

Notice of Public Meeting

Pursuant to O.R.S. §192.640, legal notice is hereby given to the members of the Tillamook Bay Community College Board of Education (Board) and to the general public that the Board will hold a board meeting open to the public on Monday, October 5, 2009, at 6:30 p.m. in Room Nine of the First Street Campus, 2510 First Street, Tillamook, Oregon, 97141.

A copy of the agenda for the meeting will be available beginning the Thursday prior to the meeting, after 9:00 a.m., at the Office of the College President, Tillamook Bay Community College, First St. Campus, 2510 First St., Tillamook, Oregon 97141.

Agenda items include, but are not limited to, an Invitation for Public Comment, Announcements, and General Information. The Board reserves the right to change the order of items on the agenda.

The Board Meetings are held in accordance with open meeting laws and accessibility requirements. If a person with a disability needs assistance in order to attend or participate in a meeting, please notify Board Secretary, Sue Owens, at (503) 842-8222, Ext. 1159, at least 48 hours in advance.

DATE NOTICE PUBLISHED: Wednesday, September 30, 2009

TIME NOTICE PUBLISHED: 9:00 a.m.

ATTEST:

Jon Carnahan – President

TILLAMOOK BAY COMMUNITY COLLEGE

Notice Distribution

1. TBCC BOARD OF EDUCATION MEMBERS
2. HEADLIGHT-HERALD NEWSPAPER
3. NORTH COAST CITIZEN NEWSPAPER
4. PACIFIC SUN NEWSPAPER
5. KTEL/KMBD RADIO
6. COAST 105 RADIO
7. TBCC WEB SITE
8. TBCC ADMINISTRATORS AND STAFF
9. PORTLAND COMMUNITY COLLEGE PRESIDENT & LIAISON
10. ESD ADMINISTRATOR
11. OCCA EXECUTIVE DIRECTOR
12. PUBLIC BUDGET COMMITTEE

Tillamook Bay Community College

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Board of Education Meeting Agenda

Date:
Monday, October 5, 2009

First Street Campus, Room 9
2510 First Street, Oregon 97141

Time:
6:30 p.m.

<u>Item</u>	<u>Description</u>	<u>Resource</u>
1.	Call to Order • Acknowledge Guests -----	Chair Shaw
2.	Approval of the Agenda ----- (Action)	Chair Shaw
3.	Invitation of Public Comment -----	Chair Shaw
	<p>Available at both the beginning and end of the meeting is an opportunity for the public to comment on any issue within the jurisdiction of the Tillamook Bay Community College Board of Education. The Board Chair may determine reasonable time, space and manner limitations. At the conclusion of public comment, individual members of the Board may respond to comments made by those who have addressed the Board, may ask staff to review a matter, or may ask that a matter be put on a future agenda.</p>	
4.	Approval of the September 14, 2009 Regular Meeting Minutes ----- (Action)	Chair Shaw
5.	Reports:	
A.	Oregon Community College Association -----	Executive Director Henderson President Carnahan Director Swain
B.	Financial Report-----	Comptroller Williams
6.	New Business:	
A.	President's Goals for 2009-2010 ----- (Action)	President Carnahan
7.	Old Business:	
A.	2010-2011 Budget Development Guidelines and Budget Schedule --- (Action)	Dean Ellison
8.	Standing Business:	
A.	Strategic Planning and Accreditation -----	Dean Gates
B.	Courses and Curricula-----	Dean Gates
C.	Grants and Contracts-----	Dean Ellison
D.	Board of Education Policy ----- (Action)	President Carnahan
E.	Facilities----- (Action)	Dean Ellison
F.	Capital Construction Projects-----	President Carnahan
G.	Personnel-----	President Carnahan
9.	Announcements and General Information -----	President Carnahan
10.	Invitation of Public Comment -----	Chair Shaw
11.	Board Member Discussion Items -----	Chair Shaw
12.	Adjournment ----- (Action)	Chair Shaw



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Board of Education Board Meeting Minutes

September 14, 2009
Room 8, First Street Campus
2510 First St., Tillamook, OR 97141

Directors Present: Steve Shaw, Ruth Jensen, James McGinnis, Ann Swain and Bob Weitman
Directors Absent: Craig Wakefield and Rose Wharton
Staff Present: Jon Carnahan, Ron Ellison, Lori Gates, Kyra Williams and Sue Owens
Guests Present: Camille Preus, Commissioner, Dept. of Community Colleges and Workforce Development; Michele Burton and Sheryl Neu, TBCC Employees

Call to Order:

Chair Shaw called the meeting to order at 6:30 p.m. and acknowledged guests.

Approval of Agenda:

On approval of a motion by Director McGinnis and seconded by Director Weitman, it was resolved to approve the agenda as presented.

Invitation of Public Comment:

There was no public comment.

Approval of Minutes:

An error in the Regular Meeting minutes was noted, that being an extra word on page 6, fourth paragraph, under the heading "Revision of 2009-2010 Tuition and Fee Schedule: Revisited" the word "with" just prior to "without" should be deleted. On approval of a motion by Director McGinnis and seconded by Director Swain, it was resolved to approve the June 22, 2009 Work-session, Special Board Meeting minutes as presented and the Regular Meeting minutes as corrected.

Reports:

Oregon Community College Association: (Item 5.A)

President Carnahan handed out a brochure regarding OSBA Legislative Policy asking that it be read and the Board could decide how they would like to respond to the elections. He had no recommendations. He also reminded the Board of the OCCA Annual Conference in October. He noted that he would not be attending but if anyone else would like to attend please contact Sue Owens. He finished his report by noting that the next OCCA Board Meeting would be October 16. Director Swain had nothing to add.

Financial Report: (Item 5.B)

Comptroller Williams presented the financial reports as included in the Board packet adding that all the beginning fund balances were still not finalized and are subject to change in the coming months.

Department of Community Colleges and Workforce Development: (Item 5.C)

Commissioner Camille Preus from the Department of Community Colleges and Workforce Development shared some insight on Oregon's community colleges with a brochure she distributed regarding their budget picture. She also gave a recap of the Legislative session. She noted that there would continue to be some "belt-tightening" due to continued decreases in State funding.



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New Business:**2009-2010 Organization, Finance and Legal Designations:** (Item 6.A)

Dean Ellison shared the 2009-2010 Organization, Finance and Legal Designations noting there were no changes other than the year. There was one correction under number 8; the year should be 2010-2011 rather than 2009-2010. On approval of a motion by Director McGinnis and seconded by Director Weitman, it was moved to accept the 2009-2010 Organization, Finance and Legal Designations as corrected.

2010-2011 Budget Development Guidelines and Budget Schedule: (Item 6.B)

Dean Ellison presented the budget information as included in the Board packet stating that they were for review this month but would be brought before the Board in October for approval.

Professional Services: Banking RFP: (Item 6.C)

President Carnahan explained that it had been several years since the College had considered their banking services and that if we were considering making a change, now would be a good time with the move to the new campus. He noted that this is something that should be done every three to five years. With Board approval, he and Dean Ellison would begin the RFP process within the next thirty days. On approval of a motion by Director Swain and seconded by Director Weitman, it was moved to move forward with the process. Director McGinnis abstained due to conflict of interest. Motion passed 4/0.

Memorandum of Understanding with Port of Tillamook Bay and School District No. 9: (Item 6.D)

President Carnahan stated that he had been meeting with representatives from the Port of Tillamook Bay and School District No. 9 and everyone was excited with the prospect of this MOU. Both parties are taking it before their boards for approval this month. President Carnahan stated he was confident all involved Boards would approve it and that it was a good arrangement for all parties. On approval of a motion by Director Weitman and seconded by Director Swain, it was resolved to move forward with this agreement as included in the Board packet.

American Graduation Initiative: (Item 6.E)

President Carnahan shared that this initiative was a federal initiative that has the potential of providing substantial funding through grants for community colleges for enrollment management and retention purposes. He recommended that TBCC state their support of it now to better position us for funding in the future. On approval of a motion by Director Swain and seconded by Director Jensen, it was resolved to authorize Chair Shaw and President Carnahan to sign the initiative as presented.

