

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: COMMUNITY COLLEGE**

**DATE: FEBRUARY 3, 2009**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS CHAMPAGNE  
TAYLOR

**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS STEC  
SIMMES  
PITKIN

**OTHERS PRESENT:**

REPRESENTING ADIRONDACK COMMUNITY COLLEGE:

DR. RONALD HEACOCK, PRESIDENT

DR. PAUL MAZUR, VICE PRESIDENT

WILLIAM LONG, VICE PRESIDENT FOR ADMINISTRATIVE SERVICES

KEVIN RIELLY, DIRECTOR OF STUDENT ACCOUNTS, BUSINESS &  
OPERATIONAL SERVICES

THOMAS HOY, ACC FOUNDATION, BOARD OF DIRECTORS

KAREN MOSHER, ADMINISTRATIVE ASSISTANT

THOMAS ROSS, LOFTUS ROSS LLP

FREDERICK MONROE, CHAIRMAN

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES

JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE &  
FISCAL SERVICES

RICK MURPHY, DEPUTY COMMISSIONER OF FISCAL SERVICES

JOAN SADY, CLERK, BOARD OF SUPERVISORS

REPRESENTING WASHINGTON COUNTY:

KEVIN HAYES, ADMINISTRATOR

DEBORAH PREHODA, CLERK OF THE BOARD

PHYLLIS COOPER, TREASURER

MEMBERS OF THE BOARD OF SUPERVISORS

JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

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The joint meeting of Warren and Washington Counties Community College Committees was called to order at 10:00 a.m. in the Bishop Conference Center at Adirondack Community College.

Due to the lack of a majority vote of the members of the Community College Committee, Chairman Monroe provided a quorum of the Committee.

Agendas were distributed to all Committee members, a copy of which is on file with the minutes.

Commencing the agenda review, William Long, Vice President for Administrative Services, stated that a joint meeting comprising members of both Counties and Adirondack Community College (ACC) had been held for the purpose of reviewing the status of the Capital Campaign. He stated that today's agenda would include the review of the status of both the Capital Campaign and the Capital Plan.

Mr. Long extended privilege of the floor to Thomas Ross, Loftus Ross LLP, who stated that the goal of the fundraising effort with regard to the Capital Plan was \$2 million, and he noted that a grant in the amount of \$350,000 had recently been received from the Kresge Foundation, and that \$250,000 was the amount that had been requested. The latter, he said, was indicative of the Foundation's enthusiasm and support for the advancement of the College. Mr. Ross asserted that fundraising efforts were not complete; however, he stated, as of 9:00 a.m. today, \$2,228,331 had been raised, which he said was exceptional for a nine month period and ahead of the June 30, 2009 target date.

Mr. Ross explained that it was necessary to raise \$2 million in order to match the substantive pledge from the Counties, and he expounded the reason the aforementioned \$2,228,331 was not considered toward the goal was due to the fact that the \$250,000 received from Plattsburgh was an in-kind gift, thereby resulting in a total of \$2 million which must be raised to meet the matching program. Further, he noted, fundraising efforts were within \$22,000 of meeting the \$2 million advance from the Counties. Moving forward, Mr. Ross apprised that he was cautiously optimistic regarding the progress of the fundraising efforts with regard to the state of the economy. Mr. Ross stated that he maintained his optimism of meeting the goals of raising the necessary funds, and somewhat cautious with regard to meeting the grant match. Mr. Ross summarized the positive figure of \$2,228,331 or \$2.85 million, and he said, expected to meet the \$2 million advance by March 2009 and would discuss a repayment plan at that time. He continued that the campaign involved pledges over a five year period, therefore the \$2.2 million was not an absolute figure at this time. He apprised that Joe Cutshall-King, Executive Director, ACC Foundation, who was currently out of the office, would provide a detailed report at a later date. Mr. Ross asserted that the overall campaign results had been positive, with a positive response from the community at-large and, he added that the ribbon cutting ceremony for the Regional Higher Education Center (RHEC) building was exceedingly well attended with approximately 250 attendees.

