REGULAR BOARD OF TRUSTEES MEETING

I. AGENDA
A. Call to Order
   The regular meeting of the Western Wyoming Community College District Board of
   Trustees was called to order at 7:27 p.m., Thursday, January 9, 2014 in Board Room
   3060, Rock Springs Campus, President James Roth presiding.

B. Approval of Agenda
   1. Vice President Eckman made a motion to accept the Consent and Regular
      Agendas as presented. The motion was seconded by Trustee Spicer and was
      approved by vote.

II. REORGANIZATION/ELECTION
A. Board Assignments
   Vice President Eckman made a motion to table the Board Assignments until after the
   Board retreat in late January. The motion was seconded by Treasurer Baxter and was
   approved by vote.

III. REPORTS
A. Paraprofessional Alliance
   Ms. Megan Gabol, Paraprofessional Alliance Co-Chair, gave a brief report on the
   activities of the group. Ms. Gabol reported that 90 boxes of food were distributed
   through the Para Pantry at a cost of approximately $2,500. Ms. Gabol also reported
   that the group provided six children with Christmas gifts through the Tree of Sharing.
   Ms. Gabol went on to say that the recent United Way campaign garnered more than
   $13,000 in donations, $3,000 more than the goal. Ms. Gabol also said that a two-day
   training session will be held in February for the Paraprofessionals. Dr. Leach thanked
   Ms. Gabol for taking over the United Way campaign on campus, and also said that the
Rocket Miner published photos of the group assembling the Para Pantry boxes. The Board thanked Ms. Gabol for her report.

B. Social Science/Fine Arts
Mr. Bruce Anderson, Social Science and Fine Arts Division Chair, gave the annual report for the division. Mr. Anderson presented highlights from several areas in the division. In the Criminal Justice area, Mr. Anderson reported that Assistant Professor Traci Ciepiela is expanding offerings and recruiting adjunct faculty for the emergency management program. Mr. Anderson reported that Kristy McManus has done an outstanding job with the Speech and Debate portion of the Forensics program, although a decision will need to be made about the future of that program. Mr. Anderson reported that WWCC has won the award for the best legislative intern for the last four out of five years. Mr. Anderson reported that the Theatre department is transitioning to a Department of Performing Arts. Mr. Anderson said that the change will create more integrated programs and more collaboration between faculty members. President Roth asked if the division has identified any unmet demands. Mr. Anderson said that visual arts courses are quite full. Dr. Leach also said that plans are underway to renovate the art gallery, including adding doors and a humidifier. Dr. Leach said the plan is to have the work begin directly following Commencement and anticipates that the work will be bid out soon. President Roth asked for clarification on the firearm simulator included in Mr. Anderson’s written report, and specifically whether it would be used for training for concealed carry permits. Mr. Anderson said that he does not have additional information on the simulator at this time but would provide the Board with the information at a later date. The Board thanked Mr. Anderson for his report.

C. Residence Halls and Student Life
Mr. Dustin Conover, Director of Residence Halls and Student Life, gave the annual report for the department to the Board. Mr. Conover reported that Ms. Tanya McGarvey has been hired as an office assistant and Mr. Ryan Coll was hired as the Aspen Hall Director. Mr. Conover also reported that there has been an increase of 4% in residence hall tenants. Mr. Conover said that the older residence halls are being closely monitored to make sure they continue to meet all safety code requirements. Mr. Conover went on to say that WWCC’s intramural basketball team won the Wyoming Community Colleges tournament. Mr. Conover also said that Mr. Michael Pelo has been nominated for the WACCT Student of the Year award. Mr. Conover reported that the residence halls have a 95% occupancy rate overall, with Aspen Hall having a 91% occupancy rate. Mr. Conover said that the renovation of the kitchen area in Aspen Hall has been completed and has received positive feedback. President Roth commended Mr. Conover for the overall contribution of his department as evidenced by the student comments during the recent HLC site visit. The Board thanked Mr. Conover for his report.

