

MINUTES
NORTH IOWA AREA COMMUNITY COLLEGE BOARD OF DIRECTORS
Regular Board Meeting | June 15, 2023

HELD: 7:00 p.m. NIACC Campus – Pierce Administration Building– Room 100 – 500 College Drive – Mason City, Iowa

1.0 Preliminary/Information Items

A. Call to Order and Declaration of Quorum – President Steffens called the meeting to order at 7:04 p.m. A quorum was declared with the following persons in attendance.

MEMBERS PRESENT: 1 – David Steffens, Jr., Lake Milles
 2 - Cathy Rottinghaus, Charles City
 3 – David Moore, Clear Lake (Zoom)
 4 - John Rowe, Mason City
 6 – Andy Julseth, Northwood
 7 – Stephanie Nettleton, Mason City
 8 – Debra Hill, Garner

MEMBERS ABSENT: 5 - Doug Krabbe, Osage
 9 – Nicki Prantner, Hampton

EXECUTIVE OFFICER: Dr. Steven Schulz

BOARD SECRETARY: Mindy Eastman

RECORDING SECRETARY: Abby Donald

VISITORS: ♦ Dr. Erin Shaw, Interim VP of Academic Affairs and Student Learning
 ♦ Dr. Shelly Schmit, VP of Organizational Development and Human Resources
 ♦ Dr. Rachel McGuire, VP of Student Development and Success

B. Additions to the Agenda and Adoption of the Agenda - A motion was made by Director Nettleton and seconded by Director Rottinghaus to adopt the agenda. Ayes – all. Motion carried.

C. President’s Goals – Dr. Schulz presented the following goals for July 1, 2023 – June 30, 2024.

1. Support a successful Higher Learning Commission visit and re-accreditation.
2. Finalize farm improvements.
3. Develop a formal plan for the SW region academy.
4. Develop a plan for McAllister Hall building renovations.
5. Expand work-based learning opportunities.
 Implement work-based learning concurrent enrollment classes.
 Increase apprenticeship opportunities for students and employers.
6. Expand non-credit to credit opportunities.
7. Support leadership transitions at the College.
 Vice President of Academic Affairs and Student Learning
 Facilities Director and Department Restructuring.
8. In partnership with Assured Partners, conduct a comprehensive study of the 15 Iowa

Community College Health Insurance benefits and identify/recommend changes to NIACC's existing plan that are sustainable.

9. Support the athletics capital campaign.

Dr. Schulz asked the Board members if they had any revisions or changes. A motion was made by Director Rowe and seconded by Director Julseth to approve the nine President's goals for July 1, 2023 – June 30, 2024. Ayes- all. Motion carried.

2.0 Board Items

A. Community Colleges for Iowa Update – ♦ Director Rottinghaus shared the following: ♦ Reminded the Board that the Trustee conference is July 19-20 and to register with Abby if they have not already.

B. Legislative Report - ♦ Dr. Schulz reported on the following: ♦ There has been no word from the Governor's office on the impact restructuring will have on higher education.

C. Board Policy Manual Revision First Reading – Dr. Schulz explained that the Board Policy Manual was reviewed by attorney Danielle Smid of Brown Winick Law Firm (Des Moines, Iowa) and there were 3 changes.

Section 1.03 Governance, Board Organization – Conflict of Interest Policy to update policy, procedures, and violations.

The new policy would read:

POLICY

- *This policy is intended to achieve the following purposes:*
- *Ensure and affirm the Directors of North Iowa Area Community College ("NIACC") operate with the highest level of integrity and transparency and take all necessary steps to avoid conflicts of interest.*
- *Recognize that Directors are responsible for administering the affairs of NIACC honestly and prudently, and for exercising their best care, skill, and judgment for the sole benefit of NIACC and its Members.*
 - *Emphasize that Directors shall not use their position with NIACC, or knowledge gained therefrom for their personal benefit.*
 - *Provide guidance to NIACC Directors to help them recognize, disclose, and deal with any conflict(s) of interest.*

PROCEDURES

- *Definitions: As used in this Policy, and unless the context requires otherwise:*
- *Business Relationship: Means any circumstance(s) where a NIACC Director, Director Candidate, or Family Member of any of the foregoing, is an owner or serves as an officer, director, employee, partner, trustee, or stockholder of an organization conducting business with NIACC.*
- *Conflict of Interest: Means, when in the determination of the Board of Directors of NIACC, an interest, direct or indirect, exists with any third-party individual or entity, which might affect, or might be thought to affect, the judgment or conduct of a Director of NIACC such that said Director may not act impartially in the best interest of NIACC. Such an interest might arise in a variety of circumstances, including, but not limited to, the following:*
 - *Owning stock or holding debt or other proprietary interests in any third party dealing with NIACC;*