Old Business:**Smoke Free Campus:** (Item 7.A)

President Carnahan reminded the Board of the visit from the American Lung Association representatives in May presenting information on becoming a smoke-free campus. He stated that if there was any indication that we want to make that change now would be the time as we move into the new campus. President Carnahan will move forward in discussions on the issue with staff and students.

Standing Business:**Strategic Planning and Accreditation:** (Item 8.A)

Dean Gates reported that work is on-going and the date of TBCC's on-campus Comprehensive Interim Candidacy Evaluation visit has been scheduled for May 3-5, 2010.

Courses and Curricula: (Item 8.B)

Dean Gates stated that there were no new courses or curricula to report on.

Grants and Contracts: (Item 8.C)

Dean Ellison reported there were no new grants or contracts to report this month.

Board of Education Policy: (Item 8.D)

President Carnahan presented policies 210 and 213 both of which address use policies that will be



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necessary in the new campus for first reading. He stressed that it is important to have these policies and procedures in place as we move into the new building. They will be brought before the Board in October for second reading and approval. It was noted that in both policies the word "College" needed to be added to better define "President."

President Carnahan also asked the Board to begin reviewing Section V - Student Policies and the Appendices. Any changes or comments will be addressed in October when they will be presented for first reading. He asked that they be reviewed in respect of separating Administrative Rules from them. He noted that copies of the complete Policy Manual were included in the notebooks provided at the meeting.

Facilities: (Item 8.E)

Dean Ellison shared there were no facility items to discuss this month.

Capital Construction Projects: (Item 8.F)

President Carnahan gave a brief update on the Main Campus noting that it continues to move along nicely and the parking lot paving and windows should be completed within the month. He also shared that the remodel of the High School Vocational Building had been completed in time for the first day of school.

There was a brief discussion regarding future plans for the North & South Education Centers.

As the new campus nears completion President Carnahan shared the need to have a moving plan in place and stated that he and Dean Ellison are formulating one with the goal to be in the new building by the end of December.

Personnel: (Item 8.G)

President Carnahan shared we currently have one position open, that being Facilities Maintenance Specialist. It is hoped that the hire can be made soon so the new person will have time to become acquainted with the new building prior to the move and be able to help with some of the logistics of the move itself.

Announcements and General Information: (Item 9)

President Carnahan reminded the Board of the third annual Mildred Davy Memorial Luncheon scheduled for Thursday, October 15 at the Tillamook Church of the Nazarene. Invitations should be mailed shortly.

Invitation of Public Comment: (Item 10)

There was no public comment.

Board Member Discussion Items: (Item 11)

There were no discussion items.

Adjournment

On approval of a motion by Director Weitman and seconded by Director McGinnis, it was resolved to adjourn. Chair Shaw adjourned the meeting at 8:10 p.m.

Respectfully submitted,
President Jon Carnahan, Clerk of the Board



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Oregon Community College Association

RECOMMENDATION

Information only – no action requested.

BACKGROUND INFORMATION----- President Carnahan and Director Swain

- OCCA Annual Conference
- Next OCCA Board Meeting: October 16

Financial Report

RECOMMENDATION

Information only – no action requested.

BACKGROUND INFORMATION ----- Comptroller Williams

Comptroller Williams will be prepared to present the financial reports and address questions.

Tillamook Bay Community College
 Unaudited Summary Financial Information
 General Fund
 Fiscal Year-to-Date Ended August 2009
 16.67% of fiscal year elapsed

	2008-2009 Annual Budget	2008-2009 Actual	2008-2009 Percentage of Budget	2009-2010 Annual Budget	2009-2010 Actual	2009-2010 Percentage of Budget
Resources						
Beginning Fund Balance	\$ 863,369	\$ 1,450,030.61	167.95%	\$ 831,123	\$ 1,128,640.19	135.80%
State	\$ 1,039,959	\$ 228,757.94	22.00%	\$ 840,072	\$ 252,725.41	30.08%
Property Taxes	\$ 895,619	\$ -	0.00%	\$ 919,106	\$ -	0.00%
Timber Taxes	\$ -	\$ -	0.00%	\$ 247,820	\$ -	0.00%
Local Contract	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Tuition	\$ 541,150	\$ 121,085.00	22.38%	\$ 576,710	\$ 155,074.00	26.89%
Fees	\$ 125,000	\$ 24,034.47	19.23%	\$ 130,278	\$ 26,945.70	20.68%
Sale of Goods	\$ 5,000	\$ 400.00	8.00%	\$ 4,500	\$ 315.00	7.00%
Interest	\$ 50,000	\$ 6,786.78	13.57%	\$ 30,000	\$ 2,003.41	6.68%
Miscellaneous	\$ 7,000	\$ 1,809.36	25.85%	\$ 8,000	\$ 15.05	0.19%
Transfers	\$ 288,418	\$ 32,698.61	11.34%	\$ 77,095	\$ 55,245.11	71.66%
Repayment of Short-Term Loan	\$ 127,175	\$ -	0.00%	\$ 108,125	\$ -	0.00%
Total resources	\$ 3,942,690	\$ 1,865,602.77	47.32%	\$ 3,772,829	\$ 1,620,963.87	42.96%
Expenditures						
Instruction	\$ 1,134,700	\$ 121,249.22	10.69%	\$ 909,405	\$ 126,551.74	13.92%
Instructional Support	\$ 323,283	\$ 42,404.10	13.12%	\$ 291,911	\$ 43,034.88	14.74%
Student Services	\$ 444,652	\$ 72,925.36	16.40%	\$ 337,210	\$ 49,343.96	14.63%
College Support	\$ 1,044,641	\$ 191,829.51	18.36%	\$ 1,088,205	\$ 175,247.14	16.10%
Plant Operation	\$ 201,833	\$ 23,303.96	11.55%	\$ 276,972	\$ 22,476.17	8.11%
Financial Aid	\$ 126,160	\$ 12,969.69	10.28%	\$ -	\$ -	0.00%
Transfers	\$ 98,300	\$ 16,716.60	17.01%	\$ 345,081	\$ 264,880.47	76.76%
Contingency	\$ 150,000	\$ -	0.00%	\$ 50,000	\$ -	0.00%
Total expenditures	\$ 3,523,569	\$ 481,398.44	13.66%	\$ 3,298,784	\$ 681,534.36	20.66%
Ending fund balance	\$ 419,121	\$ 1,384,204.33	330.26%	\$ 474,045	\$ 939,429.51	198.17%

Agenda Item 5.B. Attachment #2
Tillamook Bay Community College
Unaudited Summary Financial Information (Modified Accrual Basis)
Fiscal Year-to-Date Ended August 2009

