

STATE OF TEXAS
COUNTIES OF GREGG, RUSK, UPSHUR AND SMITH
KILGORE JUNIOR COLLEGE DISTRICT

The Kilgore Junior College District Board of Trustees met in regular session at 6:30 pm, Tuesday, December 9, 2008, in the Stewart McLaurin Administration Building, 2nd floor, with the following members present:

B. Randell Brint
C.B. "Scooter" Griffin
Charles Hale
Robert "Bob" Heath, President
Fred Parsons
Will Roberson, Secretary
R. E. Spradlin
James N. Walker
Larry Woodfin, Vice President

Bob Heath, President, called the meeting to order at 6:30 p.m. on Tuesday, December 9, 2008, in the Stewart McLaurin Administration Building, 2nd floor.

Section I. on the Agenda was the Call to Order.

Larry Woodfin led the invocation and Pledge of Allegiance to the United States of America Flag.

Section II. On the Agenda was Presentation.

There was a presentation by the Automotive Technology Advisory Committee. The committee members are Larry Woodfin, D'Wayne Shaw, John Pevey, Joel Laws, David Galbraith, and Randy Lewellen. Kilgore College has built a strong Automotive Technology Program. There is an ongoing need for late model cars to work on. The committee is looking for ideas to get newer cars donated to the program.

Section III. Consent Agenda.

- A. To consider approving the minutes of the November, 2008 regular board meeting.
- B. To consider approval of personnel items submitted as follows:
 1. **Recommendation for change in employment as follows:**
 - a. Part Time Customer Service Clerk to Administrative Assistant III, effective January 1, 2009.
 - b. Administrative Assistant II – Financial Aid Receptionist to Administrative Assistant III – Financial Aid Specialist, effective January 1, 2009.
 - c. Media Specialist to Custodian, effective January 1, 2009.
 - d. Part Time Administrative Assistant – Technical Programs to Administrative Assistant II – Technical Programs, effective January 1, 2009.
 - e. Instructor, Fire Academy and Halliburton Training, due to workload increase, extending contract from 10 months to 12 months, effective January 1, 2009.
 - f. Assistant Registrar to Assistant to the Controller, effective January 1, 2009.
 2. **Recommendation for renewal of faculty contracts as follows:**
 - a. Head Football Coach and Kinesiology Instructor, based upon the approved faculty salary schedule for the period of January 1, 2009 – December 31, 2009.

- b. Assistant Football Coach and Kinesiology Instructor, based upon the approved faculty salary schedule for the period of January 1, 2009 – December 31, 2009.
- c. Assistant Football Coach and Kinesiology Instructor, bases upon the approved faculty salary schedule for the period of January 1, 2009 – December 31, 2009.

C. To consider payment of legal fees for services rendered.

These items are grouped together and do not necessarily need further discussion, although a Board Member may elect to remove an item/s from the Consent Agenda to Action Items for discussion. Dr. Holda gave a brief overview of each consent agenda item and stated that a Personnel Agenda Addendum was at their places. Randy Brint made the motion to accept the Consent Agenda as presented and Charles Hale seconded. The motion passed unanimously.

PERSONNEL AGENDA

**Kilgore Junior College District
Personnel Agenda
December 9, 2008**

1. Recommendation for change in employment as follows:

- A. Name:** Ms. Yvonne Bethune
- Old Position:** Part Time Customer Service Clerk
- New Position:** Administrative Assistant III
- Education:** Bachelor of Science
East Texas State University
Commerce, Texas
- Experience:** Part Time Customer Service Clerk
Kilgore College
Kilgore, Texas; 2008
- Customer Service Representative
General Motors Acceptance
Longview, Texas; 1979 -1991
- Effective Date:** January 1, 2009
- Salary:** \$899.87 per pay period which is equivalent to an annual salary of \$21,597
- Note:** This is a combination of two part time positions into one full time position
- B. Name:** Ms. Jackie Kelly

