

**GARDEN CITY
COMMUNITY COLLEGE
May 10, 2022**

Trustees Present: Leonard Hitz, Dr. Merilyn Douglass, Beth Tedrow, Shanda Smith, David Rupp, Bob Larson

Others Present: Dr. Ryan Ruda, President
Karla Armstrong, Vice President
Colin Lamb, Vice President
Marc Malone, Vice President
David Larsen, Software Specialist
Madilyn Limberg, Assistant Director of Marketing and PR
John Haas, Ranson Financial
Meghan Flynn, Reporter Garden City Telegram
Jodie Tewell, Executive Assistant to the President
Gabe Winger, JD Instructor
Holly Chandler, Reading Instructor
David Larsen, Software Specialist
Matt Stockemer, Web and Systems Administrator
Robert Scrivner, Campus Police Officer
Taylor Thorp, SGA Representative

CALL TO ORDER:

Chair Douglass called the board meeting to order at 6:01 pm.

COMMENTS FROM THE CHAIR:

Garden City Community College Endowment Association selected five area students for the Otis and Mary Lee Molz Cooperative Scholarship for the 2022-23 academic year. Congratulations to Taylin, Adison, Rilee, Brady, and Jaycee.

Congratulations to GCCC Student Kaylee Bridges for winning the Innovation Selfie Station Contest.

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GCCCA has partnered with East Garden Village. Thank you to Cary Conley for making this happen. The ribbon-cutting is on May 20 at 10:00 am.

GCCC will be receiving 1.5 million dollars for the Ag Tech program. Gov. Kelly signed the budget. GCCC was 1 in 5 of protects requested that were approved. The Higher Education budget increased funds to Senate Bill 155.

Chair Douglass requested an amendment to the agenda: Add that the Board will discuss the Asset Protection Policy.

Motion to amend the agenda with the addition of the Asset Protection Policy.

Motion: Marilyn Douglass

Second: Beth Tedrow

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carried: 6 - 0

B. Report for SGA

Taylor Thorpe, PR Representative for SGA, discussed the activities that have been happening on campus and the events that will finish the year. (Supporting documents filed with official minutes)

C. New Employees

No New Employee Introductions for May

II. Executive Session

Trustee Hitz moved that the Board recess into executive session to discuss an individual employee's performance pursuant to the open meetings exception for personnel matters of non-elected personnel, which if discussed in open meeting might violate their

right to privacy and that our President be included upon request and Vice President/CFO Karla Armstrong. The open meeting will resume here in the Endowment Room in 30 (thirty) minutes.

The open meeting will resume in the Endowment Room at 6:39 pm.

Motion: Leonard Hitz

Second: David Rupp

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carried: 6 - 0

The open meeting resumed at 6:41 pm. No binding action was taken during executive session.

III: Consent Agenda

Trustees pulled items C1, E, and G, for further discussion.

Move to accept A, B, B1, B2, C2, C3, C4, D, F, H, and I for approval.

Motion: Beth Tedrow

Second: Bob Larson

Ayes: Hitz, Smith, Tedrow, Douglass, Larson, Rupp

Nays: None

Motion Carries: 6 - 0

(A) Approval of minutes of previous meetings
(Supporting documents filed with official minutes)

(B) Approval of personnel actions-Human Resources
(Supporting documents filed with official minutes)

(C) Approval of Financial information

C-1: Checks processed in excess of \$50,000. Trustee Hitz questioned what these purchases are for and who determines if it is a college expense. Dr. Ruda and Karla Armstrong provided information from the Policy: Purchase Card.

Move to approve Item C1 Checks processed in excess of \$50,000

Motion: Shanda Smith

Second: David Rupp

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carried: 6- 0

(D) Cengage Contract Renewal

(Supporting documents filed with official minutes)

(E) Approval of Financing

John Haas, Ranson Financial Group, discussed the three bids received, interest rates, and review and approval of Resolution. (Supporting documents filed with official minutes)

Move to approve Resolution No. 2022-4.