	Fund No.	Beginning Working Capital	2009-2010 Revenue	2009-2010 Expenditures	Ending Working Capital	2009-2010 Spendable Budget	2008-2009 Prior Year Expenditures
Adult Basic Education	210	\$ -	\$ -	\$ 14,266.31	\$ (14,266.31)	\$ 63,703	\$ 1,982.72
Tutor Grant	211	\$ -	\$ -	\$ 2,117.27	\$ (2,117.27)	\$ 14,072	\$ 955.68
Sprint Yellow Pages Literacy Grant	215	\$ 2,510.93	\$ -	\$ 1.32	\$ 2,509.61	\$ 2,500	\$ 38.18
United Way Literacy Grant	216	\$ 4,220.26	\$ -	\$ -	\$ 4,220.26	\$ 3,000	\$ 177.92
Adult Ed Program Corrections - Sheriff's Office	217	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,440.73
Pathways Grant	225	\$ -	\$ -	\$ 3,857.27	\$ (3,857.27)	\$ 38,160	\$ 5,666.92
Industrial Maintenance Tech	226	\$ 36,704.42	\$ -	\$ -	\$ 36,704.42	\$ 26,897	\$ 5,579.74
SBDC Federal Grant	230	\$ -	\$ -	\$ 5,037.49	\$ (5,037.49)	\$ 30,250	\$ -
SBDC State Grant	231	\$ -	\$ -	\$ 2,050.71	\$ (2,050.71)	\$ 19,840	\$ 1,469.68
SBDC Program Income	232	\$ 8,638.62	\$ 75.00	\$ -	\$ 8,713.62	\$ 11,626	\$ 1,025.08
SBDC - EDC Fund	235	\$ -	\$ -	\$ 11,138.84	\$ (11,138.84)	\$ 99,615	\$ -
TEC Vocational Education Grant	240	\$ -	\$ -	\$ -	\$ -	\$ 34,293	\$ -
The OR Community Foundation Grant	241	\$ 1,180.40	\$ -	\$ -	\$ 1,180.40	\$ -	\$ -
IWEB Connections Contract	242	\$ 5,241.91	\$ -	\$ -	\$ 5,241.91	\$ -	\$ -
Oregon Healthcare Workforce Partnership	245	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Student Assistance	250	\$ 3,545.46	\$ 202.00	\$ -	\$ 3,747.46	\$ 2,975	\$ -
Work Keys Mini Grant	251	\$ 1,819.22	\$ -	\$ -	\$ 1,819.22	\$ 1,300	\$ -
Bay City Rental	260	\$ 7,543.52	\$ -	\$ 848.56	\$ 6,694.96	\$ 2,600	\$ 921.06
Capital Depreciation & Maintenance Fund	290	\$ -	\$ 1,001,423.34	\$ -	\$ 1,001,423.34	\$ 250,000	\$ -
Strategic Initiative Fund	295	\$ -	\$ 232,056.33	\$ -	\$ 232,056.33	\$ 250,000	\$ -
Total Special Fund		\$ 71,404.74	\$ 1,233,756.67	\$ 39,317.77	\$ 1,265,843.64	\$ 850,831	\$ 19,257.71
Schedule of Special Fund borrowing from General Fund		Ending Working Capital	Less Accounts Receivable	Add Liabilities	Ending Cash Balance 8/31/2009		
Total of Grants that borrow from the General Fund		\$ (38,467.89)	\$ 69,867.01	\$ -	\$ (108,334.90)		
Total of Grants that are not borrowing from the General Fund		\$ 1,304,311.53	\$ 25.00	\$ -	\$ 1,304,286.53		
Total Special Fund		\$ 1,265,843.64	\$ 69,892.01	\$ -	\$ 1,195,951.63		
	Fund No.	Beginning Working Capital	2009-2010 Revenue	2009-2010 Expenditures	Ending Working Capital	2009-2010 Spendable Budget	2008-2009 Prior Year Expenditures
Community Education	310	\$ (7,196.48)	\$ 2,961.00	\$ 1,076.18	\$ (5,311.66)	\$ 15,513	\$ 697.46
Bookstore	320	\$ 45,070.37	\$ 2,541.76	\$ 16,928.80	\$ 30,683.33	\$ 156,423	\$ 41,505.25
Customized Training Projects	330	\$ 7,003.33	\$ -	\$ -	\$ 7,003.33	\$ 6,100	\$ -
Total Enterprise Fund		\$ 44,877.22	\$ 5,502.76	\$ 18,004.98	\$ 32,375.00	\$ 178,036	\$ 42,202.71
PERS Pension Bond Fund	410	\$ 18,587.13	\$ 14,450.91	\$ 1,600.00	\$ 31,438.04	\$ 91,031	\$ 1,600.00
General Obligation Bond Fund	420	\$ 7,824.97	\$ 28.01	\$ -	\$ 7,852.98	\$ 605,638	\$ -
Total Debt Service Fund		\$ 26,412.10	\$ 14,478.92	\$ 1,600.00	\$ 39,291.02	\$ 696,669	\$ 1,600.00
Building Reserve Fund	510	\$ 1,185,174.52	\$ -	\$ 1,185,174.52	\$ -	\$ 1,200,000	\$ 31,230.17
Campus Construction Fund - GO Bonds	520	\$ 4,121,707.87	\$ 5,310.11	\$ 10,532.30	\$ 4,116,485.68	\$ 4,424,400	\$ 250,108.72
Campus Construction Fund - State Match	530	\$ (401,586.59)	\$ -	\$ 2,247,099.68	\$ (2,648,686.27)	\$ 4,900,000	\$ -
THS Vocational Bldg Remodel - Stimulus	540	\$ (35,868.65)	\$ -	\$ 10,521.01	\$ (46,389.66)	\$ -	\$ -
Total Capital Projects Fund		\$ 4,869,427.15	\$ 5,310.11	\$ 3,453,327.51	\$ 1,421,409.75	\$ 10,524,400	\$ 281,338.89
Associated Students of TBCC	710	\$ 4,833.89	\$ 429.60	\$ 51.07	\$ 5,212.42	\$ 10,205	\$ 195.90
Phi Theta Kappa Honorary Society Fund	720	\$ 1,087.91	\$ 874.70	\$ 428.07	\$ 1,534.54	\$ 4,575	\$ 328.14
Total Agency Fund		\$ 5,921.80	\$ 1,304.30	\$ 479.14	\$ 6,746.96	\$ 14,780	\$ 524.04
Tuition Waivers	831	\$ -	\$ 20,000.00	\$ 2,565.50	\$ 17,434.50	\$ 20,000.00	\$ -
Board Scholarships	832	\$ -	\$ 110,000.00	\$ -	\$ 110,000.00	\$ 110,000.00	\$ -
Institutional Work Study	833	\$ -	\$ 20,000.00	\$ 2,113.14	\$ 17,886.86	\$ 20,000.00	\$ -
Foundation Scholarships	834	\$ -	\$ -	\$ -	\$ -	\$ 81,700.00	\$ -
Non-Institutional Scholarships	840	\$ -	\$ 1,250.00	\$ -	\$ 1,250.00	\$ -	\$ -
Total Financial Aid Fund		\$ -	\$ 151,250.00	\$ 4,678.64	\$ 146,571.36	\$ 231,700.00	\$ -

Agenda Item 5.B - Attachment #3
 Tillamook Bay Community College
 Summary Financial Information - Cash Status
 Preliminary for Fiscal Year-to-Date Ended August 2009
 16.67% of Budget Period Expended