Old Position: Administrative Assistant II – Financial Aid Receptionist
New Position: Administrative Assistant III – Financial Aid Specialist
Education: Associate of Arts
Kilgore College
Kilgore, Texas
Experience: Administrative Assistant II – Financial Aid Receptionist
Kilgore College
Kilgore, Texas; 2006 – 2008
Secretary/Work Study
Kilgore College
Kilgore, Texas; 2002 - 2006
Effective Date: January 1, 2009
Old Salary: \$817.58 per pay period which is equivalent to an annual salary of \$19,622
New Salary: \$923.95 per pay period which is equivalent to an annual salary of \$22,175
Note: This is an upgrade due to a change in assigned duties

C. Name: Mr. Michael Hale
Old Position: Media Specialist
New Position: Custodian
Education: Bachelor of Science
University of Texas at Tyler
Tyler, Texas
Associate of Science
Kilgore College
Kilgore, Texas
Experience: Media Specialist
Kilgore College
Kilgore, Texas; 2007 – 2008
Custodian
Kilgore College
Kilgore, Texas; 2005 – 2007
Effective Date: January 1, 2009

Old Salary: \$996.17 per pay period which is equivalent to an annual salary of \$23,908

New Salary: \$719.00 per pay period which is equivalent to an annual salary of \$17,256

Note: This is a change in job assignments

D. Name: Ms. Amy Smith

Old Position: Part Time Administrative Assistant – Technical Programs

New Position: Administrative Assistant II – Technical Programs

Experience: Part Time Administrative Assistant – Technical Program
Kilgore College
Kilgore, Texas; 2008

Secretary
Top Notch Tree Care
Kilgore, Texas; 1988 – 2006

Department Manager
Wal-Mart
Kilgore, Texas; 1996 - 2003

Effective Date: January 1, 2009

Old Salary: \$9.00 per hour

New Salary: \$796.63 per pay period which is equivalent to an annual salary of \$19,119

Note: This is an upgrade due to the growth in the areas this position supports

E. Name: Mr. Bobby O'Conner

Position: Instructor, Fire Academy and Halliburton Training

Experience: Instructor, Fire Academy and Halliburton Training
Kilgore College
Kilgore, Texas; 2008

Part Time Instructor
Kilgore College
Kilgore, Texas; 1992 – 2008

Kilgore Fire Department
Kilgore, Texas; 1980 – 2007

Effective Date: January 1, 2009

Old Salary: \$42,109 on a 10 month contract

New Salary: \$49,687 on a 12 month contract

Note: Due to workload increase, extending contract from 10 months to 12 months

F. Name: Ms. Cheryl Muegge

Old Position: Assistant Registrar

New Position: Assistant to the Controller

Experience: Assistant Registrar
Kilgore College
Kilgore, Texas; 2008

Evening Continuing Education Specialist
Kilgore College
Kilgore, Texas; 2004 – 2008

Secretary – Police Academy
Kilgore College
Kilgore, Texas; 2001 – 2004

Education: Bachelor of Applied Arts and Sciences
Texas A&M Commerce
Commerce, Texas

Associate of Art
Kilgore College
Kilgore, Texas

Effective Date: January 1, 2009

Salary: This is a lateral move with no change in salary.

2. Recommendation for renewal of faculty contracts as follows:

- A. Mr. JJ Eckert, Head Football Coach and Kinesiology Instructor, based upon the approved faculty salary schedule for the period of January 1, 2009 – December 31, 2009
- B. Mr. Willie Gooden, Assistant Football Coach and Kinesiology Instructor, based upon the approved faculty salary schedule for the period of January 1, 2009 – December 31, 2009
- C. Mr. Russell Thompson, Assistant Football Coach and Kinesiology Instructor, based upon the approved faculty salary for the period of January 1, 2009 – December 31, 2009.

