

**MINUTES OF THE MEETING OF THE STATE BOARD OF TRUSTEES
IVY TECH COMMUNITY COLLEGE OF INDIANA
FRENCH LICK, INDIANA
APRIL 19, 2007**

Chairman William R. Goins called the April 19, 2007, regular meeting of the State Board of Trustees to order at 1:00 p.m. in the Windsor III Ballroom at the French Lick Springs Hotel, 8670 West State Road 56, French Lick, Indiana.

A. ROLL CALL:

Secretary Marvin E. Foote called the roll and the presence of a quorum was announced. The following State Trustees were present:

Mr. William R. Goins, Chair
Mr. Jesse R. Brand, Vice Chair
Mr. Marvin E. Foote, Secretary (via phone)
Mr. Joseph T. Bumbleburg
Ms. Leigh A. Duckwall
Mr. Lawrence R. Foster, Jr.
Mr. John P. Griffin
Mr. Lee J. Marchant
Mr. Mark J. Neff
Mr. Norman E. "Ned" Pfau, Jr.
Ms. Martie Rivas-Ramos
Mr. V. Bruce Walkup
Ms. Linda E. White
Ms. Kaye H. Whitehead

B. NOTICES OF MEETINGS MAILED AND POSTED:

Secretary Marvin E. Foote confirmed that notices of the April 19, 2007, regular meeting were properly mailed and posted.

C. APPROVAL OF BOARD MINUTES:

Chairman William R. Goins directed the trustees' attention to the minutes of the February 15, 2007, regular board meeting. Trustee Joseph T. Bumbleburg made the motion to approve the February 15, 2007, minutes as submitted. Trustee John P. Griffin seconded the motion, and the motion was carried unanimously.

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D. STATE OF THE COLLEGE:

Chairman Goins called on President Gerald I. Lamkin for the **President's Report**.

- President Lamkin reminded the trustees that they are invited to participate in the H. Kent Weldon Conference for Higher Education, formerly known as the Conference for University Trustees, on April 30 at the IUPUI campus in Indianapolis. Reviewing future College events, President Lamkin announced that the next Board meeting is scheduled for June 13 and 14 at the Sheraton Indianapolis Hotel and Suites on the north side of Indianapolis; and the Sample Award Luncheon, where the outstanding instructor of the year will be honored, is on June 28 in Lafayette.
- President Lamkin called on Trustee Bumbleburg to help acknowledge two former Chairmen of the State Board of Trustees who were in attendance today. Trustee Bumbleburg said that he served with both gentlemen, and he knows how much they have put into the College in the way of time, effort, and most importantly, love for the institution. Trustee Bumbleburg acknowledged his successor as chairman, Mr. Francis Lueken from Ferdinand, who is here again showing his love of the College. Also attending is Mr. Denny Huber who, with his newspaper background, regularly advised the trustees of the open door law. Trustee Bumbleburg said that both Denny and Francis gave a lot to the College during their service on this Board, and he asked that they be acknowledged with a round of applause.
- President Lamkin called on Dr. Rob Jeffs, Vice President for Workforce and Economic Development, to help acknowledge another distinguished guest in attendance today. Dr. Jeffs directed the trustees to **Resolution Number 2007-8** and read aloud some of the highlights of Mr. Bob Morr's service and partnership with the College in the healthcare field. He explained that Mr. Morr's assistance enabled Ivy Tech to increase the availability of clinical hours at hospitals that in turn increased the capacity of the College from 631 to 1,581 nurses per year and lowered the reported vacancies by over a 1,000 per quarter. The College's nursing training yielded an average annual earnings of \$36,000 for over 1,000 additional Hoosier families and \$36 million to the State's economy. Dr. Jeffs called on Mr. Morr for comments. Mr. Morr said that he was humbled by the words of well wishes and gratitude because he felt that it should have been the other way around: He should have brought a resolution from his board of directors commending Ivy Tech for its outstanding responsiveness to the business case that was made four years ago. This began with President Lamkin, who called together his leadership team to hear the business case and to further strengthen the partnership that was already established in the regions with member hospitals. Dr. Jeffs' position as a point person on healthcare for the state for Ivy Tech, Mr. Pat Bauer's commitment as well, the willingness of the chancellors to invite "us" to come and raise awareness of the issue with workforce development officials, legislators, media, educators around the state, has led to this. Clearly, without the Board's commitment, none of this would have happened—the reallocating of resources within the College to attack a significant