Responding to a question, Thomas Hoy, member of the Board of Directors for the ACC Foundation, Inc., stated that the funds would be submitted by March 31, 2009 and actual figures could be determined after that time. He reported that he estimated those figures to be within the range of \$600,000 to \$700,000 and that the RHEC building was completed under budget. He reiterated that Mr. Cutshall-King was preparing a spreadsheet which would reflect cash flow activity. Mr. Hoy further stated that Robert Joy, President of JMZ Architects & Planners, P.C., and a member of the Board of Directors for the ACC Foundation, had been working on a pledge in-kind efforts and anticipated more contributions.

Mr. Champagne extended appreciation to both Mr. Ross and Mr. Hoy for their efforts and contributions toward the goals of the Committee and acknowledged the difficult economic times underway for the population at-large. Mr. Hoy asserted that actual figures would be distributed following the completion of a spreadsheet which would contain absolute numbers and timelines. He added that the State Grant, as supported by Senator Little, was forthcoming and the details with which the grant would be applied would be discussed by the Foundation.

A discussion ensued.

Privilege of the floor was extended to Phyllis Cooper, Washington County Treasurer who distributed copies of a document entitled "ACC Capital Project No. 91 - Regional Higher Education Center Construction Contract Recaps as of January 31, 2009", a copy of which is on file with the minutes. Mrs. Cooper summarized the report.

Mr. Hoy stated that the ACC Foundation would meet to determine what portions of the amount raised would go to the Counties, and to determine how to best finance the balance. He apprised that the reason for the distribution of monies was for debt repayment.

Mrs. Cooper stated that a Budget Amendment would be necessary at the February Board meeting, due to the \$17,000 deficit which would come from the Contingency Fund, with some reclassifying as necessary.

With regard to the completion of the RHEC, Mr. Long apprised of another issue which pertained to the spending of up to \$7 million, and he pointed out Mr. Ross's figure of \$22,000, the amount needed to meet the goal of the \$2 million match. Mr. Ross cautioned that the \$2 million figure was an assumed match amount at this time. Mr. Long stated that a determination would need to be made prior to expenditure, and that it was a State Aid issue. Mr. Ross surmised that it would be prudent to spend the money, and he noted with the use of the building underway the

additional needs for the building should be assessed, as opposed to losing the funds. Mr. Ross asserted that it was in the College's best interest to receive State funding and he said he did not foresee any difficulty matching those funds. Mr. Hoy added that fifty cents on every dollar would be matched for the amount expended.

Mr. Hayes stated that the only other issue was the lawsuit pertaining to the survey litigation. Mr. Long stated that a portion of the money spent on litigation would have been expended regardless, and was approximately \$100,000, and he noted that the funds were in the budget under the 50% category.

Mr. Long thanked both Mr. Hoy and Mr. Ross for their contribution to today's meeting. Mr. Long distributed the Capital Improvement Plan to the Committee members, a copy of which is on file with the minutes. He apprised that the report reflected portions of both the Capital Improvement Plan that was drafted several years ago, and the Master Plan which had been updated and approved by both Counties in 2002. The Capital Improvement Plan, he stated, included the most critical items and he recommended that a new master plan be drafted.

Mr. Champagne raised the issue of the approval of various maintenance plans in 2005 which included funding from the State and Mr. Long expounded that such was not a match plan but a plan whereby a company examined the campus infrastructure and assessed the total cost of repairs which calculated the cost over a several year period of completion. Mrs. Cooper asked if the project in question might be the Capital Reinvestment Model and Mr. Long responded affirmatively. Ronald Heacock, ACC President, stated that the information from same could be used to offset some of the expenses for the Facilities Master Plan. Further, he said, the State University of New York (SUNY) had asked ACC to build a model which could be used for all other colleges, and would include deferred maintenance expenses. He stated that with the Colleges following the same process simultaneously, such collective information, he said, would strengthen the request for State funding.