PERSONNEL AGENDA ADDENDUM

**Kilgore Junior College District
Personnel Agenda Addendum
December 9, 2008**

3. Recommendation for change in employment as follows:

- A. Name:** Ms. Yvonne Bethune
- Old Position:** Part Time Customer Service Clerk
- New Position:** Administrative Assistant II
- Education:** Bachelor of Science
East Texas State University
Commerce, Texas
- Experience:** Part Time Customer Service Clerk
Kilgore College
Kilgore, Texas; 2008
- Customer Service Representative
General Motors Acceptance
Longview, Texas; 1979 -1991
- Effective Date:** January 1, 2009
- Salary:** \$796.63 per pay period which is equivalent to an annual salary of \$19,119
- Note:** This is a combination of two part time positions into one full time position

Section IV. On the Agenda was Citizen Comments.
There were no citizen comments.

Section V. On the Agenda were Action Items.

A. To consider approval of annual financial audit.
Scooter Griffin made the motion to accept the annual financial audit report. Randy Brint seconded the motion. The motion passed unanimously.

B. To consider a resolution adopting a 403(b) Plan Document. – *Exhibit #1*
Scooter Griffin made the motion to accept the plan document as amended, with the option to allow transferring thru item 8 and 9 as described and Sonny Spradlin seconded. Randy Brint and Fred Parsons abstained. The motion passed with 7 votes.

EXHIBIT 1

Board Resolution: Adopting a 403(b) Plan Document

In response to recently released IRS regulations establishing a requirement for written documentation of the 403(b) tax sheltered annuity program offered to employees of Kilgore College (the "District"), the District wishes to adopt the plan document, consisting of the 403(b) Plan Document For Public Education Organizations and the Adoption Agreement For 403(b) Plan Document For Public Education Organizations (both of which are referred to hereinafter as the "Plan Document"), a copy of which is attached to this resolution. The Plan Document is based on model language released by the IRS for such purpose.

RESOLVED, that the Board does hereby adopt the Plan Document which will, at all times, conform to the requirements of Section 403(b) of the Internal Revenue Code and applicable regulations.

FURTHER RESOLVED that it is the intention fo the Board that the 403(b) program will conform with all federal and state statutory and regulatory requirements applicable to 403(b) plans, except that the program set forth above shall not be subject to the requirements of Title I of ERISA because the employer is exempted from such requirements.

FURTHER RESOLVED that the Board authorized the President or his/her appointed designee to act on the Board's behalf with respect to this plan, and to take any and all actions necessary or desirable to implement, maintain and administer the plan set forth above in accordance with the Board's intentions, and all applicable state and federal laws.

Dated: December 9, 2008

EXHIBIT 1, cont.

ADOPTION AGREEMENT

Kilgore College hereby adopts the 403(b) Plan Document for Public Education Organizations plan document (the "Plan") as modified by this Adoption Agreement and agrees that the following provisions shall be incorporated as part of the Plan document.

EMPLOYER INFORMATION

Name of Employer: Kilgore College

Federal Tax ID: 75-6001909

Employer's Address:

1100 Broadway Blvd.
Kilgore, TX 75662

Telephone Number: 903-984-8531 Fax: 903-983-8609

Contact Person: Tony Johnson

Telephone/Extension: 903-983-8102 E-mail tjohnson@kilgore.edu

Type of Organization:

K-12 Public School Community College Public College/University

Note: If Employer is not a public education organization, this document may not be used.

PLAN INFORMATION

1. Name of Plan: Kilgore College's 403(b) Plan

2. Effective Date: This Adoption Agreement:

- Establishes a Plan effective as of January 1, 2009 (the "Effective Date") and is the first 403(b) plan document established by the Employer.
- Amends and restates a previously established 403(b) Plan document of the Employer. The effective date of this amended Plan is _____ (the "Effective Date").

Default Construction Rule: If no box is checked, that feature is NOT included in the Plan.

3. **Eligibility:** Under the Plan document, ALL common law employees except student teachers are immediately eligible to make contributions under the Plan, unless an exception is indicated below. Eligibility for Employer Contributions is based on applicable employment agreements or collective bargaining agreements to which an employee is subject, or as determined by the Employer from year to year.

Employers that participate in External Plans may have additional eligibility requirements established by the plan(s). See Appendix 3 for additional conditions, if any, applicable for ORP contribution. Employees that participate in the Supplemental 403(b) Program will have different eligibility requirements which are described in the plan document that establishes the Supplemental 403(b) Plan.