D. University of Wyoming
Mr. Troy Archuleta, UW Academic Outreach Coordinator, gave a brief report to the Board. Mr. Archuleta reported that he provides service to the five counties in Western’s service area. Mr. Archuleta also said that UW appreciates the space
provided on Western’s campus and would like to be active participants in any proposed revisions to the lease which runs through 2016. The Board thanked Mr. Archuleta for his report.

E. Western Celebrations
Dr. Leach reported that in-service activities were held this week. Dr. Leach said that the various breakout sessions offered were good and facilitated some great conversations. Dr. Leach said that it is great to see the high level of enthusiasm exhibited.

IV. MINUTES
A. Approval
1. Trustee Spicer made a motion to accept the minutes of the November 20, 2013 Special Meeting and the December 10, 2013 Regular Meeting as presented. The motion was seconded by Treasurer Baxter and was approved by vote.

V. FINANCIAL REPORTS/TRANSACTIONS
A. Clearing Accounts and Electronic Funds Transfers
Treasurer Baxter moved to ratify the Clearing Accounts as designated in the amount of $2,382,541.41 and the Electronic Transfers as designated in the amount of $410,987.41 for a grand total ratification of $2,793,528.82. The motion was seconded by Vice President Eckman and was approved by vote.

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<th>Clearing Accounts</th>
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<table>
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<tr>
<th>Electronic Funds Transfers</th>
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Payroll Tax Payments to I.R.S.

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Bank to Bank Transfers

$0.00

Investment Transfers

$0.00

Total Electronic Funds Transfers

$410,987.41

GRAND TOTAL FOR BOARD RATIFICATION

$2,793,528.82

(Copies of Warrant Registers are filed in the Addendum and become a part of the official Board Minutes.)
VI. RECOMMENDED ACTION
   A. Old Business
      None
   B. Consent Agenda
      1. Payment to State of Wyoming, Wellness Center/Exercise Science Building
         As the Board knows, the new Wellness Center/Exercise Science building is
         being constructed under the supervision and direction of the State of Wyoming,
         Administration and Information Department, Construction Management
         Division. The architectural agreement and construction contract is under their
         jurisdiction. The Construction Management Division pays the architect and the
         general contractor. The Construction Management Division is requesting that
         the College make a partial payment to them in the amount of $3,000,000 in the
         month of January, 2014. This amount is part of the College’s share of the total
         cost of the project. The Administration has no issues at all with distributing this
         partial payment at this time.

         Recommendation:
         To authorize a payment in the amount of $3,000,000 to the Construction
         Management Division, State of Wyoming, as partial payment of the College’s
         share of the total cost of the Wellness Center/Exercise Science building.

      2. Donation of Trailer to Sweetwater County
         Many years ago, the College obtained a 1978 56’ X 11’ trailer for use in the
         Workforce Training Program. The trailer was used in the truck driving program
         and has been stationed at the Sweetwater Events Complex. The trailer is
         officially called a “mobile office building.” The College no longer has a use for
         this mobile office building. The Events Complex has a need for it and has been
         using it in connection with the rodeo events. The Administration recommends
         that the mobile office building be donated to Sweetwater County.

         Recommendation:
         To donate a 1978 56’ X 11’ Factory made Mobile Office Building to Sweetwater
         County.

      3. Approval of FY2015 Budget Preparation Calendar
         Each year in January, the Board of Trustees approves a Budget Preparation
         Calendar per Board policy. The Board was provided with a proposed FY 2015
         Budget Preparation Calendar. The Board will note a special FY 2015 budget
         workshop devoted to the Board scheduled for April 8, 2014.

         Recommendation:
         To approve the FY 2015 Budget Preparation Calendar as presented.

