MEETING OF THE LEE COLLEGE BOARD OF REGENTS
LEE COLLEGE DISTRICT
MARCH 10, 2011

The Board of Regents of the Lee College District met March 10, 2011 at 6:00 p.m. in the John B. Tucker Lecture Hall. Chairman Himsel called the meeting to order stating that the meeting was duly posted and a quorum was present.

PRESENT: Mr. Mark Himsel, Chairman; Mr. Mark Hall, Vice Chairman; Mrs. Judy Jirrels, Secretary; Mr. Pete Alfaro, Assistant Secretary; Mr. Ronn Haddox; Dr. Keith Coburn; Ms. Susan Moore-Fontenot and Mr. Wayne Gray.

Dr. Mike Murphy, President

ABSENT: Attorney Rick Peebles

INVOCATION AND PLEDGE TO THE FLAG

Regent Don Coffey said the invocation and led the pledge to the flag.

EXECUTIVE SESSION

NONE

14.11 DISPOSITION OF MINUTES

Regent Gray made a motion, seconded by Regent Alfaro, THAT THE BOARD APPROVE THE MINUTES OF February 17, 2011.

The motion passed without a dissenting vote.
CHAIRMAN’S REPORT

Chairman Himsel called for committee reports. There was no report from the Building and Facilities Committee or the Audit and Investment Committee. Chairman of the Policy Committee, Susan Moore-Fontenot confirmed the date of April 14, 2011 for Regents to finalize the annual Board evaluation of President Murphy.

Chairman Himsel said he will look forward to reporting on the Achieving the Dream Conference he will attend in Santa Fe, NM along with Regent Jirrel and President Murphy on March 24 – 26, 2011. The conference is sponsored by the Houston Endowment.

**Building and Facilities- Serving on the Building and Facilities Committee are Mark Hall, Chairman, Don Coffey and Keith Coburn**

**Policy Committee –Serving on the Policy Review Committee are Susan Moore-Fontenot, Chairman, Pete Alfar and Judy Jirrel**

**Audit and Investment Committee –Serving on the Audit and Investment Committee are Wayne Gray, Chairman, Pete Alfar and Ronn Haddox**

PRESIDENT’S REPORT

**Legislative Update Overview**

President Murphy commented on the following:

- The House Education Sub Committee made the two following recommendations to the House Appropriations Committee
  - Relating to a slight increase in the Texas Educational Opportunity grant for community college students involving a reconfiguration of funding from its initial budget proposal
  - Restoration of funding for the four colleges earlier marked for closing. The remaining community colleges could possibly receive less formula funding because the money would be spread across those four institutions. For the most part no one objected and overall support from the other community college presidents was evident.

- A bill was introduced regarding the *current* revenue shortfall of 4.3 billion dollars. At this point we would most likely not be subject to *additional* funding cuts this fiscal year. The intent was to reduce the shortfall so that the gap for next year would not be as great. The present funding cuts of approximately 7.5% would be covered if this bill were to pass.

- Article 11 - also called the “Wish List” – provides an opportunity for legislators to submit spending items for future consideration should funding become available.
• A bill was inadvertently introduced that would reduce contact hour reimbursement by 25% in regard to dual enrollment. An attempt to withdraw the bill at that time was denied by the committee chairman.

• A bill was introduced to restrict what the state would cover with regard to dual enrollment.

• Inmate program – Dr. Murphy indicated the effort to garner support from a number of influential legislators who favor and support the inmate program is underway. The intent is continue support for the inmate education program.

• At this point the focus is on Formula Funding, not on Momentum Points or funding for performance.

• Because of the changing nature of post secondary education, a suggestion has been made to come up with a way to influence Momentum Point accumulation where contract training is done particularly in community colleges where no degree is sought or no credits earned but is valuable contribution to the workforce.

**Early College High School (ECHS):**
The Memo of Understanding (MOU) between Goose Creek Consolidated ISD (GCCISD) and Lee College (LC) is due in Austin on April 15. President Murphy commented there is at least one significant issue that needs to be modified in the present MOU regarding courses to be held on the Lee College campus. The most recent conversations with Dr. Toby York, GCCISD indicate that the District is not in a financial position to move the portable class rooms to the Lee College campus as earlier discussed. Cost to relocate the portable buildings from the Peter Hyland Center to the College would be an estimated $250,000. This is not feasible at the present time and probably the best alternative at this point is for the portable buildings to be accessed off of the LC campus. The GCCISD Board will meet again to reach a final decision on how to proceed.

Dr. Murphy asked for input from the Board before the next meeting.

*Discussion ensued with a request from Chairman Himsel for Dr. Murphy to provide the Board with the most recent version of the MOU.*

*Regent Coburn also requested ample time for Regents to review the revised MOU, discuss or modify the agreement before the April 14 Board of Regents meeting, when they will be asked to vote on the matter.*
INFORMATIONAL REPORTS

Financial Services Report – Vice President of Finance -Steve Evans
VP Evans recapped briefly the following items for review that were presented to the Board during the March 7, 2011 Board Workshop:

- Futuristic, Opportunistic, Status Quo options for direction from the Board
- Timing for a few items needs immediate consideration and decision.
  - Tuition and Fees – May decision
  - Harris County Transit contract – ends July 8, 2011 (indication on where we stand)
  - SBDC and LC lease at mall – ends September
  - Program issues – between now and May
- Positions – ready to execute (current vacant positions)
- Items with non contract positions will be discussed during July workshop

In summary, most of the items need to be decided on by May and requested that the Board hold another workshop before May.