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shortage for Indiana's leading employer in communities, your community hospital. He thanked the trustees again for the kind words and suggested that the College not become complacent because the work is not done. Trustee Lee J. Marchant reminisced about the 1980s when there was a crisis in nursing that was devastating the state. At that time, the Indiana Healthcare Association, which was a long-term association, and Ivy Tech partnered together on the "We Love Our LPNs" program. They sought funding for an Ivy Tech program where an LPN could become an RN. This program was successful in producing a number of RNs and led to Ivy Tech becoming a two-year college. This solved a major problem in Indiana. The College continued to do well; however, four years ago, Mr. Morr stepped up to discover the real problems in nursing. The two major obstacles prohibiting the College from producing more nurses is having enough educators—nurses with master's degrees or nurses with BS degrees that are laddering in to a master's degree—and facilities. Just recently, the College has developed two programs to address those obstacles. We have made a major effort to get more educators to ladder up and we are using simulated labs instead of actual facilities. It was people like Bob Morr who made the difference and who really changed healthcare in Indiana. Trustee Marchant moved to approve **Resolution Number 2007-8, Expression of Appreciation for Mr. Robert D. Morr, Jr., Indiana Hospital and Health Association Vice President**, and Trustee Bumbleburg seconded the motion. The motion carried unanimously.

- President Lamkin called on Region 5 Chancellor Steve Daily for a special announcement about some Ivy Tech students. Chancellor Daily explained that each year, over 1,300 community colleges across the country nominate their outstanding students to compete for All USA Academic Honors. In Indiana, 40 students from across the state were honored as the Indiana Team. Ivy Tech dominated the Team, comprising approximately 95 percent of the students. This past Monday, he and President Lamkin attended the Presidents Breakfast at the American Association of Community Colleges (AACC) Annual Conference in Tampa, Florida. The top 20 All USA Academic Team members were honored during this breakfast, and this year, Ivy Tech student Melinda Hornback from Wabash, Indiana and the Kokomo campus, was one of those 20 members. Chancellor Daily said this was an outstanding event, but not the first time Ivy Tech has had an All USA Academic Team member in the top 20. He said it was an honor to have such an outstanding student from Region 5 recognized. Chancellor Daily also reported that Region 11 Chancellor Jim Helms also had a student on the Third Team who was honored at that same breakfast, Barbara Ault. Our students stack up very well nationally and they do wonderful things not only in the classroom but in their communities and we can be proud of them.
- In light of the tragedy this week at Virginia Tech, President Lamkin announced that he has formed a committee to review College and campus security issues. He asked Bob Garton, Vice President for Professional Development, to chair the committee.

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- President Lamkin called on Chuck Harris, Vice President for Development, for a report on an upcoming event. Vice President Harris explained that President Lamkin is being honored around the state, region by region, upon his retirement. When the event came to central Indiana, many discussions occurred as to how they would choose to honor him. The decision was made to partner with the Region 8 campus on a function scheduled for this Sunday called April in Paris. This event is put on each year by the Ivy Tech Culinary Arts program in an effort to raise money for their trip to Paris. This event normally attracts approximately 200 attendees, but when news was shared that this would also be an event to recognize President and Mrs. Lamkin, the attendance grew to 456, which is a sell out. Much staff work has gone into the planning for this event, but Vice President Harris specifically noted the efforts of the co-chairs Mark Maassel and John Murphy, both Foundation directors. Three “titanium” sponsors—the highest level of sponsorship for this event—include NIPSCO, Wells Fargo Insurance Group, and Ice Miller, LLP. In addition to providing the culinary arts students with an invaluable experience with this function, it will provide financial aid for these students to study abroad, and will also provide funding for the Lamkin Center. Many of the regions are hosting similar events to recognize the Lamkins, and Vice President Harris encouraged the trustees to attend an event as their schedules allow.

Vice President Harris took this time to report that the fundraising ability of 2- and 4-year colleges is measured annually. In 2006, Ivy Tech Foundation is number one in the country in public, 2-year college fundraising.

- Concluding his report, President Lamkin announced that his last Board meeting as president would be in June, concluding his 39 years of service to the College. He noted that his wife, Louise, has been with him at these meetings and other College events throughout the years, and he thanked her for her support. He also noted that the number of commencement ceremonies he attended during his employment with Ivy Tech totaled 249. He said that he is proud of all of the chancellors, College staff, and current and former trustees. He concluded by saying that this has been a wonderful experience for him.