RESOLUTION NO. 2022-4

A RESOLUTION AUTHORIZING GARDEN CITY COMMUNITY COLLEGE TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN BUILDING IMPROVEMENTS IN GARDEN CITY, KANSAS AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

WHEREAS, under the constitution and statutes of the State of Kansas, particularly KSA 71--201, Garden City Community College, Finney County, Kansas (the "College") is empowered to enter into certain leases and lease purchase agreements for the lease and/or acquisition of property; and

WHEREAS, the College has immediate need to acquire, construct and equip by lease-purchase agreement certain science building additions and remodeling, turf and track upgrades or replacements, a new digital scoreboard, new print shop production copiers and cosmetology building remodeling improvements on or near the College campus in Garden City, Kansas (the “Improvements”), which will further its educational and public purposes, but does not have sufficient moneys on hand legally available to purchase the Improvements for its use; and

WHEREAS, the governing body of the College has heretofore adopted a Resolution on February 15, 2022 (the “Intent Resolution”) declaring the intent of the College to enter into a financing arrangement for the Improvements involving a lease purchase agreement at an estimated cost of \$5,200,000, subject to the provisions of KSA 10-1116c; and

WHEREAS, the Intent Resolution was duly published and no sufficient petition in opposition of the lease purchase agreement was filed with the County Clerk of Finney County, Kansas; and

WHEREAS, the governing body of the College now finds and determines that it is advisable to enter into a financing arrangement involving a lease purchase agreement (the “Lease”) and the issuance and delivery of corresponding Certificates of Participation, Series 2022 in the principal amount of \$5,200,000* (the “Certificates”), evidencing proportionate interests of the owners thereof in basic rent payments to be made by the College under the Lease and to provide financing for the Improvements; and

WHEREAS, in order to facilitate the foregoing and to pay the cost thereof, it is necessary and desirable for the College to take the following actions:

1. Enter into a Site Lease (the “Site Lease”) with the College, as lessor, and Security Bank of Kansas City, Kansas City, Kansas (the “Trustee”), as lessee, pursuant to which the College will lease certain real property to the Trustee on the terms and conditions set forth therein, a form of which has been submitted to the governing body for review;
2. Enter into a Lease Purchase Agreement (the “Lease”) with the Trustee, pursuant to which the College will lease the Project (as defined in the Lease) from the Trustee with an option to purchase the Trustee's interest in the Project, a form of which has been submitted to the governing body for review;
3. Approve a Declaration of Trust (the “Declaration of Trust”), by the Trustee, pursuant to which the Certificates will be executed and delivered, a form of which has been submitted to the governing body for review;
4. Approve the final Official Statement respecting the Certificates; and

5. Authorize a Tax Compliance Agreement (the "Tax Compliance Agreement") pursuant to which the College and Trustee covenant and agree to comply with various federal tax requirements necessary to maintain the exemption from federal income taxation of the Interest Portion of Basic Rent Payments under the Lease

The Site Lease, the Lease, the Official Statement and the Tax Compliance Agreement are referred to together herein as the "College Documents."

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF GARDEN CITY COMMUNITY COLLEGE, AS FOLLOWS:

Section 1. Authorization and Approval of College Documents and Declaration of Trust.

(a) The College Documents and the Declaration of Trust are hereby approved in substantially the forms submitted to and reviewed by the governing body on the date hereof, with such changes therein as shall be approved by the Chairperson, the Chairperson's execution of the College Documents to be conclusive evidence of such approval.

(b) The obligation of the College to pay Basic Rent Payments (as defined in the Lease) under the Lease shall constitute a current expense of the College and shall not in any way be construed to be an indebtedness or liability of the College in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness or liability by the College, and all provisions of the Lease shall be construed so as to give effect to such intent.

(c) The Chairperson is hereby authorized and directed to execute and deliver the College Documents and to approve changes to the Declaration of Trust on behalf of and as the act and deed of the College. The Secretary of the Board of Trustees is hereby authorized to affix the College's seal to the College Documents and attest said seal.

Section 2. Approval of Official Statement. The final Official Statement is hereby authorized and approved, supplementing, amending and completing the Preliminary Official Statement, with such changes therein and additions thereto as shall be approved by the officer of the College executing the final Official Statement, said officer's execution thereof to be conclusive evidence of said officer's approval thereof, and the public distribution of the final Official Statement by the purchaser of the Certificates of Participation are in all respects hereby authorized and approved. The Chairperson of the College is hereby authorized to execute and deliver the final Official Statement on behalf of and as the act and deed of the College.

