

Minutes

BOARD OF TRUSTEES



Student Access & Success



Teaching & Learning



Community & Economic Development



Organizational Effectiveness

August 28, 2019
1:02 pm – 3:04 pm

Location: Spring Valley Campus

Introductory Items

1. Call to Order & Roll Call

Board President Theobald called the meeting to order at 1:02 pm and roll was taken:

Bob Kuusinen
Pat Chlouber
Charles Cunniffe
Kathy Goudy
Peg Portscher
Chris Romer
Patty Theobald

All Trustees were present.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Oath of Office

Richard Gonzales, General Counsel, administered the oath of office for new Trustee Bob Kuusinen.

4. Approve Agenda

ACTION: Trustee Goudy Moved to Approve the Agenda as written; Trustee Cunniffe Seconded the Motion and it carried unanimously.

5. Approve Minutes

ACTION: Trustee Chlouber Moved to Approve the June 26, 2019 Minutes as written; Trustee Romer Seconded the Motion and it carried unanimously.

Public Comment

Nine individuals from the North40 neighborhood expressed concerns about the Aspen Campus Project. Their HOA has established a committee to keep tabs on this project. Their comments and feedback included:

- There is no green space planned
- They want more outreach
- Who will be CMC's partners for housing?
- Concerns about density
- They see this as a disturbance and could ruin their neighborhood
- They don't want day care
- What is the timeline and sequence of events?

President's Report

President Hauser delivered her report. She noted that concerns raised about the Aspen Campus are premised on the mistaken impression that CMC is planning specifics, when in actuality the college is still in a conceptual phase, identifying and prioritizing project features and potential partners. Additionally, multiple courtesy discussions have occurred with John McBride on the range of approaches and conceptual design options.

Trustee Comments

Trustees commented on the Aspen project, encouraging staff to continue its outreach with the community, potential partners, and surrounding neighbors. Trustee Cunniffe mentioned that multiple meetings have occurred with John McBride. Reactions in Steamboat Springs were the similar prior to that expansion. It now has full support and coexists with the surrounding neighbors.

Consent Agenda

6. Board Appointments for Condominium Association at Morgridge Commons
7. Canter Contract
8. BackBone Group LLC Contract
9. Grant Resolutions

ACTION: Trustee Portscheller Moved to Approve the Consent Agenda; Trustee Cunniffe Seconded the Motion and it carried unanimously.

Discussion ensued about Board approval limits, and whether they should be reviewed. Management will bring a proposal to the October meeting.

Discussion

10. Aspen Campus – community outreach
Kristin Heath Colon reported that there were outreach sessions on June 10 and July 11 and that neighbors' concerns are summarized in the board packet. There is a perception from a newspaper article that made it appear we are much further along than we are.

Kristin will send the president of the neighborhood committee the report that is in the packet.

Comments by trustees were positive, reinforcing the need for continued communications with the community.

Action Items

11. Resolution to hold an election
Richard Gonzales presented the Resolution to Hold an Election stating that it has language about the Salida annexation and authorizes the College to fill 5 seats on the Board of Trustees

ACTION: Trustee Goudy moved to approve the resolution; Trustee Chlouber seconded the motion, a roll call vote was taken and it carried unanimously.

Trustee Chlouber - Aye
Trustee Cunniffe - Aye
Trustee Romer - Aye
Trustee Goudy - Aye
Trustee Kuusinen - Aye
Trustee Portscheller - Aye
Trustee Theobald - Aye

The resolution reads as follows:

RESOLUTION **(November 2019 Elections)**

WHEREAS, Colorado Mountain College is a Local College District (the "District") located in all or part of Pitkin, Garfield, Eagle, Routt, Lake and Summit counties in the State of Colorado; and

WHEREAS, the members of the District's Board of Trustees (the "Board") have been duly elected, chosen, and qualified; and

WHEREAS, the District provides higher educational services in western Colorado; and

WHEREAS, Salida School District Number 32J (the "Salida District") is currently in the District's service area but not in its taxing district boundaries; and

WHEREAS, residents of the Salida District receive limited services from the District but neither qualify for the District's in-district tuition rates nor benefit from the comprehensive array of certificate and degree programs afforded by the college; and

WHEREAS, the Salida District has requested the District to consider annexing property within the Salida District's boundaries into the District taxing boundaries; and

WHEREAS, at its March 20, 2019, regular meeting, the Board voted unanimously to accept a feasibility report on the Salida District's proposal to annex property within the Salida District's boundaries into the District boundaries; and

WHEREAS, C.R.S. §23-71-128 provides in part:

"(1) If a school district or group of districts that is adjacent to a local college district or located entirely within the boundaries of the local district college's service area, as determined by the Colorado commission on higher education, desires to be annexed to the existing local college district, it may do so by satisfying both of the following requirements:

(a) By obtaining approval of the existing local college district. The approval shall be given only upon a majority vote of the eligible electors of the existing local college district as expressed by a majority polled at the time of the regular biennial school election held in the local college district. The election shall be called only upon the affirmative vote of the board of trustees.