E. TREASURER’S REPORT:

Chairman Goins called on Bob Holmes, Vice President for Finance/Treasurer, for the **Treasurer’s Report.**

- Treasurer Bob Holmes said that we have completed three quarters of the 2006-07 fiscal year. Once again, this has been a good year for Ivy Tech. Fall enrollment of full time equivalent (FTE) students grew by 6.6 percent, and the best estimate for spring is for a similar or slightly higher increase. This will result in another record full time equivalent enrollment near 46,000 FTE students this year. Because of timing differences between this year and last year, for summer term enrollment and student fee revenue, Vice President Holmes said he would focus his comments on data as of the end of February

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instead of the end of March. Through February, student fee revenue has increased by about \$14 million over last year. This growth is important because of the level of the new bonding authority that the General Assembly has included in both the House and Senate budgets. While the state provides debt service, the actual bonds are an obligation on student fees. Appropriations continue to track the 4 percent increase that was adopted by the General Assembly last year. However, we have also received about \$4.6 million of the \$10.7 million that the state owes to the College from the 2001-02 payment delay. Both the House and Senate versions of the 2007-09 biennial budget includes funds dedicated for R and R that will complete that repayment of all funds previously withheld. Miscellaneous fees and other revenue have decreased slightly from this time last year primarily because improved investment earnings have been offset by decreases in overhead recovery, insurance refunds, and other miscellaneous revenue. Total revenue is up \$17 million. Total expenses are up approximately \$11.5 million from last year. Ten million dollars of that increase is for compensation costs resulting from the 3 and 4 percent salary pool increases that were provided and the associated fringe benefit costs associated with that salary increase. Also part of the compensation increase is due to the additional full time faculty and staff that have been added to serve our growing enrollment. Other expenses, including supplies, facility leases, utilities, travel, equipment, financial aid is up about \$1.2 million compared to last year. Part of this is due to the timing of expenditures associated with the IIS Project, but even taking that into account, regional and central office budgets are in good shape as we prepare to close out the 2006-07 fiscal year. Vice President Holmes called for questions, and there were none. Trustee Kaye H. Whitehead moved that the Treasurer's Report be approved. Trustee Walkup seconded the motion, and the motion carried unanimously.

F. COMMITTEE REPORTS:

Item 1 Reporting for the **Executive Committee**, Chairman Goins reported that no Executive Committee has been held since the Board last met.

Chairman Goins called on Trustee Whitehead to present **Resolution Number 2007-7**. Trustee Whitehead explained that, due to the resignations of Delberta Amos and Roderick English, the Region 6 Board has nominated three candidates to fill each vacancy. Trustee Whitehead made the motion to approve **Resolution Number 2007-7, Appointment of Regional Trustees, Region 6** appointing as regional trustees for Ivy Tech Community College of Indiana – Region 6 Sally DeVoe representing at-large; and Patricia Crowe representing labor. Trustee Mark J. Neff seconded the motion, and the motion carried unanimously.

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- Item 2** Chairman Goins suggested that the Board consider the following 5 resolutions as a single consent action since each had been thoroughly discussed in the Budget & Finance Committee meeting and with the entire Board in the Joint Committee meeting earlier this morning. With the Board fully apprised of each proposed resolution, Trustee Norman E. Pfau, Jr. moved that the following 5 resolutions be adopted. Those resolutions are delineated as follows:

Resolution Number 2007-9, Approval of College 2007-08 Employee Health and Dental Insurance Programs

Resolution Number 2007-10, Approval of College 2007-08 Property & Casualty Insurance Programs

Resolution Number 2007-11, Approval of Contract Extension for Statewide Marketing/Advertising Services

Resolution Number 2007-12, Approval of the Purchase of Computers for Region 2 and Region 14

Resolution Number 2007-13, Approval of Contracts for the Wide Area Network Upgrade and the ILight Connection Agreement

Trustee Bumbleburg seconded the motion to approve the above resolutions, and the motion carried unanimously.

Chairman Goins announced that the Board had discussed amending President Lamkin's contract during Executive Session this morning, and he called for a motion to ratify the president's amended contract. Trustee Pfau moved that the Board of Trustees ratify the amended employment contract between President Gerald I. Lamkin and the State Board of Trustees of Ivy Tech Community College of Indiana. Trustee Bumbleburg seconded the motion, and the motion carried unanimously.