	General Fund			Special Fund			Enterprise Fund - Community Ed			Enterprise Fund - Bookstore		
	Budget	Actual	%	Budget	Actual	%	Budget	Actual	%	Budget	Actual	%
Beginning Cash Balance (Note 1)		\$ 2,142,890			\$ (38,433)			\$ (5,282)			\$ 21,405	
Beginning Fund Balance	\$ 831,123	\$ 1,128,640	135.80%	\$ 160,204	\$ 71,405	44.57%	\$ 6,000	\$ (7,196)	-119.93%	\$ 36,800	\$ 45,070	122.47%
Resources												
State Aid	\$ 840,072	\$ 252,725	30.08%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Grants and Contracts	\$ -	\$ -	0.00%	\$ 299,933	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Tuition and Fees	\$ 706,988	\$ 182,020	25.75%	\$ 6,000	\$ 75	1.25%	\$ 13,000	\$ 2,961	22.78%	\$ -	\$ -	0.00%
Local Taxes	\$ 919,106	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Timber	\$ 247,820	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Sale of Goods	\$ 4,500	\$ 315	7.00%	\$ 1,000	\$ -	0.00%	\$ -	\$ -	0.00%	\$ 150,000	\$ 2,542	1.69%
Interest	\$ 30,000	\$ 2,003	6.68%	\$ 27,500	\$ 1,780	6.47%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Rental (Note 2)	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Miscellaneous	\$ 8,000	\$ 15	0.19%	\$ 1,000,000	\$ 202	0.02%	\$ -	\$ -	0.00%	\$ 750	\$ -	0.00%
Repayment of Short-Term Loans	\$ 108,125	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Transfers	\$ 77,095	\$ 55,245	71.66%	\$ 1,246,525	\$ 1,231,700	98.81%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Total Revenues	\$ 2,941,706	\$ 492,323	16.74%	\$ 2,580,958	\$ 1,233,757	47.80%	\$ 13,000	\$ 2,961	22.78%	\$ 150,750	\$ 2,542	1.69%
Expenditures												
Salaries and Wages	\$ 1,978,105	\$ 297,671	15.05%	\$ 538,306	\$ 37,209	6.91%	\$ 5,750	\$ 752	13.08%	\$ 36,931	\$ 5,869	15.89%
Operating Expenditures	\$ 872,526	\$ 99,104	11.36%	\$ 291,560	\$ 875	0.30%	\$ 3,150	\$ 316	10.03%	\$ 112,650	\$ 10,791	9.58%
Capital Outlay	\$ 53,072	\$ 19,879	37.46%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Debt Service	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Transfers	\$ 345,081	\$ 264,880	76.76%	\$ 20,965	\$ 1,234	5.89%	\$ 613	\$ 8	1.31%	\$ 1,842	\$ 269	14.60%
Repayment of Short-Term Loans	\$ -	\$ -	0.00%	\$ 102,125	\$ -	0.00%	\$ 6,000	\$ -	0.00%	\$ -	\$ -	0.00%
Other budgetary accounts (Note 3)	\$ 50,000	\$ -	0.00%	\$ 1,774,025	\$ -	0.00%	\$ -	\$ -	0.00%	\$ 5,000	\$ -	0.00%
Total expenditures	\$ 3,298,784	\$ 681,534	20.66%	\$ 2,726,981	\$ 39,318	1.44%	\$ 15,513	\$ 1,076	6.94%	\$ 156,423	\$ 16,929	10.82%
Ending Fund Balance	\$ 474,045	\$ 939,429		\$ 14,181	\$ 1,265,844		\$ 3,487	\$ (5,311)		\$ 31,127	\$ 30,683	
Adjustments to bring Ending Fund Balance to Ending Cash Balance												
Assets												
Receivables		\$ 186,821			\$ 69,892			\$ -			\$ 2,500	
Inventories		\$ 2,335			\$ -			\$ -			\$ 22,405	
NET EFFECT ON CASH		\$ (189,156)			\$ (69,892)			\$ -			\$ (24,905)	
Liabilities												
Accounts Payable		\$ 1,293,632			\$ -			\$ -			\$ -	
Unearned Revenue (Note 4)		\$ 50,013			\$ -			\$ -			\$ -	
Payroll		\$ 55,791			\$ -			\$ -			\$ 1,241	
NET EFFECT ON CASH		\$ 1,399,436			\$ -			\$ -			\$ 1,241	
NET ADJUSTMENTS		\$ 1,210,280			\$ (69,892)			\$ -			\$ (23,664)	
ENDING CASH BALANCE		\$ 2,149,709			\$ 1,195,952			\$ (5,311)			\$ 7,019	

Agenda Item 5.B - Attachment #3
 Tillamook Bay Community College
 Summary Financial Information - Cash Status
 Preliminary for Fiscal Year-to-Date Ended August
 16.67% of Budget Period Expended

	Enterprise Fund - Customized Training			Debt Service Funds			Capital Projects Funds			Agency Fund			Financial Aid Fund		
	Budget	Actual	%	Budget	Actual	%	Budget	Actual	%	Budget	Actual	%	Budget	Actual	%
Beginning Cash Balance (Note 1)		\$ 7,003			\$ 22,981			\$ 4,809,150			\$ 6,032			\$ -	
Beginning Fund Balance	\$ 7,003	\$ 7,003	100.00%	\$ 21,575	\$ 26,412	122.42%	\$ 5,529,400	\$ 4,869,427	88.06%	\$ 6,000	\$ 5,922	98.70%	\$ -	\$ -	0.00%
Resources															
State Aid	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ 4,900,000	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Grants and Contracts	\$ 3,000	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Tuition and Fees	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Local Taxes	\$ -	\$ -	0.00%	\$ 600,238	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Timber	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Sale of Goods	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Interest	\$ -	\$ -	0.00%	\$ 5,000	\$ 28	0.56%	\$ 95,000	\$ 5,310	5.59%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Rental (Note 2)	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Miscellaneous	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ 4,500	\$ 875	19.44%	\$ 81,700	\$ 1,250	1.53%
Repayment of Short-Term Loans	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Transfers	\$ -	\$ -	0.00%	\$ 90,000	\$ 14,451	16.06%	\$ -	\$ -	0.00%	\$ 5,081	\$ 429	8.44%	\$ 150,000	\$ 150,000	100.00%
Total Revenues	\$ 3,000	\$ -	0.00%	\$ 695,238	\$ 14,479	0.00%	\$ 4,995,000	\$ 5,310	0.11%	\$ 9,581	\$ 1,304	13.61%	\$ 231,700	\$ 151,250	65.28%
Expenditures															
Salaries and Wages	\$ 4,000	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ 10,253	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Operating Expenditures	\$ 1,900	\$ -	0.00%	\$ 1,600	\$ 1,600	100.00%	\$ 9,324,400	\$ 2,248,755	24.12%	\$ 14,780	\$ 479	3.24%	\$ 231,700	\$ 4,679	2.02%
Capital Outlay	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ 8,886	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Debt Service	\$ -	\$ -	0.00%	\$ 695,069	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Transfers	\$ 200	\$ -	0.00%	\$ -	\$ -	0.00%	\$ 1,200,000	\$ 1,185,434	98.79%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Repayment of Short-Term Loans	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Other budgetary accounts (Note 3)	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%
Total expenditures	\$ 6,100	\$ -	0.00%	\$ 696,669	\$ 1,600	0.23%	\$ 10,524,400	\$ 3,453,328	32.81%	\$ 14,780	\$ 479	3.24%	\$ 231,700	\$ 4,679	2.02%
Ending Fund Balance	\$ 3,903	\$ 7,003		\$ 20,144	\$ 39,291		\$ -	\$ 1,421,409		\$ 801	\$ 6,747		\$ -	\$ 146,571	
Adjustments to bring Ending Fund Balance to Ending Cash Balance															
Assets															
Receivables	\$ -	\$ -		\$ 21,823	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
Inventories	\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
NET EFFECT ON CASH	\$ -	\$ -		\$ (21,823)	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
Liabilities															
Accounts Payable	\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
Unearned Revenue (Note 4)	\$ -	\$ -		\$ 21,823	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
Payroll	\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
NET EFFECT ON CASH	\$ -	\$ -		\$ 21,823	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
NET ADJUSTMENTS	\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -		\$ -	\$ -	
ENDING CASH BALANCE	\$ 7,003	\$ 7,003		\$ 39,291	\$ 39,291		\$ 1,421,409	\$ 1,421,409		\$ 6,747	\$ 6,747		\$ 146,571	\$ 146,571	

\$4,968,390

Cell: A10

Comment: Note 1. Negative Amount indicates borrowing from the General Fund.

Cell: A21

Comment: Note 2. Rental of Bay City Site and a portion of Wilson School.

Cell: A35

Comment: Note 3. Contingency in the General Fund and Enterprise Fund and Reserved for Future Expenditures in Capital Projects Fund.

Cell: A49

Comment: Note 4. Assessed but unreceived property taxes and deferred tuition and fees for Summer 2008.

College President's Goals for 2009-2010

RECOMMENDATION

Review and approve the President's Goals as attached.

BACKGROUND INFORMATION ----- President Carnahan

Presented for review and approval are the 2009-2010 Presidential Goals. President Carnahan will discuss the changes.

