BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 502  
COUNTIES OF DuPAGE, COOK AND WILL,  
STATE OF ILLINOIS  

MINUTES OF THE REGULAR MEETING  
THURSDAY, OCTOBER 15, 2009  
HELD ON CAMPUS IN SRC-2052, GLEN ELLYN, IL  

7:00 p.m. – REGULAR BOARD MEETING  

1. CALL TO ORDER – The Regular Board Meeting was called to order by Chairman Wessel at 7:00 p.m. in SRC-2052.  

2. ROLL CALL  
   
   
   Absent: Trustee Joseph Wozniak.  
   
   Also present: President Dr. Robert L. Breuder, Legal Counsel Frank Garrett, members of the President’s Cabinet, staff members, representatives of the press, and visitors.  (Minutes prepared by Karen V. Neely, Administrative Assistant in the Office of the President.)  


4. PRESENTATIONS – None.  

5. STUDENT TRUSTEE REPORT – Student Trustee Wilson reported on the following:  
   
   • Wilson, Student Leadership Council (SLC) Vice-President Billal Virani and SLC Officer Emilio Morrone spent the day in Springfield lobbying for the Monetary Award Program (MAP) Grants; the Bill did pass; finding funding is the next step. Wilson thanked Special Assistant to the President Mary Ann Millush who assisted the students in preparation for this lobbying experience.  

At 7:16 p.m., Trustee Wozniak arrived at the Board Meeting.  

6. PRESIDENT’S REPORT – Dr. Breuder noted there are two issues about which people have some concerns: (1) the ABE/ESL/GED Programs and (2) the Motorcycle Training Program. He introduced two Vice Presidents who addressed some of these concerns.  
   
   • Vice President of Academic Affairs Joseph Collins addressed ABE/ESL/GED Program concerns. He stated that $900,000 was spent last year to cover additional expenses for these programs, and over the last five years the College has supplemented these programs by nearly $4 million. This money is over and above all of the income that is received by the College to run
the programs. The administration is carefully studying the programs and costs involved, with the goal of maintaining them but in a more cost-effective manner.

- Vice President of Administrative Affairs Thomas Glaser addressed the Motorcycle Training Program concerns. Several months ago, Glaser and other C.O.D. staff met with Northern Illinois University (NIU) staff regarding this program. NIU receives grant money to run the program; however, the program is held on the C.O.D. campus. C.O.D. has requested their budget information but, to date, this information has not been received. A future meeting between Dr. Breuder and NIU administrators is being scheduled in order to discuss the C.O.D. expenses involved in running this program and how NIU might be able to assist C.O.D. with these costs.

7. **COMMENTS FROM COLLEGE OF DUPAGE EMPLOYEES & STUDENTS** – The following employees and students presented their comments to the Board:

- Joan Katai – ESL Program
- Janice Palfenier – ESL Program
- Annette Barker – ESL Program
- Barbara Huszagh – ESL Program
- Elisa Stough, Student Leadership Council President – MAP Grants; Student Elections; and the first “Student Spirit Week” ever held at C.O.D.
- Nancy Stanko, Faculty Association President – Thanked the Trustees for joining the Faculty at a Culinary Arts Dinner to enhance communications; and Board Policies and Administrative Procedures concerns
- Lisa Higgins, Faculty Association Vice-President – Board Policies and Administrative Procedures concerns

8. **COMMENTS FROM CITIZENS** – The following citizens presented their comments to the Board:

- Linda Olson – Motorcycle Training Program
- Mark Garrison – Motorcycle Training Program
- Maryanna Milton – ESL Program
- Beverly Perlson – Academic Bill of Rights
- Kory Atkinson – Political contributions to Board Members; and Academic Freedom
- Mark Thompson – Academic Bill of Rights

(If provided, complete written comments attached to permanent 10/15/09 Board packet materials.)

9. **CONSENT AGENDA** – Trustee Wozniak requested that Item # 9. C. 2) be removed from the Consent Agenda to be discussed and voted in separately.