Section 3. Further Authority. The College shall, and the officials and agents of the College are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and to carry out, comply with and perform the duties of the College with respect to the College Documents, the other documents authorized or approved hereby and the Project.

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Without limiting the foregoing, the Chairperson is hereby authorized to execute a tax compliance agreement and other closing documents and, if required, to execute any certificate or agreement to allow the Underwriter to comply with Rule 15c2-12 of the Securities and Exchange Commission.

Section 4. Mandatory Provisions. Pursuant to KSA 71-201c, the College shall omit from the College Documents the mandatory contract provisions of DA-146a.

Section 5. Effective Date. This Resolution shall take effect and be in full force from and after its passage by the governing body.

Motion: Shanda Smith

Second: Beth Tedrow

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carried: 6 – 0

(F) Electric bid for Video Board

(Supporting documents filed with official minutes)

(G) President's Contract

After discussion with the total Board, Beth Tedrow moves to extend the President's Contract commencing July 1, 2022, at \$200,000 plus benefits.

Motion: Beth Tedrow

Second: David Rupp

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carried: 6 - 0

(H) Cafeteria Dishwasher

(Supporting documents filed with official minutes)

- (I) Men's Locker Room Remodel
(Supporting documents filed with official minutes)

IV. CONFIRMATION OF MONITORING REPORTS:

A. Monitoring Reports and END

A-1 Executive Limitations, Treatment of People 1-4

Trustees reviewed all four areas. No comments: Board accepts monitoring reports as presented.

B. Review Monitoring Report (added agenda item)

Policy Asset Protection: Chair Douglass asked the trustees to entertain increasing the purchase limits. The rise in material costs with the limits now causes delays. The increase will allow for more timely purchases, especially with the upcoming projects. The trustees had a robust discussion regarding the increase, bids, and competitive pricing.

Trustee Hitz moved the President shall not make any purchase without due consideration regarding cost, quality, and service over \$150,000.

Motion: Leonard Hitz

Second: David Rupp

The Board had further discussion on the language of motion. Shall not make any purchaser over \$150,00 without consideration regarding cost, quality, and service. Trustees want something to state complete pricing.

Hitz amended his motion to state:

The President shall not make any purchase between \$50,000 to \$149,999 without competitive pricing and due consideration regarding cost, quality, and service; and (b) over \$150,000

Motion: Leonard Hitz

Second: David Rupp

Ayes: Hitz, Douglass, Rupp, Larson

Nays: Shanda Smith, Beth Tedrow

Motion Carried: 4 -2

Once clarification was made that the first motion had been amended, Beth Tedrow changed her vote.

Final Vote

Ayes: Hitz, Douglass, Rupp, Larson, Tedrow

Nays: Shanda Smith

Motion Carried: 5 - 1

V. OTHER

A. Open comments from the public

No public comments

B. President's Report

GCCCA Partners with Genesis Family Health to reopen the site location, and three STEM students earned scholarships to KSU and FHSU for a total of \$84K; Commencement was a great success with 321 graduates. GCCC hosted a successful track meet; Patsy Zeller completed the Nursing Accreditation visit, and we received the allocation of state funding for the John Deere grant and expansion.

Starting at the new fiscal year in July, we would like the Board to consider changing the board meeting to the third week of each month. The way we receive our information has changed. This change would allow us due diligence and get the board report out more efficiently. The Board approves the change. (Supporting documents filed with official minutes)

C. Incidental Information

(Supporting documents filed with official minutes)

D. Report from FCEDC

The groundbreaking ceremony for the USDA-funded housing units was held on April 20 on North 3rd Street. These housing units will be for anyone involved in agriculture. The City has adopted a new zoning classification to deal with multifunctional plans, which is beneficial for future housing projects as FCEDC recommends developers include child care in their plans.

