

College of DuPage Board of Trustees

Board Observers Report

Board Observers: Peggy McGrath and Julie Nolan Date: 5/23/11

Meeting started: 7 p.m. Meeting adjourned: 9:29 p.m. (with roughly 45 minutes spent in closed session to discuss "litigation")

Officials: All trustees were present as well as Ken Florey, College Attorney, and Robert Breuder, College President

Estimates of public attendance: 25-30 community members; about 20 COD faculty, administration and other staff as well as two uniformed and armed COD security officers were present.

The meeting was called to order at 7 p.m. and went into closed session immediately to discuss issues relating to litigation. The open session resumed after about 45 minutes

Following the unanimous approval of the regular meeting agenda, there was an almost 45 minute Power Point presentation by Ken Florey, the College Attorney. Mr. Florey reported that he had been asked by President Breuder to review the **facts** surrounding the discussions relating to the Intergovernmental Agreement (IGA) with the Village of Glen Ellyn. He stated that he would present the facts and not the innuendos that had been in the public domain recently. His focus was particularly on how the health, life and safety issues for students, faculty, and the public are guaranteed by the college and the Board of Trustees and administration.

Mr. Florey noted that all community colleges are bound by comprehensive rules regarding structures and buildings established by the Illinois Community College Board as well as by federal, state, and county rules relating to health, life and safety. He enumerated many of those rules and regs and described the oversight provided by the professionals hired by the college as the best in the country. Based on all the outside regulation and oversight, Mr. Florey indicated that oversight by the Village in meeting its responsibilities to the citizens of Glen Ellyn is redundant and possibly obstructionist. He stated that, usually in Illinois, the relationship between community colleges and host communities is excellent. Only in Glen Ellyn has it been a contentious relationship for years. Other than the signage issue last year, there was limited evidence provided by Mr. Florey to support that assertion.

Mr. Florey went on to say that if the college were to pursue de-annexation from the village, the process would likely be expensive for both sides and would take time, perhaps up to two years. Meantime, he said that the village is refusing to issue a liquor license for the new formal restaurant in the Culinary and Hospitality Center. Also, he asserted that the village was threatening to shut off the water supply to the college, which among other things would present several health and safety issues. Mr. Florey presented no evidence to support these assertions.

Following Mr. Florey's presentation, **Chairman Carlin** questioned whether having village oversight was a costly duplication since everything is already covered by the regulations and the professionals cited by Mr. Florey in his presentation. Additionally, according to Chairman Carlin, the water fees paid by the college would be \$130,000 less if they did not use Glen Ellyn water and the "County would be thrilled to have COD". Finally, Carlin expressed regret at the "reckless behavior" of the Glen Ellyn officials.

Trustees **Savage** and **Svoboda** thanked Mr. Florey for his presentation and both noted that they feel COD keeps safety issues as paramount.

Faculty/Student Showcase: presentation by a college counselor and students on an autism support group which has been successful in engaging autistic students.

President's Report: no report as such; recognition of outstanding faculty members.

College of DuPage Employees: Ken Gray, president of the faculty association, gave a four minute presentation on the qualities of leadership.

Comments from Citizens: Carl Henninger, a Glen Ellyn Village Trustee, spoke about the relationship between the college and the village that had existed amicably for several years. In support of that, he read a proclamation that had been issued previously by the college complimenting the village on the excellent relationship the college enjoyed with the village. Further, he invited the COD Trustees and administrators to attend the June 6th Village Trustees meeting where the public would be commenting on the IGA. He repeated that the Village was interested in cooperating with the college and valued its relationship with the college.

Carol Fontana, Raintree Homeowners Association President, spoke about the importance of the subdivision and the college being good neighbors to each other and requested that the college keep that in mind as they continued to expand and develop.

Kenneth Claus, speaking as a "Citizen at Large" stated he loves the new signs the college has installed and thinks the lights at St. James are brighter. He said he will speak at the village meeting in "support of the college".