(b) By the school district desiring to be annexed voting on the question of annexation at a regular biennial school election. The election shall be called only upon the affirmative vote of the school district board of education. If a single school district desires to be annexed, the annexation shall be effected by a majority vote of the eligible electors of the district. If two or more school districts desire annexation as a group, the annexation shall be effected only by a majority vote in favor thereof in each district desiring annexation. If there is not a majority vote in favor of the annexation in any district comprising the group, then the annexation shall not occur for the group of districts, but any individual district in the group which had a majority vote in favor of the annexation shall be annexed to the local college district."; and

WHEREAS, the Board has determined that it is in the interest of the District to annex property within the Salida District's boundaries into the District boundaries; and

WHEREAS, in addition to the annexation question, Board of Trustee elections shall be held for Trustees representing Trustee Districts Two, Four, Five, Six, and Seven;

WHEREAS, the Secretary of the CMC Board of Trustees is CMC's designated election official responsible for the election, and has the authority to delegate certain duties to others;

WHEREAS, each County Clerk and Recorder (the "County Clerks") in the Counties of Pitkin, Garfield, Eagle, Routt, Lake and Summit (the "Counties"), and the State of Colorado, will conduct the election on November 6, 2018, as a coordinated election (the "election").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COLORADO MOUNTAIN COLLEGE, A LOCAL COLLEGE DISTRICT IN THE COUNTIES AND IN THE STATE OF COLORADO:

All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election and the objects and purposes herein stated, are ratified, approved, and confirmed.

The election will be conducted by the County Clerks as a coordinated election in the Counties pursuant to the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto. The District hereby determines that there shall be submitted to the eligible electors of the District the question set forth herein, together with duly qualified candidates running for the Trustee districts listed above. Because the election will be held as part of the

coordinated election, the Board hereby determines that the County Clerks shall conduct the election on behalf of the District pursuant to the Uniform Election Code of 1992.

The Board hereby authorizes and directs the officers of the District to certify on or before September 6, 2019, the following question in substantially the form hereinafter set forth to the County Clerks. Such question shall be submitted to the eligible electors of the District at the election.

BALLOT ISSUE

Without increasing taxes to the current residents of the Colorado Mountain College District, shall the Colorado Mountain College District be enlarged to include property within the boundaries of Salida School District Number R32J?

Jamie Kruis, Assistant to the Chief Operating Officer, is appointed as the assistant to the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.

The officers of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

All orders, bylaws, and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 28, 2019.

[End of Resolution]

12. CONG Intergovernmental Agreement

Richard Gonzales presented the CONG Intergovernmental IGA. The IGA comments sent back from CONG are acceptable although he would like to explore and modify language that would create a working group with power to resolve disputes. The Board was asked to approve the IGA in substantially the form presented. Richard was asked to find out the length of the lease, which will later be approved by the Board.

ACTION: Trustee Chlouber moved to authorize management to finalize and execute the CONG IGA in substantially the form presented to the Board, with such changes as management would approve. Trustee Cunniffe seconded the Motion; a roll call vote was taken and it carried unanimously.

Trustee Chlouber - Aye
Trustee Cunniffe - Aye
Trustee Romer - Aye
Trustee Goudy - Aye
Trustee Kuusinen - Aye
Trustee Portscheller - Aye
Trustee Theobald - Aye

13. Buena Vista Drainage Easement

Fading West, owner of adjacent property, wants to build a manufacturing facility and is asking for a storm water drainage easement on our property.. Management's recommendation is to approve the easement. Since it is a standard utility easement the Board is being requested to waive the third reading. . There would be minimum impact to the value of property.

ACTION: Trustee Portscheller Moved to Approve the creation of a 10-foot drainage easement to serve the Fading West project so long as the easement location, design and legal documentation are approved by the President & CEO or her designee; Trustee Romer Seconded the Motion and it carried unanimously.

Supplemental/Information (written reports)

14. Human Resources Updates
15. Facilities Update
16. Academic Affairs Update
17. Student Affairs Update
18. Foundation Report
19. Government Relations Report

Matt Gianneschi gave an update on some items:

Part of Salida's school district is in Fremont County which is not in the service area for the college. CCHE is looking into a modification to have our service area include Salida's school district. On September 5 CCHE will have a public hearing about whether service areas are good for Colorado and will act in October.

HB1206 – the College has started on the project. The State wants to get away from current testing practices used to decide what course students take, and instead wants to get students into credit bearing courses as quickly as possible.

Craig – CNCC: there has been a significant amount of discussion and concern about the coal mining and coal fired plant closing. Residents are looking to raise the issue of the future of economic development and CMC has been mentioned as a possible partner. Matt will attend a meeting at the request of Senator Rankin.

Proposition CC – This ballot issue is from the group Build a Better Colorado. On the ballot in November will be an item about the Tabor refund requirement. The Government Relations Committee will review and make recommendations on whether the Board should give their opinion on this issue.

New Business

October Trustee meeting (note change in location(s) to Salida and Leadville)

Tuesday, October 29, 2019

4:00 – 6:00 pm | Meet & Greet/Open House in Salida with local leaders (exact time TBD)

7:00 – 9:00 pm | Board Dinner and lodging in Leadville

Wednesday, October 30, 2019 | Leadville

8:30 – 9:30 | Leadville Wednesday morning Community Coffee Group/Meet & Greet

9:30 – 12:30 pm | Work Session

- Inclusivity Project and Fund Sueños Update, Dr. Ryan Gildersleeve and Richard Gonzales
- RNL Final Report and next steps/Strategic Enrollment Plan
- Budget Preview/Planning/Tuition Setting
- Board Assessment Report

12:30 – 1:00 | Lunch

1:00 – 3:00 pm | Trustee Meeting

- COP Underwriter Contract
- GSCRA Lease Renewal
- Recognition of outgoing trustees
- Recommendation on contract limits

Important Dates

October 16-19, 2019 | ACCT Leadership Congress

November 5, 2019 | Election Day

December 10-11, 2019 | Trustee Meeting | Glenwood Center/Morgridge Commons

April 5-7, 2020 | Association of Governing Boards National Conference

The meeting adjourned at 3:04 pm

Respectfully Submitted,



Pat Chlouber
Board of Trustees Secretary



Debbie Novak
Recording Secretary