

# Colorado Mountain College

## BOARD OF TRUSTEES MINUTES



 Student Success  Teaching & Learning  Access  Community & Economic Development  Organizational Effectiveness

1/22/16  
4:15 – 4:58 pm

Location: via teleconference

### Introductory Items

1. Call to Order and Roll Call

The meeting was called to order at 4:17 pm.

Ken Brenner – not in attendance  
Pat Chlouber  
Charles Cunniffe  
Glenn Davis  
Mary Ellen Denomy  
Kathy Goudy  
Patty Theobald

2. 2013 Performance Contract with Colorado Department of Higher Education

Richard Gonzales, General Counsel, confirmed that both he and the College's counsel at the attorney general's office reviewed the Agreement, including Metric 4.5 relating to tuition levels, and concluded that the contract scope is limited solely to allocation of performance funding from State revenues. If performance funding does become available (which has not been the case since signing the performance contract), the board's vote on tuition increases would be one of several metrics used in allocating funds among the recipient institutions. The College tuition increases do not constitute a breach of contract or create liability under the terms of the performance contract.

Matt Gianneschi explained how data was collected and stated that, based on his method of calculations, the tuitions limits in Metric 4.5 have not been exceeded by the tuition increases approved on January 20, 2016. The college will confirm the calculation with the Colorado Commission of Higher Education (CCHE).

Trustee Goudy asked that management request a modification stating that our calculation is correct and agreed to by CCHE.

**Trustee Goudy Moved to put forward an informal request to get a simple modification stating that the calculation used to state we are in compliance with our contract is correct; Trustee Denomy Seconded the Motion. A roll call vote was taken for informal consideration.**

Trustee Chlouber - Aye  
Trustee Cunniffe - Aye  
Trustee Theobald - Aye  
Trustee Goudy - Aye

Trustee Denomy - Aye  
Trustee Davis - Nay

**The Motion carried 5-1**

(Note: On January 26, Matt Gianneschi forwarded to the Board written confirmation by the Department of Higher Education that the College's tuition levels, as adopted, comply with both the performance contract and current state law.)

3. Response to the Town of Dillon

The trustees approved of the letter management proposed to send to the Town of Dillon regarding participation in planning for future development in the area surrounding the Dillon campus.

The meeting adjourned at 4:58 pm

**Respectfully Submitted,**



**Pat Chlouber**  
**Board of Trustees Secretary**



**Debbie Novak**  
**Recording Secretary**