EXHIBIT 1, cont.

The following employees are excluded from participating in the Plan:

- Employees who normally work fewer than ___ hours per week (must be 20 or less and generally equivalent to 1,000 hours or less in a working year except as otherwise provided under applicable 403(b) regulations.
- Employees who are eligible to participate in another plan sponsored by the Employer that permits salary reduction contributions described under Section 403(b)(12)(A) of the Code.

Note: Excluding any employees will greatly increase the risk of violating the "universal availability" requirements of Section 403(b)(A)(ii) of the Code which may result in complete Plan failure.

4. Contributions:

Employee Contributions (in addition to pre-tax Elective Deferrals):

- Roth 403(b) Contributions are NOT permitted under the Plan.
- Roth 403(b) Contributions to the Plan are permitted beginning on _____. If Roth 403(b) Contributions are permitted to the Plan, direct rollovers from other Roth 403(b) or 401(k) plans are are not accepted into the Plan.

Employer Contributions, if any:

- No Employer Contributions will be made.
- Employer Contributions will be made in accordance with applicable employment agreements and collective bargaining agreements, or as may be determined from year to year by the Employer.
- Other (Describe) _____
- External Plan Contributions will be made as indicated below (See Section 2.2(d)):
 - ORP (Optional Retirement Plan) contributions will be made under the Plan. By checking this box, Employer understands that the provisions of Section 11 of the Plan apply. Appendix 3 must be completed.
 - Supplemental 403(b) Program contributions will be made under the Plan. By checking this box, Employer understands that the provisions of Section 12 of the Plan apply. The Supplemental 403(b) Program is described in the document entitled _____ Plan

5. 15 Years of Service Catch Up Contributions: The Plan will or will not permit employees with 15 years of service with the Employer that satisfy the conditions for the Special Section 403(b) Catch-up Limitation for Employees With 15 Years of Service (Section 3.2 of the Plan) to increase their Elective Deferrals limitation.

6. Investment Options: Any Annuity Contracts and/or Custodial Accounts that meet the requirements of Section 403(b) of the Code offered by the organizations listed on Appendix 1 are authorized as Vendors under the Plan.

7. Exchanges Within the Plan: The Plan will or will not permit Participants to make Exchanges. If permitted, Exchanges may occur between:

- Those Vendors listed on Appendix 1 only (Vendors authorized to maintain current payroll slots).

EXHIBIT 1, cont.

Those Vendors listed on Appendix 1 and from Vendors not listed on Appendix 1 to Vendors listed on Appendix 1. Exchanges to Vendors not listed on Appendix 1 are not permitted.

Those Vendors listed on Appendix 1 and any other Vendor offering annuity contracts and/or custodial accounts that satisfy the requirements of Section 403(b) of the Code and execute the information sharing agreement provided by Employer for purposes of satisfying applicable compliance requirements. Administrator will maintain a list of Vendors that have executed information sharing agreements and will make this list available to Vendors (Appendix 2).

8. **Transfers Into the Plan:** The Plan will or will not accept Transfers from another employer's 403(b) plan.

9. **Transfers From the Plan:** The Plan will or will not permit Transfers from the Plan to another employer's 403(b) plan, if requested by a former Participant.

10. **Financial Hardship Distributions:** Hardship Distributions are or are not available under the Plan.

11. **Loans:** Loans are or are not available under the Plan subject to availability and any additional conditions that may apply under a Participant's 403(b) Individual Agreement(s).

Note: The Plan prohibits loans to any Participant who has previously defaulted on a loan from any retirement or deferred compensation plan sponsored by the Employer.

12. **Beneficiary Rights.** A Beneficiary of a deceased Participant's Account may, or may not designate his/her own Beneficiary.

13. **Additional Modifications:** The following section may be used to insert provisions for which there were no acceptable alternatives provided. It may be used to modify any portion of the Plan Document or Adoption Agreement.

NOTE: Any modifications should be carefully reviewed by Employer's legal counsel to ensure that changes do not adversely affect the Plan's qualification under Section 403(b) of the Code.