      Trustee Spicer made a motion to accept the recommendations from Administration on
      the Consent Agenda. The motion was seconded by Vice President Eckman and was
      approved by vote.
C. New Business

1. Employment Contract, Building Operating Systems Specialist

The Human Resources Office conducted a national search commencing in July 2013 to fill the position of Building Operating Systems Specialist. The Human Resources Office received 5 completed applications for this position. The Professional Standards Board conducted 1 on campus interview. The Professional Standards Board recommends that Mr. Korey Heikes be offered this position. Mr. Heikes is currently employed at Electrical Connections as a Service Manager. He has held this position for 28 years. Mr. Heikes also holds a Wyoming Journeyman Electrical License. Mr. Heikes’ proposed contract details would be as follows: Annual Salary, $59,057.00 for a 12 Month Contract; Fund, Unrestricted Operating Fund; Rank, N/A; Column Placement, Column I.

Recommendation

Vice President Kelsey gave an explanation of the proposed employment contract. Vice President Eckman made a motion to offer an employment contract to Mr. Korey Heikes as described. The motion was seconded by Treasurer Baxter and was approved by vote.

2. Revision of CVCP Design Policy

In 2006, the Board of Trustees and the College’s Architectural Review Committee approved a Design Policy associated with approval of buildings in the College View Commercial Park. As the Board knows, this policy was the subject of discussion at the December meeting of the Board of Trustees. On December 19th, 2013, the Board’s Real Estate Committee met and unanimously agreed to recommend to the Board that the Design Policy be modified to eliminate the wainscoting requirement. Trustees Boettcher, Roth, and Spicer were in attendance at the meeting. The Committee recommends that the Design Policy remain unchanged, except for the elimination of the wainscoting requirement.

Recommendation
To modify the College View Commercial Park Design Policy by eliminating the wainscoting provision, effectively immediately.

Trustee Spicer gave an explanation of the proposed change on behalf of the Board’s Real Estate Committee. Trustee Spicer made a motion to modify the CVCP Design Policy as described. The motion was seconded by Treasurer Baxter. Treasurer Baxter asked why the wainscoting requirement was included in the original design policy. Vice President Kelsey said that the requirement was established for physical protection of the building although the aesthetic factor was also considered. Vice President Eckman said that he has some concern that eliminating the wainscoting requirement could lead to deterioration of the building if the owner does not provide necessary maintenance. Vice President Eckman went on to say that the wainscoting can help mitigate
neglect. President Roth asked if the college would retain the right to approve all building exteriors. Vice President Kelsey said yes. The motion was approved by vote.

3. **Approval of Real Estate Brokerage Agreement**
The College owns several lots in the College View Commercial Park which remain unsold. The Board Real Estate Committee believes it to be in the best interests of the College to market these lots using an experienced commercial real estate brokerage firm. The College Administration and Coldwell Banker Commercial Intermountain, Salt Lake City, Utah, have been in discussions regarding this matter. The Board Real Estate Committee has reviewed Coldwell Banker's proposed marketing plan and believes that at this time the Board should enter into a brokerage agreement with this firm. The agreement would be for one year, would include a six percent (6%) sales commission, and would exclude Lot 2, as there is a potential sale pending regarding this lot. The original agreement was revised to exclude Lot 2, and to change the jurisdiction from Utah to Wyoming. Galen West, College Counsel, has reviewed and approved the revised agreement.

**Recommendation**
That Western Wyoming Community College enter into a one year exclusive sales listing agreement with Coldwell Banker Commercial Intermountain, Salt Lake City, Utah, to market lots in the College View Commercial Park.