Tillamook Bay Community College
2009-2010
College President's Goals

1. Manage a compressive sustainable growth through a diverse curriculum that includes increased enrollment in Career and Technical. Include recruitment and retention principles outlined in the college Enrollment Management program.
2. Provide leadership in the transition to the new College Campus and the joint-use Career and Technology center shared with Tillamook High School. Develop a strategy and timing for the delivery of extended services in North and South Tillamook County.
3. Provide leadership throughout the accreditation process and candidacy that will lead to independent accreditation through the Northwest Commission on Colleges and Universities.
4. Guide the Board and staff in the development and updating of existing policy and the establishment of policy-driven administrative rules and operating procedures.
5. Support the implementation of college-wide procedures relating to the safety and security of the college human and physical resources as we move to our new college campus.
6. Provide leadership for positive public relations and the implementation of a new branding and marketing strategy for the college.
7. Lead the process of updating the college's Facility Master Plan to include the new campus facilities; the shared Career Technical facility with the high school; North and South Centers; and the future use of our main campus.
8. Provide direction and leadership to the College and Foundation in the area of advancement and development.
9. Provide leadership to the Board of Education with succession planning and the future leadership of Tillamook Bay Community College.
10. Provide day-to-day leadership and management of the college though a collaborative effort with the Board of Education, staff, and community while providing a positive influence both internally and externally.

2010-2011 Budget Development Guidelines

RECOMMENDATION

Recommend approval of the Budget Development Guidelines and Calendar.

BACKGROUND INFORMATION ----- Dean Ellison

The Budget Development Guidelines and Calendar were presented for Board review and comment in September. This month the Board is being asked to approve them so that orderly planning for the 2010-2011 Budget may commence.

The proposed 2010-2011 Budget Development Guidelines are broad in scope and designed to provide policy direction for preparation of the budget. A table is provided that correlates the guidelines with our mission and Board approved goals.



2010-2011 Budget Development Guidelines

Guideline	Gloss'
Assessment and Planning: Financially support comprehensive planning and assessment activities leading to continuous improvement in fulfilling the College's mission and core themes.	Determining the short, intermediate, and long-range goals, objectives, and activities necessary to fulfill the College's mission goals, and core themes in a continuously improving manner is essential to meet the expectations of those TBCC is charged to serve.
Educational Program Support: Direct the highest levels of financial support to those programs and courses with a demonstrated potential for growth in the following priority order: (1) degree and certificate programs, (2) other credit courses, (3) reimbursable non-credit programs and courses, (4) non-reimbursable. If resources are not sufficient to fund all existing programs, exit them in reverse priority order.	This guideline addresses a key principle: to remain viable, resources must be invested where they will provide the best return. It also acknowledges TBCC's roles as a comprehensive community college with support for core themes of Collegiate and General Education, Workforce Development, Developmental Education, and Community Enrichment.
Educational Program Equipment: Give priority to maintaining up-to-date instructional technology and training equipment.	In today's highly technological society, students trained on modern equipment are afforded the highest opportunity for success. In addition, the competitive nature of the higher education industry places an institution that does not maintain up-to-date training equipment at a significant disadvantage.
Facilities: Maintain current facilities and acquire facilities necessary to achieve mission, goals, and strategic plans.	<p>TBCC is in the midst of several capital construction projects that will culminate with the commissioning of a new central campus building, a new technical training center in remodeled Tillamook School District facilities, and later, new North and South County satellite learning centers. The remodeled technical training center was placed in service in fall, 2009. The new central campus building will be placed in service in late 2009/early 2010 at which point our current facilities will become surplus. These new facilities are expected to fully support the institution and the students it serves and allow TBCC to better fulfill its mission, goals and strategic plans.</p> <p>The 2010-2011 budget will include effort for further development of plans to construct the College's North and South County satellite learning centers.</p>
Technological Resources: Provide computing and other technological resources leading to enriched educational opportunities for students and enhanced management information systems.	Information technologies are expanding at a phenomenal pace. Developing and maintaining a technological infrastructure to support information technologies is a paramount objective of progressive institutions of higher education. To serve the best interests of students, and to meet the information and accountability demands of the public, TBCC must establish a long-term financial commitment to this objective.
Faculty and Staff Development: Encourage faculty and staff development and training.	The professional staff is the single most consequential resource of the College. Maintaining this resource by supporting a process that encourages renewal of professional development and training is essential.
Staff Remuneration: Adjust salary levels to reflect, at a minimum, a constant value equivalent with 2008-2009 salary levels after accounting for inflation. Within	A key to attracting and keeping outstanding professional staff is to maintain remuneration at levels competitive with those offered by other similar community college employment opportunities in

Tillamook Bay Community College

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the constraints imposed by fiscal and other limitations, adjust salaries to a level reflective of the median average of the rural community colleges in Oregon.	Oregon.
Student Tuition and Fees: Within the constraints imposed by fiscal and other limitations, target movement of general tuition and fees to a level generally equivalent to those of Oregon's other community colleges and not exceeding those of our contracting college.	Community colleges are colleges of the people. Providing access to TBCC's educational offerings is a concept intrinsic to the foundation of the College's mission. Targeting tuition and fees to level reflective of neighboring and statewide institutions ensures maintenance of this objective.
Professional Representations: Emphasize professional quality in all public representations of the College.	Public representations of the College impact perceptions. Positive perceptions advance public support and recruiting efforts.

Guideline	TBCC Goal	NWCCU Resources and Capacity Areas
Assessment and Planning	Goal 1: Educational Needs Goal 5: Financial Resources Goal 7: Economic Development	Governance Human Resources Education Resources Student Support Resources Library and Information Resources Financial Resources Physical and Technical Infrastructure
Educational Program Support	Goal 1: Educational Needs Goal 2: Courses and Programs Goal 5: Financial Resources	Human Resources Education Resources Student Support Resources Library and Information Resources Financial Resources
Educational Programs Equipment	Goal 2: Courses and Programs Goal 3: Support Services	Education Resources Library and Information Resources Physical and Technical Infrastructure
Facilities	Goal 6: Facilities	Physical and Technical Infrastructure
Technological Resources	Goal 3: Support Services Goal 5: Financial Resources	Educational Program Student Support Resources Library and Information Resources Financial Resources Physical and Technical Infrastructure
Professional Representation	Goal 2: Courses and Programs Goal 3: Support Services Goal 4: Staff and Faculty Goal 7: Economic Development	Governance Human Resources Education Resources Student Support Resources Library and Information Resources
Staff Development	Goal 4: Staff and Faculty	Governance Human Resources Education Resources Student Support Resources
Staff Remuneration	Goal 4: Staff and Faculty Goal 5: Financial Resources	Human Resources Education Resources Student Support Resources Financial Resources
Student Tuition and Fees	Goal 1: Educational Needs Goal 5: Financial Resources	Governance Student and Support Resources Financial Resources

Board-Approved Mission Statement

Tillamook Bay Community College provides access to quality education in response to the needs of our community.

Board-Approved Core Themes

Collegiate and General Education
Workforce Development
Developmental Education
Community Enrichment

Board-Approved Institutional Goals

- Goal 1:** Identify and address the educational needs of the community.
- Goal 2:** Provide quality courses and programs to enable students to achieve their educational, career, and lifelong learning goals.
- Goal 3:** Provide support services to enable students to achieve their educational, career, and lifelong learning goals.
- Goal 4:** Recruit, develop, and retain qualified staff and faculty to meet the mission and goals of the College.
- Goal 5:** Develop new sources of funding and enhance existing sources of funding.
- Goal 6:** Provide facilities to support the mission, vision, and goals of the College.
- Goal 7:** Develop a leadership role in the economic development of the community.

Board-Approved Vision Statement

The College, in partnership with the community, strives to be a center for educational excellence that provides access to lifelong learning; bridges to opportunity; an environment for innovation and intellectual pursuits; and leadership in the economic, cultural, and intellectual evolution of our community.

ⁱ Explanation of logic supporting the implementation of Budget Development Guidelines. The gloss is meant to elucidate, not substitute for, the Guideline.

