Acuna, Professor Native American Studies  
Nita Kehoe, Professor Art  
Michael Manning, Associate Professor Rural Health and Safety  
Michael Myers, Professor Theatre  
Suzanne Smaglik, Professor Chemistry and Geology  
Patricia Stalley, Professor Equine Studies  
Avelinda Paskett, Director of Finance  
Robert Connelly, Wyoming PBS Assistant General Manager/ Transmitter Engineer  
Chontelle Gray, Technical Theatre Director

Dr. McFarland recommended the following individuals for initial continuing contract effective 2011-2012:

John Gabrielsen, Instructor TV/Radio Broadcasting/Communication  
Debra McClure, Assistant Professor Nursing  
Jeffrey Hosking, Associate Professor Rural Health and Safety

**ACTION:**

Dr. Crane moved to approve the subsequent continuing contract and initial continuing contract recommendations as made by the president. Mr. Krebs seconded the motion. Motion carried.

Request for  
Release from  
Continuing  
Contract

Dr. McFarland reported that Angel Sparkman, business faculty member, was relocating. Professor Sparkman is in the first year of a three-year contract and is requesting a release from her continuing contract effective at the end of this contract year. Dr. McFarland recommended that the board approve this release.

**ACTION:**

Ms. Mills moved to grant a release from continuing contract for Angel Sparkman, Associate Professor of Business Management, effective at the end of this contract year. Mr. Phister seconded the motion. Motion carried.

Anticipated  
Openings for  
FY 12

Dr. McFarland advised the board that in the context of developing the FY 12 budget that will come to the board next month, there will be five proposed new faculty positions and three new professional/management positions that will be advertised as anticipated openings with final hiring subject to board approval of the FY 12 budget.

Human Resources  
Board Report

The Human Resources Board Report for March 2011 included the following information:

A Rustler Salute Nominee was Mitchell Barnett, Barista.

Searches in progress/pending included Instructor Nursing – Anticipated Opening; Instructor Communication/Competitive Speech Advisor – Anticipated Opening; Associate Vice President for Administrative Services; Outreach Coordinator Thermopolis; WPBS Associate Producer; WPBS Producer; Assistant Coordinator Athletics and Student Life/Assistant Volleyball Coach; IT Health Simulation Technician – Anticipated Opening; and Office Assistant Upward Bound.

Separations/transfers/requests for release from contract included Angel Sparkman, Associate Professor Business Management; and Mikal Dalley, Office Assistant Upward Bound.

New hires/appointments/internal transfers included Mikal Dalley, Office Assistant Admissions and Recruitment; Andrew Eckart, Construction Trades/Facilities Maintenance Technology Instructor; Amy Heiser, Payroll/Benefits Specialist; and Cory Lucas, Custodian.

ACCEPTANCE OF  
MONITORING  
REPORTS:

Staff Profile and  
Salary Survey

Ms. Wendy Davis, Human Resources Officer, presented the Staff Profile and Salary Study Monitoring Report. She indicated that the salary study was not completed because data were still coming in today. She will have this information by the next board meeting. Dr. McFarland reported that Ms. Davis has volunteered to conduct the state salary survey at the request of the Presidents Council.

Ms. Davis reported that the college has changed significantly in size in enrollment and staffing. In FY 2000, the college had 159 benefited employees. In FY 2010, benefited employees totaled 242. The most notable piece of information is that a significant proportion of faculty and senior management are nearing retirement. Nearly 56 percent of the faculty is over the age of 50 and almost 20 percent is over the age of 60. Nearly 63 percent of the management staff is over 50, and 16 percent are over the age of 60. The average age of employees at CWC is 48. Turnover at the college is 8.7 percent.

Over the last couple of years, the college has not made any adjustments to base salaries. This is a concern, especially with faculty. The base salary for faculty is more than 15 percent below the Rocky Mountain average, and the average faculty salary is 6 percent below the Rocky Mountain average. This number could be skewed just by who is participating in the survey. The Mountain States salary survey is no longer being done, and this is the salary survey that has been used in the past. Dr. McFarland pointed out that the important aspect is that as the college expects to do a lot of hiring of new faculty, the base salary could be a problem. This also holds true on a national basis. The average faculty salary being 6 percent below the Rocky Mountain average is considered fairly close, which is why the data points must be considered as well as how the college's own models were developed. It may mean that the base will have to be raised at some point.

Ms. Davis indicated that the bottom tier is a concern, which is where positions are being advertised right now. Mr. Phister asked if it was correct that most of the other colleges surveyed have raised their base, whereas CWC has not. Ms. Davis indicated that this could be correct. Dr. Crane asked how many different states are in the Rocky Mountain region versus the number in Mountain States. Ms. Davis replied that the Mountain States organization has 19 states, but she was uncertain about the number in the Rocky Mountain region. Dr. McFarland suggested drawing information from the same states as Mountain States to make the comparison.

The important points from the salary study are that 62 percent of administration senior management is over the age of 50; 55 percent of faculty are over the age of 50; the faculty salary base is losing ground; and additional findings from the Salary Study and Classified Staff Job Analysis will be included in the next Human Resources Board Report.