Trustee Spicer gave an explanation of the proposed contract on behalf of the Board’s Real Estate committee. Trustee Spicer made a motion to enter into an exclusive sales listing agreement with Coldwell Banker as described. The motion was seconded by Vice President Eckman. Vice President Eckman expressed concerns about the 6% commission and asked President Roth to explain why the rate is higher than we’ve paid in the past. President Roth said that a 6% commission is standard among commercial realtors and that those brokers must bear the up-front cost of marketing the lots. President Roth said that Coldwell Banker, as a national firm, has the ability to market the lots more effectively. Treasurer Baxter asked if it would be in the best interest of the college to retain ownership of the lots for future needs. Trustee Spicer said that he doesn’t believe the issue has been revisited since the original decision to sell the lots. Vice President Kelsey explained that the land was originally donated to WWCC from the Janss Corporation, and that when the City of Rock Springs approached the college about building the Gateway Boulevard extension, the College worked with the city to re-zone the land as commercial. Vice President Kelsey said that the College then created the College View Commercial Park subdivision, which consisted of 17 lots. Vice President Kelsey also said that the College was required to get a special letter ruling from the IRS to maintain its tax exempt status on the lot sales and that the College still owns 300 acres of land which will provide plenty of space for expansion for many years. President Roth said that if the college wanted to build anything on any of the CVCMP lots, they would have to be rezoned. President Roth also echoed Vice President Kelsey’s statement that the college has plenty of land available for future expansion. Treasurer Baxter said that because the college does not have a good plan in place for future expansion, he believes that no
land belonging to the college should be sold, including the College View Commercial Park lots. The motion was approved with Treasurer Baxter voting “Nay”.

4. **Authorization to Seek Proposals for Performance Contracting Services**

Recently the Board of Trustees participated in a board workshop to discuss the Wyoming Energy Conservation Improvement Program (WYECIP). Mr. John Canfield, President of Trident Energy Services, Inc. was present to explain the program to the Board. The WYECIP program is operated through the Wyoming Business Council, an agency of the State of Wyoming. Mr. Canfield is a consultant to the program. The Administration is desirous of engaging the services of an Energy Services Company to conduct an “Investment Grade Audit” (IGA) of certain of the College’s physical resources in a good faith effort to determine if energy consumption can be reduced in a cost-effective way. The Administration would work closely with WYECIP personnel in this endeavor. The Wyoming Business Council maintains a listing of pre-qualified Energy Services Companies (ESCos) that are eligible for final selection by state and local governments, including educational institutions, to provide performance contracting services. The College is primarily interested in, initially, having the Investment Grade Audit completed. The cost of the audit is based on square footage and the audit price is set by the Wyoming Business Council. It is estimated that the cost will be about $155,000. The cost of the IGA would be funded from either the One Mill Fund or the Unrestricted Operating Fund. The College would use a state-approved Request for Proposals (RFP) process to select an Energy Services Company to conduct the Investment Grade Audit. The College is not bound to select an Energy Services Company as a result of going through the RFP process. If the College does, however, select an Energy Services Company and proceeds to engage them to perform an Investment Grade Audit, the College is not bound to implement the recommendations for energy savings the Company will make.

**Recommendation**
To authorize the Administration to solicit proposals for performance contracting services as herein described.

Vice President Kelsey gave an explanation of the requested approval. Vice President Eckman made a motion to authorize the Administration to solicit proposals as described above. The motion was seconded by Treasurer Baxter. Vice President Eckman asked if the company would use local contractors for any work undertaken as a result of the audit. Vice President Kelsey said that they have indicated that they use local contractors whenever possible. Treasurer Baxter asked if a Memorandum of Understanding would be required. Vice President Kelsey said yes but that the MOU with WYCEP would not bind the college to accept any of the proposals. The motion was approved by vote.