- Item 3** Chairman Goins called upon Trustee Lee J. Marchant to give the **Planning & Education Committee** report. With the Board fully apprised of the proposed resolution, Trustee Marchant moved that **Resolution Number 2007-14, Approval of New Programs** be approved. Trustee Pfau seconded the motion, and the motion carried unanimously.

- Item 4** Chairman Goins suggested that the Board consider the following 3 resolutions as a single consent action since each had been thoroughly discussed in the Buildings, Grounds, and Capital Committee meeting, and with the entire Board in the Joint Committee meeting earlier this morning. With the Board

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fully apprised of each proposed resolution, Trustee John P. Griffin moved that all 3 resolutions be adopted. Those resolutions are delineated as follows:

Resolution Number 2007-15, Approval to Exercise a Two-Year Renewal Option for the Logansport Instructional Center Building 1, Region 5

Resolution Number 2007-16, Approval to Exercise a Five-Year Renewal Option for the Corporate Training Center Building in Columbus, Region 10

Resolution Number 2007-17, Approval to Receive Approximately 30.427 Acres of Land Contiguous to the Sellersburg Main Campus as a Gift, Region 13

Trustee Pfau seconded the motion to approve the above 3 resolutions, and the motion carried unanimously.

- Item 5** Chairman Goins called upon Trustee Mark J. Neff to give the **Audit Committee Report**. Trustee Neff said there were no action items at this time.

G. OLD BUSINESS:

Chairman Goins called for old business.

- Chairman Goins announced that a discussion of the candidates for the position of President of Ivy Tech Community College of Indiana would occur at this time. The trustees have received an advisory opinion from the public access counselor indicating her opinion that the trustees violated the open door statute by taking action in executive session on March 22, 2007. At this time, Chairman Goins called on the College's external legal counsel, Mr. Richard Smikle of Ice Miller, to give a legal report regarding this issue. Mr. Smikle reminded the trustees that following their last meeting, the public access counselor issued an advisory opinion that the trustees had violated the open door act by taking a final action—those are the key words—in an executive session. He explained that while the public access opinion is an advisory opinion, such as any letter, the trustees asked that he follow up with the public access counselor, Miss Davis. He reported that he did speak with her about her position, and he said that they had a cooperative and professional discussion. Mr. Smikle explained that she reiterated that she understood that the Board had no intent to violate the statute, and she reiterated that her position as an institutional position is to try to encourage as much public discourse as she possibly can, and from that institutional position, she might read cases more narrowly than other people might, since she has an interest in her position. She allowed just how reasonable minds might differ on certain cases, particularly there are two points where outside counsel disagrees with the reading of the law by the public access counselor. One is the case of Baker versus the town of Middlebury. Mr. Smikle said he has advised the trustees, and continues to advise the trustees, that the Baker case specifically says that in

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an executive session, trustees can receive information, they may deliberate, they may make recommendations, they may establish policy, they may make decisions, but they may not take a final action. A final action is any action that would bind the college, because that business of the college should be in public. The public access counselor, he thinks, would agree that she would prefer that that case be appealed again. A final action as defined by the statute, however, is not subject to much discussion. A final action under the statute requires a vote on a motion or resolution. Mr. Smikle explained that you must make a vote on a motion or a resolution in a public meeting to bind a public entity; this Board did not do that. There was no motion or resolution or vote, other than in the public meeting. That was the difference of opinion with the public access counselor. Mr. Smikle said that she was kind enough to note that never in her tenure or President Lamkin's 24-year tenure, has the College ever had an issue with the public access counselor. She was very cooperative, and they had a pleasant discussion. She said that reasonable minds can differ, Mr. Smikle said he understands what her institutional point of view was, and he believes she understood ours. Mr. Smikle called for questions regarding his report, and there were none.