- *Holding office, serving on the Board, participating in management, or being otherwise employed (or formerly employed) in any third party dealing with NIACC;*
 - *Receiving remuneration for services with respect to individual transactions involving NIACC from any source other than NIACC;*
 - *Using NIACC's personnel, equipment, supplies, or goodwill for other than NIACC-approved operations, programs, and purposes;*
 - *Receiving, offering, or giving personal gifts or loans from or to third parties dealing with NIACC, except for gifts of de minimis value which could not be refused without discourtesy. Notwithstanding, Directors should discourage such gift exchanges, and shall not engage in any such exchange valued in excess of \$100;*
 - *Appropriating for themselves business opportunities that are discovered through the information obtained as a Director of NIACC.*
- *Obtaining an interest in real estate or other property that NIACC might consider buying or leasing; and*
 - *Expending staff time during NIACC's normal business hours for personal affairs or for other organizations to the detriment of work performance for NIACC.*
 - *Indirect Conflict of Interest: As noted above, a Conflict of Interest may be indirect. A Director will have an indirect Conflict of Interest in another entity or transaction if any of the following also have an interest:*
 - *A family member of a Director (family member is defined for these purposes as all persons related by blood or marriage to a Director);*
 - *An estate or trust of which the Director or family member of said Director is a beneficiary, personal representative, or trustee; and*
 - *A company of which a family member of a Director is an officer, or director, or in which he or she has ownership or other proprietary interests.*
- *Conflict of Interest – Mitigation, Disclosure, and Determination*
- *Each Director must take all necessary actions to avoid any Conflicts of Interest or Indirect Conflicts of Interest.*
 - *Any situation that involves, or may involve a Conflict of Interest or Indirect Conflict of Interest shall be promptly disclosed to the full Board of Directors and the President. In accordance with such disclosure, a Director shall detail all material facts and circumstances related to the Conflict of Interest or Indirect Conflict of Interest.*
 - *After the disclosure of the Conflict of Interest or Indirect Conflict of Interest, the Board of Directors shall determine if a Conflict of Interest or Indirect Conflict of Interest exists. A conflicted Director shall not be present during such determination.*
 - *Each Director must annually certify to the Board that he/she is not aware of the existence of any director or indirect conflicts of interest that have not otherwise been disclosed.*

VIOLATIONS

Violations of the Conflict of Interest Policy. If the Board of Directors of NIACC has reasonable cause to believe that a Director has failed to disclose a Conflict of Interest or Indirect Conflict of Interest, the Board of Directors must inform the Director of this belief and the basis for such and afford said individual an opportunity to disclose and/or explain the alleged failure to disclose the Conflict of Interest or Indirect Conflict of Interest. If, after hearing such response and/or making further investigation, the Board of

Directors determines that such individual has failed to disclose, it shall take appropriate remedial and/or disciplinary action to correct the circumstance(s).

Section 2.17 Administration, Software Copyright Compliance – the word *should* replaced *may* in paragraph 4 (page 33). The words *The employee should immediately report such requests to the President of the College* were added to the end of paragraph 4 (page 33).

The new policy would read:

The College is not financially or legally responsible for an individual's unauthorized and/or illegal copying or usage of computer software, regardless of the individual's intent. If asked to perform tasks which are possibly infringements of the copyright law, employees ~~may~~ should refuse to perform these functions. The employee should immediately report such requests to the President of the College.

Section 3.01 Students, General Policies – sections 1 and 2 under paragraph 1. General policies regarding freedom of expression by students were added to comply with Iowa Code 280.22.

The new policy would read:

General Policies: Students of the North Iowa Area Community College are both citizens and members of the academic community. As citizens, students enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy. As members of the academic community, they are subject to the obligations which are theirs by virtue of this membership.

1. Except as limited by this section, students of the North Iowa Area Community College have the right to exercise freedom of speech, including the right of expression in official school publications.

2. Students shall not express, publish, or distribute any of the following:

a. Materials which are obscene.

b. Materials which are libelous or slanderous under chapter 659.

c. Materials which encourage students to do any of the following: i. Commit unlawful acts.

ii. Violate lawful school regulations.

iii. Cause the material and substantial disruption of the orderly operation of the school.

d. There shall be no prior restraint of material prepared for official school publications except when the material violates this section.

The College expects its students to conduct themselves in such a way as to reflect credit upon the institution they represent. There are two basic standards of behavior required of all students: (a) They shall not knowingly violate any Board policy, municipal, state, or federal law; (b) nor shall they interfere with or disrupt the orderly educational processes of the College. Students are not entitled to greater immunities or privileges before the law than those enjoyed by other citizens generally.

A motion was made by Director Rottinghaus and second by Director Hill to approve the first reading of the Board Policy Manual Revisions. Ayes – all. Motion carried.

D. Board Member Forum – There were no reports.

E. Agenda Items for July Board Meeting – No agenda items were requested.

3. CONSENT AGENDA – Vice President Rottinghaus asked if anyone would like to discuss or remove items from the Consent Agenda. A motion was made by Director Hill and seconded by Director Nettleton to approve the Consent Agenda. Ayes-all. Motion carried.