Savage moved, Wilson seconded, THAT THE BOARD OF TRUSTEES APPROVE THE CONSENT AGENDA CONSISTING OF THE FOLLOWING ITEMS:

A. **FOR INFORMATION: STANDARD ITEMS** – The Board reviewed the following items of information:

1) Gifts and Grants Report
2) Governmental Consortium/Cooperative Purchases Report
3) Financial Statements:
   a) Schedule of Investments
   b) Operating Funds – Budget and Expenditures
c) Tax Levy Collections

B. FOR APPROVAL: STANDARD ITEMS

1) MINUTES – THAT THE BOARD OF TRUSTEES APPROVE THE MINUTES OF THE FOLLOWING BOARD MEETINGS:
   a) 09/17/09 REGULAR BOARD MEETING
   b) 09/30/09 SPECIAL BOARD MEETING
   c) 09/17/09 CLOSED SESSION – Confidential for Board Only

2) FINANCIAL REPORTS – THAT THE BOARD OF TRUSTEES APPROVE THE FOLLOWING FINANCIAL REPORTS:
   a) SEPTEMBER TREASURER’S REPORT
   b) PAYROLL AND ACCOUNTS PAYABLE REPORT
   c) BUDGET TRANSFER REPORT

3) BIDS – THAT THE BOARD OF TRUSTEES APPROVE THE FOLLOWING BID RECOMMENDATIONS:
   a) BIC RENOVATIONS MOVING SERVICES (REJECTION) – THAT THE BOARD OF TRUSTEES REJECT ALL BIDS RECEIVED FOR BIC RENOVATIONS MOVING SERVICES DUE TO A CHANGE IN BID SPECIFICATIONS.
   b) BIC ENVIRONMENTAL ABATEMENT – THAT THE BOARD OF TRUSTEES AWARD THE BID FOR BIC ENVIRONMENTAL ABATEMENT TO THE LOWEST RESPONSIBLE BIDDER, COLFAX CORPORATION, 2441 NORTH LEAVITT STREET, CHICAGO, IL 60647, FOR THE BASE BID TOTAL OF $490,800.00, AND ALTERNATE #2 FOR $19,800.00, FOR A TOTAL EXPENDITURE OF $510,600.00.
   c) COLLEGE VEHICLES – THAT THE BOARD OF TRUSTEES AWARD THE BID FOR COLLEGE VEHICLES TO THE LOWEST RESPONSIBLE BIDDER, AS FOLLOWS:

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<thead>
<tr>
<th>ITEM</th>
<th>VENDOR</th>
<th>$ AMOUNT</th>
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<tbody>
<tr>
<td>1, 1A, 1B, 1C, 1D</td>
<td>CENTRAL STATES BUS COMPANY 49 W 120 HIGHWAY 30 BIG ROCK, IL 60511</td>
<td>$106,248.00</td>
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LESS THE FOLLOWING TRADE-INS:

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<th>ITEM</th>
<th>VENDOR</th>
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<tbody>
<tr>
<td>1E, 1F</td>
<td>CENTRAL STATES BUS COMPANY 49 W 120 HIGHWAY 30 BIG ROCK, IL 60511</td>
<td>($25,000.00)</td>
</tr>
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FOR A TOTAL EXPENDITURE OF: $81,248.00.

4) REQUESTS FOR PROPOSALS (RFP) – NONE THIS MONTH.

At 8:10 p.m., Trustee Kim left the meeting; at 8:12 p.m., she returned to the meeting.

5) PURCHASE ORDERS – THAT THE BOARD OF TRUSTEES APPROVE THE FOLLOWING PURCHASE ORDERS:

   a) JJR – WORK FORCE DEVELOPMENT CENTER & CULINARY ARTS CENTER LANDSCAPING DESIGN CONTRACT – THAT THE BOARD OF TRUSTEES APPROVE THE CONTRACT WITH JJR, LLC FOR A TOTAL OF $104,100.00 WHICH, FOR
CULINARY ARTS, INCLUDES A $49,500.00 FEE PLUS AN ALLOWANCE OF $2,500.00 FOR REIMBURSABLE EXPENSES AND, FOR WORK FORCE DEVELOPMENT, INCLUDES A $49,600.00 FEE PLUS AN ALLOWANCE OF $2,500.00 FOR REIMBURSABLE EXPENSES. THE DESIGN FEE FOR BOTH PROJECTS INCLUDES SCHEMATIC DESIGN, DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS, BIDDING, AND CONSTRUCTION ADMINISTRATION.