Chairman Goins said that while the trustees disagree with the conclusion of the public access counselor, they have made the decision to address her concerns during a public discussion of the candidates for president at this meeting. At this time, Chairman Goins asked all of the trustees to provide their thoughts on the final two candidates for president, Tom Snyder and Tom Klincar. Trustee Bumbleburg stated that in the history of this College, there will be three events in the modern era of the College that will go down as most important. The first of those was the vote taken by the Board many years ago. The Superintendent of Public Instruction of the State of Indiana was attempting to wrestle control of the College, and that would have done away with this Board. The second event in the College's history that is significant is the effort and the ultimate statute creating the community college in the state of Indiana. We are well underway to achieving a successful conclusion of that issue. The third important event will be the decision to name a successor to President Lamkin. In that decision process, we all considered several things: it has occurred to all of us that we have a dedicated staff, faculty, and educational administration at this College. The appointing of a non-traditional president to serve the College at this time is probably a decision that, while some will consider unusual, is nonetheless a timely decision being made given the importance dictated by the state of Indiana. Trustee Bumbleburg said the academic side of the institution will continue under good supervision; the economic development will grow and show that we are a global participant. We have sought the advice of consultants on the selection of a president, there was a review by a selection committee, there were interviews by this full Board, and there was much spirited discussion at the time. That discussion, the advice of our experts, and the word of the selection committee, he believes, make the appointment decision a sound decision at this time. Both Mr. Snyder and Mr. Klincar are very able candidates, and we have made distinctions between the two of them and what their relative contributions would be. That led us to bring to the Board the name of Mr. Snyder, which I support. Chairman Goins called for additional discussion, and Trustee Foote said that he was a participant on the search

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committee and that they started with five excellent candidates which they narrowed down to two. Trustee Foote said that Mr. Snyder has managed a large number of employees, has a lot of leadership skills, is flexible, is a proven successful businessman, and is already recognized and respected as a leader in the state of Indiana. He knows how important Ivy Tech is with businesses and for the economy to help these people raise their standard of living. He has known about Ivy Tech for a long time, and he has even been involved with the College before. He does understand Indiana politics because he has lived here and participated in it. He has knowledge of fundraising, and he has been successful at doing that. He has already expressed concerns about Ivy Tech employees, focused on students and their needs. Trustee Foote said that Mr. Snyder recognizes that he already has great staff in place. Trustee Foote said that after they reviewed everything and interviewed the candidates, Mr. Snyder is definitely the person for the job. He also thanked Trustee Brand for the professionalism that he showed; and he thanked Chairman Goins for helping them proceed the right way. He thanked all of the trustees for their participation and their true thoughts of the process. Chairman Goins called for additional discussion. Trustee Neff said that the one thing that turned his attention to Mr. Snyder was that, when asked to describe his leadership style, he mentioned the leadership style of a servant leader. Trustee Neff explained that a servant leader is one who puts others before self. This requires sometimes a passion that exudes an infectious enthusiasm. It also requires confidence in one's self and humility that enables them to offer consideration and mutual respect to all. He felt that he could hear it in Mr. Snyder's voice and in his optimism for Indiana. Chairman Goins called for additional discussion, and there was no more.

H. NEW BUSINESS:

Chairman Goins called for new business.

- Trustee Marchant moved to ratify the Board's decision in the public meeting on March 22, 2007, by selecting Tom Snyder as president of Ivy Tech Community College commencing July 1, 2007, and approve as proposed the employment agreement. Trustee Brand seconded the motion. Chairman Goins called for discussion, and there was none. Chairman Goins called for a vote by the show of hands of all those in favor ratifying the Board's action of March 22, 2007, of appointing Tom Snyder as president, and approving his contract. All trustees raised their hands, and Trustee Foote verbally acknowledged over the phone that his hand was raised. Chairman Goins asked for all trustees not in favor of ratifying the Board's action of March 22, 2007, and approving a contract to raise their hands. No trustees raised their hands. Trustee Linda E. White noted that this was a unanimous vote and a strong vote of endorsement of Tom Snyder. Chairman Goins confirmed that by a vote of 14 to zero, the trustees have ratified their action of March 22, 2007, by selecting Tom Snyder as the next president of Ivy Tech Community College commencing July 1, 2007, and approved as proposed the employment agreement.

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- Chairman Goins appointed Trustees Bumbleburg, Griffin, and Rivas-Ramos to serve on the nominating committee.

I. ADJOURNMENT:

There being no further business to come before the Board, Chairman Goins called for a motion to adjourn the meeting. Trustee Brand made the motion to adjourn, and Trustee Walkup seconded the motion. The motion carried unanimously.

**STATE TRUSTEES
IVY TECH COMMUNITY COLLEGE**

William R. Goins, Chair

Marvin E. Foote, Secretary

Dated April 19, 2007

Prepared by Tina S. Phelps, Recording Secretary