Evans responded to specific questions asked earlier, i.e., what is the number of out of district students served? Answer: approximately 2,100 students, about 1/3 of student enrollment.

Tuition and fees – where do we stand and what will it take to get mid way?
Answer: To get to the middle, In District needs to be at $63, currently at $54
Out of District needs to be at $92, currently at $82.

These numbers coincide with the state average currently.

Fifth Year Interim Report-SACS – Vice President of Learning -Dr. Cathy Kemper
Tangentially related to SACS is our planning process that has to be documented in our SACS compliance report. At a special Executive Committee meeting today, the committee agreed on the frame work for a strategic planning process. It will begin immediately and will be completed before the end of the spring semester. The process will focus on major Institutional Performance Areas (IPA’s) agreed upon by the committee.

Broad college engagement in each member’s area is a charge for the committee. The IPA’s are as follows:

Learner Success, Institutional Effectiveness, Employee Success, Community Enhancement and Economic Development

Outcomes will be identified, and measured; standards and key performance indicators will be established. As a result of this process, the College mission statement will be revisited and may result in a revision to our mission statement.
PUBLIC COMMENT

Dan Mendoza, Steven Saunders, Tiffany Rose signed up to speak before the Board about personnel, salary increases, tuition increases, retirement and student opinion.

NEW BUSINESS

A. Personnel

15.11 CONSIDERATION OF RENEWAL OF LEE COLLEGE EMPLOYEE CONTRACTS FOR 2011-12.

Dr. Murphy recommended that the Board approve the renewal of employee contract recommendations for 2011-12.

Regent Coffey made a motion, seconded by Regent Haddox, THAT THE BOARD APPROVE THE ADMINISTRATION’S RECOMMENDATION.

The motion passed without a dissenting vote.

B. New Business

16.11 CONSIDERATION OF JOHNSON CONTROL, INC. – MAINTENANCE CONTRACT HVAC EQUIPMENT

Dr. Murphy recommended that the Board award a five year contract to Johnson Controls for preventative maintenance on HVAC equipment. Pricing is based on State of Texas contract TXMAS-5-03FAC020 and contains a 3% per year escalation in price. The contract would begin April 1, 2011 with year one price of $142,110. The price would increase by 3% every year. The premium package includes eleven monthly boiler inspections and one annual inspection. Costs incurred for failures of the items covered under the premium package will be the responsibility of Johnson Controls.

Dr. Murphy called the Boards attention to the revised contract before them with a reduced rate. Discussion ensued.

Regent Coburn made a motion, seconded by Regent Alfaro, THAT THE BOARD APPROVE THE ADMINISTRATION’S RECOMMENDATION.

The motion passed without a dissenting vote.
CONSIDERATION OF RETIREMENT INCENTIVE PLAN

Dr. Murphy recommended that the Board adopt the Retirement Incentive Plan to be implemented during the current fiscal year.

Regent Coburn made a motion, seconded by Regent Alfaro THAT THE BOARD APPROVE THE ADMINISTRATION’S RECOMMENDATION

Discussion ensued regarding the results of an inquiry and referral by the College attorney for a legal opinion. Copies of the Addendum to Lee College Early Retirement Plan were provided to Regents. Before reading the opinion from the firm of Bracewell and Giuliani, President Murphy read aloud for the benefit of the audience, the Addendum to Lee College Early Retirement Plan. He then read aloud the opinion of the firm of Bracewell and Giuliani, on behalf of an email document from Mr. Jeff Horner representing the firm.

Additional discussion continued regarding the feasibility of whether to include the addendum with the Retirement Incentive Plan. Regent Coffey suggested separating the two and bring forward the emeritus amendment at another time. The addendum would not be excluded if not voted on at this meeting. Regent Coburn expressed his desire to offer the emeritus status as recognition and not as an incentive for retirement and asked that the two be separated. Chairman Himsel acknowledged that was the status of the motion. Chairman Himsel asked each regent for final comments before voting on the motion for the 75% retirement incentive for 44 eligible employees and to not include the emeritus amendment at this time.

The motion was defeated by a vote of four votes for and five votes against.

Regents Gray, Alfaro, Coburn and Haddox voted for the motion.
Regents Coffey, Hall, Himsel, Jirrels and Moore-Fontenot voted against the motion.

C. Matters of Concern for Future Agendas

Regent Coffey commented that he would like to see an agenda item at the April meeting to discuss a onetime bonus payment to the college’s 340 employees.

Chairman Himsel said he would like to see an agenda item for discussion about protecting our College reserves, or have a report presented to the Board on this matter.

D. Adjournment
Chairman Himes declared the meeting adjourned at 7:40 p.m.

Chairman, Board of Regents

Secretary, Board of Regents