b) COMCAST INTERNET SERVICES AGREEMENT RENEWAL – THAT THE BOARD OF TRUSTEES APPROVE A THREE-YEAR CONTRACT RENEWAL FOR OUR INTERNET SERVICES AGREEMENT WITH COMCAST COMMERCIAL SERVICES, 1500 MARKET STREET, PHILADELPHIA, PA FOR AN ANNUAL EXPENDITURE OF $34,500.00.

c) APPLE COMPUTER EQUIPMENT – THAT THE BOARD OF TRUSTEES APPROVE A CONTRACT FOR THE PURCHASE OF COMPUTER EQUIPMENT WITH APPLE INC., 12545 RIATA VISTA CIRCLE, AUSTIN, TX 78727, FOR A TOTAL EXPENDITURE OF $40,338.00.

6) PERSONNEL ACTIONS – THAT THE BOARD OF TRUSTEES RATIFY THE FOLLOWING PERSONNEL ACTIONS: (Each item attached to permanent 10/15/09 Regular Board Meeting packet of materials.):

   a) RATIFICATION OF CLASSIFIED AND FRATERNAL ORDER OF POLICE APPOINTMENT(S)
   b) RATIFICATION OF CLASSIFIED TRANSFER(S) AND REASSIGNMENT(S)
   c) RATIFICATION OF CLASSIFIED RESIGNATION(S) AND TERMINATION(S)
   d) RATIFICATION OF CLASSIFIED RETIREMENT(S)

7) ADDENDUM TO THE JOINT EDUCATIONAL AGREEMENT BETWEEN WILLIAM RAINEY HARPER COLLEGE AND COLLEGE OF DUPAGE – THAT THE BOARD OF TRUSTEES APPROVE THE ADDENDUM TO THE JOINT EDUCATIONAL AGREEMENT BETWEEN WILLIAM RAINEY HARPER COLLEGE AND COLLEGE OF DUPAGE EFFECTIVE FOR THE SPRING 2010 SEMESTER WHICH DELETES HARPER’S DIAGNOSTIC CARDIAN SONOGRAPHER CERTIFICATE AND PEDIATRIC ECHOCARDIOGRAPHY CERTIFICATE.

C. FOR INFORMATION: CONSTRUCTION-RELATED ITEMS (Report attached to permanent 10/15/09 Regular Board Meeting packet of materials.):

   1) Monthly Construction Project Summary – The Board reviewed the Summary of Monthly Construction Projects which is prepared each month by the College’s Facilities Department in order to update the Trustees on various construction projects on campus. All projects are proceeding on schedule.

   2) FMP BUDGET AND SCHEDULE UPDATE – This item was removed from the Consent Agenda to be discussed and voted on separately.

D. FOR APPROVAL: CONSTRUCTION-RELATED ITEMS

   1) RATIFICATION OF CONSTRUCTION-RELATED CHANGE ORDERS – THAT THE BOARD OF TRUSTEES RATIFY THE CONSTRUCTION-RELATED CHANGE ORDERS FROM THE OCTOBER 2009 SUMMARY BELOW:
FMP PROJECTS

RATIFY HSC – GILBANE #144: $4,804.00. This change order was to change the well pump from a cast iron well pump to a stainless steel well pump due to a request for the stainless steel pump during submittal review. The architect has not signed this change order. This was an Architect/Engineer Error.

RATIFY HSC – GILBANE #149: $1,347.00. This change order was to perform exploratory digging to verify buried water main elevations. The architect has not signed this change order. This was an Unforeseen Condition.

RATIFY HSC – GILBANE #159: $10,932.00. This change order was to modify the already engineered communication system to accommodate VOIP. The architect has not signed this change order. This was an Owner-Requested Scope Change.

RATIFY HSC – GILBANE #172: ($4,693.00). This change order provides a credit to C.O.D. for eliminating one stainless steel countertop that was purchased through two contracts. The architect has not signed this change order. This was an Owner-Requested Scope Change.

RATIFY HSC – GILBANE #173: $354.00. This change order was to add a backsplash with edge band to accommodate C.O.D.’s request to modify the mounting configuration for the x-ray viewers. The architect has not signed this change order. This was an Owner-Requested Scope Change.