5. **Consideration of Purchase Offer, Lot 2 College View Commercial Park**

At the December meeting of the Board of Trustees, the Board entered into an agreement with Brokerage Southwest to serve as broker for a proposed sale of Lot 2 in the College View Commercial Park. Previously, the Board Real Estate Committee determined that a tentative offer to purchase the lot from the
College was acceptable. The Rivett Group, LLC, Aberdeen, South Dakota, has officially offered to purchase Lot 2 for $826,027.00, subject to certain conditions set forth in the proposed contract. The Rivett Group intends to construct a three or four story extended stay hotel on this property. This offer compares to the minimum sales price established by the Board of Trustees on September 14, 2007 of $988,000. Lot 2 is a 3.87 acre lot with large easements crossing same. Since the beginning of the College View Commercial Park, no interest has been shown in Lot 2 until now. There is a common belief among members of the Administration and among the Board Real Estate Committee members that commercial real estate prices have fallen since the peak, pre-recession years. The Board Real Estate Committee believes the offer price for this lot is reasonable. The Administration has been working with Blaine Tate of Brokerage Southwest to obtain this formal offer. The College’s attorney, Galen West, has carefully reviewed the proposed contract and has opined that there are no legal issues for the Board to be concerned about. The buyer has until May 14th to do all due diligence work to determine whether or not they want to follow through on the purchase. The buyer will be depositing $25,000 as earnest money into an escrow account held by Brokerage Southwest. Closing is scheduled for June, 2014. The Administration recommends that the Board accept this formal purchase offer.

Recommendation
To accept the purchase offer for Lot 2 of the College View Commercial Park from the Rivett Group, LLC, Aberdeen, South Dakota, in the amount of $826,027, subject to sale conditions set forth in the sales agreement.

Vice President Kelsey gave an explanation of the purchase offer. Trustee Spicer made a motion to accept the purchase offer. The motion was seconded by Vice President Eckman. Treasurer Baxter stated that he objects to the sale and does not want to see the college forced to bail-out another failed hotel. Trustee Spicer asked if the power line easement that exists on the property would interfere with a 4 story building. Vice President Kelsey said that the easement is on the edge of the lot and he does not believe they would need to raise the electrical lines. The motion was approved by vote with Treasurer Baxter voting “Nay”.

VII. INFORMATION/PROPOSALS
A. Visiting Delegations
   None

B. Questions/Media/Public
   None

C. President/Staff
   Vice President Freeze reported that the Board members were provided with a book on Strategic Management Enrollment. Vice President Freeze said that the book is an excellent source of information.

   Vice President Freeze reported that FTE’s for the Fall semester are down by 6%, with full-time enrollment down by 8%. Vice President Freeze said that the part-time
enrollment numbers are always very fluid. Dr. Leach reminded the Board that education is ‘anti-cyclical’, meaning that when the economy is bad, enrollment is up and when the economy is up, enrollment is down.

Vice President Flaim reported that the Academic Calendar is normally brought to the Board for approval at the January meeting. Vice President Flaim reminded the Board that a two-year calendar was approved last year, but that the calendar for 2015-16 is being developed and would be brought to the Board soon.

Vice President Kelsey reported that the replacement boiler for the Green River Center has been installed and has been tested. Vice President Kelsey said the Green River Center would open on Monday.

D. Trustee Questions/Topics
None.

E. Topics for Future Workshop Agendas
1. Facility Tours
2. BOCES Reports

F. Executive Session - Legal/Personnel
Vice President Eckman made a motion to enter into Executive Session for personnel issues. The motion was seconded by Treasurer Baxter and was approved by vote. President Roth stated that no action would be taken following the Executive Session. The regular meeting was recessed at 8:56 p.m.

VIII. CALENDAR OF FUTURE EVENTS

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<td>Room 3071</td>
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<tr>
<td>Jan. 9</td>
<td>Regular Board of Trustees Meeting</td>
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<td>Room 3060</td>
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<td>Jan. 20</td>
<td>WWCC Holiday</td>
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<td>Jan. 31-Feb. 1</td>
<td>Board of Trustees Retreat</td>
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<td>Grand America Hotel, Salt Lake City, UT</td>
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<td>Feb. 13</td>
<td>Regular Board of Trustees Workshop</td>
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<td>WACCT Legislative Reception</td>
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IX. ADJOURNMENT
Vice President Roth reconvened the regular meeting at 9:05 p.m. Having no further business to act on, Vice President Roth adjourned the regular meeting at 9:06 p.m.
NOTE: Additional information (tapes and/or addenda) from this meeting is available in the Board Office.

Above recorded by:

_____________________________
Kandy Frink

__________________________________
WWCC Board President

__________________________________
WWCC Board Secretary