Tillamook Bay Community College 2010-2011 Budget Schedule

	Time Line	Personnel	T a s k s
1.	September 14, 2009	College Board of Education	Appoint College Dean of Administrative Services as Budget Officer
2.	September 14 through October 5, 2009	College Board of Education	Review and Refine Budget Development Guidelines and Schedule
3.	October 5, 2009	College Board of Education	Approve Budget Development Guidelines and Schedule
4.	January 4, through January 22, 2010	Budget Administrators Budget Coordinators	Identify Budget Coordinator and Budget Administrator positions. Review forms and processes for improvement. Complete training for all Budget Administrators and Budget Coordinators. Training provided at team level when requested. Training to include forms and process.
5.	January 25, 2010	Budget Administrators	Target date to distribute 2010-2011 budget worksheets.
6.	January 25 through February 19, 2010	Budget Administrators Budget Coordinators Budget Teams	Budget Administrators work with Budget Coordinators and Department Budget Teams to prepare recommendations for the 2010-2011 budget along with supporting material. Consult with Dean of Administrative Services for needed information.
7.	February 1, 2010	College Board of Education	Appoint Public Budget Committee members as needed.
8.	February 16, 2010		Consumer Price Index Available for calculating cost of living
9.	February 16, 2010	Dean of Administrative Services	Deadline to complete 2010-2011 revenue projection assumptions.
10.	February 16, 2010	Budget Administrators	Budget Administrators send budget worksheets to the Dean of Administrative Services for compiling document.
11.	March 1 through March 12, 2010	Budget Officer Budget Administrators	Meet to review and discuss budget proposals and work on balancing budget.
12.	March 1, 2010	College Board of Education	Approve 2010-2011 salary schedule and cost of living adjustment
13.	March 15 through April 16, 2010	Budget Administrators Budget Coordinators Budget Teams	Budget Administrators meet with budget teams to discuss budget balance progress for 2010-2011 Preliminary Proposed Budget.
14.	April 19, 2010	Budget Officer Budget Administrators	Meet to finalize 2010-2011 Proposed Budget.
15.	April 19 through April 23, 2010	Budget Officer/Business Office	Compilation of proposed budget document.
16.	April 26 through April 30, 2010	Business Office	Publish, mail and distribute preliminary 2010-2011 Budget to Public Budget Committee Members and Budget Coordinators.
17.	May 17, 2010	Budget Committee Budget Officer	1st Public Budget Committee Meeting. Receive budget message and deliberate on content. Hold Public Hearing on Proposed Budget, review Proposed Budget and approve 2010-2011 budget and tax levy.
18.	May 19, 2010	Business Office	Publish Notice of Budget Hearing and Financial Summary.
19.	June 21, 2010	College Board of Education	Hold Public Hearing on 2010-2011 budget approved by Public Budget Committee. Enact Resolutions to adopt budget, make appropriations, levy property taxes and categorize property tax levy for 2010-2011.
20.	Before July 15, 2010	Business Office	Submit Budget levy and resolutions to County Assessor.

Strategic Planning and Accreditation

RECOMMENDATION

Information only – no action requested.

BACKGROUND INFORMATION-----Dean Gates

Planning, implementation, and effectiveness are the themes for fall. The Planning and Steering Committee will be reviewing the first two chapters of the Self Study this month covering Revised Standards One and Two. Revised Standard Three, Planning and Implementation, involves both comprehensive (strategic) planning and core theme planning. The Strategic Plan is being updated to reflect 2008-2009 accomplishments and integration of core theme planning in conjunction with the draft of Chapter Three of the Self Study. Meanwhile, data on mission fulfillment and core theme objectives indicators is being compiled for analysis. The Planning and Steering Committee will review effectiveness results and planning for improvements as part of the Revised Standard Four draft.

In conjunction with work on Self Study this fall, the Planning and Steering Committee will be working on wider dissemination of effectiveness results and ways to document use of assessment results for improvement. Both of these elements relate to recommendations for TBCC from the Northwest Commission on Colleges and Universities.

Courses and Curricula

RECOMMENDATION

There are no courses or curricula to present this month.

BACKGROUND INFORMATION ----- Dean Gates

Grants and Contractsⁱ

RECOMMENDATION

There are no grants or contracts to review this month.

BACKGROUND INFORMATION ----- Dean Ellison

ⁱ **TBCC Policy - ARTICLE 106: CONTRACT REVIEW BOARD**

Board of Education Policyⁱ

RECOMMENDATION

Second reading and approval of policies 210 and 213.

BACKGROUND INFORMATION

----- President Carnahan
As discussed at the September meeting, it is time to review Section V - Student Policies and the Appendices. Please review them in the context of separating Administrative Rules from Policy.

This is the second reading for policies 210 and 213 both of which address use policies that will be necessary in the new campus. Proposed deleted text is struck-through and new proposed text is bold.

Policy	Status
Policy 210 Use of Campus Facilities	Second reading and approval of policy to update it for use with the new campus.
Policy 213 Alcohol Service	Second reading and approval of new policy created for use in the new campus.

ⁱ **TBCC Policy -102.1 - BOARD POLICIES AND ADMINISTRATIVE RULES**

Article No.: 210

Approved: *October 5, 2009 pending*

Reference:

~~210.1 SCHEDULE OF PRIORITIES GOVERNING USE OF CAMPUS FACILITIES~~

~~Campus facilities are available for community use, subject to limitations imposed by institutional educational requirements and regulations specified in the Administrative Rules. The College reserves the right to deny or withdraw permission to use campus facilities at any time. Groups requesting use of campus facilities must complete a "Facility Reservation Request" as set forth in the Administrative Rules.~~

210.1 USE OF FACILITIES

It shall be the policy of Tillamook Bay Community College to utilize its facilities for College purposes. When facilities are not in use for college-related purposes, the facilities will be made available to the public. Priority categories of users are as follows:

- A. College instructional and board activities**
- B. College meetings and events**
- C. Nonprofit organizations**
- D. Private organizations' events**

The College shall maintain an Administrative Rule governing the use of College facilities. The College President may deny or limit the use of College facilities, within the applicable federal and state laws, to any individual or group unable, or unwilling, to comply with the Administrative Rule.

Article No.: 213

Approved: *October 5, 2009 pending*

Reference:

213.1 – ALCOHOL SERVICE

It shall be the policy of Tillamook Bay Community College that serving wine and/or beer to individuals 21 years or older as an adjunct to food services may be permitted by the Board of Education on a limited basis at functions held at the College. The intent of this policy is to permit service and teach by example the responsible use of alcohol in appropriate social settings.

The service shall be carefully monitored by the **College** President to ensure that all external rules, including those of the Oregon Liquor Control Commission, are carefully adhered to and only those forms of service covered by the College's liability insurance are permitted.

The Administrative Rules that govern alcohol service will be kept current with external regulations.

If alcohol is to be served at an event sponsored or hosted by the Board of Education or by the Tillamook Bay Community College Foundation Board it shall not be served unless accompanied by food. Other service of alcohol may be permitted at the College when the person or group serving it first provides a certificate of liquor liability insurance that covers the event in question, and names the College as an additional named insured with an aggregate liability limit of \$1 million.

Facilities

RECOMMENDATION

Recommend review and approval of the lease with Tillamook School District No. 9 for the Career and Technical Building.

BACKGROUND INFORMATION ----- Dean Ellison

Attached is the draft lease between Tillamook School District No. 9 and Tillamook Bay Community College for the use of the Career and Technical building. This draft is going before the School District Board for approval as well.

DRAFT

September 25, 2009
Career and Technical Building
LEASE

THIS LEASE, dated September 1, 2009, is made by and between Tillamook School District ("**District**") and Tillamook Bay Community College ("**TBCC**").

Contact persons for the parties, changeable with notice to the other party, are as follows:

PARTIES: Tillamook Bay Community College
Attn: Jon Carnahan
2510 First Street
Tillamook, OR 97141
(503) 842-8222
Fax: (503) 842-2214

Tillamook School District #9
Attn: Randy Schild
6825 Officer's Row
Tillamook, OR 97141
(503) 842-2558

RECITALS:

- A. TBCC provides educational services to residents of Tillamook County.
- B. TBCC and DISTRICT believe that is mutually advantageous for TBCC to locate its Center in leased facilities located at DISTRICT.
- C. This Lease memorializes the intentions of both parties to achieve co-located operations. This Agreement requires TBCC to provide substantial assistance with the renovation costs of the Premises in exchange for a lengthy period of occupancy; the renovation expenses will not be reimbursed to TBCC after twenty (20) years of occupancy by TBCC free of any continuing leasehold interest by TBCC.
- D. Commensurate with the execution of this Lease, the parties will enter into a Payment Agreement, providing for the timing of the payments by TBCC to DISTRICT.
- E. The premises subject to this Lease will be approximately 3,500 rentable square feet of office and instructional space in a building (the "Premises") to be renovated on improved grounds, including non-exclusive access to approximately thirty (30) parking spaces, located on the site of the High School.