RATIFY HSC – GILBANE #189: $4,810.00. This change order was to change the Bradley sink designated WF-1 to WF-2. The architect has not signed this change order. This was an Architect/Engineer Error.

RATIFY HSC – GILBANE #201R1: $2,767.00. This change order was to provide an elevator operator prior to the completion of construction to transport waste and materials safely from the upper floors to the first floor dumpster. The architect has not signed this change order. This was Un-bought Scope.

RATIFY HSC – GILBANE #207: $678.00. This change order was to add a countertop that was graphically shown in the plan view on the drawings, but not shown in elevation. The contractor clarified during bid scoping that he had not included any cabinetry scope that was not elevated. The architect has not signed this change order. This was Un-bought Scope.

RATIFY HSC – GILBANE #218: ($24,113.00). This deduct change order was for eliminating the stained concrete floor topping at the bridge. C.O.D. has elected to install carpet instead. The architect has not signed this change order. This was an Owner-Requested Scope Change.

RATIFY ATHLETIC FIELDS PHASE 3 – WIGHT #COD-01: $22,900.00. This change order was to add landings and canopies on the side of the Press Box for access. This was an Owner-Requested Scope Change.

RATIFY ATHLETIC FIELDS PHASE 3 – WIGHT #COD-02: $3,150.00. This change order was to move jersey barriers from Lot P to Lot A for the benefit of the new temporary warehouse. This was an Owner-Requested Scope Change.

RATIFY ATHLETIC FIELDS PHASE 3 – WIGHT #COD-03: $7,317.00. This change order was to replace the existing scoreboard power feed that was exposed after the soil was cut back to the designed grade. This was an Unforeseen Condition.

RATIFY ATHLETIC FIELDS PHASE 3 – WIGHT #COD-04: $39,830.00. This change order was to add the concrete flatwork into the project scope. This scope was originally bid, but C.O.D. received no bids. This was Un-bought Scope.

RATIFY ATHLETIC FIELDS PHASE 3 – WIGHT #COD-05: $59,165.00. This change order was to add irrigation at all sod areas around the football field. This was an Owner-Requested Scope Change.

RATIFY ATHLETIC FIELDS PHASE 3 – WIGHT #COD-06: $49,800.00. This change order was to add retaining walls necessary for the bleachers. This was Un-bought Scope.

RATIFY MAC GRAPHIC ARTS TECHNOLOGY – SIGALOS #01: $705.00. The change order was to reuse existing hydronic piping, door hardware and vision glass modifications. This was Owner-Requested changes.

NON-FMP PROJECTS – NONE THIS MONTH.

2) APPROVAL OF CONSTRUCTION-RELATED CHANGE ORDERS – NONE THIS MONTH.

In an advisory comment, Wilson indicated preference for the motion to approve all Consent Agenda items. On roll call, voting aye: Carlin, Kim, O'Donnell, Savage, Svoboda, Wozniak, and Wessel. Motion carried unanimously.

9. C. 2) FMP BUDGET AND SCHEDULE UPDATE – This item was removed from the Consent Agenda to be discussed and voted on separately at the request of Trustee Wozniak; however, it was determined this was not the item about which he had questions. Wilson moved, Svoboda seconded, THAT THE BOARD OF TRUSTEES APPROVE THIS INFORMATION ITEM. In an advisory comment, Wilson indicated preference for the motion. On roll call, voting aye: Carlin, Kim, O'Donnell, Savage, Svoboda, Wozniak, and Wessel. Motion carried unanimously.

9. D. 1) RATIFICATION OF CONSTRUCTION-RELATED CHANGE ORDERS – This was the item about which Trustee Wozniak had questions. Even though it was already approved as part of the Consent Agenda, the Board listened to Trustee Wozniak's questions concerning the number and cost of the change orders. Dr. Breuder and Facilities Master Plan Program Manager James Koolish responded to his questions. Looking to the future regarding the two new buildings (Culinary Arts Center and Work Force Development Center), Dr. Breuder explained that they are both being administered by the College with our own staff; thus, the planning will be different and the level of work that will be done before going out to bid will be significant. He noted this does not reflect poorly on The Rise Group; it is simply a different way of administering these projects.