Mr. Phister asked if the college has had any problems in hiring over the last two years. Ms. Davis replied that the college has had some problems with people not accepting offers. Dr. McFarland indicated that this has to do with the \$1 million cut in state aid in the previous year and certain constraints put on the federal stimulus monies which did not allow any money to be directed toward raising salaries. The colleges in the state have had huge enrollment growth which happened at the time when there was a 10 percent cut in state aid. The college presidents have been invited by Governor Mead to meet with him to look at possible salary adjustments for UW, state employees, and community colleges in the legislative session next year.

Dr. McFarland recommended that the board accept the Staff Profile and Salary Survey Monitoring Report as presented.

**ACTION:**

Mr. Phister moved to accept the Staff Profile and Salary Survey Monitoring Report as presented. Ms. Mills seconded the motion. Motion carried.

**REPORTS:**

President's Report

Dr. McFarland included the following information in her report:

1. Kudos

- a. Compliments to students and staff for their successes and extensive professional and community involvement as reflected in this month's student and employee reports.
- b. Congratulations to Chloé Skaggs, the top scoring student in Wyoming, for being named a COCA-COLA NEW CENTURY SCHOLAR as part of the All-USA Community College Academic Team competition, for which more than 1,600 applications were received. Ms. Skaggs will receive a \$2,000 scholarship and plaque from the Coca-Cola Foundation and Coca-Cola Scholars Foundation at the American Association of Community Colleges (AACC) Conference in New Orleans in April. Special thanks to Phi Theta Kappa sponsors Lonnie Slack and Tara Womack, as well as to Dr. Waheed, who assisted with the nomination process.
- c. CWC trustee, Dr. Colton Crane, has received an invitation from the U.S. Department of Education to attend the Regional Community College Summit on April 15 in San Diego. Wyoming was limited to 10 invitations.
- d. Appreciation extended to Jay Nielson, Executive Vice President for Administrative Services, Lindy Paskett, and the entire Business Office for keeping college finances in order, qualifying CWC for an "AA-" bond rating.
- e. Congratulations to CWC Counselor, Lance Goede, on his 4-year reappointment to the Mental Health Professions Licensing Board by Governor Matt Mead.
- f. Commendations to CWC Jackson Culinary Arts Instructor, Amy Madera, and her students for preparing and serving a tasty and elegant dinner to VIPs attending the "Saturday U" in Jackson on February 25.
- g. Special congratulations to former CWC President, Dr. Bill Day, for being among those in the 300th Armored Field Artillery Battalion, Wyoming National Guard, who received the Presidential Citation on March 12 at the VFW Post in Riverton for extraordinary heroism against enemy aggressors during the Korean War.
- h. Recognition to media star, CWC Professor of Instrumental Music, Steve Traylor, whose Fat City Mardi Gras Band played and paraded during the introduction of the chefs on the Food Network/Mardi Gras Cake Challenge, which was aired on the Food Network on March 6.
- i. Recognition to Jeff Hosking, Rural Justice Training Center Director, for obtaining approval to serve as an official certified trainer from the Bureau of Indian Affairs.

2. Selected State Events Hosted at the College
  - a. CWC hosted the Western Regional 2A Basketball Tournament on campus February 24-26, bringing many visitors to town.
  - b. CWC held Fine Arts Day on campus on March 4, an excellent opportunity to recruit talented high school students.
  - c. The Wyoming Distance Education Consortium Conference will be held at CWC May 23-24.
  - d. The Governor's Workforce Summit will be held at CWC on June 9-10.
3. Follow up for the board  
The cost in both money and staff time to broadcast board meetings is being investigated. Pursuing this may be costly.
4. State Level Issues
  - a. Dr. Miles LaRowe has been selected as LCCC's Interim President, beginning March 14.
  - b. The College Commission has appointed a new CIO, Andy Corbin. CWC CIO, John Wood, served on the screening committee.
5. A couple of articles included in this section were:
  - a. "Community College Priorities Undone by Wash. Governor;" and
  - b. "New Measures to Help Define Success of Community Colleges."

Additional articles from sister colleges in the state and across the country were included in a separate file with the board packet.

In regard to broadcasting board meetings, Dr. McFarland reported that some analysis will need to be done to find out what that would entail. If Bresnan cable is used, the college could not guarantee that the broadcast would reach all the households in Fremont County. Only Bresnan cable subscribers in Riverton and Lander would receive the broadcast, since Shoshoni and Dubois do not have this service.

Mr. Jason Wood reported that there are basically four options available to the board regarding television broadcasting of board meetings which include fixed camera and no operator with a cost of \$2,500 up front; multiple fixed cameras and no operator with an estimated cost of \$15,000-\$20,000 for equipment; single camera, live operator with an estimated cost

of \$2,500 for equipment plus ongoing personnel costs; and multiple operated cameras with live operating crew and production staff which would have a significant cost. The single camera, live operator option possibly could provide an opportunity for students majoring in broadcasting to gain experience.