AGREEMENT:

In consideration of the foregoing Recitals and the covenants of the parties herein set forth, it is agreed:

1. **Term.** The original term of this Lease shall commence on September 1, 2009, or ten (10) days following the Substantial Completion Date of the renovation and shall continue for a period of Twenty (20) years. Extensions beyond this initial lease term will require the mutual written agreement of the parties.
2. **Rent.** TBCC shall pay DISTRICT \$1 .00 per annum for the Premises. Payment for the first year shall be due by the tenth day following the Substantial Completion Date; subsequent payments shall be due on the annual anniversary date of this first payment. TBCC shall have the option of making a lump sum payment for the entire term of the Lease at any time.
3. **Use of Adjacent Premises.** The Premises are a portion of the High School. This portion of the High School contains restrooms and a number of classrooms. Employees and students of TBCC shall have access to the restrooms in the adjacent High School facilities during regular business hours, and at other times as may be negotiated by the parties. Any such use by TBCC, its employees and students shall be allowed as agreed to by the parties provided that such employees and students comply with DISTRICT policies.
4. **Use of Premises.**
 - (a) TBCC may use the Premises primarily for educational services. TBCC may not use the Premises for any other purpose or for a purpose that would jeopardize the tax-exempt status of the general obligation bonds or State Stimulus funds used to finance the renovation of the Premises.
 - (b) TBCC shall not use or occupy, or permit or suffer all or any part of the Premises or the Improvements to be used or occupied (1) for any unlawful or illegal business, use, or purpose; (2) in any such manner to constitute a nuisance of any kind; (3) for any purpose or in any way in violation of any local, state or federal law, including but not limited to, laws respecting Hazardous Substances.
 - (c) TBCC shall observe and comply with all conditions and requirements necessary to preserve and extend any rights, licenses, permits (including but not limited to zoning variances, special exceptions, and non-conforming uses), privileges, franchises, and concessions that now apply to the Premises or that have been granted to or contracted for by either party in connection with any existing or presently contemplated use of the Premises or the Improvements.

- (d) TBCC shall not suffer or permit the Premises or the Improvements or any portion to be used by the public, as such, without restriction or in such manner as might reasonably tend to impair either party's title to the improvements or any portion, or in such manner as might reasonably make possible a claim or claims of adverse usage, adverse possession, or prescription by the public, as such, or of implied dedication, of the Premises or the Improvements or any portion. TBCC acknowledges that DISTRICT does not consent, expressly or by implication, to the unrestricted use or possession of the whole or any portion of the Premises or the Improvements by the public, as such.
5. **Parking.** TBCC, its employees, and clientele shall have non-exclusive access to approximately thirty (30) parking spaces adjacent to the Premises and on the site of the High School.
6. **District's Covenants.**
- (a) DISTRICT covenants that it has the right and authority to enter into this Lease; that possession of the portion of Premises will be delivered to TBCC free of other tenants and of conflicting claims; that the use of the Premises by TBCC for the specific uses set forth in paragraph above titled "Use of Premises" is not in violation of any federal, state or local statute, regulation or ordinance, including the acknowledged comprehensive land use plans and regulations of the city or county in which the Premises are located; and that on paying the rent and performing its covenants of this Lease, TBCC may enjoy the rights granted by this Lease free from rightful interference by any third party.
- (b) DISTRICT consents that the Premises, including any common areas in the building to be used by TBCC, comply with all applicable regulatory and building codes requirements for occupancy by TBCC, and meet the requirements of the Americans with Disabilities Act ("ADA") for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities ("ADAAG"), and accessible parking for the disabled in compliance with Oregon Revised Statutes ("ORS") 447.233.
7. **TBCC 's Covenants.** TBCC covenants that it has the right and authority to enter into this Lease.
8. **Development of Plans and Funding Schedule** The parties agree with the final design specifications and renovation plans currently in place, and changes to the same can occur by mutual agreement.
9. **Improvements and Alterations.** TBCC may place fixtures, partitions, personal property, and the like in the Premises and may make non-structural

improvements and alterations to the Premises at its own expense if the placement, improvement, or alteration or their removal will not damage the premises and, even if it will, TBCC may do so, but only with the District's prior approval. TBCC will retain ownership of all fixtures, partitions, personal property and the like placed in the Premises by TBCC, for the duration of the Lease, and will provide DISTRICT periodically with an up-to-date listing of all such fixtures, partitions and personal property. Upon expiration of the Lease, or a sooner termination, TBCC shall remove all fixtures, partitions, personal property and the like on the listing without damage to the Premises. If any such items remain on the Premises more than fifteen (15) days after termination or expiration, such items shall be deemed the property of DISTRICT and DISTRICT may use or dispose of them as it so chooses. Upon expiration or sooner termination, title to the improvements and alternations shall automatically pass to, vest in, and belong to DISTRICT without further action on the part of either party and without cost or charge to DISTRICT.

10. ***Maintenance and Repair of Premises.*** TBCC shall maintain, repair, and replace the portion of Premises and the Improvements as necessary to keep them in good order, condition, and repair throughout the entire Term. TBCC's obligations shall specifically extend to carpets and floor tile, lights and light fixtures, cabinets, interior paint and finishes, ceiling tile, and locks and related hardware. TBCC's obligations shall also extend to the walls, floors, foundations and ceilings, to the extent TBCC damages or alters them. DISTRICT will otherwise maintain roofs and other systems (e.g., HVAC, electrical, lighting).
11. ***Services and Utilities.*** TBCC will pay a portion, based on square footage, of the Premises' utilities and services. Utilities and services include the following: water, sewer, electricity, natural gas, fuel oil, trash removal, janitorial service, and recyclables removal.
12. ***Liens for Improvements.*** TBCC shall not cause or permit liens of any kind, type or description to attach to or be imposed on the Premises, or any part thereof. If TBCC causes or permits any lien to attach to or be imposed on the Premises, then DISTRICT may, at DISTRICT's election, exercise any rights or remedies provided in Section 1 6, or may satisfy such lien and be reimbursed therefore by TBCC upon demand.
13. ***Insurance.***
 - (a) DISTRICT shall keep in full force and effect a policy insuring the Premises against fire and extended coverage as provided by a standard Commercial Property Insuring agreement providing "Special Form" coverage and against other risks and perils such as Earthquake and Flood as are reasonably available (Casualty Insurance). The amount of property coverage shall be no less than the replacement value of the building and other improvements included in the Premises. The

Commercial Property policy shall be issued to DISTRICT as the Named Insured with TBCC as Loss Payee as their interest may appear at the time of the loss. TBCC will reimburse DISTRICT for the annual cost of this Commercial Property coverage for its share of the square footage of the Premises. DISTRICT may also include the holder of any mortgage or deed of trust covering the Premises, in which case all such policies shall, in addition to fulfilling the other requirements of this Section 13, be issued by an insurer satisfactory to (and provide insurance against such risks and in such amounts as may be required by) the holder of the senior mortgage or deed of trust on the Premises. In the event of a loss, payment should first be made to TBCC until its interest is satisfied, with any amount that remains payable to the District. Any deductible or retention over \$ 10,000 per loss must be approved by TBCC.