10. NEW BUSINESS

A. FOR INFORMATION

1) REVISED BOARD POLICY 10-55, INVESTMENT OF COLLEGE FUNDS – The Board Policy Manual was adopted at the March 19, 2009 Regular Board Meeting. Policy 10-55 was amended on May 21, 2009. The Treasurer's Advisory Committee has since reviewed the current Policy, and the Board reviewed their recommended changes.

2) REVISED BOARD POLICIES – The Board reviewed the following revised Board Policies:

a) 10-110, ASSEMBLAGE ON COLLEGE FACILITIES
b) 10-125, DISTRIBUTION OF PRINTED MATERIAL
c) 20-5, NON-DISCRIMINATION POLICY – A slight change was suggested by several Trustees which has been incorporated into this Policy.

A sub-committee of the Board reviewed the existing Board Policies. In November 2008, this sub-committee brought forth a revised Board Policy Manual for consideration. The President and College community had opportunities to provide input which is reflected in the February 19, 2009 Board Policy Manual that was presented to the Board for adoption. Adoption took place at the March 19, 2009 Regular Board Meeting. The Board then rescinded ten policies from the manual for further consideration at the May 4, 2009 Board Meeting. These three policies are part of the ten that were rescinded.
3) STATEMENT ON AUDITING STANDARD (SAS) 114 – The Board reviewed this item which provides guidance on the auditor’s communication with those charged with governance in relation to an audit of financial statements.

B. FOR APPROVAL

1) REVISED BOARD POLICIES:

a) **15-25, EMPLOYEE CODE OF ETHICS POLICY** – Carlin moved, Wilson seconded, THAT THE BOARD OF TRUSTEES APPROVE REVISIONS TO BOARD POLICY 15-25, EMPLOYEE CODE OF ETHICS. Legal Counsel Garrett explained the difference between the Ethics Ordinance, which relates to all state agencies, and this Board Policy which is more specific to College of DuPage. In an advisory comment, Wilson indicated preference for the motion. On roll call, voting aye: Kim, O'Donnell, Savage, Svoboda, Wozniak, Carlin and Wessel. Motion carried unanimously.

b) **15-170, CAUSES FOR TERMINATION OF COLLEGE PERSONNEL POLICY**  
O'Donnell moved, Kim seconded, THAT THE BOARD OF TRUSTEES APPROVE REVISIONS TO BOARD POLICY 15-170, CAUSES FOR TERMINATION OF COLLEGE PERSONNEL POLICY. In an advisory comment, Wilson indicated preference for the motion. On roll call, voting aye: Kim, O'Donnell, Savage, Svoboda, Wozniak, Carlin and Wessel. Motion carried unanimously.

c) **15-335, ACADEMIC FREEDOM / INSTRUCTIONAL MATERIAL – FULL-TIME FACULTY**  
Kim moved, Savage seconded, THAT THE BOARD OF TRUSTEES APPROVE REVISIONS TO BOARD POLICY 15-335, ACADEMIC FREEDOM / INSTRUCTIONAL MATERIAL – FULL-TIME FACULTY POLICY. A change was suggested by Trustee Kim which has been incorporated into this Policy. Student Trustee Wilson stated she is passionate about “students’ rights to academic freedom”, and she prefers the previous wording. For the record, Trustee Carlin stated he is troubled about the removal of the words, “which respects their students' rights to academic freedom”, is being removed from this Policy. However, he acknowledged the new wording does address the expectation that, “Faculty members shall be expected to present facets of controversial issues in an unbiased manner.” Legal Counsel Garrett noted that one of the roles of the Board is to set Policy. The Policies state that if there is ever a conflict between a Policy and the Collective Bargaining Agreement (CBA), the Policy will be administered consistent with the CBA. In an advisory comment, Wilson abstained from the motion. On roll call, voting aye: Kim, O'Donnell, Savage, Svoboda, Wozniak, Carlin and Wessel. Motion carried.