A. Approval of Minutes

I. Workshop Meeting Minutes and Regular Meeting Minutes – May 25, 2023

B. Financial Report and Actions

I. Bills for the Month of May 2023 and Budget Statements through May 31, 2023 – Director reviewed the bills this month and found them to be in order.

C. Personnel Items – The personnel recommendations were included in the Board book.

I. Retirements, Resignations, Terminations, Authorizations, Appointments, Other

D. Action Items

I. FY2024 Facility Fee Schedule - A copy of the facilities fee schedule for FY24 was included in the Board packet.

4.0 Action Items

A. Request for Approval of FY2024 Employee Agreements - A memorandum from Dr. Shelly Schmit was included in the Board book requesting approval of the FY2024 employee agreements for the Facilities, Office/Clerical, and Professional Salaried Staff (PSS) employee groups. The PSS agreement includes a 3.5 percent wage increase. The entry-base wages for new hires will also increase by 2 percent. The Facilities and Office Clerical agreements include a 3 percent increase, plus an additional \$1 per hour. This equates to an 8.50 percent increase. The entry-base wages for new hires will also increase by 5.5 percent. The College will implement an 8 percent medical insurance increase beginning July 1, 2023. The College will also change the single and family contribution rates towards insurance from 1.9 to 6.5 percent for single and 18.8 to 21.5 percent for family coverage as well as a spousal/partner surcharge of \$125.00 per month. The Office/Clerical and PSS groups can use the 2.5 days of additional paid time during Spring Break the week before, the week of, and the week following Spring Break provided sufficient coverage is provided. The Facilities employee agreement includes an increase in clothing allowance to \$100/per fiscal year from \$56/per fiscal year and a boot allowance to \$150/per fiscal year a change from \$150 every two years. In addition, the PSS/10 employees will receive a pool of dollars equaling 3.5 percent for Dr. Schulz to distribute at his discretion. The Faculty agreement has not been finalized. A motion was made by Director Rowe and seconded by Director Julseth to approve the 2023 – 2024 employee agreements for Facilities, Office Clerical, and Professional Salaried Staff employee groups. Ayes – all. Motion carried.

B. Request for Approval of FY2023 Equipment Request – A memorandum from Mindy Eastman was included in the Board book requesting approval of the FY2023 Equipment Request. The items include the following:

CNC Router Upgrade; Vectric Aspire 3D Software - \$12,198

A motion was made by Director Julseth and seconded by Director Rowe to approve the FY2023 Equipment Request. Ayes – all. Motion carried.

C. Request for approval of WHKS Engineering for the Farm Swine Building - A memorandum from Mindy Eastman was included in the Board book requesting approval of engineering services for the Farm Swine Building. A motion was made by Director Rowe and seconded by Director Nettleton to approve the Farm Swine Building engineering services contract with WHKS. Ayes – all. Motion carried.

D. Request for Approval of Laundry Equipment Lease - A memorandum from Mindy Eastman was included in the Board book requesting approval of the Laundry Equipment Lease with Excalibur Laundries. A motion was made by Director Rottinghaus and seconded by Director Hill to approve the Lease of Laundry equipment with Excalibur Laundries. Ayes – all. Motion carried.

E. President’s Contract for FY2024 and Personnel Closed Session per Iowa Code [21.5(1)(i) (2023) – The regular meeting of the NIACC Board of Directors was recessed at 7:35 p.m. A motion was made by Director Rottinghaus and seconded by Director Nettleton and unanimous to recess the regular NIACC Board meeting and go into closed session for Dr. Schulz’s FY2024 contract and personnel per Iowa Code Section [21.5(1)(i) (2023).

The roll was called, and the vote was:

Director Steffens - Yes
Director Rottinghaus – Yes
Director Moore – Yes
Director Rowe – Yes
Director Julseth – Yes
Director Nettleton – Yes
Director Hill - Yes

Yes – 7; No – 0; Absent – 2; Motion carried.

There was consensus to reconvene the regular meeting at 8:10 p.m.

F. President’s Contract for FY2024 – A motion was made by Director Rottinghaus and seconded by Director Julseth to offer Dr. Schulz \$229,289.28 in base salary, a 3.5 percent salary increase. Ayes – all. Motion carried.

5.0 Additions to the Agenda – There were no additions to the agenda.

6.0 President’s Report – Dr. Schulz reported on the following: ♦ Expect to hire an Esports coach ♦ Reminded Board members up for election that election papers were included in their Board packet. Fifty signatures are required, but Dr. Schulz recommended obtaining at least seventy-five. Abby will send updating redistricting map to the Board. ♦The November Board meeting is scheduled before election canvassing is to be completed. The Board agreed to move November’s meeting from Thursday, November 16, 2023, to Tuesday, November 21, 2023.

7.0 Adjournment - A motion was made by Director Rowe and seconded by Director Julseth to adjourn the meeting. Ayes-all. Motion carried. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

David Steffens, Jr., President
NIACC Board of Directors

Mindy Eastman, Secretary
NIACC Board of Directors