- (b) TBCC, at TBCC's sole cost and expense, shall keep in full force and effect a policy of Commercial General Liability or similar insurance providing bodily injury and property damage coverage with respect to the Premises and the business operated by TBCC in the Premises. The limits provided should not be less than as required by the Oregon Tort Law or \$1,000,000 per occurrence with a \$2,000,000 general aggregate, whichever is greater. DISTRICT shall be an Additional Insured as respects to claims resulting from the use or possession thereof by TBCC, TBCC's agents, employees, officers, students, contractors, vendors, invitees or licensees.
- (c) TBCC, at TBCC's sole cost and expense, may maintain insurance in TBCC's name covering TBCC's Business Personal Property, including furniture, trade fixtures, equipment, computers, inventory items, spare parts, supplies, and other personal property, and at TBCC's discretion the personal property of others in TBCC's possession at the Premises.
- (d) A certificate issued by the insurance carrier for the policy of insurance as required in Section 13(b) of this Lease shall be delivered to DISTRICT at the commencement of this Lease and within ten (10) days prior to the expiration of the term of each policy, or as soon after as possible. Each certificate shall contain an endorsement or provision requiring at least thirty (30) days written notice to DISTRICT prior to the expiration, cancellation, diminution in the perils insured against, or reduction in the amount of coverage of the policy. TBCC and DISTRICT shall exercise best efforts to obtain from each Property insurer a waiver of all rights of subrogation, which the insurer might otherwise have against the other party.

14. **Casualty Damage.** If the Premises or the Improvements thereon are damaged or destroyed by fire or other casualty to such a degree that the Premises are unsuitable for the purpose leased, and if repairs cannot reasonably be made

within ninety (90) days, either party may elect to cancel this Lease, subject to the terms of Section 19. If the Lease is so terminated, then all insurance proceeds recoverable for the damage to the Premises (including the building and Improvements) shall be the property of DISTRICT. If neither party terminates the Lease, or if the repairs can reasonably be made within ninety (90) days, then to the extent of any insurance proceeds recoverable by either party, the damage shall be promptly repaired by the insured party. To the extent that insurance proceeds recoverable for the damage are not sufficient to pay the costs of repair, the damage shall be promptly repaired by TBCC.

15. **Assignment and Subletting.** No part of the Premises may be assigned, mortgaged, or subleased, nor may right of use of any portion of the Premises be conferred save and except for such uses as are conducted by TBCC as contemplated by this lease on any third party by any other means, without the prior written consent of DISTRICT. This provision shall apply to all transfers by operation of law.
16. **Default.** Neither Party shall be in default under this Lease until written notice of the unperformed obligation has been given and that obligation remains unperformed after notice for fifteen (15) days in the case of a payment or for thirty (30) days in the case of other obligations. If the obligation cannot be performed within the thirty (30) day period, there shall be no default if the responsible party commences a good faith effort to perform the obligation within such period and continues diligently to complete the performance. In case of a default, the nondefaulting party may terminate this Lease with thirty (30) days prior written notice to the defaulting party, and it shall be entitled to recover damages or any other remedy provided by applicable law, or it may elect to perform the defaulting party's obligation and recover from the defaulting party the costs plus interest at the rate often percent (10%) for judgment. .
17. **Indemnification.** If the other party is without fault (the innocent party), the party whose conduct (or the conduct, act, or omission of that party's agents, contractors, employees, students, invitees or servants), use or occupancy of the premises is the cause, source or if the premises of the party is the situs of a particular claim, action, damage, liability or the attorney's fees or expenses occasioned thereby (the Claim) shall indemnify and hold that Innocent Party harmless from and against such Claim. If litigation is filed because of such Claim, the party shall also pay all of the Innocent Party's costs, expenses and attorney's fees as are determined to be reasonable by the trial court or, if an appeal is filed, the appellate court hearing the matter.
18. **Notices.** Notices between the parties shall be in writing effective when personally delivered to the address specified herein under "Parties" on Page 1, or if mailed, effective forty-eight (48) hours following mailing to the address for such party specified herein or such other address as either party may specify by notice to the other.

19. **Termination** . TBCC may terminate this Lease without further obligations or liability to DISTRICT, with not less than one hundred eighty (180) days prior notice to DISTRICT. DISTRICT may terminate all or part of this Lease with not less than one hundred eighty (180) days prior notice to TBCC. If the Lease is terminated by DISTRICT before the natural end of the Lease (20 years from initial occupancy), DISTRICT shall pay to TBCC the amortized value of TBCC's initial capital investment of \$489,205 to wit: \$24,460 per year for the unexpired term.
20. **No Presumption Against Drafter.** The parties understand, agree and acknowledge that:
 - (a) this Lease has been freely negotiated by both parties; and (b) that, in any controversy, dispute, or contest over the meaning, interpretation, validity, or enforceability of this Lease or any of its terms or conditions, there shall be no inference, presumption, or conclusion drawn whatsoever against either party by virtue of that party having drafted this Lease or any portion thereof.
21. **Attorney Fees.** If any suit, action or other proceeding shall be instituted relating to any term or condition of this Agreement or relating to any of the rights, duties or obligations arising under it, the prevailing party shall be entitled to recover from the other party and the other party agrees to pay to the prevailing party, whether or not the matter proceeds to final judgment or decree, in addition to costs and disbursements allowed by law, such sum as the trial and each appellate court may adjudge reasonable as an attorney's fee in such suit, action or other proceeding, and in any appeal thereof. Such sum shall include an amount estimated by the court as the reasonable costs and fees to be incurred by the prevailing party in collecting any monetary judgment or award or otherwise enforcing each order, judgment or decree entered in such suit, action or other proceeding.
22. **Access by DISTRICT.** DISTRICT and its agents shall have the right to enter and examine the Premises at all reasonable times, and to show them to prospective tenants.
23. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
24. **Severability.** If in any judicial proceeding a court shall refuse to enforce all the provisions of this Agreement, any unenforceable provision shall be deemed eliminated from the Agreement for the purpose of such proceeding as is necessary to permit the remainder of the Agreement to be enforced in such proceeding.
25. **Further Assurances.** From time to time, each of the parties shall execute,

acknowledge, and deliver any instruments or documents necessary to carry out the purposes of this Agreement.

- 26. **Time of the Essence.** Time is of the essence for each and every provision of this Agreement.
- 27. **No Third-Party Beneficiaries.** Nothing in this Agreement, express or implied, is intended to confer on any person, other than the parties to this Agreement, any right or remedy of any nature whatsoever:
- 28. **Expenses.** Each party shall bear its own expenses in connection with this Agreement and the transactions contemplated by this Agreement.
- 29. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon.
- 30. **Merger.** This lease constitutes the entire Lease between the parties. No waiver, consent, modification or change of terms of this Lease shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Lease. The parties, by the signature below of their respective authorized representatives, hereby acknowledge that each has read this Lease, understands it, and agrees to be bound by its terms and conditions.

This Lease shall not become effective and shall not be binding upon the parties until it has been executed, in the signature spaces provided below, by all parties to this Agreement the parties have reached agreement on the final design specifications and renovation plans; and TBCC's initial payment has been received by DISTRICT. The parties have executed this Lease the _____ day of _____, 2009.

Tillamook Bay Community College

District

By: _____

By: _____

Its: _____
President

Its: _____

Capital Construction Projects

RECOMMENDATION

Information only – no action requested.

BACKGROUND INFORMATION ----- President Carnahan

Project updates:

- Main Campus construction update
- High School Vocational Building update

Personnel

RECOMMENDATION

Information only – no action requested.

BACKGROUND INFORMATION ----- President Carnahan

Position Title	Application Review Begins	Start Date	Comment	Screening Committee	Appointment
Facilities Maintenance Specialist	Currently	ASAP	Interviews in progress	Dean Ron Ellison - Chair, Thomas Harmon, Sheryl Neu, Sheryl Vanselow	
Information Technology Assistant	Currently	November 1, 2009	Just advertised	Dean Ron Ellison - Chair	

Announcements and General Information

RECOMMENDATION

Information only – no action requested.

BACKGROUND INFORMATION ----- President Carnahan
The annual Mildred Davy Memorial Luncheon is scheduled for Thursday, October 15, at the Tillamook Church of the Nazarene. If you have not already done so, please RSVP and purchase your tickets from Sue by October 9.