The FCEDC held a goal-setting meeting with their partners to set the goals for the next year. The goals are as follows:

- Attract/facilitate 6,000 housing units by 2030
 - Identify and pursue alternative constructive models
 - Identify and pursue alternative neighborhood types
- Attract/retain/develop workforce
- Develop commercial and industrial acreage
- Attract industrial/commercial projects
- Identify and pursue alternative funding sources
- Assist partners with FCEDC – related goals
- Facilitate/attract community development projects
- Facilitate “5th Week” meetings with FCEDC partners

E. Report from KACCT

The next meeting is June 3-4 on the Colby campus. Beth discussed the upcoming presentations at the conference. The next meeting is on August 26 -27 at Fort Scott Community College.

F. Report from Faculty Senate

Gabe reported that we had had a great year. We were able to fund \$5500 in faculty development. We have set up a new policy to monitor policies. Announced Faculty of the year: Mike Knutson, Rookie: Veronica Goosey, Supporting Staff of the year: Jamie Durler. Retirees: Larry Pander, Chip Marcy, Linda Miller. Monday, May 16 at 10 am will be the retirement reception. Thank you for attending our advisory meetings. Veronica will be President next year. Craig and Gabe will meet on Thursday morning to discuss the projects regarding the shop space that the grant money will purchase. We will have up to 50-60 John Deere students at a time. Beth requested having name tags during the advisory board meetings. It will be helpful if GCCC board members have questions for advisory board members.

G. Accreditation Update

In March, we discussed the timeline until November. We have an upcoming mock visit on July 18. Marc discussed the objectives of the visit. Our helpers stressed that they have guidelines to follow, and their feedback cannot take the form of what HLC feedback will take. We are looking for their best interpretation of how things are going. They are both peer reviewers for HLC. The evening of July 18 is the Mock BOT Session dinner at 6:00 pm. (Supporting documents filed with official minutes)

VI. OWNERSHIP LINKAGE

Hitz went to two different advisory board meetings. He thought it did him well to see what the various programs were doing. He would like to be more involved.

Bob will attend the welding advisory meeting on Thursday at 11:30.

Rupp would like to commend Craig for getting the Ron Shwartz Street sign back up. He asked about all the resignations regarding the grounds keepers. Pay is the overwhelming reason. We are now starting at \$17.50 with overtime.

Merilyn attended the advisory committee for the nursing program. Met in small groups about what they saw in the future for nursing in the community. She enjoys the opportunity to meet folks in their environment.

Beth learned that one of our alums of associate in nursing has been hired by the KU Med Center.

Upcoming Calendar Dates:

12-May	Final Exam Week
	Welding Advisory Meeting, Welding Bldg. 12:00 (Bob Larson)
13-May	Computer Science Advisory Meeting, JCVT 1302 (Beth Tedrow)
16-May	Retirement Celebration, 10:00 am, Endowment
	Nursing Accreditation Celebration 1:30 PENKA
17-May	Faculty Last Day; Employee End of Year Meeting 11:30 Lunch
27-May	GED Graduation – 10:00 Fine Arts Auditorium
30-May	Memorial Day - Campus Closed
14-Jun	Board Meeting 5:30 Dinner, 6:00 Meeting Endowment
28-29 Jun	Board Retreat

Douglass discussed the results of last month's board self-assessment.

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VII. Executive Session

Trustee Hitz moved that the Board recess into executive session to discuss confidential employee information pursuant to the open meetings exception for personnel matters of non-elected personnel which if discussed in open meeting might violate their right to privacy and that our President be included. The open meeting will resume here in the Endowment Room in 5 (five) minutes.

Motion: Leonard Hitz

Second: Beth Tedrow

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carries: 6 - 0

Return to an open meeting at 8:43.

Motion to extend the executive session for 10 (ten) minutes. Open session will resume at 8:53.

Motion: Shanda Smith

Second: Beth Tedrow

Ayes: Hitz, Smith, Tedrow, Douglass, Rupp, Larson

Nays: None

Motion Carried: 6 - 0

The open meeting resumed at 8:54. No action was taken.

VIII. Adjournment

The meeting adjourned at 8:55 pm.

Jodie Tewell
Deputy Clerk

Dr. Ryan Ruda
President

Dr. Marilyn Douglass
Chairman of the Board

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