Dr. McFarland asked if the board was serious about this possibility and if the staff should put more work into it and come back with a recommendation and inclusion in the budget. Mr. Phister asked if there was public demand for this. Dr. McFarland replied that it was suggested at the last board meeting. Dr. Crane asked why the board would want to have a board meeting filmed and broadcast. Dr. McFarland replied that it is another way to provide access. Mr. Krebs stated that it wouldn't serve all of the board's constituency if cable was used. It would not be a representative audience. Mr. Wood stated that personnel costs could include overtime for regular staff or costs for students. The single camera and live operator option provides academic appeal. Mr. Phister indicated that more information would be helpful. Dr. Crane stated that it would make sense only if there was a public outcry to have meetings televised. Mr. Welty stated that what happens in this county is determined by Riverton and Lander. Broadcasting the meetings would result in a better informed public and bring more awareness.

Mr. John Wood asked the board to consider that the meeting dynamics might change considerably if the meetings are broadcast. On-demand web delivered content is increasing and is a possibility. Chair Gose asked that more information be provided to the board. Dr. Crane stated that the board is assuming that people want to see board meetings. He doesn't think it is necessary unless people demand it and doesn't see any reason to do it. Chair Gose indicated that he would be interested in finding out how televising the meetings would change the dynamics of them.

Executive Vice  
President for  
Administrative  
Services

Mr. Nielson asked that the board hold a special board meeting on April 6, 2011, to approve the selection of an architect for the Health and Science Center and to approve bids for asbestos abatement, the Classroom Wing reroof, and the energy retrofit project. With the Classroom Wing project, waiting a week for the board study session to ask for approval would further compress an already aggressive construction project schedule. This meeting can be set up to be held by phone.

Mr. Welty asked if the college is still on schedule with the Classroom Wing remodel. Mr. Nielson replied that the project is still on schedule. The asbestos abatement will put the project several days behind but it accomplishes 80 percent of the demolition.

NEXT REGULAR  
MEETING/  
SUGGESTED  
AGENDA ITEMS/  
ADDITIONAL  
TRUSTEE  
COMMENTS AND/  
OR REPORTS ON  
ADVANCEMENT  
IN THE  
COMMUNITY:

The next regular meeting will be held on Wednesday, April 20, beginning at 6:30 p.m. in the Wind River Room (ITECC 116) of the Intertribal Center.

Agenda items for the next regular meeting include:

1. Budget Monitoring Report
2. FY 12 Preliminary Budget Adoption
3. 12-13 Scholarship Package
4. Perkins Grant Authorization
5. WPBS Bid – Master Control
6. Construction Update

Chair Gose indicated that an executive session would need to be scheduled to discuss personnel.

**ACTION:**

Dr. Crane moved to hold an executive session on April 20, 2011, at 5:30 p.m. in the Intertribal Center Conference Room #ITECC 121, to discuss personnel issues. Mr. Krebs seconded the motion. Motion carried.

**ACTION:**

Mr. Phister moved to hold a special meeting of the board on Wednesday, April 6, at 6:30 p.m. in ITECC 116. The topics for the special meeting are Acceptance of Proposal for Architectural Firm for Health and Science Center and Acceptance of Bids for Energy Retrofit, Asbestos Abatement, and Classroom Wing Roof. Dr. Crane seconded the motion. Motion carried.

A study session will be held on Wednesday, April 13, from 6-8 p.m. in ITECC 116. No board action will be taken. Topics for the study session are as follows:

- FY 12 Salaries and Benefits
- FY 12 Operations Budget

CWC Foundation The CWC Foundation Board met on March 10. The next meeting of the Foundation Board is scheduled for Monday, June 13, at 10 a.m. at the Holiday Inn in Riverton.

Association of  
Community  
College Trustees The next ACCT event will be the Annual Congress which will be held October 12-15, 2011, in Dallas, Texas. All board members have indicated their plans to attend.

Wyoming  
Association of  
Community  
College Trustees The next regular meeting of the WACCT will be held on April 25 in conjunction with the April 26 meeting of the Wyoming Community College Commission at Northwest College. Ms. Mills and Mr. Krebs will attend this meeting.

Since Ms. Mills was elected as Secretary to the WACCT, Mr. Krebs has agreed to serve as an Advocacy Committee member, which must be ratified by the board.

**ACTION:**

Dr. Crane moved to appoint Mr. Krebs to the WACCT Advocacy Committee. Ms. Mills seconded the motion. Motion carried.

On March 14, the WACCT hosted a statewide web-based interactive institute on Effective Trusteeship for Wyoming's Community Colleges. Five CWC board members were in attendance.

Wyoming  
Community College  
Commission The next regular meeting of the WCCC will be held on April 26 at Northwest College.

CWC BOCHES The CWC BOCHES met on March 9.

Teton County  
BOCES The next meeting of the Teton County BOCES is scheduled for May 17.

ADJOURNMENT - Board members were asked to complete an evaluation of the meeting and to turn them in to the Board Clerk.

EVALUATION  
OF MEETING:

Chair Gose adjourned the meeting at 9:51 p.m.

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Secretary

APPROVAL:

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Chair