2) **APPROVAL OF FY2010 REGULAR BOARD MEETINGS, DATES AND LOCATIONS** – Wilson moved, Svoboda seconded, THAT THE BOARD OF TRUSTEES APPROVE THE DATES FOR THEIR REGULAR MONTHLY BOARD OF TRUSTEES MEETINGS FOR THE REMAINDER OF FY2010 TO BE HELD ON THE MAIN CAMPUS IN THE STUDENT RESOURCE CENTER, ROOM SRC-2052 (THE BOARD ROOM), BEGINNING AT 7:00 P.M. AS LISTED:

- THURSDAY, NOVEMBER 19, 2009  
- THURSDAY, DECEMBER 10, 2009  
- THURSDAY, JANUARY 21, 2010  
- THURSDAY, FEBRUARY 18, 2010  
- THURSDAY, MARCH 18, 2010  
- THURSDAY, APRIL 15, 2010  
- THURSDAY, MAY 20, 2010  
- THURSDAY, JUNE 17, 2010

3) FY2009 AUDIT – John Weber, Partner with Crowe Horwath, presented information on the FY2009 Audit results. The following “Opinion Letters” have been issued which are all unqualified “Clean” with no material weaknesses, showing the institution is in financially good health and moving toward a stronger position:
   - Independent Auditors’ Report on the Basic Financial Statements
   - Independent Auditors’ Report on State Grant Activity
   - Independent Auditors’ Report on the Schedule of Enrollment Data and other Basis upon which Claims are Filed
   - Report on Compliance with Requirements Applicable to each Major Program and Internal Control over Compliance in Accordance with OMB Circular A-133

(Report attached to permanent 10/15/09 Regular Board Meeting packet of materials.)

Chairman Wessel and Dr. Breuder thanked Trustees Carlin and O'Donnell for serving on the Audit Committee and the College staff for their excellent and diligent work.


11. ANNOUNCEMENTS

A. COMMUNICATIONS

Thank You to Thomas Ryan – The Board and Dr. Breuder thanked Associate Vice President of Administrative Affairs Thomas Ryan for his many years of service to the College. Tom will retire at the end of October, and he will be greatly missed by the Board and the College family. Everyone wishes him the very best in his retirement.
Foundation – Trustee Savage reported on the following Foundation events:

- At the September 28 Foundation Meeting, Laura Mannion (Assistant Vice President of Development) and Sharon Mellor (Associate Vice President of Development and Executive Director of the Foundation) were introduced.
- The Foundation Treasurer presented the FY2010 budget as well as findings from Sikich LLP, the Foundation’s independent auditor, who presented a clean audit for fiscal year ended June 30, 2009.
- The Foundation Board President announced the recent Annual Golf and Tennis Outing netted approximately $70,000.00 for student scholarships. This Annual Golf and Tennis Outing and the Foundation Annual Appeal account for 111 scholarship awards to students totaling more than $100,000.00.
- The Annual Scholarship Donors and Recipients Reception will be held on October 21. Individual donors account for 105 scholarship awards totaling $235,000.00. This reception provides an opportunity for individual scholarship recipients to meet their benefactors.
- The next Foundation Board Meeting will be held on November 16.

ACCT / ICCTA – Trustee Kim reported:

- The ACCT Annual Congress was held in San Francisco on October 7 to 10; Trustees Wessel, Kim, Svoboda and Wozniak attended and presented their trip reports to the Board. Trustees Wessel and Kim were the Board-appointed voting delegates representing the College at this Congress.
- Trustees Sandy Kim and Nancy Svoboda have requested the opportunity to serve as Associate Members on ACCT Committees. No additional travel or expenses will be incurred by the College as these committees meet during the Annual Legislative Summit in February and the Annual Congress in the fall. In order to be considered for appointments, the Board Chairman must provide a letter of support. While these appointments do not require full Board approval, Chairman Wessel requested the Board’s input. The full Board concurred with these requests.
- The next ICCTA Meeting will be held in Chicago on November 13 and 14.

B. CALENDAR DATES

Future On-Campus Events

- A reception and dedication of the Bob MacDougal Football Field will be held on Saturday, October 17.
- A reception and Grand Opening of the Health Science Center (HSC) will be held on Tuesday, October 20.
- The next Regular Board of Trustees Meeting will be held on Thursday, November 19, 2009.

Future Off-Campus Events

12. ADJOURN – At 8:47 p.m., Kim moved, O'Donnell seconded, THAT THE BOARD MEETING BE ADJOURNED. On voice vote, motion carried unanimously.

By: __________________________

Nancy E. Svoboda, Board Secretary

Approved: 11/19/09

By: __________________________

Kathy A. Wessel, Board Chairman