Other provisions of the Plan (Attach additional pages as necessary):

EMPLOYER ACKNOWLEDGEMENTS AND SIGNATURES

Employer acknowledges that it is an eligible public education organization under Section 170(b)(1)(A)(ii) of the Code and is authorized to offer a program qualified under Section 403(b) of the Internal Revenue Code.

EMPLOYER

Print Name of Employer: Kilgore College

By:

Print Name of Signer: Tony Johnson

Title: Director of Human Resources

Dated: December 9, 2008

C. To consider a revised Kilgore College Mission Statement – *Exhibit #2*
Sonny Spradlin made the motion to accept the revised Kilgore College Mission Statement and Scooter Griffin seconded. The motion passed unanimously.

EXHIBIT 2

Kilgore College Mission

Kilgore College prepares students for success in life by providing educational opportunities that have high quality, great value, easy access, and community focus.

- Taking as its motto “Emphasis Excellence,” Kilgore College promotes **high quality** in all of its operations: teaching and learning which lead to certificates and associate degrees, administrative and educational support services, and public service.
- Kilgore College promotes **great value** primarily for its 20-member school district service area in Northeast Texas by providing educational opportunities at a competitive cost.
- Kilgore College promotes **easy access** through open-door admission, distance learning opportunities, dual credit courses, developmental education, and a comprehensive financial aid program.
- Kilgore College promotes **community focus** through workforce education programs and through public service endeavors including workforce and small business development, Adult Basic Education, continuing education, athletics, and the fine arts.

The mission statement of Kilgore College is consistent with the Texas Education Code § 130.0011, which states that the mission of public junior colleges shall be two-year institutions primarily serving their local taxing districts and service areas in Texas and offering vocational, technical, and academic courses for certification or associate degrees, as well as continuing education, remedial and compensatory education consistent with open-admission policies.

Section VI. On the Agenda was Executive Session.
The Board did not adjourn into Executive Session.

Section VII. On the Agenda was Discussion Items.

A. Budget Reports

Duane McNaney was available to answer questions from the Board members.

Section VIII. On the Agenda was Board Comments.

Sonny Spradlin left at this point.

The Board discussed future planning needs. It was decided that the 3 year Strategic Plan will be discussed at the January 2009 meeting.

Section IX. On the Agenda was Administration Comments.

Friday, December 12, 2008 at 7:00pm is graduation. There is a reception at 6:00pm in the Devall Room for Fred Parsons, who is the speaker.

Dr. Holda handed out a Supplemental Audit Report.

Dr. Holda gave the Board members a memo noting that all Trustees have completed their required training for the calendar year 2008. *Exhibit: Memo from Karol Pruett*

DATE: December 5, 2008

TO: Dr. Bill Holda

FROM: J. Karol Pruett

SUBJECT: Board of Trustee Training

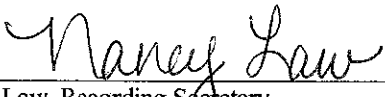
House Bill 2563 from the 2007 Texas Legislative Session requires that the Board meeting minutes for the last regular meeting of the calendar year reflect whether each board member has fulfilled training required to be completed as of that meeting date.

This memo is to certify that all KC Board of Trustee members have completed their required training for the year 2008. A spreadsheet of training records is attached for your review.

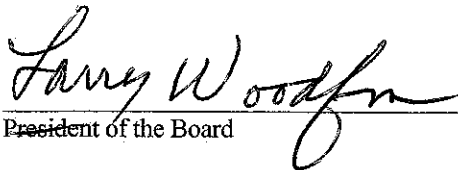
James Walker left at 8:30pm.

Section X. On the Agenda was Adjournment.
The meeting adjourned at 8:40 p.m.

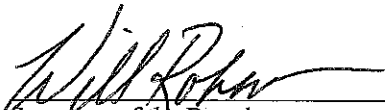
Respectfully submitted,



Nancy Law, Recording Secretary
Kilgore College Board of Trustees

VP 

President of the Board



Secretary of the Board