Consent Agenda: covered several standard items as well as financial reports, bids, RFPS, changes in vendors, website redesign, personnel actions, etc. were read and passed unanimously, with no questions and no discussion. This took six minutes

New Business: Updated 2011-2013 Strategic Long Range Plan (SLRP) for COD was presented for board information only.

FY 2012 Budget was introduced with the following summary:

- Challenges were identified as the state budget
- Enrollment at the college is projected to be flat
- Revenue from the state is about 3% of the budget
- Increase of \$3 per semester hour service fee for students
- Salaries are showing a 3% increase with a 4% increase for classified staff
- Insurance premiums are projected to increase by 12%
- Additional \$9 construction fee (to be added to students' bills??)
- Salaries and benefits constitute 73.5% of the budget

The budget will be available for review at "appropriate places" and should be posted to the website shortly. (Last year, a hard copy of the budget was available at the college library and community libraries including GE, Naperville, Downers Grove (?), Wheaton (?), and LaGrange.)

At the June 23 meeting, the budget will come to the trustees for approval. During the next 30 days, trustees were advised to direct any questions via email to Pres. Breuder or Thomas Glaser or to arrange one-on-one meetings with relevant administrative staff.

New Business: For Approval:

The trustees approved unanimously, with *no questions and no discussion*, a board policy on communicable diseases; three new certificate programs (forensic criminal investigations, wine appreciation and knowledge, and fashion apparel AAS Degree and certificate); and compensation for administrators and the President's Senior Management Team.

They also approved a declaration of official intent regarding certain capital expenditures...

Finally, with *no questions and no discussion*, the Trustees unanimously approved a motion to rescind the IGA with the Village of Glen Ellyn and to "authorize the President to work with the College's legal counsel to pursue deannexation from the Village of Glen Ellyn at the earliest possible date. Further, the College's attorney be authorized to seek relief from the DuPage County Court to prevent the Village from engaging in any activity during this transition period that would unnecessarily harm the College of DuPage and, thereby, its ability to deliver instructional programs and related services to the citizens of District 502."

Conclusion: The meeting concluded with reports by various trustees on Lobby Day, Foundation activities, and professional membership activities.

League Concerns/Observations: Transparency and ability of the public to impact/understand the workings of a publically elected and funded body are hampered by the lack of any discussion or questioning of administrative actions. The votes appear to be pro-forma with little opportunity for any meaningful public input. For example:

- Significant budget and programmatic items are passed with no questions and no discussion by the trustees.
- The agenda for this meeting was not posted on the internet until the afternoon of the meeting (despite it usually appearing at least 48 hours before for previous meetings).
- The printed motion to de-annex from the Village of Glen Ellyn did not appear in public form until late into the meeting, although a press release of a letter from Chairman Carlin and an unannotated agenda were provided for the public before the start of the meeting.
- The annotated agenda was not posted on the website before the meeting nor was it available at the meeting. As of 5/27, neither the annotated agenda nor the resolution to de-annex had been posted on the website. Customarily, the annotated agenda is posted on the website before the meeting and available at the meeting.
- On the agenda, the issue of de-annexation was identified as "Village of Glen Ellyn", Item 10 B. 7. There was nothing to indicate that this related to the IGA or a move to de-annex.
- Any member of the public wishing to address the trustees must sign up on a sheet of paper outside the meeting room by 7 p.m.
- There is no opportunity for the public to speak or ask questions after any presentation at the meeting, unless they had signed up before 7 p.m., prior to knowing what some of the issues might be.
- There was a troubling lack of civility and respect for other elected public officials.

VILLAGE OF GLEN ELLYN MEETING: JUNE 6, 7 p.m., VILLAGE HALL

COLLEGE OF DUPAGE BOARD OF TRUSTEES MEETING: JUNE 23, 7 p.m., SRC-2052

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