Mr. Champagne asked if the plan presented today was a deferred maintenance plan and Mr. Long stated that there had been two plans comprising a short term and a long term plan, which, he stated, represented the current status. Dr. Heacock stated that the list of deferred maintenance projects had been pared down significantly to arrive at the current short term plan. Mr. Long stated that there was potential State funding available, and Capital funds from SUNY were not available at this time; however, he added, if the necessary resolutions were authorized and submitted, there would be potential for funding. Mr. Long summarized the Capital Improvement Plan report which reflected a total cost of \$1,269,015 for 2009.

Mrs. Cooper distributed copies of the ACC Capital Construction report, a copy of which is on file with the minutes. She referred the Committee to the last page of the packet which reflected the total chargeback local shares and Fund balance for ACC Capital Projects at \$667,858.70, and the uncommitted chargeback fund balance as of February 2, 2009 in the amount of \$657,149.31.

A discussion ensued related to full time enrollments (FTE) and chargebacks.

Mrs. Hall inquired about the State's contribution and Dr. Heacock clarified that the resolution must be presented prior to submitting requests for State funding. He stated that ACC Board approval had been received, and the next step was to obtain approval from the Counties. He noted that there was approximately \$12 million in State Capital funds at this time; therefore, he said, it was in the best interest of the Committee to submit the resolution as soon as possible.

Motion was made by Mr. Champagne, seconded by Mr. Taylor and carried unanimously authorizing the resolution of intent to support the ACC Capital Improvement Plan in the amount of \$1,269,015, contingent on the receipt of 50% State funding, and using \$634,507.50 of capital chargeback to reimburse the Sponsoring Counties in the ratio

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of 70% for Warren County and 30% for Washington County, and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Reviewing the resolution process, Mr. Long stated that following approval of the resolution with the Finance Committee, it would then be presented to the full Board. Mr. Hayes added that following Board approval, the College would present the resolution to the State, after which time the College would come back to the Counties to establish and set up the Capital Project.

Continuing with the Washington County Agenda, Mr. Hayes stated that Washington County had been notified that ACC's Adjunct Faculty body, which included approximately 230 staff, supported by the full-time faculty bargaining unit, had asked to gain membership to the union. Mr. Champagne asked what might result from such a unionization and Dr. Heacock apprised that the full time union had requested that the Faculty Student Association (FSA) include adjunct (part-time) faculty and other positions such as tutors, lab assistants, and library assistants. He said the necessary signatures had been received and the change would significantly alter the bargaining unit and that the appropriate filing would need to be made. Hal Payne, Commissioner of Administrative and Fiscal Services for Warren County, asked if the new members would follow the same contract as the existing union and Dr. Heacock stated that because the current contract addressed only full time staff, the change must first be approved, followed by negotiations. Mr. Hayes stated that the County Attorney had been served papers pertaining to the unionization request, and asked if any action was necessary today to authorize ACC to move forward. Dr. Heacock stated that ACC had ten days to respond, and no action was necessary from the Counties today. He noted that the Counties would need to approve any new contracts should the current union be expanded. Dr. Heacock stated that ACC's current ratio of full-time and part-time faculty was 65/35 respectively, and that it was not uncommon for colleges to have a 50/50 ratio of same.

Concluding the Agenda review, Mr. Hayes asked the feasibility of setting and agreeing upon predetermined meeting dates for Committee meetings, and cited one example of every two months. Dr. Heacock stated that Karen Mosher, Administrative Assistant to the Vice President for Administrative Services, would contact both Counties to arrange a mutually agreeable time.

As there was no further business to come before the Community College Committee, Mr. Champagne adjourned the meeting at 10:49 a.m.

Respectfully submitted,

Joanne Collins, Legislative Office Specialist